

**NO. 1 OF 2003**

**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 in October, November and December of 2002 from the Closed Long-Term Benefits Fund giving a breakdown of pre-1969 Spanish pensioners and locally funded pensioners showing the number of Gibraltar/UK Nationals, Moroccans and other nationalities for each month?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 2, 3, and 4 of 2003.

**NO. 2 OF 2003**

**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 in January and February of 2003 from the Closed Long-Term Benefits Fund giving a breakdown of pre-1969 Spanish pensioners and locally funded pensioners showing the number of Gibraltar/UK Nationals, Moroccans and other nationalities for each month?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 1, 3 and 4 of 2003.

ORAL

**NO. 3 OF 2003**

**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 of the months of October, November and December 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**

Answered together with Question Nos 1, 2 and 4 of 2003.

ORAL

**NO. 4 OF 2003**

**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 of the months of January and February 2003 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 lists giving the information requested.

**ANSWER TO QUESTION 4**

**Answer to Questions 1 and 2**

The following pensioners were in receipt of payments from the Closed Long-Term Benefits Fund from October 2002 - February 2003.

	Oct-02	Nov-02	Dec-02	Jan-03	Feb-03
PRE-1969 SPANISH PENSIONERS	6912	6901	6880	6859	6845
BRITISH PENSIONERS (GIB/UK NATIONALS)	4711	4725	4734	4747	4754
MOROCCAN PENSIONERS	1320	1325	1331	1341	1348
OTHER NATIONALITIES	363	364	368	368	367
<b>TOTAL</b>	<b>13306</b>	<b>13315</b>	<b>13313</b>	<b>13315</b>	<b>13314</b>

#### Cont'd Answer to Question 4

#### Answer to Question 3

#### The Hon The Minister for Social Affairs

The balance of the Closed Long-Term Benefits Fund from 31 October 2002 to 30 December 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:

	<u>31-Oct-02</u>	<u>30-Nov-02</u>	<u>31-Dec-02</u>
<b><u>Fund Account -</u></b>			
<b><u>Opening Balance</u></b>	<u>£399,723</u>	<u>£445,783</u>	<u>£583,782</u>
<b><u>"Local Account"</u></b>			
Opening Balance	£16,593	£84,868	£219,192
<u>Add</u>			
Transfers from the Open Long-Term Benefits Fund	£1,000,000	£1,000,000	£1,200,000
Other Receipts	<u>£2,479</u>	<u>£2,590</u>	<u>£8,333</u>
	<u>£1,019,072</u>	<u>£1,087,458</u>	<u>£1,427,524</u>
<u>Less</u>			
Pension Payments	<u>(£934,203)</u>	<u>(£868,267)</u>	<u>(£1,020,440)</u>
Closing Balance	<u>£84,868</u>	<u>£219,192</u>	<u>£407,084</u>
<b><u>"Spanish Account"</u></b>			
Opening Balance	£383,130	£360,914	£364,591
<u>Add</u>			
Receipts from D.F.I.D.	<u>£350,000</u>	<u>£220,000</u>	<u>£1,430,000</u>
	<u>£733,130</u>	<u>£580,914</u>	<u>£1,794,591</u>
<u>Less</u>			
Pension Payments	<u>(£372,216)</u>	<u>(£216,324)</u>	<u>(£1,238,454)</u>
Closing Balance	<u>£360,914</u>	<u>£364,591</u>	<u>£556,137</u>
<b><u>Fund Account -</u></b>			
<b><u>Closing Balance</u></b>	<u>£445,783</u>	<u>£583,782</u>	<u>£963,221</u>

Cont.....

#### Cont'd Answer to Question 4

#### Answer to Question 4

The balance of the Closed Long-Term Benefits Fund from 31 January 2003 and 28 February 2003 for each month showing the amount from UK and local funds and the expenditure to former Spanish workers and to pensioners from local funds is as follows:

	<u>31-Jan-03</u>	<u>28-Feb-03</u>
<b><u>Fund Account -</u></b>		
<b><u>Opening Balance</u></b>	<u>£2,056,081</u>	<u>£1,610,241</u>
<b><u>"Local Account"</u></b>		
Opening Balance	£1,427,349	£1,221,268
<b><u>Add</u></b>		
Transfers from the Open Long-Term Benefits Fund	£600,000	£700,000
Other Receipts	<u>£1,561</u>	<u>£2,574</u>
	<u>£2,028,910</u>	<u>£1,923,842</u>
<b><u>Less</u></b>		
Pension Payments	<u>(£807,642)</u>	<u>(£877,513)</u>
Closing Balance	<u>£1,221,268</u>	<u>£1,046,329</u>
<b><u>"Spanish Account"</u></b>		
Opening Balance	£628,732	£388,973
<b><u>Add</u></b>		
Receipts from D.F.I.D.	<u>£100,000</u>	<u>£300,000</u>
	<u>£728,732</u>	<u>£688,973</u>
<b><u>Less</u></b>		
Pension Payments	<u>(£339,759)</u>	<u>(£249,601)</u>
Closing Balance	<u>£388,973</u>	<u>£439,372</u>
<b><u>Fund Account -</u></b>		
<b><u>Closing Balance</u></b>	<u>£1,610,241</u>	<u>£1,485,702</u>

ORAL

**NO. 5 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE**

Can Government state what was the number of persons giving a breakdown by age and sex receiving Social Assistance for the months of October, November, and December 2002?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 6 to 8 of 2003.



ORAL

**NO. 6 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE**

Can Government state what was the number of persons giving a breakdown by age and sex receiving social assistance for the months of January and February 2003?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 5, 7 and 8 of 2003.

ORAL

**NO. 7 OF 2003**

**THE HON J L BALDACHINO**

**DISABILITY ALLOWANCE**

Can Government state how many persons were in receipt of a disability allowance under the social assistance arrangements in the 4<sup>th</sup> quarter of 2002, giving a breakdown for each month, their sex and age?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 5, 6, and 8 of 2003.

**NO 8 OF 2003**

**THE HON J L BALDACHINO**

**DISABILITY ALLOWANCE**

Can Government state how many persons were in receipt of a disability allowance under the social assistance arrangements for the month of January and February 2003 giving a breakdown for each month, their sex and age?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

I hand the hon Member lists giving the information requested.

**SUPPLEMENTARY TO QUESTION NOS 5 TO 8 OF 2003**

**HON J L BALDACHINO:**

Under social assistance, some of these persons might also be registered as looking for employment, is that correct?

**HON MRS Y DEL AGUA:**

Yes. The figures are the totality of people receiving social assistance.

**Answer to Question 8**

**Answer to Questions 5 and 6**

**PERSONS IN RECEIPT OF SOCIAL ASSISTANCE BY MONTH, SEX AND AGE**

<b>2002</b>	<b>MALES</b>	<b>FEMALES</b>	<b>TOTAL</b>	<b>18/25</b>	<b>26/35</b>	<b>36/45</b>	<b>46/60</b>
<b>OCTOBER</b>	135	203	338	63	103	102	70
<b>NOVEMBER</b>	130	208	338	62	105	103	68
<b>DECEMBER</b>	134	201	335	61	104	101	69
<b>2003</b>	<b>MALES</b>	<b>FEMALES</b>	<b>TOTAL</b>	<b>18/25</b>	<b>26/35</b>	<b>36/45</b>	<b>46/60</b>
<b>JANUARY</b>	137	209	346	69	104	105	68
<b>FEBRUARY</b>	151	183	334	64	103	98	69

**Contd. Answer to Question 8**

**Answer to Question 7 and 8**

The following persons were in receipt of a disability allowance under the Social Assistance Arrangements in the 4<sup>th</sup> Quarter 2002 and January/February 2003

Month	0-10	11-20	21-30	31-40	41-50	51-60	61-70	Total	Male	Female
Oct-02	22	28	17	12	15	11	1	106	73	33
Nov-02	22	28	17	12	16	11	1	107	73	34
Dec-02	22	28	17	12	16	11	1	107	73	34
Jan-03	23	28	17	12	15	11	1	107	74	33
Feb-03	24	29	17	12	15	11	1	109	76	33

**NO. 9 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE**

Can Government state of the 268 persons receiving social assistance as at the 1<sup>st</sup> quarter of 2002, how many were registered with the Employment Agency as seeking employment, how many have been employed and how many are still receiving social assistance giving a breakdown by sex and age?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 10 and 11 of 2003.

**NO. 10 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE**

Can Government state of the 281 persons receiving social assistance as at the 2<sup>nd</sup> quarter of 2002, how many were registered with the Employment Agency as seeking employment, how many have been employed and how many are still receiving social assistance giving a breakdown by sex and age?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 9 and 11 of 2003.

**NO. 11 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE**

Can Government state of the 297 persons receiving social assistance as at the 3<sup>d</sup> quarter of 2002, how many were registered with the Employment Agency as seeking employment, how many have been employed and how many are still receiving social assistance giving a breakdown by sex and age?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

According to answers provided to the hon Member in previous meetings, the figures he quotes for persons in receipt of social assistance as at the end of the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>d</sup> quarters of 2002 are incorrect.

As at the end of the 1<sup>st</sup> quarter 2002, there were 312 persons on social assistance, not 268 as the hon Member quotes. Out of these, 83 were registered with the Employment Agency as seeking employment.

As at the end of the 2<sup>nd</sup> quarter 2002, there were 306 persons on social assistance, not 281. Out of these, 91 were registered with the Employment Agency as seeking employment.

As at the end of the 3<sup>rd</sup> quarter 2002, there were 337 persons on social assistance, not 297. Out of these, 88 were registered with the Employment Agency as seeking employment.

The rest of the information requested is not readily available.



ORAL

**NO 12 OF 2003**

**THE HON J L BALDACHINO**

**OPEN/CLOSED LONG-TERM BENEFITS FUND**

Can Government state what transfers have been made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund giving the amounts and the months of each transfer for October, November and December 2002?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question No 13 of 2003.

ORAL

NO. 13 OF 2003

THE HON J L BALDACHINO

**OPEN/CLOSED LONG-TERM BENEFITS FUND**

Can Government state what transfers have been made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund giving the amounts and the months of each transfer for January and February 2003?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

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

**Answer to Question Nos 12 and 13 of 2003**

**TRANSFERS FROM THE OPEN/LONG-TERM BENEFITS FUND TO THE CLOSED  
LONG-TERM BENEFITS FUND**

<b><u>MONTH</u></b>	<b><u>AMOUNT (£)</u></b>
October 2002	1,000,000
November 2002	1,000,000
December 2002	1,200,000
January 2003	600,000
February 2003	700,000

**NO. 14 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state whether they expect any increase in the number of the social insurance schedules returned to-date for each quarter of 2001?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The Department of Social Security is pursuing the non-return of schedules and cases pending since 2001 and an increase is expected in respect of each quarter of 2001.

**SUPPLEMENTARY TO QUESTION NO 14 OF 2003**

**HON J J BOSSANO:**

Is the figure given as spending in the information that has been provided to us by the department, are all those being chased up?

**HON MRS Y DEL AGUA:**

I believe that is the case.

**HON J J BOSSANO:**

Is the department also chasing up the official employers that have also got people pending going back to the 1<sup>st</sup> quarter of 2001?

**HON MRS Y DEL AGUA:**

Yes.

**HON J J BOSSANO:**

Is the Gibraltar Government one of those official employers that is being chased up by itself?

**HON MRS Y DEL AGUA:**

Yes.

**NO 15 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE CREDITS**

Can Government state how many men aged 60 years and over were receiving social insurance credits in the years 2000, 2001 and 2002 giving a breakdown for each year and how many of these were registered as unemployed with the Employment Agency?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

In 2000, 330 men aged 60 years and over were receiving social insurance credits.

In 2001, 341.

In 2002, 278.

All of these were registered as unemployed with the Employment Agency.

**SUPPLEMENTARY TO QUESTION NO 15 OF 2003**

**HON J L BALDACHINO:**

Do the figures that the Minister has given include the community officers?

**HON MRS Y DEL AGUA:**

As far as I am aware they are specifically the community officers.

**HON J L BALDACHINO:**

Are they then registered with the Employment Agency as looking for work?

**HON MRS Y DEL AGUA:**

It has always been a requirement for these men to register once a year. It is part of the procedure, they register once a year as seeking for work although I must add that the Government are considering amending the relevant legislation so that the aged 60 and over credits are awarded automatically on a year to year basis without any further requirements for entitled persons to register at the Employment Service but the fact that they register has always been the case.

**HON J L BALDACHINO:**

This is why I am asking because previous answers I have had in this House have not reflected what the Minister has just said. In December 1999 the Minister in a previous question answered that she could not give me these figures on a monthly basis that it could be given on a yearly basis. She said that there were 407 people getting credits and four were seeking employment, that is the answer I had in 1999. In a supplementary question when we asked if it was that not everybody should be employed the answer we got from the Minister was that people that were in community work did not have to register as unemployed. There is a difference in comparing the answer we had before and the answer that we have had now.

**HON MRS Y DEL AGUA:**

To what year did the hon Member say he was referring?

**HON J L BALDACHINO:**

December 1999.

**HON MRS Y DEL AGUA:**

Unfortunately I was not in this House in December 1999 but in any case I will check the statistics and get back to the hon Member.

**HON J J BOSSANO:**

Is it not the case that in fact the community officers employed by Community Care are treated as being in part-time employment required to do 80 hours a month of community work subject to PAYE, so how can they be doing that and also be treated as unemployed?

**HON MRS Y DEL AGUA:**

I do not have the information readily available, but I will find out for him.

**HON J J BOSSANO:**

The Minister mentioned the legislation, in what particular legislation does it say that people have to register when they are in fact in part-time employment if they are over 60 because my understanding was that they were getting the credits when they were there but that they were not being treated as unemployed and they do not appear in the unemployment statistics, or do they?

**HON MRS Y DEL AGUA:**

They do not appear in the unemployment statistics it is just a requirement under the relevant legislation. I am afraid I do not know what piece of legislation it is but it was just a requirement and it has always been the case that they had to register once a year. Government are looking to do away with that requirement so that they are automatically awarded the credits. It must be the Social Insurance Contributions Ordinance.

**HON J J BOSSANO:**

I certainly did not know that registration was once a year, I thought it was on a more regular basis. Surely this applies to people who are over 60 years and who are unemployed and the people who are on community work are not unemployed that is the whole point. We understood from the last time that we put the question that once one went to work for Community Care Limited as a community officer on a social wage one got the credits but was not treated as unemployed and having to register. The answer that we have got this time seems to indicate the opposite that everybody who is on the social wage is also deemed to be unemployed in order to get the credit, so perhaps the Minister can find whether there has been any change.



**NO. 16 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE – MINIMUM INCOME GUARANTEE**

Can Government confirm that they have now adopted the policy of withdrawing the Minimum Income Guarantee to pensioners who are hospitalised for a considerable long time?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

I can confirm that under the Social Assistance Arrangements it has always been the policy dating back to the hon Member's administration to suspend or reduce the payment of social assistance whilst a beneficiary is hospitalised after a period exceeding 13 weeks. Depending on the merits of the each case the Director has always had the discretion to reduce the payment or replace it with a pocket money allowance.

Since the introduction of the minimum income guarantee each case of hospitalisation of a beneficiary is carefully looked at individually. If after the initial 13 weeks of hospitalisation it is established that the person will remain in hospital for a considerable amount of time or indefinitely then the Director has the discretion to apply the following criteria. In the case of a married couple with no income the spouse of the in-patient will receive the single persons allowance of £85. The in-patient will after a period of 13 weeks and if it is determined that the stay in hospital will be considerably long or indefinite receive a pocket money allowance. In the case of a single person with no income the minimum income allowance may be suspended and replaced by a pocket money allowance only if it is established that this will not cause the person any form of financial hardship. For example, if the person has any financial commitments which they need to continue to meet like the payment of rent, loans, et cetera this is taken into consideration.

I can confirm that there have only been a handful of cases to date where the payment of minimal income has been suspended. In these cases the persons were also in receipt of an old age pension and community care and it was specifically established that withdrawal of the minimum income topping up payment would not result in any form of financial hardship. In addition all patients were down in the waiting list for Mount Alvernia.

### **SUPPLEMENTARY TO QUESTION NO 16 OF 2002**

**HON J J BOSSANO:**

Given that the Minister has justified this on the basis that it is social assistance how can they previously argue that the rules of social assistance did not apply to the minimum income guarantee because minimum income guarantee was not social assistance, that is what they have said previously in the House.

**HON MRS Y DEL AGUA:**

I do not remember ever arguing the fact that they do not fall under the social assistance arrangements.

**HON J J BOSSANO:**

Yes, the Minister might not even have been here for all I know when it was done but I can certainly assure her that when I have argued about, for example, when I have asked how is it that people on social assistance have got rules applied as to the income that is regarded or not regarded in terms of their entitlement, means testing for social assistance, I was told minimum income guarantee is a completely new thing, it is not social assistance, .....I will get the Hansard and produce it.

**HON CHIEF MINISTER:**

When he gets the Hansard he will find that there is some truth in what he is saying but he is not accurately reflecting what was said. It is true that it was said that the minimum income guarantee is social assistance. He is not correct in saying that it was said by the Government that it was not social assistance, if it is not social assistance what else is it because there is no statutory framework for it. It is therefore part of the Social Assistance Scheme contrary to what he has said. It is also true however that not all social assistance measures albeit that they are all under the social assistance scheme umbrella, they do not all have the same entitlement and disentitlement rules and this Social Assistance Scheme has different entitlement and disentitlement rules to others. It remains however true that in their time in office all social assistance schemes were subject to the treatment that the hon Lady my Colleague has outlined. So it is social assistance, if it were not there would have to be a statutory framework for it but not all

social assistance sub schemes have the same rules and this one has a different set of entitlement and disentitlement rules. The Government could with this or with any other scheme under the Social Assistance decide that it should or should not be withdrawn in a given set of circumstances. I do not see what there is inconsistent. Government statement is not however originally when this was launched to the effect that this was not a Social Assistance scheme.

**HON J J BOSSANO:**

When I have got the text I will ask the House to allow me to read it.

**HON J L BALDACHINO:**

The Minister said that there were a handful of people, does she have the numbers or can she provide it at a later date if she does not have it?

**HON MRS Y DEL AGUA:**

I believe there were three cases.

**NO. 17 OF 2003****THE HON J L BALDACHINO****SOCIAL SERVICES AGENCY**

Can Government state how many children are held in care giving a breakdown by age and sex at the end of October, November and December 2002?

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

As at 31<sup>st</sup> October 2002, 30<sup>th</sup> November 2002 and 31<sup>st</sup> December 2002, 27 children and young persons were in care with the Social Services Agency. The following statistical analysis gives details of age band and gender.

<b>2002</b>	<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>
<b>31<sup>st</sup> Oct</b>	4	2	2	7	5	2	9	3	6	7	2	5
<b>30<sup>th</sup> Nov</b>	4	2	2	7	5	2	9	3	6	7	2	5
<b>31<sup>st</sup> Dec</b>	4	2	2	7	5	2	9	3	6	7	2	5

**SUPPLEMENTARY TO QUESTION NO 17 OF 2002**

**HON J L BALDACHINO:**

Are they now all in foster homes?

**HON MRS Y DEL AGUA:**

No they are not all in foster homes, there are children or young people in care in the different flats in the community, some in foster homes but not all of them are fostered.

**HON J L BALDACHINO:**

Those that are not fostered where are they in an institution like they were before, in homes?

**HON MRS Y DEL AGUA:**

Certainly not in an institution. An institution is what we had before with Bishop Healy now they are in flats in the community.

**NO. 18 OF 2003**

**THE HON J L BALDACHINO**

**DR GIRALDI HOME**

Can Government state what is the present number of residents at Dr Giraldi Home?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The present number of residents at Dr Giraldi Home is 16.

**SUPPLEMENTARY TO QUESTION NO 18 OF 2003**

**HON J L BALDACHINO:**

That is the total number of permanent residents?

**HON MRS Y DEL AGUA:**

Yes.

ORAL

**NO. 19 OF 2003**

**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 month of the 4<sup>th</sup> quarter of 2002?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The number of individuals who applied for respite facilities at Dr Giraldi Home is as follows:

MONTH	APPLICATIONS	MET
October 2002	6	6
November 2002	9	9
December 2002	9	9

**SUPPLEMENTARY TO QUESTION NO 19 OF 2003**

**HON J L BALDACHINO:**

Am I correct in saying that there are four beds for respite, that is what the Minister answered to another question when she increased it by 100 per cent from two to four, is there a time limit that people can live there, is there a maximum or is it up to the management of the Dr Giraldi Home to decide the merits of the respite?

**HON MRS Y DEL AGUA:**

It is up to the management to decide on the circumstances of each individual.



ORAL

**NO. 20 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**DOMICILIARY CARE SERVICE**

Can Government confirm what criteria is used for providing patients with domiciliary care service?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 21 to 24 of 2003.

ORAL

**NO 21 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**DOMICILIARY CARE SERVICE**

Can Government say if the domiciliary care service has been contracted out, whether tenders were invited for the provision of the service?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 20, and 22 to 24 of 2003.

ORAL

**NO 22 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**DOMICILIARY CARE SERVICE**

Can Government say whether the domiciliary care service is being provided directly by the Elderly Care Agency, or it has been contracted out?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 20, 21, 23 and 24 of 2003.

ORAL

**NO 23 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**DOMICILIARY CARE SERVICE**

Can Government confirm how many persons there are currently receiving visits by the domiciliary care service?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 20 to 22 and 24 of 2003.

**NO. 24 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**DOMICILIARY CARE SERVICE**

Can Government confirm whether there is a waiting list in respect of persons deemed to qualify for domiciliary care service?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question No 20 of 2003**

The criteria used for providing patients with domiciliary care is the following:-

Firstly, the client has to be referred by a doctor, social worker, district nurse or other Member of the medical profession.

An assessment is then carried out by the Co-ordinator who presents a report to the Domiciliary Care Committee which in turn decides whether the applicant is suitable. This suitability is based on a combination of different factors, for example, the age of the client, mental and physical state, the level of support they already receive, the level of rehabilitation they require, whether they are housebound, how many hours of care they would need et cetera.

**Answer to Question Nos 21 and 22 of 2003**

Government can confirm that the Domiciliary Care Service has been contracted out. Adverts were placed in the press requesting expressions of interest from companies/agencies experienced in the delivery of social care to undertake the provision of domiciliary care for the elderly people in the community.

**Answer to Question No 23 of 2003**

There are currently 26 persons in receipt of domiciliary care.

**Answer to Question No 24 of 2003**

There is currently no waiting list for this service.

**SUPPLEMENTARY TO QUESTION NOS 20 TO 24 OF 2003**

**HON MISS M I MONTEGRIFFO:**

The criteria specifies a certain number of conditions and I beg your pardon if I take a bit longer because all my questions have been answered in one go. Can the Minister confirm if the services being provided are for people who are over a certain age?

**HON MRS Y DEL AGUA:**

Yes, the age of 60 and over.

**HON MISS M I MONTEGRIFFO:**

I suppose it is 60 for females and 65 for males, is that correct?

**HON MRS Y DEL AGUA:**

That is correct yes.

**HON MISS M I MONTEGRIFFO:**

So really it is a service that is being offered to pensioners?

**HON MRS Y DEL AGUA:**

Not all of them might be pensioners. *"Elderly people"* is the term that we use.

**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm which is the company that has been contracted by the Government and also how much the Government are paying for this service?

**HON MRS Y DEL AGUA:**

I can confirm the name of the company, I can confirm that it has not been contracted by Government it has been contracted by the Elderly Care Agency. I am afraid I do not have the cost of whatever the agency is paying the sub contractor.

**HON MISS M I MONTEGRIFFO:**

When the agency was contracted did they open the vacancies with the ETB?

**HON MRS Y DEL AGUA:**

The agency came with its own employees.

**HON MISS M I MONTEGRIFFO:**

What nationalities comprise the employees working for this agency does the Minister know?

**HON MRS Y DEL AGUA:**

I would need prior notice to that question I do not know.

**HON MISS M I MONTEGRIFFO:**

I would like to notify the Minister that we have a case of a lady who has approached us and perhaps she would be kind enough to look at the circumstances of this lady because having heard the criteria mentioned by the Minister we believe that this lady is a genuine case. She has been denied the domiciliary service and I can pass the information over to the hon Lady later on as regards the name of this lady but I can tell her now that she

is totally immobile, she is living in Gib V and she depends totally on the help of neighbours and therefore I would urge the Minister if she would agree to look at her case because she has been denied the service?

**HON MRS Y DEL AGUA:**

Certainly I will look at the case but if she has been declined the service there must be some reason I am sure.

**HON MISS M I MONTEGRIFFO:**

Therefore would the Minister be willing to pass over the information why she has been denied the service?

**HON CHIEF MINISTER:**

Assuming that the case that the hon Member has described exists in the exact factual circumstances that the hon Member bandies across the floor of the House expecting that we should just all accept it at face value, assuming that such a case exists there is one of two possibilities either she has not applied through the proper channels in which case an application across the floor of the Parliament is not the proper channel for applying for domiciliary care or she has applied, the considerable system that exists for considering the merits of applications have considered her application and all these professional entities have for one reason or another concluded that this lady is not meritorious of this service. If that is what has happened then the hon Lady could reasonably ask my Colleague to do one of two things either to ask the co-ordinator to provide this applicant with an explanation of why her case has not succeeded and I think that that is perfectly reasonable. When one applies for a public service and it is denied one is entitled to know why it is denied or alternatively she may wish to ask the Minister to invite the Co-ordinator to reconsider the application to see if some error has been made in these considerations. I think that those are the two things that it is reasonable for the hon Lady to put across the floor of the House and not to submit an application for domiciliary care on behalf of this lady.

**HON J J BOSSANO:**

Given that we are not banding things across the floor of the House but asking supplementaries and given that the Chief Minister seems to have some doubts as to whether we have invented the whole thing, will the Minister take into consideration that on the 28<sup>th</sup> February 2003 the agency, of which she is the Chairperson, wrote to this particular pensioner signed by the Domiciliary Care Co-ordinator and said "*I would like to thank you for allowing me into your home to perform the assessment of your situation unfortunately at this present time we are unable to offer you domiciliary care.*" If her agency writes to a pensioner saying, "*..unfortunately at this present time we are unable to offer you domiciliary care,*" it suggests that there is a problem in offering it because of their ability to deliver the service and then if the pensioner as a member of the electorate exercises the democratic right to approach the shadow minister responsible and bring



this letter to our attention the next step without requiring the advise of the Chief Minister that was taken was to write to the Elderly Care Agency, to the person that had written the letter on the 12<sup>th</sup> March and there was no reply and therefore we bring it to the House so in fact the evidence is that the Chief Minister does not have to make all those assumptions that we are telling the truth. We have the information black upon white and we have said there is a case that would be provided outside the House because we do not want to mention her name but the Chief Minister's intervention saying, *"....if we accept that what is being said is true and if we assume that the case exists,"* he does not have to assume it I am telling him. The Chairman can go back to her job which has nothing to do with the Government and tell the agency that she wants to see the letter written on headed paper of the agency on the 28<sup>th</sup> February 2003 where a person that has gone through the proper channels otherwise presumably there would not have been a visit to her home to make the assessment was told, *"unfortunately at this present time we are unable to offer you domiciliary care"* and seek an explanation as to why it was unfortunate on the 28<sup>th</sup> February that they were incapable of providing the care.

#### **HON CHIEF MINISTER:**

They were not incapable this is why I asked the hon Member what he claims to have black upon white. What he has black upon white is a statement that unfortunately at this stage we are not able to provide domiciliary care and he assumes and converts his assumption into a black and white situation. He assumes that the correct interpretation of those words is *"you are deserving of domiciliary care but because there is some problem in the authority we cannot deliver you a service which you deserve"* and that is a massive assumption on the hon Member's part which is certainly not black and white because the statement, *"unfortunately we cannot provide you with domiciliary care at this time"* is equally capable of meaning *"your case does not fall within the criteria established for domiciliary care as they are established at this time,"* which is exactly what it means because if there is a problem with providing domiciliary care in the sense that the resources are not available or some other reason why would the co-ordinator have done the visit. The visit was to assess the application. After the assessment of the application the applicant is told we are sorry we are not in a position to provide domiciliary care at this stage. The hon Member assumes as it suits him to do so that that means that one is entitled but one cannot have it and it is not black and white. I would also ask the hon Member to recall that the domiciliary care system is still at pilot stage and that the criteria are not set on stone permanently as one goes forward. A pilot scheme has certain established criteria depending on what is learnt in a pilot scheme when the service is then offered on a more widely basis that may involve a modification of the criteria and that is what I meant was *"what has he got in black and white?"*

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

Given that the criteria that have been mentioned seem to be fully applicable to this particular case from the personal knowledge I have of the person that has been housebound for years, it is difficult to reconcile the interpretation that the Chief Minister puts on it. I accept that it is possible to put that interpretation if one does not know the person but if one knows that the person is in a wheelchair and one sends the co-ordinator to the house to visit and they conclude that somebody that depends entirely on the neighbours which the neighbours have confirmed to us, is not able to qualify it is not

an unreasonable conclusion to say, just how bad does one need to be in terms of mobility and looking to oneself to qualify, how high are the requirements? This is why we are bringing it to the House to try to establish whether this is a mistake or whether in fact the requirements are so high that one has to be practically in a stretcher before one can get the care. The Minister mentioned that the matter is referred to the committee, is there a proviso that if somebody is unhappy with the decision of the committee is there a route of appeal against a decision if they feel that the case has not been properly assessed?

**HON MRS Y DEL AGUA:**

This is not a statutory entitlement for the hon Member's information I can say that the committee is formed from a wide cross section of the community, for example, it is represented by a GP, a district nurse, a social worker, a deputy nursing co-ordinator, the Domiciliary Care Co-ordinator after the assessment has been made. So I do not feel the need for there to be any sort of appeals forum when all of them are represented within this committee to whom are they going to appeal?

**HON J J BOSSANO:**

Then presumably the only recourse that somebody that is unhappy with the decision is to go to the Ombudsman because the ombudsman can investigate cases like this.

**HON MRS Y DEL AGUA:**

That is what we set up the Office of the Ombudsman for.

**HON CHIEF MINISTER:**

There is nothing to stop somebody, an unsuccessful applicant of the sort that he appears to have in mind, there is nothing to stop that lady asking for her case to be reconsidered. This is not like a court of law which once it is adjudicated becomes *'functus officio'* and cannot revisit the matter. The lady said, *"I made an application, it has been denied, can you tell me why it has been denied?"* and secondly, *"would you please reconsider my case and make sure that you have not made a mistake."* She is free to do that, what we are not free to do in this House on either side is to substitute our judgement as politicians for the judgement of the professional care deliverers who have exercised a professional judgement but we are certainly entitled to ask them to look at it again to make sure that they have not done an injustice to a very deserving applicant.

**HON J J BOSSANO:**

In providing the information my Colleague was not saying that the Minister should become the full-time co-ordinator taking the decision but so that the matter would be looked at again but will the Minister ask the co-ordinator to give a reply to the letter that was sent to her saying *"I have been approached by so and so to seek an explanation as*

*to why you are unable to offer her domiciliary care,”* because if that had been forthcoming the matter might not have needed to have been brought here. Will she ask the co-ordinator to reply to the letter?

**HON MRS Y DEL AGUA:**

I will ask the Elderly Care Agency to get in touch with the person concerned so that all her concerns are allayed and the matter can be looked into again.

ORAL

NO. 25 OF 2003

THE HON MISS M I MONTEGRIFFO

**MOUNT ALVERNIA**

Can Government say when residents of Mount Alvernia who are currently in temporary accommodation elsewhere, are expected to return to Mount Alvernia?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question No 26 of 2003.

**NO 26 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**MOUNT ALVERNIA**

Can Government say how many of the persons resident in Mount Alvernia are currently in Lathbury Barracks, the Caleta Hotel and the Jewish Home?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question No 25 of 2003**

Residents are expected to return to Mount Alvernia in the latter part of April.

**Answer to Question No 26 of 2003**

There are currently 43 residents accommodated at the Retreat Centre, 20 at the Caleta Hotel and 12 at the Jewish Home.

**SUPPLEMENTARY TO QUESTION NOS 25 AND 26 OF 2003**

**HON MISS M I MONTEGRIFFO:**

Can the Minister say as regards those elderly persons that require 'specialist care' where they are presently allocated?

**HON MRS Y DEL AGUA:**

I do not understand what the hon Member means by 'specialist care', all elderly people have some sort of illness or another but as far as I am concerned none who are resident in Mount Alvernia require 'specialist care' those would be up in hospital receiving 'acute care'.

**HON MISS M I MONTEGRIFFO:**

Can the Minister then say what service is being provided in the three different locations like for example, the Caleta Hotel, Lathbury Barracks and the Jewish Home?

**HON MRS Y DEL AGUA:**

Residential service.

**HON MISS M I MONTEGRIFFO:**

Can the Minister say, for example, in the Caleta Hotel how many patients there are and how many people are there to care for them, what is the number?

**HON MRS Y DEL AGUA:**

The co-ordination of the move to different places has been in accordance with the criteria that is established at the Elderly Care Agency in accordance with what the needs of each patient is. The number of staff depends on the number of patients.

**HON MISS M I MONTEGRIFFO:**

The Minister is not aware of the number of staff that has been allocated to the temporary residential areas?

**HON MRS Y DEL AGUA:**

Not without prior notice but I am sure there is sufficient staff to care for the residents.

**HON MISS M I MONTEGRIFFO:**

Do Government not agree with reports that have been made public that the evacuation of Mount Alvernia has not been welcomed by the administration with senior officials stating that Government's own safety officials had not been notified or involved in the asbestos reading, only on the 25<sup>th</sup> February were factory inspectors called in to take readings at Mount Alvernia. Do they agree with other reports that experts have said that the risk of evacuating elderly persons with their feeble state of health was probably greater than the risk posed by asbestos and that the chance of any of these persons dying of asbestos is nil because they need to be exposed for 20 years.

**MR SPEAKER:**

This is not really a supplementary.

**HON MISS M I MONTEGRIFFO:**

If we are talking about the decision that the Government have taken to transfer the patients I am asking them if they do not agree with reports that have been made public by experts who believe that the risks have been greater?

**MR SPEAKER:**

I disallow it, it is not a supplementary to the answer given. You are only entitled to ask a supplementary in connection with the answer not a new subject.

**HON MISS M I MONTEGRIFFO:**

Can I inform the Minister that there is an elderly person accommodated at Lathbury Barracks who fell from her bed because they did not have the proper railings to protect such patients and that she has sustained quite acute injuries to her face and whether in view of this situation which is extremely dangerous whether proper beds should be provided at Lathbury Barracks for example?

**HON CHIEF MINISTER:**

If an elderly person has fallen from her bed and suffered personal injury then I am very, very sorry to hear it. If the hon Member on the other hand tries to use any such unfortunate incidents that may have occurred as justification for the view that she appears to have that the evacuation of Mount Alvernia was not appropriate, then the Government do not agree with her as the Government do not agree with the content of the supplementary question that she sought to ask and was disallowed from proceeding with. The Government's decision to evacuate Mount Alvernia was taken on the basis of technical professional advice received. We are aware that the Opposition appears to have been fed by information by a disgruntled person who appears to have taken umbrage at the fact that they were not consulted about the whole asbestos situation and

along the basis of that information fed by a disgruntled person the Opposition has built a case. It is true because the Government did not consider it necessary to do so on the basis of the professional advice that we had from other sources that the factory inspectors were not part of the decision to evacuate Mount Alvernia. That is true and we have said it publicly before. The decision to evacuate Mount Alvernia was justified, was required and was sensible on the basis of the technical advice received or does the hon Member consider it proper that the construction company should have evacuated its workers from the site on the basis that its in-house construction company safety rules require that evacuation and that the Government should have left the senior citizens resident there. The site is unsafe for the construction workers but safe for 96 senior citizens to continue to live in and I would ask the hon Member to examine her conscience carefully and ask herself this question, if the Government had not evacuated Mount Alvernia would she then have based her attack not on the fact that the evacuation was not necessary but on the irresponsibility of the Government of not having evacuated Mount Alvernia when this jeopardy was discovered?

**HON MISS M I MONTEGRIFFO:**

As I have proved during the years that I have been in this House my main concern has always been to protect patients. All I am asking the Minister is if she is willing to look at this incident which we think is a dangerous incident because it already has transpired that an elderly lady has fallen from a bed because she has not had the railings which were previously provided in the beds at Mount Alvernia. That is all.

**HON MRS Y DEL AGUA:**

I will not take what the hon Lady is saying at face value, I have every trust in the working practices and professionalism of the staff of the ECA and therefore I will not even raise the matter.

**HON J J BOSSANO:**

What is it actually that the Minister is saying, that she thinks that this has been invented and she is not going to look into it because she does not believe what we are saying?

**HON MRS Y DEL AGUA:**

What I am saying is that the hon Member is insinuating that the fall of this poor elderly lady is as a result of negligence and I will not accept that.

**HON J J BOSSANO:**

What my Colleague has said is that beds in Mount Alvernia have railings and beds in the other place do not. The word negligence has not entered into that. If the fact that there are no railings represents a risk and this has not been anticipated surely the Minister would want to know.



**HON CHIEF MINISTER:**

And that is the point that the Minister was saying she does not agree with. The staff at Mount Alvernia who have done a superb job and in which the Government have complete and utter faith know the needs of each patient at Mount Alvernia and provide the level of care and supervision that the needs of that patient require. What the Government do not accept is the insinuation in the hon Member's question and urging the Minister to look into it is that the fall was the result of the fact that they were not at Mount Alvernia because the hon Member must be aware that elderly people fall from their beds even in Mount Alvernia. They conclude that the fall from the bed is the result of not being in Mount Alvernia and that is just not the case. There is nothing to investigate. There may or may not be a fall, I personally have no knowledge of the incident, the hon Lady appears to have knowledge of such an incident if there has been a fall it is one of those situations which management deals with, which management if there are lessons to be learnt from it learn from it and it does not require a ministerial inquiry into why it has happened. That is what the Minister is saying.

**HON J J BOSSANO:**

It is a good job we have got the Chief Minister here this morning because we find out what Ministers say not by listening to them but by listening to the Chief Minister's interpretation of what they meant to say and what their thoughts were. Can I ask the Minister whether in fact the beds in Mount Alvernia and the beds in the other place are the same?

**HON MRS Y DEL AGUA:**

They are the same beds because they were transferred from Mount Alvernia to the Retreat Centre.

**HON J J BOSSANO:**

So they have got the railings that they had before to protect the elderly persons in the new place as well?

**HON MRS Y DEL AGUA:**

For the people who needed railings yes. The railings were also transferred with the beds.

ORAL

NO. 27 OF 2003

THE HON MISS M I MONTEGRIFFO

**MOUNT ALVERNIA**

How many elderly citizens are awaiting a place at Mount Alvernia, and how many of these are occupying a bed at St Bernard's Hospital as at the end of February 2003?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

As at the end of February 2003, there were 77 applications from persons wishing to enter Mount Alvernia. Out of these, 34 are applications from people in hospital.

ORAL

**NO 28 OF 2003**

**THE HON J J BOSSANO**

**ELDERLY CARE AGENCY**

Can Government say how many Spanish nationals are employed in the Elderly Care Agency with a breakdown by position held and the comparable figure for Gibraltarians?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

A total of 19 out of 144. I hand the hon Member a list giving the breakdown and comparison.

**Answer to Question No 28 of 2003**

**Nationals**

**Spanish**

1 Nursing Co-ordinator	-
1 Deputy Co-ordinator	-
13 Staff Nurses	3
4 Senior Enrolled Nurses	-
5 Enrolled Nurses	-
71 Nursing Auxiliaries/Assistants	10
1 Physiotherapist	-
1 Manager	-
1 Personnel Officer	-
1 Finance Officer	-
3 Administrative Officers	-
3 P/Time Administrative Officers	-
1 P/Time Activity Co-ordinator	-
2 Personal Secretaries	-
1 Catering Manager	-
1 Domiciliary Care Co-ordinator	-
1 Office Helper	-
1 Senior Cook	-
3 Cooks	1
5 Assistant Cooks	2
4 Skilled Laundress	-
15 Domestic	3
1 Industrial Technician	-
1 Labourer	-
1 Maintenance	-
1 Storeman	-
1 Seamstress	-

**SUPPLEMENTARY TO QUESTION NO 28 OF 2003**

**HON J J BOSSANO:**

Were these vacancies filled through the Employment and Training Agency, were the vacancies opened and the Spanish nationals applied through the agency or were they recruited in some other way?

**HON MRS Y DEL AGUA:**

I would have thought that normal procedure would be for the agency to open the agencies at the ETB but I can check for him.

**HON J J BOSSANO:**

When she checks whether the vacancies were open will the Minister also check whether in fact at the time other than the Spanish applicants for those jobs there were Gibraltarians who also applied for those jobs?

**HON MRS Y DEL AGUA:**

I will do that.

**NO. 29 OF 2003**

**THE HON J L BALDACHINO**

**DRUG REHABILITATION PROGRAMME**

Can Government state if the new wage subsidy pilot scheme that was approved under ESF for persons who have completed a Drug Rehabilitation Programme and others who meet the categories stated in answer to Question No 730 of 2002 now in operation and if so:-

- (a) How many employers have taken the offer;
- (b) How many persons have been placed in employment giving a breakdown by age and sex?

**ANSWER**

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

The Wage Subsidy Pilot Scheme, known as Venia 2002 is now in operation. Four employers are currently employing four persons (that is, each employer one employee). All four employees are males and over 25 years of age.

**SUPPLEMENTARY TO QUESTION NO 29 OF 2003**

**HON J L BALDACHINO:**

Are these four employers the ones approached by the Government or did they offer their services to this programme?

**HON H A CORBY:**

Some of them the employers have contacted the Employment Service and others we have sent a letter saying that they carry wage subsidy and they have been employed by these employers.

**HON J L BALDACHINO:**

In Question No 713 of 2002 I asked how the employers got in contact with the Employment Agency because it was said that the details would be announced shortly, have those details been announced and that is why they are applying to the Employment Agency?

**HON H A CORBY:**

It was very difficult before to get somebody who had a record to be employed and I think that this pilot scheme is good because now people carry with them a wage subsidy. We also contact employers and the employers are now in the know. Yesterday an employer came to me and said, *"I have heard about this scheme will you send me somebody that I can employ immediately."* I think this pilot scheme will also help drug offenders who find themselves out of employment, people do not want to employ them because they have a reputation in Gibraltar and that reputation carries with them. I am trying to change that aspect of the employers and I myself at times phone up employers to help these people who I think need a second chance and by having a second chance then at least they have a chance to have a permanent job, if they misbehave it is up to them but the chance has been given to them.

**HON J L BALDACHINO:**

I agree entirely with the sentiments of the Minister but is it that the department is free to be flexible depending on the person and the employer?

**HON H A CORBY:**

Yes it is completely flexible and we are looking at the scheme and if it needs any modification or a larger number of people to be in it we will certainly look at it and there is no stamp on it as such. We will do everything possible to make it work.

**HON J L BALDACHINO:**

Is there a qualifying period which applies to other wage subsidies?

**HON H A CORBY:**

No there are no qualifying periods.



**NO. 30 OF 2003**

**THE HON J L BALDACHINO**

**NUMBER OF UNEMPLOYED**

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 and over for the month of October, November and December 2002 receiving:-

- (a) Unemployment Benefit;
- (b) Social Assistance;
- (c) No payments giving a further breakdown of sex in each age group.

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question No 31 of 2003.

**NO. 31 OF 2003**

**THE HON J L BALDACHINO**

**NUMBER OF UNEMPLOYED**

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 and over for the months of January and February 2003, receiving:-

- (a) Unemployment Benefits;
- (b) Social Assistance;
- (c) No payments giving a further breakdown by sex in each age group?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

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

### **Answer to Question Nos 30 and 31**

The following is a breakdown by month, sex and age of male and female unemployed Gibraltarians aged 18 and over from 1<sup>st</sup> October 2002 to 28<sup>th</sup> February 2003:-

#### **A. UNEMPLOYMENT BENEFIT**

2002	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
OCT	27	23	50	19	16	7	8
NOV	28	25	53	18	17	7	11
DEC	32	26	58	25	15	6	12

2003	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
JAN	26	24	50	23	8	7	12
FEB	23	26	49	16	17	4	12

#### **B. SOCIAL ASSISTANCE**

2002	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
OCT	59	19	78	17	28	24	9
NOV	63	24	87	19	27	25	16

2003	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
JAN	64	28	92	22	28	27	15
FEB	73	21	94	21	29	26	18

#### **C. NO PAYMENTS**

2002	MALES	FEMALES	TOTAL	18-24	26 & OVER
OCT	99	120	219	83	136
NOV	95	89	184	64	120
DEC	80	69	149	42	107

2003	MALES	FEMALES	TOTAL	18-24	25 & OVER
JAN	Not Available				
FEB	Not Available				

**SUPPLEMENTARY TO QUESTION NOS 30 AND 31 OF 2003**

**HON J L BALDACHINO:**

As to Question No 31 of 2003 the information cannot be provided at this time according to what the Minister has just given me, can she let me know once she has the information?

**HON MRS Y DEL AGUA:**

Yes I will do that.

ORAL

**NO. 32 OF 2003**

**THE HON J L BALDACHINO**

**CAMMELL LAIRD**

Can Government state how many persons were employed by Camell Laird or alternatively in the shipping industry as at the end of October, November and December 2002 and how many of these were Gibraltarians giving a breakdown for each month?

**ANSWER**

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

Answered together with Question No 34 of 2003.

ORAL

**NO. 33 OF 2003**

**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 January and February 2003 and how many of these were Gibraltarians giving a breakdown for each month?

**ANSWER**

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

Answered together with Question Nos 35, 38, 40, 45, 48, 50 and 63 of 2003.

ORAL

**NO 34 OF 2003**

**THE HON J L BALDACHINO**

**CAMMELL LAIRD**

Can Government give a monthly breakdown of 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 2002 and of these how many have been taken by Gibraltarians?

**ANSWER**

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

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

**Answer to Question Nos 32 and 34 of 2003**

The number of persons employed in the shipping Industry in the 4<sup>th</sup> Quarters 2002 is as follows:-

	October	November	December
<b>Gibraltar</b>	116	107	111
<b>Other</b>	109	98	117
<b>Total</b>	225	205	228

Breakdown of vacancies for casual workers notified to the Employment Service in the shipping industry in the 4<sup>th</sup> quarter, showing Gibraltarians employed.

	4 <sup>th</sup> Quarter		
	October	November	December
<b>Total Vacancies</b>	31	2	31
<b>Gibraltarians</b>	12	1	10

**SUPPLEMENTARY TO QUESTION NOS 32 AND 34 OF 2003**

**HON J L BALDACHINO:**

On the casual workers I see that the Gibraltarians are far below the total vacancies that have been opened from other nationalities, is it that the Gibraltarians are not interested in the casual work that is opened with the Employment Agency?

**HON H A CORBY:**

No the people on casual work at times require certain expertise in certain fields. At times we do not have the expertise that they want for the casual work but it is not because Gibraltarians are not interested in casual work. Most Gibraltarians would like a



permanent job but they will take casual work for a certain amount of time but at times the shipyard requires certain skills which we have not got in the Employment Service.

**HON J L BALDACHINO:**

So the disparity is because of the specialist work that is required at a particular time in the yard and we do not have locals to provide it, is that correct?

**HON H A CORBY:**

Yes.

ORAL

**NO 35 OF 2003**

**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 months of January and February 2003, and of these how many have been taken by Gibraltarians?

**ANSWER**

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

Answered together with Question Nos 33, 38, 40, 45, 48, 50 and 63 of 2003.

ORAL

**NO 36 OF 2003**

**THE HON J L BALDACHINO**

**UNEMPLOYMENT REGISTER**

How many Gibraltarians joined the unemployment register during each month of the 4<sup>th</sup> quarter of 2002 giving a breakdown by age and sex?

**ANSWER**

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

Answered together with Question Nos 37, 41 to 44 and 46 of 2003.

**NO 37 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT – NUMBER OF GIBRALTARIANS**

Can Government state of the Gibraltarians employed in the 4<sup>th</sup> quarter of 2002 how many were registered with the Employment Agency giving a breakdown for each month by age and sex?

**ANSWER**

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

Answered together with Question Nos 36, 41 to 44 and 46 of 2003.

ORAL

**NO 38 OF 2003**

**THE HON J L BALDACHINO**

**UNEMPLOYMENT REGISTER**

How many Gibraltarians joined the unemployment register during each month of January and February of 2003 giving a breakdown by age and sex?

**ANSWER**

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

Answered together with Question Nos 33, 35, 40, 45, 48, 50 and 63 of 2003.

**NO. 39 OF 2003**

**THE HON J L BALDACHINO**

**TERMS OF ENGAGEMENT**

Can Government state how many Terms of Engagement were registered with the Employment Agency on 31<sup>st</sup> October, 30<sup>th</sup> November and 31<sup>st</sup> December 2002

- (a) including directors;
- (b) excluding directors?

**ANSWER**

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

The statistical information requested by the hon Member is set out in the schedule below.

**Answer to Question No 39 of 2003**

Terms of Engagements registered with the Employment Agency.

	October	November	December
<b>Including Directors</b>	18614	18702	18618
<b>Excluding Directors</b>	15903	15984	15902

**NO. 40 OF 2003**

**THE HON J L BALDACHINO**

**TERMS OF ENGAGEMENT**

Can Government state how many Terms of Engagement were registered with the Employment Agency on 31<sup>st</sup> January and 28<sup>th</sup> February 2003

- (a) including directors;
- (b) excluding directors?

**ANSWER**

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

Answered together with Question Nos 33, 35, 38, 45, 48, 50 and 63 of 2003.

ORAL

**NO. 41 OF 2003**

**THE HON J L BALDACHINO**

**VACANCIES FILLED**

Can Government state of the vacancies filled in the 4<sup>th</sup> quarter of 2002 how many were for part-time employment giving a breakdown by sex for each month as follows:-

- (a)     Gibraltarians;
- (b)     Other nationals?

**ANSWER**

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

Answered together with Question Nos 36, 37, 42 to 44 and 46 of 2003.



ORAL

**NO. 42 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT CONTRACTS TERMINATED**

Can Government give a breakdown by nationality and industry giving the total for each month for the 4<sup>th</sup> quarter of 2002 in respect of employment contracts terminated?

**ANSWER**

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

Answered together with Question Nos, 36, 37, 41, 43, 44 and 46 of 2003.

ORAL

**NO. 43 OF 2003**

**THE HON J L BALDACHINO**

**WORK PERMITS**

Can Government state the number of work permits issued in the 4<sup>h</sup> quarter of 2002 giving a breakdown by occupation, sex and nationality for each month?

**ANSWER**

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

Answered together with Question Nos 36, 37, 41, 42, 44 and 46 of 2003.

**NO. 44 OF 2003**

**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 of 2002, giving a breakdown for each month, their trade and nationality?

**ANSWER**

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

Answered together with Question Nos 36, 37, 41 to 43 and 46 of 2003.

ORAL

**NO. 45 OF 2003**

**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 January and February of 2003, giving a breakdown for each month, their trade and nationality?

**ANSWER**

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

Answered together with Question Nos 33, 35, 38, 40, 48, 50 and 63 of 2003.

ORAL

**NO. 46 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT AGENCY**

Can Government state how many Gibraltarians registered unemployed with the Employment Agency as at 4<sup>th</sup> quarter of 2002 were registered as looking for part-time jobs giving a breakdown by sex and age for each month?

**ANSWER**

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

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

### Answer to Question No 36 of 2003

Gibraltarians who joined the Unemployment Register during the 4<sup>th</sup> quarter of 2002.

October	Male	Female	Total
<18	3	5	8
18 to 24	32	20	52
25+	34	37	71
Total	69	62	131

November	Male	Female	Total
<18	5	5	10
18 to 24	23	18	41
25+	33	23	56
Total	61	46	107

December	Male	Female	Total
<18	2	4	6
18 to 24	24	11	35
25+	23	17	40
Total	40	32	81

### Answer to Question No 37 of 2003

Registered Unemployed Gibraltarians employed during the 4<sup>th</sup> quarter of 2002.

October	Male	Female	Total
<18	0	2	2
18 to 24	17	15	32
25+	23	10	33
Total	40	27	67

November	Male	Female	Total
<18	1	3	4
18 to 24	11	16	27
25+	10	12	22
Total	22	31	53

December	Male	Female	Total
<18	0	1	1
18 to 24	10	7	17
25+	10	8	18
Total	20	16	36

### Answer to Question No 41 of 2003

Part-time vacancies filled in the 4<sup>th</sup> quarter of 2002.

October	Gibraltarians		Other		Total	
	Male	Female	Male	Female	Male	Female
<18	1	3	0	3	1	6
18 to 24	7	10	8	16	15	26
25+	4	30	21	33	25	63
Total	12	43	29	52	41	95

November	Gibraltarians		Other		Total	
	Male	Female	Male	Female	Male	Female
<18	0	0	2	1	2	1
18 to 24	11	7	4	6	15	13
25+	2	13	7	18	9	31
Total	13	20	13	25	26	45

December	Gibraltarians		Other		Total	
	Male	Female	Male	Female	Male	Female
<18	2	0	0	1	2	1
18 to 24	5	7	3	8	8	15
25+	6	22	5	9	11	31
Total	13	29	8	18	21	47

### Answer to Question No 44 of 2003

Detached workers registered with the Employment Service in the 4<sup>th</sup> quarter of 2002.

#### October 2002

Nationality	Professional	Semi-Skilled	Skilled	Manual	Total
Spanish	1	2	20	-	23
British	1	-	11	-	12
Other EEC	-	-	3	-	3
Other Non EEC	1	-	1	-	2
Total	3	2	35	-	40

#### November 2002

Nationality	Professional	Semi-Skilled	Skilled	Manual	Total
Spanish	-	1	6	-	7
British	4	-	10	3	17
Other EEC	-	-	-	-	-
Other Non EEC	-	5	-	-	5
Total	4	6	16	3	29

**December 2002**

<b>Nationality</b>	<b>Professional</b>	<b>Semi-Skilled</b>	<b>Skilled</b>	<b>Manual</b>	<b>Total</b>
<b>Spanish</b>	-	-	9	-	9
<b>British</b>	2	-	3	-	5
<b>Other EEC</b>	-	-	-	-	-
<b>Other Non EEC</b>	-	-	3	-	3
<b>Total</b>	<b>2</b>	<b>9</b>	<b>6</b>	<b>-</b>	<b>17</b>

**Answer to Question No 46 of 2003**

Unemployed Gibraltarians registering for part-time work in the 4<sup>th</sup> quarter of 2002.

<b>October</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>&lt;18</b>	0	0	0
<b>18 to 24</b>	0	1	1
<b>25+</b>	1	22	23
<b>Total</b>	<b>1</b>	<b>23</b>	<b>24</b>

<b>November</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>&lt;18</b>	0	0	0
<b>18 to 24</b>	1	5	6
<b>25+</b>	1	16	17
<b>Total</b>	<b>2</b>	<b>21</b>	<b>23</b>

<b>December</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>&lt;18</b>	0	0	0
<b>18 to 24</b>	0	2	2
<b>25+</b>	0	13	13
<b>Total</b>	<b>0</b>	<b>15</b>	<b>15</b>



Answer to Question 42 of 2003

Employment Contracts Terminated by Nationality & Industry for April – June 2002		October										November										December									
Industry		GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH
Shipbldg, repair etc.	4	1	2			1		11						10	1	2				10	1	2									
M/f of food, & tobacco	4	4	19					2						2						2											
Printing & publishing																															
M/f n.e.c.(clothing etc)																															
Blding & construction	26	29	28	4	5	3	3	12	16	31	4	2	1	23	19	40	3			1											
Electricity supply																															
Water supply																															
Sea transport/shipping	4		1					3	2				1	2	1					2	1										
Port & services								1						1						1											
Road transport	3							10		1																					
Post & telecomm.																															
Air transport & related	1																														
W/sale food, drink	2		1	1				4		1	2			2						2											
W/sale fuel		1						1	1					2						2											
W/sale n.e.c.																															
Retail – food	10	3	11	1				10	2	7				8	1	4	2			6	1										
Retail – drink & tobacco	1							2						4	2	1				4	2	1									
Ret – clothing, footwear	1							1	1	3																					
Retail – h/hold goods	2	2	2	1				3	1	15	1				1	1															
Retail – n.e.c.	7	3	4					11	2	10				4	2	8				4	2	8									
Hotels, hostels, g/houses	5	3	4	1	1			1	3	8				2	3	2				2	3	2									
Restaurants, cafes etc	9	17	11	1	3			12	5	15	2			14	12	14	5			14	12	14	5								
Bars/lic to sell alcohol)		5							3					1	3	3				1	3	3									
Tourist svcs n.e.c.	10	2						2	2	2				2	5	2				2	5	2									
Banking & finance	9	4						8	6	1				16	6	1				16	6	1									
Insurance & real estate	1	4						8	3	1				3	3	2				3	3	2									
Legal, account, other svc	20	8	6	1	1			16	11	1	1			14	9	5				14	9	5									
Public admin	24	2	1					12	1					14						14											
Education services	1							1						2						2											
Medical/health services	1							1	3	3				1	1					1	1										
Welfare, charity, rel svcs	1	2						1	2					2						2											
Entertainment & sport	2	14	1					4	5	1				3	7					3	7										
Repairs – consumer good	1		2					1	2	3				7	2					7	2										
Police/fire services	11	1	1					2	3	1				2	4					2	4										
Defence	5	1						2	1					3						3											
Sanitary services														1						1											
Services n.e.c.	28	12	9	1	1			12	7	11	1			19	3	8	7			19	3	8	7								
Totals	193	119	105	13	19	6		156	85	129	12			171	87	99	20			171	87	99	20								

**Contd. Answer to Question 46 of 2003**

**Answer to Question 43 of 2003**

Work Permits issued in the 4<sup>th</sup> Quarter of 2002.

October	Polish	Korean	Israeli	Japanese	Total
Managerial			1		1
Professional					
Medical					
Clerical					
Semi-Skilled					
Domestic					
Catering					
Skilled	12	2		1	15
Director					
Totals	12	2	1	1	16

November	Mex.	Argentinian	S. African	Cypriot	Korean	Polish	Moroccan	Bangladeshi	Total
Managerial									
Professional								1	1
Medical									
Clerical									
Semi-Skilled	9			4					13
Domestic									
Catering							1		1
Skilled		1	1		2	1			5
Director				1					1
Totals	9	1	1	5	2	1	1	1	21

**Answer to Question 43 of 2003**

December	Austrian	Indian	Israeli	Moroccan	Total
Managerial					
Professional	2		1		3
Medical					
Clerical					
Semi-Skilled		1			1
Domestic				1	1
Catering					
Skilled					
Director					
Totals	2	1	1	1	5

**SUPPLEMENTARY TO QUESTION NOS 36,37,41 TO 44 AND 46 OF 2003**

**HON J L BALDACHINO:**

Is it that the work permits issued in the 4<sup>th</sup> quarter of 2002 are all new work permits or are there any renewable work permits in those figures that I have been given?

**HON H A CORBY:**

He will find that all renewal permits which is what he wanted would be in the quarter stated here.

**HON J L BALDACHINO:**

The figures for detached workers, is this mainly in the construction and the shipping industry?

**HON H A CORBY:**

Most are employed in the construction industry and most of them are in the new hospital.

ORAL

**NO. 47 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT AGENCY**

Can Government state of the Gibraltarians employed in the 4<sup>th</sup> quarter of 2002 how many were registered with the Employment Agency as unemployed giving a breakdown for each month by age and sex?

**ANSWER**

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

This question is a duplicate of Question No 37 of 2003 which has already been answered.

ORAL

**NO. 48 OF 2003**

**THE HON J L BALDACHINO**

**WORK PERMITS**

Can Government state the number of work permits issued in the month of January and February 2003 giving a breakdown by occupation, sex and nationality for each month?

**ANSWER**

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

Answered together with Question Nos 33, 35, 38, 40, 45, 50 and 63 of 2003.

**NO. 49 OF 2003**

**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 for the 4<sup>th</sup> quarter of 2002 giving a breakdown for each month under the Employment Regulations (Offences) Ordinance, and under which section of the Ordinance. Furthermore, whether the penalties have been paid or the matter is being pursued through the courts?

**ANSWER**

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

The statistical information requested is set out in the schedule that I hand to him.

## **Answer to Question No 49 of 2003**

### **October 2003**

Number of inspections carried out was 26.  
4 Fixed Penalty Notices were issued.  
4 Fixed Penalty Notices were paid.  
2 pending cases with the Attorney General.

### **November 2002**

Number of inspections carried out was 30.  
17 Fixed Penalty Notices were issued.  
3 Fixed Penalty Notices were paid.  
2 pending cases with the Attorney General.

### **December 2002**

Number of inspections carried out was 2.  
1 Fixed Penalty Notice was issued.  
14 Fixed Penalty Notices were paid.  
2 pending cases with the Attorney General.

The provisions are as follows:-

- 1) Regulation 8(2A) of the Income Tax (Pay As You Earn) Regulations 1989 (Duty to Register).
- 2) Regulation 3 of the Employment Injuries (Contributions) Regulations (Duty to Register).
- 3) Regulation 3 of the Employment Injuries (Contributions) Regulations as applied by Regulation 4(1) of the Social Security (Contributions) Regulations (Duty to Register).
- 4) Regulation 3 of the Employment Injuries (Contributions) Regulations as applied by Regulation 3(1) of the Social Security (Open Long-Term Benefits) (contributions) Regulations 1997 (Duty to Register).
- 5) Regulation 4 of the Employment Regulations 1994 (Duty to notify Director of vacancy).
- 6) Regulation 6 of the Employment Regulations 1994 (Duty to notify Director of intention to engage an entitled worker).
- 7) Regulation 7 of the Employment Regulations 1994 (Duty to apply to the Director for a permit in relation to a non-entitled worker).
- 8) Regulation 13 of the Employment Regulations 1994 (Duty to notify Director of termination).
- 9) Regulation 15 (4) of the Employment Regulations 1994 (Amended by LN 100/94) (Duty to notify Director of temporary employment of Detached Workers).
- 10) Section 3 of the Business Trades and Professions (Registration) Ordinance 1989 (Duty to Register).
- 11) Section 57(2) of the Income Tax Ordinance (Duty to give notice to the Commissioner that a person is chargeable for tax purposes).



**SUPPLEMENTARY TO QUESTION NO 49 OF 2003**

**HON J L BALDACHINO:**

I see that the number of inspections carried out in December 2002 is exceptionally very low compared to other months is there a reason for that?

**HON H A CORBY:**

No there is no reason for it. There are more holidays in December and we do this at random so they might have had work to be done in the office. There is always backlog of work to be done so there is no reason why there should be more or less in December.

**HON J L BALDACHINO:**

Although I understand that there are holidays in December the most that we get is two days, three if we consider the 24<sup>th</sup> .....

**HON CHIEF MINISTER:**

They also take their own personal leave.

**HON J L BALDACHINO:**

I see, so it is that people take their annual leave during that time.

**NO. 50 OF 2003**

**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 for the months of January and February 2003 giving a breakdown for each month under the Employment Regulations (Offences) Ordinance, and under which sections of the Ordinance. Furthermore whether the penalties have been paid or the matter is being pursued through the courts?

**ANSWER**

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

Answered together with Question Nos 33, 35, 38, 40, 45, 48 and 63 of 2003.

**NO. 51 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT REGULATIONS (OFFENCES) ORDINANCE**

Can Government state if the pending cases which were with the Attorney General Chambers in July, August and September 2002 in relation to the Employment Regulations (Offences) Ordinance have now gone to the courts?

**ANSWER**

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

The two pending cases with the Attorney General Chambers for July 2002 were settled and did not go to the courts. The pending case with the Attorney General Chambers for August 2002 was carried forward to September 2002. The two pending cases with the Attorney General Chambers for September 2002 have now been to the courts and have been set hearing dates.

**SUPPLEMENTARY TO QUESTION NO 51 OF 2003**

**HON J L BALDACHINO:**

So the one in July was settled before it went through the courts, is that correct?

**HON H A CORBY:**

Yes that is correct.

**NO. 52 OF 2003**

**THE HON J L BALDACHINO**

**JOB CLUB**

Can Government state how many persons have used the facilities provided at the Job Club in the 4<sup>th</sup> quarter of 2002, giving a breakdown for each month by sex and age?

**ANSWER**

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

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

**SUPPLEMENTARY TO QUESTION NO 52 OF 2003**

**HON J L BALDACHINO:**

Can the Minister clarify if persons that might be shown in October could they also be shown as part of the numbers shown in November and December?

**HON H A CORBY:**

People shown in October carry on a schedule of work which can then pass on to the different months, yes.

**Answer to Question No 52 of 2003**

Total number of persons using Job Club facilities for the 4<sup>th</sup> quarter of 2002 by month, sex and age.

<b>October</b>	<b>Under 18</b>	<b>18-24</b>	<b>25 and Over</b>	<b>Total</b>
<b>Male</b>	5	10	12	27
<b>Female</b>	2	8	19	29
<b>Total</b>	7	18	31	56

<b>November</b>	<b>Under 18</b>	<b>18-24</b>	<b>25 and Over</b>	<b>Total</b>
<b>Male</b>	3	12	14	29
<b>Female</b>	0	9	20	29
<b>Total</b>	3	21	34	58

<b>December</b>	<b>Under 18</b>	<b>18-24</b>	<b>25 and Over</b>	<b>Total</b>
<b>Male</b>	0	4	7	11
<b>Female</b>	2	4	10	16
<b>Total</b>	2	8	17	27

ORAL

**NO. 53 OF 2003**

**THE HON J L BALDACHINO**

**NON-EEC NATIONALS EMPLOYED**

Can Government state how many non-EEC nationals employed in the 3<sup>d</sup> quarter of 2002 were new entrants to the local labour market giving a breakdown by nationality and job title, for each month?

**ANSWER**

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

Answered together with Question No 54 of 2003.

**NO 54 OF 2003**

**THE HON J L BALDACHINO**

**NON-EEC NATIONALS EMPLOYED**

Can Government how many non-EEC nationals employed in the 4<sup>th</sup> quarter of 2002 were new entrants to the local labour market giving a breakdown by nationality and job title, for each month?

**ANSWER**

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

The statistical information requested by the hon Member is set out in the schedule that I hand to him but let me say that the House would perhaps be informed that as from the 1<sup>st</sup> January 2003 as part of the on-going standardising of job codes, occupational groups and industry groups et cetera, in accordance with standard occupational classification, that is the computer one, the main occupational groups will be broken down as follows, the same groupings but with different titles.

### Answer to Question No 54 of 2003

New entrants, non-EEC nationals, for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2002.

July	Pakistani	Austrian	Russian	Polish	Canadian	Total
Managerial	-	-	-	-	-	-
Professional	-	-	1	-	-	1
Medical	1	-	-	-	-	1
Clerical	-	-	-	-	1	1
Semi-skilled	-	-	-	-	-	-
Domestic	-	-	-	-	-	-
Catering	-	-	-	-	-	-
Skilled	-	1	-	8	-	9
Director	-	-	-	-	-	-
Total	1	1	1	8	1	12

August	Cypriot	Israelite	Trinidadian	S African	Moroccan	Chinese	Total
Managerial	-	-	-	-	-	-	-
Professional	-	1	-	-	-	-	1
Medical	-	-	-	1	-	-	1
Clerical	1	-	-	-	-	-	1
Semi-skilled	1	-	-	-	-	-	1
Domestic	-	-	-	-	1	-	1
Catering	-	-	1	-	-	1	2
Skilled	7	-	-	1	-	-	8
Director	-	-	-	-	-	-	-
Total	9	1	1	2	1	1	15

September	S.African	Korean	Lithuanian	Argentinian	American	Polish	Indian	Total
Managerial	1	-	-	-	-	-	-	1
Professional	4	1	-	-	-	-	-	5
Medical	-	-	-	-	-	-	-	-
Clerical	-	-	-	1	-	-	-	1
Semi-skilled	-	-	-	-	-	-	-	-
Domestic	-	-	-	-	-	-	-	-
Catering	-	-	-	-	-	-	-	-
Skilled	-	4	1	-	-	1	-	6
Director	2	-	-	-	1	-	1	4
Total	7	5	1	1	1	1	1	17



October	Polish	Korean	Israelite	Japanese	Total
Managerial	-	-	1	-	1
Professional	-	-	-	-	-
Medical	-	-	-	-	-
Clerical	-	-	-	-	-
Semi-skilled	-	-	-	-	-
Domestic	-	-	-	-	-
Catering	-	-	-	-	-
Skilled	12	2	-	1	15
Director	-	-	-	-	-
Total	12	2	1	1	16

November	Mex	Argentinian	S African	Cypriot	Korean	Polish	Mor	Bangladesh	Total
Managerial	-	-	-	-	-	-	-	-	-
Professional	-	-	-	-	-	-	-	1	1
Medical	-	-	-	-	-	-	-	-	-
Clerical	-	-	-	-	-	-	-	-	-
Semi-skilled	9	-	-	4	-	-	-	-	13
Domestic	-	-	-	-	-	-	-	-	-
Catering	-	-	-	-	-	-	1	-	1
Skilled	-	1	1	-	2	1	-	-	5
Director	-	-	-	1	-	-	-	-	1
Total	9	1	1	5	2	1	1	1	21

December	Austrian	Indian	Israelite	Moroccan	Total
Managerial	-	-	-	-	-
Professional	2	-	1	-	3
Medical	-	-	-	-	-
Clerical	-	-	-	-	-
Semi-skilled	-	1	-	-	1
Domestic	-	-	-	1	1
Catering	-	-	-	-	-
Skilled	-	-	-	-	-
Director	-	-	-	-	-
Total	2	1	1	1	5

ORAL

**NO. 55 OF 2003**

**THE HON J L BALDACHINO**

**SPANISH NATIONALS EMPLOYED**

Can Government state what was the total number of employment contracts for Spanish nationals registered with the Employment Agency as at 31<sup>st</sup> December 1996; 1997; 1998 and 1999?

**ANSWER**

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

Answered together with Question No 56 of 2003.

**NO. 56 OF 2003****THE HON J L BALDACHINO****SPANISH NATIONALS EMPLOYED**

Can Government state what was the total number of employment contracts for Spanish nationals registered with the Employment Agency as at 31<sup>st</sup> December 2000, 2001 and 2002?

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

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

**Answer to Question No 55 and 56 of 2003**

Number of Employment Contracts for Spanish nationals registered with the Employment Agency.

Year	No of Contracts
1996	1046
1997	1179
1998	1285
1999	1587
2000	1893
2001	2272
2002	2376

**NO. 57 OF 2003**

**THE HON J L BALDACHINO**

**SPANISH NATIONALS EMPLOYED**

Can Government state of the 393 Spanish nationals employed in the 3<sup>rd</sup> quarter of 2002 how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

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

Answered together with Question Nos 58 to 60 and 62 of 2003.

**NO. 58 OF 2003**

**THE HON J L BALDACHINO**

**SPANISH NATIONALS EMPLOYED**

Can Government state of the 354 Spanish nationals employed in the 4<sup>th</sup> quarter of 2002 how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

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

Answered together with Question Nos 57, 59, 60 and 62 of 2003.

**NO. 59 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT – OTHER BRITISH**

Can Government state of the 398 Other British employed in the 3<sup>rd</sup> quarter of 2002 how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

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

Answered together with Question Nos 57, 58, 60 and 62 of 2003.

**NO. 60 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT – OTHER BRITISH**

Can Government state of the 307 Other British employed in the 4<sup>th</sup> quarter of 2002 how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

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

Answered together with Question Nos 57 to 59 and 62 of 2003.

**NO. 61 OF 2003****THE HON J L BALDACHINO****EMPLOYMENT AGENCY**

Can Government state what was the expenditure by the Employment Agency on wage subsidy in each month of the 4<sup>th</sup> quarter of 2002 and the number of people and of employers involved in each of these months?

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

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

**Expenditure of Wage Subsidy during the 4<sup>th</sup> Quarter of 2003**

	4 <sup>th</sup> Quarter		
Year 2002	October	November	December
Expenditure (£)	525	6,940	700
No of Employees	2	6	2
No of Employers	2	5	2



**SUPPLEMENTARY TO QUESTION NO 61 OF 2003**

**HON J L BALDACHINO:**

Is there an explanation why it goes up and down from month to month?

**HON H A CORBY:**

These do not correspond to the number of employees at all, these are invoices that come in. It is the same argument as last time. The figures did not tally with the actual number of employees.

**HON J J BOSSANO:**

So in fact the number that is given is related to the expenditure. Then the Minister has paid £525 in October in respect of two employees and paid £6,940 in respect of six, is that correct?

**HON H A CORBY:**

We have not paid £6,940 for six it is invoices we gather and then we pay but it does not tally with the six.

**HON J J BOSSANO:**

I understood that what the Minister had said was that the number of employees did not reflect the number of people who were actually in employment but the number of people who had been invoiced?

**HON H A CORBY:**

It is the expenditure.

**HON J J BOSSANO:**

The question was not about the number of people as related to the expenditure, that is the question that I am putting now but the original question from my Colleague was, if people are getting this for six months how come that there were two, then six and then two because if four new ones came in in November they ought to still be there in December so what is the explanation for the fact that it is two, six and two that has nothing to do with invoices which is what he said so what is the explanation then?

**HON H A CORBY:**

People drop out and then come in.

**HON J J BOSSANO:**

I can understand that a proportion drop out but that suggests that the whole four dropped out, if one were able to get four new people in the wage subsidy in November one would have expected that it would continue and that some might drop by the wayside but not that it goes down to two again?

**HON CHIEF MINISTER:**

The fact about which I am not clear and I think lies at the root of the exchange is whether the figures given for number of employees and number of employers whether those relate to the people who are actually on the scheme in those months so that the only figure that is disjointed because it relates to the date when invoices are received is only the figure for expenditure. That is what I personally, I do not know if my Colleague has the answer to that, in other words, take the figure for October, take the whole column for October, does that mean that £525 was paid out in October in respect of two employees by two employers but not necessarily in respect of October employment or does it mean that £525 was paid in October in respect of periods that have nothing to do with October but that nevertheless in October there were two employees and two employers on the scheme. Which of those two is it? Are the three columns co-ordinated or is the number of employees and the number of employers relating to October whereas the financial bit relates to payments made in October in respect of others. I do not know the answer to that I do not know if the hon Member.....

**HON J J BOSSANO:**

Otherwise it is difficult to interpret the information without knowing how it is arrived at.

**NO. 62 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT – MOROCCAN NATIONALS**

Can Government state how many Moroccan nationals employed in the 3<sup>d</sup> and 4<sup>h</sup> quarter of 2002 were new entrants to the local labour market?

**ANSWER**

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

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

**Answer to Question No 62 of 2003**

New entrants to the local labour market for the 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2002.

	July	August	September	October	November	December
Moroccan	0	1	0	0	1	1
British	42	40	39	45	40	25
Spanish	31	47	35	34	40	26

**SUPPLEMENTARY TO QUESTION NOS 57 TO 60 AND 62 OF 2003**

**HON J L BALDACHINO:**

On a previous question that the Minister answered on new work permits, if I look at these figures that are now being provided, especially in one of the categories, it should tally with the other one.

**HON H A CORBY:**

It is the same as the others that I have given him so that he has a true picture of what is and the new entrants which are the same as what he asked before?

**HON J L BALDACHINO:**

Am I correct in assuming that whatever is shown here should also be reflected in the other?

**HON H A CORBY:**

That is right and actually if one asks for new work permits issued in the quarter it may be an idea not to ask for this one on Moroccans because it would be the same answer for the first one.

**NO. 63 OF 2003**

**THE HON J L BALDACHINO**

**NUMBER OF EMPLOYMENT CONTRACTS**

What was the number of employment contracts registered with the Employment Agency in respect of private employers excluding Government-owned and joint venture companies as at 1<sup>st</sup> January, 1<sup>st</sup> February and 1<sup>st</sup> March 2003 giving a breakdown by nationality of employees?

**ANSWER**

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

As the hon Member must surely know it has long now been the established procedure to answer Opposition questions on employment statistics only for completed quarters. He must then understand that such questions relating to the months of January and February would only be answered at the end of the 1st quarter of this year.

**SUPPLEMENTARY TO QUESTION NOS 35, 38, 40, 45, 48, 50, AND 63 OF 2003**

**HON J L BALDACHINO:**

If I remember correctly that was the case for the unemployment figures but if he looks through Hansard he will see that in many questions that I have asked previously some of them have the two months period including one month periods. I understand that the

Minister is prepared to give it to me on a quarterly basis can he then give me a commitment that he will pass the information I requested in this question when the 1<sup>st</sup> quarter of 2003 expires.

**HON H A CORBY:**

I have no problem at all in giving the hon Member the information requested.

ORAL

**NO. 64 OF 2003**

**THE HON J L BALDACHINO**

**NUMBER OF SELF-EMPLOYED**

Can Government state how many persons were registered as self-employed with the Employment Agency at the end of each month of 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> quarters of 2002 giving a breakdown for each month?

**ANSWER**

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

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

**Answer to Question No 64 of 2003**

Self-employed registered with the Employment Service as at the end of each month of 2002.

Month	Total per month
January	477
February	479
March	486
April	490
May	495
June	500
July	514
August	518
September	522
October	530
November	540
December	543



**NO. 65 OF 2003**

**THE HON J L BALDACHINO**

**NUMBER OF EMPLOYMENT CONTRACTS**

Can Government state how many employment contracts were registered with the Employment Agency for frontier workers on 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2002 giving a breakdown for each month?

**ANSWER**

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

The present Employment Service registration system does not record employees as Frontier Workers. The most recent available figure in respect of recorded frontier workers is provided by the last Employment Survey Report for October 2001. The figure is 2054.

**SUPPLEMENTARY TO QUESTION NO 65 OF 2003**

**HON J L BALDACHINO:**

I have asked this question because when they were going to install the new profile computer system 2000 one of the things they said was that this could be one of the areas where they could provide the information because then one could pick it up by addresses.

**HON H A CORBY:**

No because how does one characterise a frontier worker? I might be living in Spain with an address in Spain and working in Gibraltar as a Gibraltarian but I have an address in Spain or there is an English person living in Spain or people living in Spain with addresses here in Gibraltar, how does one do it? We found that we could not give an exact figure because we do not know how to slot them, because they live in Spain are they frontier workers or are they not frontier workers?

**HON J L BALDACHINO:**

As far as I understand nationality does not come into play if the person is residing on the other side of the frontier then that person is a frontier worker whether Gibraltarian, Spaniard, a Frenchman or an Englishman. That under the EEC can be the only criteria. A frontier worker is somebody who resides outside of the country where he works, that is what I am asking, the address is important because if he lives in Spain then obviously he is a frontier worker immaterial of the nationality. Is that analysis correct or not?

**HON H A CORBY:**

No the analysis is that at present we do not register frontier workers it is no use to us at all we do not register. We have got the figures for the Spanish workers coming into Gibraltar, we know that, but the system on the computer is not up to it.

**HON J L BALDACHINO:**

Would not the Minister using the logic that he has just used not necessarily means that a Spaniard is a frontier worker because if he is residing here then he is not a frontier worker, is that correct?

**HON H A CORBY:**

It is correct.

**HON J L BALDACHINO:**

Can the computer in the Employment Agency not distinguish between Gibraltar addresses and other addresses outside?

**HON H A CORBY:**

My officers in the Employment Service say they cannot do it.

**HON J J BOSSANO:**

I do not understand why they cannot do it, do people who register their Terms of Engagement with the ETB have to have an address in the Terms of Engagement?

**HON H A CORBY:**

Yes of course they have.

**HON J J BOSSANO:**

Is that address entered into the computer?

**HON H A CORBY:**

Yes it is entered into the computer.

**HON J J BOSSANO:**

Then why cannot the computer produce a list of all the addresses that are not in Gibraltar and then count them?

**HON H A CORBY:**

But is that an accurate system of the frontier worker?

**HON J J BOSSANO:**

What is the system then that is used in the Employment Survey that the Minister brings to the House where there is a table of frontier workers?

**HON H A CORBY:**

Because we have them as Spaniards not as registered in .....

**HON J J BOSSANO:**

No, no, in the Employment Survey Report that is tabled by the Minister in the House there is a category of Spanish nationals and there is a category of frontier workers which includes Spanish, British, and Gibraltarians.

**HON H A CORBY:**

That is in the Statistical Report.

**HON J J BOSSANO:**

Right, if it is possible to do it there it should be possible to do it in the ETB it is the same thing?

**HON H A CORBY:**

I am told it is not.

**HON J J BOSSANO:**

I am baffled why not.

ORAL

**NO. 66 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – PRE-WAR FLATS**

Can Government state how many pre-war housing units have been allocated since the 1<sup>st</sup> October 2002, broken down by month to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 67 and 68 of 2003.

ORAL

**NO. 67 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – POST-WAR FLATS**

Can Government state how many post-war housing units have been allocated since the 1<sup>st</sup> October 2002, broken down by month to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 66 and 68 of 2003.

**NO 68 OF 2003****THE HON DR R G VALARINO****HOUSING – PRE/POST-WAR HOUSES**

Can Government state how many pre and post-war housing units, which have been allocated since the 1<sup>st</sup> October 2002, have been on a do-it-yourself basis?

**ANSWER****THE HON THE MINISTER FOR HOUSING****Answer to Question No 66 of 2003**

A total of seven pre-war housing units have been allocated since the 1<sup>st</sup> October 2002, as follows:-

	Oct 2002	Nov 2002	Dec 2002	Jan 2003	Feb 2003	March 2003
<b>Pre-war</b>	2	2	2	-	1	-

**Answer to Question No 67 of 2003**

A total of 42 post-war housing units have been allocated since 1<sup>st</sup> October 2002, as follows:

	Oct 2002	Nov 2002	Dec 2002	Jan 2003	Feb 2003	March 2003
<b>Post-war</b>	11	12	6	2	8	3

**Answer to Question No 68 of 2003**

Nineteen on a do-it-yourself basis.

**SUPPLEMENTARY TO QUESTION NOS 66 TO 68 OF 2003**

**HON DR R G VALARINO:**

The allocation seems to be going down progressively. The last time this question was answered it was 11 pre-war, 70 post war, and 25 on a do-it-yourself basis. Since the period of time was shorter than the last six months since October it seems that for some reason or another the allocation is being reduced progressively is there any reason for this?

**HON J J NETTO:**

If the hon Member is referring as to the refurbishment what I have noted in the last two months is that there has been a slight decline in the cycle of flats being refurbished and the reason for that is because in the last two months we have had this major upheaval in terms of the reorganisation of the depots, before it was done by geographical segments depending of all categories whilst now it is being done by category of work but that has presupposed a major upheaval within the organisation. That was anticipated and hopefully we will start to build not just in this category but in other categories hopefully much better from now onwards.



ORAL

**NO. 69 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING ALLOCATION COMMITTEE**

Can Government state on how many occasions the Housing Allocation Committee has met since 1<sup>st</sup> October 2002 to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 74 and 75 of 2003.

ORAL

**NO. 70 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – PRE-WAR FLATS**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 71 of 2003.

ORAL

**NO. 71 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – PRE-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**

I hand the hon Member the information requested.

Answer to Question 70

There are 29 pre-war flats vacant in the town area. The breakdown by date they became vacant and room composition is as follows:

1RKB -	14.03.98 X 2
	22.01.01
	19.08.02
	22.11.02
2RKB -	26.11.01 X 3
	05.09.02
	10.10.02
	09.01.03
	17.02.03
	26.02.03
	19.03.03
3RKB -	15.11.00
	07.03.02
	04.09.02
	06.09.02
	29.09.02
	12.11.02
	09.12.02
	24.02.03
	13.01.03
4RKB -	12.02.02 X 2
	04.12.02
	07.01.03
5RKB -	19.08.02
	05.09.02

## Answer to Question 71

### Answer to Question 71

There are 70 post-war flats vacant, 41 in the North, 17 in the South and 12 in the Town area. The breakdown and room composition is as follows:

1RKB -	10.05.01
	22.07.02
	12.08.02
	04.09.02
	07.09.02
	27.11.02
	16.12.02
2RKB -	08.05.01
	14.11.01
	27.05.02
	29.05.02 X 3
	07.06.02
	12.06.02
	26.06.02
	08.08.02
	14.08.02
	02.09.02
	04.09.02
	27.09.02
	06.11.02
	11.11.02
	04.12.02
	02.01.03
	13.01.03
	07.02.03
	21.02.03
	26.02.03
	12.03.03
	21.03.03 X 2
3RKB -	14.06.00
	03.04.02
	20.04.02
	13.05.02
	15.05.02
	11.06.02
	12.08.02

### **Answer to Question 71**

	04.09.02 X 2
	03.10.02
	19.10.02
	31.10.02 X 2
	01.11.02
	04.11.02
	13.11.02
	29.11.02
	09.12.02
	14.01.03
	03.02.03
	10.02.03
	19.02.03
	26.02.03
	11.03.03
	12.03.03
	18.03.03
	21.03.03
	24.03.03
4RKB -	14.08.02
	04.09.02
	05.09.02
	23.10.02
	25.10.02
	12.12.02
	16.02.03
	26.02.03
5RKB -	18.10.02

### **SUPPLEMENTARY TO QUESTION NOS 70 AND 71 OF 2003**

#### **HON J L BALDACHINO:**

Whilst my hon Colleague is looking at the list may I ask, on the pre-war list the Minister has provided is there any pre-war flat which has been classified by the Buildings and Works that is not suitable for human habitation according to the Health Officer and are there others that are not economically viable to repair and therefore to give it to the social cases, are there any in the list of pre-war flats?

**HON J J NETTO:**

I would dare say that they are fit for human habitation because as the hon Member is aware there are other figures of particular properties which for many years now have been declared void which are not part of these figures which I am releasing here, that is a different sort of category.

**HON J L BALDACHINO:**

So these are actually ones that can be allocated and therefore the Government can collect rent, the others the Government have now put aside as void, is that correct?

**HON J J NETTO:**

That is correct.

**HON DR R G VALARINO:**

I notice that on post-war flats they have gone up since last time but the Minister mentioned that the problem that he has had within the last two months, just if he could look at the pre-war flats 1- RKB, there are two flats outstanding there since 1998 is it because as my hon Colleague has said these flats are no longer able to be allocated or is there hope that in the eventual future something can be done to repair these. March 1998 is the date as the Minister can see.

**HON J J NETTO:**

No it does not follow that. I understand that they can be repaired and be let out to someone on the list the only thing is that it is part and parcel of the many debates we have had in this House as to the way work was done before in terms of the depot meaning that it was basically on the whole spectrum of different categories of work not just flat refurbishing but many other types of work and it was mainly led by sort of an ad hoc reactive way of dealing with the work as opposed to the way we are trying to do it now which is gradually more planned in terms of each category of work. So the hon Member when he sees these two particular flats going back to 1998 will also be able to see in different other categories of work whether it is response maintenance or cyclical maintenance that there are equally some work that are beyond reasonable time in terms of having been repaired and that is why we are moving and changing as we are going along in order to deal with these particular issues.

**HON DR R G VALARINO:**

From previous statements by the Minister it is obvious that 1-RKBs and 3-RKBs are the most desirable flats. Pre-war flats are usually given to people who need houses on a social basis and very often they are single people, could the Minister enquire into these two flats I wonder whether he has got any knowledge about where they are, probably

not, because 1 RKB flats are ideal for people on the social category and it would be worthwhile to speed the process up a little bit.

**HON J J NETTO:**

They are ideal for social cases or ideal for single persons because there is a growing list of single persons seeking this type of accommodation, whether it is pre-war or post-war but there are a lot of people in the waiting list actually on the 1-RKB list. Where they are now progressively moving towards the particular depot which is earmarked to do this type of work.

**HON J L BALDACHINO:**

About what the Minister said before on the delays in this case it was a five year and he said that the changes now that he has implemented does it mean that we will now see a shorter term span on houses that will stay vacant?

**HON J J NETTO:**

What we will be able to see now which was not possible before is what is the particular output of that particular depot doing that particular category of work which before one could not do because that particular depot was doing all types of categories of work so in a way that will be able to allow the management to see what is the potential output of the depot because they are doing one type of work.

**HON J L BALDACHINO:**

So the expectation is that to have a shorter period of vacant flats vacant.

**HON J J NETTO:**

Indeed.



ORAL

**NO. 72 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – APPLICANTS MEDICALLY RECOMMENDED**

Can Government state how many housing applicants are medically recommended and their medical category recommendation?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 73 and 76 to 79 of 2003.

ORAL

**NO. 73 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – APPLICANTS SOCIALLY RECOMMENDED**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 72 and 76 to 79 of 2003.

ORAL

**NO. 74 OF 2003**

**THE HON DR R G VALARINO**

**SOCIAL ADVISORY COMMITTEE**

Can Government state on how many occasions the Social Advisory Committee has met since the 1<sup>st</sup> October 2002 to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 69 and 75 of 2003.

**NO. 75 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING MEDICAL ADVISORY BOARD**

Can Government state on how many occasions the Housing Medical Advisory Committee has met since the 1<sup>st</sup> October 2002 to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 69 of 2003**

The Housing Allocation Committee met on five occasions.

**Answer to Question No 74 of 2003**

The Social Advisory Committee met on four occasions.

**Answer to Question No 75 of 2003**

The Medical Advisory Board met on four occasions.

**SUPPLEMENTARY TO QUESTION NOS 69, 74 AND 75 OF 2003**

**HON DR R G VALARINO:**

Since it is the custom that the committees meet usually monthly and it is now six months since the questions were last asked may I enquire from the Minister how is it that the last two committees have not met this often?

**HON J J NETTO:**

The hon Member is right in that it is customary but that does not necessarily mean that because it is customary that sometimes they do actually meet every month, sometimes as I understand they have scheduled in a particular meeting but for some unforeseen reason they have had to cancel it. That tends to happen more often than not particularly with the medical because it is professionally led and with the social committee that is why one sees a much higher consistency in the meetings with the Housing Allocation Committee.

**HON DR R G VALARINO:**

I totally agree with the Minister, one of the problems with the Medical Advisory Committee is that one of its members is very often not in Gibraltar and there is probably some delay in the meetings.

ORAL

**NO. 76 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING WAITING LIST**

Can Government state how many applicants are in the Housing Waiting Lists giving a breakdown of their flat requirements and the date they became eligible for housing?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 72, 73 and 77 to 79 of 2003.

ORAL

**NO. 77 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – PRE-LIST**

Can Government state how many applicants are in the pre-list for housing, giving a breakdown of their flat requirements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 72, 73, 76, 78 and 79 of 2003.

ORAL

**NO. 78 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING WAITING LIST**

Can Government state on how many occasions has the Housing Waiting Lists been published since the 1<sup>st</sup> October 2002 to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 72, 73, 76, 77 and 79 of 2003.



**NO. 79 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING PENSIONER EXCHANGE LIST**

Can Government state how many applicants are at present 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**

**Answer to Question No 72 of 2003**

There are 16 applicants who are medically categorised as follows:

A – 5; (although 5 was the information given to me at the time that the question was asked but I have found out this morning actually that one of the 5 has already been allocated one so it is actually 4 A's')

B – 6;            C – 5.

**Answer to Question No 73 of 2003**

There are 16 applicants socially recommended as follows:

A – 12;            B – 2;            C – 2.

Two are classified as homeless.

**Answer to Question No 76 of 2003**

There are 354 applicants in the Housing Waiting List. The breakdown of the flat requirement is as follows:-

1 RKB	-	192
2 RKB	-	37
3 RKB	-	74
4 RKB	-	40
5 RKB	-	10
6 RKB	-	1

**Answer to Question No 77 of 2003**

There are 499 applicants in the pre-list. The breakdown of the flat requirement is as follows:

1 RKB	-	321
2 RKB	-	34
3 RKB	-	93
4 RKB	-	45
5 RKB	-	5
6 RKB	-	1

**Answer to Question No 78 of 2003**

The Waiting List has been published on two occasions since 1<sup>st</sup> October 2002.

**Answer to Question No 79 of 2003**

There are 286 pensioners in the Housing Pensioner Exchange List of which 239 are Government tenants and 47 are private sector tenants.

**SUPPLEMENTARY TO QUESTION NOS 72, 73 AND 76 TO 79 OF 2003**

**HON DR R G VALARINO:**

I wonder if the Minister has got the statistical information and if it would be possible I would be very grateful to have them.

**HON J J NETTO:**

I will pass him a copy.

**HON DR R G VALARINO:**

I think this is emerging from a previous question, the medical recommendation is going up this could well be because there are not so many meetings and I wonder also whether the Minister could say whether it is also because the medical committee has taken on board the recommendations of the Ombudsman on that one?

On those who are socially recommended the number has shot up dramatically to 16 applicants from the last figure and two are classified as homeless I wonder could the Minister let me know whether these two include the one that was classified as homeless when he last answered the question in October 2002? The last question which I would like to ask is that the waiting list was published three times last year, it has now been published on two further occasions could the Minister let me know whether it was published before the end of the year and then subsequently?

**HON J J NETTO:**

In relation to the last question he is correct one the last year and one in this year. In relation to the other question of the two homeless only one is from the last time that I actually responded and the reason why that has been the case is because that particular person although homeless was squatting in a different place, squatting in a Government flat. Lastly in relation to the medical cases all I can say is that it is unprecedented the amount of cases that have gone through the Medical Advisory Board since we have been in Government. Sometimes it is done very quickly, and sometimes it is done on the strength of the evidence being submitted by the General Practitioner of a particular applicant which needs to be assessed. Some of them we find that it reflects very accurately the ailment of the particular applicant, sometimes the evidence is a little suspect and needs to be looked into but the fact is that it is unprecedented in the history of housing services the amount of cases that we have dealt with medical cases and social cases and sometimes to the detriment of people who go through the Waiting List. We have done an enormous effort to try and accommodate as many cases as possible.

**HON DR R G VALARINO:**

Is the same percentage of houses being allocated still the same? I remember that if one had say 50 houses to allocate, a percentage of them was for medical cases, are we still doing the same thing?

**HON J J NETTO:**

Roughly speaking because there are many factors that have to be taken into account whether the particular flats available in demand are best suited for the particular family circumstances, a lot of factors come into the equation but as a rough guess the hon Member is right.

**HON J L BALDACHINO:**

In the 1 RKBs which are the highest figures if we take into consideration both lists, is it that the bulk of that are young people apart from elderly, that is the composition young people and elderly people, is that correct?

**HON J J NETTO:**

Single persons but he is absolutely right when he says that the lion share of that figure is composed of young people.

**NO. 80 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – COELHO HOUSE**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Works concluded at Coelho House on the 15<sup>th</sup> November 2002.

**SUPPLEMENTARY TO QUESTION NO 80 OF 2003**

**HON DR R G VALARINO:**

Is he satisfied that all water penetration and dampness at Coelho House has been reduced to a fairly decent degree?

**HON J J NETTO:**

The Minister and the Government are very satisfied with the investment we are doing in the Housing stock which has been neglected for many decades.

ORAL

**NO. 81 OF 2003**

**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**

Answered together with Question Nos 82 and 83 of 2003.

ORAL

**NO. 82 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING - BISHOP CANILLA HOUSE**

Can Government confirm that all repair work has been undertaken at Bishop Canilla House and that there is finally no longer any problem with water penetration and/or dampness?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 81 and 83 of 2003.

**NO. 83 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – BISHOP CANILLA HOUSE**

Can Government state how many flats at Bishop Canilla House were affected by water penetration and how many were affected by dampness this winter?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 81 of 2003**

At the moment there are no unoccupied flats.

**Answer to Question No 82 of 2003**

Fifteen flats suffered from dampness problems, all to varying degrees. Of these, six could be classified as severe. To date, six flats have already been repaired. Repair works undertaken include internal redecoration.

Due to inclement weather, repair works have had to be phased out over a period of time and are therefore, regrettably, taking longer than anticipated. The contractor will undertake the remaining works as soon as there is a long enough period of dry weather to allow for the opening up of the external leaf of the cavity.



### **Answer to Question No 83 of 2003**

A total of three flats were affected this winter by water penetration problems. One such flat was affected by water penetration through the roof whilst the other two suffered from water penetration via the balcony door surround. Repairs have already been undertaken on the two flats with problems via the doors.

### **SUPPLEMENTARY TO QUESTION NOS 81 TO 83 OF 2003**

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

Could the Minister assure this House that this will be the last time this subject will come up because it seems perennial, every winter we have problems with Bishop Canilla House. I know that dampness is seen throughout houses in Gibraltar I think even the Chief Minister's house has dampness but I wonder as regards Bishop Canilla House considering that they are older people and not young outstanding practitioners and politicians we could make sure that the thing is settled once and for all.

#### **HON CHIEF MINISTER:**

I think that the hon Member is too generous on his approach to this matter. It is true that the Chief Minister's house has dampness in it but only in that room which pre-dates the turn of the century. In that part of it which is new construction there is no dampness and that is why I say he is too generous in his approach to this question. I do not think there is any acceptable level of dampness and water penetration in a new building. When we say in Gibraltar that dampness is inevitable we mean dampness in the sort of houses where I live, Irish Town, old buildings, Upper Town made of brick and rubble but houses that are built by modern construction methods and are two or three years old there is no acceptable degree of water penetration in such a house and as to whether the Government can guarantee that this is the last time that he will have to ask questions on this matter, the answer is that we cannot give him that guarantee. The guarantee that we can give him is that all the effort required is being made to address the problem whether they will prove to be successful or whether it will re-emerge again the problem is now on a much more reduced scale than what it was but I cannot obviously guarantee him as I am sure that he will understand that there will never be another case of dampness or water penetration in Bishop Canilla House.

#### **HON J L BALDACHINO:**

The expense of rectifying the problems because there must be more than one problem is that being borne by the contractor or is that being borne by the Government?

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

Yes it is being borne out by the contractor not the Government.

**NO. 84 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – LAGUNA ESTATE**

Can Government now state that all remedial works and beautification schemes have been completed at Laguna Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The new revised date is the end of April.

**SUPPLEMENTARY TO QUESTION NO 84 OF 2003**

**HON DR R G VALARINO:**

Is this, this year or next year?

**HON J J NETTO:**

This year.

**HON DR R G VALARINO:**

Why again the delay I asked this question again previously in the last Question and Answer session?

**HON J J NETTO:**

The reason for the delay is because extra work over and above of what was envisaged in the contract is being done. We are doing the reconstruction of manholes and drains which are apparently in an appalling condition, the demolition of damaged retaining walls and construction of new extension to disabled flats at ground levels, extra excavation for street-lighting so all these factors are over and above the terms of the contract but obviously once we are there we want to finish all these other bits as well.

ORAL

**NO. 85 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – EDINBURGH HOUSE**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 86 and 87 of 2003.

ORAL

**NO. 86 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – SOCIAL ASSISTANCE FUND**

Can Government state how many pre-war housing units are on rent relief and how much has been spent from the £445,000 provided for in the Social Assistance Fund Appendix 'H' to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 85 and 87 of 2003.

**NO. 87 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – SOCIAL ASSISTANCE FUND**

Can Government state how many tenants of post-war housing units are on rent relief and how much has been spent from the £445,000 provided for in the Social Assistance Fund Appendix 'H' to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 85 of 2003**

At present there are 20 tenants in Edinburgh House on rent relief.

**Answer to Question No 86 of 2003**

A total of 55 tenants living in pre-war properties are on rent relief.

**Answer to Question No 87 of 2003**

A total of 455 tenants living in post-war properties are on rent relief.

In terms of money spent from the Social Assistance Fund for both post and pre-war properties, the total is £407,916.63.

ORAL

**NO. 88 OF 2003**

**THE HON J J BOSSANO**

**HOUSING – RENT RELIEF**

What is the threshold income for entitlement to rent relief?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 89 to 93 of 2003.

ORAL

**NO. 89 OF 2003**

**THE HON J J BOSSANO**

**HOUSING – RENT RELIEF**

Can Government say how many households were receiving rent relief in the financial year 2002/2003 and the comparable figure for the previous financial year?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 88 and 90 to 93 of 2003.



ORAL

**NO. 90 OF 2003**

**THE HON J J BOSSANO**

**HOUSING – RENT RELIEF**

Can Government say how many new applications for rent relief were received in the financial year 2002/2003 and how many were approved?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 88, 89 and 91 to 93 of 2003.

ORAL

**NO. 91 OF 2003**

**THE HON J J BOSSANO**

**HOUSING – RENT RELIEF**

Can Government say how many of the households on rent relief received the full amount in the financial year 2002/2003 and how many in the previous financial year?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 88 to 90, 92 and 93 of 2003.

ORAL

**NO. 92 OF 2003**

**THE HON J J BOSSANO**

**HOUSING –RENT RELIEF**

Can Government say how many households had the level of rent relief reduced in the financial year 2002/2003 and the comparable figure for the previous financial year?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 88 to 91 and 93 of 2003.

**NO. 93 OF 2003**

**THE HON J J BOSSANO**

**HOUSING - RENT RELIEF**

Can Government say whether any household on rent relief had this terminated in the financial year 2002/2003?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 88 of 2003**

There is no fixed threshold income for entitlement to rent relief as various factors are taken into account in the assessment; these refer to age, marital status, number of children and also the rent payable.

**Answer to Question No 89 of 2003**

In the financial year 2001/2002 there was a total of 570. During this financial year to date a total of 508 are on rent relief. However, we are still awaiting a response by 48 applicants plus 20 new applications which need to be assessed.

**Answer to Question No 90 of 2003**

A total of 92 applications for rent relief were received within the financial year 2002/2003. Bearing in mind that the financial year has not finished, out of these 92, 73 were approved.

**Answer to Question No 91 of 2003**

In the financial year 2001/2002 a total of 56 were on full rent relief, and in the financial year 2002/2003 a total of 87 are on full rent relief.

**Answer to Question No 92 of 2003**

A total of 29 households had their rent relief reduced during the financial year 2001/2002.

A total of five households had their rent relief reduced during the financial year 2002/2003.

**Answer to Question No 93 of 2003**

In the course of 2002/2003, 179 tenants had their rent relief terminated.

**MINISTRY OF SOCIAL AFFAIRS  
HOUSING AGENCY**

**PROCEDURE FOR CALCULATING RENT, RELIEF FOR TENANTS  
RESIDING IN GOVERNMENT FLATS.**

*( 1 ) Add all Gross Income declared within same household. Then multiply by 12 and then divide by 52.2 to calculate the Gross Weekly Income per Household*

*( 2 ) Subtract applicable allowances from total.*

- (a) Married over 65 years = £64.00*
- (b) Single over 65 years = £46.00*
- (c) Married under 65 years = £57.90*
- (d) Single under 65 years = £36.80*

*( 3 ) When amount has been obtained multiply by 25%. The amount obtained when calculating the 25% represents the new weekly rent payable by the tenant.*

*( 4 ) Ultimately should the applicant declare their children on the application a further £0.60 is then deducted from the total obtained in paragraph 3.*

**P. DOBINSON**  
**08/01/2000**

**SUPPLEMENTARY TO QUESTION NOS 88 TO 93 OF 2002**

**HON J J BOSSANO:**

In the reply to Question No 90 of 2003 is the difference between the 73 and the 92 applications on which a decision has not been taken or have any been refused?

**HON J J NETTO:**

I could not possibly give the hon Member an answer right now but I will try to find out and provide that information.

**HON J J BOSSANO:**

When the Minister says that there is no fixed threshold, for example, in the case of a pensioner household is there a threshold?

**HON J J NETTO:**

Just to clarify perhaps what is meant by that, we are still working on the same calculation that even the GSLP Government were administering from the period of the AACR so in that sense nothing has changed but to give the hon Member the answer that he is seeking obviously there are allowances whether one has a married couple over the age of 65, whether it is a single person over the age of 65, a married couple under the age of 65, or a single person under the age of 65. Those are the allowances what I can do if the hon Member wishes is give him a copy of how the system works.

**HON J J BOSSANO:**

Yes, that is what I am trying to establish, how the system works.

**HON J J NETTO:**

Basically those are the factors taken into account that is why I said there was no fixed single threshold.

**HON J J BOSSANO:**

There is not the same threshold for every composition of a household but there is a threshold for households of a particular composition, that is to say, given the composition of the household there is a threshold.

**HON J J NETTO:**

In other words where there is a couple over 65, a couple under 65, whether they are single, over 65 or under 65 those are factors taken into account. If there are children that is another allowance so all that is part of the calculation that has to be taken into account.

**HON J J BOSSANO:**

But for each type of household composition there is a standard threshold which applies to everybody that fits that composition presumably?

**HON J J NETTO:**

The formula that is used for the purpose of calculating rent relief for tenants residing in Government flats is simply straightforward. The weekly rent payable by a tenant is computed by deducting an allowance which are the allowances that I have just mentioned from the weekly gross household income and then multiplying the result by 25 per cent. This resulting figure represents the weekly rent payable by the tenant. If children are declared on the application then a further sum of 60 pence is deducted from the weekly rent payable.

**HON CHIEF MINISTER:**

The formula which is a copy of which is about to be handed does not include thresholds in the sense of if one has more than such and such an income one is not entitled to rent relief. The system is not based on thresholds.

**HON J J BOSSANO:**

If one has got a sum of £64 for a married couple over 64 then by definition anybody with an income of £64 or less will get full rent relief.

**HON J J NETTO:**

Exactly.

**HON J J BOSSANO:**

Therefore the £64 is the threshold at which the thing is triggered, below that everybody is entitled. They start paying rent if they have got an income of £65, they would pay 25 pence if I understand the explanation that has been given. In arriving at the gross income is, for example, in the case of pensioners, is the payment from the Social Insurance Pension or Community Care - does gross income mean every kind of income or are there any exceptions?



**HON J J NETTO:**

Yes it does.

**HON J J BOSSANO:**

So nothing is excluded.

**HON J J NETTO:**

That is right.

**HON J J BOSSANO:**

Therefore will the effect of the minimum income guarantee have meant that people who previously were getting rent relief will have lost it because of the minimum income guarantee?

**HON CHIEF MINISTER:**

Within that margin yes. If one is not in the margin it may be reduced.

**HON J J BOSSANO:**

But anybody that was getting less before the minimum income guarantee presumably would have had 25 pence effectively of each pound in the minimum income guarantee would have been lost to the rent relief?

**HON CHIEF MINISTER:**

Yes there would be a loss.

**HON J L BALDACHINO:**

Does this also apply to private tenants in the private sector or is there a different formula for that?

**HON J J NETTO:**

I am actually not aware of that.

**HON CHIEF MINISTER:**

It is one of the reasons why any reform of the Landlord and Tenants Ordinance for which there seems to be a surge of letters in the Chronicle in support one of the reasons why it is more difficult than people might at first think is because it would affect a lot of elderly people and that one could not inflict that sort of regime change without amending the rent relief system to accommodate and to act in the private sector as well and that is the .....

**HON J J BOSSANO:**

On the question of the levels which are used to arrive at the rent that would be payable is this related to the social assistance payments that existed before to minimum income guarantee, this is operated by the Social Services rather than by the Housing Department is that not the case?

**HON J J NETTO:**

Is the hon Member referring to the allowances?

**HON J J BOSSANO:**

What I am saying is for example, if we take a pensioner over 65 would the level of social assistance be the £64 and would that mean effectively that the way the scheme was working was that anybody who was on social assistance effectively was on full rent relief?

**HON J J NETTO:**

I cannot give an explanation in relation to the social assistance all I can give the hon Member is an explanation on how the formula works and obviously as I have said before all the household gross income is put together, the relevant allowance depending on the family circumstances is deducted, that is multiplied by 25 per cent which shows what should be the weekly rent payable by the tenant and then we ought to then at that stage see, also if there is a child to be taken into account, but then when we find what is the rent payable whether there is a balance or a deficit in relation to the rent that has to go in a particular flat.

**HON J J BOSSANO:**

I am aware how the formula translates into the rent payable what I am asking is, when someone applies it is not the Housing Department that does this exercise is it, it is the Social Services Agency?

**HON J J NETTO:**

No it is Housing Department. It is my clerks who actually get the forms from the applicants and actually make the assessment.

**HON J L BALDACHINO:**

Is it not correct that the applicant applies to the Housing Department, the Housing Department passes it over to the Social Services and then it is the Social Services that does it, it is based on social assistance is it not this scheme? I know as a matter of fact that when we were in Government it used to work that way. We had a case a few months ago where the person had applied and the Housing Department was saying the papers are with the Social Services and the Social Services have still not given an answer and quite frankly I think that is the way it works.

**HON J J NETTO:**

That is correct.

**HON CHIEF MINISTER:**

The question was by the hon Leader of the Opposition, "*Which Government department administers the rent relief system?*", the answer is that the rent relief system is administered by the Housing Department. At the root of the formula is a person's income which is declared on the form. Housing Department may refer applications or applicant's circumstances to the Social Services Department to verify whether or not they are in receipt of social assistance and statutory payments which may or may not have been declared on the application form but the department that administers this scheme is Housing.

**HON J J BOSSANO:**

So the decision to grant or change the level of entitlement to rent relief is taken in the Housing Department and not in the Social Services department.

**HON J J NETTO:**

Correct.

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**HON J J NETTO:**

The Leader of the Opposition in Question No 90 of 2003 asked me for the new applications for rent relief in the year 2002/2003 and how many were approved and I did say that 92 applications were received and 73 were approved. He did ask me in relation to the remaining 19 what had happened and the answer is that those applications were rejected.

**NO. 94 OF 2003**

**THE HON DR R G VALARINO**

**HEAD 101 – HOUSING**

Can Government state how much of the amount provided in Head 101 – Housing, has been spent as from 1<sup>st</sup> October 2002 to date and on what projects?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The total amount of £1,715,607 has been spent from the 1<sup>st</sup> October 2002 to date under Head 101 – Housing. The analysis of the amount spent during this period under this Head is set out in the attached schedule that I now hand to the hon Member.

## **Answer to Question No 94 of 2003**

### **Head 101 – Housing**

#### **1. Major Remedial Works & Repairs to Housing Stock**

|                                                                                  | £       |
|----------------------------------------------------------------------------------|---------|
| Miscellaneous works                                                              | 93,621  |
| Window Replacements                                                              | 249,233 |
| Scaffolding                                                                      | 133,890 |
| Laguna Estate                                                                    | 419,019 |
| Heathfield House                                                                 | 12,171  |
| Anderson House                                                                   | 55,960  |
| Demolition & Construction of Retaining Wall – Tankerville and<br>Prison Quarters | 216,639 |
| Schomberg (Repairs Drainage)                                                     | 3,560   |
| Coelho House                                                                     | 119,561 |
| Asbestos Clean/Up                                                                | 46,020  |
| Government Loans                                                                 | 100,072 |
| Belvedere/Electra Flats                                                          | 183,092 |
| Varyl Begg/ Roofs and Lifts                                                      | 65,346  |

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**£1,698,184**

|                                    |        |
|------------------------------------|--------|
| 2. New Housing for Senior Citizens | 12,347 |
| 3. Consultants Fees                | 5,076  |

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|              |                   |
|--------------|-------------------|
| <b>Total</b> | <b>£1,715,607</b> |
|--------------|-------------------|

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## **SUPPLEMENTARY TO QUESTION NO 94 OF 2003**

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

Our understanding was that the household cost allowance of Community Care was not part of the gross income, am I right in thinking that the statement that I got in confirmation when I said, *“Is there any exemption on what constitutes gross income?”* and I was told *“no there are no exemptions,”* means that household cost allowance is included?

**HON CHIEF MINISTER:**

My understanding is that it is all income. I am not accepting the premise of the first half of his question which is intended to communicate the fact that it was not previously so. There has been no change in this respect. The position continues as it has always been. My understanding is that position has always included Community Care and continues to do so but if I am wrong it is as it was before, in other words it still does not. There has not been a change but we will confirm to him whether or not it does in fact has always included or has always excluded HCA.

**HON DR R G VALARINO:**

On Question No 94 of 2003, three points, on the scaffolding which is £133,000 I imagine that King's Bastion no longer comes into that figure and I wonder whether that is mainly Laguna Estate. On the asbestos clean-up I imagine that is a problem that arose in the south and Head 101 Subhead 2 – New Housing for Senior Citizens what is the £12,347 for?

**HON J J NETTO:**

There are a few questions there I will try to remember all of them. The hon Member is right when he says that the money spent for scaffolding does not include the one in King's Bastion so that is not included and I think that we have answered that before and the scaffolding is part of the Government now.

He then moves on to say whether therefore the payments are made for Laguna, no, it is a whole series of different places which is done all over Gibraltar under the measured term "*Contracts for scaffolding.*" So that is the second question and the asbestos is probably it would be most of it there but I would not discard perhaps a possibility of some small jobs that we have had to use the people to remove asbestos but I would daresay that it is either all of it or most of it but I would not like to be conclusive as we may have done in the normal routine kind of work some other small other clearing up other places.

**HON DR R G VALARINO:**

And the new houses for senior citizens?

**HON J J NETTO:**

I think the title is perhaps a bit of a misnomer in the sense that it is not new housing as such but rather adaptations of existing houses for senior citizens.

**NO. 95 OF 2003**

**THE HON DR R G VALARINO**

**BUILDINGS AND WORKS DEPARTMENT**

Can Government state on how many occasions workers employed by Buildings and Works who are entitled to bonuses previously agreed on have not been paid on time from the 1<sup>st</sup> October 2002 to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Bonus payments to Buildings and Works employees have been delayed on one occasion from 1<sup>st</sup> October 2002 to date. As a result of the on-going departmental re-organisation programme some logistical problems were encountered with the resiting/reinstallation of the estimating programme server. This disrupted the input of essential data from the depots to the Estimating Section, disturbing the flow of the payment processing system and resulting in delays of bonus payments during January 2003. These incipient problems were addressed expeditiously and no reoccurrences have been reported since.

**SUPPLEMENTARY TO QUESTION NO 95 OF 2003**

**HON J C PEREZ:**

Can the Minister state how many employees were involved, was it across the board in the department everybody working on bonuses or was it just pockets of people in different places?



**HON J J NETTO:**

My understanding is that it is pockets of people but I could not give an exact figure of how many cases.

**NO. 96 OF 2003**

**THE HON DR R G VALARINO**

**HOUSING – VISIT TO UK**

Can Government state what was the cost of the visit to UK by the delegation from the Ministry for Housing and Buildings and Works, that took place in mid-November 2002?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The total cost for the delegation was £7,949.

**SUPPLEMENTARY TO QUESTION NO 96 OF 2003**

**HON DR R G VALARINO:**

This is the total cost for the visit to Newport and Manchester City Councils?

**HON J J NETTO:**

That is correct.

**HON DR J J GARCIA:**

Does the Minister have the breakdown of that figure?

**HON J J NETTO:**

I certainly have not got it with me here available, I can ask my staff, what sort of breakdown does he want?

**HON DR J J GARCIA:**

When I ask this kind of question I get a breakdown detailing the airfares, participation in events, hotel costs et cetera.

**HON CHIEF MINISTER:**

That is the practice when he asks that question, if the hon Member asks what is the total and can we have a breakdown the Government produce the total and the breakdown. If the hon Member asks as he has done for the total he gets the total.

**HON DR J J GARCIA:**

I take the point but there have been occasions, many occasions, when I have also asked for the total and then obtained a breakdown when asking in a supplementary.

**HON J J NETTO:**

Yes, I will provide the hon Member with a breakdown.

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In relation to Question No 96 of 2003 the Hon Dr J Garcia asked me for the breakdown of the visit to UK. The breakdown is as follows:-

Airfares	£3,336.90
Accommodation	£2,612.00
Travel Insurance	£ 72.00
Subsistence Allowance	£1,339.80
Travel, Rail, Taxi et cetera	£ 588.30
<hr/>	
<b>Total</b>	<b>£7,949.00</b>
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**NO. 97 OF 2003**

**THE HON J C PEREZ**

**BUILDINGS AND WORKS DEPARTMENT**

Can Government state what moves they have taken, since October last year, in respect of the proposed restructure of the Buildings and Works Department and whether they are now any nearer to convincing the workforce to move into the proposed Authority?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The Government have restructured the responsibility historically undertaken by Depots in terms of work allocation to one specific category of work. However, the move into a proposed Authority has not been pursued.

**SUPPLEMENTARY TO QUESTION NO 97 OF 2003**

**HON J C PEREZ:**

Does that mean that it will no longer be pursued?

**HON J J NETTO:**

It may or may not be pursued but at the moment it is not being pursued.

**HON J C PEREZ:**

The Minister when I asked this the last time said that there were on-going negotiations with the union, are the avenues with the union still open for the possibility of an Authority to be there or have the negotiations broken down completely and now the position is that they are not discussing the question of the Authority although they are leaving it in abeyance in the background in case there is a possibility of doing it in the future.

**HON J J NETTO:**

The Government are quite relaxed about this issue. I have said on many occasions that if the unions want to resume negotiations we are more than glad to resume negotiations but if they do not want to resume negotiations the Government will undoubtedly continue to reform Buildings and Works and as I have mentioned here in the House today and on previous occasions we are changing quite a lot of the ways we do things in Buildings and Works. Will we in the future start negotiations again it will depend on the unions, if the unions want to negotiate we will negotiate but if they do not want to negotiate then I cannot force them to negotiate.

**HON J C PEREZ:**

Perhaps the Minister is relaxed about all this as he says, does that mean that there were negotiations and that they have broken down? The Minister is saying that if the unions want to negotiate they are able to negotiate. The Minister has said in the past in the House that they were negotiating. It must be that the negotiations have broken down in my view when the Minister is saying, *"if the unions want to come back they can come back and negotiate or if not they do not,"* is the Minister saying now that the restructure of the Buildings and Works is possible without the Authority which is not what he was saying six months ago?

**HON CHIEF MINISTER:**

It is none of the things that the hon Member has said. The hon Member has the instinct to see things in terms of black and white and very often things in life are grey not black and white. The fact that negotiations are not presently being pursued does not necessarily mean as he thinks that they have *"broken down"* it just simply means that they are in not at this point in time proceeding. It does not mean that they have broken down it could, for example mean, that the union is considering its position, which is not the case, but it could mean that he does not know it, it could mean that the Government are considering its position. Negotiations are not being pursued at this moment in time it is not necessarily the case that they have *"broken down"*. As to whether they will resume or not my own personal judgement is that I think they will resume I think that the idea of the Authority is gaining currency in certain sectors but as the Minister has said the choice is not between the Authority and inactivity, the choice is between reform of the sort that would require an Authority or if the Authority does not proceed reform of the sort that can be carried out within the Government and it is the latter that we are

proceeding with unless and until we are able to do a deal with the union for an Authority which would permit reforms of a different nature. That is the position.

**HON J C PEREZ:**

Can I then ask the Government what part of the reform is it that they are not able to introduce as a result of not having an Authority given that the Minister is saying that there are reforms that can be done as a Government department but reforms that cannot be implemented unless people move to an Authority, what is it that the Government are at the moment leaving not in abeyance, not in the back, not because there have been negotiations broken but as the Chief Minister has said neither black nor white possibly grey or in limbo, what is it that as a result of the limbo situation of the restructure which the Government had planned is not able to be implemented as a result of there not being an Authority?

**HON CHIEF MINISTER:**

The Government are certainly not willing to answer that question because the Government are not willing to rehearse in public matters which are sensitive and under negotiation but frankly with the amount of knowledge that the hon Member should have accumulated about these issues during the eight years that he was in ministerial office I would have thought his question must be rhetorical. He must be well aware of the sort of constraints that apply within the straight-jacket of a Government departmental system of organisation and administration and the scope for activity and for doing things differently to the way they are done in other departments is restricted. I do not propose to give the hon Member a list of the many examples of that but they must be pretty clear surely to him.

**HON J C PEREZ:**

Is the Chief Minister not aware that it is because of my experience in Government in eight years and because of the knowledge I have of the situation that I am not taken by anything he said that I think that he just stood up and invented things just to get by. First he tells me one thing and then he refuses to answer the question.

**HON CHIEF MINISTER:**

I have not invented things, I have not refused to answer the question, I have refused to give him a list of the things that he wants because it is not in the interests of the Government's negotiating position to give them to him. For the hon Member to say to a Government that have negotiated several of these Authorities, one as he is to find out this afternoon successfully, another about to be successful. When one has been intimately involved in negotiating the transfer of Government departmental functions to statutory Authorities and one has been involved in doing this for several years on a number of different fronts I do not have to invent anything to tell him. What I can tell him is the reality of the experience over three years. He may need to invent it because he does not like it, he never did it, he never tried it, he never tried to solve the problems with

the Post Office, he never tried to solve the problem with the Buildings and Works Department, he never tried to solve the problems in the Electricity Department and of course if one does not try to solve problems, if one does not try to make an omelette one certainly does not have to break any eggs that is for sure, but there is no way of making an omelette without breaking eggs. So there is no need to invent anything here what there is is three years of experience of detailed design and negotiation with staff in five areas of Government departmental activity and my answer reflects that and not any invention for which there is no need.

**HON J C PEREZ:**

Might it not be that the Chief Minister is not doing an omelette but he has broken some eggs?

**HON J J BOSSANO:**

It is not self-evident to ask that there are things that one can do in the Authority that one cannot do in the department, why is it so difficult to give some indication of what it is the Government hope to achieve in the Authority which Government would have to do in a different way to achieve in the department, without providing a detailed list which I accept?

**HON CHIEF MINISTER:**

If it is not self-evident to the Leader of the Opposition it is not my job to inform the hon Member about things which are Government policy and about how the Government goes about achieving them in terms of explaining. The hon Member is asking the Government to expose in the case of a particular department, this afternoon now that the negotiations are finished he will have the opportunity to ask me in the context of the Electricity Authority when we discuss the Electricity Authority Bill what are the advantages that the Government think they have been able to achieve in the electricity industry as a result of doing the electricity through an authority as opposed to through a Government but those negotiations are finished, nothing that I say to the hon Member or publicly prejudices the negotiations. The hon Member is asking me to say this now in respect of a department in which the negotiations have not progressed to a point and he is asking me to say it publicly. It is just that it is not helpful to the Government's negotiating position.

**NO. 98 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**VICTORIA STADIUM - HOCKEY PITCH**

Can the Minister for Sport now confirm how much they are paying for the services of AMCO(Gibraltar) Ltd, for the up-keep of the Water-based Hockey Pitch at the Victoria Stadium?

**ANSWER**

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

The agreed hourly rates are:

£18.20 per hour weekdays

£22.50 per hour Saturdays, Sundays and Public Holidays

**SUPPLEMENTARY TO QUESTION NO 98 OF 2003**

**HON MISS M I MONTEGRIFFO:**

I remember that the last time I asked the Minister over AMCO he said that in fact AMCO had been employed because there was some problem with the watering system of the pumps, has that now been solved?



**HON LT COL E M BRITTO:**

Yes.

**HON MISS M I MONTEGRIFFO:**

Is the Minister then prepared to review an offer that the groundsmen are prepared on a temporary basis and without any prejudice to the Government to actually maintain the pitch which would definitely bring down the figure that the Government are now spending with AMCO?

**HON LT COL E M BRITTO:**

No the Government are not prepared.

**HON MISS M I MONTEGRIFFO:**

Can the Minister say why they are not prepared because if the men are saying that they are willing to do it on a temporary basis and that it will not prejudice the Government's position when they have other employees there if and when the Sports Authority gets going?

**HON CHIEF MINISTER:**

The hon Lady may say it is without prejudice but she must know that much as they might now say that it is without prejudice to the Government's interests once Government employees work in that facility it will be almost impossible for the Government subsequently to argue that they are free to make alternative arrangements which do not involve the Government department and the civil service staff. So the answer is as my hon Colleague has answered and for the reasons that I have given. The Government are not willing to rely on statements that this would be without prejudice. The Government are certain that it would be at considerable prejudice and therefore what the Government urge the staff of the Victoria Stadium to do is to proceed with the negotiations on the Authority to establish definitively whether they wish to join the Authority or not, if they decide that they do not want to join the Authority then so be it, if they decide that they do wish to join the Authority then there is no further problem. That is the way to deal with it. In the meantime these new facilities will not be serviced by employees of the Government department.

**NO. 99 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GIBRALTAR SPORTS AUTHORITY**

Can the Minister for Sport confirm whether an agreement has now been reached with the Unions as to the transfer of staff to the Gibraltar Sports Authority?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 99 OF 2003**

**HON MISS M I MONTEGRIFFO:**

In the last meeting of the House the Minister said that he thought his Government had given certain documentation to the union and that they were awaiting their reaction, has this happened?

**HON LT COL E M BRITTO:**

A first draft of the documentation, work contracts and the agreements and so on was made available back in October and we are presently working on a second draft for discussion because there were suggestions made on either side on improvements that were needed and the second draft is being finalised it is not ready yet and as soon as that is finalised negotiations will continue.

**NO. 100 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**EUROPA SPORTS GROUND**

Can the Minister for Sport confirm whether he has made any in-roads with the MOD in relation to the hand-over of the Europa Sports Ground to the Government which in turn would be handed over to the Gibraltar Cricket Association, something which the Minister announced would happen over two years ago?

**ANSWER**

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

The situation remains the same as explained in my reply to a previous similar Question (No. 100 of 2002).

**SUPPLEMENTARY TO QUESTION NO 100 OF 2003**

**HON MISS M I MONTEGRIFFO:**

I know that the Minister has said that the situation remains the same but I would like to probe him a little bit further on the matter. Is he confident that the hand-over will happen or is it that he feels that the MOD now no longer want to release the ground?

**HON LT COL E M BRITTO:**

No I cannot be confident because two years ago the Ministry of Defence said that it would and subsequently changed its mind and there are no indications that it will change its mind again as we speak.

**NO. 101 OF 2003**

**THE HON S E LINARES**

**YOUTH EXCHANGE VISITS**

Can the Minister state why there has not been exchange visits organised by the Youth Service last year and for this year?

**ANSWER**

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

Last year the Youth Service decided that its objectives could best be met by diversifying the programme and organising the following visits and projects abroad instead of an exchange visit with students of another country:-

- (i) An Educational Youth Trip to Paris during summer 2002 and
- (ii) a local Personal Development Programme and an Outward Bound Training Course in UK, in conjunction with the Luce Foundation.

Exchange visits per se do not necessarily constitute proper youth work delivery and for this to be achieved they need to meet certain social education and developmental criteria to fulfil the aims of the Youth Service. These are either not possible or not required every year and the Youth Service therefore considers that it is not essential or possible, in its delivery of Youth Work, to organise an annual Exchange Visit every year. For 2003 the Youth Service's main project is an exchange visit with participants from Holland and two South American countries.

## **SUPPLEMENTARY TO QUESTION NO 101 OF 2003**

**HON S E LINARES:**

Can the Minister explain what would be the difference between an educational trip to Paris and an exchange visit?

**HON LT COL E M BRITTO:**

That one involves an exchange and the other one does not.

**HON S E LINARES:**

Yes but the Minister has just said that some exchange visits do not have educational value can he expand on that, where does the criteria lie were one is more educational than the other?

**HON LT COL E M BRITTO:**

Unless Mr Speaker so directs I do have no intention of engaging in a long debate of what Youth Service is or is not but all I will say to the hon Member is that organising a trip for the sake of organising a trip does not deliver youth service. It is sometimes more beneficial to organise a local programme than to just send people on holiday. So if there is value in the criteria of those who are the experts on the field but not mine because I do not interfere in this at all, if there is value in an exchange visit because of the nature of the exchange visit then an exchange visit is organised but if for any particular reason in any particular year the Youth Service thinks that there is greater value to be attained by having something else or having a visit or indeed not sending people abroad then it is up to the people who make these decisions on which project is decided within a particular year. At the end of the day the main question, I am sure the hon Member will accept, is surely whether Youth Work at an adequate level and development programmes of a proper level are being provided in whatever way they are being provided and not whether there is or is not an exchange visit.

**HON S E LINARES:**

I recall that last time we had an exchange visit the Minister himself the Youth Service Director or the person who deals with the Youth Service was saying that exchange visits have a lot of youth work in it, that there is a lot of educational value in exchange visits and therefore what I do not understand is how we can come now and say that certain exchange visits have not got educational and youth value. I accept what the Minister has just said, I believe that if one analyses after a while that exchange visits do not form that criteria then one will have to look elsewhere, I agree with that but what we cannot do is on the one hand say that exchange visits are of educational value and then on the

other that it is not. Therefore I do accept that one can change one's criteria but it seems as if suddenly exchange visits are of no use.

**HON LT COL E M BRITTO:**

Although there is no question asked there is in fact a point of clarification. The hon Member has said in alluding to what I have said previously is not correct. I have not said that exchange visits do not have a value let us be clear, what I have said is that it is not always the best way to deliver youth service by providing an exchange visit every year and the proof of that is that we are planning to provide an exchange visit in the current year and it is at a fairly advanced state of planning so I have not said that they have no value, what I have said is that the youth service does not feel that there has to be an exchange visit every year come what may and if the youth service can be delivered in a better way in another way as they felt last year it will be delivered in a different way.

**NO. 102 OF 2003**

**THE HON S E LINARES**

**YOUTH CLUBS**

Can Government state why the Youth Clubs were closed during the Christmas period?

**ANSWER**

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

It has always been traditional, due to it being a period of recorded low attendances for the Youth Clubs to be closed down for a number of days over the Christmas period. Last year the Laguna Youth Club, the Dolphins Youth Club and the Plater Youth Club were closed for the period 23<sup>rd</sup> December 2002 to 1<sup>st</sup> January 2003. The Youth Centre was closed down from the 23 December 2002 to the 25<sup>th</sup> December 2002 and from 28<sup>th</sup> December 2002 to 1 January 2003. Although in theory these clubs were closed during those periods, in actual fact, as I am advised has always been the practice, youth work continued to be delivered through the production of the floats for the Cavalcade. All young people from all the clubs were given the opportunity last year to participate in the production of what proved to be excellent floats one of which won the first prize in the junior section. The Youth Service is confident that it fulfilled its aims and objectives of providing social education and developmental opportunities for young people during the Christmas period with the programme that was provided.

**SUPPLEMENTARY TO QUESTION NO 102 OF 2003**

**HON S E LINARES:**

Can the Minister then confirm that this is the first year that this has happened because he stated 2002/2003 this is the last Christmas, was it closed during 2001/ 2002, or was it closed during 2000/2001?

**HON LT COL E M BRITTO:**

I am not sure if I understand the question. As I said at the beginning of my answer it has always been traditional due to periods being recorded of low attendances for the youth clubs to be closed over the Christmas period.

**HON S E LINARES:**

So the Minister is confirming now that it has been closed during the Christmas period for a number of years, is that correct?

**HON LT COL E M BRITTO:**

The clubs have always been closed for a number of years it appears that this year the three youth clubs as opposed to youth centre were closed for an extra three days than last year. I am not sure how it compares to previous years but last year a decision was taken to make it different from the previous years and the youth centre was closed for one more day than in the previous years and the other clubs were closed for three more days than in the previous year if that is what the hon Member is seeking.



**NO. 103 OF 2003**

**THE HON J C PEREZ**

**GOVERNMENT LOTTERY**

Has the Treasury now concluded its review of the Gibraltar Government Lottery and has it submitted concrete proposals to the Government?

**ANSWER**

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

Yes. A number of proposals are currently being considered by the Government. However, tenders are to be invited shortly for the administration of the lottery in view of the expiry of the current administration contract in November 2003. No changes to the structure of the Government Lottery are envisaged until after this tender has been awarded.

**SUPPLEMENTARY TO QUESTION NO 103 OF 2003**

**HON J C PEREZ:**

So the Minister is not connecting the running of the lottery with the structure of the lottery, the proposals from the Treasury as I understand it have to do with the structure of the lottery and that needs to be discussed and the tender is solely for the administration of the lottery which is at the moment run by Maxstead, is that the situation?

**HON LT COL E M BRITTO:**

Yes that is correct.

**HON J C PEREZ:**

Can the Minister say whether having seen the comments of the Treasury he foresees any structural changes in the near future in the Gibraltar Government Lottery or does he see that there is no need to change it and it is going to stay as it is?

**HON LT COL E M BRITTO:**

That is a hypothetical question and it has already been covered by my main answer, no changes are envisaged until after the tender has been awarded and whatever my personal opinion is or is not is irrelevant because the restructure as such would need to be considered by Government before a decision is taken. So I am not in a position to assess what that would be because that meeting or discussion has not taken place.

**HON J C PEREZ:**

Can the Minister say when it is intended to go out to tender for the administration of the Government?

**HON LT COL E M BRITTO:**

We have to do so before the 1<sup>st</sup> or 30<sup>th</sup> June, six months before the end of the contract which I believe is in November.

**HON J C PEREZ:**

Can the Minister say whether he is inviting tenders for the administration of the lottery for how long ten years, five, twelve years?

**HON LT COL E M BRITTO:**

I cannot recall the term but this is something that is being prepared by the Treasury and I have not yet given final approval to the tender so I do not have it fresh in my mind.

**NO. 104 OF 2003**

**THE HON J C PEREZ**

**HARBOUR VIEWS PROMENADE**

Can Government state where it is intended to relocate the toilets at Harbour Views Promenade which need to be moved as a result of the Euro Plaza Development?

**ANSWER**

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

The toilets are being relocated a few metres north of its current location. Works are already under way and it is expected that the new toilets will be operational in a couple of months time.

**SUPPLEMENTARY TO QUESTION NO 104 OF 2003**

**HON J C PEREZ:**

Does the Minister not think now that they need to be relocated that the toilets would be better relocated in the centre of the promenade so that people using the promenade for either end have a better access to it, given that they have to be relocated I do not think that the extra cost would be that much?

**HON CHIEF MINISTER:**

I am not entirely certain of what I am about to say but I seem to recall at the time that the promenade was being designed that the toilets were located there because of the

proximity to the services and that the services are not available in the centre or elsewhere. I seem to recall that that was the reason why they were put at that end in the first place because the services were there in connection with the plots, Europort and the road. I suppose they could still be moved but at a much greater cost of construction of works.

**NO. 105 OF 2003**

**THE HON J C PEREZ**

**WATERPORT DISTILLER**

Has the Minister for Public Services now checked whether there are any objections on the part of Directors of Lyonnaise des Eaux to share the conclusions of the report on the Waterport Distiller with the Opposition Members on a confidential basis?

**ANSWER**

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

The contents of this report are commercially sensitive and therefore, as explained in answer to Question No 806 of 2002, is covered by the resolution of the Board of Directors of Lyonnaise des Eaux at its meeting on Friday 5<sup>th</sup> July 2002 when it decided that, and I quote "*The Chairman shall not provide information deemed to be commercially sensitive to the Opposition even on a confidential basis.*" In order to avoid having to give the hon Member the same answer to possible similar future questions, I would recommend that requests for such information should be channelled through the Managing Director of Lyonnaise des Eaux who would seek the Board's view before replying.

**SUPPLEMENTARY TO QUESTION NO 105 2003**

**HON J C PEREZ:**

The Minister is not correct in saying that this matter has already been replied in the context that he has. If he would care to check Hansard he would know that when I asked this question he

said that he would check back that is why I am asking it again so it is not covered by the reply he gave me in answer to Question No 806 of 2002, he said he would check back and I presume that having checked back he gets the same reply to the request I made which replied in the other question on the question of tariffs. Is the Minister saying that if I direct my questions to the Managing Director of Lyonnaise des Eaux I might have greater success in getting the information than if I direct it in the House to him is that what he is saying or he is saying that it is better that I should be told that I am not getting the information in private rather than in public?

**HON LT COL E M BRITTO:**

What I am saying and I am saying this in terms of also of Gibtelecom is that the judgement of whether the information, any information not just this, whether information being requested is or is not commercially sensitive has to be made by commercial people and not by me and if the advice of the commercial people, that is the management of the companies concerned, is that the information is commercially sensitive then it is covered by the board's decision. Therefore it is better for the hon Member so as to avoid delay if he directs future questions directly to the companies and the companies will be able to answer him sooner whether it is considered commercially sensitive or not.

**HON J C PEREZ:**

Does the Minister not realise that we have just had a debate on the Electricity Authority where he is saying that Lyonnaise and Gibtelecom are public utilities and that in the context of public utilities where we are asking what he terms as commercially sensitive information we are asking it on a confidential basis because in the same way as under his responsibility as Minister he is the Chairman of the board of Lyonnaise if there were a change in Government a Member of Opposition will be the Chairman of the board of Lyonnaise and would have to undertake the responsibilities there, what I am telling the Minister is that we are not saying is it that the board of these companies do not trust that the Opposition is going to keep confidential anything given to them by confidentiality is that what he is saying and is he party to that given that he is Chairman of the boards taking those decisions? If we are going to be able as a responsible Opposition to look at the pricing of water, at the future of the plant and to plan ahead we are entitled to have that information in Opposition to be able to do our homework.

**HON CHIEF MINISTER:**

With the greatest of respects I do not think that the hon Member is right in any of what he has said. In the first place it was he who privatised the water department into a private company. *[INTERRUPTION]* I am about to tell him if he just will not punctuate every answer that I give with his nervous interjections. He has chosen whilst he was the Minister with responsibility for water not just to privatise Lyonnaise and to put it into a private commercial company but to put it into a private commercial company in which to boot the Government are only a minority shareholder. We own less than 50 per cent of the shares in Lyonnaise, I think we own 33 per cent. The Government are not accountable in this House for the business of private sector companies in which the Government happen to have a minority shareholding. Despite the fact that we are not accountable in this House for any of the affairs of Lyonnaise as a result of his decision to privatise it we nevertheless answer as much as we can. As much as we can is not and cannot be as a result of his decision to privatise the water department or that the hon Member decides he wants to know because the affairs of Lyonnaise des Eaux Ltd are not the affairs of the Government,

they are the affairs of a private commercial entity which he created and in which the Government are but a minority shareholder and I did not say to him that Lyonnaise des Eaux were a public utility. A public utility is a publicly owned provider of a utility service. I said that Lyonnaise, Nynex and Gibtel were providing public utilities which is a fact but a different fact to the one that he now says I uttered and therefore the hon Member cannot continue to badger the Minister with these responsibilities in this House as if he had an accountability to this House which he has not got without giving him credit for the constraints under which he has to deliver even what he says which is voluntary. He need say nothing about this because it is the policy of the Government as I am sure it was when he was in office that because the Chairman is a Minister is not acceptable for the Government to refuse to say nothing at all but there are parameters of what the Government can say. At a time when there was no competition, when Lyonnaise were a monopoly water supplier in Gibraltar they took a different view of where the measuring stick should be put on the question of "is it commercially sensitive" why, because they had no competition so to give away information of how they calculate their prices, how they do this, how they structure that helps nobody because no one is competing with them. The problem now is that as a result of contractors that the MOD has or is about to bring into Gibraltar, Lyonnaise is going to have competition and therefore they have decided and applied in my opinion logical commercial criteria that now that they are subject to competition they have to take a different view about what is commercially sensitive and that is a commercial judgement. The hon Member knows that the Government do not operate on the basis that the Government do not trust the Opposition with information confidentially because we often give them information in-confidence so the last point that he made to the Minister, are they saying that they do not trust the Opposition and is the Minister a party, he knows that this Government have never, never refused to give the hon Members information either publicly or for reasons which we always explain do not feel we should give it publicly then at least privately.

Lyonnaise des Eaux Limited and the majority shareholder which owns 67 per cent may wish to take a different view. I do not know if they do or do not take a different view the hon Member must ask them whether they take a different view and if they do, it is a matter for them and not a matter for the Government.

**HON J C PEREZ:**

That is not what the Minister has said.

**HON CHIEF MINISTER:**

What the Minister has said is that he has read a resolution from the Board of Directors of Lyonnaise and he has said, *"... if you want to find out whether information is available because it is or it is not commercially sensitive ask the Board of Directors because they can tell you immediately whether it is rather than wait for the next meeting of the House, wait for your turn to ask the question,"* the Minister then says, *"hang on I am going to go and consult the board,"* the matter then remains pending until the next board meeting. When the board meeting has made the decision the answer has to wait until the next time there is a Question Time and all the Minister has said is *"in your own interest you can short-circuit that by just asking the information, which in any case is not Government information, it is company information, seek it from the company."*

**NO. 106 OF 2003**

**THE HON J C PEREZ**

**CEMETERY**

Have Government now received proposals from the two existing horticultural contractors, namely Greenarc and Gibralflores, for the embellishment of approved sites within the cemetery, and if so, what is the response of the Government to these proposals?

**ANSWER**

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

Proposals have been received from the two existing horticultural contractors for a pilot scheme for the embellishment of approved sites within the cemetery. The contractors advised that the appropriate time to commence the works was mid-spring. These are, therefore scheduled to commence, weather permitting, in late April, early May and should be finalised in three months. On the basis of the results and their financial viability, Government will award a contract for a programme of on-going embellishment, up-keep and maintenance of the cemetery.



**SUPPLEMENTARY TO QUESTION NO 106 OF 2003**

**HON J C PEREZ:**

So what the Minister is saying is that both companies are going to do a test and the Government are going to judge over that test which of the two is doing it better before they award the contract, obviously they might have to depend on cost as well.

**HON LT COL E M BRITTO:**

That in general terms is right in a very broad brush each possible contractor will be given a plot of land and some guidelines but it will be up to the contractor to choose his method and what he produces and I understand that they are not necessarily going to produce one solution, each contractor is open to producing more than one solution and based on that test we will then proceed but it will be decided on a number of factors not just on the plot itself.

**HON J C PEREZ:**

But it will certainly be on the basis of these two contractors only not open to anybody else given that these are the only two that have been invited?

**HON LT COL E M BRITTO:**

And the only two who are available to be invited.

ORAL

**NO. 107 OF 2003**

**THE HON J C PEREZ**

**CITY FIRE BRIGADE**

Can Government state whether the dispute at the City Fire Brigade over sick leave entitlement for injury at work has been satisfactorily resolved?

**ANSWER**

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

An agreement was signed on the 25<sup>th</sup> February 2003 between the Government of Gibraltar and the Transport and General Workers Union (ACTSS) in respect of the Fire Service Grades which satisfactorily resolved the claim over Sick Leave Entitlement for physical injury at work.

ORAL

**NO. 108 OF 2003**

**THE HON J C PEREZ**

**INCINERATOR**

How many requests for documentation in respect of the tender for a new incinerator had the Government received by the 4<sup>th</sup> March 2003?

**ANSWER**

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

Answered together with Question No 109 of 2003.

**NO. 109 OF 2003**

**THE HON J C PEREZ**

**INCINERATOR**

How many “requests to participate” in the new proposed incinerator had the Government received by the 18<sup>th</sup> March 2003?

**ANSWER**

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

Government have not yet invited tenders for a new incinerator.

**SUPPLEMENTARY TO QUESTION NOS 108 AND 109 OF 2003**

**HON J C PEREZ:**

The Minister did publicise or his department an advert asking interested parties to make requests for documentation before the 4<sup>th</sup> March 2003 and to make requests to participate in the project before the 18<sup>th</sup> March 2003 because I have seen it published and that is the nature of the question.

**HON LT COL E M BRITTO:**

In quoting from this advert the hon Member seems to have omitted the relevant bits and the relevant bits are that the offer to apply were for the provision of transaction

management services and not for an incinerator which are two completely different things. If the hon Member would like to know I would like to explain the difference.

**HON J C PEREZ:**

Yes can the Minister explain.

**HON LT COL E M BRITTO:**

Yes. The provision of an incinerator is as I am sure he will appreciate and agree not an everyday event and not an event for which most people are either qualified or skilled in not just assessing the offers but conducting the process, so what the Government are doing is seeking the services of effectively of a Transaction Manager who will run the process for us and be our adviser from the beginning in preparing the tenders and evaluating them right through to the end and advising the Government on the decisions.

**HON J C PEREZ:**

Have there been offers for that?

**HON LT COL E M BRITTO:**

Yes. There have been, 25 requests for documentation where received by the 4<sup>th</sup> March and 17 requests to participate were received by the 18<sup>th</sup> March.

**HON J C PEREZ:**

Can the Minister state given that he did not discard the possibility at the last time I raised the issue of having a refuse disposal system which did not necessarily although he said he favoured incineration, he said he was not closing the door to any proposal that might not include incineration, does this mean that now the Government are set to go for incineration definitely and that the people that will be engaged will go specifically to look for an incineration system out in the market?

**HON LT COL E M BRITTO:**

I am not sure whether the answer is a yes or no but the position is that the Government have not closed the door to anything or the policy is not to close the door and therefore the Transaction Manager will be instructed to prepare a tender which talks about the disposal of waste and refuse by any process and not by incineration pyrolysis or anything else. There are certainly two maybe three. It will be an open ended request for tender.

**HON J C PEREZ:**

By which time does the Minister think that the selection of this person will be concluded and in what time span does he think that the documentation for tender of the system for tendering will be ready for a refuse disposal system for Gibraltar?

**HON LT COL E M BRITTO:**

I cannot give him a specific date on either but what I can tell him is that the 17 submissions are currently being scrutinised and a short-list is being prepared and then those on the short-list will be invited to tender for the services of Transaction Manager. We then have to choose a Transaction Manager and then the Transaction Manager will prepare the tender for the incinerator and then we will go to tender. I do not know what will happen, I presume we will do the same thing, we will invite interested parties and we will have to repeat the whole process again of short-listing and then inviting tenders but I cannot give him a deadline at this stage.

**HON J C PEREZ:**

Would I be assuming correctly that the tender will be, because I think over £6 million it has to be advertised within the EU?

**HON LT COL E M BRITTO:**

Yes in fact the services for Transaction Manager the replies range from Gibraltar through United Kingdom were the majority and then on to Denmark, Netherlands, Austria.....

**HON CHIEF MINISTER:**

The figure is much lower than £6 million, even the Transaction Manager contract is captured by it.

ORAL

NO. 110 OF 2003

THE HON J C PEREZ

**ONYX LTD**

Can Government state how many employees there are presently in the Government owned company, Onyx Limited, and how many employees there were when the company was first set up?

ANSWER

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

Answered together with Question No 111 of 2003.

**NO. 111 OF 2003**

**THE HON J C PEREZ**

**ONYX LTD**

What is the intention of Government towards the existing employees of Onyx Limited if they are still employees of the company by the end of the year when the Government intend to terminate the existing contract?

**ANSWER**

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

Onyx Limited is not and never has been a Government owned company. Consequently the information being requested in respect of employees of this company should be sought from the company itself. Government's contract with Onyx (Gibraltar) Limited was terminated on 31<sup>st</sup> December 2002. As of 1<sup>st</sup> January 2003, all the 16 Onyx (Gibraltar) Limited employees working at the incinerator were transferred to Europa Incinerator Limited, a wholly owned Government company, and presently continue in employment with this company.

**SUPPLEMENTARY TO QUESTION NOS 110 AND 111 OF 2003**

**HON J C PEREZ:**

Can the Minister explain why he told me the complete opposite at the last meeting of the House? In the last meeting of the House I asked, "*Can Government state how many employees there are presently in the Government owned company Europa Incinerator Limited?*" and he said none they are all employees of Onyx and now he says that they have been transferred to Europa Limited.



**HON LT COL E M BRITTO:**

Correct.

**HON J C PEREZ**

Well, if they had been transferred to Europa Limited they must be employees of Europa.

**HON LT COL E M BRITTO:**

The hon Member should listen more carefully what he has just said is a correct reproduction of what I have said. When he asked the question we were prior to the end of the year and there were no employees in Europa Incinerator. It was correct when I said it, I said all the employees where in Onyx. He is now asking me how many employees are in Onyx and I have told them that I cannot answer because Onyx does not belong to the Government but I have told him that at the end of the year all the employees that were in Onyx, which is what I have told him before, have been transferred as from the 1<sup>st</sup> of January to Europa Incinerator so the situation has indeed been reversed.

**HON J C PEREZ:**

Is it not the case that the existing contract is to terminate at the end of this year which is what he said in the last meeting of the House?

**HON LT COL E M BRITTO:**

It is terminated already. With respect to the hon Member.....

**HON J C PEREZ:**

.....with respect to the Minister I am looking at Hansard and seeing what he says.

**HON LT COL E M BRITTO:**

.....yes and what I have said was correct, is correct and remains correct. He is either not listening or he is not understanding, with the greatest of respects. The contract with Onyx ended on the 31<sup>st</sup> December last year and because the contract with Onyx ended the employees that were with Onyx have been transferred from Onyx to Europa Incinerator which is a Government company which the Government have done because it had certain obligations to do so. That is exactly what I have said before and what I said a moment ago.

**HON J C PEREZ:**

Is the process of looking at alternative jobs within the Government for the employees continuing which is something that the Minister did say the last time was happening?

**HON LT COL E M BRITTO:**

Yes various options have been considered in respect of these employees depending on the particular circumstances of each of them and their respective qualifications. There are various options being considered which include retirement, transfer to Government employment in several possible places and retention of the present employment in Europa Incinerator because there will be a need for a small number of people to stay there and finally an option of payment of redundancy is also being considered.

**HON J C PEREZ:**

Have any of the employees at all been moved out yet or this is the total number that is being dealt with?

**HON CHIEF MINISTER:**

No. In any event none would be moved out this is by consensus, I am not sure whether he was using the language loosely, is he asking have any moved out yet as opposed to any being moved out yet.

**HON J C PEREZ:**

Have any been found alternative employment in Government?

**HON CHIEF MINISTER:**

I think not yet.

**HON LT COL E M BRITTO:**

But it is on-going and in consultation with the union.

**NO. 112 OF 2003**

**THE HON J C PEREZ**

**DISPOSAL OF REFUSE**

Have Government taken a view over the case highlighted by the Ombudsman in a special report tabled in this House over the current contract for the disposal of refuse which the Ombudsman recommends should be the subject of tender procedures?

**ANSWER**

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

The view of the Government remains the same as explained to the Ombudsman and as contained in his special report, which is a public document.

**SUPPLEMENTARY TO QUESTION NO 112 OF 2003**

**HON J C PEREZ:**

So the Minister is saying that the explanation that he gave to the Ombudsman personally which is contained in the report is the position of the Government and notwithstanding the fact that there is a recommendation made by the Ombudsman in a special report after the position of the Government was made known to the Ombudsman that remains the position of the Government notwithstanding the fact that the Ombudsman believes that this is a case of maladministration?

**HON CHIEF MINISTER:**

Correct. The Ombudsman only produced the special report in the first place because he was unable to persuade the Government to accept his view that is why he produces his special report, if the Government had been willing to accept his view the Ombudsman would not have produced a special report. Although the percentage of cases in which the Government accepts the Ombudsman's view is very high it cannot and does not apply to all cases. One man cannot displace the judgement of eight elected persons so it is entirely normal and bound to reoccur that the Government do not accept a particular recommendation of the Ombudsman in a particular case particularly when the Ombudsman's view relates to a matter of policy which is specifically excluded from the Ombudsman's remit by the Ombudsman's Ordinance.

The hon Member's question gives me an opportunity to say something else which is that the Ombudsman has been surprised that when he issues a special report and sends he to me as he must under the Ordinance and I in turn and as I also must under the Ordinance Table it in this House, the Ombudsman has been surprised to note that it does not get debated. He thought that the fact that a document is Tabled in the House automatically results in it being debated and I have explained to the Ombudsman that that is not the procedure in the House, for example, today we have Tabled the accounts of Shiprepair Limited we have Tabled lots of documents, the procedure of the House does not result in things being debated simply because they are Tabled but of course Members of the Opposition are free to bring substantive motions in respect of a particular Ombudsman's report it would be illogical for the Government to bring a substantive motion when the Ombudsman's report exists precisely because the Government do not agree with him but if the hon members thought that any special report of the Ombudsman raised issues which the hon Members think either the Ombudsman is right and the Government are wrong or are important enough, they are presumably important because otherwise the Ombudsman would not make them the subject of a special report then it is up to the hon Members to bring a motion in this House and that will give us both the opportunity, the Government would welcome it because it would give the Government the opportunity to explain in detail and spell out why it was not able in this particular or in the particular case in question to accept the Ombudsman's recommendation.

**HON J C PEREZ:**

Does the Chief Minister not realise that what he initially said in reply to the question which he then added on the things he said is completely incorrect, that it is not because the Government have said 'no' to the Ombudsman that the Ombudsman does a special report, that the special report is done by the Ombudsman because of the importance he attaches to the case and because he thinks he has to bring it to the attention of the public before he brings it to the attention of the public in his annual report because of the importance and priority that he gives the case because it is made public anyway in the annual report of the Ombudsman and that this is why he has made an issue of it and the Chief Minister says it is a matter of policy. It is a matter of a declared policy of the Government of tender procedures and what the Ombudsman is saying is if in fact it is the policy of the government to go to tender on everything which it is not on the part of the Opposition, but it is the declared policy of the Government by not doing what they

have declared is their policy there has been maladministration. That is what the Ombudsman is saying.

**HON CHIEF MINISTER:**

The hon Member has just given the perfect repetition of the Government's argument with the Ombudsman. Whether the Government chooses to depart from their policy in any particular case, which we have not done in this case by the way, but if the Government have a policy and chooses to depart from it that is also a matter of policy and not a matter of maladministration. If it is Government policy to buy only bottled water of this brand and tomorrow the Government decides that today we are going to exceptionally buy water of a different brand and that is our policy for today that is not capable of amounting to maladministration because it is as much a matter of policy as the original decision which the hon Member concedes as a matter of policy, as to whether there should be tender procedures in the first place. The hon Member will recall that this is not something that the Ombudsman has discovered. The hon Member knows because he asks the questions, that we were debating this issue in the House before the Ombudsman's report where the hon Member was asking questions about the tender for the taking of the refuse to Spain and why has it not come out to tender and the Government gave him the same answers as we were giving the Ombudsman. The Government puts everything out to tender unless there is an emergency, for example, there are bits of equipment that may be required as a matter of emergency and we simply cannot afford to wait for the tender process. That is the only exception we make. The Government who put everything out to tender as a matter of policy has notwithstanding the long representations made by one particular company, notwithstanding all the opportunities that the Ombudsman gave us to change our minds before writing a report at the time it was just a complaint to the Ombudsman, notwithstanding the opportunity that he gave us before he concluded his report, notwithstanding the opportunity that he has given us after concluding his report, simply the Government have not been persuaded that the basis upon which they took the original decision is wrong. First of all we are not convinced that it is wrong we think that it is right but even if it was wrong it is not capable of amounting to maladministration within the competence of the Ombudsman's responsibility because whether we go to tender at all is a matter of policy and not a matter of administrative requirement of good or bad practice. That is why the Government do not accept the Ombudsman's ruling. First of all we think that he is mistaken but even if he is not mistaken he is not entitled to make this the issue of a subject matter of a report.

**HON J C PEREZ:**

Has the Chief Minister explained to the Ombudsman before he wrote his report that that was the position of the Government?

**HON CHIEF MINISTER:**

Yes.

**HON J C PEREZ:**

So in fact what the Ombudsman is saying in publishing his report is that he does not agree with the Chief Minister's point of view.

**HON CHIEF MINISTER:**

He does not agree with me or with him. He does not agree with either of us because the hon Member has already conceded in this House 15 minutes ago that it is not his policy to put anything out to tender anyway. If it is maladministration not to put out one tender out to tender on particular facts imagine what the Ombudsman would not have to say about his policy which is not to have a tender policy at all. Therefore he disagrees with both of us and what the Government say is, that the fact that we have put an Ombudsman in order to scrutinise administrative malpractice which is something that we did, no one forced us to establish the Office of Ombudsman, this was done as a matter of policy, it was done on the terms of the legislation that this House approved and the Ombudsman is not simply because his name is Ombudsman entitled to usurp the legislative function of this House to decide the extent of his powers nor is he entitled out with the extent of his powers to impinge on the policy functions of the elected Government of the day and if the Ombudsman has a particular view on that issue the Government are even to a greater extent entitled to their views. We do not quarrel with the Ombudsman about this, we express our views and then leave him make whatever decision he likes and publish it. I do not say, *"I am bringing the special report to the House because I do not think you are entitled to make the report."* He makes his view he issues his special report, I bring it to this House and then I answer questions on it from the hon Member, but the hon Member's view is that just because the Ombudsman has formed the view therefore the Government must be wrong is a very harsh criteria by which to judge the Government.

**HON J C PEREZ:**

I have not made a judgement, I have not said whether I believe what the Ombudsman is saying or not I am only asking questions but since the Chief Minister has invited me to make a judgement I tell him that he cannot recruit me to his side for political expediency as he has attempted to do in answering my question. I think that he has gone too far in saying that the Ombudsman in this case is usurping his powers and the powers of the House which is what he has just said. He should listen to himself before he makes this ridiculous statements. I know what the Hon Mr Britto told the Ombudsman in writing because it forms part of the report which is the other thing that the Government were saying, the special report does not arise because the Chief Minister disagrees with the Ombudsman it is because the Ombudsman sees that there is an important issue which he wants to highlight. I accept that the Chief Minister does not agree with the Ombudsman but from there to trying to recruit me to support his position and to try to say that the Ombudsman has been usurping the powers of the House, if he does not disagree let the people make the judgement of who is right and who is wrong and whether there has been maladministration or not but let us not try to make something different out of a simple question in the House which is what the Chief Minister is trying to do all the time.

**HON CHIEF MINISTER:**

I cannot agree with that analysis of the matter. This House has passed an Ordinance in exercise of its legislative sovereignty which says that the Ombudsman shall not enquire into any matter which is a matter of policy for the Government. That is what I voted for, that is what he voted for, that is what the law of the land is and the Government submit willingly and voluntarily because that is why we created him, to the full fury and extent of the exercise of his powers by the Ombudsman within the terms of the legislative authority that this House has given him. When he steps outside of that line we say to him that the Government do not accept that this is an area that he is entitled to investigate. Even when we say to him that the Government believe that this is an area that he is not entitled to investigate we still co-operate with his investigation, we still provide him the information that he has requested. We do not prevent him from carrying out the investigation, we simply say, "*we do not think that this is an area in which you are entitled to investigate.*" So, when he produces a report in those circumstances producing a result which we do not accept we feel no obligation to be guided by it because to feel an obligation to be guided by the Ombudsman's ruling in such a case would be to allow the Ombudsman outside the scope of his statutory powers to displace the judgement of Council of Ministers elected democratically by the people of Gibraltar which he is not and the Government are not willing to abrogate their responsibilities either to this legislature to uphold the laws that this legislature has passed nor are we willing to abrogate our responsibility as the elected Government of the day to govern Gibraltar in accordance with our policies and not with what the Ombudsman thinks the Government's policies should be. That is an institutional issue in which the Government have a very clear position and from which the Government are not going to be shaken and if it requires us to make clear statements to the Ombudsman because it is such an important institutional issue we have made it and nothing happens. The Ombudsman does not get upset with us and we do not get upset with him, we all carry on doing our business, publishing our reports and nothing happens. The hon Member cannot forget what he himself says, the thrust of his questioning has been to, rightly from his point of view, press the Government to explain why they have not acted on the Ombudsman's recommendation.....

**HON J C PEREZ:**

No, Mr Speaker.

**HON CHIEF MINISTER:**

Well what is the basis of the hon Member's question?

**HON J C PEREZ:**

The question in the Order paper is quite clear we are trying to extract information because there has been a special report done by the Ombudsman placed in this House and we are saying "*What is the view that the Government take about this special report?*" and the Chief Minister has said, "*we do not agree with the Ombudsman,*" and I am questioning him on why he agrees or does not agree with the Ombudsman?

**HON CHIEF MINISTER:**

Exactly so.

**HON J C PEREZ**

I have not made a judgement because this is Question Time this is not a debate and although he has invited me to put a motion on it I have not put a motion. He is speaking in Question Time as if I had put a motion and I am only asking simple questions of the Chief Minister which he cannot simply reply to without going into a long diatribe about what he thinks, someone is usurping, he is the victim all the time of the Ombudsman, of the Opposition and there is always a plot against him. Regrettably that is the mentality of the Chief Minister.

**MR SPEAKER:**

One more answer if you want to answer.

**HON CHIEF MINISTER:**

I am not sure that I can, I am not sure that there is a question in what presumably he does not think is a diatribe. The Government do not feel oppressed by the Ombudsman. The Ombudsman is serving precisely the role that it wanted the Ombudsman to serve. The Ombudsman is having a clear and demonstrable impact on the transparency of the public administration, it is serving one of the purposes that the Government hoped it would serve which is to be a catalyst to change and modernisation and improvement of public services in the public administration. The Government value the views of the Ombudsman in his reports which follow enquiries and accepts them in the vast majority of cases. Unfortunately the vast majority of cases in the real world cannot mean every single case, this is one such case which prevents it from being an every single case and the fact that the Government do not accept the Ombudsman's judgement in a handful of cases hardly amounts to the Government feeling oppressed by the Ombudsman.



ORAL

**NO. 113 OF 2003**

**THE HON J C PEREZ**

**GIBTELECOM**

Can Government say whether some of the Directors of the Board of Gibtelecom have had a company car made available to them?

**ANSWER**

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

Answered together with Question Nos 114, 115, and 116 of 2003.

ORAL

**NO. 114 OF 2003**

**THE HON J C PEREZ**

**GIBTELECOM**

Are Government aware that the elderly retirement package made to some employees of Gibtelecom is inferior to an offer made a year ago and rejected at the time?

**ANSWER**

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

Answered together with Question Nos 113, 115, and 116 of 2003.

ORAL

**NO. 115 OF 2003**

**THE HON J C PEREZ**

**GIBTELECOM**

Can Government confirm that the building known as Mount Pleasant can only be used by Gibtelecom for the purpose of discharging its functions under the licence it holds, and that the company is not free, irrespective of the expiry date of the Lease, either to put the property to a different use or to dispose of it?

**ANSWER**

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

Answered together with Question Nos 113, 114, and 116 of 2003.

**NO. 116 OF 2003**

**THE HON J C PEREZ**

**GIBTELECOM**

Now that the fact that the developer of the site adjacent to the Haven is known to be Gibtelecom or a subsidiary, can the Minister for Public Services now state whether it is the intention of the company to vacate totally the offices and workshops at Europort and the building known as Mount Pleasant once the development is complete?

**ANSWER**

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

On a number of occasions in this House since the introduction of the Telecommunications Ordinance 2001 liberalising the market, I have made it clear that the Government no longer consider it appropriate to provide commercial information to which they have access as one of the shareholders of Gibtelecom. The hon Member should approach the companies directly and it would be for them to decide what business information they are prepared to release.

Nevertheless in answer to previous questions, I have pointed out that *“the Government as a shareholder would be supportive of any commercially viable and realistic proposals for rationalising Gibtelecom’s real estate following the bringing together of GNC and Gibtel into common ownership.”* In this context the Government note Gibtelecom’s purchase of 15/21 John Mackintosh Square, which we understand the company proposes to redevelop for various customer service functions and office space.

As regards Mount Pleasant, the Telephone Company has a lease to use the premises for company and related business. Any proposed change in use would require the consent of the Government as the landlord.

**SUPPLEMENTARY TO QUESTION NOS 113 TO 116 OF 2003**

**HON J C PEREZ**

Can the Government say whether they think it is right that a person should hold two important jobs, be paid twice for working a 35 hour week and on top of that have the perk of getting a company car?

**HON LT COL E M BRITTO:**

The first bit is irrelevant from where I am sitting and the bit about the car which maybe I should have included in the answer let me make it quite clear that no director is provided in that capacity with a company car by Gibtelecom but that there are a number of the management team who have company vehicles or access to company vehicles. For further information I would ask the hon Member to contact the company.

**HON J C PEREZ:**

I would have preferred him to have been present because we are talking about the Financial and Development Secretary. Although it is wrong in the civil service that people should have a second job they agreed that the Financial and Development Secretary should carry out the functions of Financial and Development Secretary and be given a job in Gibtelecom to do the merger at the same time, and be paid for the two functions. I think it is unreasonable to expect that because he is an employee of Gibtelecom that on top of being paid two wages for two jobs he is doing during the same time, that he should also be provided with a car at the expense of the consumers of the telephone service even if it is at the expense of the taxpayer.

**HON CHIEF MINISTER:**

May I remind the hon Member that Gibtelecom is not a Government department. If somebody has a company car in Gibtelecom and that costs the company money it reduces the profit of its shareholders it is not at the expense of the user of the telephone service who pays the same tariff, the same sum of money for his telephone call whether or not a director has a car or not. I am answering the hon Member on the basis that he has a basic understanding of the difference between something that impacts on the cost of the service to the consumer which is at his expense and something which does not have that effect and therefore is not at the consumer's expense. He could say if the director of Gibtelecom did not have a car the Government's dividend might be £265 higher than the £2 million that it already is. He could say that, he could say that because the dividend is reduced the Government coffer collects less by way of a dividend but he cannot say if he wishes to be accurate the fact that a director of Gibtelecom has a company car that that is at the expense of the user of the telephone service. All that said it was neither I nor he who privatised the telephone service and therefore whilst this Government can be held accountable by him in this House for the decision to allow the Financial and Development Secretary to be recruited by Gibtelecom to do a job that is a Government decision for which the Government are accountable and I am happy to be

held accountable. But the Government are not accountable in this House for the perks that a private company like Gibtelecom decides to offer whether it is a company car or whether it is this perk or that other perk, the Government are simply not accountable in this House. These decisions are made at board level. The hon Member could say, *“does the Chief Minister think that it is right for the Government to be a shareholder in a company that commits the dreadful sin of allowing its directors to have a company car?”* Certainly the hon Member could say that governments should not invest in companies that allow their directors to have company cars but the Government cannot be held accountable in this House for the decisions of the Board of Directors of Gibtelecom as if they were decisions of a Government department. That is all that I am saying to the hon Member. All that said I think it is perfectly sensible, reasonable and normal for a senior executive in a telecommunications company, to have a company car. I do not think that it is wrong, I do not think that there is anything wrong with it, I do not feel that there is any issue there which the Government would not be able to defend if it were for the Government to defend which I am saying it is not. First of all the Government make the decision and then persuade others that it is okay to allow the Financial and Development Secretary to be in effect offered a second job by the telecommunications company. I think we have had this discussion in the House before about this issue, the Government considered the pros and cons of making that decision and we concluded that in taking many factors into account that it was an appropriate thing to do.

**HON J J BOSSANO:**

Presumably what we have just heard is that even though they feel that they are not answerable or accountable or have to explain anything it means that they actually supported that decision at board level because he is happy to defend it and has defended it. So in fact the Government were in favour as the 50 per cent shareholder of the business and the Chairman was in favour of the car being given to somebody who presumably does not have the problem in meeting the cost of running a car because he has two wages and is paid for two lots of 35 hours but works only one load. The time that he spends working in Nynex presumably is taken out of his duties as Financial and Development Secretary for which he is getting paid by this House and on top of that as shareholders in the board and as Chairman in the board they supported the decision to give him the car because they have just told us that they think it is perfectly reasonable to give him a car on top. Do they give him petrol as well?

**HON CHIEF MINISTER:**

It does not follow what the hon Member said that because of what I have said we support the board. What I have said is that it is not a matter in which the Government accounts, it is not a decision that the Government have made but if it were a decision that the Government have made the Government would not feel particularly hard pressed to defend it and in answer to the question, the gentleman to whom the hon Members are referring does not apparently have his car by virtue of the fact that he is a director, for many years he has been a director without a car he has a car by virtue of being a senior ex-Member of executive management as do other members of senior executive management, not because he is a director, a small clarification.

**HON J C PEREZ:**

Will the Chief Minister promise to use his time this weekend to read Hansard before 1996 when he used to sit and the Hon Mr Britto used to sit on the Opposition benches and they used to ask questions on the companies and all the information that we used to give them and could the Chief Minister please stop trying to point an accusing finger at anybody for having created Nynex and Gibtelecom given that I think the creation of Nynex, Gibtelecom, Lyonnaise are all wonderful things that have happened in Gibraltar and that if he is so incensed about what I did when I was in Government why does he not dismantle them all instead of saying to me “*..but you did it, but you did it.*” The Chief Minister has been in power for seven years and if he thinks it is so bad he should dismantle everything and go and bring them back into Government service.

**HON CHIEF MINISTER:**

Far from criticising the hon Member I have congratulated him for doing all these things. The hon Member seems to be having a bad intellectual day today. *[LAUGHTER]* His grasp of argument is not what it usually is. I have not criticised him for privatising Lyonnaise or privatising Nynex, Land Property Services, the Environmental Agency, the Tourist Board, I have not criticised him for it I would congratulate him for it. The use that I have made of those arguments is not that he made bad decisions but that he now adopts arguments in equivalent situations which are diametrically opposed to the views that he must have had when he made those decisions about which I am now congratulating him. Does he not understand the difference between saying to the hon Member, “*you are being inconsistent with what you did yourself when in Government*” and the difference between that and criticising him for what he did in Government which I have not done. On a better day I am sure he would grasp that distinction with greater ease. My recollection of the answers that the hon Members used to give when the questions were asked by the Hon Mr Britto and I can give him this answer without having to promise him that I would spend the whole weekend reading Hansard because I recall it, the answers that they used to give were precisely to give no information away since 1988 and for him now to stand in this House and pretend that Hansard will show the opposite is to mislead this House, to my certain knowledge.

**HON J C PEREZ:**

Mr speaker, I would request that when I get Hansard which I will review during the weekend you will allow me to read it on Monday when we come back so that everybody knows that the one that is wrong and the one that is being politically dishonest on this question is the Chief Minister and the Hon Mr Britto and not me.

ORAL

**NO. 117 OF 2003**

**THE HON J C PEREZ**

**GIBTELECOM**

Can Government state whether there is any impediment to extending shadow numbering to fixed lines with the 9567 area access code?

**ANSWER**

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

Further to the announcement on the '9567' code by the Spanish Ministry of Science and Technology on 23<sup>rd</sup> December 2002, Gibtelecom are reviewing the position on securing an adequate supply of telephone numbers for Gibraltar with industry experts.

**SUPPLEMENTARY TO QUESTION NO 117 OF 2003**

**HON J C PEREZ:**

Is it that he has not understood the question or that he does not want to reply for any reason?

**HON LT COL E M BRITTO:**

Maybe it is catching.



**HON J C PEREZ:**

That is not what I have asked the Minister. If what the Minister is telling me is that it is sensitive and he does not want to reply let him say that. At one stage we could openly discuss number shadowing in the House it was not a secret now I do not know whether it is sensitive or not. I am saying is it possible I am not saying are they going to do it. I am saying is it possible under the '9567' is there any impediment in doing number shadowing for fixed lines under '9567' as Gibtel has done for the mobiles?

**HON CHIEF MINISTER:**

The hon Member must not get paranoid it is not as if we do not want to answer his questions we have been here all day. The position is this we have had both public exchanges and private exchanges on the question of number shadowing as the hon Member will recall. Number shadowing is technically possible and indeed the Government privately consulted the Opposition with that possible way forward. As we explained that has certain user unfriendliness and it is for consideration whether the user unfriendliness is justified by the benefits that it would bring. The Government have a clear view on that, the answer is yes it does. The company that is more commercial and less political in its judgement making, especially the American partners, do not like what they call user unfriendliness they want to leave no stone unturned before implementing a system that they regard has a number of user unfriendly dimensions to it. We know about the bit of dialling more numbers, redialling the numbers, we have talked about how we could work with data transmission, when there is no one listening to the tape recorders to press the numbers again, there are ways around this but it requires pushing and shoving and having and hoeing so because they want to leave that as a last resort the company said, *"please let us consult industry experts"* and I think we may have mentioned in the past the name of a company that is being used in the UK for this, *"please give us a further opportunity to consult industry experts in the UK to see if we cannot achieve the same or some alternative acceptable result on extension of numbers which do not have these disadvantages, user unfriendly,"* and that is where we are that is what the answer is. That is what the answer is trying to say that Gibtelecom is reviewing and they have promised us a report very shortly now ways of expanding the numbering plan. That is where we are as soon as we have the information and Government have had an opportunity to consult it we are happy to share that information confidentially with the hon Members. I hope the hon Member will agree that it is not prudent to publicly debate what those options might be but when we have the information we will decide whether it works or whether it does not work, whether it provides enough numbers or not, whether it is better or worse than number shadowing and we are very happy to share that report and that advice by Gibtelecom with the hon Members so that they can form a view of it themselves.

**HON J J BOSSANO:**

Can I just remind the Chief Minister that it was he who said in the Chamber of Commerce that he welcomed a public debate on all the options and we had not made any mention of what had been said to us in confidence until after that point.

**HON CHIEF MINISTER:**

I did not say that I welcomed a public debate on this sort of options I welcomed a public debate on whether on the options as between number shadowing and the suggestion coming from certain quarters in the Chamber of Commerce that we should just in effect collapse to the Spanish position. It was legitimate and indeed desirable for Gibraltar's business class, political class, ordinary citizens class to debate whether Gibraltar should have a peculiar system which serves our purpose and despite the peculiarities prevents us from having to capitulate to the Spanish politics of this or whether given all the factors to be taken into account this is an occasion up on which Gibraltar should just bite the bullet and collapse into a little heap. The Opposition knows that we have a very clear view on that which I suspect coincides with him. There are others who do not and it is perfectly all right and the Government consider that they should articulate their views, they should be debated because we are confident that the preponderance of view in Gibraltar is going to make that view not the dominant view the dominant view is going to be the one that he and I are more likely to subscribe to.

**HON J J BOSSANO:**

Can I get confirmation that if the alternative that is being looked at when the report comes back, if the result of that investigation shows that that is not really a viable option the fall back position then is still that we can use the 956 that is being used at the moment and possibly number shadowing, is that correct?

**HON CHIEF MINISTER:**

That is our understanding. There are other questions on the Order Paper about the litigation complaints, the complaints side of this, which I do not want to pre-empt but yes the Government are proceeding on the basis and understanding that number shadowing is available and that there will come a point in time when we will literally run out of numbers and at that point the decision has got to be made.

**NO. 118 OF 2003**

**THE HON J C PEREZ**

**OESCO CONTRACT**

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

**ANSWER**

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

These matters are still under consideration and no final decisions have yet been taken by the Government.

**SUPPLEMENTARY TO QUESTION NO 118 OF 2003**

**HON J C PEREZ:**

There is another question in the Order Paper about generating capacity in the generating station and I thought that they might have linked it.

**HON LT COL E M BRITTO:**

Maybe they were separated. It is the next one.

**HON J C PEREZ:**

He might be going to reply the same thing.

**HON CHIEF MINISTER:**

I do not mind telling him in answer to that that those two issues are not linked in the Government's mind. The Government stance on the OESCO situation is not linked to the one that he has just mentioned.

**HON J C PEREZ:**

Will the Government take heed for the second or third time that I have mentioned it that it is now, April 2003 that the contract expires in 2004 and that if my recollection is correct there is a time limit in the contract for decisions to be taken and that Gibraltar certainly needs to know what the future generating capacity is going to be, in the hands of who is it going to be, whether the Government are going to take the option of buying the plant or not when the contract expires or whether we are going to have another 10 or 15 years of OESCO and frankly I am telling the Government that this decision should have already been taken.

**HON CHIEF MINISTER:**

I was going to say I agree but I agree with everything that he has said except the very last bit. We are still well within the time limits we do not envisage that this is going to be that difficult and the Government are doing it whether it is because it is taking heed of his statements or not is neither here nor there but we are now actively engaged on the question of whether what should be done about the OESCO contractual situation and I do not want anything to be read. No one should assume that the Government have hostility to the renewal of the arrangement, the Government are approaching the whole situation with an open mind no manner of judgement is being made one way or the other so no one should read good news or bad news into what I am saying and we are still well within the time frames that the contract provides. Well within one can always start as early as one likes in the process but there is still plenty of time.

**HON J C PEREZ:**

Are Government in a position to give some comfort to the employees of OESCO who I know are anxious because they do not know whether at the end of the contract they are going to have a job or not?

**HON CHIEF MINISTER:**

The Government in making their decision take account of all relevant factors and that is one of the factors that the Government takes into account.

**NO. 119 OF 2003**

**THE HON J C PEREZ**

**SCADA CONTROLLER LINK PROJECT**

Can Government state whether the replacement equipment for the SCADA controller link project successfully passed the Factory Acceptance Test, and if so, whether it arrived in Gibraltar before Christmas 2002 as was the expectation of the Government?

**ANSWER**

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

The SCADA equipment underwent successfully the Factory Acceptance Test during the week commencing 10<sup>th</sup> February 2003. The equipment is expected in Gibraltar within the next two weeks.

**SUPPLEMENTARY TO QUESTION NO 119 OF 2003**

**HON J C PEREZ:**

Where does that put the new completion date of the project which started six years ago?

**HON LT COL E M BRITTO:**

At the end of June 2003.

**HON J C PEREZ:**

Is the Minister serious about this now.

**HON CHIEF MINISTER:**

The Minister has been serious about this for the last six years the only thing is that neither he nor I have the competence and skill to install electronic equipment.

**HON J C PEREZ:**

He should go to a training course.

**HON CHIEF MINISTER:**

Let me tell him that I am as dumbfounded as he appears to be by the delays in implementing this project for which as he knows we have been in this House voting funds year in year out. Apparently there are a series of excellent and justifiable reasons why these delays have taken place. Let me tell the hon Member that in my view this project should and would have been completed a long time ago and I do not want to reopen the debate about the Electricity Authority but amongst the reasons that are given for the fact that this project has taken as long as it has is a shortage of manpower in the divisions and in the sections that this involves. The hon Member can make his own judgement about that certainly the distribution section is very short in numbers.

**HON J C PEREZ:**

I think that if we had known at the beginning and I do not recall the Minister might have said it, it might have escaped us, that the project was actually designed for Gibraltar specifically and it was something that one could get from the shelf as if to say and apply to Gibraltar like one would to other places then we might not have been as optimistic but like with other things in the generating station we have gone down the route before of contracting things which are specifically designed for Gibraltar and we finish up getting a bloody nose when we try and apply it. It happened with the engines that we have today which have still the result of changes by the manufacturers because we were the guinea pigs.

**HON CHIEF MINISTER:**

I agree with the hon Member what can I say.

**NO. 120 OF 2003**

**THE HON J C PEREZ**

**WATERPORT POWER STATION**

Can Government state whether they are now in a position to state what additional electricity generating capacity they intend to install at Waterport Power Station, and if so, could they give a breakdown of the number of engines with the output of each?

**ANSWER**

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

No such detailed plans yet exist.

**SUPPLEMENTARY TO QUESTION NO 120 OF 2003**

**HON J C PEREZ:**

When they exist will the Minister inform the House or will he come back and say that now that the matter was a matter for the Authority he cannot inform the House because it is commercially sensitive?

**HON CHIEF MINISTER:**

I suspect he is joking, the Authority is a public vehicle it is not a private company.

ORAL

**NO. 121 OF 2003**

**THE HON J C PEREZ**

**ELECTRICITY – POWER FAILURES**

Can Government state the number of power cuts there have been since 1<sup>st</sup> December 2002, their duration, the areas affected and the reason why they occurred?

**ANSWER**

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

The number of power failures that have occurred since 1<sup>st</sup> December 2002 and which have affected whole districts have been three. The details are contained in the schedule which I hand to the hon Member.



**Answer to Question No 121 of 2003**

<b>Incident No</b>	<b>Date</b>	<b>Duration</b>	<b>Areas Affected</b>	<b>Reason</b>
1.	31 Dec 02	2 to 22 mins	All the eight districts supplied from Waterport Power Station	Fault in generator set No 2 at Waterport Power Station.
2.	5 Feb 03	7 mins to 1hr 19 mins	Three districts supplied from Waterport Power Station.	The power failure was caused by the contractor engaged in works at Corral Road (Pipework Ltd) damaging one of our 11,000 volts high voltage feeder cable.
3.	21 Mar 03	3 mins to 10 mins	Four districts supplied from Waterport Power Station	Fault in generator set No 4 at OESCO.

**NO. 122 OF 2003**

**THE HON J C PEREZ**

**EAST SIDE – WATER CATCHMENTS**

Have Government been informed by the MOD that it is their intention to transfer to the Government the slope on the East Side which held their part of the old water catchments, once the work of removing the sheets and of matting and seeding have been completed?

**ANSWER**

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

In early 1998, whilst the MOD were at the planning stage of their project to decommission their section of the water catchment, they indicated to Government that it was their desire to transfer their section of these slopes to the Government on completion of their planned works. At the time, Government informed the MOD that they had no interest in accepting the transfer of these slopes since they had little or no development potential or commercial value. Government's position in this respect has not changed.

ORAL

**NO. 123 OF 2003**

**THE HON J C PEREZ**

**DUDLEY WARD TUNNEL**

Have Government now fully considered the contents of a report by consultants they received in May over the works that need to be carried out to the cliff face above the entrance to Dudley Ward Tunnel, and if so, have they decided what they are going to do and when?

**ANSWER**

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

Answered together with Question Nos 124 and 125 of 2003.

ORAL

**NO. 124 OF 2003**

**THE HON J C PEREZ**

**DUDLEY WARD TUNNEL**

Are Government now in a position to state more precisely for how long is it expected that Dudley Ward Tunnel will be closed to vehicular traffic?

**ANSWER**

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

Answered together with Question Nos 123 and 125 of 2003.

**NO. 125 OF 2003**

**THE HON J C PEREZ**

**DUDLEY WARD TUNNEL**

Have Government approached the MOD to see whether the Communications Centre Tunnel could be used on a limited basis by vehicular traffic whilst Dudley Ward Tunnel remains closed?

**ANSWER**

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

Government have considered in some detail the various recommendations and options that were submitted by the appointed consultant on the work that is considered as having to be undertaken in this area before a through-flow of traffic can be re-established. A preferred solution has now been identified from the various alternatives that were submitted. However, before a final decision can be taken on this, there is a need to undertake on site ground investigation works to confirm the viability and constructability of the preferred option. Such exploratory works will additionally provide the necessary data for use in the design. Preliminary elements of this investigation have already been undertaken and others are shortly to follow. Until such time as all the required data is obtained, we will not be in a position to confirm the full viability of the preferred option.

Government are therefore, not presently in a position to advise on how much longer Dudley Ward Tunnel will have to remain closed and will not be able to provide such information until the necessary site investigations have been completed and the design finalised as only then will we be able to establish an accurate timescale for this project.

Government have not approached the MOD on the question of access through the Communication Centre tunnel since it is fully aware, from past references to this tunnel in relation to other issues, of the MOD's sensitivities regarding its use. In any case, this tunnel is relatively narrow and has restricted headroom which would make it unsuitable for public use even on a limited basis. In addition, there exists sensitive MOD services on the sides of the tunnel that would be vulnerable not only to unauthorised interferences but also to damage if impacted by a vehicle. Notwithstanding the heightened state of alert, even under normal circumstances, the MOD has always refused to allow any sort of access through this tunnel to unauthorised users.

### **SUPPLEMENTARY TO QUESTION NOS 123 TO 125 OF 2003**

**HON J C PEREZ:**

I assume that the repair of the cliff is going to take a considerable length of time?

**HON LT COL E M BRITTO:**

The point should have been apparent from my answer but it certainly should have been from answers to the previous questions. The technical advice to try to remove all danger from the cliff is vastly more expensive and much more time consuming. The preferred option from a number of options is to create an access and protect that access.

**HON J C PEREZ:**

So it is currently being investigated at the moment and that would not take such a big time as strengthening or making safe the cliff above the tunnel.

**HON CHIEF MINISTER:**

The point is half that in the sense that the cliff there is tall and sheer and one can spend as much time and money as one likes stabilising the bits that one thinks are unstable. As Sod's Law will have it some other piece will fall from some other part of the cliff and therefore the judgement that has been made and the advice that has been given to the Government are that rather than spend the enormous amount of money that it would cost to stabilise the cliff face and then have to invest in the future again if other bits of that face becomes unstable, difficult to access, the best thing is to solve the problem permanently by having a system of roadway that does not require the cliff face above it to be stabilised, some sort of tunnel, some sort of covered way some system of extending the canopy all the way down to a point away from the cliff face. That is the sort of solution we do not want to get bogged down with the details because it is still being studied. That is what is called the preferred option. A combination of that and fencing in some areas. As to how long the road needs to be kept closed I am sure the hon Member will appreciate this because he must have been in that predicament himself

on several occasions. A rock falls with tragic circumstances, another rock has not fallen since and may not fall for another 50 years so does one reopen the road without doing any works or does one take the view that the road has to remain closed until the works are done and it is an enormous predicament. The road may be unnecessarily closed all this time on the other hand if one reopens it and there is another incident then it is a very uncomfortable situation for Government. There are those who believe that Gibraltar has always suffered from rockfalls intermittently, that that is part of the risk that one runs in living at the foot of a rock and the road up to Sierra Nevada or the road up to the peak in Hong Kong is not closed because occasionally rocks fall and injure people but the view that has been taken is that the decision to reopen the road in the light of the reports that we have had would be a very brave decision. We might take the brave decision to reopen the road without the works being done and get away with it, we may just be passing on the problem to the next Government who may not get away with it and another incident may happen on their patch.

**NO. 126 OF 2003**

**THE HON J C PEREZ**

**PUBLIC WORK CONTRACTS**

How many public work contracts (including road works) awarded in this financial year are either on schedule or have been completed in the time envisaged, and how many are not on schedule or have not been completed in the time envisaged, giving a list of those projects which are delayed, the reason why, and by how much?

**ANSWER**

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

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



	ON SCHEDULE OR COMPLETED ON TIME	NOT ON SCHEDULE OR COMPLETED ON TIME	LENGTH OF DELAY	REASON FOR DELAY
Landport Ditch Car Park	✓			
Cliff stab. works – Little Bay /Keightly Way		✓	6 weeks	Adverse weather conditions (Now Complete)
Beautification of John Mackintosh Square	✓			
Lift Installation at Victoria House	✓			
Lift Installation at Picton House	✓			
Refurb. new AG's Chambers	✓			
Smith Dorrien Pedestrian Railings	✓			
Upper Rock Retaining Wall	✓			
Cliff Stab. works Europa Mews	✓			
Repairs to Main Sewer		✓	6 weeks	Unforeseen ground conditions (Now Complete)
Desilting of Main Sewer Phase II	✓			
Resurfacing George's Lane	✓			
Resurfacing Cornwalls Lane		✓		
Resurfacing Europa Road (Phase II)	✓		2 days	Unforeseen ground conditions (Now Complete)
Resurfacing areas at Varyl Begg Estate	✓			
Cliff Stab. – Brympton Estate		✓	7 weeks	Adverse weather conditions; sub-contract resources
Temporary Sorting Office at North Mole	✓			
Provision of infrastructure for temp. Sorting Office	✓			
Refurbishment of Main Street Post Office		✓	12 weeks	Increase in the scope of works
Works at Scud Hill House	✓			
Refurb. works at Electra Flats	✓			
Refurb. works at Belvedere House	✓			
New Spectator Stand at Victoria Stadium	✓			
New Roofs & Lifts & refurb. – Varyl Begg Estate		✓	8 weeks	Increase in the scope of works
Brympton Stairwell Enclosures	✓			

ORAL

**NO. 127 OF 2003**

**THE HON J C PEREZ**

**PAYMENTS TO BUILDING CONTRACTORS**

Can Government state how much has been paid to building contractors (including road works) in the current financial year giving a breakdown showing the amount paid to each company in respect of each project and the balance to complete?

**ANSWER**

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

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

PROJECT	CONTRACTOR	AMOUNT PAID TO DATE IN CURRENT FINANCIAL YEAR	ESTIMATED BALANCE TO COMPLETE
Rosia Road	Blacktop	90,619.63	Nil
New Sewer Route, Old Naval Hospital	Profield	62,650.24	Nil
Repaving and Refurb. of Rosia Steps	Calpe Construction	56,009.29	5,000.00
Frontier Building	Sharrock Shand	130,263.46	125,000.00
Coelho House	Sharrock Shand	370,598.39	37,306.54
Heathfield House	Sharrock Shand	55,735.85	Nil
Retaining Wall, Loreto Convent	Profield	4,572.48	5,000.00
Retreat Centre, Lathbury	Sharrock Shand	760,693.26	21,524.26
Rosia Road Sewer Repairs	Edmund Nuttal	618,426.00	Nil
Brympton Estate Stabilisation Works	Sharrock Shand	397,547.45	445,798.55
Little Bay Stabilisation Works	Edmund Nuttal	167,458.31	91,807.89
Lathbury Barracks Industrial Park	Amco	166,063.29	35,000.00
Western Arm Phase II	Amco	51,592.82	20,000.00
Motor Vehicle Test Centre	Amco	107,338.35	Nil
Resurfacing Works Sir William Jackson Grove	Blacktop	53,483.75	Nil
Industrial Park North Mole	Fitzpatrick	47,899.23	Nil
Footbridge Macfarlane House	Profield	41,633.93	Nil
Line Painting of Zebra Crossings	Haymills	3,544.04	Nil
New Enclosure to Open Stairwells, Brymptons	Profield	76,246.75	Nil
Lifts, roofs and refurb works, Varyl Begg	JBS	79,215.95	1,110,349.05
Town Centre Beautification Phase IV	Amco	413,119.59	39,000.00
John Mackintosh Square Beautification Scheme	Amco	102,601.95	1,887,093.62
Extension at Westside school	GJBS	278,146	Nil
Works in connection with new school hours	GJBS	394,927.82	Nil
Refurbishment and maintenance of schools	GJBS	752,954.25	Nil
Theatre Royal	Fitzpatrick Haymills	17,507 355,600	Nil 6,643,420
New fencing at Victoria Stadium (part)	Amco	78,645.76	Nil

New fencing at Victoria Stadium (part)	GJBS	26,105.65	Nil
New changing rooms at Victoria Stadium	GJBS	8,470.60	Nil
New Hockey Pitch	Groenewood Sport and Recreation	20,876.74	Nil
New infrastructure to provisional sorting off.	GJBS	3,907	Nil
Refurbishment of Main Street Post Office	GJBS	180,182.36	60,000
Realignment of Black Spot	Blacktop	17,091.34	Nil
Europa Road Widening	Amco	97,568.34	Nil
Desilting of Main Sewer	Kilbride	173,607.83	Nil
Railings at Smith Dorrien Avenue	Amco	20,761.27	Nil
Scaffolding Term Contractor	Haymills	169,003	Nil
Window Replacement at Building and Works	Fibreglass and Lia	£92,569	Nil
Laguna Estate Refurb.	Amco	1,030,596	Nil
New balconies and refurb. Anderson House	GJBS	195,391	Nil
Refurbishment at Macmillan House	Profield	33,657	Nil
Schomberg drainage works	Metrorod	42,875	Nil
New balconies and refurb. Coelho House	Sharrock Shand	454,411	Nil
Ext. refurb. At Belvedere/Electra flats	GJBS	183,092	Nil
Asbestos removal for Building and Works	Pipework	116,070	Nil
New Retaining wall at Tankerville House	Sando	583,436	Nil
Works at Bishop Canilla	Fitzpatrick	45,238	Nil
New balconies and refurb. Heathfield House	Sharrock Shand	43,049	Nil
Highways Maintenance Term Contract	Amco	127,554.75	622,445.25
Gully Cleansing Term Contract	Brookwest Company Limited	55,478.61	44,416.49

**NO. 128 OF 2003**

**THE HON J C PEREZ**

**POST OFFICE AGREEMENT**

Can Government state what is the increase in employees at the General Post Office as a result of the recent agreement announced publicly, and what is the total cost per annum of the said agreement?

**ANSWER**

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

As a result of the recent Post Office Agreement, the number of postal grades has been increased from 33 to 41. These new posts were not necessary, under the old operational model, but are now needed to improve the level of service to be provided to meet the improvements announced under the new Agreement. These new services will include weekday airmail exports twice daily, additional business pillar boxes over and above the existing pillar boxes, a next-day service and all the other improvements announced that had never been provided up to now. The total additional annual cost of this agreement to the Government, is estimated at £250,000.

ORAL

**NO. 129 OF 2003**

**THE HON J C PEREZ**

**DIRECTOR OF POSTAL SERVICES**

Can Government confirm that the post of Director of Postal Services has now been filled and could it state whether this is now an SEO post instead of a Senior Grade post?

**ANSWER**

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

Answered together with Question No 130 of 2003.

**NO. 130 OF 2003**

**THE HON J C PEREZ**

**DIRECTOR OF POSTAL SERVICES**

Can Government state how the responsibilities of Director of Postal Services and the Commercial Director are divided, given that the first job is a civil service post and the second is not, and can the Government state which of the two posts carries a higher remuneration?

**ANSWER**

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

There is an SEO grade post in the Post Office. Certain management functions in the Postal Service, including the role of Chief Executive, have been contracted out of the Civil Service. The Chief Executive has overall responsibility for the management, delivery and development of the service. The financial arrangements for the contracting out of these functions are under negotiation. It is likely that these will involve a contract fee, so it is not possible to compare salaries. The maximum salary scale point for a Senior Executive Officer in Government at 2001 rates is £32,937.

**SUPPLEMENTARY TO QUESTION NOS 129 AND 130 OF 2003**

**HON J C PEREZ:**

Can the Minister say since when is the post of Director of Postal Services an SEO?

**HON LT COL E M BRITTO:**

I could say to the hon Member to go back on his own memory because the post was downgraded by him when he was in Government from Senior Officer to SEO.

**HON J C PEREZ:**

When?

**HON LT COL E M BRITTO:**

I have no idea, during the hon Member's term of office.

**HON J C PEREZ:**

Does the Minister not realise that the last Director of Postal Service recruited was recruited as Senior Grade and that when he was transferred from there to another government department that the person that took it over on a temporary basis was acting as an SEO instead of a Senior Grade, but the job was advertised and was taken up as a Senior Grade post by Mr Figueras who then became the Chief Minister's Private Secretary.

**HON LT COL E M BRITTO:**

If my memory does not fail me when I came into Government Mr Pizarro was already acting Director of Postal Services. Mr Figueras was never in the post office in any capacity for the time that I have been Minister for Postal Services which dates back to 1996.

**HON J C PEREZ:**

The advert for the post came out as Senior Grade and Mr Figueras was successful in the post and then the administration decided to move him elsewhere rather than there but the advert that came out was for a Senior Grade and the successful applicant for the Director of Postal Services at the time was Mr Figueras so I think between then and the acting that Mr Pizarro later did there must have been a grey area like the Chief Minister says neither black nor white but I think there has been .....

**HON CHIEF MINISTER:**

We have debated and approved every year in this House the Estimates of Revenue and Expenditure, the budget, showing the establishment of the post office and showing this post as an SEO and the hon Member has not in seven years made this point.



**HON J C PEREZ:**

Well I will let the Chief Minister know why, because the Government used to tell me not to rock the boat because as we knew there was an individual there acting and we did not want to.....yes that is what the Government used to say and until Mr Pizarro retired I was not aware that he was acting SEO. I thought that he was acting as a Senior Grade.

Can I then take the other question and ask whether the fact that the Minister has said that the contract of the Commercial Director and others is being drawn now mean that all the time that the Financial Director or the Commercial Director and whoever else is employed have been employed there has been no remuneration, or if there has been some remuneration at what level has that remuneration taken place prior to the contract that they have been done and could he say other than the Commercial Director how many other posts are going out to contract is it the Commercial Director plus one or more than that?

**HON CHIEF MINISTER:**

That last point is one of the issues that needs to be negotiated and at the moment there is one plus two. Mr Riddell and two other gentlemen. The Government have not yet decided whether that should continue to be so or whether the situation should be different and any formal contract that is negotiated which is now going to be negotiated quickly given that they are already in there will cement that fact. What has been happening is that funds have been flowing on account of the services that they have been rendering not just in running in helping to manage the post office but in advising the Government throughout the whole negotiation process. The basis of those payments have just been payments on account from an advance, they have not been formally defined, described, or quantified. I think the sums involved are in the rough order, without holding me to the figure somewhere in the order of £180,000 or £190,000 for a period in excess of a year but that sum includes also the reconsultancy reports that have been commissioned from the UK. Eventually the estimates and the accounts of the Government and the estimates of revenue and the forecast out-turn will have to define these things when the hon Member gets it shortly before the end of April but at the moment I cannot tell him how they are being booked by the Accountant General given that there is no contract and they are not employees of the Government.

ORAL

**NO. 131 OF 2003**

**THE HON J C PEREZ**

**POST OFFICE**

Have the works at the Central Post Office in Main Street now been completed or is there yet another delay?

**ANSWER**

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

The major works at the Post Office have been completed. There now remains the installation of the new re-designed counters. When these are ready, the refurbished Central Post Office in Main Street will re-open. It is expected that the Post Office will re-open on the 1<sup>st</sup> June.

**SUPPLEMENTARY TO QUESTION NO 131 OF 2003**

**HON J C PEREZ:**

We remain optimistic.

**HON LT COL E M BRITTO:**

It is not very different to what I said in answer to the previous question No 822 of 2002 when I said that shortly after March when the counters would be in Gibraltar it was expected that the Post Office would open a couple of months after that so shortly after March, April, May, June it is still what I said.

**HON J C PEREZ:**

The Minister is getting very sensitive that is why I said I remain optimistic and have not become optimistic. I remain as optimistic as I was the last time I raised the issue.

**NO. 132 OF 2003**

**THE HON J J BOSSANO**

**DISPOSAL OF REFUSE**

Do Government have any plans for the recycling of any elements in refuse disposal?

**ANSWER**

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

Government do not have any specific plans for the recycling of any elements in refuse disposal. However, Government are aware that there is a private sector initiative for the recycling of certain elements of waste including plastic and glass. This initiative is currently going through the process of seeking approval from various Government agencies, including planning permission, before it comes into practical effect. The Government are currently dealing with the implications of certain EU Directives which require us to separate certain elements of waste from the current and future processes used by Gibraltar for the disposal of waste.

**SUPPLEMENTARY TO QUESTION NO 132 OF 2003**

**HON J J BOSSANO:**

In this private sector initiative would it lead to a contractual relationship between the private sector entity and the Government for this to be done or is this independent of Government and they are just seeking planning permission to do it?

**HON LT COL E M BRITTO:**

It is not an arrangement that I have been responsible for. It has been done by another department of Government but my understanding is, of what I know of it, is that it is a private company who will be working independently of Government under normal trading commercial terms.

**HON CHIEF MINISTER:**

There is a value to what they extract and separate.

**HON J J BOSSANO:**

Is it that Government have got proposals which they have to say yes or no to or is it simply that somebody has said I would like to set up this business and what permission do I need to have in order to do it.

**HON LT COL E M BRITTO:**

My understanding is that it is well beyond that, that it was a new business venture that was proposed to the Government for financial support from EU funds so we have gone through all that process and Government have approved it and now they are setting it up and getting the necessary permissions in line with what has been agreed with DTI but I do not have the minor details with me.

**HON J J BOSSANO:**

At the moment what they are doing is collecting all the refuse which is mixed and then sending it off to a tip. How would this company get involved in separating what was recyclable?

**HON CHIEF MINISTER:**

There are EU directives that require the separation of certain rubbish, the extraction of certain items before rubbish is incinerated or disposed of. We are relieved of that at the moment because as we are transporting all the rubbish to Los Barrios tip they are the ones who meet directive obligations to separate it. When eventually we get our own incinerator this obligation will be localised and Gibraltar will have to comply with those obligations when eventually we need to. My understanding of why is it commercial is that the stuff that they remove is then recycled and has a commercial value so basically they do it and they just keep the stuff.

**HON J J BOSSANO:**

And they do not need to get paid.

**HON CHIEF MINISTER:**

My understanding is that it does not involve payment by the Government that they just have access to the rubbish.

**NO. 133 OF 2003**

**THE HON DR J J GARCIA**

**WASTEWATER SEA-OUTFALL STUDY**

Can Government say what sum has been paid to date in respect of the Wastewater Treatment Works Sea Outfall Study, and whether the first phase of this study is now complete?

**ANSWER**

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

To date a total of £105,650.48 has been paid in respect of the Sea Outfall Study. The first phase of the study has substantially been completed with Government already having received a preliminary report. The scope of the study has been extended to include additional on-site investigations. Further modelling and design work therefore continues, the results of which are expected by the end of July 2003. The final Phase I report is expected by August/September 2003.

**SUPPLEMENTARY TO QUESTION NO 133 OF 2003**

**HON DR J J GARCIA:**

The Minister said that the study is substantially complete, originally in October when this issue was raised in the House there was a deadline of December by which it was

expected to be completed and that was extended to the 1<sup>st</sup> quarter of 2003, is the deadline given now of August this year for the same amount of work as was expected in December, there is a delay of eight months?

**HON LT COL E M BRITTO:**

There is no delay it has been on-going. In answer to Question No 459 of 2002 I said that the first phase was due for completion by September 2002. The timescale for phase 2 during negotiations were depending on the outcome of phase 1 then we extended the scope of the studies, I remember answering questions to the hon Member and this has meant that the study has been extended and it has been on-going and as I said the final report is expected in August/September.



**NO. 134 OF 2003**

**THE HON J C PEREZ**

**TRANSPORT - DRIVING TEST**

Will Government state why the criteria for establishing residency for those persons waiting to take a driving test has recently been changed?

**ANSWER**

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

I answered this question in writing to the hon Member on 11<sup>th</sup> March 2003, in response to his letter dated five days earlier. I am therefore surprised that he should choose to ask the same question again given that he knows the answer. The changes have been introduced, consequent on the advice of the Attorney General's Chambers.

**SUPPLEMENTARY TO QUESTION NO 134 of 2003**

**HON J C PEREZ:**

Can the Minister state what was that advice. Is it that the Attorney General's Chambers thought that we have been acting outside the law for some time, is that what the Minister is saying?

**HON J J HOLLIDAY:**

The position is that the Attorney General's Chamber advised that the Department of Transport should request sight of a permit of residence from persons who do not hold a

Gibraltar ID card. With regards to the basic requirements to prove residence in Gibraltar or Great Britain the policy was adopted some time ago as the result of it coming to notice that a substantial number of applicants were giving incorrect information.

**HON J C PEREZ:**

Is it not the case that residence in the UK previously was sufficient to be deemed as residence in Gibraltar and that the new rule is that the last month of that residency must be physically in Gibraltar and must be proved to be so if not one cannot take the driving test. That is basically one of the things that has been introduced which is new, which was not there before and which is creating problems for people?

**HON J J HOLLIDAY:**

That is in fact correct the only thing is that that there were a substantial number of people that were coming to apply for the driving test and were not declaring the correct information and were not able to prove that they had been in Gibraltar for the last month as the hon Member clearly points out. So I have adapted the policy that in these cases where they cannot prove their Gibraltar ID card that they actually do prove that residence has taken place in Gibraltar. They were giving false addresses and not actually residing in Gibraltar but residing in Spain and coming over to Gibraltar to apply for the driving test and claiming to have an address in Gibraltar which was invalid.

**HON J C PEREZ:**

What the Minister is saying is that the matter of the last month having to be resident in Gibraltar is not something new it is something that was applied long before and which people were.....

**HON J J HOLLIDAY:**

What was happening was that the system was being abused it was not something new what we are actually doing now is ensuring that that abuse is overcome.

**HON J C PEREZ:**

My understanding was that the question of the one month residency in Gibraltar was something new that had been introduced now, the Minister is saying that that is not the case.

**HON J J HOLLIDAY:**

No.

**HON J C PEREZ:**

No that is not the case or.....?

**HON J J HOLLIDAY:**

No that is not the case.

**HON J J BOSSANO:**

Can I ask in terms of European Law is there in fact a requirement that one should be resident in the Member State and is that not met given that they appear to consider us part of the Member State UK for everything else is that requirement not met if somebody is living in UK or in Gibraltar either of the two, this business of having to be part of the six months in Gibraltar is something which is purely local?

**HON J J HOLLIDAY:**

My understanding is that it applies to Member States and not within the European Union so therefore one has to be a resident of the Member state, that is, UK or Gibraltar.

**HON CHIEF MINISTER:**

The hon Member is correct. In terms of EU Law it is a Member State issue but Gibraltar's law, the Traffic Ordinance, had always said "*resident in Gibraltar for six months*" as domestic law regardless of European law.

**NO. 135 OF 2003**

**THE HON J C PEREZ**

**TRANSPORT – VEHICLE EXAMINERS**

Will Government state whether there is a dispute with the vehicle examiners, and if so, what is the nature of the dispute?

**ANSWER**

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

There is no dispute with the vehicle testers. Insofar as Driving and Vehicle Examiners are concerned, their staff association has given notice that they do not wish to carry out driving tests which they claim are not included in their job description such as Advanced Driving Tests. The Government do not agree with the claim, and I will be meeting representatives of the persons concerned shortly.

**SUPPLEMENTARY TO QUESTION NO 135 OF 2003**

**HON J C PEREZ:**

So there is a dispute. The Minister first says there is no dispute and then goes on to explain the nature of the dispute. The dispute is that there is a dispute over whether they should do part of what the Minister claims is their job description or not and that is why the Minister is meeting them.

**HON J J HOLLIDAY:**

There is a claim by the staff association, the Government do not accept the claim nevertheless I have agreed to meet the vehicle examiners and the driving and vehicle examiners to see what their concerns are.

**NO. 136 OF 2003**

**THE HON J C PEREZ**

**TRANSPORT – MOT TEST**

Can Government state how many vehicles requiring an MOT test, since 1<sup>st</sup> January this year, did not take the initial test until after the due date, giving a breakdown of private commercial and public service vehicles?

**ANSWER**

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

Similar information was requested by the hon Member in Question No 847 of 2002. The situation remains unchanged. The computer programme developed for the Department of Transport cannot provide the information requested.

**SUPPLEMENTARY TO QUESTION NO 136 OF 2003**

**HON J C PEREZ:**

The Minister told me last time that they could not in the time allotted provide the information requested that is why I thought it was possible to do so now given .....

**HON J J HOLLIDAY:**

The situation is that the information could be sought but it would be a massive manual exercise that would have to be done and so therefore I do not think we are able to provide him with this information on this occasion either. The computer programme does not provide that information at a press of a button.

**NO. 137 OF 2003**

**THE HON J C PEREZ**

**BEACH FACILITIES**

Do Government intend to bring forward the date by which swimming facilities are made available in our beaches this year?

**ANSWER**

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

I presume the questioner is asking about facilities for beach users. No firm decision has been taken in this respect.

**SUPPLEMENTARY TO QUESTION NO 137 OF 2003**

**HON J C PEREZ:**

In monitoring this is the Government looking at providing facilities, for example, in long weekends like over the Easter period if the weather is good or is it the intention of the Government to advance the official date of the summer season



**HON J J HOLLIDAY**

The options opened to us are that probably toilet facilities will be open during the Easter period and we will cover some of the basic requirements, however, things like lifeguards would not be available during that period.

**NO. 138 OF 2003**

**THE HON J C PEREZ**

**YACHT REPORTING BERTH**

Have Government now been persuaded not to do away with the functions of the Yacht Reporting Berth?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 138 OF 2003**

**HON J C PEREZ:**

Other than the staff side of the Port Department and myself have the Government received representations from other quarters in this respect to the effect that they should not do away with the Yacht Reporting Berth?

**HON J J HOLLIDAY:**

The Government have been in consultation with the Royal Gibraltar Police, Immigration, Customs and Port Department in respect of the Yacht Reporting Berth and we have received their views as to the way forward. There is no doubt that there is a function that will need to be carried out in respect of Yacht Reporting Berth but not in its present

structure and therefore the Government will be pursuing their policy of having a function of the yacht reporting on arrival but not necessarily at the Yacht Reporting Berth. The functions will be moved to the marinas who will then have certain responsibilities in terms of reporting and monitoring. We believe that the new structure will actually be more effective in that the present system only covers two marinas and not the third.

**HON J C PEREZ:**

Has the Minister received representations to the effect that this function should not go to the marinas, that it should be separate?

**HON J J HOLLIDAY:**

I think the representations have been more along the lines of ensuring that there is a secure point of entry rather than actual physical disappearance of the Yacht Reporting Berth as it exists today.

ORAL

**NO. 139 OF 2003**

**THE HON J C PEREZ**

**PORT DEPARTMENT**

Can Government state whether there has been any change in the negotiations with Port Department employees since the final offer made by the Minister last May?

**ANSWER**

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

It is neither appropriate nor acceptable to Government to give information as to the state of play on on-going negotiations.

**SUPPLEMENTARY TO QUESTION NO 139 OF 2003**

**HON J C PEREZ:**

Is it a change of policy since last year given that he did tell the House last year that this was the final offer and he did give details of what the on-going situation was then, why is it that it is sensitive today and it was not sensitive yesterday?

**HON CHIEF MINISTER:**

There is a difference between being asked to state what is the Government's position on a matter, which is what the Government answered last time and to be asked what the state is in the negotiations, a different question, that is the one that has been asked this time and that is the one that the Government do not consider it appropriate. The Government as I am sure the hon Member must understand does not consider it a prudent way to conduct negotiations to give a blow by blow account across the floor of this House. One must understand that that would just not be conclusive to successful negotiations.

**HON J C PEREZ:**

Which is something that I am not asking for. If the Minister on the two last occasions said, "this is the final offer that I am putting" and at a subsequent meeting of the House then notwithstanding the final offer there are negotiations open with the Minister and we are looking at the possibility of finding an avenue and a solution to the problem, the question is simple, is it that now the avenues have been exhausted or are they still in negotiations and are they still trying to get an agreement going, it is one or the other? Either as a result of the Government's position a year ago that that was the final offer a year has passed and the negotiations have exhausted or the negotiations are still on-going and there is still a possibility of coming to an agreement with the employees, it is one or the other I am not asking for the details of the negotiations.

**HON CHIEF MINISTER:**

He is asking at least in his original formal question he is precisely asking for what he says now he is not asking but as he is now asking a different question that is one that can be answered. The Government made a final offer to the staff on questions of pay and certain fundamental terms and conditions which is not to say there are not many other issues that can be negotiated which are relevant to the question of an Authority. The fact is that there are still discussions taking place, the Government are still happy to negotiate so negotiations can continue and do continue in the sense that meetings do take place on the subject it is not that the matter has come to an impasse and has been left behind so to speak. So it is an on-going project.

ORAL

**NO. 140 OF 2003**

**THE HON J C PEREZ**

**TRANSPORT – CLAMPING OF VEHICLES**

Can Government state how many vehicles have been clamped in the public highway in the calendar years 2001 and 2002 giving a breakdown of locally registered vehicles and foreign registered vehicles?

**ANSWER**

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

Answered together with Question No 141 of 2003.

**NO. 141 OF 2003**

**THE HON J C PEREZ**

**TRANSPORT – PARKING TICKETS**

Can Government state how many parking tickets have been served in the calendar years 2001 and 2002, giving a breakdown of tickets served on locally registered vehicles and on foreign registered vehicles?

**ANSWER**

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

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

**Answer to Question No 140 of 2003**

Vehicles clamped in 2001 and 2002

<b><u>Year</u></b>	<b><u>Local Vehicles</u></b>	<b><u>Foreign Vehicles</u></b>
2001	1,468	263
2002	1,117	219

**Answer to Question No 141 of 2003**

Parking tickets issued in 2001 and 2002

<b><u>Year</u></b>	<b><u>Local Vehicles</u></b>	<b><u>Foreign Vehicles</u></b>
2001	15,811	1,248
2002	14,813	1,775

**SUPPLEMENTARY TO QUESTION NOS 140 AND 141 OF 2003**

**HON J C PEREZ:**

Is the Minister aware whether of the 3,000 odd foreign vehicles that were issued with parking tickets in 2001 and 2002 how many of those have actually paid the parking tickets?

**HON J J HOLLIDAY:**

I will have to have advanced notice of that question I am not aware of the situation, however it has not been reported to me as a problem but I would have to check and give him the information if he so wishes at a later date.

**HON J C PEREZ:**

Would the Minister know whether there is any type of policy on the part of the Royal Gibraltar Police who are in effect the ones who instruct the GSSL on where they should use the clamp and where they should issue a parking ticket for a parking offence?

**HON J J HOLLIDAY:**

It is normal policy for a clamp to be issued when a car is actually in a dangerous parking situation but the Government do not get involved in issuing policy instructions to the police.



**NO. 142 OF 2003**

**THE HON J C PEREZ**

**TRANSPORT – DISABILITY PERMITS**

Can the Minister for Tourism and Transport explain why his department has refused to grant a special frontier pass to a disabled person with respiratory and heart problems notwithstanding a recommendation by the Ombudsman to do the opposite?

**ANSWER**

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

The applicant did not meet the criteria for the issue of a permit, so one was not granted.

**SUPPLEMENTARY TO QUESTION NO 142 OF 2003**

**HON J C PEREZ:**

So a disabled person with respiratory and heart problems does not meet the criteria of the department, the criteria of the department must be very strict. I certainly know persons who have a frontier pass or who are not in that category and in my view certainly in my judgement they have less of a medical condition that this man has.

**HON J J HOLLIDAY:**

If the applicant had been a resident of Gibraltar then the situation would have been completely different and the criteria would have been met.

**HON J C PEREZ:**

Is the Minister not aware that our neighbours are now actually giving permits for this to residents of Gibraltar. Is the Minister not aware that the Spanish authorities are now granting applications for exemption from the frontier queue to people who have a medical condition and who reside in Gibraltar and not in Spain and should the Minister not think that the Gibraltar Authorities should be doing the same thing?

**HON CHIEF MINISTER:**

Certainly it can be considered, the present practice is no different to the practice as it used to be when he was in the position to have changed the policy and chose not to. The fact of the matter is that the system that the hon Member is recommending to the Government and if he recommends to the Government that we consider it we are certainly willing to have a look at it and have another look and see whether it is viable but the system that he is describing would mean that people who are resident in Spain on the basis of Spanish medical certificates would get priority in the Gibraltar side of the queue when we are all queuing to get into Spain. People who are resident in Spain will go to the front of that queue usually in Spanish registered cars on the basis that they had been issued with a medical certificate in Spain, a situation that the Gibraltar Authorities cannot police, we cannot assess the criteria on which these certificates and assessments are being made in Spain and of course what we cannot do is give it to this gentleman who happens incidentally, if the hon Member is describing the case that I think he is describing happens to be a British subject, but nevertheless a British subject permanently resident in Spain. We cannot have one rule for British subjects resident in Spain and another rule for French, German or even Spanish nationals resident in Spain. That is the practical implication of the hon Member's suggestion that on the Gibraltar side of the queue, the queue to get back into Spain that all these people should be able to go to the front of the queue and not queue with Gibraltarians and other tourists. It is possible to do it but it is difficult to police and I think people in Gibraltar would very quickly grow frustrated at a system in which decisions are being made in Spain to give residents of Spain priorities over Gibraltarians in the Gibraltar side of the queue. It can always be looked at.

**HON J C PEREZ:**

If the Chief Minister does not know that everything that he has said is a lot of waffle then I think he should listen to himself more closely.

**HON CHIEF MINISTER:**

It is true.

**HON J C PEREZ:**

No it is not true. The only qualification that the Chief Minister needs to say is he should be seen by a medical practitioner in Gibraltar before we award it. One can tell a resident of another country *"if you want a permit in my country you go to one of my doctors,"* yes, why not?

**HON CHIEF MINISTER:**

That is not what has happened in this case.

**HON J C PEREZ:**

It is not what has happened because it is not what the Chief Minister has told them. The Chief Minister has not told the individual who has made representations to Government, to the Ombudsman through the Liberal Party to the Liberal Party in Gibraltar through MPs in UK and everything else, look I have a medical condition which is such where I want to go to Gibraltar to spend money and I am inhibited in doing so because of my condition when there is a queue to come out of Gibraltar and Government has not told the person, *"if you take a medical test in Gibraltar we might be able to do it."* The Chief Minister said *"no you do not meet the criteria of the department and that is it you cannot have it."* What I am telling the Chief Minister is that everything that he has invented as he went through about people getting upset and jumping the queue with decisions being taken in Spain for the effect of those decisions to be taken in Gibraltar and all that this is all waffle on the part of the Chief Minister.

**HON CHIEF MINISTER:**

Everything that I have explained to the hon Member is true. Whether one gets one's certificate in Gibraltar or whether one gets one's certificate in Spain, it remains the fact that one is a resident of Spain driving a Spanish registered vehicle and that people in Gibraltar will quickly get frustrated at people who do not reside in Gibraltar having priority to people who reside in Gibraltar at the frontier queue. It is not as if handicapped or disabled people only ever lived in Spain starting on the 16<sup>th</sup> May 1996 because the system that is presently being operated and the one I am defending is the one that he established and operated himself. What was the matter that before we came into office there were no disabled people crossing the frontier between Gibraltar and Spain of the sort that lived in Spain, and why did he not introduce the system during the eight years that he was the Minister responsible, why did he not introduce a system to allow non-residents of Gibraltar to obtain this permit because this is not a system that we have created we have simply continued with a system that existed. Frankly, the hon Member should also know that this is not a man by the way who applied for a permit in the way that he has described, it is true that he made the local application, it is true that he did not meet the criteria established, it is therefore true that he did not get it and he followed that up by writing to Peter Hain the Minister in the Foreign Office demanding the issue to him of a certificate in order to get this priority. That is actually what happened.

**HON J C PEREZ:**

Does the Chief Minister not realise that the only reason why these rules were not changed before is because we did not receive an application from anyone like the Chief Minister has done, and does the Minister not realise that he has been in Government for seven years and that what he needs to do is start defending his policies without reference to anything that went on in the past? By the yardstick of the Chief Minister if I had assassinated someone that gives him the right to assassinate three people, not one. He first accuses me of doing it which is normally untrue and then when he accuses me of doing something that gives him the right of doing three times as much even though it might not be true. That is the policy the Chief Minister has been carrying out since he came into Government and he has been seven years in Government now and that does not hold water anymore, he has got to defend the decisions that he takes now.

**HON CHIEF MINISTER:**

It is hardly true that the Government do not change the hon Member's policies, goodness knows if we had not changed almost all of the hon Member's policies Gibraltar would not be the happy and successful place that it is today. We have systematically reversed all the assassinations of Gibraltar's society and economy and moral social fibre that he perpetrated during the eight years in office but again I make to him the point that I made to him last Friday and that is that he does not distinguish, he does not, he should get a little bit less excited and listen to the arguments ranged against him. The hon Member does not understand, I am defending my policy, my policy being not to have changed his and what I am saying to the hon Member is not that his policies cannot or should not when we think they are wrong be changed by us, they should and are, the point that I am making to him is that he has to be careful how critical he is of the Government for doing no more and no less than what he thought appropriate to do during eight years which is of course not to say that it cannot be changed, which is not to say that facts and circumstances may change during the last seven years to require a change. The point that I repeatedly make to him in his debating style is that he has to be careful how aggressive he is in criticising his successor Government for doing the same as he thought it right to do when he was in the present Government's shoes and finally one case which is what there has been, apparently there were no cases during the eight years that he was in office, in the seven years that we have been in office there have been one so everybody else that is disabled and lives in Spain either does not feel the need to apply for this perk or feels that it will be unfair to apply for this perk and does not and therefore one swallow does not make summer. One case is not sufficient to justify reversing what is nearly 15 years of established policy both ours and his.

**HON J C PEREZ:**

How many cases does the Chief Minister think it takes?

**HON CHIEF MINISTER:**

More than one.

**HON J C PEREZ:**

More than one, he might get two or three.

**HON J J BOSSANO:**

Surely the argument that the Chief Minister has used simply is completely without any logical basis giving that he wants to appeal to our sense of logic. If we have had an application in 15 years then it is not a question of one swallow changing anything it is just that surely a policy that says no to one person and the incidents is one every 15 years it is not going to change the world because we change from no to saying yes and if we say yes to this guy is he saying that there is evidence that we are going to be inundated with applications, have we gone back and seen how many more before him we have turned down without people complaining because if in fact it is a very rare thing then all the other consequences that he has pointed out may not materialise.

**HON CHIEF MINISTER:**

I think that the hon Member's logic is impeccable but in the opposite direction because surely he must understand that once one allows one case one creates a precedent which one cannot avoid and once one allows one case one opens the floodgates and one has as a matter of equality of treatment to give it to all cases and one does not know how many those are.

**HON J J BOSSANO:**

Is this all a question of speculation in order to justify what is being done or has an exercise been done to see how many previous cases have been rejected because the Chief Minister may think that the place across the border is absolutely packed with people in wheelchairs, respiratory and heart problems all of whom want to come into Gibraltar and it may be true but on what premise is that conclusion reached.

**HON CHIEF MINISTER:**

It is not a question of how many applications there has been, it is a question of how many applicants there may be in the future.

**HON J J BOSSANO:**

My question is do we have a situation here where there have been regular applications of this nature that have been rejected and the person concerned has accepted the position or is it that as far as we know either because it has not been investigated or because it has been investigated and the answer is there are no others, this is a very exceptional case that has not happened before which of the two is it?

**HON CHIEF MINISTER:**

He has heard the answer to that question both from his Colleague and from me. He has said that in his eight years in office he was not aware of any single application case and I have said that we are not aware of any other during our time except this one. We have had this discussion already his Colleague and I.

**HON J J BOSSANO:**

If something happens for the first time in 15 years which is looked at in the context of a policy that has not been tested for the first time I would have thought that a policy that has been in place for 15 years but has never had to be exercised and is exercised for the first time that is a sensible enough ground to review the need or the wisdom of the policy if it has never been triggered before.

**HON CHIEF MINISTER:**

I note the hon Member's view.

ORAL

**NO. 143 OF 2003**

**THE HON J C PEREZ**

**BUS SERVICE**

Can Government state whether they have been able to resolve their problems with the existing bus operators, and if so, what are the terms of the agreement entered into?

**ANSWER**

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

Answered together with Question No 144 of 2003.

**NO. 144 OF 2003**

**THE HON J C PEREZ**

**BUS SERVICE**

Is it still the intention of the Government to provide a free bus service for senior citizens to the Upper Town as they promised three years ago?

**ANSWER**

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

Discussions continue with the existing bus operators. The issue of free bus service to the Upper Town for senior citizens remains outstanding in the context of the introduction of the new bus service.

**SUPPLEMENTARY TO QUESTION NOS 143 AND 144 OF 2003**

**HON J C PEREZ:**

Does the Minister have a new date by which he thinks all these issues will be solved given that at the time of the last budget he said that he thought that the new system would be operational by the autumn.



**HON J J HOLLIDAY:**

Discussions with the two existing bus operators have continued, unfortunately due to the death of one of the directors of one of the bus operators circumstances have obviously changed and that particular bus operator has opted out as he does not wish to form part of the new bus service and so negotiations are now in place with this particular operator in order to apply the desires of the family and at the same time negotiations continue with the other bus operator in order to incorporate the new bus service.

**HON J C PEREZ:**

Are the vehicles the Minister tendered for already in Gibraltar?

**HON J J HOLLIDAY:**

They are not in Gibraltar but a decision is eminent.

**HON J C PEREZ:**

If the proposed new bus service is going to take longer does the Minister not think that it is fair to provide a temporary service for the senior citizens to the Upper Town as promised by the Government three years ago given that it has taken quite a bit of time to get this together?

**HON J J HOLLIDAY:**

This is quite a complex issue and we wish to incorporate and introduce this at the time of the new bus service.

**HON J J BOSSANO:**

Were we not told before that in fact it was not the bus service but a shuttle service and that therefore it would not be a question of operating times or routes or anything else, so why is it that that position has been reconsidered I seem to remember in the past when we have asked the question we were told that this is not a bus service for senior citizens it is a sort of shuttle service that will be going up and down just for them but has nothing to do with the bus service?

**HON J J HOLLIDAY:**

As I have just replied to the hon Member the situation was considered and it proved to be a fairly complex issue to achieve and so it was decided that it would be incorporated into the new bus service and not offered as an independent shuttle service which was the initial intention.

**NO. 145 OF 2003**

**THE HON J C PEREZ**

**UPPER TOWN – CAR PARK**

Do Government intend to continue with their plans to create car parks in the Upper Town during this financial year as announced by the Minister at the time of the budget?

**ANSWER**

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

It is still the intention to do so, but it will not happen in this financial year. The tender for the construction of a major car park in Willis Road will be issued shortly. Government also intend to develop a car park on the site of the Sergeants Block, Old Police Barracks, Castle Road.

**SUPPLEMENTARY TO QUESTION NO 145 OF 2003**

**HON J C PEREZ:**

The question of Police Barracks at Castle Road I presume that the Police Barracks will need to be demolished and that that is not going to happen until St Bernard's Hospital moves out of there, am I right in concluding that?

**HON J J HOLLIDAY:**

Yes that is one issue that is being given consideration. The timing will obviously have a bearing on that.

**HON J C PEREZ:**

Given those circumstances does the Minister not find it strange that he should have made financial provision for this last year in last year's budget or is it that this Government announce things one year, nothing happens, and then announce it the following year and it is all the same policies?

**HON J J HOLLIDAY:**

No. It is not a matter of announcing it one year and announcing it the next. It was our intention to be able to progress especially in respect of the car park in Willis Road, there had been some set-backs in terms of the effect it will have in the surrounding areas and some of the residents in the area and the impact that will have in actually building the car park and so therefore negotiations have had to be entered into in order to be able to achieve it.

**NO. 146 OF 2003**

**THE HON J C PEREZ**

**QUEENSWAY**

Are Government aware that many parts of Queensway get flooded every time it rains and if so, what are they going to do about it?

**ANSWER**

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

Government are aware that there are certain sections in Queensway which are prone to flooding as a result of poor drainage gradients, unevenness of the road along its edges and a couple of drains which need to be relaid. The defects have been identified and a programme prepared for their rectification over a period of time in order to minimise disruptions to traffic.

**SUPPLEMENTARY TO QUESTION NO 146 OF 2003**

**HON J C PEREZ:**

That period of time being the forthcoming financial year or is it a drawn out period?

**HON J J HOLLIDAY:**

I believe that the majority of the problems will be addressed during this financial year with probably one exception and I believe that is in the area of Waterport where they may require more extensive work and so therefore may or may not fit into the programme at this stage.

ORAL

**NO. 147 OF 2003**

**THE HON J C PEREZ**

**NAVAL HOSPITAL ROAD**

Can Government state the number of instances during this calendar year that there have been restrictions on parking at Naval Hospital Road?

**ANSWER**

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

Answered together with Question Nos 148 and 149 of 2003.

ORAL

**NO. 148 OF 2003**

**THE HON J C PEREZ**

**NAVAL HOSPITAL ROAD**

Can Government state whether lorries have been allowed through Naval Hospital Road with loads exceeding the weight limitation of the road during 2002 and the current year?

**ANSWER**

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

Answered together with Question Nos 147 and 149 of 2003.

**NO. 149 OF 2003**

**THE HON J C PEREZ**

**NAVAL HOSPITAL ROAD**

Is Naval Hospital Road suffering structural problems?

**ANSWER**

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

The Government are aware that there have been instances during this calendar year when there have been restrictions on parking at Naval Hospital Road. The restrictions have been in connection with the refurbishment of "E" Block, the Admiral's Place development, the Brympton retaining wall project, the Cliftons development and the construction of the new Prince George's block. Diversions implemented during the resurfacing works on Europa Road and cleaning campaigns also required parking restrictions. The Government do not have details of when parking restrictions in respect of each of these projects were required. Vehicles exceeding the 20 tonne limit have been allowed along Naval Hospital Road and a weight exception was issued in each case when required and which was approved. Naval Hospital Road has recently been surveyed and found to be structurally sound.



**SUPPLEMENTARY TO QUESTION NOS 147 TO 149 OF 2003**

**HON J C PEREZ:**

Is it expected that the frequency of the restrictions in that road will continue as at present or have now certain developments finished and that is no longer the expectation and could the Minister state whether as a result of the closure of the tunnel this means that any project in the south district would necessarily have to have construction materials passing through that road and exceeding the road limit?

**HON J J HOLLIDAY:**

There is no view of changing the weight restrictions on the road, I believe at the moment there is obviously a weight restriction but that would have to be assessed on a one-off basis as required. Construction companies tend to exceed limits on roads so therefore one is careful not to have to increase that because obviously that would open up for greater weight on the road which we wish to avoid. The use of Naval Hospital Road was as a result of the fact that all these projects in the south district needed construction materials to be transported to it and we had the closure of Europa Road which obviously meant restrictions on what is today the main thoroughfare for the delivery of these materials. Therefore unless Europa Road is affected in any way we do not foresee the use of Naval Hospital Road for this purpose.

**NO. 150 OF 2003**

**THE HON J C PEREZ**

**EUROPA ROAD**

Can Government state whether they have any plans to expand Europa Road?

**ANSWER**

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

If what the hon Member means is whether Government have plans to widen Europa Road, the answer is that at present there are no short-term plans for this.

**SUPPLEMENTARY TO QUESTION NO 150 OF 2003**

**HON J C PEREZ:**

Perhaps the Minister has shared this with the civil servants given that the residents of Gardiner's Views were told that they could not plant trees on the pavement along their houses which is what they sought permission for because the Government had plans to "expand" Europa Road, that is why I am asking?

**HON J J HOLLIDAY:**

I am not aware of any such plans and I would have thought that any such plans would have come to me for consideration before making any decision so I really do not know where it comes from. I can say that there are plans to beautify the pavement on the way up and all the retaining wall along Europa Road in order to remove the current state of the balustrades which are in bad need of repair all the way down to South Barracks but I do not see that as an expansion in any way.

**NO. 151 OF 2003**

**THE HON J C PEREZ**

**EUROPORT ROAD**

When do Government intend to proceed with extending Europort Road towards Coaling Island and can they say whether the timing is dependent on the reprovisioning of the Royal Gibraltar Yacht Club?

**ANSWER**

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

This project is being progressed but it is conditional on various things, including various MOD reprovisions, land reclamations in Admiralty waters and the Yacht Club reprovision. The Government do not at present have a specific timescale for realising this project.

**SUPPLEMENTARY TO QUESTION NO 151 OF 2003**

**HON J C PEREZ:**

Is the reprovisioning of the Royal Gibraltar Yacht Club subject to the release of areas by the Ministry of Defence?

**HON CHIEF MINISTER:**

No, it depends on the view one takes of the term 'release' it is subject to the creation of new land into which to reprovide the Yacht Club. Unless one does the reclamation the road would landlock the Yacht Club so the idea is not just to build the road, the idea is to build the road and a bit of land on the outside of the road which would enable the Yacht Club to be pushed forward along the waterfront and that leaves all the land where the Yacht Club now is free for development plus other land nearby which is the subject of this other renegotiation which is to do with other relocation of MOD reprovisioning to give us a larger site.

**NO. 152 OF 2003**

**THE HON J C PEREZ**

**SIGNAL STATION ROAD**

Have Government now taken a view of what priority they wish to give to the repairs of Signal Station Road in the Upper Rock given the recommendations they received?

**ANSWER**

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

There are two issues that arise in respect of Signal Station Road and the upper roads of the Upper Rock generally. The first is that these roads – above St Michael's Cave – were not designed and built to take a continuous stream of traffic, but only the occasional vehicle. The second is that there are other issues in relation to Upper Rock maintenance including road maintenance that need to take precedence over works on Signal Station Road.

**SUPPLEMENTARY TO QUESTION NO 152 OF 2003**

**HON J C PEREZ:**

So the Minister is saying that for the foreseeable future the repairs are not going to take place?

**HON J J HOLLIDAY:**

No, what I am saying is that the Government are giving consideration to road maintenance on the Upper Rock generally and obviously Signal Station Road will be included in that. However there are some areas in the Upper Rock where there is continuous traffic and there is a need for a traffic flow to be able to be operational which may take preference over Signal Station Road.

**NO. 153 OF 2003**

**THE HON J C PEREZ**

**PEDESTRIANISATION WORKS**

Can Government state what is the completion date of the pedestrianisation works at Cathedral Square and between Library Street and Secretary's Lane?

**ANSWER**

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

Substantial completion was achieved in December 2002.

**SUPPLEMENTARY TO QUESTION NO 153 OF 2003**

**HON J C PEREZ:**

Have the works now passed to the Government or are they still in the hands of the contractor?



**HON J J HOLLIDAY:**

No the project still continues to be in the hands of the contractor, there are a number of defects and changes that need to take place and the contractor is addressing these at present.

**HON J C PEREZ:**

Was the project finished in time or was there any slippage?

**HON J J HOLLIDAY:**

No, the project was substantially completed in time however, there have been a number of issues that have arisen as a result of checking the project in its final stages which are being addressed.

**NO. 154 OF 2003**

**THE HON J C PEREZ**

**BOULEVARD STEPS**

Are Government aware of the dangerous state of the steps at the Boulevard which link Line Wall Road with Reclamation Road?

**ANSWER**

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

No. The absence of two tile nosings which have broken off are to be replaced shortly.

**SUPPLEMENTARY TO QUESTION NO 154 OF 2003**

**HON J C PEREZ:**

I am not sure but did the Minister say that two tiles were going to be replaced?

**HON J J HOLLIDAY:**

There are two tiles yes, Government are aware that there are two tiles nosings which are broken off and are to be replaced shortly.

**HON J C PEREZ:**

Do the Government not accept that the works that were done and the nature of the tiles that are there pose a danger given that people tend to get their foot caught between the tile and the next step, because I am talking to the Minister not about broken tiles but about the nature of the whole work that there is there at the moment and there have been several incidents not one of people falling down in that area as a result of that?

**HON CHIEF MINISTER:**

The Government do not accept that they are intrinsically unsafe. If the Government thought that they were intrinsically unsafe then they would not have been designed in that way by the Government architect and during the last three or four years since the work has been done either Government or indeed the hon Member would have raised it before. We had assumed that the hon Member was therefore pointing out to a danger that had developed from something having been broken or tiles broken off but if the hon Member means even if there was nothing broken do the Government not accept because of the way it was designed or built that they are unsafe then obviously the answer to that has to be no.

**HON J C PEREZ:**

Given that the Crown is immune from prosecution in cases where people have accidents on the public highway and there have been a few cases in that area recently, would the Government look at the issue now that I have brought it to their attention and could they not check perhaps and send the appropriate people to look at it and to see whether a complaint by the public, which I am bringing here, I am not the one complaining to clarify matters it is a complaint by the public which I am raising should be looked at and investigated before the Chief Minister dismisses it in that manner?

**HON CHIEF MINISTER:**

The Government have not had the complaints that the hon Member says he has had. It is always possible that somebody trips up on any part of the public highway that maybe because the public highway is unsafe or it may be for reasons other than the state of the public highway. People trip up even on bits of the public highway that are safe so when the hon Member asked this question an inspector did go down and he did not come back saying that the whole thing is unsafe one can catch one's foot inbetween the steps. The inspector said that there were two tiles broken so the inspector obviously does not share the hon Member's view. As to this business of the Crown being immune as the hon Member knows this is a historical situation the Crown has always been immune what I said the last time this issue arose in the House is that the Government would review the question of Crown immunity when the Government had armed themselves with the necessary resources and capability of putting the public highway in a proper condition and then maintaining it and when the Government had put those bits of the jigsaw in place the Government would then review the Crown immunity. Personally my view is that the Crown should not be immune in these situations but that before we expose the Crown to suit in these matters we ought to give ourselves given that this situation has

persisted for decades and decades we should give ourselves one more year to put our house in order before we open the doors and the windows to all comers. The hon Member will have noticed that .....

**HON J C PEREZ:**

Does that mean that the stairs at the Boulevard.....

**HON CHIEF MINISTER:**

It will mean that there will now be people whose job it is to examine that and come to the conclusion that they are or they are not. The hon Member must not assume that because he declares them to be unsafe that they are unsafe, what I am saying is that as part of the new resources that the Government have put into place namely the term contractor for the maintenance of the highway there is now a dual function. There are highway inspectors whose job it is to inspect the highway, to inspect steps and gulleys and balustrades and paving stones and railings and the surface of the road where cars travel as opposed to where pedestrians travel constantly keep the state of the highway therefore under observation and then designate the measured term contractor to carry out the works. Before there was insufficient inspectorate and practically no industrial capacity in the Government to do this work on a systematic basis. Obviously there was a small gang that used to do work here and there but there was no resource for a systematic maintenance of the highway. That is done, hon Members will have noticed that since the Term Contractor has been appointed there has been a rapid expansion of the amount of work being done on the highway. When that has run a short while and the more obvious bits have been put right then certainly it is the Government's intention to eliminate the Crown's immunity from prosecution.

**HON J C PEREZ:**

So basically what the Chief Minister is saying is that he still does not think that the steps at the boulevard should be looked at, he is satisfied with the condition there?

**HON CHIEF MINISTER:**

The hon Member can get me to repeat my answer again or he can accept my view that my answer is clear that the answer is that the Government do not accept that the steps are structurally and as a matter of system unsafe but when he asks the question a government inspector went to inspect the steps and his report is that there are two tiling noses which are broken off and are to be replaced shortly. Obviously that government inspector does not think that the steps are otherwise unsafe, I have to say that I use them quite frequently, they never struck me as being particularly unsafe but if the hon Member's view is that they are unsafe that is his view.

ORAL

**NO. 155 OF 2003**

**THE HON J C PEREZ**

**HIGHWAY MAINTENANCE TERM CONTRACT**

Can Government state whether it is expected that the works envisaged to have been carried out in this financial year under the term contract, are all expected to be completed by the end of this financial year, that is, in a few days time?

**ANSWER**

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

Answered together with Question No 156 of 2003.

**NO. 156 OF 2003**

**THE HON J C PEREZ**

**HIGHWAY MAINTENANCE TERM CONTRACT**

What resurfacing and other works have been carried out by the term contractor during this financial year?

**ANSWER**

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

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

**Answer to Question No 155 of 2003**

The Highways Maintenance Term Contract commenced on 6<sup>th</sup> January 2003 and is initially for one calendar year. The contract will not therefore expire on 31<sup>st</sup> March 2003. It is therefore too early to say whether all programmed works will be completed by the expiry of the term contract at the end of December 2003.

The Term Contract is a rolling programme consisting of a series of major works which are identified and programmed to take place during the course of the calendar year. It is liable to change in the light of emergency works, and unexpected problems which arise from works being carried out and the need to carry out a number of minor works which are identified as the year progresses.

### **Answer to Question No 156 of 2003**

Since the commencement of the Term Contract on 6<sup>th</sup> January 2003 the following resurfacing works have been carried out:-

1. Several areas at Varyl Begg Estate and the new exit road from the estate onto North Mole Road.
2. Slip road between the Sundial Roundabout and Devil's Tower Road
3. Cornwall's Lane
4. George's Lane

Other works carried out since that date are:-

1. The erection of bollards at Secretary's Lane
2. Infrastructure works for the zebra crossing at Glacis Road
3. Relaying of paving slabs in Main Street
4. Erection of pedestrian barriers at the junction of Glacis Road with Bayside Road
5. Construction of small pavement at Reclamation Road
6. Pavement extension and bollards at Benzimra's Alley
7. Filling of voids in the crib wall at Naval Hospital Road
8. Repairs to a broken sewer at the bottom of Cumberland Steps
9. Laying of new kerbs along Keightley Way tunnel and other patching of areas at this same location.
10. Erection of railings at various locations
11. Patching work at British Lines Road ("The Loop")
12. Emergency works as requested.

### **SUPPLEMENTARY TO QUESTION NOS 155 AND 156 OF 2003**

**HON J C PEREZ:**

In respect of Question No 155 of 2003 the Minister last year at budget time stood up in this House and gave a list of things which he said were going to be completed by this financial year and which is why he came to the budget to seek funds for. When he talked about the Term Contractor he said, "*now we have got a Term Contractor and this is my programme for the year,*" and I am asking the Minister whether the programme that he announced at the time of the budget is expected to be completed. Frankly, from what I see here that is not the programme at all the programme has changed completely and there is certainly a lot of things that the Minister announced that he was going to do at the time of the budget which has not even started.

**HON J J HOLLIDAY:**

I think that there are two issues that need to be highlighted, one is that the highway maintenance term contract actually commenced on the 6<sup>th</sup> January 2003 which was much later than we had originally anticipated and then in addition to the schedules and the information that I had passed on to him I think one has to realise that there are also major works that are put out to tender which are not part of the maintenance term contract which are in addition to this so therefore it is not reflected in the information that I have given him today.

**HON J C PEREZ:**

I am not questioning any of that perhaps what I am questioning is that at the time of the budget Ministers seem to go overboard announcing things and then they do not materialise because the reality is something different. The Hansard of the budget I tend to read it, I look through it and I see that Ministers said this, and that, and that, and the other and we are coming to the end of the financial year and I think let us ask them whether everything that they said that they were going to do last April or May is actually being done or is going to be done, that is all I am referring to. I have not got a measure at the moment of whether the Term Contractor is doing the work it should do, or is not doing the work it should, or whether it is doing enough for what it is being paid or anything else I am sure the Government have the mechanisms in place to do that I am only questioning the Minister for what he says in this House.

**HON CHIEF MINISTER:**

With respect he is not. If the hon Member asks a specific question he gets the answer to his specific question and then he cannot use the answer to the specific question as providing evidence that a different question would also have got an unsatisfactory answer. The hon Member did not ask how much of the Government's road refurbishment programme that the Minister announced at the budget has he completed?

**HON J C PEREZ:**

Yes I have.

**HON CHIEF MINISTER:**

No he has not. No, the hon Member has asked "*What resurfacing and other works have been carried out by the Term Contractor?*"

**HON J C PEREZ:**

No Mr Speaker, the question before that. Question No 155 of 2003.



**HON CHIEF MINISTER:**

*“Can Government state whether it is expected that the works envisaged to have been carried out in this financial year under the Term Contract.....”* both questions are specific to the Term Contract. The Term Contract is a maintenance contract. It is not a maintenance for the carrying out of repair works of refurbishment works, it is a maintenance, it is a spot and fix. In addition to the maintenance contract there are separate road resurfacing jobs put out to tender. All I am saying is that the hon Member cannot therefore interpret the answer to these questions that he has given as providing evidence of the extent to which the Government’s road refurbishment programme has been met because for that purpose the questions are insufficient. I cannot tell the hon Member without notice of the question what proportion of the programme announced by the Minister during his budget contribution has been completed but it is certainly a very high percentage of it and the answer is not produced by the answer to these two questions because that progress whether it is 50, 60, or 80 per cent, I suspect it is probably as much as that, is not done under the maintenance term contract.

**HON J C PEREZ:**

Does the Chief Minister not realise that the question is *“the works envisaged to have been carried out”* and that is to be the expected works by the Government. The Chief Minister if he would care to look at Hansard gave a long list of works that were going to be carried out as a result of the wonderful successful Term Contract which he announced in May last year. I did not know that the Term Contract started in January but he should have known he was the one announcing it not me so, in May last year if he cares to look at Hansard he will see that as a result of these wonderful Term Contract we were going to have a list of things being done and now he tells me that everything he announced or part of what he announced is not even started never mind completed because the term contract started in January. The Minister is making a distinction about things done under the Term Contract and things outside the Term Contract and I am asking him to look at Hansard and he will see that everything in the list flowed as a result of the Term Contract.

**HON CHIEF MINISTER:**

The hon Member is mistaken because the Term Contract is a relatively recent thing. Even accepting that it kicked in a little bit later during the financial year than we hoped it is still a relatively recent thing. The Government have had a major roads resurfacing and refurbishment programme for long, long, before the measurement Term Contract. The hon Member’s suggestion that the Government therefore waited for the maintenance term contract to start its road resurfacing programme does not strike a chord with anyone who is listening to this debate who knows that there has been much road refurbishment work and that the term contract adds an additional layer of maintenance capability. The hon Member’s point appears to be based on the belief that in the budget the Government indicated that everything would be done under the measurement term contract. All the lists of goodies that the Government listed in the budget were to result from the measurement term contract and that they have not happened under the measurement term contract. I do not agree with that analysis that the hon Member makes.

**HON J C PEREZ:**

I have not said that, whether he agrees or does not is neither here or there.

**HON CHIEF MINISTER:**

The hon Member, memories are not surely only two minutes in duration, he has said never mind the exact wording of the question - do Government not realise that in his budget speech the Minister stood up and says that this wonderful thing that they were going to do, the measured term contract, was going to result in all this long list of projects and that they had not materialised? - That was the thrust of what the hon Member was saying and I am responding to him to the effect that that analysis of the budget speech is not correct. It is true that the measured term contract was announced in the budget speech. It is not true that the budget speech analysis was that everything that was announced by way of roadworks under the budget was the result of the measured term contract.

**NO. 157 OF 2003**

**THE HON DR J J GARCIA**

**CONFERENCE ASSISTANCE**

Can Government say how many conferences they have assisted with, sponsored or co-sponsored since October 2002 inclusive?

**ANSWER**

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

Five.

**SUPPLEMENTARY TO QUESTION NO 157 OF 2003**

**HON DR J J GARCIA:**

Given that the attraction of conferences to Gibraltar is one of the key elements on the Minister's tourism policy is the Government satisfied with five conferences in six months?

**HON J J HOLLIDAY:**

The task of the Gibraltar Tourist Board or Government are not to actually bring conferences to Gibraltar, of course we attract, we create the environment, we try and

promote Gibraltar as a conference centre but we do not actually organise and deliver. This is up to the private sector who have the facilities and who have their own marketing strategies in order to attract conferences to Gibraltar. The five conferences that I have referred to in my answer are conferences in relation to conferences that have been carried out by the private sector and where assistance from the Government mainly from the financial sector have been helped or assisted in some way by the Government.

**HON DR J J GARCIA:**

Is the Minister then saying that there may have been other conferences organised in Gibraltar which have had nothing to do with the Government in addition to those five?

**HON J J HOLLIDAY:**

Absolutely, there have been a number of other conferences that have been held in Gibraltar which have reached agreement directly mainly with hoteliers and even if one tries and obtain information of these from the private sector those are commercial in-confidence to them and information is not given away. They are their clients they wish to bring them back and therefore even between hoteliers they do not discuss what conferences they bring in or do not because they are obviously all trying to compete against each other in attracting conferences to their own venues.

**HON DR J J GARCIA:**

What mechanism is open to the Government to actually establish or monitor the success or otherwise of this policy?

**HON J J HOLLIDAY:**

Obviously the Government are aware of the conferences that actually come to Gibraltar because information is discussed with the different conference organisers but it is not something that I am privileged to make public in terms that it is the same as if the hon Member were to ask me how many bottles of perfume are sold in Main Street. I know that they do sell but this is information that is privy to the trader or the conference organiser in this respect. For example, I will give the hon Member an example of the type of conferences that I referred to with the five mentioned. The Gibraltar Insurance Companies, the Rotary Club conference that were held in Gibraltar and which the Gibraltar Tourist Board assisted in its organisation because they asked for assistance because they have had a tourism flavour to the conference but that is our role. We do not have any other role but obviously as a Government we promote Gibraltar as a conference destination as part of our tourism strategy because we believe that it is an area where Gibraltar can benefit especially during the off peak season. That is the position.

**HON J J BOSSANO:**

The Minister is not saying, for example, the number of conferences held in a particular year and the number of visitor arrivals that are accountable by attendance of those conferences is a commercially sensitive piece of information, he is not saying that?

**HON J J HOLLIDAY:**

No not at all. If I were to contact one of the hoteliers and ask how many conferences they have had during the year I am sure that they would give me that sort of information but I do not think that they would give me who their clients are and who has come.

**HON J J BOSSANO:**

Presumably the nature of the conference is not either because presumably that is advertised so that people can attend it, If one holds a conference here is it not publicised?

**HON J J HOLLIDAY:**

Absolutely but the majority of these conferences are from pharmaceutical companies who actually have their own in-house conference or what they call conference and incentive. Some of them bring their spouses with them and have more internationals who actually congregate in particular venues and have conferences and people come from different subsidiary companies within their organisation. Lots of them are internal they are not the sort of conferences where they say "*come to an insurance seminar pay £1,500 and that includes accommodation et cetera.*" They are more of the internal type where it is a conference and an incentive which is in our view the sort of conferences that we want to attract because most of them bring spouses, they have a spouses programme and Gibraltar is an attractive destination for them because of our proximity to Spain and Morocco and the fact that within three or four days, which is the time these conferences last, there is quite a variety of activities that can be put into the programme because although the conference is important the leisure side is also as important.

ORAL

**NO. 158 OF 2003**

**THE HON DR J J GARCIA**

**GIB – POST OF MARKETING CO-ORDINATOR**

How many persons applied for the post of Marketing Co-ordinator at the Gibraltar Office in Madrid which was advertised in December 2002, and has anyone been selected for the post?

**ANSWER**

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

Answered together with Question No 159 of 2003.

ORAL

**NO. 159 OF 2003**

**THE HON DR J J GARCIA**

**GTB – OFFICE IN MADRID**

Can Government give the date from which the Gibraltar office in Madrid has been staffed on a permanent basis?

**ANSWER**

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

There were seven applicants for Marketing Co-ordinator, and one was appointed. The Madrid Office has been manned on a permanent basis since 11<sup>th</sup> November 2002.

**SUPPLEMENTARY TO QUESTION NOS 158 AND 159 OF 2003**

**HON DR J J GARCIA:**

Can the Minister say of the seven applicants whether all of them were from Gibraltar and secondly whether the person selected was from Gibraltar?

**HON J J HOLLIDAY:**

I am not sure whether all that applied were from Gibraltar the names seemed to indicate that they were local, the person appointed was definitely local.

**HON DR J J GARCIA:**

The last time we raised the issue of the Madrid Office in the House we discovered that the office had actually been closed for about 200 days in the last 12 months, is the Minister satisfied in the way the office has operated?

**HON J J HOLLIDAY:**

The idea of having the office closed was under "*force majeure*" it was not by choice however plans were put in place during that time in order to cover for that eventuality of having the office unmanned and yes, we are satisfied that the office is now running appropriately.



**NO. 160 OF 2003**

**THE HON DR J J GARCIA**

**GTB – TONNAGE AND BERTHING DUES**

When was the last time that the port fees and port dues package offered to cruise liners was reviewed and what changes were implemented?

**ANSWER**

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

On the 23<sup>rd</sup> July 2000, as from that date, cruise ships arriving at Gibraltar are given a 50 per cent discount on the standard rate of tonnage and berthing dues.

**SUPPLEMENTARY TO QUESTION NO 160 OF 2003**

**HON DR J J GARCIA:**

Is this policy being reviewed again?

**HON J J HOLLIDAY:**

No it is not.

**NO. 161 OF 2003**

**THE HON DR J J GARCIA**

**PORT – BUNKERING SUPERINTENDENT**

On what date was the Bunkering Superintendent appointed?

**ANSWER**

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

On 1<sup>st</sup> November 2002.

**SUPPLEMENTARY TO QUESTION NO 161 OF 2003**

**HON DR J J GARCIA:**

Is the Minister in a position to say how many persons applied for this post?

**HON J J HOLLIDAY:**

There were six applicants and one of them was the successful candidate.

**HON DR J J GARCIA:**

Can the Minister say whether there were any special qualifications required for this post?

**HON J J HOLLIDAY:**

I am not able to give the exact details but they included a certain amount of experience in the bunkering business and certain maritime qualifications as well which enabled them to be able to apply. The exact details I do not have with me but I do remember at the time definite qualifications were required and experience was definitely on the cards.

**HON J L BALDACHINO:**

Did the six applicants meet those qualifications?

**HON J J HOLLIDAY:**

I would not be able to assure that but definitely the one that was successful must have had the relevant qualifications otherwise he would not have been selected but I would have said that all must have had the relevant qualifications otherwise they would not have been entertained as an application.

**NO. 162 OF 2003**

**THE HON DR J J GARCIA**

**RALLY ANTIGUA**

Was the Minister for Tourism in Gibraltar when he issued his welcome to the participants of Rally Antigua in October 2002?

**ANSWER**

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

No. I approved the press release and issued my welcome to the Rally Antigua participants before I left for London to participate in the Gibraltar Day in London event.

**SUPPLEMENTARY TO QUESTION NO 162 OF 2003**

**HON DR J J GARCIA:**

Is it normal practice to welcome visitors in absentia as it were?

**HON J J HOLLIDAY:**

Absolutely . I thought it was my duty to welcome them to Gibraltar and obviously I had personnel within the Gibraltar Tourist Board who acted on my behalf. I thought that my presence in the Gibraltar Day was more productive than actually being here. Let me say

that these Rally Antigua are people that I have known, that have left Gibraltar and so as far as the organisers are concerned obviously it would have been better for me to have been here for the participants but the organisers themselves are people who I keep in contact with who I meet, for example, at the London Boat Show and who I help promote their rally at the London Boat Show itself on their stands. It would have been better for me to have been here but I do not think it was necessary.

**NO. 163 OF 2003**

**THE HON DR J J GARCIA**

**GTB – UPPER ROCK SITE OFFICER**

Can Government say how many persons applied for the post of Upper Rock Site Officer which was advertised on 13<sup>th</sup> November, and how many posts were available?

**ANSWER**

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

There were nine applicants for five vacancies.

**SUPPLEMENTARY TO QUESTION NO 163 OF 2003**

**HON DR J J GARCIA:**

Can the Minister say whether the posts have now been allocated?

**HON J J HOLLIDAY:**

At the time of the applications and I have said there were nine applicants for the five vacancies, three were selected as suitable candidates, unfortunately two found alternative employment in the selection period and therefore one was only appointed at

that time. I believe that subsequently there has been advertising for vacancies and applications are currently being considered.

**HON DR J J GARCIA:**

So is it correct to say then that there are now four vacancies which the Government are advertising for?

**HON J J HOLLIDAY:**

Yes and possibly more. I am not sure because there has been a restructure of personnel and roster systems in the Upper Rock which has created possible vacancies so there may actually be more than the four that were missing in November.

**HON DR J J GARCIA:**

Can the Minister say in terms of the vacancy that was filled whether that went to a person who was actually in the unemployment list or is it somebody who was transferred there or moved from another employment somewhere else?

**HON J J HOLLIDAY:**

I am not 100 per cent sure but I believe that that person was in the unemployment list.

**NO. 164 OF 2003**

**THE HON DR J J GARCIA**

**GTB – UPPER ROCK**

Are Government now in a position to say whether they have contracted the cleaning of the slopes on the Upper Rock?

**ANSWER**

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

There is presently no contract in place.

**SUPPLEMENTARY TO QUESTION NO 164 OF 2003**

**HON DR J J GARCIA:**

The Opposition continue to receive complaints on a regular basis about the state of the Upper Rock particularly on the slopes and I remember the last time we debated this issue in October the Minister mentioned that there was a process in place by which that might be contracted to somebody to do at present they only have contract for cleaning the roads but not the actual slope, can the Minister explain given the filthy state of many parts of the Upper Rock why the extraordinary length of time that this is taking?



**HON J J HOLLIDAY:**

What we have done during this time is that whenever the need has arisen for the slopes to be cleaned we have contracted on a one-off to maintain the cleanliness of those slopes. Let me say that for many, many, many years the slopes have only been cleaned on an ad hoc basis basically because the need has not been there. Of late there seems to be a systematic vendetta into throwing rubbish in this particular area to make a point. Nevertheless the Government are obviously conscience of the need to have the cleanliness of the slopes in place and what this has led to is that when analysing the present terms of contract for cleaning and the need to incorporate the slopes into this contract we have been analysing and seen that there are not just this defect to the contract but that there are others that need to be addressed. So what the Government are doing is we have analysed our total requirements for cleanliness in the Upper Rock and have identified the need to expand the existing terms of contract. The Government are currently considering whether it is fair to just get the present contractor and expand its role or whether it is worth going out to tender again and include the new terms of reference that would need to be incorporated. Let me say that in order to meet the total requirements of the cleanliness of the Upper Rock there are some areas that will need specialised cleaning capabilities because of its nature in terms of health and safety and it is not proper to have somebody who cleans the road, for example, to be directed in cleaning into areas where there are very steep cleaning areas which are dangerous and need some form of specialised capability and so therefore Government are going down that route. In the meantime the situation is being monitored and when the need for the cleanliness of the slopes needs to be undertaken they will be undertaken.

**HON DR J J GARCIA:**

In October the Government policy was to establish a new contract which would be exclusively for cleaning slopes, that is how I understood the position then, what the Minister is saying now is that they are reviewing whether to extend the existing contract to include the cleaning of slopes or they may also issue this particular contract only for the cleaning of slopes is that the case has there been a change of policy since then?

**HON J J HOLLIDAY:**

The views expressed by officials is that if one has more than one contractor in a particular area they tend to blame each other for their performances and so therefore the idea of having the slope being done by one contractor and the roads and one metre off the road by another contractor can very easily lead to one contractor dumping rubbish onto the other one's site and actually achieving very little so rather than have contractors blaming each other we feel that it is better to have one contractor that will take full responsibility for the standards that are set.

**HON DR J J GARCIA:**

The Minister when answering the supplementaries now mentioned that there appears to be a systematic vendetta of people throwing litter in one particular place, is it that tourists

are being given leaflets and being told where to put their rubbish or what does it mean by this vendetta?

**HON J J HOLLIDAY:**

No I would tend to think that they are not tourists that they are other people that frequent the Upper Rock.

**NO. 165 OF 2003**

**THE HON DR J J GARCIA**

**ST MICHAEL'S CAVE**

Can Government give the date from which the 'Sound and Light' show at St Michael's Cave has been working satisfactorily?

**ANSWER**

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

The show has been working satisfactorily since it was brought into daily operation on 21<sup>st</sup> October 2002.

**SUPPLEMENTARY TO QUESTION 165 OF 2003**

**HON DR J J GARCIA:**

Are there aspects of the show that are not working as originally intended?

**HON J J HOLLIDAY:**

No the 'Sound and Light' show has been working well since its introduction except for recently in the last few days some faults have developed but I understand that those have already been addressed.

**HON DR J J GARCIA:**

Can the Minister say whether the reasons for this breakdown have now been established and whether the Government actually pay out extra money in respect of these repairs.

**HON J J HOLLIDAY:**

I believe we are still under the guarantee period in terms of repair, there were some faults that needed some replacements of parts this is a fully computerised and electronically functional piece of equipment and it needed some essential works done to it which have been carried out.

ORAL

**NO. 166 OF 2003**

**THE HON DR J J GARCIA**

**TOURISM ADVISORY COUNCIL**

How often and on what dates has the Tourism Advisory Council met since 5<sup>th</sup> July 2002?

**ANSWER**

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

The Council met three times, on 18<sup>th</sup> September 2002, 4<sup>th</sup> December 2002 and 20<sup>th</sup> March 2003.

**NO. 167 OF 2003**

**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 2002?

**ANSWER**

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

The historical arrears owed by the hotels which are the subject of repayment agreements and which are paid to Government's satisfaction come from a total of £923,748 owed by hotels in respect of arrears, £651,982 have been paid as at 31<sup>st</sup> December 2002, leaving a balance of £271,766.

This figure of £271,766 is broken down as follows:-

	£
Social Insurance	25,515
PAYE Tax	134,179
Electricity	112,072

**SUPPLEMENTARY TO QUESTION NO 167 OF 2003**

**HON DR J J GARCIA:**

In respect of the loans due under the Hotel Assistance Scheme that is obviously separate to the figure that the hon Member has given, is that correct?

**HON J J HOLLIDAY:**

Yes Government loans in respect of the Hotel Assistance Scheme are subject to a separate contract. However in that contract there is a proviso that all arrears, present consumption and dues are to be kept up to date as part of the agreement.

ORAL

**NO. 168 OF 2003**

**THE HON DR J J GARCIA**

**GTB**

What Company has replaced Dot.Com PR in handling the public relations of the Gibraltar Tourist Board , on what date and for what reason did this change come about?

**ANSWER**

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

Redleaf Associates replaced Dot.Com PR as the Gibraltar Tourist Board public relations consultants with effect from 1<sup>st</sup> April 2002. The change followed the routine annual review of suppliers of services to the Gibraltar Tourist Board, a refocusing by Dot.Com PR on 'e' strategy and a desire by the GTB for more effective and efficient PR. Redleaf was appointed following a tender process in which Dot.Com PR was invited to tender.

**SUPPLEMENTARY TO QUESTION NO 168 OF 2003**

**HON DR J J GARCIA:**

Can the Minister say whether they actually did tender and how many tenders were there altogether?



**HON J J HOLLIDAY:**

The service providers with the Gibraltar Tourist Board in the UK is not subject to the sort of tender that we are accustomed to in Gibraltar. What we do is that we prepare a brief of what we actually require in terms of services and we contact the main players in the industry. There are those that our account may not be big enough for them to apply and therefore they are not interested but we try and ensure that we at least have three applicants for each of these function providers and these are subject to a presentation which is made for myself and some of my officials in order for us to be able to assess what they are offering in terms of services for the brief that we prepare.

**HON DR J J GARCIA:**

Is it the case then that Dot.Com PR did not actually deliver on what they had promised and were in fact judged by their performance or not?

**HON J J HOLLIDAY:**

There is an element of that and there is also an element of the fact that before Dot. Com PR were more of an advertising agency company which had refocused their interest on 'e' strategy only and there area specialisation was moving towards that area it was an area which the Government obviously wanted to have input but it lacked weight in other areas and so therefore they became too specialised for the general support that the Gibraltar Tourist Board needed and therefore we took the decision, in fact they did apply and submitted tender for areas of public relations et cetera, but we have focused on other applicants.

**HON DR J J GARCIA:**

The Minister mentioned that Redleaf Associates obtained the tender and he has mentioned also that there are differences in the way that these are allocated in the United Kingdom and in Gibraltar, the tenders, is it a case then that this tender went to the lowest or the highest bidder, how does it work in terms of the money involved?

**HON J J HOLLIDAY:**

It is not just a financial consideration even though it happened to be the lowest tender in this case but it is actually assessed on the presentation that is made to myself and officials which include on what they are actually able to offer in terms of service, backup and knowledge of the particular area in which they are providing a service. This is public relations but there is media buying, graphic design, 'e' strategy, these are all service providers that we contract in order to ensure that we have the full scope of services available to us.

**HON DR J J GARCIA:**

Can the Minister give the sum involved in this contracts?

**HON J J HOLLIDAY:**

I think the contract is for £24,000 a year but I would have to confirm that, definitely between £24,000 and £30,000 because we have recently carried out a review again because we do this annually as we believe that that keeps all service providers on their toes in that they do not have more than a year's contract. We have recently been in London and gone through all this for the following year and I believe we will be renewing Redleaf Associates contract for this year and I believe the sum is between £24,000 and £30,000 but it is definitely within that figure, I can let him know.

**HON DR J J GARCIA:**

We would appreciate that information.

**NO. 169 OF 2003**

**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 6<sup>th</sup> October 2002 to date, giving the event or function attended, the venue, the city and the country visited?

**ANSWER**

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

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

**EVENTS AND FUNCTIONS ATTENDED BY THE MINISTER FOR TOURISM**

<b><u>EVENT</u></b>	<b><u>CITY</u></b>	<b><u>DATES</u></b>
Gibraltar Day	London	19.10.02 - 21.10.02
Maritime Presentation	Athens	22.10.02 – 23.10.02
World Travel Market & UK GTA	London	09.11.02 – 13.11.02
Meetings in London	London	24.11.02 – 26.11.02
Boat Show	London	09.01.03 – 11.-01.03
FITUR	Madrid	28.01.03 – 29.01.03
Confex	London	26.02.03 – 28.02.03
Marketing Presentation	London	13.03.03 – 15.03.03

**SUPPLEMENTARY TO QUESTION NO 169 OF 2003**

**HON DR J J GARCIA:**

There is one element in the list which the Minister has passed on to me where it is not quite clear what it was that was happening and this is the meeting which he says took place in London from 24<sup>th</sup> to 26<sup>th</sup> November, can the Minister clarify those meetings and what they were about?

**HON J J HOLLIDAY:**

I do not have this information readily available but I will let him know.

**NO. 170 OF 2003**

**THE HON DR J J GARCIA**

**GTB – GIVEAWAYS**

What is the value below which “Giveaways” are purchased by the Tourist Board without going out to tender?

**ANSWER**

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

The ceiling below which “giveaways” are purchased without going through the tender process are as follows:-

- (a) in respect of new items being ordered for the first time, the ceiling is £900
- (b) in respect of a reorder for an item which has previously been supplied by that entity to the GTB, the ceiling is £450.

**SUPPLEMENTARY TO QUESTION NO 170 OF 2003**

**HON DR J J GARCIA:**

Do those sums relate to the entirety of the order and not to individual items within it?

**HON J J HOLLIDAY:**

I am not sure it is not something that I am conversant with I can revert to him and clarify that point for him but I think it is an item because the answer says in respect of reorder of an item which has previously been supplied by an entity the ceiling is £450 so I presume it is by item. Shall I confirm this to the hon Member?

**HON DR J J GARCIA:**

We would be grateful if the Minister could confirm that but in any case if he could also clarify what products we are talking about.

**HON J J HOLLIDAY:**

I have a list of items that have been used as giveaways and have been bought since last year. These include lapel badges, stickers, calendars, Gibraltar Rock sweets, small matchboxes, small cuddly Rock apes, Gibraltar flags, CD-Roms, promotional videos, and crystal medallions this is the list that has been provided as items that have been bought in the last year.

**NO. 171 OF 2003**

**THE HON DR J J GARCIA**

**GTB – GOVERNMENT WEBSITE**

How often is the tourism information on the Government website updated and on what dates were the last updates carried out in 2001, 2002 and 2003?

**ANSWER**

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

The information is checked and updated at random intervals, so it is not possible to give dates.

**SUPPLEMENTARY TO QUESTION NO 171 OF 2003**

**HON DR J J GARCIA:**

Can the Minister then clarify why the Tourism website was telling the world I suppose that there were flights between Gibraltar and Heathrow Airport a year after those flights had been stopped?

**HON J J HOLLIDAY:**

I agree that it should never have happened and that somebody should have picked it up and informed the webmaster for an update. It was not done, subsequent to bringing the matter to my attention a system has been put in place where regular checks are being carried out and systematically changed if there are any changes to be carried out.

**HON DR J J GARCIA:**

Are these changes or updates contracted out or are they done in-house?

**HON J J HOLLIDAY:**

These are carried out in-house by the Government Webmaster.

**HON DR J J GARCIA:**

I remember checking the website myself in December and then again in February, and on both occasions there was information given on the transport website which said that seat belts were compulsory in Gibraltar and it stated the whole law as we now know it whereas on the tourism website it stated that it was advisable but not compulsory to wear a seat belt and this was actually on two different parts of the same Government website. Can the Minister ensure that this is corrected?

**HON J J HOLLIDAY:**

I thank the hon Member for bringing this to my attention.



ORAL

**NO. 172 OF 2003**

**THE HON DR J J GARCIA**

**GTB – WAX MODELS**

Have the wax models from various tourist sites that were taken to the UK for refurbishment now been returned?

**ANSWER**

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

Answered together with Question Nos 173 to 175 of 2003.

ORAL

**NO. 173 OF 2003**

**THE HON DR J J GARCIA**

**GTB – CITY UNDER SEIGE EXHIBITION**

When will the City Under Seige Exhibition be refurbished?

**ANSWER**

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

Answered together with Question Nos 172, 174 and 175 of 2003.

ORAL

**NO. 174 OF 2003**

**THE HON DR J J GARCIA**

**GTB – UPPER ROCK**

Can Government say whether they intend to install toilet facilities at the Moorish Castle and the Great Siege Tunnels?

**ANSWER**

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

Answered together with Question Nos 172, 173 and 175 of 2003.

**NO. 175 OF 2003**

**THE HON DR J J GARCIA**

**GTB – UPPER ROCK**

At what stage are the works to refurbish all the ticket offices, staff quarters and facilities in the Upper Rock?

**ANSWER**

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

The wax models sent to the UK for refurbishment will be returned and installed between 6<sup>th</sup> to 15<sup>th</sup> April 2003. The static displays at the City Under Siege exhibition will be refurbished by 15<sup>th</sup> April 2003. Government intend to install public toilet facilities to service the Upper Galleries (Great Siege Tunnels) and the area of Princess Amelia's Battery and the World War II tunnels, which will be situated at Princess Caroline's Battery. Public toilets are also to be installed at the Medieval Castle. To install toilets will require laying a new sewer, and this project will take some time. Works to refurbish ticket offices and Site Attendants' offices at tourist sites are now under way. It is expected that these works will be completed by the summer.

**SUPPLEMENTARY TO QUESTION NOS 172 TO 175 OF 2003**

**HON DR J J GARCIA:**

In respect of the wax models taken to the UK for refurbishment does the Minister have an estimate or can he provide the cost of that exercise?

**HON J J HOLLIDAY:**

No I would need notice of that question.

**HON DR J J GARCIA:**

Can the Government explain in relation to the various health and safety issues which have arisen in the Upper Rock and the complaints that were put forward in May by the Union and some of which were made public relating to bad conditions, sites needing painting and refurbishment, lack of furniture, electrical appliances, the badly sited office at the Siege Tunnels, lacking public toilets, lacking running water, the guard having to ferry containers from one side to the other, badly sited barriers and windows, inadequate facility et cetera et cetera. In relation to those grievances which are made public can the Minister explain why it has taken the Government all this time to act?

**HON J J HOLLIDAY:**

Most of what the hon Gentleman has listed are not health and safety issues, however, let me say most of what has been listed has been or is being addressed. There are a number of issues in that list which have already been addressed and there are a number of issues which are currently being addressed and will take time to achieve. However we are in regular contact with the Union in this respect and they are fully aware of the progress that is being done and achieved.

**HON DR J J GARCIA:**

The Minister must be aware that the Union itself described these grievances as being health, sanitary and safety matters it is not that we are saying this.

ORAL

**NO. 176 OF 2003**

**THE HON DR J J GARCIA**

**GTB – LOGO COMPETITION**

Can Government say how many entries were received for the Gibraltar Tourist Logo competition broken down by category?

**ANSWER**

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

Answered together with Question No 177 of 2003.

**NO. 177 OF 2003**

**THE HON DR J J GARCIA**

**GTB – NEW LOGO**

How much is the new logo for the Gibraltar Tourist Board expected to cost?

**ANSWER**

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

There were 351 entries as follows:-

Adult section	-	8 entries
Under 18 section	-	138 entries
Under 12 section	-	205 entries

It is not yet known what the cost will be. The GTB has requested quotations from designers and until a designer is appointed the cost will not be known.

**SUPPLEMENTARY TO QUESTION NOS 176 AND 177 OF 2003**

**HON DR J J GARCIA:**

Were these participants in the competition required to submit an actual design, so what is the distinction between that and the designer, what function does it serve?

**HON J J HOLLIDAY:**

The whole thrust of this was to have a competition that would allow adults and children in the different sections to participate in the formulation of a new tourism logo. These were assessed and prizes were awarded and now on the basis of that we have come out with a design specifications to actual designers who are specialists in this particular area who will be coming out with a design for the logo. Let me say that it is not just the design of a logo, our intention is to completely rebrand the Gibraltar Tourist Board later on this year and therefore the amount of work involved is not just the design of a logo but a complete rebranding which will hopefully take place at the end of the year.

**HON DR J J GARCIA:**

What the Minister is saying is that there will be additional costs not just the design but change the entire corporate image of the organisation, signs, letterheads, stationary and everything else.

**HON J J HOLLIDAY:**

That is correct. We are obviously planning accordingly in terms of orders and in terms of our own commitments to present suppliers of existing literature and letterheaded papers, visiting cards et cetera.

**HON DR J J GARCIA:**

Was it felt then that the old logo was not working or what was the reason behind this?

**HON J J HOLLIDAY:**

No. It is a matter of fact that once a brand has been in place for a certain amount of time that it needs to be updated and brought up to scratch. We have had our logo now since 1996/1997 and we need a complete rebranding. This is the way that the industry works and that is the way we see the need to move forward.



**NO. 178 OF 2003**

**THE HON DR J J GARCIA**

**MOORISH CASTLE**

In what timescale and in what way do the Government expect to release the tourism potential of the Moorish Castle once the prison has been moved?

**ANSWER**

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

The view adopted by Government are to set the Medieval Castle in a wider context, that of the development of defence works over 700 years. This includes the Castle Batteries, the Northern Defences, the Middle Galleries, Princess Caroline's Battery and the section of the World War II tunnels from Clapham Junction to Hay's Level. Much work has already been done on this project, which will have entry points at Princess Caroline's Battery and at Casemates. I am optimistic that the project will be opened to the public by the time the new prison is inaugurated.

**SUPPLEMENTARY TO QUESTION NO 178 OF 2003**

**HON DR J J GARCIA:**

Is the Minister saying that the existing tenders already awarded, for example, for the World War II tunnels is connected to this and it is all one large project?

**HON J J HOLLIDAY:**

It is a project in its own right however it is the opening of the Moorish Castle in a wider context will enable us to join up all these different sites that I have mentioned and create one experience in itself.

**HON DR J J GARCIA:**

Will the Heritage Trust be consulted in all this?

**HON J J HOLLIDAY:**

Yes that is the case. The Heritage Trust have been involved in a lot of what has already been done and I am sure that it will continue to do so.

**NO. 179 OF 2003**

**THE HON DR J J GARCIA**

**AIRPORT – LANDING FEES**

Can Government list the type and model number of commercial aircraft that use Gibraltar airport at present indicating the amount paid in landing charges paid to the MOD for each type and model of aircraft?

**ANSWER**

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

The combined landing and navigation fees per landing payable to the MOD by commercial aircraft using Gibraltar airport are:

		£
Boeing 737- 400	-	954.62
Airbus 320	-	1,148.78
Boeing 757	-	1,650.36

**SUPPLEMENTARY TO QUESTION NO 179 OF 2003**

**HON DR J J GARCIA:**

In terms of clarifying the mechanics of the operation for those of us who may not exactly be aware of how it works is the Minister saying that everytime one of these aircraft lands that is what it has to pay?

**HON J J HOLLIDAY:**

That is correct.

**HON DR J J GARCIA:**

Having established that, the Minister is quoted as having said that one of the reasons that one of the new airlines is not attracted to Gibraltar is the problem with these landing charges. Is it the case that the airline assistance scheme which the Government have operated in the past was that not used partly to offset the cost of landing charges from the MOD and was it not done specifically over the case of Regional Airlines?

**HON J J HOLLIDAY:**

That is in fact correct.

**HON DR J J GARCIA:**

If the Government subsidises the landing charges then why should that be a barrier to new airlines coming to Gibraltar?

**HON J J HOLLIDAY:**

If one subsidises the whole of the landing and navigation fees which is what some of these airlines expect one is talking of very substantial amounts of money. One is talking of over £1,500 a day if it is going to be a daily flight and so therefore if one has a twice daily service which is what most of these airlines expect as a minimum one is talking of well over £1 million in subsidy. This would create a drain on Government and we cannot just subsidise one airline, we would have to look at what other existing airlines have at present in order not to create an unlevel playing field.

**HON DR J J GARCIA:**

In any case are the existing airlines already getting it or not?

**HON J J HOLLIDAY:**

No, no subsidy is being given to any of the existing airlines as we speak today. Monarch if the hon Member remembers was initially given a three year assistance programme, that expired and now they operate without any subsidy. GB airways does exactly the same thing they get no subsidy whatsoever. What we do with the airlines as part of our advertising and marketing strategy, we try and do joint advertising promotions with them as part of our own strategy in order to promote both say Monarch or GB Airways with Gibraltar in the international press but this is nothing to do with the actual assistance that we give them directly, that does not exist today.

ORAL

**NO. 180 OF 2003**

**THE HON DR J J GARCIA**

**PORT – BUNKERING LICENCES**

At what stage are the applications by Republic House Fuels and Crown Resources for bunkering licences, and are any other applications pending?

**ANSWER**

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

Answered together with Question Nos 181 to 183 of 2003.

ORAL

**NO. 181 OF 2003**

**THE HON DR J J GARCIA**

**GIBRALTAR PORT**

In what way do Government expect to prioritise access for vessels arriving in Gibraltar Port to take bunkers?

**ANSWER**

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

Answered together with Question Nos 180, 182 and 183 of 2003.

ORAL

**NO. 182 OF 2003**

**THE HON DR J J GARCIA**

**PORT – OPERATOR LICENCES**

Have any new applications for a port operator licence been made since the last Question Time in this House?

**ANSWER**

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

Answered together with Question Nos 180, 181 and 183 of 2003.



**NO. 183 OF 2003**

**THE HON DR J J GARCIA**

**PORT – OPERATOR LICENCES**

Can Government say at what stage is their consideration of the six port operator licences which were being considered at the last Question Time in this House?

**ANSWER**

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

Republic House Fuels and Crown Resources were informed that, in principle, the Government would issue them with bunkering licences provided that they first met all the licensing requirements for bunker operators. Neither company has yet requested the issue of a licence. There has been interest shown in a bunkering licence by one further entity, but the matter has not progressed beyond an initial enquiry. There are no plans to prioritise access for vessels arriving to take bunkers. One new application for a port operator licence has been received since the last Question Time in this House. Of the six formal applications for licences received previously, four were granted and the two applications for bunker operator licences were approved in principle.

## **SUPPLEMENTARY TO QUESTION NOS 180 TO 183 OF 2003**

**HON DR J J GARCIA:**

With regards to Question No 180 of 2003 the Minister mentioned that the licences have been issued in principle but there were certain requirements that had to be met and that these had therefore not requested the licences as yet, can the Minister say what requirements those are?

**HON J J HOLLIDAY:**

There are a number of requirements that are attached to an application for a bunkering licence. Both operators were given an in principle agreement to the granting of the licence subject to all these conditions being met. I have been in close contact with both operators in the last few months and in fact one of them will probably be applying for their licences in April. Their main standing block had been the sourcing of appropriate vessels to carry out the operations which are not very easily available in the market as a result of recent developments that have happened in the bunkering business.

**HON DR J J GARCIA:**

In relation to Question No 181 of 2003 the Government have said that they are not expecting to prioritise access for vessels arriving in Gibraltar Port to take bunkers as there are no plans for that yet the Port Authority is quoted in Lloyds list as saying that the Gibraltar Port Authority is looking at different ways of prioritising access for vessels arriving to take bunkers which is actually the opposite of what the Minister has said in this House, can the Minister clarify this question?

**HON J J HOLLIDAY:**

I really cannot clarify what has been quoted in the media but we have not given any consideration in order to put any system in place that would give priority to bunkers. If at an official and logistical level they have been looking at ways of helping the industry I do not know.

**HON DR J J GARCIA:**

The article in Lloyds list quotes the Principle Secretary at the Ministry of Tourism and Transport as saying that really what they are looking at to increase efficiency and increase the volume of growth is the way in which they handle the order of vessels coming in to take bunkers and it goes on to add that they need to make them more efficient to get more ships to come here and that some operators believe that if bunkering was allowed from the east side of the rock it might allow that to happen more efficiently but the Government had ruled this out primarily for environmental consideration. So not only does the article quote the Government but it quotes a senior

official in this respect and it seems very odd that there is something appearing in the international press and the Minister is telling this House the opposite?

**HON CHIEF MINISTER:**

I think it may be a question of the inaccurate use of language. The phrase “*prioritise access*” means that if there are ships queuing to get into the harbour somehow those that want to come into the harbour to get bunkers will be given priority of access. I am not aware of any proposal to prioritise the order in which ships access the harbour depending upon what they want to come into the harbour for. On the other hand if the phrase priority of access is intended to mean and it is not the natural meaning of the phrase I would accept, if it is intended to mean that the Port Authority is looking at ways of increasing the attractiveness of Gibraltar as a bunkering berth and somehow facilitating that then that is a Government objective but I am not aware nor is the Minister as he has just said of any proposal to actually prioritise access in the sense of, *“you are not coming into bunker you wait because this chap who wants to bunker should be allowed into the harbour before you,”* in fact I am not aware that that problem even exists let alone that that should be the proposed solution for it.

**MR SPEAKER:**

I have allowed your supplementary but a question shall not be asked whether statements in the press or of a private individual or an official body are accurate.

**HON DR J J GARCIA:**

Thank you for pointing that out. Can I ask the Government have there ever been any plans to allow bunkering on the east side of the rock or not?

**HON J J HOLLIDAY:**

No it is an issue that has been discussed but it is not an option there are high environmental risks and there is no need at the moment I think we still have capacity on the west side of Gibraltar to be able to carry out our present operations and allow for growth.

**NO. 184 OF 2003**

**THE HON DR J J GARCIA**

**GTB – FEES**

Can Government say how much revenue has been raised on a monthly basis since October 2002 inclusive:

- (a) by charging coaches that use the coach park;
- (b) In admission fees to the Upper Rock?

**ANSWER**

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

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

**Revenue for parking fees paid by coaches**

		£
2002	October	11,140
	November	6,300
	December	4,620
2003	January	4,720
	February	6,040

Revenue from Upper Rock Admissions

2002	October	283,232
	November	135,099
	December	92,535
2003	January	84,790
	February	108,315

**NO. 185 OF 2003**

**THE HON DR J J GARCIA**

**SEA LINKS GIBRALTAR/MOROCCO**

How many entities are currently providing sea links between Gibraltar and Morocco and with what frequency?

**ANSWER**

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

The sole operator, FRS Maroc, operates a twice weekly rotation to Tangier from Gibraltar.

**SUPPLEMENTARY TO QUESTION NO 185 OF 2003**

**HON DR J J GARCIA:**

Have Government received any interests from any other operator in starting up a service?

**HON J J HOLLIDAY:**

Not of late.

ORAL

NO. 186 OF 2003

THE HON DR J J GARCIA

**NUMBER OF CRUISE CALLS**

Can Government provide a detailed list of the cruise calls expected at Gibraltar in 2003?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

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

Wed	23 Jul 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Wed	23 Jul 03	Oceana	1300	1800	P & O	1950	Southampton	Cagliari
Thu	24 Jul 03	Monterey	0900	1300	MSC	600	Casablanca	Valencia
Wed	30 Jul 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Wed	30 Jul 03	Caronia	0700	1200	Cunard	665	Ajaccio	Lisbon
Wed	30 Jul 03	Crystal Serenity	0800	1400	Crystal	1080	Cadiz	Palma
Thu	31 Jul 03	Queen Elizabeth 2	1100	1700	Cunard	1531	Lisbon	Alicante
Thu	31 Jul 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Wed	06 Aug 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Fri	08 Aug 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Tue	12 Aug 03	Adonia	1300	1800	P & O	1950	Southampton	Ajaccio
Wed	13 Aug 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Thu	14 Aug 03	Aurora	1300	1800	P & O	1975	Palermo	Southampton
Fri	15 Aug 03	Oriana	1300	1800	P & O	1975	Civitavecchia	Southampton
Sat	16 Aug 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Wed	20 Aug 03	Aurora	1300	1800	P & O	1975	Southampton	Calvi
Wed	20 Aug 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Fri	22 Aug 03	Silver Cloud	0800	1700	Silverseas	296	Cadiz	Malaga
Sat	23 Aug 03	Princess Danae	0800	1200	Travelsphere	420		
Sun	24 Aug 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Wed	27 Aug 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Mon	01 Sep 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Mon	01 Sep 03	Sea Cloud II	0600	1800	Sea Cloud	96		
Wed	03 Sep 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Sat	06 Sep 03	Princess Danae	0730	1230	Travelsphere	420		
Sun	07 Sep 03	Golden Princess	0800	1700	Princess Cruises	2600	Cannes	Casablanca
Tue	09 Sep 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Wed	10 Sep 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Thu	11 Sep 03	Oceana	1300	1800	P & O	1950	St Florent	Southampton
Fri	12 Sep 03	Princess Danae	0700	1200	Travelsphere	420		
Sat	13 Sep 03	Funchal	0700	1200	Arcalia	439	Tangier	Lisbon
Mon	15 Sep 03	Arion	1800	2400	Arcalia	340	Tangier	Malaga
Mon	15 Sep 03	Kristina Regina	0800	1800	Kristina Cruises	245	Cadiz	Almeria
Tue	16 Sep 03	Queen Elizabeth 2	0800	1300	Cunard	1531	Palma	Vigo
Wed	17 Sep 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Wed	17 Sep 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Wed	17 Sep 03	Discovery	1500	2359	Voyages Of Discovery	751	Lisbon	Malaga
Wed	17 Sep 03	Ocean Monarch	1300	2100	Page & Moy	440	Lisbon	Barcelona
Thu	18 Sep 03	Noordam	1200	1800	Holland America	1214	Lisbon	Barcelona
Fri	19 Sep 03	Adonia	0800	1300	P & O	1950	Calvi	Southampton
Mon	22 Sep 03	Black Prince	1300	2300	Fred Olsen	450	Ibiza	Vigo
Wed	24 Sep 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Wed	24 Sep 03	Sundream	0800	1230	Airtours	1146	Ajaccio	Southampton
Wed	24 Sep 03	Oriana	1300	1800	P & O	1975	Southampton	Propriano
Thu	25 Sep 03	Ocean Majesty			Page & Moy	530	Casablanca	Cadiz
Thu	25 Sep 03	Van Gogh	0700	1230	Travelscope	500	Falmouth	Tangier
Sat	27 Sep 03	Royal Princess	0900	1700	Princess	1200	Casablanca	Barcelona
Wed	01 Oct 03	Monterey	0900	1300	MSC	600	Casablanca	Valencia
Wed	01 Oct 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Wed	01 Oct 03	Costa Romantica	0800	1400	Costa	1356		
Thu	02 Oct 03	Deutschland	1200	1700	Peter Deilmann	520	Casablanca	Cartagena
Fri	03 Oct 03	Black Prince	1200	2300	Fred Olsen	450	Portimao	Vigo
Sat	04 Oct 03	Ocean Majesty	0800	1300	Page & Moy	530	Lisbon	Ibiza
Sun	05 Oct 03	Silver Cloud	0800	1800	Silverseas	296	Malaga	Casablanca
Mon	06 Oct 03	Adonia	1300	1800	P & O	1950	Dubrovnik	Southampton
Wed	08 Oct 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Wed	08 Oct 03	Oceana	0800	1300	P & O	1950	Cartagena	Southampton



# **Gibraltar Cruise Bookings - 2003**

DOA		Vessel	ETA	ETD	Company	Capacity	From	To
Tue	04 Mar 03	Black Prince	0800	1300	Fred Olsen	450	Arrecife	Lisbon
Fri	14 Mar 03	Black Prince	0800	1200	Fred Olsen	450	Malaga	Ceuta
Sat	29 Mar 03	Kristina Regina	0800	1600	Kristina Cruises	245	Casablanca	Mahon
Thu	03 Apr 03	Seabourn Pride	1300	1800	Seabourn	208	Casablanca	Malaga
Tue	08 Apr 03	Black Watch	1500	2000	Fred Olsen	798	Valencia	La Corunna
Sat	12 Apr 03	Oriana	0800	1300	P & O	1975	Southampton	Calvi
Fri	18 Apr 03	Black Watch	1200	2300	Fred Olsen	798	Cartagena	Cadiz
Thu	24 Apr 03	Olympia Voyager	1500	2100	Royal Olympic	836	Funchal	Almeria
Sun	27 Apr 03	Carousel	0900	1700	Airtours	1012		
Sun	27 Apr 03	Noordam	0800	1400	Holland America	1214	Cadiz	Lisbon
Thu	01 May 03	Adriana	0800	1200	Plein Cap	300		
Fri	02 May 03	Discovery	0700	1200	Voyages Of Discovery	751	Almeria	Lisbon
Sat	03 May 03	Ocean Village	1300	1800	Ocean Village	1620		
Sun	04 May 03	Sea Cloud II	0600	2400	Sea Cloud	96		
Sun	04 May 03	Caronia	1400	1900	Cunard	665	Lisbon	Cadiz
Sun	04 May 03	Albatros	1500	2200	Phoenix Reisen	890	Ibiza	Cadiz
Mon	05 May 03	Sea Cloud II	0000	2000	Sea Cloud	96		
Tue	06 May 03	Royal Princess	1200	1800	Princess	1200	Casablanca	Alicante
Tue	06 May 03	Oceana	0800	1300	P & O	1950	Southampton	Calvi
Tue	06 May 03	Black Prince	0900	1400	Fred Olsen	450	Palma	La Corunna
Thu	08 May 03	Millenium	1100	1800	Celebrity Cruises	1900	Lisbon	Malaga
Fri	09 May 03	Kristina Regina	0900	2300	Kristina Cruises	245		Cadiz
Fri	09 May 03	Ocean Majesty	1400	2359	Page & Moy	530		
Sat	10 May 03	Black Watch	1400	2300	Fred Olsen	798	Ceuta	Dover
Sun	11 May 03	Oriana	1300	1800	P & O	1975	Alicante	Southampton
Tue	13 May 03	Silver Whisper	0700	1200	Silverseas	296	Malaga	Lisbon
Tue	13 May 03	Astoria	0700	1300	Transocean	500	Barcelona	Lisbon
Wed	14 May 03	Aurora	0800	1300	P & O	1975	Southampton	Ajaccio
Thu	15 May 03	Sea Cloud II	0800	1330	Sea Cloud	96	Malaga	Portimao
Sat	17 May 03	Costa Marina	0700	1230	Costa	1025	Funchal	Savona
Sun	18 May 03	Black Watch	0800	1400	Fred Olsen	798	Dover	Cartagena
Mon	19 May 03	Caronia	0800	1700	Cunard	665	Mahon	La Corunna
Wed	21 May 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Mon	26 May 03	Triton	0800	1200	Royal Olympic	756	Malaga	Tangier
Wed	28 May 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Sat	31 May 03	Caronia	1500	1900	Cunard	665	Southampton	Mahon
Mon	02 Jun 03	Noordam	0700	1400	Holland America	1214	Barcelona	Lisbon
Mon	02 Jun 03	Adonia	1300	1800	P & O	1950	St Florent	Southampton
Wed	04 Jun 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Tue	10 Jun 03	Monterey	0900	1300	MSC	600	Casablanca	Valencia
Wed	11 Jun 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Fri	13 Jun 03	Oceana	1300	1800	P & O	1950	Southampton	Alghero
Wed	18 Jun 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Sun	22 Jun 03	Costa Mediterranea	1200	1700	Costa	2100	Lisbon	Genoa
Wed	25 Jun 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Tue	01 Jul 03	Adonia	1300	1800	P & O	1950	Palma	Southampton
Wed	02 Jul 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Mon	07 Jul 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Tue	08 Jul 03	Aurora	0800	1300	P & O	1975	Palau	Southampton
Wed	09 Jul 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Wed	09 Jul 03	Oriana	1300	1800	P & O	1975	Southampton	Ajaccio
Tue	15 Jul 03	Van Gogh	1000	1330	Travelscope	500	Falmouth	Tangier
Wed	16 Jul 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier
Tue	22 Jul 03	Oriana	0800	1300	P & O	1975	Southampton	Palma
Wed	23 Jul 03	World Renaissance	0700	1130	Royal Olympic	531	Malaga	Tangier

[http://62.121.2.110/gibraltarport2/a6d2m8i4n/cruisesummarytotal\\_2003.cfm](http://62.121.2.110/gibraltarport2/a6d2m8i4n/cruisesummarytotal_2003.cfm)

Thu	09 Oct 03	Costa Romantica	0800	1400	Costa	1356		
Sat	11 Oct 03	Royal Princess	0800	1700	Princess	1200	Barcelona	Casablanca
Mon	13 Oct 03	Oosterdam	0800	1600	Holland America	1848	Almeria	Lisbon
Tue	14 Oct 03	Aurora	1400	1800	P & O	1975	Palma	Southampton
Wed	15 Oct 03	Royal Princess	1200	1800	Princess	1200	Lisbon	Malaga
Wed	15 Oct 03	Oosterdam	1200	1800	Holland America	1848	Lisbon	Almeria
Fri	17 Oct 03	Costa Romantica	0800	1400	Costa	1356		
Tue	21 Oct 03	Oceana	0800	1300	P & O	1950	Cartagena	Southampton
Wed	22 Oct 03	Black Watch	0800	1300	Fred Olsen	798	Mahon	Lisbon
Fri	24 Oct 03	Rhapsody	1600	2000	MSC	947		
Tue	28 Oct 03	C Columbus	0800	1200	Hapag Lloyd	400	Malaga	Tangier
Tue	28 Oct 03	Millenium	0700	1800	Celebrity Cruises	1900	Barcelona	Funchal
Thu	30 Oct 03	Costa Romantica	0800	1400	Costa	1356		
Thu	30 Oct 03	Kristina Regina	1300	1900	Kristina Cruises	245	Alicante	Malaga
Thu	30 Oct 03	Carousel	0900	1700	Airtours	1012		
Sun	02 Nov 03	Sea Cloud	1300	1800	Sea Cloud	69		
Sun	02 Nov 03	Regatta	0800	1600	Oceania Cruises	698	Malaga	Las Palmas
Sun	02 Nov 03	Kristina Regina	0800	1700	Kristina Cruises	245	Malaga	Tangier
Mon	03 Nov 03	Aurora	1300	1800	P & O	1975	Pireaus	Southampton
Tue	04 Nov 03	Marco Polo	0700	1100	Orient	850	Oporto	Tangier
Wed	05 Nov 03	Costa Romantica	0800	1400	Costa	1356		
Thu	06 Nov 03	Bordeaux	0730	2400	Sud France	200	Cadiz	Motril
Tue	11 Nov 03	Astor	0700	1300	Transocean	590	Malaga	Lisbon
Tue	11 Nov 03	Black Watch	0900	1400	Fred Olsen	798	Alicante	La Corunna
Wed	12 Nov 03	Bordeaux	0800	2200	Sud France	200	Motril	Cadiz
Tue	18 Nov 03	Marco Polo	0700	1100	Orient	850	Oporto	Tangier
Tue	18 Nov 03	Oosterdam	0800	1600	Holland America	1848	Malaga	Lisbon
Tue	18 Nov 03	Maxim Gorkiy	0700	1200	Phoenix Reisen	788	Almeria	Tangier
Wed	19 Nov 03	Black Prince	0800	1200	Fred Olsen	450	Arrecife	La Corunna
Wed	19 Nov 03	Adonia	1300	1800	P & O	1950	Ibiza	Southampton
Thu	20 Nov 03	Bordeaux	0730	2400	Sud France	200	Cadiz	Motril
Fri	21 Nov 03	Aurora	0800	1230	P & O	1975	Southampton	Port Said
Sun	23 Nov 03	Noordam	0800	1700	Holland America	1214	Malaga	Funchal
Fri	28 Nov 03	Discovery	0700	1200	Voyages Of Discovery	751	Almeria	Tangier
Sat	29 Nov 03	Melody	1700	2200	MSC	1098	Genoa	Agadir
Sun	30 Nov 03	Royal Princess	1200	1800	Princess	1200	Tunis	Casablanca
Sun	30 Nov 03	Vistamar	0730	1200	Marline	295	Malaga	Tangier
Fri	05 Dec 03	Sea Dream II			Sea Dream Cruises	110	Ceuta	Malaga
Sun	07 Dec 03	Costa Tropicale	0800	1300	Costa	1022		
Sun	14 Dec 03	Thomson Spirit	0800	1700	Thomson Cruises	1214	Palma	Casablanca
Tue	16 Dec 03	Black Prince	1200	2300	Fred Olsen	450	Malaga	Oporto
Wed	24 Dec 03	Van Gogh	2000	2359	Travelscope	500	Oporto	Casablanca
Thu	25 Dec 03	Van Gogh	0000	1400	Travelscope	500	Oporto	Casablanca
Mon	29 Dec 03	MSC Lirica	1400	2000	MSC	1600	Genoa	Funchal

Total Number of Vessels calling this year is 156

Total Number of Passengers calling in this year is 144,721

**NO. 187 OF 2003**

**THE HON DR J J GARCIA**

**CRUISE LINER 'BORDEAUX'**

Can Government confirm that the cruise liner Bordeaux has cancelled all its calls at Gibraltar this year?

**ANSWER**

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

Government can only confirm that the owners of the Bordeaux cancelled the entire programme for the ship for the 2002/2003 season, the vessel is booked at Gibraltar for the winter 2003 season commencing October 2003.

**SUPPLEMENTARY TO QUESTION NO 187 OF 2003**

**HON DR J J GARCIA:**

Can the Minister say how many calls were affected this year?

**HON J J HOLLIDAY:**

The calls that were affected were those that were scheduled to come to Gibraltar in the month of January and February this year and I think that they totalled eight.

**NO. 188 OF 2003**

**THE HON DR J J GARCIA**

**BOUTIQUE LINER TERMINAL FACILITY**

Where have Government identified a specific berth adjacent to one of the yacht marinas for use by small cruise ships or boutique liners?

**ANSWER**

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

Government have identified two specific possible berths for developing a boutique liner terminal facility. However, such a development requires private sector input, and preliminary discussions have been carried out with a private sector operator in respect of one of these sites. Until such time as discussions are concluded, the Government prefer not to state publicly the sites being considered, but I am happy to give the information to the hon Member on a confidential basis.

**SUPPLEMENTARY TO QUESTION NO 188 OF 2003**

**HON DR J J GARCIA:**

Is the private sector input which the Minister is referring to be provided by one of the Marinas or does it involve somebody else?

**HON J J HOLLIDAY:**

No, the private sector input is as a result of the fact that one of the sites that was originally considered is actually owned by the private sector and therefore it needed private sector negotiations.

**HON DR J J GARCIA:**

Is the exploring of this possibility linked in response to any particular demand from these type of liners to call at Gibraltar?

**HON J J HOLLIDAY:**

No. What has triggered the idea was the fact that one of the ways of expanding cruise calls into Gibraltar was to actually try and attract these boutique liners to Gibraltar however the facilities had to be in place. Unfortunately we are not under a lot of pressure at the moment to consider this project because the industry at the moment is in no way in a position to consider it as a winner but it is something that is being kept under review and a decision will be taken at the appropriate time.

**NO. 189 OF 2003**

**THE HON DR J J GARCIA**

**CRUISE TERMINAL**

Can Government say at what stage are plans to extend the cruise terminal?

**ANSWER**

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

The Government are clear about what they intend to do to expand the cruise terminal. The issue, at present, is simply one of determining the relative priority which should be given to providing funding for this project over other Government capital projects. For the present, the extension is not at the top of the Government's priority list.

**SUPPLEMENTARY TO QUESTION 189 OF 2003**

**HON DR J J GARCIA:**

What was the reason behind the need to extend the terminal?

**HON J J HOLLIDAY:**

The fact that cruise liners are getting bigger and therefore the number of passengers arriving at any one time is conducive to having additional facilities available and also the fact that we find that especially during certain months of the year we are getting a

number of big cruise liners calling in at the same time so therefore the additional facilities are probably required on a one-off basis and not all year round.

ORAL

**NO. 190 OF 2003**

**THE HON DR J J GARCIA**

**AIRLINE ASSISTANCE SCHEME**

What funds have been paid out of the airline assistance scheme and to what airlines since 12<sup>th</sup> September 2002?

**ANSWER**

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

Answered together with Question Nos 191 to 193 of 2004.



ORAL

**NO. 191 OF 2003**

**THE HON DR J J GARCIA**

**AIRLINES**

With how many airlines interested in flying to Gibraltar are Government currently in discussion?

**ANSWER**

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

Answered together with Question Nos 190, 192 and 193 of 2003.

ORAL

**NO. 192 OF 2003**

**THE HON DR J J GARCIA**

**AIRLINKS WITH MOROCCO**

When will air links with Morocco be resumed?

**ANSWER**

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

Answered together with Question Nos 190, 191 and 193 of 2003.

**NO. 193 OF 2003**

**THE HON DR J J GARCIA**

**AIRLINE ASSISTANCE SCHEME**

What specific issues were discussed in the talks between the Minister for Tourism and the Chairman of Monarch airlines that took place in Gibraltar in March?

**ANSWER**

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

No payments have been made to GB Airways or Monarch Airlines in respect of airline assistance since 12<sup>th</sup> September 2002. The Government are presently in discussions with five airlines. No date for the resumption of air links with Morocco has been set. It is not possible to give details of the discussions held with the Chairman of Monarch Airlines, as some of the issues were discussed on a "Commercial in Confidence" basis. What I can say is that talks centred on the expansion of air services to Gibraltar and the problems encountered by scheduled operators from competition by low cost carriers.

**SUPPLEMENTARY TO QUESTION NOS 190 TO 193 OF 2003**

**HON DR J J GARCIA:**

This last point in relation to competition from low cost carriers could not possibly refer to Gibraltar could it?

**HON J J HOLLIDAY:**

Obviously the existing operators are aware that I have been in contact with low cost carriers and therefore the discussions were around the effects of low cost carriers and the effects that that would have on existing scheduled services.

**HON DR J J GARCIA:**

The Minister said that they were now having discussions with five airlines who were interested in flying to Gibraltar, there were four interested in October and two preliminary enquiries which suggest that one of those airlines has now dropped out or are no longer interested is that the case?

**HON J J HOLLIDAY:**

The answer is formulated on the basis of active discussions and on-going contact. There are times when negotiations do not actually break down but they may basically reply saying "this is something we will consider in 2004 or 2005 programme." Therefore there is no active contact although it is my policy generally to keep contact with all these in terms of developments and in terms of keeping them abreast as to what is happening in the marketplace and developments on the route between Gibraltar and the UK.

**HON DR J J GARCIA:**

Presumably one of the airlines that remains interested is 'Fly Europa' that is a discussion that we have had across the floor of this House I believe going on for two years now and announcements have been made in relation to that particular airline commencing operations several times and then being postponed, is the Minister in a position to say whether the 'Fly Europa' flights to Manchester and Stansted will now materialise this year at some point?

**HON J J HOLLIDAY:**

No I am not able to give any assurances in respect of 'Fly Europa' the position is as follows, the last time I had discussions with them were earlier on in the year they promised to make an announcement some time towards the end of February in respect of the commencement of the Manchester- Stansted route to Gibraltar on the 1<sup>st</sup> April 2003, they did not do so and therefore I wrote to them putting them on notice that the Gibraltar Government were no longer committed to what had been originally agreed and that we were free to negotiate and open up discussions with other operators and they in turn if they were ever ready to come on to the route the Government would be more than happy to consider their case at that moment in time. I have had no further communications from them which gives me to indicate that they are in no position to start the service at this moment in time.

**HON DR J J GARCIA:**

Can the Minister say whether they did actually apply to the Civil Aviation Authority for the route or not?

**HON J J HOLLIDAY:**

They had some form of agreement with European Airlines and they in turn had put in an application for the route but what arrangements existed between 'Fly Europa' and the actual aircrafts were owned by European Airlines who operate at the moment from the UK into Germany but that is as far as it went.

**HON DR J J GARCIA:**

In relation to Question No 192 of 2003 which is the question regarding airlinks with Morocco the Minister mentioned that there was a small airline interested in commencing flights to Tangiers at the time of the last Question Time in October, he says there are no dates now in terms of having resumption of airlinks between Gibraltar and Morocco, can the Minister explain what happened to that possibility?

**HON J J HOLLIDAY:**

Basically there have been no further developments in that respect, no further contacts have been made in respect of this operation so I assume it is either dead or buried or currently considering a future date but there have been no developments whatsoever.

**HON DR J J GARCIA:**

Is it correct to assume that this particular airline was not Regional Airlines but a different Moroccan carrier?

**HON J J HOLLIDAY:**

Yes it was another airline.

**NO. 194 OF 2003**

**THE HON DR J J GARCIA**

**HEAD 6A TOURISM – SUBHEAD 8**

Can Government say what amount of the actual out-turn in respect of Head 6A Tourism Sub-head 8 Marketing, Promotions and Conferences is in respect of air fares, giving a breakdown showing the date, destination, event and cost?

**ANSWER**

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

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

**ACTUAL EXPENDITURE ON AIR FARES**

**CHARGED TO**

**HEAD 6 A TOURISM – SUBHEAD 8 MARKETING, PROMOTIONS & CONFERENCES**

<b><u>EVENT</u></b>	<b><u>DESTINATION</u></b>	<b><u>DATE FROM</u></b>	<b><u>DATE TO</u></b>	<b><u>COST £</u></b>
World Travel Market	London	11.08.02	14.11.02	1083.00
Boat Show	London	01.06.03	13.01.03	978.00
EIBTM	London	20.05.02	24.05.02	521.75
CONFEX	London	25.2.03	27.02.03	1196.25
UK GTA Meetings	London	23.5.02	28.05.02	732.50
UK GTA Meetings	London	18.09.02	23.09.02	872.00
FITUR	Madrid	27.1.03	03.02.03	443.20
Rally Antigua	Gibraltar	17.10.02	27.10.02	313.00
Powerboat Festival	Gibraltar	10.02.02	04.10.02	287.00
Meetings in London	London	10.04.02	07.10.02	747.00
Meetings in London	London	24.11.02	27.11.02	1120.50
Meetings in London	London	19.12.02	20.12.02	635.60
Meetings in London	London	13.03.03	17.03.03	373.50
Competition Winners	Gibraltar	03.03.03	05.03.03	323.00
TV Series	Gibraltar	02.09.03	17.02.03	731.80
<b>Total</b>				<b>£10,358.60</b>

**SUPPLEMENTARY TO QUESTION NO 194 OF 2003**

**HON DR J J GARCIA:**

I understand the practice in relation to air fares which the Minister has just passed me is that Government Ministers tend to travel in Club Class or whatever the equivalent is, what is the case in terms of civil servants?

**HON J J HOLLIDAY:**

The normal procedure is that when I travel I travel Club and those travelling with me on that particular occasion travel Club Class with me as well. When they travel on their own they travel in economy depending on their seniority. Let me tell the hon Member that the Gibraltar Tourist Board has special rates with both Monarch and GB Airways in order to travel at a reduced rate. In fact a lot of times we are actually upgraded from Economy to Club and in some of the meetings like the UK GTA meeting we travel free of charge and only pay the departure tax unless we go on a specific flight. There is substantial savings as a result of these bilateral agreements that we have with the airlines in respect of the tourism aspect of travel.

**HON DR J J GARCIA:**

Does that also apply, the Minister, for example, one of his visits at the end of last year was to Greece does that also apply to travel outside of London by air?

**HON J J HOLLIDAY:**

No it would not have in the case of the visit to Greece and I do not think it should be on that list the whole event was sponsored by the private sector so all expenses in relation to the promotional visit was carried by the private sector who took care of all of that?



ORAL

**NO. 195 OF 2003**

**THE HON DR J J GARCIA**

**WORLD TRAVEL MARKET**

What was the cost, with a breakdown, of Gibraltar's participation in the World Travel Market in November 2002?

**ANSWER**

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

Answered together with Question Nos 196, 197, 198, 200, 201 and 203 to 206 of 2003.

ORAL

**NO. 196 OF 2003**

**THE HON DR J J GARCIA**

**WORLD TRAVEL MARKET**

Can Government say how many persons comprised the GTB and Gibraltar London Office delegation to the World Travel Market listing the posts of those who attended?

**ANSWER**

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

Answered together with Question Nos 195, 197, 198, 200, 201, and 203 to 206 of 2003.

ORAL

**NO. 197 OF 2003**

**THE HON DR J J GARCIA**

**LONDON BOAT SHOW**

What was the cost, with a breakdown, of attending the London Boat Show in January 2003?

**ANSWER**

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

Answered together with Question Nos 195, 196, 198, 200, 201 and 203 to 206 of 2003.

ORAL

**NO. 198 OF 2003**

**THE HON DR J J GARCIA**

**LONDON BOAT SHOW**

Can Government say how many persons made up the GTB and Gibraltar London office team at the London Boat Show this year, listing the posts of the persons in question?

**ANSWER**

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

Answered together with Question Nos 195 to 197, 200, 201 and 203 to 206 of 2003.

**NO. 199 OF 2003**

**THE HON DR J J GARCIA**

**GTB – PAYMENT TO VIVA**

Can Government explain what the £7,605 paid in the last financial year to VI and VA Spain is for, and what service was provided for the sum paid?

**ANSWER**

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

The sum paid to VIVA was in respect of the contractual monthly fee agreed with the company for the provision of public relations and marketing services in Spain for the Gibraltar Tourist Board.

**SUPPLEMENTARY TO QUESTION NO 199 OF 2003**

**HON DR J J GARCIA:**

Where these services provided to the Gibraltar office in Madrid?

**HON J J HOLLIDAY:**

Yes, mainly to the Gibraltar office in Madrid and obviously if I have had to go to Madrid or whatever these services are in order to gather the press for a press dinner and other

functions like this. This contract is no longer in place and we have an alternative company because we were not satisfied with the service and commitment that we were getting from this company, so an alternative has been put in place.

**HON DR J J GARCIA:**

Did the funds have to be paid whether the office in Madrid was open or not?

**HON J J HOLLIDAY:**

Yes, absolutely even if the office in Madrid was close life carried on and we had people from Gibraltar that were being sent to Madrid for long periods of time in order to carry out certain functions and even with the office closed and without anybody there there were functions that were being carried out in Gibraltar in terms of the issue of press releases in Spain which needed this sort of service and back-up in Madrid.

**NO. 200 OF 2003**

**THE HON DR J J GARCIA**

**CONFEX EXHIBITION**

What journalists from which media attended the lunch hosted by the Minister for Tourism in London during the International Confex Exhibition, and what was the venue and the cost of this event?

**ANSWER**

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

Answered together with Question Nos 195 to 198, 201 and 203 to 206 of 2003.

**NO. 201 OF 2003**

**THE HON DR J J GARCIA**

**CONFEX EXHIBITION**

What was the cost of attending the International Confex Exhibition in Earl's Court in February, and who represented the Gibraltar Government at the event?

**ANSWER**

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

Answered together with Question Nos 195 to 198, 200 and 203 to 206 of 2003.



**NO. 202 OF 2003**

**THE HON DR J J GARCIA**

**FITUR**

What specific co-operation was discussed between the Ministers for Tourism of Gibraltar and Morocco during FITUR this year and has anything happened since in this respect?

**ANSWER**

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

The principal issues covered were air links between Gibraltar and Morocco and two-centre holidays, principally for the UK market, featuring Gibraltar and Morocco. Since the FITUR discussions, I have written to my tourism counterpart in Morocco and I await a reply.

Subsequent to writing a reply to this answer I have had a reply and we now have officials working on an agenda for our next meeting which will hopefully be held in Rabat.

**SUPPLEMENTARY TO QUESTION NO 202 OF 2003**

**HON DR J J GARCIA:**

Does the Minister accept that it is very difficult to create a two centre holiday between Gibraltar and Morocco without any air links?

**HON J J HOLLIDAY:**

My Moroccan counterpart was very optimistic about his links with the airlines, GB Airways for example, that has serviced Gibraltar and Morocco in actually being able to influence them in order to open up new opportunities for us between Gibraltar and Morocco. One of the priorities of the current Moroccan Government are to actually expand and grow tourism in northern Morocco. I believe they have a figure of about 2 or 3 million visitors a year and by the year 2010 they want to expand that to 10 million. They are putting a lot of investment both from public funds and private sector funds into the development of northern Morocco for tourism purposes and the Moroccan Government are keen in opening up new opportunities with Gibraltar and therefore we must take that on board and look to see what can be done.

**HON DR J J GARCIA:**

In what time scale does the Minister foresee renewing those contacts at a personal level?

**HON J J HOLLIDAY:**

The reality is that after our meeting in FITUR it was Ramadan and that is a dead time in Morocco. We are hoping that we would be able to arrange to meet in Rabat in the foreseeable future and I think that the element of the situation in the Middle East et cetera may have a deciding factor on the time-table but then we hope to get on to a working agenda and then try and see what we can achieve.

ORAL

**NO. 203 OF 2003**

**THE HON DR J J GARCIA**

**FITUR**

What was the cost of the dinner for 20 travel journalists hosted by the Minister for Tourism during his visit to FITUR this year, who were the journalists, what media did they represent and in which hotel did the dinner take place?

**ANSWER**

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

Answered together with Question Nos 195 to 198, 200, 201 and 204 to 206 of 2003.

ORAL

**NO. 204 OF 2003**

**THE HON DR J J GARCIA**

**FITUR**

What was the total cost, with a breakdown of attending FITUR in January 2003, and how many people made up the Gibraltar Government delegation?

**ANSWER**

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

Answered together with Question Nos 195 to 198, 200, 201, 203, 205 and 206 of 2003.

**NO. 205 OF 2003**

**THE HON DR J J GARCIA**

**GIBRALTAR SHIPPING PROMOTION**

What was the cost with a breakdown, of the Gibraltar shipping promotion in Athens in October 2002, and how many persons comprised the Government delegation, listing the offices of those who attended?

**ANSWER**

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

Answered together with Question Nos 195, to 198, 200,201 203, 204 and 206 of 2003.

ORAL

**NO. 206 OF 2003**

**THE HON DR J J GARCIA**

**SEA TRADE SHIPPING CONVENTION**

What was the cost of attending the Sea Trade Shipping Convention in Miami on 3-7<sup>th</sup> March this year. How many persons represented the Gibraltar Government at the event and what offices do they hold?

**ANSWER**

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

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

## ANSWER TO QUESTION 206 OF 2003

### Question 195

#### World Travel Market, 2002

	£
Stand	37,997.60
Brochure transport	410.09
Commercial advert	1,000.00
PR/photography	305.00
Mailout	335.24
Postage	330.00
Minister's reception	973.49
Hotel and travel	1,936.50
Subsistence	921.89
Insurance	22.50
	-----
	£44,232.31
	=====

### Question 196

Nine persons comprised the Gibraltar Tourist Board and Gibraltar Government Office in London delegation at World Travel Market 2002.

<u>Name</u>	<u>Title</u>	<u>Days Attended</u>
<u>Gibraltar Attendees</u>		
Hon J J Holliday	Minister for Tourism	1
Mr P Canessa	Chief Executive, GTB	1
Mr N Guerrero	Product Manager, GTB	2
Mr M Sanguinetti	Sales & Marketing, GTB	2
<u>London Attendees</u>		
Mr A Poggio	Director, London Office	1
Mrs J Hendry	Tourism Development Manager (UK)	2
Mr I Leyde	Sales Manager (UK)	4
Mr O Yeats	Information Officer (UK)	4
Ms L Frost	Information Officer (UK)	4

### Question 197

#### London Boat Show, 2003

	£
Stand	16,290.73
Brochure transport	337.95
Literature (Yacht Scene)	1,307.50
Commercial advert	550.00
PR/photography	285.00

Contd...

**Cont'd Answer to Question 197**

Minister's reception	587.50
Hotel and travel	2,438.20
Subsistence	614.59
Incidentals	330.07
	<hr/>
	£22,741.54
	<hr/>

**Question 198**

Seven persons comprised the Gibraltar Tourist Board and Gibraltar Government Office in London delegation at the London Boat Show.

<u>Name</u>	<u>Title</u>	<u>Days Attended</u>
<u>Gibraltar Attendees</u>		
Hon J J Holliday	Minister for Tourism	1
Mr P Canessa	Chief Executive, GTB	1
Mr D Ferrar	Sales and Marketing Co-Ordinator (GTB)	6
<u>London Attendees</u>		
Mrs J Hendry	Tourism Development Manager (UK)	2
Mr I Leyde	Sales Manager (UK)	3
Mr O Yeats	Information Officer (UK)	2
Ms L Frost	Information Officer (UK)	2

**Question 200**

Confex journalists who attended the media lunch were:

Mr John Keenan, Editor of "Meetings and Incentive Travel"  
 Ms Jennifer Creevy, Features Editor of "Conference and Incentive Travel"  
 Ms Valerie Halstead, Deputy Travel Editor, "Smart Business Travel Group"

The lunch was held at the Knightsbridge Suite at the Earls Court Exhibition Centre.

The cost was:	Room hire	£240.00
	Food	£351.45
	Drinks	£92.85
		<hr/>
		£684.30
	VAT (17.5%)	£119.75
		<hr/>
		£804.05
		<hr/>

Cont...



### Question 201

The cost of attending Confex was £8,205.03.

The Gibraltar Government was represented by Hon J J Holliday and by Mr P Canessa, Chief Executive of the Gibraltar Tourist Board.

### Question 203

The dinner for travel journalists at FITUR was held at the Hotel Melia Princesa. It cost £1,558.67. The press who attended were:

1.	D <sup>a</sup> ANGELS MAS	VIAJAR TIEMPO LIBRE (LA VANGUARDIA)
2.	D <sup>a</sup> SAGRARIO HIDALGO	AVIACION Y TIEMPO
3.	D <sup>a</sup> M <sup>a</sup> FERNANDA FERNANDEZ	TAT
4.	D. ANTONIO FLOREZ	TAT
5.	D <sup>a</sup> M <sup>a</sup> CARMEN CASCAJARES	EDITUR
6.	D <sup>a</sup> MERCEDES TELLO	TMG
7.	D <sup>a</sup> ADRIANA AGERO	ESCAPADA
8.	D <sup>a</sup> VIRTUDES RODRIGO	EXPOTURISMO
9.	D. IGNACIO DEL RIO	EJECUTIVOS
10.	D. ALFREDO GONZALEZ	MAS VIAJES
11.	D <sup>a</sup> MERCEDES MORAN	IH HOSTELERIA Y TURISMO
12.	D. BENJAMIN OJEDA	LUNAS DE MIEL
13.	D. VICENTE VEGA	MADRID GOLF
14.	D <sup>a</sup> M <sup>a</sup> TERESA DE LA CALLE	MADRID GOLF Y ANUARIO DE GOLF
15.	D <sup>a</sup> BEGOÑA BAÑOS	REVISTAS CORPORATIVAS (PAG. AMARILLAS CADIZ)
16.	D. JOSE MARIA LA CALLE	REVISTAS CORPORATIVAS
17.	YOLANDA MARTINEZ	TRAVELPORT
18.	RAQUEL GIMENO	PREFERENTE
19.	D <sup>a</sup> M <sup>a</sup> CARMEN DOLLS	HOSTELERIA Y TURISMO
20.	D <sup>a</sup> CONCHITA ARREGUI	VIAJEROS
21.	MRS OLGA HALL	IN SPAIN
22.	MR GEORGE HALL	DOING BUSINESS IN SPAIN
23.	D <sup>a</sup> BEATRIZ ZAMORANO	AGENT TRAVEL
24.	D <sup>a</sup> YOLADA GONZALEZ	LA RAZON
25.	D <sup>a</sup> CLARA MONTOLLA REGUERA	VIAJES NATIONAL GEOGRAPHIC
26.	D <sup>a</sup> VIRGINIA DE LA PEÑA	NATIONAL GEOGRAPHIC

### Question 204 of 2003

#### FITUR, 2003

	£
Stand	15,681.91
Brochure and giveaway transport	715.00
Giveaways	1,474.78
PR/photography	359.10
Minister's dinner	1,558.67
Hotel and travel	2,038.51
Subsistence	3,024.00
Incidentals	80.91
	-----
	£24,932.88
	-----

The Gibraltar Government delegation was made up of seven persons.

Contd...

### **Question 205**

#### Athens Shipping Promotion, October 2002

	£
Cost of hiring venue (inc lunch)	6,644.16
Projector/presentation equipment	1,031.99
PR/photography	230.00
Hotel and travel	7,218.22
	-----
	£15,124.37
	-----

The cost in its entirety was met from private sector sponsorship.

The Gibraltar official delegation was:

Hon J J Holliday, Minister for Transport  
Mr A H Davis, Chief Executive, Gibraltar Port Authority  
Capt F R Chowdhury, Maritime Administrator  
Mr P R Canessa, Chief Executive, Gibraltar Tourist Board

### **Question 206**

The cost of attending Sea Trade Miami was £24,631.02.

The Gibraltar Government delegation comprised:

Mr A H Davis, Chief Executive, Gibraltar Port Authority  
Mr A Poggio, Director, Gibraltar Office in London  
Mr P Canessa, Chief Executive, Gibraltar Tourist Board  
Mr N Guerrero, Product Manager, Gibraltar Tourist Board

#### SUPPLEMENTARY TO QUESTION NOS 195 TO 198,200, 201 AND 203 TO 206 OF 2003

#### **HON DR J J GARCIA:**

In relation to Question No 195 of 2003 which was to do with the costs with a breakdown of the World Travel Market the Minister has given me a total cost of £44,000 roughly, can I ask what meetings were held at this event?

**HON J J HOLLIDAY:**

With whom I met at the World Travel Market?

**HON DR J J GARCIA:**

What I want to know is what meetings were held when the Minister went over, who did he meet yes?

**HON J J HOLLIDAY:**

I do recall that the morning of World Travel Market we had a UK GTA meeting which is common practice in order to meet tour operators and airlines et cetera who operate from Gibraltar prior to going on to World Travel Market. Then at World Travel Market I did a number of media interviews, a radio interview I actually went on air live at the World Travel Market where they have an on-going radio station and I met a wide cross section of people that actually came on to the stand whilst I was there during the day. It was also the day when I hosted the reception on the stand because that enables us to attract people to come on to the stand on that particular day and in fact it is my presence at the stand that actually attracts the people onto it and brings about media attention.

**HON DR J J GARCIA:**

Did the Minister or any of his staff meet with any airlines at that event or not?

**HON J J HOLLIDAY:**

Yes. 'Fly Europa' was there and they came to see us at the stand. I cannot recall any other meeting with any other airline on that occasion but let me say people like the Sales and Marketing and Products Manager have their own on-going meetings and discussions with people they have regular contact with.

**HON DR J J GARCIA:**

The Government delegation, in relation to Question No 196 of 2003, was actually nine persons of which four were from Gibraltar and the other five seemed to be Gibraltar staff based in the office in London can the Minister in relation to Question No 197 which is the cost with the breakdown of attending the London Boat Show a similar question to what I have asked now in relation to World Travel Market that is to say did the Minister or any official who went meet with anybody along the lines of what I have described earlier or not?

**HON J J HOLLIDAY:**

At the London Boat Show I launched the Third Gibraltar Regatta to be held in July. I had meetings with the Rally Antigua I went on to their stand and actually did a launch of their rally from Gibraltar in 2003, I actually met the organisers of the Powerboat Festival as well and a number of subsequent meetings. I also had a press lunch on that particular day, a private lunch, with Key Publications.

**HON DR J J GARCIA:**

In relation to the answer which the Minister has just given one of the elements shown on it says '*literature*' and then in brackets says '*Yacht Scene*' £1,307.50, can the Minister explain what that particular entry relates to?

**HON J J HOLLIDAY:**

There is literature that is produced for the event and that covers part of the cost. Yacht Scene is a local publication which has very useful information for yachtsmen and general maritime activity in Gibraltar and we normally do this every year we purchase a quantity of these which we actually give out at the stand with our compliments.

**HON DR J J GARCIA:**

In relation to Question No 200 which asks about the media who attended the lunch hosted by the Minister during the international Confex exhibition. The Minister has listed three editors from a number of magazines, is he in any position to say whether any of those magazines published anything on Gibraltar?

**HON J J HOLLIDAY:**

These are normally monthly or bi-monthly publications and I am sure that they will publish something locally. Let me say that at this lunch it was not myself at the lunch I actually took the three conference providers and one conference organiser who was in attendance at the stand during the week and I took them along with me to the lunch in order to have their input as well and be able to sell their own wares to the different publications.

**HON DR J J GARCIA:**

By conference provider does he mean a hotel?

**HON J J HOLLIDAY:**

No. I said that I invited three of the hoteliers that actually have conferences and a conference provider is somebody who actually organises conferences within the private sector.

**HON DR J J GARCIA:**

On FITUR, the total cost of the event was about £25,000 of which the stand was about £16,000 the Minister has said in the past that the private sector contributes to the cost of the stand, is the cost of the stand therefore more than £16,000 shown in this list, is that the Government contribution or the total amount?

**HON J J HOLLIDAY:**

No. In the case of FITUR there is no contribution from the private sector CONVEX there is contribution from all the people who use the stand. In the case of FITUR there is no contribution.

**HON DR J J GARCIA:**

In relation to Question No 206 of 2003 which is a question on the Sea Trade Conference in Miami which cost about £25,000 and four persons attended , there is no breakdown of that figure does the Minister know why it was so expensive for four people to go?

**HON J J HOLLIDAY:**

In the first place travel to Miami is an expensive affair but having said that a good proportion of the £24,000 is made up of the actual cost of the stand.

**HON DR J J GARCIA:**

Is the Minister in a position to say whether they met with any new cruise lines that are not coming to Gibraltar at present?

**HON J J HOLLIDAY:**

No. The feedback I had was that the industry itself was extremely depressed and in fact the number of participants was well below normal expectations. Sea Trade Miami is a fair ground with stands et cetera but for the majority of the time delegates are actually in a hall discussing policy and issues that are relevant to the industry at a particular time and so therefore the actual idea of having bilateral meetings is not the right place to be.

**HON DR J J GARCIA:**

Given that that was the case why was it necessary to send four people?

**HON J J HOLLIDAY:**

The Director of the Gibraltar Office in London is there under the Med Curise banner in that he is vice-president of the committee and therefore he was more or less in his own capacity. Tony Davis is mainly the delegate that actually goes to the conferences because he is the one who I have as my ears and eyes in terms of policy and what is happening in the industry and therefore manning the stand like it had to be manned from very early in the morning until late at night for almost a week one needs at least two people one cannot leave the stand unattended when nature calls, for example.

**HON DR J J GARCIA:**

Also in relation to Sea Trade in Miami this is a place where contracts for goods and services are often signed on the tradeshow floor can the Minister say whether any such contracts or goods or services were signed by the Gibraltar team that went there?

**HON J J HOLLIDAY:**

Let me say that attending these trade fairs is not an opportunity for actual meetings or signing of contracts. One does networking, make contacts, establish new business and we try to open up new opportunities but it is not a place where one actually contracts. One follows these things up, there is no way that one actually goes to a trade fair with the hope of coming back with contracts. One establishes the initial contact and then takes it on from there.

**HON DR J J GARCIA:**

I understand what the Minister says but the reason for asking the question was because the Government in a press release said the convention coincides with the cruise lines traditional business planning cycle and contracts for goods and services are often signed on the tradeshow floor so it is a logical question to ask in the light of that information.

**HON J J HOLLIDAY:**

Absolutely, in it is an opportunity for us to be able to sell our wares and actually establish and give information and what we have to offer because it is particularly at the time when cruise liners are making decisions in terms of their longer term planning but it is not actually a contract signing occasion.

ORAL

**NO. 207 OF 2003**

**THE HON DR J J GARCIA**

**TOURIST SURVEY REPORT**

Can Government say in respect of each year since 1996 how the expenditure by visitor arrivals at hotels shown in Table 5 of the Tourist Survey Report has been calculated?

**ANSWER**

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

Answered together with Question Nos 208 to 211 of 2003.

ORAL

**NO. 208 OF 2003**

**THE HON DR J J GARCIA**

**TOURIST REPORT SURVEY**

Can Government say what was the figure for the number of visitors in transit shown in Table 5 of the Tourist Expenditure Survey Report for the years 2001 and 2000?

**ANSWER**

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

Answered together with Question Nos 207 and 209 to 211 of 2003.



ORAL

**NO. 209 OF 2003**

**THE HON DR J J GARCIA**

**GTB – TOURIST EXPENDITURE**

Can Government explain how the £1.56 million of tourist expenditure for 2001 attributed to “other” visitors was calculated?

**ANSWER**

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

Answered together with Question Nos 207, 208, 210 and 211 of 2003.

**NO. 210 OF 2003**

**THE HON DR J J GARCIA**

**GTB – TOURIST EXPENDITURE**

Can Government say of the £120 million expenditure in 2001 by excursionists from Spain, how much was due to coach arrivals and the number of visitors involved, and how much was due to the number of persons crossing the land frontier and the number of persons involved?

**ANSWER**

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

Answered together with Question Nos 207 to 209 and 211 of 2003.

**NO. 211 OF 2003**

**THE HON DR J J GARCIA**

**GTB – TOURIST EXPENDITURE**

Can Government say what was the average visitor expenditure per day on accommodation in 2001 in respect of the categories in Table 4 of the Tourist Survey Report 2001 in respect of the categories in which the visitors stayed in Gibraltar and what was the average length of stay and the number of persons in each such category?

**ANSWER**

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

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

#### Question 207

For 1996 and 1997, a different formula was used for calculating visitor expenditure in respect of persons who stayed at hotels. From 1998, the formula used up to 1991 was used.

The formula in 1996 and 1997 was as follows. Expenditure was divided into two categories: the cost of a hotel room, which was deemed to be 50% of the average weighted tariff charged by hotels, and other expenditure by persons who stayed in hotels. The number of arrivals at hotels from the UK was derived from the Tourist Survey results, as was the average expenditure per person per day spent by arrivals from the UK and Spain other than on hotel accommodation. The visitor arrivals from Morocco were estimated to be two-thirds of arrivals by air and three-quarters by sea. Their average daily expenditure on "Other Expenditure" was an estimate. The total arrivals from Spain was calculated by subtracting the arrivals from the UK and Morocco from the total figure for visitor arrivals. The average length of stay was obtained from Tourist Survey results for arrivals from the UK and Spain and it was assumed that visitors from Morocco stayed for the same period of time as visitors from Spain.

The formula from 1998 differed only in one material way: arrivals at hotels were obtained from the Hotel Occupancy Survey instead of the Tourist Survey.

#### Question 208

The in-transit figures were:

2000	44,005 visitors
2001	48,871

#### Question 209

"Other" visitors were visitors in transit. It was estimated that they spent on average £32 each. £1.56 million is the total of £32 times 48,871 visitors.

#### Question 210

Expenditure by excursionists from Spain in 2001 was as follows:

	<u>Visitor Arrivals</u>	<u>Average Expenditure</u>	<u>Total</u>
In coaches	489,362	£24.56	£12,019k
Pedestrians	6,073,241	£17.78	£107,982k

Cont...

**Question 211**

The average visitor expenditure per day on accommodation from all categories of persons who stayed in hotels in 2001, was £50 per person per day. The average length of stay was 3.3 days for arrivals from the UK and 3.4 days for all other arrivals. The number of arrivals was:

Arrivals from UK	28,393
Morocco	8,359
Spain	17,024

**SUPPLEMENTARY TO QUESTION NOS 207 TO 211 OF 2003****HON J J BOSSANO:**

In terms of the answer to Question No 207 of 2003 the Minister says that the formula used for computing the visitor expenditure was changed in 1998 in that in 1996 and in 1997 the number of visitor arrivals was obtained from the Tourist Survey and in 1998 it was obtained from the Hotel Occupancy Survey, is he saying that the number given in the Tourist Survey that he presents in the House of people arriving at hotels is not the same as the number he gives in the Hotel Occupancy Survey which he also presents in the House?

**HON J J HOLLIDAY:**

My understanding is that as a result of certain discrepancies that existed between one survey and the other back in 1998 the formula was changed in order to use the Hotel Occupancy Survey instead of the Tourist Survey for statistical purposes but let me remind the Leader of the Opposition that this was the subject of discussion at the time when there was this discrepancy and differences which made us discuss and debate the issue and change the formula back to what it was in 1991 when the formula was calculated on the Hotel Occupancy Survey instead of the Tourist Survey.

**HON J J BOSSANO:**

In the answer that has been provided by the Minister in written form he says, "*...the formula from 1998 differed only in one material way, arrivals at hotels were obtained from the Hotel Occupancy Survey instead of the Tourist Survey,*" and that implies that the arrivals at hotels shown in the Hotel Occupancy Survey is different from the one shown in the Tourist Survey.

**HON CHIEF MINISTER:**

Of course it did it is bound to be, one is a return from hotels and the other is a questionnaire from tourists. I think it is still true to this day that those two may provide different figures.

**HON J J BOSSANO:**

Is it not the case that in answer to Question No 215 of 1998 when we discussed this matter and I asked the Minister how we arrived at the £17.3 million calculated as visitors in hotels expenditure for 1997 which is before the formula is changed, the answer that he gave me was “*..the number includes tourists and people staying in Gibraltar for business and therefore classified as visitors and can be totalled at 48,420,*” and 48,420 is the number given in the Hotel Occupancy Survey so in fact in 1997 which he says he was not using the figure in the Hotel Occupancy Survey the answer he gave in the House was 48,420 visitors and if he looks at the Hotel Occupancy Survey table he will find that it is there 48,420. For his benefit if he looks at the Hotel Occupancy Survey 2001 Summary of Hotel Statistics Table 8 on page 43 he will see that for 1997 the figure is 48,420 and that is the figure he quoted in his answer to Question No 215 of 1998 which he said was used to calculate the 1997 expenditure. He has just given us in his written answer a statement that says that it was not the Hotel Occupancy figures that was used in 1997 that this was changed to produce the 1998 one, what does he mean it is not true, at least it is not true if what he said at the time when it was being done he said something different.

**HON CHIEF MINISTER:**

I cannot tell him what the answer to his question is. As I understand his question is this, the answer given today states that prior to 1998 the Hotel Occupancy Survey was not used and that in an answer to a question in 1988 my Colleague said that it was used because the figure quoted by him coincides with the Hotel Occupancy Survey and the hon Member deduces from that either that the Hotel Occupancy Survey figure was indeed used prior to 1998 or that it is not the only material way in which the system differed after 1998. That is how I understand his analysis I cannot tell him what the answer is but we can certainly find out and let him know.

**HON J J BOSSANO:**

In the original question by my Colleague when we are asking how the figure for tourist arrivals showed was calculated when we asked that question in 1998 which was the same question what we were told was it was calculated by multiplying 48,420 visitors spending so much per diem staying so many days and that is the answer we got so we were told then that the number of people was 48,420. On this occasion we have been told that the only difference in the calculation is that the number of people is no longer obtained from the Hotel Occupancy Table but the 48,420 is the one in the Hotel Occupancy Table so therefore there is no difference then if this is the only material difference.

**HON CHIEF MINISTER:**

That is what I understood from the hon Member's analysis which he has just repeated. I had understood it already I will have to find out what the inconsistency is. There certainly appears to be one.

**HON J J BOSSANO:**

Is there a reason why in reply to the information sought of how it has been calculated the Government or the Minister has not provided the actual calculation which is what it did in 1998, that is to say, in 1998 he told the House that the figure of £17.36 million was arrived at by multiplying the 48,000 arrivals at hotels by an amount of £80 of expenditure daily which included the cost of the hotel bed and an average of 4.22 days per visitor. That was the answer that he gave. We were expecting that in answer to the same question we would get a similar calculation is there any reason why it is not being provided?

**HON CHIEF MINISTER:**

This is the answer to the question as it was asked. The fact that last time he asked the question in the same way the question was answered in a different way does not bind the Government to always answer it in the same way. If he had wanted the information it would have only taken an extra three words in the question to seek it.

**HON J J BOSSANO:**

If the question seeks of the Government how they have calculated the expenditure shown in the table and the answer that we get is we have calculated it from 1998 in a different way from the way we used to calculate it in 1996 and 1997. It still does not tell us how we have calculated it. The original question is, "*Can Government explain how the expenditure shown in Table 5 has been calculated?*" and the answer we get is it has been calculated in a different way from the way it used to be calculated.

**HON CHIEF MINISTER:**

No. That is not the case.

**HON J J BOSSANO:**

The average expenditure of stay was obtained from Tourist Survey results from arrivals from UK and Spain and it was assumed that visitors from Morocco stayed for the same period as visitors from Spain. He has given as a lot of interesting information as to what the assumptions were but that does not tell us how Government arrived at the figure which is what the question is seeking?

**HON CHIEF MINISTER:**

Yes it does and this is not the issue that he was putting to us. He was saying, *“why have you not produced the figure given that last time that we asked the same question without asking you for the figure you kindly provided it to us. If last time you answered the question without us actually asking you to quote the figures and you were kind enough to provide the figures anyway even though we had not asked for them, why now that we ask you the question without asking you for the figures are you not equally kind and provide the figures even though again we have not asked for them.”* That was the supplementary to which I was responding to which the hon Member rises with a completely different and unrelated point which is a suggestion, with which I do not agree, that Question No 207 of 2003 as asked is not answered and he is not right. The question asks, *“..How were the figures calculated?”* and the answer to Question No 207 of 2003 given explains in detail how the expenditure was calculated. In 1996 and in 1997 that is to say before 1998 and then goes on to say in my opinion in a way that must be erroneous and this was what we were discussing five or ten minutes ago having explained how it was calculated in 1996/1997 having said that from 1998 changed and went back to the original 1991 formula it then says the formula from 1998 onwards differed only from what we have just explained above in the answer in one material way, arrivals at hotels were obtained from the Hotel Occupancy Survey instead of from the Tourism Survey. So the question asks how is it calculated, the answer says it was calculated in this way between 1996 and 1997, in 1998 it changed. The only change is so and so. There must be an error in that answer which is what I said we would find out but it is not true that the question is not answered.

**HON J J BOSSANO:**

I see, well does the Minister for Tourism know what is the daily average expenditure of visitors in hotels for the years from 1996 to 1997 based on the formula that he has given the House which he says is the one that is used for the figures it presents the House?

**HON J J HOLLIDAY:**

The figures that are known to me are those that are published.

**HON J J BOSSANO:**

No because if I was able on the strength of this formula that is provided to work out the calculation then presumably he would be able to do it equally. The last time he actually explained to me how to do it. He said if we get 48,420 visitors and multiply it by 4.22 and multiply it by £84.67 which is the expenditure on average per day we come up with £17.3 million. Since that information has not been provided but the Minister has provided the formula which apparently gives me the answer and I cannot figure the answer from this formula I am asking him if he can?



**HON CHIEF MINISTER:**

The formula does not give him the answer nor the means to calculate it, nor did the question seek the means to calculate the answer. The question asked how is it calculated?

**HON J J BOSSANO:**

No. How has it been calculated?

**HON CHIEF MINISTER:**

How has it been calculated and the answer provides the formula as to how it has been calculated but in order to do a calculation one needs the raw material, the figures that go into this calculation which are not provided in the answer nor were they sought in the question.

**HON J J BOSSANO:**

Given that the Minister for Tourism the last time I asked him how has it been calculated told me multiplying A by B by C will the Minister for Tourism obtain the comparable multipliers for the other years and confirm that the figure for 1997 is as he gave it in answer to Question 215 of 1998 and pass it on to the Opposition?

**HON CHIEF MINISTER:**

If the hon Member wants the Government to calculate a particular figure for them as they have done on countless other occasions they have to ask for it. If he is now asking the Government to do a specific calculation we would need proper detailed request. He is always free to ask questions for written answer and it will be calculated but it does not follow from the questions that he has asked, if he is now asking, will the Government please do this calculation for me because I would like the answer, we will see.

**HON J J BOSSANO:**

It is not a question of me now asking the point that I am making is that in 1998 when asked by the Opposition "*How do you arrive at the £17.3 million of tourism expenditure by visitors in hotels?*" the answer was not by virtue of a complex formula which I now explain the answer to that question then was, "*we arrived at the £17.3 million by multiplying 48,000 by 4.22 by £84.*" I am now asking can the Minister tell me how he arrives at the figure of Tourist Expenditure by visitors in hotels for 1998 which is £10.65 million and the answer surely that I am expecting legitimately is that since that was a question the last time and that was the answer the last time I am asking the same question and I expect the same answer except with different figures so that we will be told we have arrived at £10.65 million by multiplying A by B by C not to be told if I were to ask in respect of each of these figures to see whether the calculation is congruent with

other information in the report to be told we have used the same formula every year. Given that they are not seeking to prevent us having the information if they give me a formula which I am not able to use, I do not mind doing the calculation myself, if the material to put in that formula is available but since it is not available to me it is available to him can the Minister explain how the figures from 1996 to 2001 have been arrived at using the formula.

**HON CHIEF MINISTER:**

And it has been answered, the hon Member is just repeating the point that he made before and which I answered before. If that is the question that he wants answered he should have asked it.

**HON J J BOSSANO:**

I did.

**HON CHIEF MINISTER:**

No he did not, instead what he has done is that because he asked the question last time and got extra information last time in the answer to which he had not requested now he considers that everytime that he asks the question he must get the same answer. The hon Member has not asked the question which is designed to contain in its answer the statistics for him to apply to the formula. He asks for the formula not for the statistics. It is true according to what he says assuming that this question now is identical in its language to Question No 215 of 1998 which I do not have in front of me but which he claims is identical and I am taking him at his word, but assuming that the fact that the last time he got gratuitous information in the answer which he had not sought does not justify him now criticising the fact that on this occasion he has only had the information that the answer calls for which is not to say that it is being withheld from him on purpose simply that whoever has drafted the answer to this question on this occasion simply has answered the question posed. Not everybody contrary to what he might think everytime a question is asked goes back to Hansard over the last five years in working out the answer and saying has this question been asked ever before and if so I must answer it with the same philosophical make up as on this occasion. Whoever has drafted the answer to this question on this occasion has provided the information that the question seeks. If the hon Member actually in his mind thought that he was seeking wider information .....

**HON J J BOSSANO:**

More or less.

**HON CHIEF MINISTER:**

.....more because the hon Member is suggesting that he would have expected on this occasion to be given the information that he got on the last occasion which was not just an explanation of the formula but actually the figures that he could then run past the formula but the question does not ask for the figures to run past the formula, the question asks only for an explanation of how the formula works and it would help us avoid an unnecessary 20 minutes discussion by simply asking the right question. If what the Leader of the Opposition wants is both an explanation of the formula and the current statistics to run past the formula so that a computation can be made from all the information given in the answer namely the formula plus the information to run it would help avoid all these misunderstandings if he just said in his question can I have the formula and the statistics to run through it. That is all I am saying that he just assumes that the second part will be provided even though he does not ask for it because once four years ago when he got it without asking for it it was given to him despite the fact. It is rather leaving it to chance unnecessarily that is what I am saying. He can have the information as he has seen we hardly withhold any information from him.

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**HON CHIEF MINISTER:**

In relation to Question No 207 of 2003 about the Tourism Survey report and how it had been calculated and how the basis of its calculation was changed in 1998 and about whether the answer is consistent or not, the Leader of the Opposition repeatedly stated that when the same question was asked in 1998, and having repeatedly stated this he went on to base a 20 minutes exchange on me on the premise that we had answered the same question now differently to how we had answered it in 1998. I said to him that I was taking him at his word that the questions asked were the same.

Question No 215 of 1998 which is the one that he says is the same as Question No 207 of 2003 are entirely different questions. Question No 215 of 1998 asked at the time, *"Can Government say what was the average expenditure per person per day by tourists staying in hotels during 1997 and the number of tourists involved?"* a question which called for a calculation and an answer in terms of the figure. The question to which he now claims is the same in 207 of this session is *"Can Government say in respect of each year since 1996 how the expenditure by visitor arrivals at hotels shown in Table A has been calculated?"* One asks for the calculation in terms of the result and the other one asks for the basis of the calculation and therefore the answers that were given to the Hon Mr Albert Isola at that time, the answer that was given to Question No 215 of 1998 was an answer to that question and the answer that has been given to him today in answer to Question No 207 of 2003 was an answer to that very different question to the question in 1998 and I deeply regret that the Leader of the Opposition should have given anyone who might have been listening the impression that the Government have answered the same question in a different way. Government have answered two very different questions accurately in a way which is appropriate for the questions that were asked on each separate occasion.

**NO. 212 OF 2003**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

How many of the 833 interviews conducted with visitors departing from the airport in 2001 were in respect of persons in transit and what was the average daily expenditure of such visitors in transit?

**ANSWER**

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

Answered together with Question Nos 213 to 215 of 2003.

ORAL

**NO. 213 OF 2003**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

Can Government say how many interviews with persons who said that they have not stayed at a hotel have been carried out since 1<sup>st</sup> July 2002 inclusive, on a monthly basis, stating where they were interviewed and the number interviewed at each location?

**ANSWER**

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

Answered together with Question Nos 212, 214 and 215 of 2003.

ORAL

**NO. 214 OF 2003**

**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 1<sup>st</sup> July 2002, on a monthly basis stating where they were interviewed and the number interviewed at each location?

**ANSWER**

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

Answered together with Question Nos 212, 213, and 215 of 2003.

**NO. 215 OF 2003**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

Can Government state of the number of persons who have been interviewed since 1<sup>st</sup> July 2002 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**

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

**Answer to Question No 212 of 2003**

248 persons in transit were interviewed at the airport in 2001. The average daily expenditure of the category of person in 2001 was £32 per person.

### **Answer to Question No 213 of 2003**

#### Interviews of persons who did not stay at a hotel since 1<sup>st</sup> July 2002

##### PLACE OF INTERVIEWS

| Month 2002 | Interviews of persons not staying at an hotel | Airport | Port | Frontier | Waterport | Marinas | Coach Park |
|------------|-----------------------------------------------|---------|------|----------|-----------|---------|------------|
| July       | 1493                                          | 55      | 244  | 713      | 1         | 1       | 479        |
| August     | 1570                                          | 79      | 448  | 579      | -         | -       | 464        |
| Sept       | 1664                                          | 39      | 464  | 677      | 1         | -       | 483        |
| October    | 1682                                          | 52      | 429  | 660      | 1         | 1       | 539        |
| Nov        | 1594                                          | 38      | 186  | 565      | 1         | -       | 804        |
| Dec        | 1365                                          | 32      | 43   | 698      | -         | -       | 592        |

In respect of January and February 2003, all information has not yet been imputed.

### **Answer to Question No 214 and 215 of 2003**

#### Interviews of persons who stayed at a hotel conducted since 1<sup>st</sup> July 2002

| Month 2002 | No of Interviews of persons staying at hotels | Airport | Average length of stay | Frontier | Average length of stay | Elsewhere | Average length of stay |
|------------|-----------------------------------------------|---------|------------------------|----------|------------------------|-----------|------------------------|
| July       | 83                                            | 78      | 5.8                    | 4        | 1.0                    | 1         | 1.0                    |
| August     | 49                                            | 47      | 5.0                    | 2        | 2.0                    | -         | -                      |
| Sept       | 76                                            | 73      | 5.0                    | 2        | 6.0                    | 1         | 1.0                    |
| October    | 83                                            | 81      | 5.1                    | 1        | 5.0                    | 1         | 3.0                    |
| Nov        | 90                                            | 81      | 4.0                    | 3        | 1.0                    | 6         | 2.2                    |
| Dec        | 41                                            | 41      | 4.0                    | -        | -                      | -         | -                      |

In respect of January and February 2003, all information has not yet been imputed.



## **SUPPLEMENTARY TO QUESTION NOS 212 TO 215 OF 2003**

**HON J J BOSSANO:**

In relation to the answer to Question No 212 of 2003 I take it that this is the source of the figure that is used for the calculation of the expenditure by visitors in transit of £1.56 million in Table 5 of the Tourist Expenditure Survey in respect of which there was a question earlier on.

**HON J J HOLLIDAY:**

I assume that that is the case but I do not have the survey with me so I cannot really confirm by checking the table whether that is the case but I assume that that has been used by the Statistics Office in order to provide that information.

**HON J J BOSSANO:**

In answer to a previous question in this session about the composition of the £1.56 million there was a specific question on that which I think that the Member answered earlier and the answer that was given was that it was based on £48,871.32, since we have been told that the survey that is a questionnaire of 248 persons in transit produced £32.00 that is why I am asking, it seems to be logical but I am asking for confirmation.

**HON J J HOLLIDAY:**

Looking at the answer that I gave under Question No 209 of 2003 under 'visitors in transit' the average spent is £32.00 which coincides with the answer that I have just given and obviously multiplied by the £48,871 visitors giving a total of £1.65 million so I assume that it is the same.

**HON J J BOSSANO:**

In terms of the number of interviews carried out at the airport I note that the actual transit passengers are in fact over 50 per cent of the total. There is nearly 44,000 staying in Gibraltar and nearly 49,000 departures being transit, since this is a random sample if we look at the 248 persons interviewed this is in fact the proportion of the sample that is being interviewed is lower than the number of the population as a whole if the Minister knows what I am saying would the Minister not agree that this is something that ought to be looked at because normally in statistical sampling if one has over half of the passengers are staying in Spain and in the sample one is only asking a quarter of the passengers who are transit passengers the result might be different if in fact the sample was higher in respect of transit passengers. Could the Minister take note of that point and bring it to the attention of the Statistics Officer. I would have expected that in a random sample if one interviews 500 people 250 would be transit because out of the 100,000 that are travelling 50,000 are, so that would suggest that somehow the sample

is not a random sample in respect of the people that are being stopped at the airport. In terms of the persons being interviewed who stayed at the hotel and people who did not stay at the hotel one of the odd things about the analysis that is in the input and output study is that it actually suggests that some of the persons in transit may have stayed in hotels which seems to be a contradiction. Transit means that one does not stay in a hotel either one is a transit passenger and one does not stay in Gibraltar or one is a staying visitor and one stays in Gibraltar. In terms of the information that is given in answer to Question Nos 213 and 214 of 2003 which are persons who stayed at hotels and persons who did not stay at hotels, this refers to 2002 as opposed to 2001 but is there any indication there of people that are classified as transit passengers actually staying in the hotels?

**HON CHIEF MINISTER:**

Depending upon the definition of transit passengers they may or may not have stayed in hotels which is not to say that I am suggesting that they are given one particular treatment or another in either of the two studies that the hon Member refers to. If one flies into Gibraltar on route to somewhere else and one waits for a connection perhaps to link up with a cruise ship I suppose if asked, “*...have you come to Gibraltar or are you in transit?*” one might answer that one is in transit but I cannot tell him whether the statistics in the surveys specifically exclude or include people who may answer that they are in transit even though they have stayed in hotels. Semantically speaking being in transit is not inconsistent with staying in a hotel that is purely semantically speaking but how the matter is dealt with for the purposes of a statistical survey I would not be able to tell the hon Member.

**HON J J BOSSANO:**

The reason why I am asking is because in answer to a previous question when we asked how in the survey the expenditure by visitors in transit was calculated the £1.56 million for 2001 we were told it was by a calculation which was multiplying the 48,871 in transit figures from the survey, the 48,871 in transit figures is air arrivals in transit so it seems to be that what we call here visitors in transit is everybody that is shown as in transit here. We are trying to establish whether the semantic definition and the statistical treatment is the same or not, it would appear that in this particular year it was but given the fact that the alternative interpretation has been used in the input/output study and we are trying to correlate the information there with the information in the past three surveys that is why I am asking the question?

**HON CHIEF MINISTER:**

We will certainly find out for the hon Member whether there is a different treatment of the concept of in transit in one study and in the other and I will provide him with that information.

ORAL

**NO. 216 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NEW HOSPITAL**

Why have the Government decided that there will be no wards earmarked for Elderly Patients when St Bernard's Hospital is moved to the Europort Building?

**ANSWER**

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

Answered together with Question Nos 217 to 220 of 2003.

**NO. 217 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NEW HOSPITAL**

Will the Minister for Health give a commitment that when St Bernard's hospital is transferred to the Europort Building, wards will be provided for male and female patients exclusively?

**ANSWER**

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

Answered together with Question Nos 216 and 218 to 220 of 2003.

ORAL

**NO. 218 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – CT SCAN**

Can the Minister for Health confirm when he can expect the CT Scan to be operational at the Europort Building?

**ANSWER**

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

Answered together with Question Nos 216, 217, 219 to 220 of 2003.

ORAL

**NO. 219 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – DIALYSIS PATIENTS**

Can the Government now finally confirm what Dialysis facilities will be available in the Europort Building?

**ANSWER**

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

Answered together with Question Nos 216 to 218 and 220 of 2003.

**NO. 220 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NEW HOSPITAL**

Can the Minister for Health now confirm as to whether or not the Gibraltar Health Authority will continue to have kitchen facilities at the Europort Building?

**ANSWER**

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

The hon Lady (as in fact also by extreme coincidence, does her Colleague the Hon J C Perez, in another question put by him to the Chief Minister) keep referring to St Bernard's Hospital moving to the Europort Building. I can understand that for obvious political reasons the Opposition cannot bring themselves to speak of the new hospital and are trying to create the impression perhaps that it is just the same facilities and service in a new building and this is not correct. I will therefore now answer each of her questions as it applies to the splendid new hospital which is now under construction.

**Answer to Question No 216 of 2003**

Elderly patients requiring acute medical/surgical care will of course continue to receive such care within the specialist wards in the new Europort Hospital. GHA considers that therapeutically it is better to treat acute elderly patients within general wards rather than segregating their care to the confines of geriatric wards. If however, the hon Member is referring to the provision of social residential care the answer is that Government have not provided such a facility within the new hospital, it has developed a strategy for the

provision of such care to be provided under the auspices of the Elderly Care Agency and further residential provision at Mount Alvernia supplemented by the recently introduced 'Home Help' initiative as well as a 'Meal On Wheels' service which is shortly to be introduced. The new provision will greatly enhance care in the community therefore reducing the need for social admissions into hospital.

#### **Answer to Question No 217 of 2003**

The provision of specialist wards in the new hospital is the result of prolonged, careful, expert complex design by the multi-disciplinary design team which carried out an extensive consultation exercise with all the relevant staff practitioners and user groups. All the wards will be housed in the blocks 2 and 4 which are Y-shaped buildings and the designer has taken advantage of this configuration by providing surgical wards and a separate Orthopaedic Trauma Ward with male and female patients on the separate arms of the Y-shaped buildings thereby, this is the advantage, integrating medical resources and specialised surgical staff within each ward yet separating in different areas male and female patients. As regards medical wards there are two wards one ward for males and a separate second ward for females.

#### **Answer to Question No 218 of 2003**

The GHA is planning to have the CT Scan operating when the new hospital becomes operational.

#### **Answer to Question No 219 of 2003**

The future provision of a dialysis service is currently under discussion with the Dialysis Patients and Friends Association, the relevant professionals in the hinterland and local and UK visiting clinicians.

#### **Answer to Question No 220 of 2003**

The main kitchen will be off site. The kitchen will produce meals that will be chilled or frozen and these will be regenerated on-site at the hospital prior to serving and the new hospital will have a regeneration kitchen on each of the floors.

### **SUPPLEMENTARY TO QUESTION NOS 216 TO 220 OF 2003**

#### **HON MISS M I MONTEGRIFFO:**

I cannot understand why the Minister takes offence when we say that St Bernard's is moving to Europort, it is not the Electricity Department that is going there it is St Bernard's, in the same manner we cannot understand either why, for example, the Minister says that social cases will not be admitted at St Bernard's. we are not talking



about social cases we are talking about the elderly, specifically and therefore if I now concentrate on the question to do with the elderly will the Minister not agree that even though he has said that there has been constant consultation with users, I do not know what users he is referring to but does he not agree that it has always been in Gibraltar the culture that elderly patients have been divorced from the general wards because obviously elderly patients need constant care and it is actually the patients and the relatives of the patients that are actually saying to us that they would have preferred the Government to have taken note of the fact that elderly patients are better off in wards earmarked specifically for them in view of this new wonderful hospital that the Government are saying that they are building?

**HON DR B A LINARES:**

All good medical advice today demonstrates with evidence that segregating elderly patients into these medical ghettos in separate wards is not in their best interests both medically, socially, emotionally and mentally and the advice that we have and that the team has had is that by all means we shall give all the necessary acute care that these patients need within an atmosphere of inclusion which all evidence points will be much more enriching for them in establishing relationships and in looking forward to their recovery. That is the good medical advice that we have received.

**HON MISS M I MONTEGRIFFO:**

When the Minister talks about advice and there being evidence, the advice from whom and where is the evidence?

**HON DR B A LINARES:**

Medical advice. Advice from experts and medical people in hospitals in UK and everywhere else which shows that the pattern today is certainly to avoid segregation and to include patients in an atmosphere where there will be one more patient amongst many.

**HON MISS M I MONTEGRIFFO:**

Does the Minister not agree that if we are talking about elderly patients that generally speaking need more constant care with the nurses, nurses who are specialised in geriatric patients, does it not make sense that in a new hospital specific wards for geriatric patients should have been provided?

**HON DR B A LINARES:**

We beg to differ.

**HON J J BOSSANO:**

In the initial answer the Minister said that social residential care would not be provided, is it that he is under the impression that elderly persons that have been hospitalised have been hospitalised not because they have had something that required medical treatment but because they had a social problem, is that the impression he is under?

**HON DR B A LINARES:**

Absolutely this is one of the big problems that we have discussed repeatedly here that there are patients now being discharged from a medical point of view as not requiring acute medical care but for social reasons and I am not in any way pointing the finger of blame at anybody but for social reasons persist remaining in hospital. I thought we were clear about that one.

**HON J J BOSSANO:**

I do not think we are clear on that one because I do not think he is clear on the question that I have asked him since he said yes to start with and then said the opposite in the rest of the answer. I am asking him is he under the mistaken impression that they were admitted, not discharged on social grounds and the answer is, "*no they were not admitted on social grounds they were admitted on medical grounds.*" Clearly if elderly patients need medical attention in the hospital at Europort presumably they will still be admitted and then the problem may arise when it comes to discharging them which is identical to the problem that he describes at the moment so it surely has nothing to do with providing social residential care, on admission it does not happen surely it happens when the time comes that on medical grounds the health service considers that nothing more can be done for the patient in the hospital. How is that in any way affected by the description that he has given us here today of the fact that instead of all being in one ward they would be dispersed in several wards, how does that change the problem?

**HON DR B A LINARES:**

We will have a problem then when a patient having been admitted on medical grounds, having then been discharged on medical grounds refuses to leave for whatever reasons but not medical reasons then we have a problem I agree but by then we find that we will have alternative solutions in the expansion of the elderly care provision, Elderly Care Agency which will be providing not only expanded residential care but also a much broader and expansive home care provlsion in the community.

**HON J J BOSSANO:**

Given that in his initial answer he said that a policy decision had been taken not to provide social residential care as if the source of the problem was the fact that there is a geriatric ward what we put to him is that the problem that he identifies is independent of which ward the elderly patient is in at the time when he is considered to be fit to be discharged and therefore the social residential care has nothing to do with it. In fact if he

is recognising that there is a problem in people being discharged even though it might be considered on medical grounds to be feasible because there is no adequate facilities outside the hospital then surely what he has just said about it being easier to do when such facilities exist is again independent, if those facilities were there today presumably the problem would be lessened today in the case of St Bernard's, is that not so?

**HON DR B A LINARES:**

Yes. The thrust of the question was really whether we were going to have dedicated elderly patients wards and I answered no and we beg to differ on what was good practice and good medical advice. That was the main thrust of the question and then I added a rider that in any case because it is really very much at the back of our minds and it is very much an acute problem at the moment the long stay elderly patients who are not medically in need of acute care but simply for social reasons remain at the hospital I added that it was certainly our intention to try to overcome this problem in the new hospital although of course overcoming the problems I recognise will of course entail difficulties at all times.

**HON J J BOSSANO:**

I think that the Minister recognises the initial impression was that the Government have said we are not going to provide social residential care and therefore the need for the elderly persons geriatric ward does not arise. I think that he is accepting that when they went in they went in for medical reasons and that if in fact the time comes in the new hospital when the hospital wants to discharge them the issue of what happens is still going to be there.

**HON DR B A LINARES:**

But we hope and we live in faith that with the expanded services of the Elderly Care Residential services of the community service it would be much more amenable for these patients to accept alternative good provision by the Government in terms of social care.

**HON MISS M I MONTEGRIFFO:**

Moving on to Question No 218 of 2003 as with dialysis can the Minister give a commitment to the House that since the Europort Hospital will provide a CT Scan whether this will mean that patients will no longer require to go to Spain for such facilities?

**HON DR B A LINARES:**

Yes, once we have CT Scans and I can inform the hon Member she will be pleased that we are investing greatly in the most advanced technological provision of x-ray investigation and radiology and that will include the most advanced technological

provision of CT Scans and that will make the present system of referring to Spain for these investigations totally unnecessary.

**HON MISS M I MONTEGRIFFO:**

In relation to Question No 219 of 2003 with dialysis can he give that same commitment because if the Minister is saying that there will be the most advanced technological equipment as regards CT Scan and if he has had something of about six years to study the question of dialysis and even now today we have had the Dialysis Patients and Friends Association publicly stating that six years have transpired since the Government promised them with dialysis in Gibraltar, why is it that the Government are still not able to give the same commitment with the dialysis equipment?

**HON DR B A LINARES:**

Actually we have had more than six years, we have had 14 years because while they were in office there was no move in that direction either but still to be more sort of straightforward in my reply.....

**HON J C PEREZ:**

Three hundred years without dialysis.

**HON DR B A LINARES:**

Yes, but 14 years when dialysis was generally available and yet the previous administration did not make it available if one wants to go back to the cavemen then I think dialysis was not one of the offers in Gorham's cave. Just not to be facetious because we are talking about real suffering and pain of many people it is complex, the hon Lady should understand it is a very complex issue particularly in determining what is in the best interests the best nephrological attention to the patients themselves and the Dialysis Friends and Patients Association understand this because they are suffering from it. They understand the complexity and we are having a positive useful down-to-earth discussions with them to establish exactly a consensus as to what is in the best interests of our patients and at the moment I think it would be out of order for me to advance what our thinking is.

**HON MISS M I MONTEGRIFFO:**

Can the Minister at least give us an indication because in all these years that we have been asking about dialysis facilities which we have actually asked because he gave the commitment, what recommendations has Professor Terry Feast proposed to the Government and is he able to reconcile his recommendations with the aspirations of the dialysis patients of Gibraltar and does he not recognise that if so much investment is going in the new hospital and with the CT Scan and other equipment whether it does not

make sense that if there is going to be dialysis facilities in Gibraltar it should be so that we are no longer dependent on Spain am I not correct?

**HON DR B A LINARES:**

It is not just a matter of investment in terms of the equipment et cetera as I said it is much more complex in terms of the best service and provision of medical care that in terms of nephrological specialisms that we can give to our patients, it is much more important than just the money side of the whole thing and the hon Lady will allow me not to go any further because the Dialysis Patients and Friends Association have been very disciplined maintaining a confidentiality in our discussions and I think I should abide by the same rule.

**HON MISS M I MONTEGRIFFO:**

I have no doubt that if they have given the Government a commitment of confidentiality but in any case I can assure the Minister that I have not spoken to any member of the Dialysis it is just that I am going by the public reports and it appears to me because of reports that have been made public by them it appears to me that they are losing confidence in the Government as we are and the people of Gibraltar and I think that six years is enough time for the Minister to realise.....

**HON DR B A LINARES:**

Fourteen years.

**HON MISS M I MONTEGRIFFO:**

Three hundred years for that matter but he gave the commitment. It was the Minister who gave the commitment that there would be dialysis facilities in Gibraltar and all I am saying well, can the Minister say how long it will take for the Government to make a decision?

**HON DR B A LINARES:**

Not very long we are moving into the new hospital pretty soon and I think decisions will have to be taken by then and I can assure the House that in the last meetings that we have held with the Dialysis Patients representatives there was no question of any mark of lack of confidence in what the Government were thinking and trying to do for their interests.

**HON MISS M I MONTEGRIFFO:**

I spoke about the lack of confidence because this is precisely what the Dialysis Friends of Gibraltar said in public, that they were losing confidence but if the Minister is saying

now that the matter is progressing then I urge the Minister to see whether at least he can give a commitment to the people of Gibraltar that these facilities will mean that they will no longer require to go to Spain, is he in a position to say that now?

**HON DR B A LINARES:**

I am not in a position to say that now.

**HON J J BOSSANO:**

This new concept of a regeneration kitchen the Minister has got this knack of introducing innovative vocabulary to describe developments.....

**HON DR B A LINARES:**

No, standard vocabulary.

**HON J J BOSSANO:**

What is it a microwave?

**HON DR B A LINARES:**

I was struck by the word myself but it is standard jargon in this field of catering and I do not know exactly how it is done to be honest and frank but obviously the people who are going to do it have presented evidence of their expertise and their experience in this matter, we have a number of bids to take on the service and I do not know whether it is a microwave or a big microwave or a smaller microwave or which regeneration process it is but I can tell the hon Member that this is very common practice in many hospitals throughout the UK and Spain. It is not a new invention on our part it is common practice in many worthy hospitals both in Britain and Europe.

**HON J J BOSSANO:**

The Minister has just said that he has had bids to do this, I thought the preparation of the food was going to be done offshore and then the regeneration was going to be done in the hospital so is the regeneration not being done by employees of the hospital?

**HON DR B A LINARES:**

The facility has been advertised and it will be put to tender and a number of agents have shown interest in taking this over and they will see to all aspects in the whole process.

**HON MISS M I MONTEGRIFFO:**

As far as the preparation of the meals does the Minister not recall that in the last meeting of the House he gave the commitment that the meals would be prepared by the present cooks at St Bernard's?

**HON DR B A LINARES:**

Not at St Bernard's I gave the commitment that the present cooks, the present staff will be maintained by the Government or by the contracted agency but I never said in St Bernard's. Perhaps it was a question of syntax that the cooks in St Bernard's would be taking over the job but not in St Bernard's.

**HON MISS M I MONTEGRIFFO:**

I understand that, I did say did he not give a commitment that the cooks at St Bernard's rather than in St Bernard's, so we know now that St Bernard's is moving to Europort.

**HON DR B A LINARES:**

I renew that commitment, yes.

**HON MISS M I MONTEGRIFFO:**

Can he also confirm when he talks about offside facilities where they will be prepared where are these offside facilities?

**HON DR B A LINARES:**

The offside facilities will be in the complex of what used to be the wine factory in Waterport.

**HON J J BOSSANO:**

What the Minister is saying is that the contractor will be taking over the public sector workers from the health service?

**HON DR B A LINARES:**

But they will continue to be employed by the Government. The contractor will be managing the operation with staff belonging to the Government with all the conditions of service and everything else and this has been agreed with the unions.

**HON J J BOSSANO:**

I have no doubt of that especially with the District Officer I have no doubt the Government's persuasive powers with the District Officer.

**HON DR B A LINARES:**

That is a bit of an underhand comment on the unions.

**HON J J BOSSANO:**

It is a comment, the Minister makes the point of telling us here that he is honest in his reply and I am being honest in my assessment. So, the position is that the bids that have been invited have been the bids for managing the operation.....

**HON DR B A LINARES:**

That is right.

**HON J J BOSSANO:**

..... and it is not intended to mix sort of direct labour with labour employed by contractors other than the role of managing the operation, the Government are not thinking of hiring, for example, a situation where some cooks are public sector workers and some cooks are private sector workers and they are being required to work side by side, are they?

**HON DR B A LINARES:**

That could be a possibility I am not sure exactly how they will structure their labour commitment but what I am assuring and committing myself is that all our staff at the moment will be employed in the operation.



ORAL

**NO. 221 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PATIENT REFERRALS**

Can Government state since the 1<sup>st</sup> October 2002 to the end of February 2003, 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 222 to 224 of 2003.

**NO. 222 OF 2003**

**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**

Answered together with Question Nos 221, 223 to 224 of 2003.

**NO. 223 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SPONSORED PATIENTS**

Can Government state what was the number of Sponsored Patients treated in the UK from the 1<sup>st</sup> October 2002 to the end of February 2003, 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 221, 222 and 224 of 2003.

**NO. 224 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – QUOTA PATIENTS TREATED IN UK**

Can Government now state what were the costs of the 26 quota patients treated in the UK for the period 1<sup>st</sup> February to end of March 2002 with the costs being met by the UK Government?

**ANSWER**

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

**Answer to Question No 221 of 2003**

The number of patient referrals from 1<sup>st</sup> October 2002 to the end of February 2003 was 458.

**Answer to Question No 222 and 224 of 2003**

The cost of quota referrals for the period April to October 2001 and 1<sup>st</sup> February 2002 to end of March 2002 have not been supplied by the UK.

**Answer to Question No 223 of 2003**

A total of 253 ex quota patients as the hon Member put it with the costs being met by the Government were treated in the UK during the period October 2002 to February 2003. The up-to-date amount is £592,728.90.

**SUPPLEMENTARY TO QUESTION NOS 221 TO 224 OF 2003**

**HON MISS M I MONTEGRIFFO:**

I think it might be an appropriate time when we are talking about the reciprocal agreement that the Government have been telling us, in fact the Minister has called the formula a '*notorious formula*' and I know that there is a question coming up later but can he confirm when he referred to Question No 973 of 2002 when he said that in 1996 and if he wants I can quote what the Minister said to refresh his memory, he said that the last time that there had been a settlement of the figures this had happened in 1996 and this is with regards to Question No 973 of 2002 that means October of last year. He said that the last settlement or reconciliation which established the quota of 120 there was a further meeting with officials from the Department of Health but that they did not go as far as actually reconciling all the factors and all the costs and all the things but he did say that there had been a settlement and that that settlement had occurred in 1996, I understand that the Minister might not have that figure but would he look at the figure that he said had been received in 1996 and perhaps provide that information at a later stage to me?

**HON DR B A LINARES:**

Does the hon Lady mean the quota figure?

**HON MISS M I MONTEGRIFFO:**

The settlement which he spoke about in answer to Question No 973 of 2002.

**HON DR B A LINARES:**

I am afraid I would require notice of that I have not got the answer at hand as to the exact figure. To be honest I am not too sure what the hon Lady is asking for?

**HON MISS M I MONTEGRIFFO:**

I am asking in relation to the answer that I got in the last House of Assembly when I asked him, "*In relation to the reciprocal agreement had there been any settlements coming in the way of the Government?*" and the Minister said "*yes the last settlement we received was in 1996,*" and all I am asking the Minister in view of the fact that I agree that he might not have the figure with him is if he is able to provide the figure of that settlement in 1996 at a later stage.

**HON DR B A LINARES:**

Yes I will at a later stage.

**NO. 225 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – LAMBETH PRIMARY CARE TRUST**

Can Government state why Lambeth Primary Care Trust are now paying for our sponsored patient treatments in the UK on behalf of the Gibraltar Health Authority?

**ANSWER**

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

The Department of Health in UK currently engages Primary Care Trusts to act as their purchasing agents and paymasters in respect of all hospital services and they have actually encouraged us to follow the same route so we had to identify a Primary Care Trust as our agents precisely to comply with the directives of the Department of Health and we have identified Lambeth PCT in London which is an NHS organisation because it so happens that for some time now this trust has also been used for the same purpose by the jurisdictions of Jersey and Guernsey who are very satisfied with this arrangement.

**SUPPLEMENTARY TO QUESTION NO 225 OF 2003**

**HON MISS M I MONTEGRIFFO:**

But it appears that the Government are not convinced that these arrangements are better because he did mention in the last meeting of the House that because now we have a Primary Care Trust taking care of the payments he has actually admitted that hospitals are not as incentivised, which are his exact words, to produce figures to the

Department of Health. Another question that I would like to ask the Minister is, does this service entail an extra expenditure to the Government?

**HON DR B A LINARES:**

Yes it entails a consideration by the agency, Lambeth Agency, of £4,700 a year which we consider to be value for money. There are quite a number of benefits in this system, one is reducing the financial risk to the GHA as we can now plan our activity in advance with a fixed sum for the year so that over-expenditure in one financial year can be passed on reducing the clinical risk as hospitals would be bound by quality standards and outcomes such as waiting lists times, there is no doubt that waiting lists in UK hospitals are quite beneficial to our patients and I am sure that the Trust is an instrument in that respect, negotiating advantageous tariffs – I have discovered recently that certain hospitals for instance the Marsden and Great Ormond are actually charging fees above NHS rates and the trust now has established that this is not on and providing the ability to purchase other services in combination in linking up with Jersey and Guernsey has also enabled us to purchase other services to the core service for the delivery of healthcare, these include patient escorts to and from UK airports when necessary, telemedicine facilities and services, visiting consultants, staff training and rotation, sharing information and research and these advantages and benefits we see as being value for money. In any case the charge upon us of £4,700 annually in the context of the budget that we have for sponsored patients in UK is quite small and we find that channelling our purchasing and paying facilities through, in any case as I say we are meeting the requirements of the DOH because that is the way that they operate now in the UK.

**HON MISS M I MONTEGRIFFO:**

But did the Minister not inform this House in October of last year that the notorious formula which the Minister put a name to it, not me, but I agree with him, is such a cumbersome formula and on top of it we now have the Minister saying that the hospitals are not providing the information as they were before is that not enough reason for the Minister to accept that the formula has to change otherwise we are left with years and years of information that is not available to the Government.

**HON DR B A LINARES:**

That is a problem beyond our control. It is the set up in UK between the DOH, the Primary Care Trust, and the hospitals and we are totally dependant on getting that information through to us. We do nevertheless I am advised by actually pinning our operations on one Primary Care Trust rather than dealing separately with a number of hospitals through the DOH should enable us to obtain information much closer by the way one other advantage has been and the sponsored patients staff are delighted has been that where as before they had to respond to hundreds of invoices from all the different hospitals that would actually bill us for their services now they have only four payments a year. They do not have to multiply and extend their attention to the whole number of hospitals and all the invoices that come directly from them now through the trust they are now charged four times a year because they do all the accounting and all

the receiving on invoices from the hospitals and actually plan it in such a way, the sponsored patient staff are delighted in that reduction of their workload I have promised that there will be no redundancies as a result.

**HON MISS M I MONTEGRIFFO:**

Does the answer that the Minister has just now given is that not proof of the fact that the notorious formula is or is about to be done away with?

**HON DR B A LINARES:**

Yes, I can tell the hon Member a bit of good news. In January this year I am surprised that she has not remembered this because I did mention earlier on that there was going to be a further meeting this January with our executives that the formula has been reviewed, that it has now been on an interim basis for this particular financial year raised from 120 to 150 the quota, which is good news, and on an interim basis because they are coming to terms with the idea that they owe us quite a bit of money and that next year it will probably go above 150 which again is good news for our exchequer. The idea too is also that they will have to get all the relevant information and put it together into some sort of calculation but then the end result will be a sum of money rather than a number of people (the quota) a sum of money which will be credited on account to the the Trust for them to administer in terms of payments. It is a process which is being carefully looked at by our executives here obviously seeking at all times our financial advantage.

**HON MISS M I MONTEGRIFFO:**

I accept that but therefore since for years we have been asking questions on the formula in order to be able to gauge the information from the Government as to how it is working is it not possible for the Government to inform us perhaps on a confidential basis if they agree on how it is going to be done so that we do not have to ask the same questions about the formula and can the Minister confirm when it was that it has changed or when it is that they intend for it to be changed?

**HON DR B A LINARES:**

I have no problem in keeping the hon Lady totally informed, after all this is not a matter of political controversy of differences, we are all aiming at the same thing which is to give good service to our patients as they are sponsored and to do so with the best value for money processes so this is a matter where I will be delighted to keep the hon Member informed of what negotiations and discussions take place.



**HON MISS M I MONTEGRIFFO:**

The Minister has not actually answered the supplementary question I have just asked him whether it has come in and when it came in or whether it has to come in, the new arrangements?

**HON DR B A LINARES:**

I think I mentioned in a previous question .....

**HON MISS M I MONTEGRIFFO:**

He mentioned in a previous question which I have here with me that he was glad to say that the notorious formula might disappear but he said that he would not commit himself to it.

**HON DR B A LINARES:**

I do not have a fixed date but it must have come in within the beginning of this financial year but I cannot confirm that if she reminds me I will try to confirm when exactly this new arrangement came in. I think actually I announced it in my budget speech last year I now remember that in my budget speech last year I announced that we were entering into this arrangement so it must have been as I say at the beginning of the current financial year.

**NO. 226 OF 2003**

**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 1<sup>st</sup> October 2002 to end of February 2003?

**ANSWER**

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

A total of 96 patients have elected for treatment in Spain during the period in question.

**SUPPLEMENTARY TO QUESTION NO 226 OF 2003**

**HON MISS M I MONTEGRIFFO:**

If I remember rightly did the Minister confirm to this House I think it was in October that it is the clinicians who decide whether the patients actually go to Spain and not vice versa, for example, it is not a patient that can actually tell the doctor, *"I prefer to go to Spain because I do not want to travel by air and I prefer a Spanish medical institution,"* that is not happening is it, is it therefore that the clinicians have to give the authority for those patients to opt to go to Spain?

**HON DR B A LINARES:**

The clinicians obviously have the last word yes, they will decide on the action to be taken on clinical grounds. There are now well identified clinical services in Spain for which our patients opt for and there have been no problems in that respect as far as I know but obviously and the hon Lady will agree at the end of the day no patient will be referred to a clinic in Spain against the advice of our local Consultant Clinician.

**HON MISS M I MONTEGRIFFO:**

One supplementary that I have not asked the Minister yet, when we come to, for example, the allowances that are being provided to patients going to Spain are these allowances being based on the same formula that there is presently for patients who decide to go to the United Kingdom?

**HON DR B A LINARES:**

I believe the allowances are the same but the travelling allowances are a saving to the department.

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware and if he does not have the information I accept that he can pass it on to me at a later stage, how the fees of the Spanish medical institutions compare with the UK fees, does he have an idea?

**HON DR B A LINARES:**

I have an idea I do not have details but I can find out because it is an interesting question, my idea is that it is much cheaper in Spain.

**NO. 227 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – MALAGA CLINIC**

Can the Minister for Health state how much money was spent by the Gibraltar Health Authority with regard to patients being sent to the Malaga Clinic for scans in October, November, December of 2002 and January, February of 2003?

**ANSWER**

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

The total cost of scans undertaken in Malaga during the period October 2002 to February 2003 was £1,534.32.

**SUPPLEMENTARY TO QUESTION NO 227 OF 2003**

**HON MISS M I MONTEGRIFFO:**

If I recall rightly the Minister in the last meeting of the House said that Malaga was being primarily used for the MRI Scan, am I correct?

**HON DR B A LINARES:**

I will confirm that at a later stage I would not like to commit myself, I think so.

**HON MISS M I MONTEGRIFFO:**

If it is that they are using the MRI and since during the last meeting of the House when I asked about the scan in Algeciras the Minister said that the Health Authority will be providing one in the hospital will he not do likewise if the MRI is being used in Malaga therefore will the Health Authority not provide investment for an MRI?

**HON DR B A LINARES:**

Maybe in the future but not at this stage.

**HON MISS M I MONTEGRIFFO:**

In the future meaning before this term of office or after?

**HON DR B A LINARES:**

It depends on many factors.

**NO. 228 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SHORTAGES OF BEDS**

Can Government confirm whether there still continues to be shortages of beds at St Bernard's Hospital?

**ANSWER**

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

Answered together with Question Nos 229 to 231 of 2003.

**NO. 229 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NON-AVAILABILITY OF BEDS**

Can Government confirm how many routine operations were cancelled at St Bernard's Hospital due to the non-availability of beds for October, November, December 2002, and January and February of 2003, giving a breakdown for each month?

**ANSWER**

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

Answered together with Question Nos 228, 230 and 231 of 2003.

**NO. 230 OF 2003**

**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 October, November, December 2002, and January and February 2003?

**ANSWER**

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

Answered together with Question Nos 228, 229 and 231 of 2003.



**NO. 231 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – ELDERLY CARE PATIENTS**

Can Government state during the months of October, November, December 2002, and January and February of 2003, of the beds 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**

**Answer to Question No 228 of 2003**

There are occasions when we do encounter problems with bed availability as explained exhaustively in previous questions and extensive debate. The Authority are taking steps as I have already explained in reply to previous questions to see that patients that have been discharged and are able to return home do in fact leave hospital as they are currently blocking beds which are needed for acute care.

**Answer to Question No 229 of 2003**

The operations cancelled as a result of the non-availability of beds during the period October 2002 and February 2003 were as follows:-

|               |      |
|---------------|------|
| October 2002  | None |
| November 2002 | None |
| December 2002 | 3    |
| January 2003  | None |
| February 2003 | 3    |

**Answer to Question No 230 of 2003**

The number of long stay elderly patients over the months in question were as follows:

|               |    |
|---------------|----|
| October 2002  | 42 |
| November 2002 | 44 |
| December 2002 | 40 |
| January 2003  | 44 |
| February 2003 | 46 |

**Answer to Question No 231 of 2003**

- A total number of 5 elderly patients were discharged in October 2002 but refused to leave.
- A total number of 5 elderly patients were discharged in November 2002 but refused to leave.
- A total number of 8 elderly patients were discharged in December 2002 but refused to leave.
- A total number of 8 elderly patients were discharged in January 2003 but refused to leave.
- A total number of 9 elderly patients were discharged in February 2003 but refused to leave.

(1) Of these the number of elderly persons living alone was as follows:

|          |   |
|----------|---|
| October  | 3 |
| November | 3 |
| December | 4 |
| January  | 3 |
| February | 3 |

(2) All elderly patients require some type of support whether it be physical, emotional or psychological.

(3) At least 6 patients who have been officially discharged as stated above are reckoned to be able to be taken care of either by relatives or with some support from domiciliary care service which has been offered.

#### **SUPPLEMENTARY TO QUESTION NOS 228 TO 231 OF 2003**

**HON MISS M I MONTEGRIFFO:**

If I go to the first question which is Question No 228 of 2003 on the acute shortages of beds the Minister has said that yes, there are still incidents of shortages of beds occurring at St Bernard's. In the last meeting of the House and again the Government have made this public, they have announced that the present number of beds at St Bernard's is 166 and that this figure would increase to 201 at Europort, can the Minister explain why he has 166 beds in St Bernard's when we were in office we had a figure of 192 in St Bernard's?

**HON DR B A LINARES:**

I would have to check. However, it is surprising that the hon Member has not mentioned this before in our extensive debates on this matter.

**HON MISS M I MONTEGRIFFO:**

I have not mentioned it because it was only since a few weeks ago that it appeared in public that the Government had publicly said that beds from St Bernard's at the moment were 166 and these would be increased at Europort to 201. If he cares to look at the

last review of the Health Services, page 70, he will see that it says St Bernard's hospital has 192 beds.

**HON DR B A LINARES:**

All I can assure the hon Lady is that we have not cut down on the number of beds which are spaciouly available in St Bernard's Hospital.

**HON MISS M I MONTEGRIFFO:**

How can he explain the irregularity of the figures, can he not take into account the fact...

**HON DR B A LINARES:**

It is a bit surprising to me that these figures have cropped up suddenly even though we have debated this matter extensively.

**HON MISS M I MONTEGRIFFO:**

No.

**HON DR B A LINARES:**

I will certainly have to check on the assertions that the hon Lady is making at this junctive.

**HON MISS M I MONTEGRIFFO:**

I am not giving any assertions I am giving facts and we have not debated this matter extensively in the past. It was made public by the Government and then I realised that there was something wrong here because I remember that in the eight years that I was in Government there were 192 beds in St Bernard's, unless it is that the Government sacrificed one ward by putting the kitchen in Lewis Stagnetto Ward when we had been refurbishing the kitchen and we had intentions of taking the kitchen back. That means that the Government have done away with one ward since we were in office.

**HON DR B A LINARES:**

I will certainly check upon the facts that the hon Member has put before the House because I confess it is all new to me at this stage.

**HON J J BOSSANO:**

Does the Minister think he has 166 beds or does think he has 92 or does he not know how many beds he has in the hospital?

**HON DR B A LINARES:**

I know that we have 166 beds because that is the information given to me by the hospital management.

**HON J J BOSSANO:**

So that figure which is the last one quoted .....

**HON DR B A LINARES:**

What I would need to check is whether and it could be possible in explaining the discrepancy whether it is 166 beds, if this excludes beds in Maternity, in the paediatric Rainbow Ward and in Intensive Care, I would have to check whether it is 166 plus these beds which would bring it up to 190 but I will not commit myself to that analysis here.

**HON J J BOSSANO:**

If the statement that was made was comparing the 166 to 201 then presumably if these other areas have been excluded to arrive at the 166 we would need to know whether the 201 in the other building will be inclusive of .....

**HON DR B A LINARES:**

I am sure that the 201 are beds in the public wards which I referred to a moment ago in the Y-shape and exclude the Intensive Care, Day Surgery, Maternity and Children's Ward.

**HON J J BOSSANO:**

They are excluded from the 201?

**HON DR B A LINARES:**

Yes.

**HON MISS M I MONTEGRIFFO:**

In relation to Question No 229 of 2003 as regards the routine operations the Minister has given a figure of three in December, nine in January and three in February but he said in the last meeting of the House in relation to Question No 961 of 2002 that he hoped it was the new system, the bed management system that had been implemented that was yielding results, I would like to say something about the new system for the simple reason that I have seen it work. I have been to St Bernard's on three occasions in the last month accompanying friends and relatives for an operation. I have seen the most incredible occurrences there and I would like the Minister if he does not agree that he should take note. Is he aware that it is a common occurrence for patients to be told that there are no beds and that they need to go to the waiting area in the wards to await the arrival of the Senior House Officer. When the Senior House Officer appears at 11 o'clock and he discharges the same number of in-patients in relation to the number of patients that are awaiting admission. Those discharged, with me there present, have expressed their utter surprise at being told that they have to leave on that same day. Is he also aware that there are patients that have been ready to go into theatre at about 3.15 pm only to be informed by the staff of Napier Ward that they should change their clothing and return home because now the theatre is strictly to work only until 4 o'clock in the afternoon compared to 5 o'clock in the past when we were in Government. Does he not agree that this is an inhumane situation when there are incidents of this nature that are occurring mostly on a daily basis according to the staff of Napier when patients are there ready to go into theatre and for 15 or 20 minutes they are told "*we will not operate on you, you have to return on another date.*" Does he agree that that is completely unacceptable and is he willing to look at these incidents and I am willing to pass the information of the people that I have here that have complained about incidents of this nature?

**HON DR B A LINARES:**

I agree that the incidents that the hon Lady puts before me are not acceptable but I do not necessarily agree that these are common occurrences. She is referring to one, two or three experiences when she has been in the hospital, I do not accept that these are general situations but in any case I think the hon Lady is aware that all procedures, all clinical practices, all systems in our hospital and indeed throughout the Health Services generally are under very careful in-depth audit by the clinical governors, there is no need to pooh-pooh the whole thing because if she is pressing me to do something about it, and I would agree and I have said so publicly that we cannot move into the new hospital, moving into the new hospital is not just a question of moving the furniture that we have to move with a challenge of new attitudes, new procedures, new clinical practices [INTERRUPTION] maybe indeed a new Minister as well and I am humble enough to accept that comment from my Friend in Opposition and I am saying that that is about the most incisive in-depth honest to goodness way of grappling with these problems and incidents which have been provided by the hon Lady.

**HON MISS M I MONTEGRIFFO:**

Is the Minister saying that because they now have an audit round the corner that this is something that the audit is going to look at, is he not aware that Theatre are now strictly

working up to 4 o'clock and that by 10 to 15 minutes that they think that they are going to go over they tell the patients to go home, can he not at least enquire about these instances rather than say that the audit will take care of it? When we talk about the audit we are talking about a few years down the road.

**HON DR B A LINARES:**

What I am saying is that that is not acceptable. I will look into it as a particular incident but if she is claiming that this is a generalised situation that is precisely what the audit is about, looking at systems and general practices and it will be shown up in the audit if that is a general practice which is not acceptable.

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware that Theatre have now decided that they work up until 4 o'clock which means that the General Surgeon starts operating at 12 o'clock and he can only get in two or three operations and that is all, is he aware that this has changed?

**HON DR B A LINARES:**

I am not aware and I will have to seek confirmation from the people on the spot about it.

**HON J J BOSSANO:**

In relation to Question No 231 of 2003 I think the Minister said that there were a number of cases of people who could be looked after by relatives on being discharged, is the position of the Health Authority given that one particular relative was sent a letter saying the matter was being put in the Attorney General's hands because his uncle could only be discharged if the nephew, who is in his 60's and the uncle is in the 90's, was willing to accept responsibility, is the Minister saying that the view in the Health Service is that there is some kind enforceable legal obligation on relatives to look after elderly people who are discharged?

**HON DR B A LINARES:**

I think next of kin when it is stated in the entry form on registration to the hospital might legally imply that. That is a legal issue on which I am not knowledgeable in but certainly that is why we referred the matter to the Attorney General and with his advice we wrote to the relatives concerned that the accommodation of their relative in hospital was a form of encroachment and illegal.

**HON J J BOSSANO:**

What we are being told then is that this is not something that was done by mistake. I could understand if things sometimes get done and people do not look at the actual

detailed circumstance of the case but the fact that somebody is put down as somebody's next of kin it happens so that they can be called in an emergency or told if the person dies but surely that does not mean because someone puts you as the next of kin because you might be the only surviving relative not even living in the same household, one then requires a legal liability to commit oneself to look after that person discharged from hospital. If that is the view of the Health Service then this is not a case that has been done because there has been a sort of hiccup in the system but because the policy is to pursue the responsibility for accepting somebody being discharged on the basis that if they are the next of kin they have got that duty?

**HON DR B A LINARES:**

As I say I am not sure of what the legal position is to what extent next of kin assumes responsibilities particularly when the next of kin is authorised to obtain the pension available to the patient but that is the advice that we got from the Attorney General that that letter advising that the prolonged stay in the hospital was an encroachment and thereby illegal, that is the advice that we got.

**HON J J BOSSANO:**

Even accepting that somewhat bizarre interpretation presumably the person that was breaking the law was the person encroaching by being in the hospital. This is not a child under-aged. The Minister is talking about somebody who is in his 90's how can one hold somebody because they are the next of kin responsible for the alleged illegality committed by the 90 year old?

**HON DR B A LINARES:**

Effectively what these relatives were told is *"your next of kin in hospital is encroaching and occupying a bed illegally,"* the letter did not say *"you are committing an illegality but your next of kin is."*

**HON J J BOSSANO:**

I am afraid that the letter that I read said that if they did not accept responsibility for the person that the Health Service wanted to discharge legal action would be taken against the recipient of the letter not against the patient.

**HON DR B A LINARES:**

That is the advice that we got from the Attorney General that letter was actually passed through the Attorney General and we acted accordingly.



**HON J J BOSSANO:**

Are these letters still then standard procedure or has that been discontinued?

**HON DR B A LINARES:**

To my knowledge there has not been any further letters in that respect .

**HON J J BOSSANO:**

The numbers we were given were 44 and 46, that does not suggest that the bed blocking as he calls it is such a big chunk of the 44 elderly persons, it seems to be a fairly stable figure. Since presumably there are people coming in one would have thought that that is indicative that the figure at any one time is around 40 but if everybody was refusing to go at the other end then what we would be seeing would be a trend that everytime somebody else comes in there is a static figure there of people refusing to go, and the figure would be going up. Would the Minister not agree that the fact that it always seems, if we look over all the months that the same question has been put, it moves upon a couple and comes down a couple but it always seems to oscillate at 42, 44, 40. Would the Minister not agree that that is indicative that it is not in fact a static situation in the sense that people are not willing to move out because otherwise what we would be seeing is that everytime that persons moved into the hospital the total would go up because nobody comes out the other end.

**HON DR B A LINARES:**

There is indeed a turn-over as the hon Member has suggested but nevertheless the point has been made by my Colleague that this is the geriatric ward occupancy and once Mount Alvernia is available the problem of bed blockage would be radically reduced in St Bernard's Hospital.

**HON J J BOSSANO:**

What is it that as well as the 40 odd in the geriatric ward there are elderly people in other wards?

**HON DR B A LINARES:**

These do not include the geriatric wards there are 33 in the geriatric wards and these are occupying beds in the general wards, the surgical and the medical wards.

**HON J J BOSSANO:**

Those people will not be sent to Mount Alvernia.

**HON DR B A LINARES:**

A total of 34 of these patients and my hon Colleague and friend said in reply to another question yesterday, 34 of these patients are now applying to be admitted to Mount Alvernia.

**HON MISS M I MONTEGRIFFO:**

In the last meeting of the House the Minister said and I quote, "...*We have now concentrated as I mentioned a moment ago in all honesty in a much more positive, multi-disciplinary more enlightened approach involving counselling and involving the professions allied to medicine to see about the conditions and analysing the motivation and the difficulties in a much more meaningful way,*" does he not accept that since letters are being sent threatening relatives that are not even their next of kin the situation has indeed worsened rather than improved as he has said?

**HON DR B A LINARES:**

It has not worsened, I think that during the winter months we are talking about October to February during the winter months there were only three cancellations in December so it has not worsened. Nevertheless one cannot stop management from also trying to take a firm stand on these matters particularly when they consider that some cases are quite abusive and I think both the hon Lady and all of us would shudder to think that because of bed blockages one day a real emergency may come up to St Bernard's Hospital and find that there are difficulties in providing the emergency acute care because of this general situation. Therefore I can understand perhaps even the nervousness of management to actually take as strong and firm a position when they consider that some particular cases in their assessment are an abuse of the facilities in the hospital.

**HON J J BOSSANO:**

We do not accept that analysis. We have been asking this question for years now and this business of bed blockages and putting the blame on the patient and saying the management .....anybody would think that this was people staying in a holiday resort, these are people who are ill.

**HON DR B A LINARES:**

They are not.

**HON J J BOSSANO:**

Yes they are ill and there are people, certainly the one case that I have brought up of the letter that has been sent, this is a letter that has been sent to a man who has got a heart condition, has to be sent as a sponsored patient to UK in which he gets told on the

Attorney General's advice that he becomes legally liable if his 92 year old uncle who lives in a different housing estate is discharged under his responsibility. It is enough to make the man have a heart attack from which he is trying to be cured from. This is an example of the exceptional hard line treatment in the framework of the sensitivity that the Minister has defended in this House which we would support him on, if people do not want to leave the hospital then let us investigate why they do not want to leave and I would say that in 99 per cent of the cases it is because they have nowhere to go to where they can be properly looked after because of the combination of age and illness. I do not think it is a question of money. We are talking about a situation where we have got 40 people out of 5,000 pensioners that there are in Gibraltar and it is generally around 40 all the time and out of the 5,000 pensioners people go in and out of the medical services all the time and there is at any one time around 40 and there has always been at any one time about 40. I would have thought that by this time more should have been done to identify why we have got a problem now, because there are two possible reasons one is that there are less beds available which we will find out when the Minister comes back having investigated what the 166 means, and the other is that there could be more demand. There could be more demand for beds and therefore if there has always been around 40 would the Minister not agree that there being about 40 has not created a critical situation in bed management it could also be that the demand for beds has increased not that people are being less socially responsible.

**HON DR B A LINARES:**

There is indeed, the hon Member has said a lot of things it is difficult for me to try to reply to all the different facets of his not so much question but statement but certainly picking up the last one certainly it is a phenomenon which is not just in Gibraltar there is greater demand everywhere. This problem of bed shortages and bed blockages I am sure the hon Members know is indeed much worse and much more serious and crucial in most hospitals in UK and even in Spain were very often we hear horrid stories of patients being left for 12 hours on stretchers waiting for them to be accommodated into a bed. These are common problems [INTERRUPTION] It is not funny, actually it is a very serious situation.

**HON J J BOSSANO:**

The point that perhaps the Minister might remember is that all these experts he has brought to advise us are coming from a place where he claims the situation is worse than here.

**HON DR B A LINARES:**

Can you repeat that?

**HON J J BOSSANO:**

Yes all these experts that are coming how to tell us how to introduce clinical governance are all coming from the country where he is describing a worse situation than we have. Why do they not put their own place properly ?

**HON DR B A LINARES:**

That is a very shallow and I am sure that the Leader of the Opposition does not mean that in any depth he is too intelligent to make a statement as shallow as that. These are experts precisely tackling problems of this nature and therefore experienced enough to be able to tackle ours which they maintain are not as serious as in UK but nevertheless need putting right because that is our objective and our aim and our wish. That is a question of demand. I was trying to be very understanding that there is definitely the phenomenon and factor of demand. We are living in a society where hospital services are much more amenable, much more accessible. I remember when I was young going to hospital was a dramatic sort of thing now people are more sort of ready to go to a doctor, to a hospital, there is that phenomenal demand and that impinges on the general problem of availability of beds in St Bernard's Hospital and will in any other hospital but the question of illness I have to correct the Leader of the Opposition on that one that the patients who have been discharged means medically declared not to be obviously we are all ill at one stage or another with flu and this and that. They are not ill in the sense that they require acute hospital care. So these patients that we are talking about and that the hon Lady asked me to numerate, 40,44, 42 are patients who have been discharged because clinicians have assessed that they are no longer in need of hospital care. Their need of residential care whether it will be residential or community care but not illness is a very vague term and I am surprised that the Leader of the Opposition used it in that sense.

**NO. 232 OF 2003**

**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> October to end of February 2003?

**ANSWER**

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

There have been five psycho-geriatric patients admitted at KGV during the period in question.

**SUPPLEMENTARY TO QUESTION NO 232 OF 2003**

**HON MISS M I MONTEGRIFFO:**

In the last meeting of the House the Minister confirmed that the Government would not accept the restructuring of beds at KGV as recommended by the GHA Annual Report of 2001. He said that the whole issue of in-patient facilities in KGV is being studied globally. Since the GHA made certain recommendations over KGV and the Minister said in answer to my previous question in the last meeting of the House that he was not sure how the programme would operate can he now confirm whether KGV will be reviewed also by NCGST or whether they are satisfied by the audit that was carried out by Dr Hugh Griffiths?

**HON DR B A LINARES:**

There is a misunderstanding there, Dr Hugh Griffiths remit of his audit was concentrated on community mental care it did not stretch to mental care generally I can assure the hon Lady of that, within his terms of reference, nevertheless the direct answer to her question which is of greater interest is the fact that certainly the services at the KGV mental care services generally all aspects, this has been announced, of our health services will come under the audit by the National Clinical Governor's Support Team.

**HON MISS M I MONTEGRIFFO:**

Since the Minister did not actually refer to the audit by Dr Hugh Griffiths in relation only to community care now obviously he has said that it is related only to community mental care can he confirm whether any of his recommendations which have actually been implemented as far as community mental care is concerned?

**HON DR B A LINARES:**

I can confirm that all the recommendations are being implemented within the Community Mental Care Service.

**HON MISS M I MONTEGRIFFO:**

Can the Minister say whether these recommendations have been focusing mostly on different care or whether they have meant that there has been an increase in the number of Community Mental Care Nursing increased?

**HON DR B A LINARES:**

If the number of patients have increased, I cannot confirm that I do not have the figures with me.

**HON MISS M I MONTEGRIFFO:**

Does it mean then that when he talks about the recommendations having been implemented is he aware of what recommendations have been implemented?

**HON DR B A LINARES:**

Of course I am.

**HON MISS M I MONTEGRIFFO:**

The Minister does not know whether it means that more staff have been employed?

**HON DR B A LINARES:**

That is right.

**HON MISS M I MONTEGRIFFO:**

Can the Minister also confirm and perhaps if he does not know now whether he can inform me at a later stage also in relation to the recommendations of the audit how much has this audit cost the Government?

**HON DR B A LINARES:**

I cannot remember the exact figure but it was in the region of £10,000 to £15,000.

**HON MISS M I MONTEGRIFFO:**

Can the Government confirm when we are talking about the situation of KGV being studied globally by NCGST whether the Government are intending to move the site to another area in Gibraltar?

**HON DR B A LINARES:**

I cannot give confirmation of that at this stage in the review.

**HON J J BOSSANO:**

This audit will then not be giving any view on the actual physical facilities on the building or anything else?

**HON DR B A LINARES:**

We have given a complete open agenda to the audit, all practices, procedures, systems and of course that will include physical provision in terms of facilities premises et cetera. In fact, it is so close to our concern the question of the physical premises and facilities there that it is so close to our concern meaning the GHA's concerns that we will be expecting advice from the NCGST to that effect.

**NO. 233 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PATIENT ADMISSIONS**

Can the 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> October 2002 to the end of February 2003, specifying each month?

**ANSWER**

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

Answered together with Question No 234 of 2003.



**NO. 234 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – 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> October 2002 to end of February 2003, specifying each month?

**ANSWER**

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

The factual and statistical information requested by the hon Member is contained in the schedule which is attached.

**Answer to Question No 233 of 2003**

|               | <b><u>In-patient Admissions</u></b> | <b><u>Average No of patients per day</u></b> |
|---------------|-------------------------------------|----------------------------------------------|
| October 2002  | 477                                 | 124                                          |
| November 2002 | 425                                 | 125                                          |
| December 2002 | 486                                 | 126                                          |
| January 2003  | 539                                 | 132                                          |
| February 2003 | 512                                 | 127                                          |

**Answer to Question No 234 of 2003**

**Out Patient Attendances**

|               |      |
|---------------|------|
| October 2002  | 3841 |
| November 2002 | 3434 |
| December 2002 | 2873 |
| January 2003  | 3347 |
| February 2003 | 3052 |

**SUPPLEMENTARY TO QUESTION NOS 233 AND 234 OF 2003**

**HON J J BOSSANO:**

If the average number of patients on any given day in the hospital is between 120 and 130 how come that there is 166 beds, a shortage of beds and presumably the 44 patients that are blocking beds are part of the 120 beds that are occupied, we are talking about 80 patients other than the 40 blocking beds?

**HON DR B A LINARES:**

I think the answer is that I was wrong when I tentatively gave thought to the idea that the beds in the Children's Ward, Maternity and Intensive Care Unit were part of the 166. They are part of the 166, in other words, the number of beds available in the wards independent of the Children's Ward and the Maternity Ward and the Intensive Care Unit is reduced to about 134.

**HON J J BOSSANO:**

If the Minister excludes the maternity beds but does not exclude the maternity patients presumably the people who are in the Maternity Ward occupy Maternity beds and are included in the 120 patients per day and so in the Children's and in the ITU unless he tells me that the 120 patients per day are just in the general wards?

**HON DR B A LINARES:**

That is the information I have been given and I will have to follow it up because what the Leader of the Opposition is saying makes sense and it certainly would throw a different perception and dimension to the question. I think that the figures that they have given me here are the number of patients in the general wards.

**HON J J BOSSANO:**

So it is not the number of patients everywhere in the whole hospital?

**HON DR B A LINARES:**

I do not think so.

**HON J J BOSSANO:**

If the Minister is going to check whether this is so would he also check whether in fact since this is a question that has been asked regularly whether it has been answered in the same way all the time so that we know whether the same figures apply to previous .....

**HON DR B A LINARES:**

Consistent Statistics.

**HON J J BOSSANO:**

Yes.

**NO. 235 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PRIVATE PATIENTS**

Can the Minister for Health state how many Private Patients were seen to or treated at St Bernard's Hospital (a) as Out-patients and (b) as in-patients during the months of October, November, December 2002 and January and February 2003?

**ANSWER**

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

**In Patients**

|               |    |
|---------------|----|
| October 2002  | 21 |
| November 2002 | 9  |
| December 2002 | 15 |
| January 2003  | 15 |
| February 2003 | 11 |

**Note:** Out-patients figures are not available.

## **SUPPLEMENTARY TO QUESTION NO 235 OF 2003**

**HON MISS M I MONTEGRIFFO:**

That is rather surprising because the Minister knows that every time that I have asked him he has given me different excuses, in the last meeting of the House he said and I quote, “....*we have the ability to seek the information and I apologise I have not got round to it although there is no obligation to deliver that information and that data by the consultants we can investigate, I am sorry if I have said that I would do so I have not got the figures with me but I will deliver those figures to the hon Lady as soon as I obtain them,*” and now he is telling me the opposite, why?

**HON DR B A LINARES:**

I am not telling the opposite I am saying that the figures have not been made available to me because there is no contractual obligation in the part of the consultants to hand over that information.

**HON MISS M I MONTEGRIFFO:**

Was it refused?

**HON DR B A LINARES:**

Not quite refused but just said that it is private commercial enterprise and that they are not in anyway bound to give that information. It is not refusing because we cannot force it for them to refuse, we have requested that information and it has not been made available to us.

**HON MISS M I MONTEGRIFFO:**

If the Minister sits here in the House, meeting after meeting saying that the Government have regulated private practice not introduced it, regulated it, and that they have certain dimensions and certain ceilings and that they are happy with how the system is working, and that they are controlling the situation, and if he says in the House, “....*we have the ability to seek the information....,*” is he saying that he does have the information but he does not want to pass it over to me or that he does not have it and I cannot have it because he has not got it and is that not contrary to everything that he has said before in this House?

**HON DR B A LINARES:**

No it is not contrary to everything that I have said before in this House. I have said that the private practice has been regulated and within the regulatory contractual arrangement and agreement that is one of the features, that the consultants are not obliged to hand over because they work after their working hours, it is entirely a private commercial enterprise on their part and that they do not feel and are not indeed contractually bound to hand over this information. I have never been so triumphalistic about the private practice I think that on a previous occasion the hon Lady said “....*put your hand on your heart and say whether you are satisfied.....*” I never answered that question and I simply answered by saying “....*can she put her hand on her heart and say whether she was satisfied with the private practice that went on during her time and which has been aptly declared by my Colleague the Hon Keith Azopardi as a ‘wild west’ situation.....*” There was an attempt to regulate, I think that the hon Lady and the hon Members of the Opposition may have actually taken note of statements made by the Chief Minister recently that certainly the time has come when the private practice scenario generally and the agreement should also come under review and that is where I stand at the moment. It is not as she has tried to put it that I glorified the private practice agreement as the best thing in the world but I feel that that should very much come under the review perhaps within the widescope of the clinical governance and here we find features like the one specifically discussed here where I think we should actually make improvements.

**HON MISS M I MONTEGRIFFO:**

I am glad that the Minister is showing signs of being more inclined to think as a socialist than his Colleagues. I can put my hand .....

**HON DR B A LINARES:**

Can the hon Member give way, I cannot accept that indictment on my Colleagues, in fact, I referred to the Chief Minister.....

**HON MISS M I MONTEGRIFFO:**

I am giving him credit, I am saying that I am glad that I have heard the comments made .....

**HON DR B A LINARES:**

Not to my Colleagues, I cannot accept that.

**HON MISS M I MONTEGRIFFO:**

I am giving credit to the Minister but I can also tell him that I can safely put my hand on my heart because as I have explained ad nauseum in this House Of Assembly what we

started to implement as far as private practice was concerned was to phase it out. In the phasing out period the Government have accused us that we had private practice when we were phasing out. As far as the Chief Minister is concerned he said previously and I have got his quote here that he was concerned that the public patients were being, I cannot remember his exact words but he did say that the consultants were using the public waiting lists as a tool to try and entice the public patients to go privately, and he said he was concerned about that. Is the Minister then saying that if the audit that is 'round the corner' so to speak, will actually review the whole aspect of private practice is he not admitting that there are certain aspects of it which he is not happy with?

**HON DR B A LINARES:**

As everything on this earth, everything is subject to improving, to review and in that sense the present situation with regard to private practice and the agreement that regulates it will be the subject of review but the question of private practice, the fairness and the unfairness, the merits and demerits, all the ins and outs of private practice and the agreement et cetera has been amply debated. I think I have been very generous with the response I have given to the hon Lady, amply debated on previous occasions in answers to Question Nos 450, 453, 958 of 2002 and questions in the past when we have amply discussed all the aspects and merits and demerits and fairness of private practice and whether it works or it does not work, what was happening during her time, what is happening now, quite frankly to enter a debate again into all these issues is really not fair on the time allotted to this House in the context of Questions and Answers. I am not prepared to go on debating the matter anymore.

**HON J J BOSSANO:**

The in-patient element of the answer which the Minister has given, what happens with the private patients when beds are not available, how does the Health Service deal with the problem of bed blocking as they call it, bed shortages as we call it in relation, for example, to the fact that in October there were 21 in-patients who were private patients and not Health Service patients. Is it the policy that available beds are first for Health Service patients and only secondly for private ones or is there no policy at all, or is there some other arrangement?

**HON DR B A LINARES:**

Unless there are cases of emergencies that have to be attended to priority is given to public patients and not to private patients.

**HON J J BOSSANO:**

I do not think the Minister has understood the question perhaps he was looking at his papers when I was formulating it, I am talking about the beds not the treatment and I am saying, for example, if in October there were 21 in-patients that used hospital beds in the context of what they called bed blockage and what we call bed shortages when the bed becomes available not the surgical treatment or private or public, the bed, is there any

rule as to whether the bed should go first to a public patient that needs the bed, to a Health Service patient and if so the private patient has to wait for the bed until the public patients are dealt with?

**HON DR B A LINARES:**

I have answered that question when it is a question of elective surgery then priority is given to the public patient and the private patient will have to wait. When it is a question of an emergency, trauma or an immediate attention then of course one does not look as to whether the patient is following the private route which they may choose to follow or is coming through the public service because it is an emergency and it has to be attended.

**HON J J BOSSANO:**

So that means that in the number that the Minister has given us of in-patients that were private patients that would indicate that unless some of those were emergencies that required priority these in-patients would not have been accepted into the hospital unless there were .....

**HON DR B A LINARES:**

Unless there were beds available.

**HON J J BOSSANO:**

Unless there were beds available and there were no other Health Service patients, that is correct?

**HON DR B A LINARES:**

Can I come back to the figures it is within this question but I think it is important to clarify that for the sake of all of us. The number of averages of patients per day in St Bernard's Hospital, first of all I can confirm that the 166 beds includes all wards including Maternity, ITU and the Children's Ward. The explanation as to the averages ranging from 120 to 130 is because very often, it includes the patients from Maternity, ITU and the number of children, but very often in terms of averages there may be only one patient in Maternity or one child in the Children's Ward, similarly in ITU so that is the explanation that I have been given.

**HON J J BOSSANO:**

That the average level of occupation in the wards is likely to be higher than the average for the hospital as a whole, because in places like Maternity and Children's Ward it is likely to be below average is that correct?



**HON DR B A LINARES:**

That is correct.

**NO. 236 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PUBLIC/PRIVATE PATIENTS**

Can Government now provide a comparable waiting list for public and private patients covering all specialities for both out-patient and in-patients, which also includes those who require surgical interventions?

**ANSWER**

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

The factual and statistical information requested by the hon Member is contained in the schedule which is attached.

**Answer to Question No 236 of 2003**

There is no waiting time for emergencies. The Gibraltar Health Authority has been able to obtain private patients waiting time under the Private Patients Agreement whereby Consultants are committed to provide information on private patients when requested.

**ANSWER TO QUESTION 236**

| Speciality         | Public Clinic | Private Clinic  | Public Surgery                                                                                                                                                                                                                     | Private Surgery                                                      |
|--------------------|---------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| Ear, Nose & Throat | 5 weeks       | 1 week          | Adults - 18 to 20 months<br>Children - 10 months                                                                                                                                                                                   | No waiting time as private surgery is rarely done in this speciality |
| General Surgery    | 6 weeks       | 1 week          | 6 months depends on intervention                                                                                                                                                                                                   | 2 to 3 week                                                          |
| General Medicine   | 4 weeks       | 1 week          |                                                                                                                                                                                                                                    |                                                                      |
| Paediatrics        | 2 weeks       | No waiting time |                                                                                                                                                                                                                                    |                                                                      |
| Ophthalmology      | 4 weeks       | No waiting time | No waiting time for Routine Surgery.<br>Cataract - 12 to 18 months                                                                                                                                                                 | Unable to obtain information as Consultant is on leave               |
| Elderologist       | 2 weeks       | 1 week          |                                                                                                                                                                                                                                    |                                                                      |
| Pain Clinic        | 2 weeks       | 1 week          |                                                                                                                                                                                                                                    |                                                                      |
| Psychiatry         | 1 to 3 weeks  | 1 week          |                                                                                                                                                                                                                                    |                                                                      |
| Gynaecology        | 4 to 5 months | 2 months        | 8 months                                                                                                                                                                                                                           | No private surgery is done                                           |
| Orthopaedics       | 8 to 10 weeks | 3 weeks         | Waiting time for public surgery varies depending on intervention required. Major surgery is not done privately. Public waiting time ranges from 2 weeks to years. Private waiting time is approximately 4 weeks for minor surgery. |                                                                      |

Contd....

## **SUPPLEMENTARY TO QUESTION NO 236 OF 2003**

**HON MISS M I MONTEGRIFFO:**

I have been looking at the information and certainly it is not in the same order as it has been previously provided but of course just looking at it there is quite a difference between public clinics and private clinics. On Orthopaedics it says, '*Waiting time for public surgery varies depending on the intervention required*', and therefore at the end it says private waiting time is approximately four weeks for minor surgery, does that mean that the four weeks compares to the eight to 10 weeks for public clinics, is that how the answer is structured?

**HON DR B A LINARES:**

Yes except that there is also a note saying that major surgery is never done privately. There is that note as well, yes, and there is no getting away from it public waiting times are longer than private waiting times that is the case everywhere that is why people everywhere go privately for medical services and pay for it mainly because they can get attended earlier than within the public times which are perhaps much better in Gibraltar, public waiting times in Gibraltar for all the specialisms are much shorter than in most hospitals in UK but certainly there is no getting away with it. It is a fact that private waiting times are much shorter.

**HON MISS M I MONTEGRIFFO:**

Again, just looking at the list that has been supplied will the Minister not agree that since I was given the same information in a different format that is why I need some time to look at it but just skimming through it does he not agree that public waiting lists have gone up since I was given the answer to Question 700 of 2001 and perhaps this is why the Minister is not happy and he is having the whole thing reviewed again?

**HON DR B A LINARES:**

I try to look back on the previous figures given and I find here General Surgery, public surgery six months depends on intervention and I find in previous notes average seven months so it is shorter now. Orthopaedics, Gynaecology average eight months public surgery in previous notes it was an average six months. Ophthalmology average one year and we have here no waiting time for routine surgery, Cataracts 12 to 18 months but Cataracts there are no requests I am told for Cataracts operations privately. I cannot see that in the figures that I have before me that there is that discrepancy that the hon Lady is alluding to but I suppose that we should sit down and look at it carefully rather than just throw figures across the floor of the House.

**HON MISS M I MONTEGRIFFO:**

Yes because the last time that the Minister provided the information it was not set down as it is today. Today he has set it out more or less as the information that he provided in answer to Question No 700 of 2001 but there seems to be an increase in some specialities and in other specialities, for example, the one that he mentioned he said so many weeks. In the previous information it said less than four weeks, for example, so there seems to be a bit of a discrepancy but we can get together and have a look at it I agree.

**HON DR B A LINARES:**

The hon Lady will agree that the presentation now is a bit clearer for her and for me to be honest I was not satisfied with the previous presentation as she was not either so she will agree that it is clearer and it is worth actually examining it more closely.

**HON MISS M I MONTEGRIFFO:**

In the last meeting of the House the Minister will remember or perhaps he has the information there, there is in relation to Orthopaedics an information that was given to me in the last meeting of the House which was not actually given to me in answer to the Question that I am referring to in the year 2001. Does he not agree that the waiting list for patients awaiting operations by speciality that the one that really strikes out is Orthopaedics where there is a figure of 740 people waiting for an operation?

**HON DR B A LINARES:**

Yes indeed it is obviously the longest waiting list in all specialisms it is everywhere actually in the world, demand for Orthopaedics we will go back to the concept of demand that we have discussed before, the demand for orthopaedics is greater than any other specialism that is a pattern in Gibraltar as it is in most places.

**HON MISS M I MONTEGRIFFO:**

Also the one on Ophthalmology the list also stands out as being far greater than all the others standing at 335?

**HON DR B A LINARES:**

In the previous list.

**HON MISS M I MONTEGRIFFO:**

Yes in answer to Question No 958 of October 2002.

**HON DR B A LINARES:**

Yes it is also a long waiting list it has been and is being alleviated and improved actually with the employment of a full-time Optometrist and a full-time Orthoptist which is now reducing the workload of the Ophthalmologist so that he can concentrate now on surgery rather than spend time on clinics that can be done as I say by the Orthoptist and the Optometrist and that is improving the situation but it is a fact that there is a very heavy waiting list there.

**HON MISS M I MONTEGRIFFO:**

In view of the fact that the Minister said that he thought there was a case for employing two Gynaecologists and there is another question reference on Gynaecologists later on does he not agree that there is definitely a case to employ a second Orthopaedic Surgeon in view of the huge waiting list for operations in this specialty?

**HON DR B A LINARES:**

Yes there is there is no doubt about it but the problem is that even if we employed a second Orthopaedic Surgeon it would not help logistically because of the availability of the operating theatre and there is one operating theatre, it is chock-a-block, it is booked by all the different specialisms in terms of surgery and therefore we again have to look forward to the exciting new hospital where there will be three operating theatres and then of course is the time when an additional Orthopaedic Surgeon will certainly make a big difference. In fact, I am confident that in the new hospital I think that waiting times will be eliminated altogether.

**HON MISS M I MONTEGRIFFO:**

To what to zero, he says altogether?

**HON DR B A LINARES:**

To zero yes, the word eliminated means to zero because of the availability of theatre and day surgery.

**NO. 237 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – A&E DEPARTMENT**

Can the Government confirm why there is now a notice at the Accident and Emergency Department saying that unless it is an emergency the services of the duty doctor at the Health Centre should be sought?

**ANSWER**

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

The hon Member should know that doctors trained in hospital medicine are not the best practitioners to deal with conditions that should be dealt with by General Practitioners. This is the basic element of clinical governance and while patients and indeed the Opposition may at times not be able to make a clinical distinction there is no reason why we should not inform the public to this effect. Notwithstanding if patients do come up in an emergency they will of course not be turned away. From personal experience having had to have recourse of my children to A and E departments in UCL and in Cardiff, it was not my idea to put up the notice but there was a notice in the A and E departments there advising patients for their own interests that they should attend for primary care to primary care practitioners.

**SUPPLEMENTARY TO QUESTION NO 237 OF 2003**

**HON MISS M I MONTEGRIFFO:**

Is the Minister not aware that there are cases where patients go up to the A & E because, for example, in the one case that I wrote to the Minister about on the 11<sup>th</sup> February which he will recall, the child in question a two year old was hardly able to breathe. The parents stood there for three hours and then they were told that they had to seek as the Minister has said the services of a GP. The parents naturally did not go home they went to the Porters' Lodge and having called the GP the GP then told the parents that no this was an emergency and that they had to be seen by the A&E. to cut a long story short neither the GP nor the Senior House Officers saw the two year old child. Does he not consider and he must remember this case because I did write to him on the 11<sup>th</sup> February does he not consider that this is an unacceptable situation?

**HON DR B A LINARES:**

If the situation is as she has described it it is of course unacceptable, I would have to investigate all the circumstances of the case in question.

**HON MISS M I MONTEGRIFFO:**

I have been informed by the administration that he has asked one of the managers to look at this situation and the feedback that I get is that yes the parents are correct therefore is he not interested in actually speaking to the Hospital Authorities in order just to ensure that these incidents do not occur again?

**HON DR B A LINARES:**

I am sure that the hospital management has done exactly that.

**HON MISS M I MONTEGRIFFO:**

There has been no reply yet.

**HON DR B A LINARES:**

There will be once the matter is investigated and established.



**NO. 238 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – A&E DEPARTMENT**

Are Government aware that there are complaints that Senior House Officers at St Bernard's Hospital, when called by the Accident and Emergency Department, either do not appear, or take hours to appear and that this happens on a daily basis?

**ANSWER**

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

I am aware that there are occasional complaints about that but I am not aware that it happens on a daily basis. Senior House Officers are not always able to attend to calls immediately as they may be attending to other patients in the wards when they are called. It is in these situations when they have to use their initiative to prioritise and attend to patients according to the urgency of their needs or give advice as the situation may require but in order to ensure a better service in this respect the Gibraltar Health Authority has recently employed an additional Casualty Officer an SHO for the A&E Department which will enable us to provide a 24 hour service on site as opposed to on call after 8 pm. Most problems as the hon Lady may know arise after 8 pm and up to 8 pm daily there will be two medical officers in attendance at the A & E. In the coming financial year further medical officers will be employed as part of the manning levels review in preparation for the opening of the new hospital.

## **SUPPLEMENTARY TO QUESTION NO 238 OF 2003**

**HON MISS M I MONTEGRIFFO:**

On the 18<sup>th</sup> February again I informed the Minister of an incident which had occurred whereby a patient went to the A&E, the SHO refused to come down and the patient after a day was taken as a matter of emergency straight into surgery suffering from a perforated appendix, he knows of this case because I actually informed the Minister. Is he not also aware and does he not agree with recent comments made by representatives of the Health Users Forum who say that the non-appearance of doctors at the A&E is very, very frequent and does he also not agree with the comments being made by a member of the staff of St Bernard's Hospital who has said recently in public that this also occurs frequently and on a daily basis?

**HON DR B A LINARES:**

I am aware of all these comments and assertions individual cases as the hon Lady knows because she has referred to me one or two have been and will be investigated thoroughly as specific cases. In general terms these assertions of generic problems and daily problems will be very much the subject of the Clinical Governors review and looking into systems and procedures because that is what the aim of this audit and review is all about, to look at the general situations and systems and procedures and if they need to be put right there will be recommendations to that effect.

**HON MISS M I MONTEGRIFFO:**

If they need to be put right perhaps it is too late, perhaps a patient will die. Is the Minister not aware that these incidents occur rather frequently and it is not just the Opposition saying so and if he now says that if these incidents will be reviewed and they will be investigated by the audit or the next pending review that comes up will it not then be too late for the patients because we are talking about serious matters and I would have therefore expected the Minister to answer positively and have said "*yes I will investigate*" rather than say this is part of the review.

**HON DR B A LINARES:**

The hon Lady is actually twisting my statements I have said that individual cases will be taken very seriously, investigated seriously and whatever disciplinary action if necessary has to be taken will be taken but whether the system as such and the procedures are wrong that will be the subject of an audit because that is what audits are for to look at systems and general procedures but the individual cases will be looked at very thoroughly, very firmly and certainly the hospital management will be entrusted to make sure that they do not reoccur that is as much as one can do in this situation, certainly as much as I can do.

**HON MISS M I MONTEGRIFFO:**

So therefore the Minister is accepting that there is a problem?

**HON DR B A LINARES:**

I accept that there are these individual problems which have been put on evidence with names and dates and they are the particular problems that will be investigated as I say thoroughly and firmly. The generic problem I cannot say because that would be anticipating the systematic situation. I cannot say because that is the subject of a general audit.

**HON J J BOSSANO:**

Can the Minister say whether the system which is going to be looked at from his understanding of it requires the doctor who is on duty on call to turn up when called, is that a requirement, when the doctor is bleeped is he supposed to appear is that the system that there is in place or are there loopholes in that system which require looking at?

**HON DR B A LINARES:**

Loopholes is not the word that is a loaded word, there will be circumstances in which he finds it physically, personally impossible to attend immediately. Again may I say that the question of attendance of doctors especially in A & E again I have had personal experience of that, my son went to UCL, A & E department agonising with an abscess in his mouth and he was not even seen he was told that he had to go to a GP and be referred the next day after waiting five hours, now that is the UCL Hospital in London. These occurrences occur in many hospitals not just in our A & E Department and nevertheless to be absolutely objective about the question that the Leader of the Opposition put before me of course there is professional obligation for a doctor to attend as soon as it is physically and logistically possible for him to do so setting priorities as well because if he is attending to an emergency in a ward he may not be able to attend and then the system has to look at the resources and the provision which is exactly what I answered in my question, that the GHA looking at systems and resources has actually now employed an additional Casualty Officer which will enable us to provide a 24 hour service on site that is not just on call.

**HON J J BOSSANO:**

If I try to make the Minister responsible for what happens in UCL I am sure I would be ruled out of order. I am not asking about what happens elsewhere all I am trying to find out is what is the nature of the obligation of the guy who is on duty that is all my question is about can he, for example, exercise judgement when he is called because there is a patient there and say well I do not think that this is something that requires my going down to see him is that something that he is allowed to do?

**HON DR B A LINARES:**

Obviously he will get all the information available from the Sister calling him, he will assess the facts and the evidence that the Sister puts before him and make judgement always with the onus being that he should attend because otherwise he would not have been called but nevertheless whether it is a routine call or an emergency call will have to be assessed on the information that he receives from the Sister. In these matters we are dealing with complex day to day situations and circumstances in which judgement is difficult to make, doctors are under pressure, doctors have to be living from one moment to the other attending to different priorities and it is very difficult and it is too easy from outside to issue condemnatory statements not realising the circumstances and the complex situations in which they operate.

**NO. 239 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – OUT-PATIENT ATTENDANCES**

Can Government state what was the total number of Out-Patient attendances at the Primary Care Centre from 1<sup>st</sup> October 2002 to the end of February 2003, specifying each month?

**ANSWER**

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

Answered together with Question No 240 of 2003.

**NO. 240 OF 2003**

**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> October 2002 to end of February 2003 specifying each month?

**ANSWER**

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

**Answer to Question No 239 of 2003**

The total number of out-patient attendances at the Primary Care Centre from 1<sup>st</sup> October 2002 to the end of February 2003 is as follows:-

|          |        |
|----------|--------|
| October  | 17,560 |
| November | 14,676 |
| December | 12,201 |
| January  | 11,991 |
| February | 13,840 |

### **Answer to Question No 240 of 2003**

The number of house-calls attended by the Health Centre doctors for the period 1<sup>st</sup> October 2002 to end of February 2003 is as follows:-

|          |     |
|----------|-----|
| October  | 485 |
| November | 546 |
| December | 376 |
| January  | 444 |
| February | 628 |

**NB:-** The number of House Calls are those recorded between the hours of (9 am to 4 pm).

### **SUPPLEMENTARY TO QUESTION NOS 239 AND 240 OF 2003**

#### **HON MISS M I MONTEGRIFFO:**

On the question of the out-patient attendances does the Minister not agree that they have dramatically gone up since the figures that were given to me in October 2002 were for the month of April up to September 12,000, 13,000, 10,000, 10,969 for July, August 9,722 and September 10,370. The figures being given to me today are 17,000, 14,000, 12,000, 11,981 and 13,040 surely the out-patient attendances have dramatically gone up, am I not correct?

#### **HON DR B A LINARES:**

We are dealing with the winter months October to February are winter months and I think it is a general pattern that out-patient calls at the Primary Care Centre do annually go up during those months, previous figures that she has quoted are April to September, summer months and there are a number of factors that actually explain the lower attendances. That is a pattern that may explain it I do not think there is any other, certainly no other sinister cause in these heightened figures.

#### **HON MISS M I MONTEGRIFFO:**

I need to compare the figures with the previous year as regards the winter months and what the Minister is saying is correct, the people get ill more during the winter months than the summer months.

**NO. 241 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – GYNAECOLOGIST CONSULTANT**

Can the Government confirm whether they have now been successful in recruiting the second resident post of Gynaecologist?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 241 OF 2003**

**HON MISS M I MONTEGRIFFO:**

So we are talking about a situation that it is taking about nearly a year to replace the Gynaecologist, why is it taking Government that long?



**HON DR B A LINARES:**

It is not for lack of trying, we keep advertising. Generally gynaecologists are in great demand there are many vacancies in the UK , the applicant who responded to our latest advertisement was short-listed for interview, withdrew his application so the recruitment process is still on-going we are advertising. Certainly it is not a lack of trying by the Authority.

**HON MISS M I MONTEGRIFFO:**

No but does this not prove that this Government are encountering difficulties even though they are offering private practice which is something that they accused us of when we used to recruit that we were not recruiting doctors because we were offering no private practice, in fact, it never took us eight months or even a year to recruit a doctor.

**HON DR B A LINARES:**

As I say they are in great demand in UK, it is difficult to recruit and it is certainly not through lack of trying by the GHA.

ORAL

**NO. 242 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – DERMATOLOGIST**

Can the Minister for Health confirm what are the arrangements in place with the visiting Dermatologist?

**ANSWER**

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

Answered together with Question No 243 of 2003.

**NO. 243 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – DERMATOLOGIST**

Can the Government confirm the waiting list of the visiting Dermatologist?

**ANSWER**

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

**Answer to Question No 242 and 243 of 2003**

There are no waiting lists as such. There are two Visiting Dermatologists who were engaged by the Authority with effect from October 2002. These Dermatologists are conducting clinics every two months. In addition and in order to reduce the original waiting list, arrangements were made for a monthly dermatologist clinic to be conducted by a Visiting Consultant from Spain. Sixteen pre-booked patients are seen monthly and a further review of five to eight patients are seen at the request of the Dermatologist himself. In effect, the waiting list for dermatology has been eliminated seeing that there are only 12 patients booked for the next clinic to be held in June 2003 and they will all be seen.

**SUPPLEMENTARY TO QUESTION NO 242 AND 243 OF 2003**

**HON MISS M I MONTEGRIFFO:**

Will the Minister ensure, and he knows about that incident because I wrote to him on the 17<sup>th</sup> March, that the Spanish visiting Dermatologists do prescribe Spanish medicinal products which are not available in Gibraltar and then patients are told that they have to go to Spain to buy them, will he ensure that this does not occur again?

**HON DR B A LINARES:**

As the hon Lady knows my reaction to that I have given instructions that the right medications be procured by the Authority.

**NO. 244 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – ORTHOPAEDIC SPECIALIST TREATMENT**

Can Government confirm whether they are satisfied with the arrangements to sponsor our patients outside Gibraltar for Orthopaedic Specialist Treatment?

**ANSWER**

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

Yes.

**SUPPLEMENTARY TO QUESTION NO 244 OF 2003**

*[INAUDIBLE]*

**HON MISS M I MONTEGRIFFO:**

I have no supplementaries because of the reasons that I have given.

**HON CHIEF MINISTER:**

I could say that the hon Lady is deluding herself if she thinks that her posing of these questions has any effect whatsoever on the professional judgement of the doctors in the hospitals as to how they prioritise the delivery of medical treatment, nor if the hon Lady had raised two specific individual cases across the floor of this House would the Government have been willing to discuss them with her.

**HON MISS M I MONTEGRIFFO:**

I cannot understand what the intervention of the Chief Minister is all about. All I have said is that I was about to raise two issues because there were patients coming to us complaining about the Spinal Foundation. I was going to make reference to the Spinal Foundation in Manchester because indeed there have been reports emanating from the hospital that there have been problems. Since I gave notice of the question these two patients have been given dates and all I have said is that I am very pleased, that is all.

**HON CHIEF MINISTER:**

The hon Lady should at least be honest enough to know what she is saying and the consequences of it. She added “...and I am glad to note as a result of giving notice of these questions these patients have been seen.” So my remarks are not totally irrelevant, they are completely apposite. The hon Lady, yes, said what I have just said not what she has just recited she does obviously not know what she says herself. The hon Lady may think that the fact that she raises individual cases accelerates those individual cases. It is not true that that happens and frankly to suggest that individual doctors and other professionals in the Health Services would respond to such factors is frankly a reprehensible statement for the hon Lady to have made. I also went on to say given that what she had said was that she was about to raise two individual cases I also said that the Government will not discuss with her across the floor of this House individual medical cases which we think is an entire abuse by her of the procedures of this House.

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware that there have been previous complaints about the time it takes for our patients to be sent to the Spinal Foundation in Manchester?

**HON DR B A LINARES:**

Delays in having patients referred to hospitals and clinics in UK or Spain are subject to their own waiting lists. All our clinicians can do on consultancy is refer but then the reception in these establishments will be subject to their own waiting lists. I had occasion earlier to say that we are lucky to get some preferences in some institutions, but not all of them.

**NO. 245 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – GENERIC MEDICINES**

Can Government confirm what happens in the case of patients who cannot take Generic Medicines because they are allergic to them?

**ANSWER**

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

Should any patient develop any side-effects allergic or otherwise to a generic medicine that has not previously been experienced with its proprietary equivalent the patient would normally contact the prescribing practitioner or the Prescriptions Advisory Unit.

**SUPPLEMENTARY TO QUESTION NO 245 OF 2003**

**HON MISS M I MONTEGRIFFO:**

Can the Minister not confirm in answer to a previous question on this matter in view of the complaints we are receiving on generic medicines because there are indeed a number of patients as he must be aware of that actually are allergic to generics, when he said that only the doctor and I quote, “...*is the judge of what medicines should be prescribed and should be disposed,*” is that not the situation?

**HON DR B A LINARES:**

The final word should lie with the doctor with the front line practitioner attending to the patient but of course the whole question of generics in a global sense has to be assessed more widely by the Prescriptions Pricing Authority?

**HON MISS M I MONTEGRIFFO:**

In the case of a patient who is having rather alarming side-effects is it not the case then that the doctor should take the initiative and not have to wait for the Formulary Committee to meet and I believe it meets once every three months as it has been advised to us in this House so that the patient is actually given the branded medicinal product and not told as has happened that they have to go and buy the branded medicinal product privately and then pay the difference of what it would have cost them through the public service?

**HON CHIEF MINISTER:**

I do not know what the hon Lady means when she says patients being allergic to generics. It is a nonsensical concept. She may mean that a given patient may be allergic to a particular medicine and indeed that might be.....

**HON J J BOSSANO:**

In its generic form.

**HON CHIEF MINISTER:**

.....or the proprietary form.

**HON MISS M I MONTEGRIFFO:**

No, no.

**HON CHIEF MINISTER:**

Yes one can be allergic to a chemical one cannot be allergic to a name on a packet. One can be allergic to one or other ingredient to what one consumes whether the medicine comes in a white box without letters on it or whether it comes in something that says the name of a very expensive pharmaceutical company is not what one can be allergic to and therefore a patient might just as easily be allergic to a proprietary drug as to its one of its generic versions. Generic simply means as the hon Lady must know that it is not branded, in other words that it is the same chemical substance that is marketed under a branded name so that it serves the same medicinal purposes but it is just made by somebody that does not think that their name should contribute to the marketability of



the particular medication. The result is that they are infinitely cheaper and the profit margins flowing to the pharmaceutical companies are not as great as they are. If a patient is allergic to a particular medicine which I repeat is just as likely to be the case with the proprietary version as with the generic version then the system exists for the doctor to do something about it and if there is an urgent case there is a procedure whereby the doctor can get in touch with the Medical Formulary Committee people to get the situation dealt with quickly. Anyone listening to the hon Lady would think that we have invented the generic medical formula in Gibraltar. This is standard practice around the world, there is no need in order for Gibraltar to have a good health service for the tax payer to pay more for medicine than is necessary simply in order to enhance the profits of proprietary drugs companies when exactly the same medication is available at a fraction of the cost but of course if one or other version does not suit the client then if the hon Lady is trying to pretend that the system is that they have to lump it and put up with the negative side-effects she must know that it is not the case and she will stand up in this House as she has done with almost every question she has asked so far today to ask the same questions, [INTERRUPTION] well it is broadcast on the radio so she stands up in this House every Question Time to ask exactly the same questions she gets exactly the same answers and it is exactly the same issues, she must understand that she is wrong in her assumption that the generic formulary system implies some deficiency of service to any patient. It does not.

**HON MISS M I MONTEGRIFFO:**

First of all now that the Chief Minister has introduced the word 'lumping' I think the only 'lumping' as far as I am concerned is having to listen to the Chief Minister because he goes on and on and on and gives us a whole speech and all that I was trying to get from the Minister was an incident which has indeed occurred and he knows about the incident and this lady apparently, perhaps the doctor is not aware, and all I was trying to get the Minister to say is that yes that it has happened and the Minister will look into the case. This lady was taking tablets for her blood pressure, the doctor acknowledged when he actually changed it into the generic that because some reason the coating had given her these allergic symptoms and therefore she was told that she would have to pay the difference all I am asking the Minister is to say whether he will look into it and see whether action will be taken and I am sure that the Minister will say yes however, the Chief Minister will not give us a respite having to listen to his diatribe and his speeches and his perception of why I said this and why I said the other and I am trying to bring the whole question of generics down, all I am trying to tell the Minister is will he look into this specific case that is all.

**HON CHIEF MINISTER:**

No, the Chief Minister will not give the hon Lady a respite because what the hon Lady describes as interminable speeches is something which I know gives them a lot of difficulty and that is realising the fact that the nature of the game that they are playing fools nobody and that of course when one is trying to create a constant sense of malaise in the Health Service through the exploitation of individual cases and blowing them out of proportion of course the only thing that the hon Lady cannot cope with is when the truth and the reality is recited to her and the answer to the hon Lady's specific question is that the Minister will not look into it because the Minister's job is to ensure that the system is

such that it is not capable of perpetrating an undesirable injustice on any patient. It is not the Minister's job to supervise either the general practitioner or the Head of the pharmacy department in the hospital to tell them how they must be doing their job. So if there is a particular case in point presumably that lady's doctor who presumably knows more about the lady's needs than the hon Lady in this House knows, knows what he has to do about it and what he can do about it and the Minister's interference on an individual case of that sort is neither necessary nor frankly is it desirable because what it leads to is to the superimposition of political judgements for political purposes on to professional judgements made exclusively for professional purposes in the interests of the patients.

**HON J J BOSSANO:**

Apart from the fact that the Chief Minister is obviously trying to make up for the absence this afternoon from the House Of Assembly between three o'clock and half-past five and consequently we are now going to see him speaking at even greater lengths and giving us a lecture .....

**HON CHIEF MINISTER:**

As often as necessary.

**HON J J BOSSANO:**

.....as often as he wants because he can talk at lengths and I have to finish up with a question so he can convert every supposed answer to every question into a lecture on the difference of generic and patent medicines as if he was discovering it and having to bring us into a world into which we did not know existed. The issue is quite simple if there are professionals who do things which lead to a user of the system being aggrieved and he happens to be a tax payer financing the system then obviously he goes to his elected representative with his grievance and we write to the Minister as has been done and then we put a question in this House which the Minister does everything he can to not answer by saying the reason why we are putting the question is not because somebody has a problem and has come to us and we do what we think we need to do to find out if this is something that affects one persons or a wider problem but because in fact we are responsible by putting the question for the existence of the problem, well this is not the case. If the problem was not there in the first place surely the Chief Minister must recognise there would not be a question to put and it is quite simple everything that he has said about generic fails to recognise one thing and that is that there are instances where some people have been found not to be responding to the generic version of the same medicine. I am not a biochemist and neither is he although he puts the responsibility on the professionals when it suits him and gives us a lecture on every subject under the sun when he suits him otherwise so surely if it is demonstrable that inadvertently and unintentionally the shift has caused a problem to somebody the responsible thing to do is to make sure that the authorities are aware of it so that they can look into it.

## HON CHIEF MINISTER:

But that is the system that exists. My criticism is not that people should not get the medication, my criticism is not that the hon Members should believe and say and articulate the view that people should get the medical treatment that they need and not be made to take medication which are not effective on their medical condition my complaint against the hon Gentleman is that his statements are predicated on the false supposition that the system does not exist precisely to deal with that situation and it does and the system does not require the hon Members to bring individual cases across the floor of this House and invite the Minister to deal with them personally. The system is that this patient's doctor who is better placed than he and I and the Minister and the Opposition spokesman for Health to decide whether or not a change of medication is called for has the mechanism by which he can bring about precisely that result and if the professionals in the field do not consider that it is necessary to change medication no amount of debate between four politicians, no amount of interference by a political minister is going to be able to reverse that situation unless what the hon Lady pretends is that even though the doctors and the pharmacists may have having properly considered the matter as the hon Gentleman is suggesting deciding that there is no clinical justification for it that nevertheless along should come the Minister and say *"no you will do it because this lady has written to me and because the hon Lady has raised the case on the floor and because there is an elections next year I want to keep everybody happy and as I want to keep everybody happy I give instructions to the doctors about what they want to do in hospital."* The system exists, if the hon Gentleman were saying there is no system to save from the situation that he is describing that would be both wrong and a deficiency on the part of Government for which the Minister does exist to correct. My argument with him is his assumption that there is no system in place or that there is not an adequate system because he could say there is a system but it does not work that would also be a point for us but not that in a particular case the system has not delivered a particular result.

## HON J J BOSSANO:

We are not saying that the system does not exist but surely he must recognise that there are some other options than the ones that he has mentioned and that is that the system as explained in the House by the Minister is not the system as it is operating according to the version of the user of the system and then we say to the Minister, *"you have said in this House that the last word is this panel of people and the doctor has been telling the patient that although he is recommending it he is being over-ruled by somebody."* Now that is a legitimate thing to bring up because we have been given in the House an explanation which is recorded in the Hansard and we say to the Minister *"you may not be aware of it but it seems that it is not working as you said that it would work."* I do not see anything wrong with that and in any event the question that was being raised by my hon Colleague was a particular deviant of that system in where the person has been told that they have to meet the cost initially of the medicine that is recognised to be needed that has never featured before in any of the other instances that we have brought to their notice, if that is a new element then we need to know about it because that has not been given as an explanation in any of the previous versions of how the system works but the ones that we have brought recently are cases where as has happened sporadically not in every instance but has happened sporadically it appears that there are occasions

where the system as explained in this House fails and we think we are doing a service to the patient and indeed to the Government by bringing it up.

**HON CHIEF MINISTER:**

It is not necessarily a case of the system failing, the fact of the matter is that the system is not, what is the system not? The system is not that the decision is made by the individual doctor for obvious reasons. The system is that the individual doctor makes the case and it does not have to be a case made in quintuplicate in the Supreme Court no, there is an ad hoc access to the Formulary Committee. The decision is made by a panel of people obviously these cases are usually when a course of medicine is constant not when somebody needs a bottle of antibiotics but when somebody is on a continuous permanent course of medicine and the costs of the medication therefore can be very significant the decision of whether for all time the person should live with the generic version or should be transferred to some other version is not the decision of a chemist, not the decision of one doctor but the decision of a panel. There is ad hoc access by that doctor to that panel it is possible, and this may be what the hon Member is describing, that there is a delay in time between the moment that the doctor picks up the phone and says to the chap on the panel of the Formulary Committee I have the situation to the point where the doctor is authorised to prescribe an alternative drug there may be a lapse in time during which the patient says well whilst the decision is made I shall myself buy the proprietary drug that is not the same as they system being that the system says to the person go off to buy the proprietary drug it may be a consequence of the system but it is not the system itself.

Hon Members I hope will understand that the alternative to the system is a situation where before very long every drug prescribed in Gibraltar will be the proprietary brand and the only winners will be the private pharmacists and the private drug companies and the big loser will be the tax payer. The majority of patients not to say all the patients will no better off and what we need is a system that makes sure that the few people who are genuinely capable of being adversely affected by this system should not suffer as a result of it and the system must be effective, efficient and quick so that the genuine cases which I am sure must arise were there has to be a prescription of some alternative medicine can be done quickly. The Government believe that that system exists but if there are instances that show that it is not working as designed and modifications to it could make it more efficient the Government are delighted to introduce those changes but that is not the impression that we are under from those that operate the system. The only criticisms we ever get of the system are the ones that we get from the hon Members were bringing cases they say on behalf of aggrieved persons but I never hear of these situations. People write to me in my office about almost every conceivable grievance against the Government that one could imagine, I do not think that I have ever had a letter from any patient saying the Health Service will not pay for the medicine that my doctor says I need, not one, amongst the dozens of letters that I get about housing, and about denial of university grants and about people who the Employment Office will not give jobs to and about people who are denied discretionary benefits, no one which is not that I am suggesting for a moment that the problem does not exist, all I am saying is that it cannot be so great if the only time that I ever hear about it is when the hon Lady raises it in this House but if there are improvements that she can recommend for the system we are not so proud that we will not take the hon Lady's advice when it is good.

**NO. 246 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – DR FERRERA**

Can Government confirm what is the latest position regarding Dr Ferrera's conditions of employment as a Medical Practitioner in the Primary Care Centre?

**ANSWER**

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

Dr Ferrera continues to be employed as a locum General Practitioner.

**SUPPLEMENTARY TO QUESTION NO 246 OF 2003**

**HON MISS M I MONTEGRIFFO:**

Are Government contemplating that he be given a contract in view of the fact that both the public and the staff consider him to be a very popular doctor?

**HON DR B A LINARES:**

Those are not key factors in determining the appointment of doctors, popularity et cetera. Dr Ferrera together with 30 other applicants applied for one of four vacancies for substantive GP posts in the Primary Care Centre, he was one of seven short-listed and interviewed by a professional selection Board which comprises an independent assessor from the Royal College of General Practitioners and representatives of GP's locally. It is a panel made up of eight persons five of whom are doctors. He was not among the four GPs selected by the Board and it has to be noted that the composition of this professional selection Board was one of the recommendations of the review of health studies in 1997 and was enthusiastically advocated by the GPs through their branch of the BMA at the time.

**HON MISS M I MONTEGRIFFO:**

Can the Minister explain if he has not been selected means that there is a vacancy, am I correct?

**HON CHIEF MINISTER:**

The hon Lady appears not to have understood the facts. This gentleman was never a contracted doctor in the Health Authority he has not created a vacancy himself, he is not a post holder. This Dr Ferrera is a locum. There has been a vacancy in one of the permanent posts for which he and many others applied. These permanent posts are posts under the Crown, they cannot be filled by Ministers on the basis of finger-pointing simply because we think that it will be a popular choice. Appointments under the Crown are by selection board, the Selection Board for this post is done by a Board which includes three doctors, so the views of the GPs of the Health Authority are represented on this Board. When they did not choose Dr Ferrera whom I have also heard of as being a very popular and good doctor, somebody else was selected for the post and therefore Dr Ferrera who has not been selected to fill one of the permanent vacancies that have arisen stays as he always was namely as a locum that is what has happened with Dr Ferrera.

**HON MISS M I MONTEGRIFFO:**

I understood what the Minister had said perhaps the Chief Minister did not allow me to finish my question. I understood him to say that there was a vacancy, Dr Ferrera had applied and he had not been selected for that permanent post what I was getting to was why does he still continue to be a locum what is he covering is he covering another vacancy or....that is my question?

**HON DR B A LINARES:**

There is always a time lag in appointments of permanent posts and that is what 'locum' means, a temporary supply, and there is apparently still an area for instance it could be that one of the doctors selected may not be able to start functioning until maybe July or

August and that means that meanwhile there are still posts which have to be filled as often in other areas of the medical services on a supply basis which means locum.

**HON MISS M I MONTEGRIFFO:**

So it does not really necessarily follow then that once this vacancy that the Minister has mentioned is filled it does not necessarily mean that Dr Ferrera's locum activities will be terminated or is it conditional to the fact that once this post is filled that Dr Ferrera's locum activity will be terminated?

**HON CHIEF MINISTER:**

First of all I will tell the hon Lady that it is four vacancies not one that were available and filled. I sincerely hope that Dr Ferrera's locum services will continue to be required. I am told that there is always a need for locums to cover for annual leave, sick leave amongst doctors, there is almost never a time when the Group Practice Medical Scheme is not employing locums for one reason or another regardless of the question whether they are covering for vacancies or not and Dr Ferrera I remember asking and I am completely certain that the remark does not apply to Dr Ferrera who by any chance is an excellent speaker but when I expressed frustration and said "...*why don't Selection Boards?*" accepting that there are Selection Boards and accepting that somebody has got to make a judgement why not choose the doctor that appears to be popular with his patients, so why not select Dr Ferrera? To which somebody sarcastically answered me that Dr Shipman was very popular as well and I said, "*I beg your pardon?*" "*Yes Dr Shipman was very popular as well,*" apparently meaning that one cannot choose doctors just by the quality of their bedside manner. At the end of the day the government either have a process of selection panels filled with professional people to exercise professional judgements and then accepts their recommendations particularly when it includes doctors from our own health service on the panel or the Government say "*I give jobs in the Health Authority to whichever applicant manages to procure more letters to be written in support of him in the pages in the Letters to the Editor page of the Gibraltar Chronicle.*" Both are systems of selection but frankly I hope the House will agree that if we have a system of selection panel the Government are stuck with the choices that it makes and even when they are uncomfortable politically for the Government.

**HON J C PEREZ:**

Accepting totally the explanation given why do Government think that the perception that there is in the public domain is that the views of the Selection Board have not been taken into account and that it is the people in the Selection Board that are actually supporting Dr Ferrera because of this?

**HON CHIEF MINISTER:**

If there is that perception let me tell them and let me tell the hon Member that it is completely and utterly unjustified. The Government are not present on the selection

panel, we like everybody else wait for the selection panel deliberations to be concluded and then a Minute is produced of the selection panel's recommendations including its recommendations. I do not know if the selection panel was unanimous I suppose there are circumstances in which there might be a dissenting minority view on a particular selection panel, I do not think it was the case in this case. I think in this case they came to a consensus decision why anyone should think that the Government one way of pleasing patients is if the panel had selected doctors that were popular with the patients as opposed to doctors that patients do not know but the Government do not feel justified in upsetting the unanimous recommendation of a selection panel on the basis of behalf of the petition or letters in the Chronicle and I think that the hon Members would rightly have criticised this if we had imposed our own judgement on that criteria based on that criteria over the recommendations. Why the selection panel thought that there were four candidates better than the apparently excellent Dr Ferrera is not something that I know or that I can answer for. I deeply regret that he was not chosen, a lot of people would have been made very happy if he had been chosen but the suggestion and I understand that some of the others that were chosen were also Spanish doctors. One of the others that was selected was also a Spanish doctor so it is not as if he was discriminated against because he was not a local or because he was not registered in the British Medical Association in the United Kingdom but that is how the selection panel made its decision, we are stuck with it.

**HON J J BOSSANO:**

Did the Chief Minister say earlier how many applicants there had been for the four posts?

**HON CHIEF MINISTER:**

Thirty.



**NO. 247 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – GENERAL PRACTITIONERS**

Can Government confirm whether they intend to follow the UK Government's Policy to renegotiate new contracts for General Practitioners?

**ANSWER**

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

No. The UK contract negotiations are centred on a model of Primary Care delivery that does not exist in Gibraltar.

**SUPPLEMENTARY TO QUESTION NO 247 OF 2003**

**HON MISS M I MONTEGRIFFO:**

So what the Minister is then saying is that there is no relevance as far as parity is concerned with GP's in Gibraltar and GP's in the UK, is that correct?

**HON CHIEF MINISTER:**

The hon Lady understands why, doctors in Gibraltar in the Group Practice Medical Scheme are employees of the Government. In the United Kingdom doctors that provide the equivalent service are not employees of the Government they are private practitioners with a contractual arrangement whereby they see a quota of patients for a certain sum of money. So a form of contract that regulates a service delivery between doctors who are not employees of the Health Service or of the Government bears no relevance to a system like we have in Gibraltar where the doctors who deliver the service are employees of the Government. In the UK they have these Trust Clinics budget holders and all this business about managing their own budget because they are not employees of the Government.

**HON MISS M I MONTEGRIFFO:**

When we talk about the quota of patients it has always been set down in the reviews carried out that GPs in Gibraltar should see about the same number of patients as per proportion of the population compared to UK?

**HON DR B A LINARES:**

They probably see less actually than they do in Britain but in any case that is an internal arrangement way of operating which has nothing to do totally irrelevant to the issue in question which is the question of parity and the question of modelling our system to that which the Chief Minister has explained. Private agents contracted by the NHS on a quota for funding purposes.

**NO. 248 OF 2003**

**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 February 2003 with a breakdown by grade, giving the full-time equivalent of each grade?

**ANSWER**

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

Answered together with Question Nos 249 to 251 of 2003.

ORAL

**NO. 249 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – ENROLLED NURSES**

Can Government state how many Enrolled Nurses have now applied to be able to train up to the level of Staff Nurse?

**ANSWER**

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

Answered together with Question Nos 248, 250 and 251 of 2003.

**NO. 250 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – CONTRACT NURSES**

Can Government confirm how many Contract Nurses are employed by the Gibraltar Health Authority, at the end of February 2003, listing the speciality in which they are employed?

**ANSWER**

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

Answered together with Question Nos 248, 249 and 251 of 2003.

**NO. 251 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NURSES TRAINING IN UK**

Is the Minister for Health now able to confirm how many of our local nurses are in the UK for Specialist training to enable Contract Nurses to be replaced?

**ANSWER**

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

**Answer to Question Nos 248 and 250 of 2003**

With regard to the statistical information requested by the hon Member, this is contained in the schedule attached.

**Answer to Question No 249 of 2003**

The Government have stated repeatedly that it is willing to fund and support any second level nurse who wishes to convert to first level using the distance learning pathway which has been arranged and called EMAT. To date two applications for such support have been received and are currently being processed.

**Answer to Question No 251 of 2003**

|                                |    |
|--------------------------------|----|
| DTR Nursing Services           | 1  |
| Deputy DTR of Nursing Services | 1  |
| Clinical Nurse Managers        | 5  |
| Education Development Officer  | 1  |
| Senior Nurse Tutor             | 1  |
| Nurse Tutor                    | 1  |
| Nurse Practitioner             | 1  |
| Charge Nurses                  | 34 |

**Staff Nurses**

88 Full-timers  
9 Part-timers (4.5 Full-time equivalent)

**Midwives**

11 Full-timers 103.5

**Senior Enrolled Nurses** 6

**Enrolled Nurses**

73 Full-timers  
17 Part-timers (8.5 Full-time equivalent) 81.5

**Nursing Auxiliaries**

12 Full-timers  
3 Part-timers (1.5 equivalent)

**Nursing Assistants**

77 Full-timers  
12 Part-timers (6 Full-time equivalent)  
6 (28 hours) (4 Full-time equivalent) 100.5

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**TOTAL 336.5**

**Answer to Question No 250 of 2003**

|                                   |                  |           |
|-----------------------------------|------------------|-----------|
| Nurse Practitioner                | (Local Contract) | 1         |
| Staff Nurses                      | (Local Contract) | 14        |
| Staff Nurses (part-time)          | (Local Contract) | 1         |
| Staff Nurses                      | (UK Contract)    | 2         |
| Registered Mental Nurses          | (UK Contract)    | 5         |
| Registered Sick Children's Nurses | (UK Contract)    | 2         |
| Theatre Nurse                     | (UK Nurse)       | 1         |
| Staff Midwives                    | (Local Contract) | 1         |
| Staff Midwives                    | (UK Contract)    | 9         |
| Enrolled Nurses                   | (Local Contract) | 3         |
| <b>Total</b>                      |                  | <b>39</b> |

**SUPPLEMENTARY TO QUESTION NOS 248 TO 251 OF 2003**

**HON MISS M I MONTEGRIFFO:**

When we look at Question No 248 of 2001 and I asked the Minister in the Meeting of the House of Assembly of November 2001 a year ago, he gave me the figure but then I realised that student nurses had not been included, I believe this has been the case today as well. Then he said, "*I can give the information to the hon Lady we have 11 second year students completing the Diploma Course in 2003 and we have eight pupil nurses,*" can he confirm that in answer to the question over the complement of nurses the figure of 336.5 is in fact related to the nursing staff and not the students?

**HON DR B A LINARES:**

That is correct it only includes those who are in post employed by the GHA. Students are still not in employment but in training.



**HON MISS M I MONTEGRIFFO:**

The Minister said in the last meeting that 11 second year students were now completing the Diploma Course and that he hoped that they would be part of the complement in the year 2003 and that he also had eight pupil nurses completing studies to Enrolled Nurse level and I am asking him whether these are included in the figure of 336 or whether they still have not completed the courses?

**HON DR B A LINARES:**

They have actually completed the course the other day when I was very happy to hand over the certificates validated by Sheffield. That is the Enrolled Nurses, seven Enrolled Nurses will now be taken on into employment but they had not been included in the 336 because that question was answered the day before yesterday.

**HON MISS M I MONTEGRIFFO:**

In relation to Question No 249 of 2003 the Minister has just said that the Government have two applications from Enrolled Nurses who want to train up to the level of Staff Nurse. It is surprising that there are only two. Can he confirm that when, for example, he said in the last meeting of the House that the Government had been successful and we agreed with him that instead of the Enrolled Nurses having to possess a number of GCSE's he said that they needed to register with the UKCC is this one of the reasons why only two have applied and can the Minister also confirm that if they apply to the UKCC do they have to prior to their completing the learning course or after?

**HON DR B A LINARES:**

One of the entry conditions by the EMAP long distance course of the York University is that the students should be enrolled as level 2 Nurses with UKCC. To register with the UKCC they will have had to complete a recognised course as an Enrolled Nurse like the seven that I certificated the other day. Yes, it is probably one of the factors why only two have actually applied.

**HON MISS M I MONTEGRIFFO:**

I do not think that I have understood him correctly. If it is an entry requirement is he talking about having to register with the UKCC?

**HON DR B A LINARES:**

Yes.

**HON MISS M I MONTEGRIFFO:**

And what is the difficulty in having to register why have only two been able to?

**HON DR B A LINARES:**

There is no difficulty to register with the UKCC if these nurses have followed a recognised structured course as Enrolled Nurses. Then they will be recognised as such by the UKCC.

**HON MISS M I MONTEGRIFFO:**

Is this structured course being organised by the Gibraltar Health Authority?

**HON DR B A LINARES:**

No I just mentioned a moment ago that only the day before yesterday I actually gave out certificates to seven nurses who have undergone a two year course for level two nursing with the course validated by the University of Sheffield , they have followed a two year course they are now qualified Enrolled Nurses, they can all register now with the UKCC and as such they could then now follow up with a long distance learning course because they will be working from now on as nurses and therefore it is the long distance learning course that would be more amenable to them they can now follow up to level one....

**HON MISS M I MONTEGRIFFO:**

Therefore what happens to those nurses that have been prior to them taking up this two year course that have been there for years are they not able to register with the UKCC?

**HON DR B A LINARES:**

That is another stage in my discussions with Sheffield University, actually in this case it is York University because they are the producers of the EMAP course long distance learning course for conversion courses and one of the areas that we are discussing is whether they will accept equivalent experience in terms of the academic structured course which the Enrolled Nurses today are required to follow but that has not been accepted as yet.

**HON MISS M I MONTEGRIFFO:**

Are the Government negotiating with Sheffield?

**HON DR B A LINARES:**

Not Sheffield, York University, negotiating is not quite the word. We are making representations to that effect.

**NO. 252 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SOCIAL SECURITY PENSIONERS**

Can the Minister for Health now confirm whether men in receipt of Old Age Pensions, whose wives are still contributing to the Social Security Scheme, are no longer required to pay the full amount of the prescription charge for medicines under the GPMS?

**ANSWER**

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

The hon Lady still speaks of “men” in receipt of old age pensions. I pointed out to her that women would be in the same position but for her comfort I can assure her that men or women pensioners whose spouses are still contributing will not be requested to pay at all not even the 20p that they used to charge them for their prescriptions. The statutory position is still not clear but while it is cleared I have instructed that the benefit of the doubt be given to those elderly persons who are not many. I trust that will go some way in convincing her that this Minister here is not as uncaring towards the elderly as she has accused me of being in her public statements.

**SUPPLEMENTARY TO QUESTION NO 252 OF 2003**

**HON MISS M I MONT EGRIFFO:**

I have not and I am glad that as he says that he hopes that I am glad I am also glad that when we bring matters to this House the Government agree with us and they rectify their position.

**NO. 253 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NUMBER OF PRESCRIPTIONS**

Can Government state the number of items that have been issued following the information provided to Question No 947 of 2002, that exceed the three items which pay a total of £7.50 up to February 2003?

**ANSWER**

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

Answered together with Question Nos 254 to 256 of 2003.

**NO. 254 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NUMBER OF PRESCRIPTIONS**

Can Government give a breakdown of the total number of prescriptions issued, the number of items and the cost of the medicines covered by such prescriptions under the GPMS for the accounting periods in respect of 6,7,8,9,10 and 11 of 2002/2003?

**ANSWER**

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

Answered together with Question Nos 253, 255 and 256 of 2003.

**NO. 255 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NUMBER OF PRESCRIPTIONS**

Can Government state the total number of prescriptions issued, the number of items, and the cost of the medicines covered by the GPMS prescriptions for accounting periods 5, 6, 7, 8, 9, 10, 11, of 2002/2003, 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 years?

**ANSWER**

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

Answered together with Question Nos 253, 254 and 256 of 2003.

**NO. 256 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NUMBER OF PRESCRIPTIONS**

Can Government state how much extra Revenue the Gibraltar Health Authority has raised for periods 8, 9, 10, and 11 as a result of their policy to increase prescription charges, also updating the previous information given in answer to Question No 946 of 2002 which was incomplete?

**ANSWER**

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

I hand the hon Member the information requested. May I add that I am glad that in Question No 253 of 2003 that the hon Lady has accepted my point made in reply to Question No 947 of 2002 that it is not the number of prescriptions which is the relevant factor but the number of items. The question as previously asked before was the number of prescriptions and that was an unanswerable question.



Answer to Question 253

Total number of non charged items supplied to paying patients from 1<sup>st</sup> April 2002 to 2<sup>nd</sup> March 2003 for prescriptions supplied for payment is 28656.

Answer to Question 254

| Period         | 6              | 7              | 8              | 9              | 10             | 11             |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Scripts</b> | 11245          | 12521          | 12152          | 12285          | 12348          | 11351          |
| <b>Items</b>   | 37457          | 41634          | 40328          | 40444          | 41184          | 37320          |
| <b>Cost</b>    | £430186.3<br>3 | £489676.3<br>4 | £482692.4<br>1 | £477799.0<br>1 | £480600.9<br>2 | £429135.6<br>2 |

Answer to Question 255

**2002/2003**

| Period         | 5              | 6              | 7              | 8              | 9              | 10             | 11             |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Scripts</b> | 5099           | 4972           | 5526           | 5337           | 5712           | 5565           | 5082           |
| <b>Items</b>   | 11984          | 11605          | 13262          | 12667          | 13626          | 13096          | 11997          |
| <b>Cost</b>    | £150080.9<br>8 | £155903.0<br>9 | £182960.4<br>2 | £174603.3<br>3 | £184125.4<br>8 | £172858.<br>00 | £152374.7<br>5 |

**2001/2002**

| Period         | 5              | 6              | 7              | 8          | 9              | 10             | 11             |
|----------------|----------------|----------------|----------------|------------|----------------|----------------|----------------|
| <b>Scripts</b> | 5110           | 5132           | 5432           | 5630       | 5695           | 4721           | 5697           |
| <b>Items</b>   | 11162          | 11338          | 12262          | 12693      | 12652          | 11061          | 12699          |
| <b>Cost</b>    | £127576.<br>27 | £140085.<br>90 | £150463.<br>26 | £151185.55 | £155818.3<br>6 | £141130.<br>78 | £150492.<br>35 |

**As already stated on a number of occasions the total value of the £2.50 medicines cannot be independently calculated.**

Answer to Question 256

Revenue raised for periods 8 – 11 inclusive (period 11 incomplete, some A/c not received)  
41167 items @ £2.50 = £102917.50.

Before increase in prescription charges , revenue raised would be 51386 items @ £1.20 =  
£61663.20

Also approx. 661 of 107950 items paid 20p =£14391.80.

Total revenue would have been £76055.00 therefore extra revenue raised = £26862.50

Contd....

Cont'd Answer to Question 256

Answer: Update to Question 946/2002

(please note: that a mistake was made in costs and correction provided below)

| Period  | 5              | 4              | 3              | 2              | 1              |
|---------|----------------|----------------|----------------|----------------|----------------|
| Scripts | 11705          |                |                |                |                |
| Items   | 38671          |                |                |                |                |
| Costs   | £431487.5<br>4 | £437619.9<br>0 | £427018.8<br>6 | £437522.2<br>5 | £419115.4<br>6 |

Period 13 (last Year) £535875.99

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**SUPPLEMENTARY TO QUESTION NOS 253 TO 256 OF 2003**

**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether indeed the number of items over and above those items paying £2.50 which are the items the people have to pay over and above the £7.50 the trend is still that they are continuing to increase?

**HON DR B A LINARES:**

I have to point out to the hon Lady that the question as asked is mathematically impossible to answer. She asked the cost in respect of medicines of which £2.50 was paid by patients.

**HON MISS M I MONTEGRIFFO:**

I am referring to Question No 253 of 2003 which refers to the items which pay a total over and above the £7.50 and therefore what I want from the Minister is confirmation of what he told me in the House of Assembly meeting of October last year when he did say that the figures had increased from 22,000 to 28,000 and this year's up-to-date it is 14,000 so in over six months it compares with 28,000 of last year. So that should be of interest to both of us in keeping tabs on exactly what has been the effective result of the capping of prescriptions but with respect I think that the figure is the number of

prescriptions which is open to all sorts of factors but I am referring specifically to those items that are given by the Government free of charge after the £7.50 which again he said in answer to Question No 253 of 2003 that the payment is 28,656.

**HON DR B A LINARES:**

Yes the figure of 28,656 which is the total number of non-charged items supplied to paying patients is if the hon Lady wants me to compare with the previous answer which I have not got before me because she was then asking in answer to Question No 556 of 2002 she was asking then how many prescriptions and I had to say that there was no way of answering that question because we were not dealing with prescriptions but with items. The number 28,656 which is the number of items over and above the £7.50 ceiling I cannot compare with any previous figures so I cannot say whether they have gone up or whether they have gone down.

**HON MISS M I MONTEGRIFFO:**

He did say that the number of items over and above the £7.50 has gone up in the last meeting of the House. He compared it to the figure of 22,289 to 28,343 and then he said that this compares with the same figure of last year 28,000 so indeed it has gone up from 22,000 originally to 28,000 and now we have again the same figure 28,000 so there is a trend that the figures are on the increase.

**HON DR B A LINARES:**

I am not sure if really mathematically whether we can actually define that as a trend it could be sporadic changes from one year to another I do not think it is from 22,000 to 28,000 and now 28,000 again so for over the last two years there seems to be a stability in those figures. I do not know I would not like to call it a trend because when one talks about mathematical trends it is a very difficult thing to determine within a small sample.

**HON MISS M I MONTEGRIFFO:**

Except that the Government took the decision to actually provide prescriptions over and above the £2.50 once they introduced the increase of prescription charges in December 1999 and therefore if the trend is that these items over and above the £7.50 is going up is it not against, what they said was their intention when they increased prescription charges when they said that their aim was to try and solve their so-called abuses by patients because if the trend continues as it is then the object of their first exercise has been defeated.

**HON DR B A LINARES:**

Well I have explained that I do not see anything like a trend as such. One would have to make for a longer span of samples to be able to determine whether there is an unacceptable trend or not.

**HON MISS M I MONTEGRIFFO:**

Even if we forget about the trend if the Government changed the system once they increased prescription charges are they not defeating their original intention when they said that they had increased it in order to do away with the abuse. If now there appears to be an increase in the numbers over and above the £7.50 I think what I am saying is correct that then the Government's original intention to do away with the so-called abusers is backfiring on them because they are giving out more prescriptions free of charge.

**HON DR B A LINARES:**

If there is a semblance of abuse which can only be determined by a very marked increase in other words what she calls a trend then I would say 'yes' there is a contradiction there but as I say there is no evidence that there is a manifest trend which would be indicative of any abuse.

**HON MISS M I MONTEGRIFFO:**

It was the Minister who first reported to the House that when they were going to increase prescription charges their aim was to do away with what they termed the so-called abuses by patients if they existed they must have had the evidence otherwise they would not have said that that was their aim. What surprises me is that they suddenly change the system, they give medicines free of charge over the three items which means the reason they gave for their first intention is defeated because now they are having to pay for more medicine themselves.

**HON DR B A LINARES:**

I have given as much information as I can if there is evidence that there is a marked increase in the items being dispensed over and above the three items at £2.50 over the £7.50 if it can be shown that there is an astronomical sort of trend in that direction then I would say yes there is the element of abuse has not been stemmed but for that we have to rely on analysing those figures.

**NO. 257 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PRESCRIPTION CHARGES**

Can Government say what was the amount paid to Pharmacists during the Financial Year 2002/2003 and the comparable figure for the previous Financial Year in respect of £1.80 per item prescription charged in respect of the medicines to which the sum applied?

**ANSWER**

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

The amounts paid to Pharmacists in respect of £1.80 fee was £750,000 for each of the respective financial years in question.

**SUPPLEMENTARY TO QUESTION NO 257 OF 2003**

**HON MISS M I MONTEGRIFFO:**

This is exactly the same answer I have got twice in two preceding House of Assembly meetings can the Minister confirm whether the £750,000 that he mentions is paid to each Pharmacy?

**HON DR B A LINARES:**

No £750,000 is what has been paid out to pharmacies collectively.

**NO. 258 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COST OF TREATING TEMPORARY VISITORS IN UK**

Can Government now state what was the latest available cost to the UK of treating temporary visitors from Gibraltar in respect of 2001/2002 and whether the difficulties which have been encountered to gather this information, as he stated in answer to Question No 972 of 2002, have now been resolved?

**ANSWER**

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

Answered together with Question No 259 of 2003.

**NO. 259 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COST OF TREATING TEMPORARY VISITORS IN UK**

Can Government state what was the latest available cost to the UK of treating temporary visitors from Gibraltar in respect of 2003?

**ANSWER**

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

There is an extensive answer to that with facts and figures and it should have been provided in a written schedule for ease of reference for her and for me but unfortunately it must have slipped out of my batch of documents and I would be able to pass on to her when I get it because to read out figures would be meaningless. I do apologise.

**NO. 260 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – CLINICAL GOVERNANCE AUDIT**

Can the Minister for Health confirm when it is expected that the official organisations from the UK will terminate the series of audits of all areas in the Health Service which he announced in November of 2001?

**ANSWER**

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

The way in which this question has been phrased shows either that the hon Lady is totally ignorant and nebulous about what the Government are planning in terms of a Health Care Development Programme and a Clinical Governance Audit or is being deliberately cynical about it all – (probably both). It was only on the 30<sup>th</sup> September not November 2001 of last year that we announced that the Government had decided to commission the NCGST, the National Clinical Governance Support Team of the NHS Modernisation Agency to carry out for us a clinical governance programme covering all aspects of our health services in Gibraltar and since then we have publicised through the media, press conferences, public meetings full details of what this programme entails and involves. Early this month the Chief Minister together with a UK Chief Medical Officer, Sir Liam Donaldson and his Deputy, Professor Aidan Halligan who is also the Director of the NCGST formally launched the programme and introduced the eight full-time members of the Audit Team made up of four NCGST officials and four selected local practitioners. I will now refer the hon Lady to the detailed programme which has also been made public and distributed and will hand to her with the compliments of the NCGST and the Audit Team a copy of their first Newsletter. There she will see that the full programme involves various phases and in direct answer to her question the first three phases that is the diagnostic phase and the identification of opportunities and areas for improvement for which the NCGST has been commissioned and at this stage will be complete by the end of July this year.



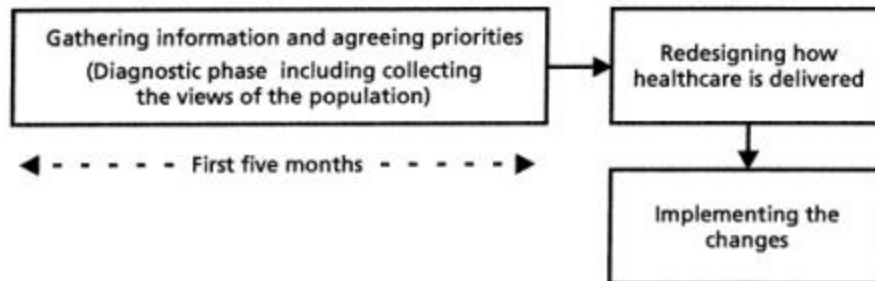
# Newsletter 1

## Patients at the Heart of the Healthcare Development Programme



Information sheet for patients, user groups and the general public.

- The Gibraltar Health Authority has commissioned the **NHS Clinical Governance Support Team** to work in partnership with them to develop the delivery of health care in Gibraltar.
- A **Healthcare Development Team (HDT)** has been formed and is composed of healthcare professionals from the Gibraltar Health Authority and the NHS Clinical Governance Unit.
- Central to the success of the programme is the **involvement and consultation of patients, user groups and the general public** at all stages of the process. Active participation will be sought from the initial diagnostic phase all the way through to the final implementation phase.
- The patient will not only be at the **heart of the programme** but at the **heart of the redesigned health authority**.



- The **first 5 months** of the programme will be spent **collecting and analysing information**. A core section of this diagnostic phase will be to gain a good understanding of how the people of Gibraltar perceive their own healthcare needs and what they view as important in the way healthcare services are provided. We will do this in a number of ways, including using a **NHS approved survey agency**.
- When the information has been gathered, the opportunities for development will be identified and the priorities for change agreed. This will lead to the next two phases of work, which will be **redesigning and implementing a patient focused healthcare system**.
- When it is felt that an area can be developed to the benefit of patients that will not have adverse implications on the final redesigned service we will work to fast track those changes.

This is our first newsletter. We will be sharing regular up-dates every few weeks informing you of the work and progress of the programme. In our next newsletter we will be providing the contact details of the **Healthcare Development Team** and we will welcome your suggestion, comments and views.

**We need your participation to make this programme a success.  
Please keep in touch!**

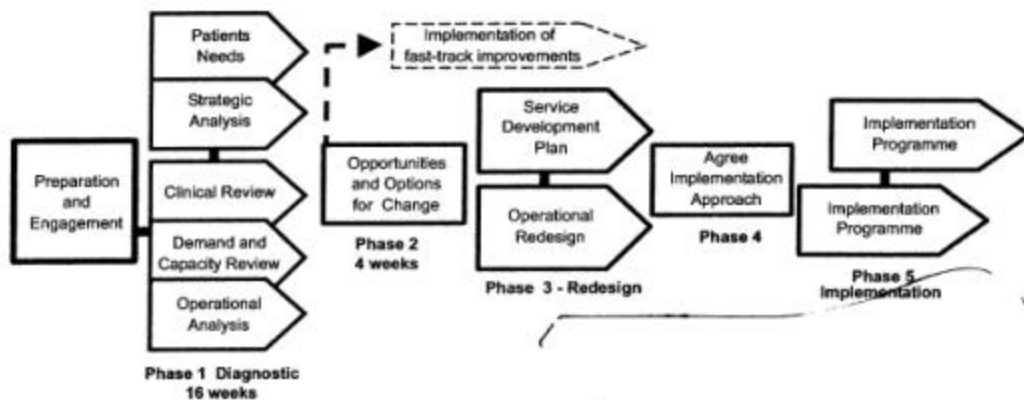
# The Gibraltar Healthcare Development Programme

The Gibraltar Health Authority has commissioned the NHS Clinical Governance Support Team to work in partnership with them to bring about changes and improvements in the delivery of healthcare services in Gibraltar. The aim of the work is to introduce changes that will promote the delivery of high quality; patient centred care across the whole of the Gibraltar healthcare system from self-care in the home through primary care to secondary and tertiary care.

## The Programme

The first two phases of the work will be to undertake a comprehensive review of how healthcare is delivered in Gibraltar today. Between March and July this year we will be collecting and analysing a wide range of information, reviewing the present way we work by looking at the current processes and practices and collecting the views and ideas of patients, staff and the people of Gibraltar. By gaining an in-depth understanding of the way healthcare is provided today we will be able to identify the opportunities for development.

The diagram below shows the different phases of the programme.



Once we have a clear idea of the opportunities for improvement and have agreed the priorities for change we will be in a good position to move into the next phase of the work, which will be to start the redesign work. (Phase 3)

As we move through the programme we anticipate there will be some improvements that can be introduced quickly, this could be achieved through a 'fast-track' process. However, other changes will require the development of longer-term plans.

An essential requirement of this work is to engage and involve patients, staff and the general public, in all stages of the programme.

### **The Healthcare Development Team**

A Healthcare Development Team has been formed to lead and undertake the diagnostic study. The Healthcare Development Team is composed of a combination of UK and local healthcare professionals. The Team will be responsible for collecting and analysing the diagnostic information and for presenting the findings, conclusions and recommendations to the Project Steering group.

### **The Gibraltar Healthcare Development Team**

The members of the Gibraltar Healthcare Development Team are Joanna Smith, Kevin Pizarro, Lucy Warner, Joseph Negrette, Frances Catania, Marilyn Boggust, Norbert Sene, and John Smith.



(top l-r) Norbert Sene, Marilyn Boggust, Frances Catania, and Joseph Negrette.  
(bottom l-r) Joanna Smith, Kevin Pizarro, and Lucy Warner.

### **The Programme Steering Group**

A Programme Steering Group will be set up and will, based on the recommendations of the Healthcare Development Team, resolve any policy issues, review and approve the recommended changes and communicate and promote the new ways of delivering patient services which will emerge out of the programme. The Steering group will be chaired by the Minister for Health and will include members of the Healthcare Development Team and senior staff from management and clinical areas.

### **Communication**

This is our first Healthcare Development Team newsletter. We will be sharing regular up-dates about the work in the coming weeks. If you would like to know more about the programme, please contact any member of the Healthcare Development Team (contact details will be provided on our next newsletter.)

We welcome your questions and views about the work we are embarking on.

**Gibraltar Healthcare Development Team**  
**February 2003**

## **SUPPLEMENTARY TO QUESTION NO 269 OF 2003**

### **HON MISS M I MONTEGRIFFO:**

I do not think that the Minister can castigate me and tell me that I should know this and I should know that when it is in actual fact and I have got it here black upon white that the Minister first announced the review in the meeting of the Gibraltar Health Authority in November 2001, he announced it then, then a year later he announced it again in October 2002. On the 15<sup>th</sup> February the Government gave it another big splash still not content with more publicity it came out again on the 3<sup>rd</sup> and 4<sup>th</sup> March 2003, five times, so how does the Minister expect me to know when it is supposed to terminate?

### **HON CHIEF MINISTER:**

Even if she does not believe Government Ministers in Gibraltar she has heard the Chief Medical Officer of the United Kingdom say so in television or does she think we have wound him up to give more splash for us. The hon Member should say given the concern that she professes to have about the state of the Health Service in Gibraltar which she should be is welcoming the initiative, welcoming the fact that it is underway and welcoming the benefits that it will bring to the Health Service instead of even at this late stage thrashing around to see how she might continue to make political capital out of it. Does she welcome the initiative?

### **HON MISS M I MONTEGRIFFO:**

I do not welcome it because Government have done it before and it has not worked. There was a review that Government commissioned but it did not work but coming back to what I was saying to the Minister does he not agree that since the first time that the Government announced this review till the Government received the recommendations and then they study the recommendations about three years will have elapsed?

### **HON DR B A LINARES:**

With regard to the date of November 2001 what I announced in the Annual General Meeting of the GHA is that the Government were intent in carrying out a review of health services across the board and I then announced that I was going to go to different organisations and meet them and scout around to see who or which of these organisations we would deem to be more suitable for exactly what we wanted to do locally and would actually be tailored and fit more into our culture and our needs. That is what I announced in November 2001 it is not a spinning propaganda it was just the intention and then after that I have been moving, I have been active going around and met the Commission for Health Improvement the CHI, the Audit Commission in the UK, I met with the NCGST there were negotiations and discussions and correspondence precisely to establish which of these organisations we felt was most suitable to meet our needs and we are at the stage when we have now actually been able to commission and plan and detail exactly this review which is not just another review as she has been

quoted to say, I am surprised as a politician that she should not see the difference, even their rivals in the Labour Party have been able to see the difference between previous reviews and this review and have welcomed it whilst criticising many other aspects of healthcare they have nevertheless welcomed this honest to goodness attempt by the Government to try to review as we get ourselves to the new hospital.

**HON MISS M I MONTEGRIFFO:**

No, having heard the Minister say that he has been active does he not consider that his activity means that since he first he announced it to once the Government get to grips to implement either recommendations three to four years will have elapsed, does he consider that is activity on his part?

**HON CHIEF MINISTER:**

I try to remain in a sedentary position for as long as possible but the problem is that the hon Lady makes it so enjoyable for me to get up and answer her that I am going to rise to her bait. The hon Lady sounds as if she regrets that if this review which is being universally welcomed by everybody else in Gibraltar is successful she will have to stop winging about what she has made her political *raison d'être* which is to try and pretend to everybody that the health service in Gibraltar is a completely and utterly shambolic. The systematic use of isolated cases to denigrate the generality which is her style in her use of the health service of course will be frustrated because it is almost as if she preferred that the Government did nothing effective in order that she could continue political mischievous opportunistic statements and I regret to tell her that her opportunity to do things is going to run out.

As to the question of four years of inactivity there have not been a single year of inactivity in the health service under the stewardship of this Government. We started off in 1996, 1997 and 1998 with two reviews conducted independently and professionally, every recommendation of both reviews have now been implemented. We have established a new primary care system with more doctors and more nurses in it than ever before. We have given Gibraltar a professional and dedicated emergency ambulance service, we have established more posts in more new medical disciplines amongst consultants than has ever existed before. There are now more House Doctors in the Gibraltar Health Authority than ever before. The budget for health service in Gibraltar has risen from £23 million when she left office in 1996 to £33 million today. That is one third more money being invested in the health of our community than she thought fit to invest when she was in office and as if that were not enough we are the first Government, she does not count because she only thought of it after she had seen our manifesto and rushed off to the printers to get a new middle page for her manifesto at the last elections to sort of slip in, we are the first Government to have had the courage to undertake the massive economic investment involved in a brand new state of the art hospital for Gibraltar and as we had said we would ensure that with the spanking new state of the art hospital would come a review, an audit, not of the things that had been audited in the past but a thorough external review of clinical governance practices. One of the things that can happen in a small place is that clinical governance protocols, clinical governance practices, the way doctors do things, the way hospitals organise things, the systems that are in place in hospitals, the recent result of the inquest into a

certain death is a case in point, in small places it is very easy to stay behind and we were committed to having an external review of clinical governance standards and practices to ensure that with the move to the new hospital and with the move to the new medical equipment and new medical facilities that the new hospital would bring we would also enjoy them in parallel with the most up-to-date effective efficient clinical governance standards, practices and protocols that it is reasonable to expect of a small community like Gibraltar. For the hon Lady therefore to suggest, I hope I have not extended myself too much for her liking I know that she does not like to hear anything that undermines her false political arguments but forgive me if from time to time I rise to defend the Government when its record is so easy to defend, that for her to speak about four years of inactivity when whatever may still need to be done the last six years have been the most radically transforming for the health service in Gibraltar ever in its history, is a monument to the political abuse that the hon Lady is making of the health services in Gibraltar because she thinks rightly that health is an issue that people feel vulnerable about as human beings and that therefore health is easy prey to get to people, to get to the electorate. I fear for the hon Lady that she has over-egged the pudding so much, she has gilded the lily so much, she has exaggerated so much and she is so unobjective in her criticism that I fear it is no longer of any political value to her to continue in the vane that she has developed.

#### **HON MISS M I MONTEGRIFFO:**

For a start the Chief Minister falsely accuses me of using the word shambolic. That is not a word that I use, I never use the word shambolic *[INTERRUPTION]* I have never used shambolic, he said that my false political arguments fall when he was making out that my arguments were false. Now that he has used a phrase that he thought I used I will use one of his favourite words, the Chief Minister lives in total cloud, cuckoo land, he seems to be the only person in Gibraltar that is saying that everything is all right in the health services. He has detailed to some extent all the improvements that the Government have made well I can tell the Chief Minister that I as a Member of the House of Assembly I am seeing now more patients in our office than when I was the Minister for Health at St Bernard's that is indicative of the many complaints that there are *[INTERRUPTION]* yes I did see them I was there every single day and if the Chief Minister is not aware of the many complaints not only coming from the Opposition but from every quarter of Gibraltar then he has lost touch with the people. If the Chief Minister is saying that the health services have not declined then why another review, why do the Government need to have another review.

#### **HON CHIEF MINISTER:**

If the hon Lady is seeing more people in Opposition now than she did in Government it would be one of three reasons, (1) that people only go to see Members of the Opposition when they are aggrieved. People used to come to see us all the time it is what people do it is what individuals with a grievance naturally do and that is to go to see people who they think they can help them but the difference between the Opposition and us is that we gave the people the opportunity to seek help when dealing with the Government by establishing the Office of the Ombudsman, so if she is seeing more people now than she did when she was a Minister I can only think of two reasons why that might be (1) is that she did not see anybody when she was a Minister and the other is that perhaps when

she was a Minister people did not dare complain. *[INTERRUPTION]* One of the big differences we like to think in Gibraltar now and Gibraltar in the days when the hon Member was in Government are that there is no longer a sense of complaining against the Government prejudices your health whereas in the hon Lady's days one complained against the Government at one's peril that might be another reason if it is true indeed which I frankly have to tell her that I do not believe that she is seeing more people now than when she was in Government. The hon Lady can continue to make light of improvements thereby confirming that what she wants is no improvements so that she can continue to criticise the Government which puts into question the sincerity of her concern for patients *[INTERRUPTION]* yes, only she alone is criticising this review by calling it just another review because those people who are objectively and sincerely concerned and motivated only by the concern of patients welcome it when the Government do things which will put an end to the alleged deficiency. Only the hon Lady who claims to be concerned by the interests of patients and of course has got no political self-interest or motivation of her own for going on and on and on about these things, only she has criticised this new review which she insists on calling just another review. It is not just another review it is the first time that people have come from abroad to Gibraltar to examine not the administration of a hospital or whether we need more doctors or more equipment or whether we need to refurbish the buildings or whether we need more nurses or how we should do our recruitments of all those things which is what the other reviews were about this is the first time that any Gibraltar Government have brought experts to Gibraltar to analyse clinical governance standards and protocol. I fear that whenever we have been discussing these things I had assumed that the hon Lady understood what clinical governance is and therefore when it is said that someone is going to come to audit Gibraltar's clinical standards and audits that she would understand the nature of the exercise involved that these are experts coming from abroad to examine how doctors deliver their medical service in Gibraltar, whether the protocols in the Accident and Emergency Services are the correct ones, whether the protocol on the wards are the correct ones, whether the protocols in the Maternity Wards are the correct ones, that has never ever, ever happened in Gibraltar before. Therefore for the hon Lady to persist in calling it just another review suggests either that she does not understand the nature of what has been announced or that having understood the nature of what it is announced she is determined to understate it in order presumably to minimise its impact and effect which would in my view make out against her the case that I have made out today that she is not really concerned by the interests of patients, she just wants to be able to use the health service as a political stick against the government because if that is not the game that she is playing why are the hon Members the only entity, indeed the only political party in Gibraltar that has not welcomed this clinical governance audit?

**HON J J BOSSANO:**

I do not know whether the actual question was answered which was when they expect the thing to be terminated ....?

**HON DR B A LINARES:**

In July.

**HON J J BOSSANO:**

The whole of it?

**HON DR B A LINARES:**

No the first three phrases.

**HON CHIEF MINISTER:**

You see Mr Speaker they do not even listen to what is said. The people from the UK development team went out of their way to say in the news conference and it was reported in the local media that this is not a question of waiting until the whole report is finished in order then to publish a glossy brochure two years from now and then one starts implementing that this was a progressive thing, that improvements would emerge, that things would be changed as and when they were covered by the inspection and therefore there would be constant improvement and constant review and the results of the review would be constant rather than waiting for a review to finish and then publish a report and wait to see if it is accepted.

**HON J J BOSSANO:**

Independent of all that and of all his long speeches and of all the wonderful things that he is supposed to have done and all the awful things that my Colleague has done, given that the question was permitted the question wants to know when the Government expects the whole exercise to be finished. We have been told that the first element in that exercise is due to finish in July but the question actually seeks an information when the whole series of all the areas are expected to be finished. Do Government have an idea when that might happen because that is what the original question was about everything else has nothing to do with the question?

**HON DR B A LINARES:**

The fourth and fifth phases and the hon Lady will be able to see that in the Newsletter with details that have been put before her cannot be determined time-wise until the first three phases which is diagnostic and identification of areas of improvement are actually established. It is in that scientific context that then the team will be able to say from now on we need this time scale in order to bring the whole exercise forward to the design stage leading up to the opening of the new hospital. So we cannot give the date for the end when the National Clinical Governance Support Team will go away because even then they say they will leave behind our local practitioners with programmes of design and programmes of implementation which they will carry forward almost indefinitely.



**HON J J BOSSANO:**

So then the exercise is supposed to be incorporated into a permanent feature of the running of the health service?

**HON CHIEF MINISTER:**

Yes, that is why it is being done jointly by the UK visiting team and a local element. That is why there are local and UK people in this review team so that the UK side can transfer the techniques, knowledge and the expertise of clinical government audits to the local people so that we can in future have our own home-grown, on-going, clinical governance standards audit capacity.

**HON J J BOSSANO:**

And the local home-grown, clinical governance standard capacity has there been a requirement in selecting the people to do that in order to ensure that their skills can be transmitted, how has that been done?

**HON DR B A LINARES:**

The Authority has identified people in different pertinent and relevant areas who hold their track record and on their expertise and experience will be able to work now at this stage with the NCGST officials and then as I explained a moment ago continue with the thrust of the clinical governance.

**HON J J BOSSANO:**

Presumably they have no expertise or experience of this because this has never been done before?

**HON DR B A LINARES:**

Not of the audit, the mechanics of the audit.

**HON J J BOSSANO:**

They may have expertise in whatever it is that they were doing before.

**HON DR B A LINARES:**

Precisely, I meant expertise in areas which are relevant and which will come under review.

**HON J J BOSSANO:**

The impression given by the latest explanation by the Chief Minister was that it was going to be concentrated primarily on the protocols that affect the delivery of the service provided by doctors.

**HON CHIEF MINISTER:**

The medical service.

**HON J J BOSSANO:**

He said doctors, in fact is there a particular emphasis on the way doctors do things?

**HON CHIEF MINISTER:**

I do not recall if I said doctors if I did I meant medical services, everybody, it covers everything, management the way management devises, implements and supervises systems that management might put in place on the basis that it is no good management putting in a system and then not monitoring to see whether the system is working. It covers every activity in the hospital that impacts on the quality of medical care that patients receive.

**HON J J BOSSANO:**

Is any of this linked to the opening of the hospital in the refurbished office building or is that irrelevant, are certain things supposed to have happened so that one does not carry existing practices into the new outfit or does it not matter?

**HON CHIEF MINISTER:**

I said before in my earlier lengthy lecture that the hon Member was not interested in hearing perhaps if he had listened he would not have had to ask that supplementary that the idea was that there should be a coincidence of coming on stream of the new hospital and the benefit of these practices. So the idea is that as many as possible, which we think is going to be practically the whole of the review, will be in place by the time that the new hospital becomes operational to medical services. Remember that there is a difference between the date the contractors hand over the hospital to the date that it opens for business because there has to be a migration from one building to the other which itself take several months. Remember that I said earlier that they would come out systematically and not all at the end.

**HON J J BOSSANO:**

If we now have finally arrived at a point where the expectation is that the bulk of the recommendations will be coinciding with operational take-over of the new building then can we know when that expected date is because that is what the original thing was trying to achieve to find out when all of it but if not all of it the bulk of it is expected to be in place which is coincidental with the operation, the Government have just said that their expectation is that the bulk of this if not all of it because it is an on-going thing will coincide with the operational take-over of the building at Europort well then they must have a date in mind and that would seem to be the date we are trying to extract since the first original question, Question No 260 to 2003, which was when the Government expect that the series of audits of all the areas will be terminated then presumably that is the date that we are talking about it, if it is not 100 per cent it will be 90 per cent.

**HON CHIEF MINISTER:**

If the hon Member wants to know when it is expected that the new hospital will come on stream I do not mind telling him that he can ask me I think the scheduled date is April or May 2004 is the date when the hospital is expected to be finished. Construction contract will have finished some months before that and then a specialist company, a company that specialises in migrating hospitals from one building to another comes in. Obviously there has to be cover either in one building or the other for all medical disciplines. There has got to be continuity of cover, so migrating a hospital from one building to another is in itself a specialist job for which a specialist contractor is engaged. At what point in the run-up to that we get and implement the recommendations of the clinical standard teams depends on, first of all it depends where he would define substantial given that they are coming out all the time we expect to have a significant amount of the output certainly by the end of the summer of this year. As to implementation it may be that many recommendations that emerge can be implemented even in the old hospital. Some of the recommendations it may be more sensible to wait until the new hospital is operational. That is a matter upon which they themselves the experts will make a decision the Government will not hold back implementing anything that can be implemented even in St Bernard's Hospital simply for convenience of timing, of waiting until the new hospital is up and running. Some of the recommendations may not be capable of being implemented because the recommendation may be based around the facility that is available at the new hospital which is not available at St Bernard's.

**NO. 261 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – POST OF CHIEF EXECUTIVE**

Can Government state whether they have now reached a decision on the new salary for the post of Chief Executive of the Gibraltar Health Authority?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 261 OF 2003**

**HON MISS M I MONT EGRIFFO:**

They have not taken a decision but that does not mean that they are not against reviewing the salary of the present Chief Executive of the Gibraltar Health Authority I take it?

**HON CHIEF MINISTER:**

No the Government are not averse.

**HON MISS M I MONTEGRIFFO:**

Could it be that as they are not aversed they envisage a settlement to this longstanding claim before the general elections, can they confirm that?

**HON CHIEF MINISTER:**

Does the hon Member mean in the hope of encouraging the gentleman to vote for us, no. We need to have a discussion which I accept is long overdue and which constantly gets overtaken by other more pressing things. It is a discussion which we need to have which we will have and that will be brought to a satisfactory conclusion.

**NO. 262 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – FORECAST OUTTURN**

Can Government confirm what is the Estimates of Revenue and Expenditure for the Gibraltar Health Authority for the Financial Year 2002/2003?

**ANSWER**

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

Presumably the hon Lady means forecast out-turn. She had the estimates for 2002/2003 last year. This information will be provided when the estimates are tabled in the House before the end of April this year.

**SUPPLEMENTARY TO QUESTION NO 262 OF 2003**

**HON MISS M I MONTEGRIFFO:**

It is just that in pre-budget sessions I have always asked for this information and have always got it, is the Minister not amenable to the request?

**HON CHIEF MINISTER:**

Pre-budget sessions are normally closer to the day when the work is already going to be finished and if it is ready it is given to her but the Government have in any event within

the next 30 days to give this information in accordance to the Tabling of the Estimates. To expect the administration to accelerate the production of the full and final forecast out-turn for the Health Authority broken down by item in respect of the last year when the Government in any event have an obligation together with all the other departments in Government to hand that information to the Opposition in 30 days time seems to place an unreasonable burden on the Government. The hon Lady will have plenty of time before she has to participate in a budget debate to have seen that information.

**HON MISS M I MONTEGRIFFO:**

I accept that it could pose and would pose an unreasonable burden to the civil servants, I accept that but the Chief Minister must understand that it was not our fault that the House has been called now. So I really thought that I could get the information, that was all.

**NO. 263 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPLAINTS PROCEDURE**

Are Government willing to accept the recommendations made by the Ombudsman in his latest report, in relation to the Gibraltar Health Authority's Complaints Procedure, as he continues to be critical of its efficacy?

**ANSWER**

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

I seem to remember that there was an earlier discussion in this meeting about the remit of the Ombudsman's terms of reference, areas of malpractice, maladministration but that issues of policy, Government policy, were outside his remit. In that sense the Ombudsman is within his terms of reference quite entitled to question the procedure the GHA Complaints procedure and comment as he has done and criticised that it is not being properly functioning. Then he makes suggestions not recommendations, he makes criticisms of the way it is being operated and then he went on to make some suggestions which I feel my good friend the previous Ombudsman went beyond his remit suggesting to the GHA how the Complaints Procedure should function. I think that is a matter of policy which he was not entitled to do although we are grateful for his informal suggestions. In any case there will be comfort to the hon Lady to know that along the lines not exactly the same idea that the Ombudsman had over completely independent external type of complaints officer but along the lines of keeping a certain arm's length by the officer who will be designated to process complaints that is being taken up by the Authority and we will shortly be advertising to contract a dedicated officer with full-time responsibility for quality assurance generally in the services and specifically the Complaints Procedure. The advert will soon be coming out with a very definite job profile as to the terms of reference of the performance of that officer.



**HON MISS M I MONTEGRIFFO:**

In fact does the Minister not accept that the Ombudsman has been three years asking the Government to take action over the Complaints Procedure, do they not also recognise that it is no longer us complaining about the Complaints Procedure that it is the Ombudsman, that it is the Complaints Board of the Health Service and recently a spokesman for the Health Users Forum said publicly that he had seen personally 140 complaints in a pile that no action had been taken, does he not accept the Ombudsman's recommendations which in a way do not totally fall in line with what the Minister has said but he said on various occasions in three of his reports encompassing three years that more action is needed by the Government that in late November the procedure was going to be reviewed by the Government and they said that they were going to review it and that by the end of 2002 the expected changes had still not materialised so there is there an element of acceptance by the Government that they were going to introduce changes and they have not?

**HON CHIEF MINISTER:**

I have to say for a change that I agree with some of what the hon Lady is saying. The Government accept that the Complaints Procedure in the Health Authority is not working as we would like it to. It would not give confidence to people who complain that their complaints are examined in a timely fashion nor does it give much satisfaction to very many complainants. Government's wish is that there should be an effective Complaints Procedure in the Gibraltar Health Authority that does give comfort and support to those that complain that their complaints are being properly examined, seriously treated and can look forward to a reasonably objective result within a reasonable period of time. The considerable improvements that we introduced to the almost non-existent Complaints Procedure that existed when we arrived in office have not been sufficient to do the trick despite the fact that quite a lot of effort has been invested in it but it is not true that the Government have not acted, it has just been overtaken by events. This issue is also in the brief of the clinical governance and the hospital services development team and we have asked them to comment on what would be an appropriate Complaints Procedure for Gibraltar in which users of the Health Authority could have more comfort and more confidence. So we will now wait for that external advice and recommendations because at the end of the day there is always the possibility in Gibraltar that we are so close to the woods that we do not see the trees and very often from outside this is clearer and now that they are here to do the general review they are going to do this review as well, they are going to include this in their remit. Another reason why the hon Lady should welcome the Clinical Standards Review and not hold out in being the only person that does not welcome it.

**HON MISS M I MONTEGRIFFO:**

I am tempted to tell the Chief Minister that we did not have a Complaints Procedure because there were none but we did have a Complaints Procedure and that is a fact. The Chief Minister has mentioned that we never had a Complaints Procedure, he is wrong except that we did not make the song and dance that they made about it and they brought primary legislation to introduce the Complaints Procedure. Having said that do Government not accept that after they were being warned three years ago that it was not

working we informed them in the House, other sectors have informed them and now that they are going to get the NCGST to review the Complaints Procedure do they not accept that they have another situation where three or four years are going to elapse from the day that the Complaints Procedure was not working?

**HON CHIEF MINISTER:**

She would get more credibility for her point if she did not insist on exaggerating. No, it is not three or four years ago *[INTERRUPTION]* yes I think she did I think that she has been telling us for three or four years and I think that the hon Lady will find that the existing Complaints Procedure has not been in place for three or four years. I cannot remember exactly when it was introduced but .....

**HON MISS M I MONTEGRIFFO:**

If the Chief Minister will give way. I did not say that it would take so many years from the Complaints Procedure I said it would take about three years from when the concerns were being voiced to when the actual new Complaints Procedure by the NCGST will be implemented, that is what I said.

**HON CHIEF MINISTER:**

If what she means is that when we get the blueprint from the Review Team that we are going to take three years to implement it the answer is no but it is nice of her to have such confidence in our prospects of re-election. That is what I thought she was saying the answer is no. The dissatisfaction with the new Complaints Procedure such as to cause the Government itself to lose confidence in it are not three years old. *[INTERRUPTION]* Perhaps she could clarify what she has said, I admit I have lost track.

**HON J J BOSSANO:**

Does the statement made by the Minister for Medical Services that the Health Authority had decided to contract an officer to take over this role which will be happening shortly, does that still stand or has that now been overtaken by the answer given by the Chief Minister that this is now being referred to the Clinical Governance Team and that they will now have to wait for this external advice?

**HON CHIEF MINISTER:**

No. The decision of the Government to increase the resources available to administer the existing system is a response to the fact that whatever may be the virtues or deficiencies of the existing system it does not work quickly enough and cases are piling up because there are not enough administrative resources to drive them forward that is what this initiative responds to. Any new Complaints Procedure will similarly need administration so one thing does not really have a lot to do with the other and certainly does not cancel the other out.

**HON J J BOSSANO:**

It did not sound like that when it was said by the Minister for Medical Services who said this was a partial implementation in a slightly different way of what the Ombudsman had been asking for, is there a particular significance to the fact that he said an officer would be contracted, is he just talking about employing somebody or is he saying that this is going to be given to somebody on a sort of fixed contract?

**HON DR B A LINARES:**

It will be employing someone.

**HON J J BOSSANO:**

Is this then a post within the sort of normal grade in structure of the civil service which would be recruited in the normal sense of the word or a particular post with particular requirements?

**HON CHIEF MINISTER:**

We want to keep our options open on that area because at the end of the day if the Review Team recommend that the Complaints Procedure should be independent of the Authority we need to have reserved in our flexibility for the resources to be placeable in the right place. So certainly whether it would be an established post in the GHA or a post of the sort that can then be changed if the implementation of the review recommendations require it is something we wish to leave as flexible as possible.

**HON J J BOSSANO:**

So the answer that I have just been given which was to say that it will be employed has been altered by the contribution of the Chief Minister because obviously he would not want to employ somebody and then have to sack him.

**HON CHIEF MINISTER:**

As to terms of employment.

**HON J J BOSSANO:**

As to terms of employment. The employment will not have to wait for the advice, the employment is going to proceed before otherwise everything else that has been said does not mean very much?

**HON CHIEF MINISTER:**

He has answered his own question.

**HON J J BOSSANO:**

Which one is it, that the employment will precede the advice yes or no?

**HON CHIEF MINISTER:**

I have already said that one has nothing to do with the other and that one is to improve the efficiency of the existing unreformed system. So clearly it comes before the reform of the existing system.

**NO. 264 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – UK SOCIAL SECURITY PENSIONERS**

Can Government state how many UK Social Security Pensioners, who were not also in receipt of a Gibraltar Social Security Pension, are resident in 2003, and registered with the Group Practice Medical Scheme?

**ANSWER**

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

Answered together with Question Nos 265 to 267 of 2003.

**NO. 265 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**GHA – UK SOCIAL SECURITY PENSIONERS**

Can Government state whether the UK Authorities have now confirmed that the final figure, which in answer to Question No 950 of 2002, was said to be just over 400, in relation to UK Social Security Pensioners, who were not also in receipt of a Gibraltar Social Security Pension, were resident in 2002, and registered with the Group Practice Medical Scheme?

**ANSWER**

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

Answered together with Question Nos 264, 266 and 267 of 2003.

ORAL

**NO. 266 OF 2003**

**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 2003?

**ANSWER**

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

Answered together with Question Nos 264, 265 and 267 of 2003.

**NO. 267 OF 2003**

**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 2002?

**ANSWER**

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

**Answer to Question No 264 and 266 of 2003**

The hon Lady will have to wait until December 2003 because that is when the complete information is passed on to us by the UK Authorities, we have to wait until the end of the year to establish a definite figure.

**Answer to Question No 265 of 2003**

The final figure in relation to UK Social Security Pensioners who were not also in receipt of a Gibraltar Social Security Pension resident in Gibraltar as at the end of December 2002 was confirmed as 438 which is just above the figure of 400 which I gave at the last meeting of the House.

**Answer to Question No 267 of 2003**

We are awaiting information from UK in respect of the number of Gibraltar Social Security Pensioners in receipt of a UK Social Security Pension who are resident in the UK as at the end of December 2002. We still have not got the information from them.



**SUPPLEMENTARY TO QUESTION NOS 264 TO 267 OF 2003**

**HON MISS M I MONTEGRIFFO:**

The Minister said earlier on in the proceedings that they were changing the system, will these figures also mean that the system in place at the moment will need changing or will they form part of another system or will the calculation stay as they presently are?

**HON DR B A LINARES:**

These figures will always be relevant in establishing the funding obligation by the UK Government and counterbalanced by our own commitments to pay. These figures will always be relevant in whatever structure the formulary goes.

**HON MISS M I MONTEGRIFFO:**

When the Minister said that the notorious formula was being changed and that meetings had been held by the Department of Health I took it that the whole of the formula was going to change.

**HON DR B A LINARES:**

No, we must not make a myth out of this formula even though it has been described as notorious. The formula is a means, an instrument, what I said would be changed was that instead of establishing, it was being considered we still have not made a decision, a quota for which the Government in Britain will be responsible we would aim at a sum of money which will then be credited to our purchasing and our paymasters in the Lambeth Primary Care Centre so it is a change of shifting from a number of persons with referrals to a sum of money which is due. The actual calculation of all this will have to go through these factors which is the UK pensioners in Gibraltar without a local pension and the Gibraltar Pensioners and temporary visitors all these are the factors in the formula that we have often discussed.

**HON MISS M I MONTEGRIFFO:**

I see, I think the Minister said that the notorious formula was being changed and I took it that the whole of the calculation, the system of the calculation as it is and he has now confirmed then that when he talks about the change the changes are only related to the quota patients, am I correct?

**HON DR B A LINARES:**

Yes because obviously these data are essential elements in establishing the obligation and the commitment of the British Government to funding and ours.

**HON J J BOSSANO:**

Is it not the number of free patients, that is the patients treated by UK, arrived at from a calculation that first produces a sum of money and then that is converted into a number of cases, is the calculation arriving at the sum of money going to be changed as well or is it going to stay as it is?

**HON DR B A LINARES:**

The calculation will end up with a sum of money.

**HON J J BOSSANO:**

And that calculation is based on this formula?

**HON DR B A LINARES:**

That is right.

ORAL

**NO. 268 OF 2003**

**THE HON J J BOSSANO**

**GHA – STAFF NURSES**

Can Government state how many of the Staff Nurses currently employed by the Health Service are required to renew their registration this year?

**ANSWER**

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

Answered together with Question No 269 of 2003.

**NO. 269 OF 2003**

**THE HON J J BOSSANO**

**GHA – ENROLLED NURSES**

Can Government state how many of the Enrolled Nurses currently employed in the Health Service are required to renew their registration this year?

**ANSWER**

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

**Answer to Question No 268 of 2003**

Eighty-four Staff Nurses would be required to renew their registration this year.

**Answer to Question No 269 of 2003**

Eighty-nine Enrolled Nurses would be required to renew their registration this year.

**SUPPLEMENTARY TO QUESTION NOS 268 AND 269 OF 2003**

**HON J J BOSSANO:**

In terms of this requirement for Staff Nurses given that the regulations says that a Staff Nurse that is on the United Kingdom UKCC Register is entitled to be on our register

what is the position with Staff Nurses who are registered in the UK, do they still have to re-register here every three years?

**HON DR B A LINARES:**

Yes, the local Registration Board for Staff Nurses, it is the Nurses and Midwives and Health Sisters Registration Board, is a local statutory body quite independent from the GHA as it should be. It is an important body which is intended to monitor not only instances of competence and practice but also through registration to ensure continued professional development. In this respect one has to say that we have our own statutory body independent of the UKCC and that it has to be said has lied quite dormant if I may put it that way in fact to some extent making it insignificant. I believe that on payment of 50 pence a Staff Nurse would be registered pretty well for life even some who have been away inactive away from practice for a number of years can then walk in again without re-registration. That is not really the important aim of the Registration Board as is the practice with the UKCC to which as the hon Member suggested all level 1 Nurses are registered and pay the Director of Operations actually has to pay £30 as an RSN and £30 as an RMN, so as from the 1<sup>st</sup> April we will be requiring all Nurses, Staff Nurses and Enrolled Nurses, to make this Registration Board significant and meaningful as part of the thrust to ensure on-going professional development. This time round they will just simply be required to register but next time round they will have to as in UK present evidence of continued updating of skills and professional development.

**HON J J BOSSANO:**

Yes, all very interesting but that is not my question. My question is, given that regulation 30 of these regulations for which the Minister is responsible says that anybody that is in the UKCC upon satisfying the Board of his identity and good character can join the register then surely it must follow that if everybody on the register in Gibraltar is already on the register in UK why do the Government think that it needs to make people go through the same procedure twice, should it not be automatic given that there is a provision in the law that says that if one is in the UK Register one automatically is entitled to be on the Gibraltar Register?

**HON DR B A LINARES:**

The Board who are quite independent of the GHA felt that its own role locally should be seen on its own merits to some extent independent of the UKCC. I presume that they will very much take into account when re-registering nurses the fact that a nurse is already registered with the UKCC and that will carry a lot of weight but nevertheless they felt that they had to establish that this is not a dead body dormant there and just simply going through the motions of a pretty well meaningless registration but an active body more closely than it is possible for the UKCC to attend to the practice and skills development and updating of our own local nurses.

**HON J J BOSSANO:**

With all due respect to the Minister he is talking a lot of waffle presumably because he does not have the answer to my question. I am saying to him it is mandatory in the law, the law says “*the Board shall register somebody who is on the UK .....*” so this is not a question of the Board not wanting to be dormant or wanting to be awake or wanting to be seen to be independent, all I am saying to him is that it is clear from the law that the law says one registers in Gibraltar in order to be able to practice and if one is on the UKCC register and are able to satisfy the Board of one’s identity and good character, which presumably in the Health Service can, I take it that we employ Nurses in our hospital at Staff Nurse level about whose good character and identity we have no doubt we know who they are. So, what this says is if one satisfies the Board of one’s identity and good character and are on the UKCC one should be entitled to be registered under this part there is a separate part for this purpose independent from the one that seems to be being used which is section 29 and this is section 30 that I have read. Since the Minister has told me that all the Nurses that have to be re-registered are already registered in UK it seems to me imposing an unnecessary burden on our staff if we have got a law that says that if one can keep one’s registration in the UK one is entitled to be in the Gibraltar Register and the Board may not refuse because it is mandatory, it says the Board shall, Regulation 30 of the Regulations says, “*....upon satisfying the Board of the identity and good character,*” those are the only two things that it has got to satisfy the Board identity and good character not qualifications. The fact that the person is on the UKCC is evidence enough of the skills obviously the need to satisfy the Board of the identity and good character is intended to be there for a new arrival whom we do not know not for somebody who has been for the last 20 years in the Health Service. Is there really a need to make people on the UKCC apply under section 29 when there is a provision in section 30, that is my question?

**HON DR B A LINARES:**

But section 29 requires an application to be made and that is exactly what we are asking that all these people as the hon Member says are entitled to be registered locally because they are registered by the UKCC automatically they have to make a formal application for re-registration according to regulation 29. In any case the element of good character and identity is also necessary whereas I hope all our nurses are of good character nevertheless this has to be established on an on-going basis after all re-registration is every three years and it is important, the Board felt which as I said is an independent statutory Board that they should play a much more meaningful role in monitoring its functions and monitoring its responsibilities.

**HON J J BOSSANO:**

I am afraid that the Minister has not read the regulations and does not know what he is talking about because I am telling him that the procedure that seems to be followed seems to be the one in section 29 which makes no reference to identity or good character.

**HON DR B A LINARES:**

It is an application.

**HON J J BOSSANO:**

Yes but section 30 also requires an application to be made but the application under 30 may not be rejected by the Board subject to the identity of the person being proved it is self evident I would put to the Minister that the reason why we are putting in section 30 the identity is because we are assuming that this would be somebody who comes in as a Staff Nurse from outside, the contract Staff Nurses, whereas section 29 is clearly a provision which makes no reference to the UKCC, makes no reference to identity of character and talks about people undertaking courses of training. That is what seems to be reflected in the letter that has been sent to people and what I am saying to the Minister is that we seem to have a situation where somebody could argue, well look I am not going to submit my registration under 29 I am going to submit it under 30 because I am registered in the UK already. And, can I put a further question to the Minister, given that we have got people who have been in the public service in the health service for many years who are in this category, most of them, because unless they have just been contracted in they are all people who come up from the ranks, can the Minister really think that he can terminate the employment or that the Board can terminate the employment without running up against unfair dismissal and contractual obligations, what happens if I take him at his word when he has said that it is reasonable that people should have to satisfy the Board of their identity and good character every three years, if the Board is not satisfied what does the Minister do with the employee, can he sack him?

**HON DR B A LINARES:**

No we will then be subject to General Orders et cetera and the disciplinary procedures locally nevertheless the Board feels that they should play an active role not just be a white elephant in the Ordinance but that they should play a definite role in seeking reapplication because regulation 30 as the Leader of the Opposition has told me requires application even for those who are registered in the UKCC. Even then they have to apply and this is all that the Board is asking when applying for registration evidence be presented that either one is already registered in the UKCC which would be a valid way of establishing one's right to re-registration locally and also an element of good character.

**HON J J BOSSANO:**

I do not know whether the Minister is aware of the letters that the staff have been sent the question of good character is not reflected in the letter. I have brought this to his attention and this is limited to people who are in the UKCC. This letter makes no reference to section 30 the terms of the letter clearly indicate that it is based on the wording of regulation 29 and the letter says something very peculiar because it says, *"...in order to re-register it will be a requirement for you to have a portfolio of current updates which shows evidence of learning. As this is the first time that the portfolio is*

*legally required the Board has decided that you will not be required to present your portfolio with your application to the Board....,"* if it is a legal requirement is there anything in the regulations that says that the Board can waive legal requirements, not to my knowledge, either it is legally required or it is not legally required?

**HON DR B A LINARES:**

It is a totally independent Board from the GHA it is chaired by Louis Baglietto a lawyer.

**HON CHIEF MINISTER:**

The Government are not answerable in this House for independent statutory boards of which the Minister is not even a Chairman or a Member why should the Minister be commenting on the legal advice that the Board has given or the legal interpretation, it is just not a matter for which the Government are accountable.

**HON J J BOSSANO:**

I would have thought that if 84 Staff Nurses and 89 Enrolled Nurses have been sent a letter within the hospital purporting to require them to re-register and being reminded that if their registration is not accepted they will not be able to practice and the Minister has just accepted that if the guy is not able to practice what does he do with him, does he employ somebody who is not registered? No, he cannot do that one cannot be working as a Staff Nurse unless one is registered, can he sack the person because of the non-registration? No, one cannot because the guy has got a contract of employment. I would have thought that it is very pertinent to the relationship between the Health Authority and its employees and their contractual obligations the content of this letter and I would think the Government ought to be grateful to me for bringing it to their notice presumably they do not know what it says.

**HON CHIEF MINISTER:**

I entirely agree with the hon Member I will look into it tomorrow. If the Gibraltar Health Authority is making its old staff re-register and go through some external processes as if they were not already members of staff I would have thought there was better way to go about it than by writing them letters in the post.

**HON J J BOSSANO:**

While he is looking at it will the Minister agree to look at two other points where I think there is something in conflict between the letter that they have been sent and the law. Presumably it is not wrong for Members of this House to look at the law because after all we are the Legislature. The law says as I read it that any person that is re-registered other than using the conduit of the UKCC which is under section 30, in section 29 it provides that he shall satisfy the Board that he has taken such courses and training as may be prescribed that is what the law says, what the letter says is *"on this occasion*



*because you have not been given sufficient notice we are not going to ask you to provide evidence that you have completed courses but we are telling you now that the next time that you register you will do it."* Will the Government therefore look into this on two counts which I think is relevant (1) to my knowledge the law says that if the Board wants to require people to produce evidence that they have completed training they have to prescribe beforehand what is the training they want people to complete. They have not done that so I do not see how somebody can be told *"you may not be re-registered because you have not done training"* The law says that they can only be asked to have completed training that has been previously prescribed and secondly I put it to the Government that if the Board prescribe courses then the GHA will have to make provision for those courses to be provided and completed otherwise one cannot say to somebody *"we are not re-registering you because you did not complete the course and the course has not been provided."* It is courses prescribed for this particular purpose I know that there are courses in the health service, one may have a nurse going on to do a course in geriatrics but if they produce evidence of having done a course in geriatrics there is nothing in the rules that says that that will be acceptable because it says they must produce evidence that they have to do the courses that may have been prescribed. I would think that although the Board is independent there is a need to make sure that if the Board in its independence prescribes certain courses the Health Authority is providing the courses the Board is prescribing not something else and another thing that I would ask the Government to look into when this is being looked at is that it seems to me at least doubtful that any of this applies to Enrolled Nurses of which 89 have been told that they have to re-register because the requirements are all under section 29 and in regulation 28 (2) it says there shall be a separate part of the register into which shall be entered the name and addresses of Enrolled Nurses being persons not entitled to registration under section 29. If they are not entitled to registration under section 29 I do not see how they can be sent a letter saying that they have to re-register under the provisions of section 29 which they are not entitled to do anyway. [INTERRUPTION] Since I do not have access and the Government have I would be grateful if the Government were to bring these points to their notice.

**HON CHIEF MINISTER:**

And I am grateful to the hon Member for bringing it to mine. I shall look into it as soon as I am free from the House.

ORAL

**NO. 270 OF 2003**

**THE HON S E LINARES**

**EDUCATION – HEALTH AND SAFETY**

Can Government state whether there is a Health and Safety written policy for the Department of Education?

**ANSWER**

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

Answered together with Question Nos 271 to 273 of 2003.

ORAL

**NO. 271 OF 2003**

**THE HON S E LINARES**

**EDUCATION – HEALTH AND SAFETY**

Can Government state whether schools have a written Health and Safety Policy?

**ANSWER**

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

Answered together with Question Nos 270 and 272 to 273 of 2003.

ORAL

**NO. 272 OF 2003**

**THE HON S E LINARES**

**EDUCATION – HEALTH AND SAFETY**

Can Government state who is responsible for the implementation of the Health and Safety policy within the Department of Education?

**ANSWER**

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

Answered together with Question Nos 270, 271 and 273 of 2003.

**NO. 273 OF 2003**

**THE HON S E LINARES**

**EDUCATION – HEALTH AND SAFETY**

Can Government state how many times have the factory inspectors inspected schools for adequate Health and Safety provisions?

**ANSWER**

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

The Department does not have a specific written Health and Safety policy. The guidelines used in schools are contained within the general guidelines of the Health and Safety Ordinance however some schools have adapted and adopted these guidelines and drawn up their own Health and Safety Rules tailored to their particular features and circumstances which differ from one school to another and the department does not have a Health and Safety Officer as such and therefore ultimate responsibility rests with the Director. The Factory Inspectors are called to inspect the schools as and when necessary and the department responds immediately to Health and Safety issues upon notice from Headteachers.

**SUPPLEMENTARY TO QUESTION NOS 270 TO 273 OF 2003**

**HON S E LINARES:**

Is the Minister aware that there should be a written policy in all departments and workplaces including schools?

**HON DR B A LINARES:**

What does the hon Member mean by, there should be a legal requirement?

**HON S E LINARES:**

Absolutely a legal requirement, yes.

**HON DR B A LINARES:**

Where does he get that from?

**HON S E LINARES:**

There is a requirement by law that there has to be a written policy both in all departments including schools, if there is not a written requirement what is it that the schools or the department has because the department should have a written policy which is filtered down to schools the Minister says that some schools have a written policy and that they have adapted it but what about the department in itself?

**HON DR B A LINARES:**

When the hon Member says should does he mean morally or be more expedient or desirable that is open to discussion but that there is a legal requirement is another matter and he has not given me information to that effect.

**HON S E LINARES:**

I will do so. Can the Minister state whether all employees have been informed about the Health and Safety provisions that there are in schools and in the department?

**HON DR B A LINARES:**

Headteachers hold regular staff meetings, I have mentioned already in answer to his question that many schools have already tailored Health and Safety Guidelines from the General Health and Safety Ordinance to the peculiarities of the their own particular schools and this is communicated to all members of staff in the regular staff meetings et cetera when all sorts of matters affecting the school, policy curriculum, discipline and health and safety matters are obviously discussed with the Headteacher.

**HON S E LINARES:**

Does this include all the other employees of the school?

**HON DR B A LINARES:**

Yes I should think so most schools have deputy heads who are in charge of administration, they have responsibility for the ancillary staff they would be giving instructions for instance in the laboratories in the secondary schools they have very clear protocols and very definite regulations about the peculiarities of precisely a school laboratory.

**HON S E LINARES:**

Can the Minister state who is the person who is nominated to be the one who is supposed to be transferring this information because there is supposed to be somebody who the employees know that this information should be passed?

**HON DR B A LINARES:**

I have just said so the deputy heads, headteacher of course but very often he delegates the office to his or her deputy.

**HON S E LINARES:**

Can the Minister state who is the Director responsible for administering the Ordinance of Health and Safety?

**HON DR B A LINARES:**

This is an area within the general, generic Health and Safety Ordinance and if he is asking me such a specific question as to the legal statutory requirements in that Ordinance I would have wanted some prior notice so that I could look it up as he himself can look it up.

**HON S E LINARES:**

I have got it here myself that is why I am asking I mean .....

**HON CHIEF MINISTER:**

Point of order Mr Speaker he is out of order on two grounds, first of all it is not for him to ask the Government for legal advice because the Government are not here to advice on what the law of the land is and secondly he is not allowed to ask questions to which he already knows the answer. What is the point of asking, first of all the answer to his question is publicly available and then it transpires it is all a trick because he already knows the answer to his question.

**HON S E LINARES:**

Can the Minister state how many times the inspectors who he says are going as required have inspected in relation to asbestos or whether asbestos is present in schools and the inspectors are having a look at it because some of the buildings were built in 1955-56?

**HON DR B A LINARES:**

What is he asking how many times or whether there is asbestos in the schools?

**HON CHIEF MINISTER:**

How can the Minister possibly know the answer to that question? If the hon Member wants to know whether the schools have been inspected for a particular thing surely he has got to ask that in his question. How on earth is the Minister possibly going to have that information as if he had come in and asked how many times the lavatories had been checked to make sure that the plumbing was functional. The hon Member is not even a very clever barrack room lawyer if he is obviously trying to catch the Minister out he has got to do it a bit more cleverly than that.

**HON S E LINARES:**

The thing is that these are legal requirements which the Minister should be aware of and if he is not aware of them that they are not happening I would like to bring to his attention that they are not actually happening.

**HON CHIEF MINISTER:**

The hon Member can ask how many times have the schools been examined to make sure that the lavatories are working and then the Minister would bring an answer to the House which would be – never and the hon Member could then say well somebody is then not complying with their legal obligations that is the way to establish but how can the Minister possibly know which schools have been examined for a particular thing that he has got hidden in his mind?



ORAL

**NO. 274 OF 2003**

**THE HON S E LINARES**

**EDUCATION – PRIVATE NURSERIES**

Can Government state what liaison exists between the Social Services and the private nurseries?

**ANSWER**

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

Answered together with Question Nos 275 to 281 of 2003.

ORAL

**NO. 275 OF 2003**

**THE HON S E LINARES**

**EDUCATION – NURSERY**

Can Government state what they meant by 'keeping a watchful eye' in relation to nurseries as they stated in their press statement No 040 of February 2003?

**ANSWER**

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

Answered together with Question Nos 274 and 276 to 281 of 2003.

**NO. 276 OF 2003**

**THE HON S E LINARES**

**EDUCATION - PRIVATE NURSERIES**

Can Government state what financial aid, if any, will Government give to private nurseries to be able to comply with the legislation, which the Government says, is to be considered at the Council of Ministers?

**ANSWER**

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

Answered together with Question Nos 274, 275 and 277 to 281 of 2003.

**NO. 277 OF 2003**

**THE HON S E LINARES**

**EDUCATION – PRIVATE NURSERIES**

Can Government state how many meetings has the Department of Education had with the private nurseries in relation to the legislation that this Government now has ready for the Council of Ministers to consider?

**ANSWER**

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

Answered together with Question Nos 274 to 276 and 278 to 281 of 2003.

ORAL

**NO. 278 OF 2003**

**THE HON S E LINARES**

**EDUCATION – NURSERIES**

Can Government state whether the nursery legislation is to be presented to this House this Legislature?

**ANSWER**

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

Answered together with Question Nos 274 to 277 and 279 to 281 of 2003.

ORAL

**NO. 279 OF 2003**

**THE HON S E LINARES**

**EDUCATION – PRIVATE NURSERIES**

Can Government state how many times have officials from the Department of Education visited private nurseries to ascertain its educational input?

**ANSWER**

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

Answered together with Question Nos 274 to 278, 280 and 281 of 2003.

ORAL

**NO. 280 OF 2003**

**THE HON S E LINARES**

**EDUCATION – PRIVATE NURSERIES**

Can Government state how many courses have been organised by the Department of Education for private nurseries in the years 2000, 2001, 2002 and 2003 to date?

**ANSWER**

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

Answered together with Question Nos 274 to 279 and 281 of 2003.

**NO. 281 OF 2003**

**THE HON S E LINARES**

**EDUCATION – PRIVATE NURSERIES**

Can Government state how many times have school nurses from the Health Authority visited private nurseries to check on the health of children in the years 2000, 2001, 2002 and 2003 to date?

**ANSWER**

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

**Answer to Question No 274 of 2003**

Private nurseries fall under the general auspices of the Education Department not the Social Services Department, however all persons involved with children would contact Social Services Department when they had reason to suspect that any child was in need of social care.

**Answer to Question No 275 of 2003**

A 'watchful eye' means that we are constantly monitoring the operation of most aspects of these private nurseries in a whole variety of ways. There are all sorts of ways of gathering information from daily contact with parents, calls from the people running the nurseries for advice, attending to complaints which often reach us, not many, but there is some concern sometimes and they seek advice from the department, the situation is the same I suppose as when the GSLP was in government it is the same Education Ordinance applied during their term of office, but the question seems to suggest that our



children are being abandoned and left at the mercy of unscrupulous nursery operators I take this opportunity to state that this is not so it should be noted that children with emotional or developmental problems whilst in attendance in private nurseries are successfully identified at a very early age and they are assessed by multidisciplinary panel, a team, and where necessary have been placed in our own Government Child Development Centre at St Martin's School. Therapists from the multi-professional team that is speech and language therapist, occupational therapist and physiotherapists all of whom have special paediatric training go to private nurseries as the need arises. The Principal Educational Psychologist will observe a child in a private nursery when there is evidence of a problem which is brought to his attention. Recently there have been children in three private nurseries who have warranted specialist observation one of them with intensive need of a follow-up and the Principle Educational Psychologist and the department's Educational Advisors are always at the end of a telephone line to give advice as and when necessary and parents are similarly advised.

I should remind the hon Member that it is not only the Education Department that keeps a watchful eye but other agencies as well such as the Fire Brigade and the Environmental Health Agency involved with private nurseries as part of their respective brief indeed the Education Ordinance requires all private nurseries to be duly registered and approved by the Department of Education.

#### **Answer to Question No 276 of 2003**

This question is hypothetical and pre-empt the content of the legislation and pre-assumes that there will be a compliance cost but it is important to note that the Government will continue to grant a tax allowance to parents with children in private nurseries a measure which this Government introduced and did not exist before. At this point I wish to make a couple of observations which reveal what I can only call the political duplicity behind this sudden born again interest of the hon Member in the welfare of private nurseries. On the one hand and I would say quite legitimately he has for some time been pressing Government to introduce legislation in order to ensure high educational standards in private nurseries but on the other hand he has produced a paper which he has distributed to owners of private nurseries warning them about the Government's proposed legislation this is what he says, *"What impact will the legislation have on your nursery as a business"* and then he goes onto say, *"The Legislation that this Government are to present to the House of Assembly could well have serious repercussions on your establishment, for starters it is envisaged that this legislation will increase the burden on you as mentioned above by demanding more expenses to be incurred to be able to comply with the standards that could be required by this Bill,"* and I have to ask myself, where does he stand does he really want the legislation or does he not ?

#### **Answer to Question No 277 of 2003**

The Government have had one meeting to date. It has already entered into planning arrangements for a series of further meetings with private nursery owners.

### **Answer to Question No 278 of 2003**

Legislation of this type is not something that can be rushed into we are dealing with very delicate matters here, the welfare of very young children. Even though it may be described as ready it is still in draft form and therefore open to modification. The whole process will only be deemed complete when all those concerned have been consulted, hon Members' should note that this also concerns parents and even the receiving teachers in our Government schools and nurseries. The legislation is based on our last full inspection of private nurseries which took place in 1997 and it is written in the spirit of the UK's Children Act of 1989 and modifications have of course been made to take account of the local context.

### **Answer to Question No 279 of 2003**

Officers from the Department visit private nurseries as and when necessary and appropriate.

### **Answer to Question No 280 of 2003**

Focussed visits or inspections are arranged in regular cycles. The last took place in 1997 and a review is scheduled for the forthcoming year. Preparations for this are already in hand and as a result of the last cycle of inspections an intensive training course was offered to all nursery teachers and there was an extremely good feedback from the participants. New developments in early years work, notably the Foundation Curriculum, is already in the process of an in-service delivery with some nurseries expressing an interest to introduce these initiatives as soon as possible.

### **Answer to Question No 281 of 2003**

School Nurses from the Health Authority do not visit private nurseries as of rule, we do nevertheless have an extraordinary and well-established infant screening and monitoring process run by our Health Visitor, our Primary Care Nurses the Schools Health Service and the Consultant Paediatrician. These professionals liaise with other childcare professionals such as the Audiologist and Optometrist and refer systematically as the need arises. All children under four including those in private nurseries are given regular appointments at the Children's Care Unit in the Primary Care Centre for check-ups, health and medical.

The whole tenor of the questions on nurseries seems to suggest that the Opposition does not have any confidence in the way private nurseries are being run nor in the competence of their teaching staff. This is not what our inspections revealed, this is not what my officers report of course there is always a need for more training. What we will not do is to subject nurseries to draconian measures of inspection, we will not in the

interests of appearing efficient encourage them to over-formalise the nurturing they provide. All reputable modern studies warn us against the dangers of over-prescriptive early education since over-formal pre-school programmes can impede a child's personal development. The last thing we want to do is to distil nursery teachers.

**NO. 282 OF 2003****THE HON S E LINARES****EDUCATION – NUMBER OF PUPILS SUSPENDED**

Can the Government state how many pupils have been suspended from each school in the academic years of 2001/2002, 2002/2003?

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

The information requested is as follows:

| <b>School</b>            | <b>No of Suspension</b> |                  |
|--------------------------|-------------------------|------------------|
|                          | <b>2001/2002</b>        | <b>2002/2003</b> |
| Bayside                  | 6                       | 12               |
| Westside                 | 11                      | 5                |
| Bishop Fitzgerald Middle | 1                       | -                |
| St Anne's Middle         | -                       | 3                |
| St Joseph's Middle       | -                       | -                |
| Sacred Heart Middle      | -                       | 1                |
| Hebrew Primary           | -                       | -                |
| St Mary's First          | -                       | -                |
| St Joseph's First        | -                       | -                |
| Governor's Meadow First  | -                       | -                |
| Notre Dame First         | 2                       | 1                |
| St Paul's First          | 1                       | -                |
| St Bernard's First       | -                       | -                |

**SUPPLEMENTARY TO QUESTION NO 282 OF 2003**

**HON S E LINARES:**

Can the Minister state, for example, in Bayside where there are 12 children what actually happens to those 12 children when they are suspended from school?

**HON DR B A LINARES:**

Most of these suspensions are on a very temporary basis sometimes not even for a day it could be for an afternoon, sometimes one or two days and normally the teachers if it is a more prolonged suspension say three to four days will set work. Parents will be called in in the event of a suspension to explain the situation. In the case of a more indefinite situation, we have a child who has been indefinitely excluded and the Department has provided for a one-to-one tuition of this child by a very experienced teacher on every day of the week in the mornings and in the afternoon a placement at the Gibraltar Training Centre where we are very happy he is doing very well in learning a trade.

**NO. 283 OF 2003**

**THE HON S E LINARES**

**GHA – NUMBER OF TEACHERS**

Can Government state how many teachers are on a 1, 2 or 3 yearly contract?

**ANSWER**

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

Teachers are not employed initially on more than a one year contract. This may then be extended for further one year contracts. The Department has employed teachers for one year at a time to meet specific school needs which include extra pupils in the school, special educational needs and teachers on extended unpaid leave like the hon Member who may well at a later date wish to return to active service in the Department. As at the end of the current academic year they would be employed on this basis, 10 teachers who have worked continuously for one year, normally there are new teachers being recently qualified, nine for two years and only two for three years. The need to employ teachers on this basis will decrease next September given that the Government have now increased the teaching complement by eight teachers bringing the complement to 308, an increase of 20 teachers since we took office in 1996.

**NO. 284 OF 2003**

**THE HON S E LINARES**

**EDUCATION – SCHOOLS CAPITATION**

Can Government state whether the 3 per cent increase in capitation as stated in answer to Question No 927 of 2002 is to compensate schools for the increase cost in buying locally?

**ANSWER**

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

Answered together with Question No 285 of 2003.

**NO. 285 OF 2003**

**THE HON S E LINARES**

**EDUCATION – PURCHASE OF STATIONERY**

Can Government state whether they intend to modify the procurement procedure in the Department of Education?

**ANSWER**

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

**Answer to Question No 284 of 2003**

The 3 per cent increase in capitation was meant to cover for inflationary increases in prices and for the extra cost of buying locally.

**Answer to Question No 285 of 2003**

As from 1<sup>st</sup> April 2003, a purchasing committee, chaired by the Department's Senior Executive Officer has been formed and which includes one Headteacher from each of the three sectors, secondary, middle and first. They will meet to collate all the schools' individual orders which will be sent to the various suppliers both locally and in the UK for quotations. The goods will be purchased from the supplier offering the best overall package. This is similar to the previous system in that it involves the direct participation of headteachers but the whole process will now be controlled and processed centrally by the Department of Education.



**SUPPLEMENTARY TO QUESTION NOS 284 AND 285 OF 2003**

**HON S E LINARES:**

In answer to previous questions the Minister has stated that if one buys locally there is an increase of 3 per cent, he now says that the capitation is an increase of 3 per cent plus inflation, it cannot be both, that means there is zero inflation is there?

**HON DR B A LINARES:**

The question of capitation is related to the ensuring an adequate supply of resources, of books and equipment and this matter is normally negotiated directly between the Department of Education and the Head Teachers to assess exactly what their needs are and it was deemed that this year they could manage especially since they saw the light at the end of the tunnel in the sense that we were returning to the type of procurement system that I have explained to the hon Member.

**HON S E LINARES:**

So the Minister can now admit that the procurement introduced by his Government was not the correct one?

**HON DR B A LINARES:**

It is not a question of being correct or incorrect it is a question of moving forward, reviewing processes and procedures and determining what is the best way forward.

**NO. 286 OF 2003**

**THE HON S E LINARES**

**EDUCATION – BEHAVIOURAL SUPPORT TEAM**

Can Government state why the three teachers who form part of the Behavioural Support Team and are over and above the existing complement of teachers are not reflected in the approved Revenue and Expenditure of 2002/2003?

**ANSWER**

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

The three teachers who form part of the Behavioural Support Team are reflected in the approved Revenue and Expenditure 2002/2003 under Head 1A – Subhead 1(d) – (Temporary Assistance).

**NO. 287 OF 2003**

**THE HON S E LINARES**

**EDUCATION – SCHOOL SECRETARIES**

Can Government state how many School Secretaries have been employed for the current financial year?

**ANSWER**

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

The Government are in the process of recruiting four extra part-time school secretaries. These vacancies have already been advertised and the interviews will be held shortly. The successful applicants will commence as soon as possible after that.

**SUPPLEMENTARY TO QUESTION NO 287 OF 2003**

**HON S E LINARES:**

It means that not all schools are going to have an increase in school secretaries, is that correct?

**HON DR B A LINARES:**

Not all schools will have an increase obviously a school who has already a full-time secretary will not have its complement increased in terms of school secretaries but we are aiming at schools who have to share the secretaries and those who have a part-timer but have proved the case that they need a full-timer. So it is a question of meeting the needs as they have been assessed.

**HON S E LINARES:**

There are 10 schools that have shared part-time secretaries and if one is going to employ four it means that this sharing is thin on the line, is it not?

**HON DR B A LINARES:**

I am assured, I do not know how we can do the sums there, but I am assured that every school will now be able to have at least a part-time secretary.

ORAL

**NO. 288 OF 2003**

**THE HON S E LINARES**

**EDUCATION – POST-16 EDUCATION COMMITTEE**

Can Government state whether the Post-16 Education Committee have met this academic year?

**ANSWER**

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

Answered together with Question No 289 of 2003.

**NO. 289 OF 2003**

**THE HON S E LINARES**

**EDUCATION – POST-16 EDUCATION COMMITTEE**

Can Government state whether the Post-16 Education Committee is still at a consultative stage?

**ANSWER**

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

The Post-16 Education Committee have not formally met this academic year since the current phase of its work agreed by all of them, involves a grass roots consultation process with teachers. For this purpose a number of things have happened one is a consultation document has been distributed to all teachers following the publication of the Green Paper in UK 14-19 Extending Opportunities Raising Standards and also I have met with the Director of the NASUWT (Gib), the Teachers Union, and have agreed to form a joint working group between themselves and the Department in order to expedite and to process this consultation process.

**NO. 290 OF 2003**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MAINTENANCE PROGRAMME**

Can Government state why there has not been any maintenance programmes carried out on school premises in this academic year?

**ANSWER**

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

It is absolutely not true that there has not been any maintenance programme carried out on school premises during this academic year. The expenditure to date on the schools maintenance programme is over £750,000. In the light of the uninformed question from the hon Member I think it is important that I give details of this.

The Gibraltar College - £205,000

To replace windows since they constituted a safety hazard.

Bishop Fitzgerald's School - £75,750

For the purchasing and installation of two portable classrooms and extra toilets to cope with the increase of the school intake.

Sacred Heart School - £30,327

For the provision of a new computer room and also for the refurbishment of the gym.

St Joseph's First and Middle - £54,380

To replace the east-facing windows which were a safety hazard.

St Anne's Middle School – £73,100

To refurbish all the toilet facilities and drinking fountains and the external façade.

Bayside School - £73,500

To replace woodwork in benches and the technology area floor and a new boundary wall and internal painting.

Westside School - £34,000

To construct a much needed exterior store and internal painting.

All Schools - £33,550

For the provision of extra patio benches in all schools.

In addition funds have been spent also on ad hoc emergency repairs as they arose and health and safety requirements and work has also began as promised at St Martin's School playground and carpets are being replaced at St Mary's School.

### **SUPPLEMENTARY TO QUESTION NO 290 OF 2003**

#### **HON S E LINARES:**

Most of the figures that the Minister has mentioned are to do with benches et cetera and which are things that are required for the change of school hours not as maintenance. I would not say that buying benches for outside the patio to accommodate children for the change of school hours is maintenance in itself so therefore the Minister has stated all the figures, has given us large figures but it is not to do with maintenance. There are some that are I must admit.

#### **HON CHIEF MINISTER:**

The hon Member's supplementary contains factual statements which are demonstrably incompatible with the answer that he has just been given which clearly demonstrates that it does not matter what answer is given to the hon Member's questions he has things that he wants to say and the purpose of his question is not to hear the answer but



to hear himself say what he has got jotted down as the last word that he wants to say on a given issue. *[INTERRUPTION]* If that is what he wants to use Question Time for so be it but he cannot expect the Government to co-operate with that unique style of Parliamentary performance. Fine, he has had the answer that he has had, we note that he thinks that the long list of maintenance items recited by the Minister are not maintenance items, it is not clear what he thinks they are if they are not maintenance but so be it he will have to live with a difference of view with the Government as to what constitutes maintenance expenditure because the Government are not willing to respond to him further on that question.

**HON S E LINARES:**

I have asked many questions now which I have not even asked supplementaries to and therefore the Chief Minister is just talking nonsense quite frankly because this is from the last six or eight questions that I have asked one supplementary and therefore if he feels I am asking the wrong questions that is his problem not mine.

**HON CHIEF MINISTER:**

What is the matter with the hon Member?

**HON S E LINARES:**

Nothing.

**HON CHIEF MINISTER:**

Either he does not listen or even when he does listen he does not understand, have I said that the Chief Minister does not want him to.....he can ask as many supplementary questions as he likes I have not addressed nothing that I have said even addresses the question of the number of supplementary questions that he should ask or whether he has asked enough or whether he has asked too many or whether I like or I do not like the supplementaries that he has asked. What I have said is that he has asked about maintenance expenditure, he has had a long list of items of maintenance expenditure and then as if the Minister had been speaking in a different language he says that is not maintenance expenditure. Well, listeners will have to decide for themselves whether or not the list that he has had constitute maintenance expenditure. As far as the Government are concerned it clearly does and if the hon Member wants to say that a dog is not a dog because it suits him to say that it is actually a cat that is his problem and not the Government's.

**HON S E LINARES:**

Can the Minister state how many of the items in the list are related to the change of school hours?

**HON DR B A LINARES:**

Very few, the construction programme for the school hours was completed long ago and this maintenance programme of £750,000 included windows, toilets, computer room, façades I have to agree with the Chief Minister he obviously has not been listening.

**NO. 291 OF 2003**

**THE HON S E LINARES**

**EDUCATION – GIBRALTAR COLLEGE**

Can Government confirm whether the Gibraltar College of Further Education has been officially renamed as the Gibraltar College?

**ANSWER**

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

I can confirm that the Gibraltar College of Further Education has been renamed as the Gibraltar College.

**SUPPLEMENTARY TO QUESTION NO 291 OF 2003**

**HON S E LINARES:**

Can the Minister state why this has happened?

**HON DR B A LINARES:**

The request to change the name was made by the College Principal as a result of representations made by the staff members and it was seen as a way of contributing to a

change of image which reflects the expanding role of the college in not only providing the traditional tertiary education for 16 year olds but also wide range of adult and professional courses and is in keeping with the UK nomenclature. There will be a need now to amend the Education Ordinance accordingly.

**NO. 292 OF 2003**

**THE HON S E LINARES**

**EDUCATION TRAINING SCHEME**

Can Government state whether students with HND's or other equivalent qualification are eligible to apply to the training scheme?

**ANSWER**

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

Last September the Government commenced a pilot graduate training scheme parallel to the industrial training schemes the purpose of which was to offer graduates the opportunity to continue their professional development to maintain their skills momentum and gain the experience that is often not available to them whilst studying. At present six graduates are placed in relevant places of work as trainees with local firms. The Government's Training Unit is closely monitoring this Pilot Graduate Training Scheme and will submit a report with recommendations to Government for Government's consideration.

**SUPPLEMENTARY TO QUESTION NO 292 OF 2003**

**HON S E LINARES:**

I am glad for the answer but this seems to contradict the answer to the question that I asked in the last House in which I asked whether graduates not HND students were allowed to be in the training scheme and the answer was no.

**HON DR B A LINARES:**

Yes I said no, they would not be entering the Vocational Training Scheme as established but I did answer and he leaves that out in my answer to the previous question, Question No 906 of 2002, that the Department is looking into the possibility and feasibility of a parallel scheme for graduates who may not find employment in their professions but could be offered funded placements to maintain their skills and put them to good use as a contribution to the community. The Pilot Scheme then was a trainee in the Sports Development Unit and another graduate with a biology degree working as a trainee with GONHS. Now we have six trainees, and they are all working in relevant places of work with trainee allowances.

**NO. 293 OF 2003**

**THE HON S E LINARES**

**EDUCATION – YOUTH SERVICE**

Can the Minister for Youth state what provisions are made available by the Youth Services in relation to young people who are of lesser academic ability?

**ANSWER**

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

No specific provision is made available by the Youth Service in relation to young people who are of lesser academic ability. A person's academic ability is a characteristic that is factored into the system of academic education, (that is, in the schools). The Youth Service provision is not about stereotyping or segregating young people based on academic ability, other skills et cetera. In fact, the Youth Service aims to provide social education and personal development programmes without differentiating amongst the young people on the basis of the academic ability, skill levels or personal backgrounds. This is a basic principle and the essence of youth work delivery.

**NO. 294 OF 2003**

**THE HON S E LINARES**

**EDUCATION – APPRENTICESHIP PROGRAMME**

Can Government state whether the Apprenticeship Programme to equip local people with modern skills within the E-commerce field commenced last year?

**ANSWER**

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

An Apprenticeship Programme whose exclusive aims are to equip local people with modern skills within the E-commerce field, did not commence last year. The Government however continue to offer and even extended the range of accredited Training Programmes which include provision of opportunities to obtain qualifications within different areas of Information and Communication Technology.



**NO. 295 OF 2003**

**THE HON S E LINARES**

**GOLDEN JUBILEE STREET PARTY**

Has the Minister for Culture written or made any representation to the Commonwealth Secretariat as to why Gibraltar was not invited to:-

- (a) The Golden Jubilee Street Party
- (b) Rainbow arches made up of messages from children of the Commonwealth?

**ANSWER**

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

No, the Government have not written or made any representation to the Commonwealth Secretariat as to why Gibraltar was not invited to these activities.

**SUPPLEMENTARY TO QUESTION NO 295 OF 2003**

**HON S E LINARES:**

Can the Minister state why he has not?

**HON DR B A LINARES:**

The Department did not feel it was necessary within the whole range of priorities carried by the Department to pursue this matter further.

**HON S E LINARES:**

When he means the Department he means the Department of Culture?

**HON DR B A LINARES:**

The Department of Education and Culture.

**HON S E LINARES:**

I am sure it is to do with culture, the Ministry of Culture.

**HON DR B A LINARES:**

The Department of Culture comes within the ambit of the Department of Education.

**NO. 296 OF 2003**

**THE HON S E LINARES**

**GIBRALTAR MUSIC CENTRE**

Can Government state whether the premises that were promised to the new Gibraltar Music Centre have been allocated?

**ANSWER**

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

Government are presently in the process of rehabilitating the ex BFBS building at South Barracks prior to its allocation as a new Gibraltar Music Centre. The Trustees of the Gibraltar Music Centre who are of course delighted with this proposed move to bigger and more suitable premises are working closely with the Ministry of Culture on this matter. I have no doubt that these new facilities will become a great public asset for the continued promotion of musical culture in Gibraltar. At the moment 95 young pupils are registered with the Gibraltar School of Music.

**NO. 297 OF 2003**

**THE HON S E LINARES**

**INTERNATIONAL ART EXHIBITION**

Can Government state why certain paintings that entered the International Art Exhibition, which is sponsored by the Ministry of Culture, were not judged?

**ANSWER**

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

Because of the Referendum which was held in November the international art exhibition had to be postponed from November when it was scheduled to January this year and in the process of making the necessary preparations artworks had already been submitted prior to the referendum for the 30<sup>th</sup> Gibraltar International Art Exhibition and they had to be moved to a separate store in the John Mackintosh Hall. Unfortunately due to an oversight when these were moved back to their usual place of storage paintings belonging to a specific artist were left in situ consequently the organisers, the Ministry of Culture and the Fine Arts Association, were totally unaware of their existence and the paintings in question therefore unfortunately did not participate in the pre-selection or the judging process.

## **SUPPLEMENTARY TO QUESTION NO 297 OF 2003**

**HON S E LINARES:**

Surely when an art piece is handed in to be exhibited at an international art exhibition there must be some sort of register where all these paintings are registered and then obviously whether they are moved from (a) to (b) it does not matter. When the actual judging takes place the organisers should go through the list and say we have three paintings missing, would that not be the normal procedure?

**HON DR B A LINARES:**

There is a register, there are all sorts of measures taken to ensure that this sort of thing should not happen but occasionally these things happen. It was a human error and in no way reflecting on the systems and the processes and arrangements which have for years worked to perfection.

**HON S E LINARES:**

Was it a local artist or an artist from abroad?

**HON DR B A LINARES:**

It was an artist from abroad and he was given every apology by the Ministry of Culture at the time for this unfortunate mishap, we offered him the possibility of actually exhibiting in that exhibition without having been formally selected or judged without going through the pre-selection process and also submitting them once again for judging at the next international competitive exhibition due to be held in October 2003. The artist accepted that there was no intentional deliberate discriminatory act against him but he was not happy and did not accept the offer.

ORAL

**NO. 298 OF 2003**

**THE HON S E LINARES**

**NEW YEAR CONCERTS**

Can Government state what was the cost of the New Year's concerts held on the 3<sup>rd</sup> and 4<sup>th</sup> January 2003, and was sponsored by the Ministry of Culture?

**ANSWER**

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

Answered together with Question No 299 of 2003.

**NO. 299 OF 2003**

**THE HON S E LINARES**

**NEW YEAR CONCERTS**

Can Government state Can Government state how many people were guests and how many people paid for attending the New Year concerts of the 3<sup>rd</sup> and 4<sup>th</sup> January 2003?

**ANSWER**

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

**Answer to Question No 298 of 2003**

The total cost was £24,088.50

(Costs of concerts - £21,588.50 & televising - £2,500)

**Answer to Question No 299 of 2003**

The following is the information requested:

|     |                                         |   |     |
|-----|-----------------------------------------|---|-----|
| (a) | Total VIP's for both concerts           | - | 25  |
| (b) | Paying audience 3 <sup>rd</sup> January | - | 273 |
| (c) | Paying audience 4 <sup>th</sup> January | - | 287 |

(Total authorised persons in the Cave, including audience and performers – 400)

**NO. 300 OF 2003**

**THE HON S E LINARES**

**TRANSBORDER INSTITUTE**

Can Government give a breakdown of the expenditure of the Transborder Institute to which government funds to the tune of £30,000?

**ANSWER**

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

The breakdown of the expenditure of the Transborder Institute is as follows:-

|                              |   |            |
|------------------------------|---|------------|
| Salary for the Administrator | - | £18,468.36 |
| Conferences                  | - | £11,046.25 |
| Administration Costs         | - | £ 9,112.27 |

**SUPPLEMENTARY TO QUESTION NO 300 OF 2003**

**HON S E LINARES:**

Is the Transborder Institute only funded by the Gibraltar Government?



**HON DR B A LINARES:**

The funding by the Gibraltar Government are actually minimal. Most of the funding comes from the Diputación de Cadiz, they organise many more events, we have organised two major conferences which is shared in terms of participation with them whilst we also share some of the events that they..... not all relevant to us but some of them are relevant. We shared with them one literary production about frontiers, one of our graduates who has produced an anthology of classical writings about Gibraltar and frontier situations actually participated in a 'Mesa Redonda' but the two conferences that we took responsibility to organise were the Effects of the Euro on the economies of the Strait and the First Transborder Congress on Marine Biology which was the 12<sup>th</sup> Iberian Symposium. These two conferences brought together expert eminent academicians and scientists from America and Europe.

**HON S E LINARES:**

The list of the monies and the breakdown that the Minister has given me adds up nearly to £30,000 more or less.....

**HON DR B A LINARES:**

That is what was budgeted.

**HON S E LINARES:**

Is the salary shared or is there one employee that we have to pay for or they pay for or what is the.....

**HON DR B A LINARES:**

They pay for their own employee who is stationed in La Línea.....

**HON S E LINARES:**

Who is our employee?

**HON DR B A LINARES:**

Our employee is Mr Kevin Ruiz and the Director of the Institute is Professor Clive Finlayson who does not take any consideration but takes it within his responsibilities for heritage, museum et cetera.

ORAL

**NO. 301 OF 2003**

**THE HON S E LINARES**

**THEATRE ROYAL**

Can Government state how much is paid by the Government per annum to the owners of the Theatre Royal?

**ANSWER**

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

Answered together with Question Nos 302 to 304 of 2003.

ORAL

**NO. 302 OF 2003**

**THE HON S E LINARES**

**THEATRE ROYAL**

Can Government state how much the Theatre Royal is going to cost at the end?

**ANSWER**

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

Answered together with Question Nos 301, 303 and 304 of 2003.

ORAL

**NO. 303 OF 2003**

**THE HON S E LINARES**

**THEATRE ROYAL**

Can Government state how much they have spent on the Theatre Royal to date?

**ANSWER**

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

Answered together with Question Nos 301, 302 and 304 of 2003.

**NO. 304 OF 2003**

**HON S E LINARES**

**THEATRE ROYAL**

Can Government state whether the stage in the Theatre Royal is much bigger than that of the Mackintosh Hall and or the Ince's Hall and by how much?

**ANSWER**

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

**Answer to Question No 301 of 2003**

Under the agreement signed by Government with the owners of the Theatre Royal on the 10<sup>th</sup> November 2000 and as announced in Government press release No 180 of 2000 of that same date, the following terms were agreed:-

- (a) £30,000 per annum for a period of 1½ years commencing on 1<sup>st</sup> September 2000
- (b) £60,000 per annum for a period of 3½ years commencing on 1<sup>st</sup> March 2002
- (c) Thereafter the rental to be reviewed every five years either by 3 per cent or by the percentage by which the Gibraltar Index of Retail Prices is increased.

**Answer to Question No 302 of 2003**

The approved budget for the refurbishment of the Theatre Royal is £8,505,320.

**Answer to Question No 303 of 2003**

The total amount spent has been £2,314,025.88.

**Answer to Question No 304 of 2003**

I can confirm that the stage area in the Theatre Royal is far greater than those at the John Mackintosh Hall and/or the Ince's Hall. The following are the specifications of the three areas in question.

|                      |   |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| John Mackintosh Hall | - | Total Area of 49.14 square metres                                                                                                                                                                                                                                                                                                                                                                                                         |
| Ince's Hall          | - | Total Area of 46.72 square metres                                                                                                                                                                                                                                                                                                                                                                                                         |
| Theatre Royal        | - | Total area of 132 square metres with the addition of the orchestra elevator apron in front of the stage which will then add to a total stage area because it is elevated to the same level as the stage to 154 square metres. In addition the Theatre Royal stage area will have a height of 16 metres which is impressive and this will enable full flying facilities for sets and backdrops which is lacking in the other two theatres. |

**SUPPLEMENTARY TO QUESTION NOS 301 TO 304 OF 2003**

**HON S E LINARES:**

Out of the £8.5 million is there any money that has come from the EU or is that cost going to be paid totally by Government?

**HON DR B A LINARES:**

A total of 40 per cent of the total cost will be obtainable from EU funding.

**HON J C PEREZ:**

The consideration given to the owners of the Theatre Royal I presume is rent given that the Minister has said that after the 3<sup>1</sup>/<sub>2</sub> years of £60,000 there is a review, there is a review of the £60,000 is that the case?

**HON CHIEF MINISTER:**

The Lease also contains an option to purchase the freehold for a sum of money that may very well be worth paying at some stage in the future but this arrangement .....

**HON J C PEREZ:**

The point I was getting at, if we are going to spend so many millions of pounds on a property and the owners do not put a penny to its development and they are getting like £60,000 rent a year with a review, I think that if from the public purse we are going to put up so much money in its repair and renewal then I think the option to purchase should be seriously considered.

**HON CHIEF MINISTER:**

In any case the lease is for such a long time that the capital expenditure would be more than amortized over a period and a long time was spent negotiating the exercise price and the purchase. The rent payable, £60,000, is much less than the finance in cost of carrying an extra £1.3 million of capital outlay at this stage so it was just a cost effective way of differing the need to make an additional capital outlay at this stage on top of the cost of refurbishment whilst at the same time giving us title to be able to go in there and do the refurbishment and buy later, there is every intention to exercise the option at some stage it is really just a structuring technique.

ORAL

**NO. 305 OF 2003**

**THE HON S E LINARES**

**THEATRE ROYAL**

Can Government state whether a full orchestra is able to fit in the Theatre Royal?

**ANSWER**

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

Answered together with Question Nos 306 and 307 of 2003.



ORAL

**NO. 306 OF 2003**

**THE HON S E LINARES**

**THEATRE ROYAL**

Can Government state what steps the Ministry of Culture has taken to promote a local orchestra to be able to play for the Theatre Royal?

**ANSWER**

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

Answered together with Question Nos 305 and 307 of 2003.

**NO. 307 OF 2003**

**THE HON S E LINARES**

**THEATRE ROYAL**

Can Government state what theatrical company Gibraltar is to bring for the inauguration of the Theatre Royal?

**ANSWER**

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

**Answer to Question No 305 of 2003**

The following facilities will be available for orchestras in the Theatre Royal:-

- (a) On stage - 45 to 50 musicians
- (b) Orchestra pit - 35 musicians

At the best of times it will bring a total of about 85 musicians. User groups have been consulted on this and they are extremely satisfied with this provision.

**Answer to Question No 306 of 2003**

There is at present no local orchestra in Gibraltar however the Ministry of Culture continues to encourage and promote musical culture in Gibraltar in all its forms and as I have had occasion to mention a moment ago considerable sponsorship including the provision of adequate premises is being given to the recently formed Gibraltar music school which presently has 95 students and which has been incorporated in the Gibraltar

Music Centre. It is envisaged that this together with other local musicians will create a basis for a full Gibraltar Orchestra in due course.

**Answer to Question No 307 of 2003**

Government will soon be considering all the specific planning details for the inauguration of the Theatre Royal including comprehensive programmes of local and international events encompassing drama, dance, music et cetera and we are engaged in the process of consultation with local interested parties and users.

**NO. 308 OF 2003**

**THE HON J C PEREZ**

**BROADBAND GIBRALTAR AND DATATRONIX**

Can Government state whether the Department of Trade and Industry has now licensed Broadband Gibraltar and Datatronix enabling them to provide telecommunication services in competition with existing operators, and if so, will Government say when it is expected that these companies will start trading?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 309 of 2003.

**NO. 309 OF 2003**

**THE HON J C PEREZ**

**BROADBAND GIBRALTAR AND DATATRONIX**

Can Government state how it is intended to provide the two new telecom licensees with telephone numbers?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

I am the Licensing Authority under the Telecommunications Ordinance and I have notified both companies that licences will be granted to them. The formalities leading up to the issue of the detailed licence however have not yet been completed. As is the practice prior to the grant of an individual licence the companies received draft licences and were invited to comment on the terms. Their comments are awaited in order to finalise the forms of licence. Once the licences are granted they will be published on the website of the Regulatory Authority, gra.gi. Datatronix does not require telephone numbers from the Gibraltar numbering plan. Broadband Gibraltar the other company has informed the Licensing Authority that it will require telephone numbers from the numbering plan in order to compete with Gibtelecom. The Government are studying ways of providing an adequate supply of telephone numbers from Gibraltar.

**SUPPLEMENTARY TO QUESTION NOS 308 AND 309 OF 2003**

**HON J C PEREZ:**

I take it then that Broadband will not be licensed until the Government are satisfied that they can provide them with the necessary numbers and the numbers that they would need?

**HON K AZOPARDI:**

My position has always been that we have considered their application on the merits and I have notified them as I have Datatronix that they will be granted the licence. The form of the wording used in the letter determining their application agreed by their lawyers are standard for them both and it says that the licence will be granted as long as we then have a discussion on detailed terms. There is detailed terms as to the infrastructure that they are going to set up et cetera and once all of that is settled a licence will be issued and that has always been my position, then there are consequences to that of course.

**HON J C PEREZ:**

I am not asking the Minister how he is going to give them the telephone numbers because I understand that the Government are looking at ways of doing it but is he saying that when he is ready to licence them he would licence them notwithstanding the fact that they will not be able to operate until the Minister has sorted that out and they have got the necessary telephone numbers to start operating?

**HON K AZOPARDI:**

Yes that has always been our position because then there are consequences to that and I am not there lawyer but they will take legal advice and that may give them a cause of action to take the matter further which could unblock the issue.

**HON J C PEREZ:**

I understand what the Minister is saying I only heed them to be careful that we are not the party in litigation rather than others.

**HON CHIEF MINISTER:**

It could suit us very well if we were sued, yes, because then the matter could proceed in the Supreme Court of Gibraltar and the Gibraltar Court could make a reference to the European Court of Justice for a legal ruling as opposed to the present situation which is that because it is not the Gibraltar Government being sued we rely on the procedures and rules of the European Court of Justice.

**NO. 310 OF 2003**

**THE HON DR J J GARCIA**

**MINISTER'S OVERSEAS VISITS**

Can the Minister for Trade and Industry give the dates when he has been away from Gibraltar on Government business from 13<sup>th</sup> September 2002, giving the event or function attended, the venue, the city and the country visited?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The information requested is on the sheet I hand the hon Member.

**Answer to Question 310**

MTIT Business events / functions as from 13 September 2002, venue the city and the country visited:-

| <b><u>DATE</u></b>             | <b>EVENT/FUNCTION</b>             | <b>VENUE</b>       | <b>CITY</b> |
|--------------------------------|-----------------------------------|--------------------|-------------|
| <b>COUNTRY</b>                 |                                   |                    |             |
| Sun 20 Oct 02 to Wed 23 Oct 02 | Gibraltar Day in London           | RAC / Drapers Hall | London      |
| United Kingdom                 | + Treasury Investment Services    | HM Treasury        | London      |
| United Kingdom                 | Passporting                       |                    |             |
| Tue 12 Nov 02 to Wed 13 Nov 02 | HM Treasury / Investment Services | HM Treasury        | London      |
| United Kingdom                 | Passporting                       |                    |             |
| Mon 25 Nov 02 to Wed 27 Nov 02 | DCMS                              | DCMS               | London      |
| United Kingdom                 |                                   |                    |             |
| Sun 8 Dec 02 to Wed 11 Dec 02  | FSC Commissioner Interviews       |                    | London      |
| United Kingdom                 |                                   |                    |             |
| Tue 14 Jan 03 to Fri 17 Jan 03 | Institutional Visits              | Various            | Geneva      |
| Switzerland                    |                                   |                    |             |
| Mon 3 Feb 03 to Thur 6 Feb 03  | Mini Insurance Conference/        | GLO / RAC / LUC    | London      |
| United Kingdom                 | Financial Journalists             |                    |             |
| Mon 17 Feb 03 to Fri 21 Feb 03 | Finance Centre Meetings           | Various            | Washington  |
| USA                            | US Officials                      |                    |             |
|                                | IMF/SEC                           |                    |             |
| Mon 17 Mar 03 to Fri 21 Feb 03 | Marketing                         | Various            | Milan &     |
| Italy                          |                                   |                    | Lugano      |
| Switzerland                    |                                   |                    |             |

**SUPPLEMENTARY TO QUESTION NO 311 OF 2003**

**HON DR J J GARCIA:**

Can I ask the Minister what DCMS is?

**HON K AZOPARDI:**

Department of Culture, Media and Sports they have responsibility for the world heritage issues in the UK.



**NO. 311 OF 2003**

**THE HON DR J J GARCIA**

**WESTERN MEDITERRANEAN INTERREG IIIB PROGRAMME**

Can the Government confirm that Gibraltar also participated in two other project applications under the Western Mediterranean Programme, and if so at what stage are these applications?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

One application was submitted involving a Gibraltar partner under the Western Mediterranean Interreg IIIB Programme. The application was approved by the Programming Committee on the 18<sup>th</sup> December 2002.

**SUPPLEMENTARY TO QUESTION NO 311 OF 2003**

**HON DR J J GARCIA:**

Is it the case then that there were two applications submitted, one was approved and the other one was not or was there only one submitted?

**HON K AZOPARDI:**

No the other application was not submitted. In respect of the application that was submitted I understood that we were the lead partner and remember that there were different partners because this was a programme that requires different Member States to be involved so in respect of the one that was submitted we were the lead partner and we submitted it and it was approved. In respect of the one that has not gone further that application was not submitted and the lead partner there was the University of Galiary in Sicily.

**HON DR J J GARCIA:**

Can the Minister say first of all what the project that was submitted entailed and secondly why the second project was not submitted and did not go through?

**HON K AZOPARDI:**

The one that was approved investigates the climate and environmental change and human occupation of the western Mediterranean from 250,000 BC to the 3<sup>rd</sup> Century BC that is the project that was approved. We estimate the costs there about £54,000. The one that was not submitted is in relation to migrations and physiology of marine life in the Channel of Sardinia the Sea of Alboran and the Straits of Gibraltar and I had no information why that was not submitted it is very much left to the lead partner to push and I know that the Commercial Director when he came back from the meeting that discussed these programmes did tell me that the Italians and the Spaniards had many applications and they had had an internal assessment to themselves as to which ones they wanted to push and which ones they did not, so I imagine this fell in the Italian prioritisation exercise.

**HON DR J J GARCIA:**

In relation to the project that was approved for the climate and environmental change et cetera, who is that being carried out by in Gibraltar does it fall under the Minister's department or is it the museum or who does it fall under?

**HON K AZOPARDI:**

The partner in the programme is the DTI but within that the heritage division of the department and in conjunction with the Museum is leading on the issue.

**NO. 312 OF 2003**

**THE HON DR J J GARCIA**

**MINISTER'S VISIT TO THE UNITED STATES**

Can the Minister for Trade and Industry list the persons that he met in the US Government and for what purpose he met them during his visit to the United States?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Government do not believe it to be in the public interest to provide the information in the manner requested. I am happy to brief the hon Member in private on the reasons for this and on the information he has requested.

**SUPPLEMENTARY TO QUESTION NO 312 OF 2003**

**HON DR J J GARCIA:**

The Minister says that and obviously I would be happy to have that briefing but my understanding is that considerable publicity was given to the visit in Gibraltar. Is he able to say then on whose initiative the visit came about?

**HON K AZOPARDI:**

I do not think that considerable publicity was given to the visit I remember doing an interview on it but I did not specify precisely the people that we had met and the detail of the discussions we held. I am perfectly happy to give the hon Member the information precisely that he has requested but Government are concerned that if we detail the identity of the persons and precisely the discussions that we had there may be some counter lobbying from different quarters. There is no hidden agenda I am happy to tell the hon Member in the ante-room the people that we met and the discussions we had, I have spoken generically publicly about those matters but I do not believe that I want to go further at this stage on those issues.

**HON DR J J GARCIA:**

We certainly welcome that briefing in terms of the specific people but I am sure that the Minister must be aware that in addition to his interview there was also a press release issued by the Government which actually mentions that discussions were taking place with the Department of States, the Treasury, the Justice Department, the IMF, Security and Exchange Commission and the Federal Reserve so there was already considerable information in the public domain in this respect but we certainly welcome the briefing.

**HON K AZOPARDI:**

Yes, the press release mentioned the departments that I met but it does not list the persons that I met in the US Government which is the question that he has asked. I can say that I have met the State Department but the State Department has 50,000 employees. Trawl through that and try to find out who I met. The whole point is that I do not want to specifically identify the individuals because I do not think it is in Gibraltar's public interest. As I say I am happy to give the hon Member the information but I think it is self evident that we have been careful in the publication of the information to be put in the public domain.

**NO. 313 OF 2003**

**THE HON DR J J GARCIA**

**INSURANCE MARKETING EVENT**

What was the cost with a breakdown of the two-day insurance marketing events in London in February, how many people from Gibraltar attended as part of the Government team and who were they?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question Nos 314 to 317 of 2003.

ORAL

**NO. 314 OF 2003**

**THE HON DR J J GARCIA**

**ROYAL AUTOMOBILE CLUB**

How many people attended the dinner hosted by the Minister for Trade and Industry at the Royal Automobile Club in the evening of 5<sup>th</sup> February, who were they and what was the cost of the event?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question Nos 313 and 315 to 317 of 2003.

ORAL

**NO. 315 OF 2003**

**THE HON DR J J GARCIA**

**NEXT GENERATIONAL FINANCIAL SERVICES EXCHANGE**

Can Government give the cost, with a breakdown, of attending the Next Generational Financial Services Exchange 2002 in London on 15-16 October, giving the offices of those who attended as part of the Government delegation?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question Nos 313,314, 316 and 317 of 2003.

ORAL

**NO. 316 OF 2003**

**THE HON DR J J GARCIA**

**ROYAL AUTOMOBILE CLUB**

What was the cost of the Finance Centre lunch that took place at the Royal Automobile Club in October and how many guests attended?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question Nos 313 to 315 and 317 of 2003.



ORAL

**NO. 317 OF 2003**

**THE HON DR J J GARCIA**

**VISIT TO GENEVA**

What was the cost of the financial services marketing visit to Geneva in January, with a breakdown , and can Government list the offices of those who attended as part of the delegation?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The information the hon Member has requested is on the attached sheet.

### Answer to Question 313

The cost of the two-day insurance marketing events in London in February is as follows:

|                                                                  |                   |
|------------------------------------------------------------------|-------------------|
| Air Passages and Hotel (DCM, JT, GC, CKF, VP)                    | £4,225.34         |
| Subsistence and Expenses (DCM, GC, CKF, VP)                      | £ 971.99          |
| JT expenses (also attended mtg. With CM at Treasury UK 4-8/2/03) | £ 739.32          |
|                                                                  | <hr/>             |
|                                                                  | £5,936.65         |
| Journalist's Lunch in London Office 4/2/03                       | £ 813.24          |
| Insurance Conference at London Underwriting Centre 5/2/03        | £4,520.00         |
| VIP Dinner at Royal Automobile Club 5/2/03                       | £1,779.90         |
|                                                                  | <hr/>             |
|                                                                  | £7,113.14         |
| <b>Total</b>                                                     | <b>£13,049.79</b> |

Mr James Tipping, Finance Centre Director, Mrs Claire Kelly-Federico, Assistant Director, Mr Guy Canessa, Liaison Officer and Ms Veena Purswani, Marketing Assistant, attended as part of the Government team.

### Answer to Question 314

21 (Twenty-one) persons attended the dinner hosted by the Minister for Trade, Industry & Telecommunications at the Royal Automobile Club in the evening of 5 February.

They were -

|                                                     |                               |                               |
|-----------------------------------------------------|-------------------------------|-------------------------------|
| The Hon Keith Azopardi                              | MTIT - GOG                    |                               |
| James Tipping                                       | Finance Centre Director - GOG |                               |
| Guy Canessa                                         | GOG                           |                               |
| Claire Kelly-Federico                               | GOG                           |                               |
| Veena Purswani                                      | GOG                           |                               |
| Albert Poggio                                       | Gibraltar London Office - GOG |                               |
| Penny Murray-White                                  | Managing Director             | Caledonian Insurance          |
| Tim Barker                                          | Director - International      | Besso Limited                 |
| Dennis McDonald                                     | Divisional Director           | PWS International             |
| Bruno Callaghan                                     | Managing Director             | Willis Gibraltar              |
| Carl Bach                                           | Chief Operating Officer       | ACE Europe                    |
| Malcolm Cutts- Watson                               | Group Practice Leader         | Captive Management - Willis   |
| James Humphrys                                      | Chief Executive               | Tradewise Insurance           |
| Chris Collins                                       | Insurance Supervisor          | Financial Services Commission |
| Martin Fuggle                                       | FSC Commissioner              | Financial Services Commission |
| Emilio Gomez                                        | Senior Partner                | KPMG                          |
| Chris Johnson                                       | Director                      | Aon                           |
| Philip Stamp                                        | Chairman                      | Aon Captive Services Group    |
| Chris Le Conte                                      | Executive Director            | Aon Insurance Managers        |
| Alan Kentish                                        | Managing Director             | BOO Fidets Insurance          |
| Kevin Spencer                                       | Director                      | Markerstudy Group             |
| Cost of R.A.C evening event - 5 February: £1,779.90 |                               |                               |

Contd....

#### CONTD ANSWER TO QUESTION 317

##### Answer to Question 315

The cost of attending the Next Generational Financial Services Exchange 2002 in London on 15-16 October, giving the offices of those who attended as part of the Government delegation are as follows:

|                          |                  |
|--------------------------|------------------|
| Air Passages and Hotel   | £2,070.00        |
| Subsistence and Expenses | £ 766.94         |
| Sponsorship              | <u>£6,200.00</u> |
| TOTAL:                   | £9,036.94        |

Mr James Tipping, Finance Centre Director, Mr Darion Figueredo, E-Business Development Officer and Mr Guy Canessa, Liaison Officer attended as part of the Government delegation.

##### Answer to Question 316

The cost of the finance centre lunch that took place at the Royal Automobile Club in October 2002 was £6,041.10 and 104 guests attended.

##### Answer to Question 317

The cost of the financial services marketing visit to Geneva in January was as follows:

|                          |                 |
|--------------------------|-----------------|
| Air Passages and Hotel   | £4,960.60       |
| Subsistence and Expenses | <u>£ 718.42</u> |
| TOTAL:                   | £5,679.02       |

Mr James Tipping, Finance Centre Director and Mrs Claire Kelly-Federico, Assistant Director, attended as part of the Government delegation.

**SUPPLEMENTARY TO QUESTION NOS 313 TO 317 OF 2003**

**HON DR J J GARCIA:**

In relation to Question No 317 of 2003 this was to do with the Financial Services Marketing visit to Geneva in January. According to the information that the Minister has supplied this was attended by two persons and it cost nearly £6,000, can the Minister explain I notice that the airfare and the hotel is nearly £5,000 for two people can the Minister clarify how much time they spent there?

**HON K AZOPARDI:**

I attended that as well so that is three for a start and I think it was three or four days. I cannot account for it other than that is the fact because obviously it is the information that has been provided. I do not think we flew direct and through one of the Swiss Banks here in Gibraltar we got a special rate at the hotel so I cannot account for the figure but I will better not enquire as to what the real rate of the hotel is.

**NO. 318 OF 2003**

**THE HON DR J J GARCIA**

**EU FUNDING**

Can Government list the parties who have applied for EU Funding since the last Question Time in October 2002, 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 & TELECOMMUNICATIONS**

Sixteen applications for EU funding have been received since October 2002.

**SUPPLEMENTARY TO QUESTION NO 318 OF 2003**

**HON DR J J GARCIA:**

Can I ask the Minister in relation to Project No 23 which is a project sponsored by the Ministry for the Environment and which refers to the purpose of the grant feasibility studies and improvements to the Upper Rock, is the Minister in a position to say exactly what that entails?

**HON K AZOPARDI:**

No not exactly, I know it is to do some improvement to the Upper Rock but I cannot tell the hon Member exactly what it is for. If he wants to write to me I can certainly give him much more detailed scope of the project that is intended.

ORAL

NO. 319 OF 2003

THE HON DR J J GARCIA

**EU FUNDING**

In respect of EU Funding, can Government tell the House the status of projects 019 and 020?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Projects 019 and 020 have been approved.

**NO. 320 OF 2003**

**THE HON DR J J GARCIA**

**EU FUNDING**

What Government departments and agencies were represented at the meeting of the ESF Workshop – EU Funding made simple, which took place in October?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Government departments and agencies that were represented at the ESF Workshop, which took place in October 2002 are the following:-

1. Department of Trade, Industry and Telecommunications
2. Department of Education and Training
3. Employment Services
4. Gibraltar Tourist Board
5. Treasury Department
6. Business Advisory Unit



## **SUPPLEMENTARY TO QUESTION NO 320 OF 2003**

**HON DR J J GARCIA:**

Further to that answer can the Minister say what are the problems that those who work with the ESF, the list of agencies that has been listed, have been encountering that they needed to meet for this purpose?

**HON K AZOPARDI:**

My understanding is that rather than focusing on problems what it was discussing was the new procedures for accessing the ESF that have been introduced as a result of European issues. Represented at the workshop were the Chamber of Commerce, the FSB, the Disability Awareness Group and a firm of accountants. I do not think a workshop of this kind is necessary to discuss problems in the sense that both the Chamber and the FSB are present on the I think on the Monitoring Committee of these funds and on structural funds generally and I think they have quite a regular opportunity and quite a regular interface with the department to discuss any issues that arise. Indeed they feel quite free often to comment on those issues publicly and we take them on board and we try to address them. One of the issues that they came up with some time ago was the whole issue of publicity and access to information so we have gone quite far I think in publishing adverts and booklets and explanatory leaflets and indeed organising this event so that we could provide information on the opportunities, rules and procedures of the programme to members of the public generally.

**HON DR J J GARCIA:**

I do not know if we are talking about the same meeting but the Minister mentioned the focus of the question in relation to problems, the newsletter Gibraltar in Europa which is issued by his own department says the aim of the meeting was for all those who work directly with ESF to meet and discuss problems which is why the Question sought to establish what the programmes were, having said that can he say whether the meeting actually succeeded in helping those who attended to resolve these common difficulties?

**HON K AZOPARDI:**

I am sure that the meeting helped to clarify issues. When I asked what the purpose of the meeting was I was assured that the meeting was to discuss new procedures and not to discuss problems I understand that the hon Member has seen different information, I can understand the reason that he asked the question. If there are problems in accessing the programme and either new procedures or matters need to be clarified the department is always ready to do that this workshop was a way to do that but we are always keen and in our regular meetings with the FSB and the Chamber to clarify any issues and we are ready to do so whenever the opportunity arises. I am sure that this workshop went a long way towards that.

**HON DR J J GARCIA:**

We are talking about the same meeting, there is no mention of the Chamber, the FSB or anybody else in the actual newsletter.

**HON K AZOPARDI:**

I hope we are not talking about a different meeting this is a meeting in October 2002 between different Government agencies and I am assured that also present at that meeting were the Chamber and the FSB, so I imagine we are talking about the same meeting.

**NO. 321 OF 2003**

**THE HON DR J J GARCIA**

**IMPORTS – COMPUTERS**

What was the value of computers imported into Gibraltar on a monthly basis since September 2002 inclusive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The value of computer hardware imported into Gibraltar on a monthly basis since September 2002 to date are as follows:-

|                | £       |
|----------------|---------|
| September 2002 | 159,431 |
| October 2002   | 315,705 |
| November 2002  | 277,491 |
| December 2002  | 214,967 |
| January 2003   | 291,474 |
| February 2003  | 374,013 |

**NO. 322 OF 2003**

**THE HON DR J J GARCIA**

**IMPORTS – GOODS VEHICLES**

What was the value and number of goods vehicles imported by:

- (a) individuals;
- (b) licensed dealers;

on a monthly basis since September 2002 inclusive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 323 of 2003.

**NO. 323 OF 2003**

**THE HON DR J J GARCIA**

**IMPORTS – PRIVATE MOTOR VEHICLES**

What was the value and number of private motor vehicles imported by:

- (a) individuals;
- (b) licensed dealers;

on a monthly basis since September 2002 inclusive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There was no importation of goods vehicles by individuals during the months of September 2002 to February 2003. There were two goods vehicles imported by licensed dealers in January 2003 to the value of £21,000 and two in February 2003 to the value of £23,000.

The importation of private motor vehicles was as follows:

(a) **Individuals**

|                | <b><u>Number</u></b> | <b><u>Value</u></b> |
|----------------|----------------------|---------------------|
| September 2002 | 16                   | £40,200             |
| October 2002   | 23                   | £88,300             |
| November 2002  | 24                   | £83,200             |
| December 2002  | 7                    | £19,000             |
| January 2003   | 26                   | £57,400             |
| February 2003  | 19                   | £ 47,300            |

(b) **Licensed Dealers:**

|                | <b><u>Number</u></b> | <b><u>Value</u></b><br><b>(£ million)</b> |
|----------------|----------------------|-------------------------------------------|
| September 2002 | 364                  | 3.8                                       |
| October 2002   | 410                  | 3.8                                       |
| November 2002  | 349                  | 3.5                                       |
| December 2002  | 163                  | 1.5                                       |
| January 2003   | 465                  | 4.8                                       |
| February 2003  | 393                  | 1.4                                       |

ORAL

**NO. 324 OF 2003**

**THE HON DR J J GARCIA**

**BANKING SECTOR**

Can Government say how many persons were employed in the banking sector in Gibraltar, giving a breakdown by bank and by nationality, as at (a) December 2001, (b) June 2002, (c) December 2002?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 325 of 2003.

**NO. 325 OF 2003**

**THE HON DR J J GARCIA**

**INSURANCE INDUSTRY**

What is the total number of persons employed in the insurance industry as at 31<sup>st</sup> December 2002, giving a breakdown by company and nationality?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

As at December 2001 the banking sector included 17 employers with a total of 600 registered employees, (411 Gibraltarians, 90 British, 38 Spanish, 17 Danish, 5 Dutch, 6 French, 11 Germans, 1 Indian, 3 Irish, 1 Italian, 1 Maltese, 2 Moroccans, 1 Swedish and 13 Swiss.)

At June 2002 the banking sector included 18 employers with a total of 690 registered employees, (476 Gibraltarians, 114 British, 39 Spanish, 16 Danish, 6 Dutch, 6 French, 11 German, 1 Indian, 4 Irish, 1 Italian, 1 Maltese, 2 Moroccans, 1 Swedish and 12 Swiss.)

As at December 2002 the banking sector included 19 employers with a total of 663 registered employees, (455 Gibraltarians, 112 British, 39 Spanish, 17 Danish, 4 Dutch, 6 French, 9 German, 1 Indian, 4 Irish, 1 Italian, 1 Maltese, 3 Moroccans, 1 Swedish and 10 Swiss.)

At the 31<sup>st</sup> December 2002 the insurance industry had 28 employers with a total of 178 registered employees, (120 Gibraltarians, 50 British, 4 Spanish, 1 Irish, 1 Portuguese, 1 Moroccan and 1 Czech.)



**SUPPLEMENTARY TO QUESTION NOS 324 AND 325 OF 2003**

**HON J J BOSSANO:**

Can the Government say whether these figures are the result of information direct from the employers or are they based on ETB records or Social Insurance records given the fact that different sources sometimes produce different numbers?

**HON K AZOPARDI:**

A very similar question was answered previously by the Minister of Employment, so what I have tried to do on this occasion is extract it from the same source, so these are ETB records.

**HON J J BOSSANO:**

Can the Minister confirm that that is true of both the answers the insurance and the banking?

**HON K AZOPARDI:**

Yes.

ORAL

NO. 326 OF 2003

THE HON DR J J GARCIA

**BANKING LICENCES**

Have any new applications for banking licences been received since September 2002?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

No.

**NO. 327 OF 2003**

**THE HON DR J J GARCIA**

**BANKING SECTOR**

Have Government been informed by the Royal Bank of Scotland and National Westminster Bank of any intended changes to their banking presence in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Government have not been made aware formally of any intended changes to their banking presence in Gibraltar. Government are however aware, through informal contact with the Royal Bank of Scotland and National Westminster Bank that a decision has been taken to bring together the existing management structure of the two banks under one General Manager instead of the existing two. Such a decision may also impact on other senior management duplication. The position thus far communicated to the Government informally is that the two brand names will continue to exist and Government are not aware of any other intended changes in terms of personnel.

**NO. 328 OF 2003**

**THE HON DR J J GARCIA**

**BANKING SECTOR**

How many of the staff employed by Credit Agricole have been taken on by SG Hambros and what was the total number of staff employed at the former?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

While this information is of an individual and private nature and raises no governmental issues we have spoken to the banks and they have agreed to release this information. The number of employees on the date that the bank Credit Agricole announced its decision to close its operations in Gibraltar was 32. The number of staff that had been offered and accepted employment by SG Hambros is 8. The number of other employees who have already found alternative employment is 2. The number of other employees who will be offered alternative employment at the end of May or June depending on a specific deal that the bank is involved in is 2 or 3.

ORAL

**NO. 329 OF 2003**

**THE HON DR J J GARCIA**

**PROTECTED CELL COMPANIES**

Can Government list the Protected Cell Companies formed in Gibraltar up to the end of 2002?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 330 of 2003.

**NO. 330 OF 2003**

**THE HON DR J J GARCIA**

**PROTECTED CELL COMPANIES**

Are there any applications to form a Protected Cell Company pending consideration, or has any application been rejected since the last Question-Time in this House?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

White Rock Insurance (Gibraltar) PCC Limited is the only Protected Cell Company that formed in Gibraltar up to the end of 2002. There are no applications pending nor have any applications been received or rejected since the last Question-Time.

ORAL

**NO. 331 OF 2003**

**THE HON DR J J GARCIA**

**QUALIFYING COMPANIES**

How many qualifying companies have discontinued their qualifying status in (a) 2001, (b) 2002, (c) 2003 to date?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 333 of 2003.

ORAL

**NO. 332 OF 2003**

**THE HON DR J J GARCIA**

**TAX EXEMPT COMPANIES**

How many tax exempt companies have terminated their tax exemption certificates in (a) 2001, (b) 2002, (c) 2003 to date?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question Nos 334 and 335 of 2003.



**NO. 333 OF 2003**

**THE HON DR J J GARCIA**

**QUALIFYING COMPANIES**

Can Government say how many companies were granted qualifying company status in (a) 2001 (b) 2002 and (c) 2003 to date?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

**Answer to Question No 331 of 2003**

According to our records the following number of qualifying companies discontinued their qualifying status:-

|      |   |   |
|------|---|---|
| 2001 | - | 0 |
| 2002 | - | 3 |
| 2003 | - | 0 |

**Answer to Question No 333 of 2003**

The following number of companies were granted qualifying status:-

|                                   |   |              |
|-----------------------------------|---|--------------|
| Year 2001                         | - | 10 companies |
| Year 2002                         | - | 5 companies  |
| Up to 24 <sup>th</sup> March 2003 | - | None.        |

Following legal advice given as a result of the implications of the European Court Ruling, no more qualifying certificates have been issued by Government since April 2002.

ORAL

**NO. 334 OF 2003**

**THE HON DR J J GARCIA**

**TAX EXEMPT COMPANIES**

Can Government say how many tax exempt company certificates were issued in (a) 2001, (b) 2002, (c) 2003 to date?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question Nos 332 and 335 of 2003.

**NO. 335 OF 2003**

**THE HON DR J J GARCIA**

**TAX EXEMPT COMPANIES**

Are Government continuing to approve new Tax Exempt Companies?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

**Answer to Question No 332 of 2003**

According to our records the following number of tax exempt companies terminated their exemption status:-

|                                   |   |       |
|-----------------------------------|---|-------|
| 2001                              | - | 821   |
| 2002                              | - | 1,076 |
| Up to 24 <sup>th</sup> March 2003 | - | 201   |

**Answer to Question No 334 of 2003**

According to our records the following tax exempt company certificates have been issued:-

|                                   |   |       |
|-----------------------------------|---|-------|
| 2001                              | - | 1,569 |
| 2002                              | - | 1,245 |
| Up to 21 <sup>st</sup> March 2003 | - | 262   |

As at 24<sup>th</sup> March 2003 there are 8,856 active exempt companies registered.

**Answer to Question No 335 of 2003**

The Government are still issuing tax exempt certificates.

**NO. 336 OF 2003**

**THE HON DR J J GARCIA**

**COMPANIES REGISTER**

How many companies have been removed from the company register in (a) 2001 (b) 2002, (c) 2003 to date?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The number of companies that have been removed from the company register are as follows:-

|     |      |   |        |
|-----|------|---|--------|
| (a) | 2001 | - | 1,926  |
| (b) | 2002 | - | 13,913 |
| (c) | 2003 | - | 301    |

**SUPPLEMENTARY TO QUESTION NO 336 OF 2003**

**HON DR J J GARCIA:**

Can the Minister elaborate on the reason for such a high number of companies removed in 2002?

**HON K AZOPARDI:**

Yes, it is pursuant to the Ordinance that this House passed in 2001, the Companies (Amendment) Ordinance 2001 that allowed the striking off of companies that had been registered prior to 1993 and not filed annual returns. There was a great eagerness in Companies House to carry out a clear out and they did so pursuant to that Ordinance.

ORAL

**NO. 337 OF 2003**

**THE HON DR J J GARCIA**

**COMPANIES REGISTER**

Can Government list the companies formed in Gibraltar for each month of 2001, 2002 and 2003 to date?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The information requested is provided in the attached sheet.



**Answer to Question No 337 of 2003**

**Companies House (Gibraltar) Limited – Incorporations**

|           | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
|-----------|------|------|------|------|------|------|------|------|------|
| January   | 512  | 420  | 304  | 334  |      |      |      |      |      |
| February  | 425  | 487  | 207  | 239  |      |      |      |      |      |
| March     | 886  | 427  | 308  |      |      |      |      |      |      |
| April     | 476  | 484  | 308  |      |      |      |      |      |      |
| May       | 424  | 553  | 336  |      |      |      |      |      |      |
| June      | 414  | 500  | 200  |      |      |      |      |      |      |
| July      | 466  | 498  | 367  |      |      |      |      |      |      |
| August    | 519  | 482  | 319  |      |      |      |      |      |      |
| September | 466  | 363  | 208  |      |      |      |      |      |      |
| October   | 492  | 349  | 357  |      |      |      |      |      |      |
| November  | 467  | 421  | 307  |      |      |      |      |      |      |
| December  | 414  | 186  | 249  |      |      |      |      |      |      |
| Total     | 5961 | 5170 | 3470 |      |      |      |      |      |      |

**NO. 338 OF 2003**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Can Government say how many meetings of the Development and Planning Commission have taken place since 25<sup>th</sup> September 2002 and on what dates?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Six meetings of the Development and Planning Commission have taken place since 25<sup>th</sup> September 2002 on the following dates:-

24<sup>th</sup> October 2002;

21<sup>st</sup> November 2002;

19<sup>th</sup> December 2002;

23<sup>rd</sup> January 2003;

29<sup>th</sup> January 2003; and

6<sup>th</sup> March 2003.

ORAL

**NO. 339 OF 2003**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

At what stage are the seven appeals before the Development Appeals Tribunal that were listed as pending at the last Question Time in this House?

**ANSWER**

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

Answered together with Question No 340 of 2003.

**NO. 340 OF 2003**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

Have any new appeals been lodged before the Development Appeals Tribunal since the last Question Time in this House in October?

**ANSWER**

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

Three new appeals have been lodged since the answer to Question No 834 of 2002.

1. On 14<sup>th</sup> October 2002 against a refusal to grant permission for the construction of a workshop and offices.
2. On 9<sup>th</sup> January 2003, against conditions placed on a permit for the replacement of windows.
3. On 12<sup>th</sup> February 2003, against a refusal to grant permission for the construction of two townhouses and associated areas.

The present position is as summarised on the attached Schedule that I hand to the hon Member. He will see that of the seven appeals that were pending when Question No 834 of 2002 was answered, three decisions have been made, (No 2, 3, and 8) and four are pending comments from either the Appellant or DPC, that is Nos 4, 6, 7 and 10 and the three new cases added are Nos 11, 12, and 13 making a total of seven cases pending.

**Answer to Question No 340 of 2003**

| Ref | Proposal Refused                                        | Date of Appeal | Hearing Date   | Remarks                        |
|-----|---------------------------------------------------------|----------------|----------------|--------------------------------|
| 1   | Erection of corporate sign                              | 15.01.2001     | 06.02.2002     | DPC decision upheld            |
| 2   | Fitting of an air conditioning unit                     | 29.11.2001     | 20.11.2002     | DPC decision upheld            |
| 3   | Construction of 3 no. terraced houses                   | 06.11.2001     | 30.10.2002     | Appellant case accepted        |
| 4   | Erection of double glazed partition                     | 28.12.2001     | Pending        | Pending appellants<br>Comments |
| 5   | Conditional permit for redevelopment                    | 25.10.2001     | Not applicable | Withdrawn                      |
| 6   | Construction of a wider shop front                      | 09.01.2002     | Pending        | Pending DPC comments           |
| 7   | Extension                                               | 25.10.2001     | Pending        | Pending DPC comments           |
| 8   | Re-roofing                                              | 18.02.2002     | 16.09.2002     | Appellant case accepted        |
| 9   | Residential development                                 | 26.02.2002     | Not applicable | Withdrawn                      |
| 10  | Construction of a toilet building                       | 08.03.2002     | Pending        | Pending appellants<br>Comments |
| 11  | Construction of workshop and offices                    | 14.10.2002     | Pending        | Pending DPC comments           |
| 12  | Windows replacement                                     | 09.01.2003     | Pending        | Pending DPC comments           |
| 13  | Construction of two townhouses plus<br>associated areas | 12.02.2003     | Pending        | Pending DPC comments           |
|     |                                                         |                |                |                                |

**SUPPLEMENTARY TO QUESTION NOS 339 AND 340 OF 2003**

**HON DR J J GARCIA:**

Looking at the table that the Minister has supplied there is somebody who has been waiting for the erection of a double-glazing partition since December 2001 and there are other cases which date back to January 2002 and October 2001 which are also still pending. Is there no time limit in which the Development Planning Commission have to submit their comments?

**HON LT COL E M BRITTO:**

No as I have indicated previously to similar questions from the hon Member the process is an on-going one and is usually held up in the interchange between the appellants and DPC. The situation is made worse when legal advisors are involved and therefore the whole thing gets protracted. What I will say to the hon Member is that there are no cases pending because the Tribunal has not met. At the moment although seven cases are pending they are pending hearing by the Tribunal but none are yet ready to be heard by the Tribunal if that makes sense to the hon Member.

**HON DR J J GARCIA:**

Does the Minister accept that there might be a case perhaps for reviewing the system and introducing time limits to allow a more effective....?

**HON LT COL E M BRITTO:**

I would tend to agree with the hon Member as a matter of legislation but I do not think there is any undue delay and the Tribunal has not in any of the cases heard so far received any complaints about undue delay and always bearing in mind that one would like to give especially the appellants as much time as possible to prepare the case. What we must ensure is that no undesirable delay is imposed by DPC taking too long, if the appellant takes too long that is his own problem.

**NO. 341 OF 2003**

**THE HON DR J J GARCIA**

**SOUTH WEST EUROPE INTERREG IIIB PROGRAMME**

Have the two projects in which Gibraltar is a participant under the Southwest Europe Programme under Interreg IIIB been successful in their applications?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The two projects in which Gibraltar is a participant under the South West Europe Interreg IIIB Programme are currently under consideration.

**SUPPLEMENTARY TO QUESTION NO 341 OF 2003**

**HON DR J J GARCIA:**

Can the Government confirm that originally Gibraltar was involved in four projects under this application, one project was the one we were discussing earlier which was not put forward in relation to the marine life, the second project was the one that was approved and now we have these two other projects that are pending approval, is that the position?

**HON K AZOPARDI:**

Yes the hon Member understands under different strands of the Interreg Programme the others were Western Mediterranean and this is the South West Programme. Obviously there is different criteria and so on, the hon Member is correct that there are holistically speaking four projects one of them was not submitted and the other one was approved and then there are these two under the South West Programme and because the South West Programme is different to the Western Mediterranean one it has not yet I understand reached a decision on these issues.



**NO. 342 OF 2003**

**THE HON DR J J GARCIA**

**DTI – PIAZZA QUESTIONNAIRE**

What was the purpose behind the questionnaire handed out to commercial tenants around the Piazza by the DTI on 12<sup>th</sup> March?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The purpose behind the questionnaire handed out to commercial tenants around the Piazza on the 12<sup>th</sup> March 2003 was to develop a base-line data in order to be able to establish the impact of the project following its completion. It is a standard requirement common to many other EU projects.

**SUPPLEMENTARY TO QUESTION NO 342 OF 2003**

**HON DR J J GARCIA:**

I welcome the information because there was nothing, I speak as somebody who received one of the questionnaires, in the actual formula which gave the indication that it was an EU requirement but it did ask people to evaluate the project even though the project itself was still not completed and there was only at that time in particular a demolished Piazza with nothing in place which is what I thought was quite odd and why I bring the question to the House, the Minister has clarified the point.

**HON K AZOPARDI:**

I am glad that the hon Member declares his interest as a tenant and not in any other capacity and certainly it is true that this process is carried out in many other projects, I accept that the letter did not explain the EU funding requirement but it in fact only said and I have it in front of me, *“we are renovating and someone will be around to discuss and try to obtain information from you”* and that is a fairly informal request so that someone from the department can then attend and obtain this information which can then be used for EU purposes. We have done precisely the same in Casemates and in relation to the Main Street phases and the Piazza is just another phase that we need information on.

ORAL

**NO. 343 OF 2003**

**THE HON DR J J GARCIA**

**ENVIRONMENTAL IMPACT STUDY – EAST SIDE**

Are Government now in a position to say whether an Environmental Impact Study on the land and seaside of the east side development will be required?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Whether an EIA is ordered depends on the nature of the project. As the tender award has not been made it is impossible to confirm this at this stage.

**NO. 344 OF 2003**

**THE HON DR J J GARCIA**

**LAND RECLAMATION**

What were the conclusions and what was the cost of the report for land reclamation within the harbour that has been submitted to the Government?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The report has cost £113,009.58. The final report is not yet with Government and is expected within a few weeks.

**SUPPLEMENTARY TO QUESTION NO 344 OF 2003**

**HON DR J J GARCIA:**

Can the hon Member say what part of the harbour the report looks into the viability of reclaiming?

**HON K AZOPARDI:**

The part of the harbour I think was subject to a question that was answered by the Minister for Tourism yesterday, so called mid-harbour area the area in front of Rooke, the Yacht Club and just adjacent to Coaling Island, it is that area of Gibraltar.

**NO. 345 OF 2003**

**THE HON DR J J GARCIA**

**ORANGE BASTION**

Who will conduct the feasibility study into the conservation and beautification of the area near Orange Bastion?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Department of Trade and Industry is leading in the carrying out of the feasibility study and design for the area of Orange Bastion. Technical support is being provided by Arup and Procon Ltd.

**SUPPLEMENTARY TO QUESTION NO 345 OF 2003**

**HON DR J J GARCIA:**

When do Government expect the study to be completed?

**HON K AZOPARDI:**

The study is in different phases and the pre-tender phase is nearly complete and the Government could go out to tender in the next couple of months foreseeably once that is completed.

ORAL

**NO. 346 OF 2003**

**THE HON DR J J GARCIA**

**INDUSTRIAL PARKS**

What locations do Government have in mind for further projects similar to the industrial park at Lathbury Barracks?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Government are considering further units at Lathbury Barracks and at the North Mole in the area of the ex-Crag Wine Plant.

**NO. 347 OF 2003**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

How many representations has the Development and Planning Commission received regarding the proposed development by Taylor Woodrow of 10 apartments in two blocks at Edward's Hillside, Windmill Hill Road?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

One representation has been received.

**SUPPLEMENTARY TO QUESTION NO 347 OF 2003**

**HON DR J J GARCIA:**

Can the Minister say whether this was favourable to the development or not?

**HON K AZOPARDI:**

No it is an objection to the development and I suppose I should not say who it is because they are private but it is an objection to the development, the matter will be considered by DPC.

ORAL

**NO. 348 OF 2003**

**THE HON DR J J GARCIA**

**ROCK HOTEL**

At what stage are the applications for planning permission of the two development projects at the Rock Hotel?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 349 of 2003.



**NO. 349 OF 2003**

**THE HON DR J J GARCIA**

**ROCK HOTEL**

How many representations has the Development and Planning Commission received over the proposal to erect an apartment block at the Staff Quarters by the Rock Hotel Ltd?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Development and Planning Commission has suspended consideration of the application for a proposed development of 76 apartments to the rear of the Rock Hotel pending the submission of an EIA. The original application for the proposed redevelopment of the Rock Hotel Staff Quarters was withdrawn. A new application for an amended scheme is being considered by the Development and Planning Commission. No representations have been received in respect of this proposal.

**SUPPLEMENTARY TO QUESTION NO 349 OF 2003**

**HON DR J J GARCIA:**

Is the Minister in a position to say whether the second proposal that was submitted is actually different to the first or not?

**HON CHIEF MINISTER:**

It is simply not appropriate to discuss in Parliament a particular building application in respect of a particular project with a particular applicant that can therefore be identified. This matter is before the Development and Planning Commission. The Development and Planning Commission is not the Government, Ministers are not accountable in this House for the business or the decisions of the Development and Planning Commission and even if it were it is not appropriate to discuss an individual applicant's case. Individual applicants are entitled to have their matters dealt with with the same degree of confidentiality as everybody else. There is an appeals procedure, there is an objections procedure and the Government can give general information about building projects and the way these things are dealt with but frankly to start giving out details about an individual application I think is not appropriate.

**HON DR J J GARCIA:**

It is surprising to hear the Chief Minister give that answer because this is the kind of question that we have been raising for years certainly since 2000 on specific individual applications. This one in particular has actually been coming up at every meeting of the House ever since the application was made because it was particularly controversial and it appeared not just in this House but on television and in the media and everywhere else and we have always had a practice of asking questions on every development not just on this particular one, so I do not see why the Chief Minister should take objections to this.

**HON CHIEF MINISTER:**

There is a difference between asking information about developments which the Government can respond to as Landlord never mind about as Planning Authority because a lot of these developments come to the Government to see if the landlord has any position on them, we may have to give an extension of the lease, we may have to give a change of user, there may be other governmental inputs into facilitating or not facilitating a development and those are perfectly legitimate matters for the hon Members to scrutinise the Government on. The hon Member is now asking for details. Detailed planning details of a specific application he is not asking where is the development, he is asking for a comparison between this particular application and a previous particular application. That is information about a particular application and not about a particular planning development. If the hon Member can find more general ways of formulating his questions we are happy to try and give out information of the sort that has been given out in the past but I would ask him not to focus it around the detail of the application for planning permission as such.

**HON DR J J GARCIA:**

I understand what the Chief Minister is saying but is it not the case that the actual details of the application, the plans and the documents are all available for public inspection for 28 days in which case they are not confidential because anybody can go and have a look?

**HON CHIEF MINISTER:**

Yes, but if the hon Member says that, he prompts me to tell him that his Question is then in breach of Standing Orders which does not allow him to ask questions on matters which are in the public domain.

**HON J J BOSSANO:**

If something is in breach of Standing Orders surely that is a matter for a ruling by the Chair not by the Chief Minister. The Chief Minister seems to be saying *"I do not like your question because I think you are asking for information which you should not be asking and if in fact it is not confidential and sensitive and public then you should not be asking it anyway because it is against Standing Orders."* All he has got to tell him is I do not think we should be answering that, I think he is going too far in trying to tell us how we must put the questions. He gets the question as he gets it and if he thinks that the question is not properly put he does not answer it and that is it unless he actually wants to clear the questions in draft form with him first before we put them in.

**HON CHIEF MINISTER:**

No. The hon Member makes ridiculous observations which are not entirely uncharacteristic of his approach to these sessions on more than one occasion. I am entitled to explain why the Government do not answer certain types of questions, compare that to the situation in his day when the Government did not answer questions at all that I should exceptionally decline to answer one or two out of 500 questions and then have the courtesy of offering the Member an explanation as to why I am not answering compared to his performance which is that he did not answer Mr Cummings' questions at all because he did not approve of his political views it shows the extent of the hon Member's conversion on the road to Damascus still I suppose we should thank the Lord for eventual and small mercies. I am also entitled to take the view which is not a judgement on my part, the Government are entitled to decide how they answer questions in the first place but there are Standing Orders there. The hon Member says that he is aware that the information that he is asking from me is a matter of public record and there is a Standing Order that has something to say precisely about that. I am expressing the view that this is a breach of Standing Orders the hon Member can ask for a Speaker's Ruling if he wants to as to whether or not I do not know what ruling he is going to seek the hon Member has himself said that he is aware that it is information that is available to the public and therefore it is a matter of public record and I do not see why he should complain that the Government exercises parliamentary right to invoke Standing Orders.

**HON J J BOSSANO:**

It is not a question of complaining that the Chief Minister invokes his parliamentary right, the Chief Minister invokes every right he has included now invoking the right to give me a sermon on the road to Damascus and invoking the gratitude of the Lord to him to whom he is very close. It has got nothing to do with him, it has to do with the fact that the reason that he gave originally for his finding the question objectionable was its

breach of confidentiality. If in fact it is something that is in the public domain then it is not a breach of confidentiality and therefore his original reason was wrong and now since he cannot accept the possibility that he might be mistaken because on the road to Damascus which I am not he seems to have got there and that seems to have made him infallible and consequently he could not possibly have been wrong originally in questioning the correctness of the question because he has now found a second reason for questioning the correctness of the question, well if it should not have been put because it is already public information then his argument about the confidentiality is complete rubbish and whenever anybody puts in doubt what he is doing he immediately jumps from the defensive to the offensive which is his traditional litigation style and tells the House how awful I was and how poor Mr Cummings was ill treated by me. It is totally irrelevant to the question before the House which is is it right that my Colleague should be asking for that information or not? Does he think he should give it or does he think he should not give it.

**HON CHIEF MINISTER:**

Of course the way the hon Member used to treat Mr Cummings was totally irrelevant to the question that is being asked now but it is not irrelevant to the attitude that he adopts with the Government on the rare occasion when the Government feels it is not right for the Government to answer a particular question. It is not irrelevant to that because as always he does one thing when he is on one side of the fence and another very opposite when he is on the other side. He may think that it is irrelevant to move from a position when he refuses to answer questions altogether systematically as a matter of political style and policy, he may think that it is irrelevant to move from that position to one position where he expects the Government to give him every nitty gritty of information in respect of Government business which we do not just because he asks it but because it is Government policy to be as transparent and as open book as possible with public information. Against that scenario up comes a question which the government feel should not be answered in the way it has been asked and I have invited the hon Member to reformulate his question so that it does not become a debate about a particular individual application and the hon Member thinks that my pointing out to him what his previous practice used to be in criticising mine is irrelevant, well I am quite happy to let others who may be listening to this debate to be the judges of whether the hon Member is standing on firm moral ground or whether he is standing as I believe he is standing on extremely thin moral ice on the basis of the criticism that he chooses to aim at the Government. The issue is the practice of discussing across the floor of the House a particular identifiable instance about which by the way there are also Standing Orders which do not necessarily prohibit it but there are Standing Orders that speak about that as well. I am inviting the hon Member to reformulate his question around developments, questions posed to Government generally and not to ask for details of a particular application so that the Government find themselves giving out information in response to what incidentally is a DPC issue, not a Government aresues, it is a DPC issue. The hon Member can have the views he has expressed them we just have to agree to differ as we do on so many other things.

**HON DR J J GARCIA:**

That was in relation to the Minister's reply on the environmental impact assessment which we had discussed at the last meeting of the House, is the Minister now aware whether that has been carried out or is in the process of being carried out?

**HON K AZOPARDI:**

My understanding is that no work has been done yet.

**NO. 350 OF 2003**

**THE HON DR J J GARCIA**

**SIR HERBERT MILES ROAD**

At what stage is the proposed development of 65 residential units and car parking at Sir Herbert Miles Road, south of Both Worlds and how many representations were received by the DPC with respect to this project?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The application for Outline Planning Permission will be tabled for the first time at the next Development and Planning Commission meeting and three representations have been received.

**SUPPLEMENTARY TO QUESTION NO 350 OF 2003**

**HON DR J J GARCIA:**

In relation to the representations received can the Minister elaborate whether they are favourable to the project or not?

**HON K AZOPARDI:**

In this case it is not as clear cut as that. The three representations contain both, comments of an objection nature and suggestions of a constructive one and some of the representations are also expressions of support of particular elements. So the general thrust is that they are I suppose objections with some supportive comments in respect of particular issues.

ORAL

**NO. 351 OF 2003**

**THE HON DR J J GARCIA**

**SANDPITS VAULTS**

How many representations have been received in respect of the proposed development by Anglo Hispano Co Ltd at Sandpits Vaults, and at what stage is the application for planning permission?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

No representations have been received. The Development and Planning Commission has approved the application.



ORAL

**NO. 352 OF 2003**

**THE HON DR J J GARCIA**

**EUROPA ROAD – RESIDENTIAL DEVELOPMENT**

At what stage is the proposed development by Mackley Tricon JV Ltd for a residential development at Europa Road and how many representations have been received?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Development and Planning Commission has approved the application, the outline planning permission has been issued. No representations have been received.

**NO. 353 OF 2003**

**THE HON DR J J GARCIA**

**WATG PROJECTS LTD**

At what stage are the negotiations between the Government and WATG Projects Ltd regarding the proposed development at Queensway Quay Marina?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

If the proposed development referred to is the Island Project, I should clarify that negotiations are tripartite and involves Queensway Quay Development Company Limited who hold the headlease of Queensway Quay Marina. These negotiations have not yet been concluded.

**SUPPLEMENTARY TO QUESTION NO 353 OF 2003**

**HON DR J J GARCIA:**

This issue was discussed extensively in the last Question Time in October if I remember correctly, can the Minister confirm if the negotiations related to the strip of land which the development needed at the head of the project?

**HON K AZOPARDI:**

Yes, amongst other issues the strip of land but also extensions to the lease and change of user and so on, so it involved all sorts of things. The negotiations were taken to a particular point and were then parked pending consideration of the planning application by the Commission.

**HON DR J J GARCIA:**

Following the Minister's last answer relating to the application by the Development and Planning Commission can he inform the House as to what stage in the process that is?

**HON K AZOPARDI:**

The application was granted in late January this year.

ORAL

**NO. 354 OF 2003**

**THE HON DR J J GARCIA**

**4 RODGER'S ROAD**

Has the draft development licence now been issued in respect of the project at 4 Rodger's Road?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The licence for the development of 4 Rodger's Road was signed on the 13<sup>th</sup> December 2002.

**NO. 355 OF 2003**

**THE HON DR J J GARCIA**

**GRAND MAGAZINE**

Have Government now taken a view on the various tenders submitted for the redevelopment of the area surrounding Grand Magazine, the Victualling Yard and Rosia Mole?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Yes. As made public Commercial Developments Inc Limited were chosen as the preferred tenderer. The residential element proposed around the Grand Magazine site was considered too dense and the company has been asked to re-submit architectural proposals for the construction of town houses only.

**SUPPLEMENTARY TO QUESTION NO 355 OF 2003**

**HON DR J J GARCIA:**

In respect of the project can the Minister say whether this will involve any change in the traffic flow arrangements around that area?

**HON K AZOPARDI:**

The traffic flow arrangements around the area were recently changed as the hon Member will know as he used to live around there. None are immediately envisaged from the particular project itself but the project requires a relocation of a number of facilities, it requires the investment in the Rosia Mole and the Victualling Yard and it also requires the investment in the residential area and it will be a phase and lengthy project so there is time to consider issues that arise as a result of that. In due course planning application will also be circulated to the Traffic Commission that may have news on certain specifics. In the tender application itself there was a suggestion at the time when the department prepared a brief for applicants to consider that we would change where the traffic went on leaving the tunnel just by Victualling Yard, that is still a possibility it will depend on the particular application when it is formulated in relation to the specific Victualling Yard site. Beyond that there may be other changes but I think we have got time to consider that and they have not been kicked up by these particular submissions yet.

ORAL

**NO. 356 OF 2003**

**THE HON DR J J GARCIA**

**SHEPPARD'S MARINA**

When was the Outline Planning Application Permit issued in respect of the development by Monaco Ocean Village Ltd at Sheppard's Marina?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Outline Planning Permit was issued on the 11<sup>th</sup> October 2002.

ORAL

**NO. 357 OF 2003**

**THE HON DR J J GARCIA**

**CATALAN BAY**

At what stage in the development licensing process is the Little Genoa project at Catalan Bay?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The licence for the Little Genoa project was signed on the 25<sup>th</sup> September 2002.



ORAL

**NO. 358 OF 2003**

**THE HON S E LINARES**

**CHILDREN'S ACT**

Can Government state whether Government intend to introduce a Bill to this House to protect children such as the Children's Act?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes. Government's policy is to extend and modernise Gibraltar's children protection legislation in a single, codified modern Children's Act.

**NO. 359 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**KING'S BASTION**

Can the Minister for Sport confirm whether there are any new developments as to the promised conversion of King's Bastion to a leisure centre?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No. Government are anxious to proceed with this project but it is now part of a wider project that is pending the outcome of certain negotiations with the Ministry of Defence.

**SUPPLEMENTARY TO QUESTION NO 359 OF 2003**

**HON MISS M I MONTEGRIFFO:**

Does that answer mean that King's Bastion will not be used for a leisure centre?

**HON CHIEF MINISTER:**

No, it does not mean that at all it means that King's Bastion will be used for a leisure centre but as part of a wider project that needs other lands which are the subject of

negotiations but that the leisure centre would be promoted and developed as part of that project rather than as a stand alone project by the Government.

**HON MISS M I MONTEGRIFFO:**

Does the Chief Minister not understand the frustration that has been voiced in public by many sports people since they were under the belief that the Government since they committed themselves to a leisure centre in 1996 and it says so in their manifesto it is now seven years on and we still do not have a leisure centre. Can the Chief Minister not understand their frustration?

**HON CHIEF MINISTER:**

I doubt very much that sports people will be frustrated for two reasons, first of all the leisure centre is not for sports people and secondly sports people are delighted with the massive investment that the Government have made in first class new sporting facilities at the new sports complex adjacent to the Victoria Stadium. So I very much doubt that sports people will have been frustrated by the delay in the building of the leisure centre. If the hon Lady means that youth may be frustrated then I will certainly understand that, indeed Government are frustrated about the delays. Some of the delays are not of the Government's making and some of them are, for example, one of the delays that is of the Government's making is our difficulty in making a decision about whether or not the modern power station building in King's Bastion should or should not be demolished. The hon Lady knows that that is an issue upon which people feel quite strongly on both sides of the argument. Whether or not that is demolished is a critical factor in the design and layout of any leisure centre, does it or does it not include the ability to use that building as part of it and then there is a third factor about which the Government do not mind being candid and that is that a lot of these developments have got to be phased given the capital outlay that they involve and given the limitation in resources that it is prudent to invest and be exposed to at any given time and given the number of other projects that we are involved in this one, which in any event is held back by other factors, has made way for other public projects so there is a variety of reasons some of which are of the Government's making, some of which are not of the Government's making, there has been delay, it is disappointing to the Government as much as to the people who would use these facilities but this will materialise it will not now materialise during the second term but should we be fortunate enough to be entrusted by the electorate with a third term it will most certainly materialise during the third term.

**HON MISS M I MONTEGRIFFO:**

Do Government know at this stage whether they intend the leisure centre to be run by the Government or by a private enterprise?

**HON CHIEF MINISTER:**

That is precisely one of the issues that is presently under consideration. It all depends on whether it is done as part of this other project or whether it is not done as part of this

other project depending on these negotiations with the MOD about whether other land can be freed or not be freed up, both are still possibilities and I would not wish to give the hon Lady the impression that one of them was the case and the other was not. Both are still possible, indeed a mixture of both is possible in the sense that some facilities may be privately run and others may be publicly run.

**HON J L BALDACHINO:**

The MOD land that the Chief Minister has made reference to is it in the vicinity of the generating station or is it somewhere else in Gibraltar?

**HON CHIEF MINISTER:**

No it is in the vicinity of the generating station.

**HON J C PEREZ:**

Can I ask the Chief Minister whether there has been an input by the Traffic Commission in this development and whether consideration is being given amongst the other things in the development to have a link between Line Wall Road and Reclamation Road as part of that development which would certainly go a long way in alleviating traffic flows?

**HON CHIEF MINISTER:**

What the hon Member is now referring to as a development is not that crystallised. These are concepts at this stage which cannot really be taken into formal proposals until the land is known to be available for them so we are not yet at the stage where other agencies will be consulted for their input. If the development becomes a realistic possibility because the land is freed for it then certainly there will be all sorts of leads to consult and certainly the old chestnut which from time to time raises its head of a possible link road between Line Wall Road and Reclamation Road has been mentioned in connection with it, again it is an issue upon which to my knowledge there are very strong views on both sides of the argument some people think that it would help traffic other people think that it would add to traffic congestion and then there are people who believe that it would be unacceptable to build that sort of structure over the boulevard or certainly through the King's Bastion complex. So there are arguments on both sides and if it emerges as part of the development as that developed or if the Traffic Commission suggested when they are consulted on the development then it will have to be given serious consideration again.

**NO. 360 OF 2003**

**THE HON MISS M I MONTEGRIFFO**

**WESTERN BEACH**

Can the Government now confirm whether there are any new developments in their long-standing discussions with the MOD so that they can transfer boats at Western Beach to the area of Coaling Island?

**ANSWER**

**THE HON THE CHIEF MINISTER**

These negotiations for a number of reasons that I would prefer not to go into have been long and difficult but I am very confident that we are now approaching a very satisfactory conclusion that would enable the Government to proceed with this project. The hon Lady may have noticed from advertisements the tender for the carrying out of the works to the marina in Coaling Island has already been put out subject to successful conclusion of the negotiations with the MOD and I believe that the Government and the MOD will be in a position to close those negotiations in a manner which is satisfactory to both sides in the very near future.

**SUPPLEMENTARY TO QUESTION NO 360 OF 2003**

**HON MISS M I MONTEGRIFFO:**

I understand what the Chief Minister says about prejudicing the negotiations and I am the last person who wants to do that but when he says satisfactory conclusion is he referring to the first amount of money that he mentioned here in this House of Assembly that the Government would be expending?

**HON CHIEF MINISTER:**

No, the hon Lady can ask whatever questions she likes within reason, the negotiations are more or less concluded in so far as the quid pro quo. Very little of what I could say could now prejudice the negotiations as between the Government and the MOD. The outlines of the deal are in place and she is unlikely to draw me into the minor details which are the only items which remain outstanding. The issue is not and has not been one of cost. It has not been anything to do with the cost of reproviding the marina in Coaling Island, that is a Government expense and as a Government expense has always been assimilated in his budgetary provisions by the Minister for the Port. If the hon Lady is referring to the original position about the cost of building a finger jetty as an extension to which was the original way, the original way that this deal was going to be done was that the boats that the MOD berth inside Coaling Island the MSG boats were going to be built in a finger jetty extension to berth No 41. That project foundered because of the cost of that finger jetty. The difficulty of the negotiations that I have referred to in my answer flowed from disagreements between the Government and the Ministry of Defence about what constituted a reasonable like for like reprovision of the facilities that they presently enjoy in the Coaling Island.

**HON MISS M I MONTEGRIFFO:**

I was referring to the actual amount that the Government said and they said this publicly in a press release on the 9<sup>th</sup> December 2003. The Government said that the cost of the project would amount to £1.3 million. Do Government expect the expenditure to be in the region of £1.3 million?

**HON CHIEF MINISTER:**

Is she referring to the cost of reproviding the MOD facilities elsewhere or the cost of building the marina inside Coaling Island?

**HON MISS M I MONTEGRIFFO:**

No.

**HON CHIEF MINISTER:**

In that case it is envisaged that it would fall well within the £1.3 million.

ORAL

**NO. 361 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE FUND**

Can Government state what was the estimated balance of the Social Assistance Fund as at:-

- (a) 31<sup>st</sup> January 2003;
- (b) 28<sup>th</sup> February 2003?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 362 to 366 of 2003.

ORAL

**NO. 362 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE FUND**

Can Government state what was the estimated balance of the Social Assistance Fund as at:

- (a) 31<sup>st</sup> October 2002;
- (b) 30<sup>th</sup> November 2002;
- (c) 31<sup>st</sup> December 2002?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 361 and 363 to 366 of 2003.



ORAL

**NO. 363 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT INJURIES INSURANCE FUND**

Can Government state what was the estimated balance of the Employment Injuries Insurance Fund as at 31<sup>st</sup> October 2002, 30<sup>th</sup> November 2002 and 31<sup>st</sup> December 2002?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 361, 362 and 364 to 366 of 2003.

ORAL

**NO. 364 OF 2003**

**THE HON J L BALDACHINO**

**EMPLOYMENT INJURIES INSURANCE FUND**

Can Government state what was the estimated balance of the Employment Injuries Insurance Fund as at 31<sup>st</sup> January 2003, 28<sup>th</sup> February 2003?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 361 to 363, 365 and 366 of 2003.

ORAL

**NO. 365 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE (SHORT-TERM BENEFITS) FUND**

Can Government state what was the estimated balance of the Social Insurance (Short-Term Benefits) Fund as at:-

- (a) 31<sup>st</sup> October 2002;
- (b) 30<sup>th</sup> November 2002;
- (c) 31<sup>st</sup> December 2002?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 361 to 364 and 366 of 2003.

**NO. 366 OF 2003**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE (SHORT-TERM BENEFITS) FUND**

Can Government state what was the estimated balance of the Social Insurance (Short-Term Benefits ) Fund as at :-

- (a) 31<sup>st</sup> January 2003;
- (b) 28<sup>th</sup> February 2003?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I hand the hon Member the information requested.

**Answer to Question No 361 of 2003**

The estimated balance of the Social Assistance Fund is as follows:-

|                                      |               |
|--------------------------------------|---------------|
| as at 31 <sup>st</sup> January 2003  | £1,100,914.21 |
| as at 28 <sup>th</sup> February 2003 | £ 869,843.70  |

**Answer to Question No 362 of 2003**

The balance of the Social Assistance Fund

|                                         |               |
|-----------------------------------------|---------------|
| as at 31 <sup>st</sup> October 2002 is  | £1,909,747.93 |
| as at 30 <sup>th</sup> November 2002 is | £1,655,888.10 |
| as at 31 <sup>st</sup> December 2002 is | £1,338,957.67 |

**Answer to Question No 363 of 2003**

The estimated balance of the Employment Injuries Insurance Fund as at

|                                   |               |
|-----------------------------------|---------------|
| 31 <sup>st</sup> October 2002 is  | £6,002,634.40 |
| 30 <sup>th</sup> November 2002 is | £5,958,572.24 |
| 31 <sup>st</sup> December 2002 is | £6,022,270.89 |

**Answer to Question No 364 of 2003**

The estimated balance of the Employment Insurance Fund as at

|                                   |               |
|-----------------------------------|---------------|
| 31 <sup>st</sup> January 2003 is  | £6,044,150.33 |
| 28 <sup>th</sup> February 2003 is | £6,085,574.55 |

**Answer to Question No 365 of 2003**

The estimated balance of the Social Insurance (Short-Term Benefits) Fund as at

|                                   |               |
|-----------------------------------|---------------|
| 31 <sup>st</sup> October 2002 is  | £6,265,627.81 |
| 30 <sup>th</sup> November 2002 is | £6,252,931.27 |
| 31 <sup>st</sup> December 2002 is | £6,251,435.46 |

**Answer to Question No 366 of 2003**

The estimated balance of the Social Insurance (Short-Term Benefits) Fund as at

|                                   |               |
|-----------------------------------|---------------|
| 31 <sup>st</sup> January 2003 is  | £6,249,355.47 |
| 28 <sup>th</sup> February 2003 is | £6,210,287.44 |

ORAL

**NO. 367 OF 2003**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Can Government confirm that it is in the power of Gibtelecom to take legal proceedings against the European Commission for failure to act against Spain in respect of the cases brought to the Commission by Gibtel and Nynex respectively?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 368 of 2003.

**NO. 368 OF 2003**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Can Government state whether there have been any new developments on the part of the European Commission in respect of the complaints put to it in 1996 by Nynex and Gibtel, both companies now having merged into one?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is in the Company's power until the Commission makes a definitive decision, the action would be what is called a "failure to act" action, which are not easy to bring successfully. Once the Commission makes a final decision, an action against any such adverse final decision is easier. The Commission has indicated a provisional decision. The Company is responding.

**SUPPLEMENTARY TO QUESTION NOS 367 AND 368 OF 2003**

**HON J C PEREZ:**

When the Chief Minister says that the Commission has indicated a provisional decision is this a provisional one whilst action is taken by a third party?

**HON CHIEF MINISTER:**

No. I have to be very careful here because provisional decisions cannot be put into the public domain. So if the hon Member presses me as to what the provisional decision is I would not be able to tell him. It is not the sort of provisional process that he has described in his supplementary, it is provisional in the context of arriving at a final decision. The procedure is that before arriving at a final definitive decision the Commission informs the parties of what is its provisional decision, in other words, where its inclinations are leading it, the parties then get an opportunity to have one last go at making representations to the Commission about its provisional decision. When the parties have made those recommendations the Commission then decides whether to adopt its provisional decision as its final decision or whether in the light of some of the last representations made to change it and adopt some other different decision so this is not interim. The sort of provision that the hon Member was describing in his supplementary was a sort of interim decision, this is not interim this is provisional pending making it firm after this final opportunity to the parties and that is the final opportunity that the companies have taken and ours as well.

**HON J C PEREZ:**

Does the Chief Minister have an idea how long it will take to have a final decision from the Commission on the matter and did I understand him right before when he said that on the question of litigation it is better that a final decision should have been taken, if the final decision is one that we do not agree upon is there recourse to take litigation further?

**HON CHIEF MINISTER:**

Yes, there are two sorts of legal actions which are open to the company, one is when the Commission sits on its hands and either takes no action nor makes a justiciable decision. There is a procedure called "*failure to act*". That is not failure to take the action that the party wanted it to take, it is not failure to take remedial action, "*failure to act*" means simple failure to deal with the matter in a way which at least brings it to a conclusion that one of the parties can then litigate about. That is very difficult, not impossible but we have had this discussion before it is very difficult, the law is very recent it is in a state of flux. I have looked at the complaints and I do not think that this is a breach of anything and I am not pretending that is an action against which there is then full legal recourse in the European Court and that is the stage that we are very rapidly approaching, if the decision is adverse.



**NO. 369 OF 2003**

**THE HON J C PEREZ**

**CENTREX SYSTEM**

Is it Government's intention now to dismantle and remove the centrex system within Government in order to release telephone numbers for commercial use?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have not taken a decision on this matter yet.

**SUPPLEMENTARY TO QUESTION NO 369 OF 2003**

**HON J C PEREZ:**

But is it something that the Government can do in the event that they needed numbers for commercial use?

**HON CHIEF MINISTER:**

Yes the necessary technical investigations have been done, the systems have been identified, they have been costed and a value for money exercise has been done. Unfortunately it has been found that there would be no financial justification for doing it. The benefits to the Government in terms of telephone system that the new system could

deliver compared to the Centrex system would not be justified by the capital cost of the new system. So if it failed to be decided just on financial grounds and value for money to the Government there would be no case for it so, that just leaves the decision to do it purely on the political level, regardless of the fact that it is not value for money on a financial basis if it were necessary in order to create a significant further cushion on the availability of numbers issue then the Government would have to more seriously consider doing it despite the fact that it is not value for money. We are waiting for this investigation that is being carried out by Gibtelecom to see whether there are other ways of resolving the numbering problem before we decide whether we need to proceed along this basis or not. If the system that this other study that is being done produces numbers by another means then the decision not to proceed with this is easier.

ORAL

**NO. 370 OF 2003**

**THE HON J C PEREZ**

**GIBRALTAR'S IDD CODE**

Can Government state whether the British Government have informed them of any new development in respect of their declared objective to get Spain to recognise Gibraltar's IDD code?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, I do not believe that the British Government are engaged on any activity in pursuit of their declared objective.

**NO. 371 OF 2003**

**THE HON J C PEREZ**

**COMPETENT AUTHORITY**

Have Government now been informed by the Foreign & Commonwealth Office whether the European Commission has now updated the list of competent authorities in respect of the application of Council Directives 93/75/EEC and 78/55/EEC, and if so, can they state whether the Captain of the Port appears on the list as Gibraltar's Competent Authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have been informed by the F&CO that the Commission does not propose to issue a revised list until Directive 2002/59 establishing a community vessel traffic monitoring and information system and repealing Council Directive 93/75 EEC is transposed by all Member States by 5<sup>th</sup> February 2004.

**SUPPLEMENTARY TO QUESTION NO 371 OF 2003**

**HON J C PEREZ:**

There is until 2004, I presume that the Government have the directive in hand already and have they studied the implications for Gibraltar of applying that directive, the new one?

**HON CHIEF MINISTER:**

I cannot from my personal knowledge give him an answer specific to that directive, I can tell him that there are procedures now in place for the systematic assessment of directives and their impact on Gibraltar and I assume that this particular directive is being dealt with in that way.

**NO. 372 OF 2003**

**THE HON J C PEREZ**

**BREATHALYSER TESTS**

Can Government state whether the Royal Gibraltar Police is now making use of the provisions made available by this House, for the use of breathalyser tests, and if so, can they state on how many occasions since January has it been used?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The practical matters relating to the application of the law of the use of the breathalyser tests, training of officers and calibration of the equipment have now been completed. The Royal Gibraltar Police have also made presentations to the Attorney General's Chambers and Judiciary on the practical application and the viewing of the equipment. The Royal Gibraltar Police will be implementing the Ordinance with the use of the breathalyser equipment as from Monday 7<sup>th</sup> April 2003 and it is the intention of the RGP to make a press statement to all of this effect during the course of this week. In fact, they have waited until the answer to this question had been given.

**SUPPLEMENTARY TO QUESTION NO 372 OF 2003**

**HON J C PEREZ:**

I appreciate that when the Ordinance was passed we all thought that they should be very cautious and very careful about the practical effect and on how to do it and I appreciate that they have been in contact with the Attorney General's Chamber precisely in my view

certainly a reflection of what the House at the time asked them to do, but certainly it is now worth monitoring the situation to see the effectiveness of the provisions that we have made in the House.

**HON CHIEF MINISTER:**

As we do that I would remind the hon Gentleman that this equipment is not for roadside random monitoring. We did not approve that in the House, the Government did not propose it and it is not in the legislation. This breathalyser testing is only in the hospital or at the police station and it is an alternative method to the presently available methods of proving that somebody is drunk. It is the alternative to the blood tests, the straight line test and all these things that were originally done that may make it easier for the police to successfully prosecute people who should be prosecuted without interfering with people who are not a danger to anybody and yes, we should monitor to see whether this actually is the aid to law enforcement that the police think it is and the Government think it is going to be without becoming a burden on innocent citizens.

**NO. 373 OF 2003**

**THE HON J C PEREZ**

**LAND PROPERTY SERVICES**

Have Government now concluded their review of the contract of Land Property Services, and if so, can they state what are the main changes made to it?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Government have concluded their review of the existing contract and as a result detailed negotiations for a new contract with Land Property Services are at an advanced stage. No new contract has yet been signed and the negotiations continue. The main changes under discussion and proposed by the Government are to move to a cost plus basis which the Government believe will represent better value for money for the taxpayers whilst at the same time providing a fair return for the company and a fair incentivisation for its directors and other staff.

**SUPPLEMENTARY TO QUESTION NO 373 OF 2003**

**HON J C PEREZ:**

Has the principle been accepted and if I understand the Chief Minister what we are talking about is the small print in the contract or is there a major difference of approach between the company and the Government on this matter?



**HON CHIEF MINISTER:**

I would not wish to reveal any confidence about the other side's negotiating position nor publicly state what their position is. The fact is that there is no agreement until there is an agreement and it would not be right for me to pin them publicly to a particular position if there is then not going to be an agreement which would entitle them to abandon that position in the context of any future negotiations but let me just say that the discussions are taking place in an amicable and constructive spirit so I would imagine that that means that there is not any fundamental differences which the parties are not happy to resolve in those discussions.

ORAL

**NO. 374 OF 2003**

**THE HON J C PEREZ**

**HUMAN RESOURCES MANAGER**

Have Government now recruited a Human Resources Manager as recommended by the review into the Personnel Manager's Department?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No. This has not been done yet but it is anticipated that it will be done soon.

**SUPPLEMENTARY TO QUESTION NO 374 OF 2003**

**HON J C PEREZ:**

Is it the intention of the Government to open up the vacancy within Government and can the Chief Minister state if so, what is the grade is it a Senior Officer post or is it another grade?

**HON CHIEF MINISTER:**

I am afraid I cannot recall those details certainly the Chief Secretary has done a study which I have seen and which I have signed off but I really cannot recall whether it

involves a regrading of the post and if it does whether the intention is that it be given to any incumbent on an upgrading of post or whether it will be a contest or indeed whether anybody will apply for it as if it were a contest, I am afraid I do not recall those details. I think that the latest proposal is a Senior Officer grade that is my vague recollection as to whether it goes to an incumbent on upgrading in post or whether it then gets thrown open and he applies, I do not know.

**NO. 375 OF 2003**

**THE HON J C PEREZ**

**HARBOUR VIEWS PROMENADE**

Will Government consider regularising the swimming that takes place at Harbour Views promenade, this year, by demarcating an area in the sea for this to take place in a safe manner?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Government's position remains as explained on the numerous occasions that the hon Member has asked this Question before.

**SUPPLEMENTARY TO QUESTION NO 375 OF 2003**

**HON J C PEREZ:**

I ask it because it is near the summer season and since he has been to Damascus and back, as we heard this morning, he might have seen the light and decided to have changed his mind but I would presume that the Chief Minister is as concerned as I am that people should be swimming in the area with small craft passing and the danger that that poses.

ORAL

**NO. 376 OF 2003**

**THE HON J C PEREZ**

**COLLECTOR OF CUSTOMS**

Can Government confirm that the post of Collector of Custom has now been filled, and if so, when is it expected that the successful applicant will commence?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The post was filled with effect from 11<sup>th</sup> December 2002.

**SUPPLEMENTARY TO QUESTION NO 376 OF 2003**

**HON J C PEREZ:**

With effect meaning that the person is already in post I presume?

**HON CHIEF MINISTER:**

Indeed.

ORAL

**NO. 377 OF 2003**

**THE HON J C PEREZ**

**ADMINISTRATIVE OFFICERS**

What is the new maximum in the salary scale for an AO in the 2002 pay agreement for Civil Servants?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 378 of 2003.

**NO. 378 OF 2003**

**THE HON J C PEREZ**

**CIVIL SERVICE – PAY REVIEW**

Can Government state whether the terms of the 2002 pay review for the Civil Service are such that it has enabled it to enter into an arrangement with Prospect whereby the proposed arbitration into the 1999/2000 pay review will no longer be necessary?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I have to improvise here because the situation has moved on since this answer was crafted. Negotiations with Prospect have now concluded. An agreement has been entered into on the basis based on the UK review which as the hon Member knows is pursuant to the parity principle we follow this as closely as possible, the hon Member will remember that I have mentioned before that this year's UK pay deal brings them closer to our system rather than the usual which is it takes them further away from our system with the consequent difficulties in applying it in Gibraltar. This year the UK moves closer to our system, the UK have done a four year pay deal 2002, 2003, 2004, 2005, we have done the same. The deal in Gibraltar as in the UK for 2002 involves a flat percentage which I believe is 5.2 per cent, for future years there are other issues to do with scales, minima, maxima and things of that sort. So the maxima for the AO for 2002 which is what the Question asks is just 5.2 per cent more than the current maxima that changes in respect of future years three, four and five and the agreement means that all outstanding historical pay review issues have been resolved and there is nothing left to arbitrate.

## **SUPPLEMENTARY TO QUESTION NO 378 OF 2003**

**HON J C PEREZ:**

Two issues, is it envisaged that there should be within the next four years as part of this review automatic progression in the scale, that is to say, other than the flat based pay review within the next two or three years is it envisaged that part of the review actually increases the top range of the scale by automatic progression and (2) can the Chief Minister say whether there is any retrospective element at all to the 1999/2000 review?

**HON CHIEF MINISTER:**

No there is no retrospective element, the staff side have accepted that there should not be because the fact that it is now being done because it has been done in the UK demonstrates that it did not have to be done before because it had not been done before in the UK there is a sort of logic to the position. It is not as if they have just negotiated away the retrospection just that there has been an acceptance that there was no retrospection due. Precisely the novelty that there has been in the UK pay review is that they have gone back to a system of pay scales which they had abolished. The UK has not had pay scales and has not had therefore progression up a pay scale automatically or otherwise. The novelty in the UK is precisely that they have gone back to that system and that whereas before their system involved pay rises only by performance assessment and box marking and equity shares and things like this they have now gone back to a system, there is still a small element of performance related bonus, but substantially their pay reviews are now a progression of scales. They do not progress automatically, in their system one does not go up unless one is satisfactorily assessed. So if one is unsatisfactorily assessed one gets the revalorisation of the point that one is on but one does not also progress to the point above. We have not done it that way because we had always retained our own Gibraltar scales which were based on automatic progression and not on performance measurement progression. So, that is one of the differences between the UK deal and ours and that is that our progression continues to be automatic and not performance related. The UK scale delivers automatic progression up to a certain point and thereafter the pay rises are a flat percentage and we have agreed that system too whilst respecting the Gibraltar scales which means that progression is by flat percentage. That point is higher in Gibraltar than it is in the UK because we have respected our historical Government decision, both this one and theirs, that we would not go to performance related and that meant keeping local scales.



ORAL

**NO. 379 OF 2003**

**THE HON J C PEREZ**

**ELECTRICITY AUTHORITY**

Will Government state what is the extra cost to Government, per annum, of setting up the Electricity Authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 380 and 381 of 2003.

ORAL

**NO. 380 OF 2003**

**THE HON J C PEREZ**

**ELECTRICITY AUTHORITY**

Will the employees of the Electricity Department that will remain in the Government Service receive supervision from employees belonging to the Electricity Authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 379 and 381 of 2003.

**NO. 381 OF 2003**

**THE HON J C PEREZ**

**ELECTRICITY AUTHORITY**

How many employees of the Electricity Department will move to the Electricity Authority and how many will remain within Government?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I regret and the hon Member will understand that some of what I am going to say in this answer duplicates exchanges that we had when we debated the Electricity Authority Bill on Friday. The real extra cost is not yet known for a variety of reason, (1) it is not yet known whether the Generation staff will join, (2) negotiations have not yet concluded with the administrative staff, (3) much of the extra cost in higher basic salary is to be financed through increased productivity and reduced overtime. The extra additional cost is therefore not yet known but it is not expected to be substantial. It is not envisaged at this time that civil servants will be supervised by Authority employees and if it became necessary in the future it would not occur as a matter of principle without the negotiated agreement of any civil service staff affected. All civil servants will be supervised by persons who are also civil servants. So far agreement has been reached with the technical grades in the consumer and distribution sections and with the electrical section of the technical service department. Negotiations will continue now with the union representing the clerical and administrative grades, Prospect and with the staff and union in the Generation Division including the Electro-technical section and other day workers at the Waterport Power Station.

**SUPPLEMENTARY TO QUESTION NOS 379 TO 381 OF 2003**

**HON J C PEREZ:**

So, what the Chief Minister is saying is that although we rushed the Bill to be ready for the Authority to start and commence on the 1<sup>st</sup> April which is today, April Fool's Day, he actually does not know how many employees are moving to the Authority today because the negotiations are going on with the others and the others might move later or might not. I have asked him to say how many are moving and how many are staying behind and he has told me the amount of negotiations that are taking place, does he know actually how many are moving today to the Authority which is why he brought the Bill to the House?

**HON CHIEF MINISTER:**

Yes. The premise of the hon Gentleman's question about the rushing of the Bill is not correct, all the employees in the sections which are moving, are moving today.

**HON J C PEREZ:**

How many are there?

**HON CHIEF MINISTER:**

I do not have the tally, I think from memory it is available in the estimates in terms of the establishment at least for the non-industrial staff. It is all the Distribution workers which are about 27 in all and then there is the Consumer Section which I think is another 15 or 20 I cannot tell him exactly, if he wants I will let him know that in a while if he wants to know how many people are there accepting that all the section is moving but how many people is all the section. I can get that information for him. The clerical and admin grades will continue to do the work pro tem from the civil service until they negotiate their move into the Authority. So the Authority becomes functional today in respect of distribution and consumer and technical services department electrical works, generation remains as a Government department and the administrative function is provided for the Authority from the civil servants until the civil servants move across.

**HON J C PEREZ:**

Basically the wish to know how many are moving and how many are not is to see the balance, the percentage of employees in the whole department who are moving and who are not. I believe certainly that in the Generation department alone there are about 35 people, can the Chief Minister state, I know that he has already started the negotiations with the clerical but one would presume that when they are finalised whoever decides to move to the Authority once they move into the Authority they will not be transferable to any other place in the Government or would transferability continue and if so if there are people today who do not want to move to the Authority would that post be open to within

the civil service to other people if they wish to move, can the Chief Minister state only that aspect of the negotiations?

**HON CHIEF MINISTER:**

That precisely is one of the matters under discussion with the staff association certainly no one is going to be forced to move from the civil service to the Authority so if there is anybody providing a clerical support function now to the department who wants to stay in the civil service they will just be transferred elsewhere. Looked at from the other end of the tunnel which is the way the Government have focused on it is rather different focus to the issue and that is whether the right to choose to go to the Authority should be the incumbent post holders or whether it should be thrown open to everybody in the service to apply and the Government are consulting with the staff association on that question. It is not quite as straightforward as the hon Member might at first sight think because whereas in the technical grades they were not really transferable they had a job in the Electricity Department and therefore if the Electricity Department goes to an Authority the Government can really only do it if they want to go across. Clerical and Administrative grades are much more freely transferable and are transferred, clerks are transferred from the Electricity Department to another department and therefore it is not as if they have a lifetime stake in a particular department so the question arises whether the opportunity for those who wish to regard it as an opportunity, for any one who does not regard it as an opportunity all they have got to say is I do not want to go and they will be transferred somewhere else but for those who regard it as an opportunity the question is should that opportunity be limited to the seven or eight that are there now or should it be extended more widely across the service given that any of the eight that are there today could technically have been transferred to another Government department tomorrow so that they do not have a so to speak a career long stake in the Electricity Department. The Government are relaxed about which way it would do this, we just do not want to deprive others of an opportunity if their staff association think it is an opportunity that others should not be deprived of so that if depending upon what the Staff Association decide the Government will be perfectly happy to say come service wide there are these eight or nine opportunities who is interested in applying for them?

**HON J J BOSSANO:**

Will the Government consider that the way it has been done before with the satisfaction of the clerical union was in fact to do both things to give the first option to the people there and then if there were not enough takers I think it was done like that for Nynex in our time and for the Health Service before our time in 1987 and the two previous Governments a move has been voluntarily with the first option given to the people mainly on the basis that perhaps it is easiest from the point of view of the working of the Authority if the guy that was doing the work on Friday is still doing the work on Monday but on the clerical side obviously people move but they do not move all in block at the same time?

**HON CHIEF MINISTER:**

Yes, the Government are certainly willing to consider that. It depends very much on the views expressed on this issue by the Staff Association. There are minor issues, there is a dimension of this which raises an interest of the Authority and that is that because as the Hon Juan Carlos Perez intimated in his supplementary there will not be a right to transfer thereafter back. So view that from management's position, once eight or nine people come across one is stuck with them forever. One cannot move them about because one wants to bring in new blood or because they may not be performing et cetera, et cetera and there is a management issue there as well. This is being discussed with the staff side and I am certain that the possibility that the Leader of the Opposition mentions in his supplementary will be one of the options on the table, I am certain of it.

**HON J J BOSSANO:**

In terms of what we shall see reflected in the estimates that we get later on this month I take it that the receipts from electricity disappears as an item of revenue into the Consolidated Fund, is that the case?

**HON CHIEF MINISTER:**

That is the intention whether it happens this year or whether we have a transitional arrangement of more direct funding for one year whilst the Authority beds down is not yet decided. The intention is that the revenue and the expenditure will go and then there will be a revenue item, purchase of electricity, because the Authority is still purchasing electricity from the Government so there will be a revenue item purchase of electricity and an expenditure item cost of generating electricity for the Government. Whether that will happen this year or whether we will leave it for next year is something that has not quite been decided, it has to be decided very quickly we have got just under four weeks to settle the estimates but there is a view that it may be sensible just to allow the Authority to establish itself on the ground before transferring to it the sort of financial obligations that come from a transfer of the revenue stream to it given that it will not yet have an enormous amount of financial infrastructure in terms of staff in the first few months of its operation.

**HON J J BOSSANO:**

In terms of the accounting system for the Authority since this is a trading entity as opposed to the other Authorities that get their revenue from the Government would the practice adopted be that they show as revenue the bills issued as opposed to the cash collected because I think that is how it used to be when it was a special fund before the special fund was dissolved in 1988?

**HON CHIEF MINISTER:**

Whether the accounts of the Authority will be drawn up on an accruals basis or on a cash basis which is the distinction that the hon Member's questions make is not a matter that I have addressed my mind to. The hon Member would have seen when we debated the Bill on Friday that the Authority is obliged to accept directions from the Accountant General as to the basis to its accounting and book keeping system so when this issue has been decided by the Government the Government will have the wherewithal to see that whatever it decides is implemented and adopted as the accounting system.

ORAL

**NO. 382 OF 2003**

**THE HON J C PEREZ**

**GHA**

Can Government state whether there are any plans to restructure the bandings of support workers in the Gibraltar Health Authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not appropriate to comment publicly on industrial relation matters unless and until there is an agreement or a disagreement.

**SUPPLEMENTARY TO QUESTION NO 382 OF 2003**

**HON J C PEREZ:**

In order for there to be an agreement or a disagreement there has to be at least a claim, is there a claim by the union for a review of the Authority or is there an initiative on the part of management for a review of the banding grades, when I talk about support workers I presume the Chief Minister realises that it is basically labourers, storemen, cooks, cleaners and so on?



**HON CHIEF MINISTER:**

In any event it would not be a review of the Authority these are all employees of the Government not employees of the Authority so we are not talking about a claim in the Authority if there were a claim the question would be *"have Government employees in the Health Authority made a claim for a rebanding of their support worker contingent?"* The answer is that there are discussions about rebandings on a Government wide basis.

**NO. 383 OF 2003**

**THE HON J C PEREZ**

**EUROPORT BUILDING**

What plans do Government have for the provision of parking bays for employees and visitors at the Europort Building where the existing hospital is to be moved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I do not wish to re-ignite the debate that was had yesterday with the Minister for Health on this issue. The existing hospital is not moving to a new building. This is not a question of moving the existing hospital to a new building this is a question of establishing a brand new splendid hospital in a splendid building. Much as the hon Members wish to make this look and sound like simply moving the existing hospital into a new building as if this was just a real estate transaction that is a complete misrepresentation by implication of what the new hospital project involves which involves a brand new building, it does not cost £28 million to move the existing hospital into a new building. Those £28 million of cost reflect the fact that what is being done is the establishment of a new hospital. *[INTERRUPTION]* I am entitled as part of my answer to point out that I think that the question is based on a false premise which is what I have done.

Government are entering into arrangements with the developer of an adjoining site to include the facilities which the hon Member describes in his question. This is in addition to the parking that will be available in the basement of the new hospital and in the street nearby which is generally a more open space than the vicinity of St Bernard's Hospital today and of course it is the measure of the value that the new hospital project will bring

to the vastly improved traffic access and parking is just one of the very many areas that will be vastly improved as a result of the new hospital.

**HON J C PEREZ:**

Since I have not asked about the traffic flow if the Chief Minister wants me to pronounce myself I think it is going to be a disaster for traffic but that is neither here nor there can the Chief Minister say how many parking bays are going to be available in the basement of the converted office blocks which he has bought to convert into a hospital and could he say how many parking spaces he is going to make available outside the converted office block which he wants to convert into a hospital and how many other parking spaces he wants to create with the development that is going to be beside it?

**HON CHIEF MINISTER:**

The number of parking spaces in the purpose built basement garage of the building that will host the new hospital I understand is about 40. The number of parking spaces in the adjacent building which is not a converted office block it is currently an empty plot of land for a development has not yet been concluded but it will be a very substantial number much greater than that we are talking about the possibility of a whole floor.

**HON J C PEREZ:**

I would presume that it is the intention of the Government to divide the areas into visitor car park and staff car park and presumably I would think that either of the car parks that are going to be acquired from the developer will be one thing and the ones underneath another?

**HON CHIEF MINISTER:**

Certainly the intention is to focus the use of the basement for staff rather than for visitors but if there is space for visitors as well so be it but it would make more sense that the staff should drive into their place of work rather than others driving into their place of work and the staff have to park elsewhere.

**HON J J BOSSANO:**

Do the financial arrangements for the acquisition of this exterior parking form part of the financing package of the hospital or is that being done independently?

**HON CHIEF MINISTER:**

It does not form part of the existing financial package it is separate.

**HON J J BOSSANO:**

Would that feature as an expenditure item in the Health Service budget or in the Government budget?

**HON CHIEF MINISTER:**

The hon Gentleman should not assume that the arrangements and the discussion involve a capital outlay.

**HON J J BOSSANO:**

Presumably it involves some kind of outlay, they are not getting it for nothing?

**HON CHIEF MINISTER:**

It is premature to give public details of the discussions that are taking place and the financial basis upon which any agreement will be concluded. It is a negotiation that is taking place as we speak and I think it is not sensible that I should say anything favourable or unfavourable.

ORAL

**NO. 384 OF 2003**

**THE HON J C PEREZ**

**GHA**

Will Government state whether they intend to privatise any function within the Health Authority as a result of the move of St Bernard's Hospital into Europort Building?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The operation of the new hospital does not involve privatisation of existing functions. By agreement with the union and staff affected, new arrangements will be made to provide some of the existing duties of the porters by another means but it does not involve privatisation or any version of it.

**SUPPLEMENTARY TO QUESTION NO 384 OF 2003**

**HON J C PEREZ:**

Did the Minister not confirm in a previous question that the kitchen will no longer be there and that the food is to be purchased from outside the Government, is that not privatisation?

**HON CHIEF MINISTER:**

I think he explained the opposite. My recollection of what the Minister for Health explained is that it did not involve the transfer of any employees to the public sector and that at most one was talking about a management contract in respect of management but it would remain a Government function and all of that, so there is no privatisation of the catering as such it continues to be done by Government employees.

**HON J C PEREZ:**

Just that it is not done in that building it is done in the old wine factory.

**HON CHIEF MINISTER:**

Yes.

ORAL

**NO. 385 OF 2003**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING**

What is the status of the three applications for a licence to conduct offshore betting from Gibraltar that were being considered at the last Question time in this House in October?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 386 and 387 of 2003.

ORAL

**NO. 386 OF 2003**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING**

Can Government say whether there have been any new applications for a licence to conduct offshore betting since the last Question Time in this House in October?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 385 and 387 of 2003.



**NO. 387 OF 2003**

**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 2002 and 28<sup>th</sup> February 2003, listing the companies where such persons are employed, how many are Gibraltarians, how many are EU nationals and how many are non-EU nationals?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 385 of 2003**

Two of the three applications are not being pursued by the applicants. The other is in the process of being licensed.

**Answer to Question No 386 of 2003**

Thirteen enquiries have been received after the information provided in answer to Question No 1069 of 2002, only one of which resulted in a formal application. However, this application is not being pursued by the applicant at present.

**Answer to Question No 387 of 2003**

Based on the latest information supplied by the gaming operators themselves as at 3<sup>rd</sup> March 2003, a total of 567 persons were employed by nine companies in the offshore betting industry. I hand the hon Member the information requested.

**Answer to Question 387**

**OFFSHORE GAMING COMPANIES - EMPLOYMENT STATISTICS AS AT 3 MARCH 2003**

|                                                                                                                       | <u>Gibraltar</u> | <u>Other British</u> | <u>Spanish</u> | <u>Other</u>  | <u>Total</u>  |
|-----------------------------------------------------------------------------------------------------------------------|------------------|----------------------|----------------|---------------|---------------|
| Ladbroke (Gibraltar) Limited - Full Time<br>- Part Time                                                               | 9<br>1           | 29<br>0              | 3<br>0         | 0<br>0        | 41<br>1       |
| Sub-Total                                                                                                             | 10               | 29                   | 3              | 0             | 42            |
| Victor Chandler (Int) Limited - Full Time                                                                             | 37               | 87                   | 8              | 49            | 181           |
|                                                                                                                       | 31               | 29                   | 7              | 5             | 72            |
| Sub-Total                                                                                                             | 68               | 116                  | 15             | 54            | 253           |
| Bet and Win International Limited - Full Time<br>(formerly Simon Bold) - Part Time                                    | 7<br>0           | 11<br>0              | 1<br>1         | 7<br>0        | 26<br>1       |
| Sub-Total                                                                                                             | 7                | 11                   | 2              | 7             | 27            |
| Stan James (Gibraltar) Limited - Full Time<br>- Part Time                                                             | 8<br>2           | 88<br>3              | 0<br>0         | 4<br>0        | 100<br>5      |
| Sub-Total                                                                                                             | 10               | 91                   | 0              | 4             | 105           |
| Trafalgar Betting and Gaming limited - Full Time<br>- Part Time                                                       | 4<br>1           | 5<br>0               | 0<br>0         | 1<br>0        | 10<br>1       |
| Sub-Total                                                                                                             | 5                | 5                    | 0              | 1             | 11            |
| Gala Interactive (Gibraltar) limited - Full Time<br>- Part Time                                                       | 3<br>0           | 5<br>1               | 0<br>0         | 0<br>0        | 8<br>1        |
| Sub-Total                                                                                                             | 3                | 6                    | 0              | 0             | 9             |
| Eurobet (Gibraltar) Limited<br>Demmysportsbet.com Limited<br>Virtual Holdings Management Services (Gibraltar) Limited | 1<br>6<br>19     | 1<br>6<br>17         | 0<br>1<br>1    | 7<br>10<br>51 | 9<br>23<br>88 |
| <b>Totals:-</b>                                                                                                       |                  |                      |                |               |               |
| Full Time                                                                                                             | 94               | 249                  | 14             | 129           | 486           |
| Part Time                                                                                                             | 35               | 33                   | 8              | 5             | 81            |
| <b>Overall Total</b>                                                                                                  | <b>129</b>       | <b>282</b>           | <b>22</b>      | <b>134</b>    | <b>567</b>    |

Source: Office of the Financial & Development Secretary

**SUPPLEMENTARY TO QUESTION NOS 385 TO 387 OF 2003**

**HON DR J J GARCIA:**

The Chief Minister said that there were 13 enquiries only one which resulted in a formal application and that was not being pursued, is the Chief Minister at liberty to say why that is?

**HON CHIEF MINISTER:**

I am not sure whether I am at liberty to say it or not even if I were I could not because I do not know but I can find out and let him know.

**NO. 388 OF 2003**

**THE HON DR J J GARCIA**

**VISAS**

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 October 2002 inclusive?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The total number of visas for Gibraltar issued in Morocco since 10<sup>th</sup> October 2002 up to and including 19<sup>th</sup> March 2003, on a monthly basis is as follows:-

|                                                              |   |     |
|--------------------------------------------------------------|---|-----|
| October 2002                                                 | - | 51  |
| November 2002                                                | - | 42  |
| December 2002                                                | - | 71  |
| January 2003                                                 | - | 92  |
| February 2003                                                | - | 48  |
| March 2003 (up to and including 19 <sup>th</sup> March 2003) | - | 52  |
| Total No of visas issued                                     | - | 356 |

**NO. 389 OF 2003**

**THE HON DR J J GARCIA**

**EEIG**

Can Government say whether Mercomed Gibraltar and Mercomed Los Barrios have now been registered under the provisions of Council Regulation 2137/85 as a European Economic Interest Grouping (EEIG)?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, not yet.

**SUPPLEMENTARY TO QUESTION NO 389 OF 2003**

**HON DR J J GARCIA:**

Can the Chief Minister say when this is expected to happen?

**HON CHIEF MINISTER:**

Yes just as soon as the incorporation of the two participant companies that is to say the Gibraltar Mercomed and the Spanish Mercomed are themselves formed in Gibraltar and Spain and when the parties have concluded their joint venture agreement which

underpins the EEIG and the Mercomed arrangement. I cannot give him an exact date really all I am telling him is that we are not yet in a position to register, the EEIG.

**HON DR J J GARCIA:**

Has the responsibility for this now been passed from the official in the Procurement Office to the DTI?

**HON CHIEF MINISTER:**

No it has not, that particular official is still driving the liaison with the lawyers and the officials on the Spanish side to conclude these negotiations.

**NO. 390 OF 2003**

**THE HON DR J J GARCIA**

**EUROPEAN VOICE AWARD**

Can Government give the cost, with a detailed breakdown, of the Chief Minister's visit to Brussels for the European Voice award ceremony?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The cost of my visit accompanied by my good wife and my Press Secretary to Brussels for the European Voice, Award Ceremony was £6,254.05. This was broken down as follows:

|                     |   | £         |
|---------------------|---|-----------|
| Travelling Expenses | - | 4,330.84  |
| Hotel Accommodation | - | 1,515.52  |
| Subsistence         | - | 407.69    |
|                     |   | <hr/>     |
|                     |   | £6,254.05 |
|                     |   | <hr/>     |

**SUPPLEMENTARY TO QUESTION NO 390 OF 2003**

**HON DR J J GARCIA:**

How long did the visit take place?

**HON CHIEF MINISTER:**

We were two nights in Brussels.



**NO. 391 OF 2003**

**THE HON DR J J GARCIA**

**NUMBER OF WEDDINGS**

Can Government say how many weddings took place in Gibraltar in 2000, 2001 and 2002 using the Governor's special licence?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The total number of weddings by Governor's special licence were as follows:-

|           |   |     |
|-----------|---|-----|
| Year 2000 | - | 613 |
| Year 2001 | - | 617 |
| Year 2002 | - | 697 |

**SUPPLEMENTARY TO QUESTION NO 391 OF 2003**

**HON DR J J GARCIA:**

I think the Chief Minister has already answered my question but I want to make sure and confirm that this is the case, is the Governor special licence the mechanism for getting married in Gibraltar which was advertised in the last Tourist Board brochure?

**HON CHIEF MINISTER:**

Yes.

**NO. 392 OF 2003**

**THE HON DR J J GARCIA**

**IMPORTS – BUILDING MATERIALS**

What was the amount of import duty paid on building materials on a monthly basis since October 2002 inclusive?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The amount of import duty collected on building materials on a monthly basis since October 2002 is as follows:

|               |   | £         |
|---------------|---|-----------|
| October 2002  | - | 15,585.12 |
| November 2002 | - | 26,138.55 |
| December 2002 | - | 15,082.21 |
| January 2003  | - | 31,516.02 |
| February 2003 | - | 13,364.15 |

**NO. 393 OF 2003**

**THE HON DR J J GARCIA**

**HEAD 8A – SUBHEAD 14**

Further to the answer to Question No 1056 of 2002, can Government provide a detailed breakdown of each of the following, indicating what the purpose of the expenditure was and whom the money was paid to:

- (a) official travel - £133,288.51;
- (b) invited guests - £8,718.10;
- (c) political - £336,116.95?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested by the hon Member is simply too voluminous and too minutely detailed. The hon Member is in effect asking the Government to publish a Nominal ledger of all items charged to these General subheads. To breakdown, for example, the political expenditure vote of £336,116.95 never mind the official travel vote of £133,288 into a detailed breakdown indicating the purpose of every pound of expenditure and to whom it was paid, in other words identify the supplier of the service in respect of it is a massive, massive amount of information. It is simply not appropriate to provide information on that detailed basis. However, if the hon Member were to want, for example, subtotals in respect of any particular item of expenditure, for example, he has asked some questions of the cost of ministerial travel, he might ask how much is spent on newspaper advertising of a political nature or how much is spent on visiting political delegations or attending political conferences. If he gives headings in which he may be interested it may then be possible to ask the computer to break this and to provide that

information for him rather than ask us to do the breakdown in respect of every pound by purpose and recipient which is a massive exercise.

### **SUPPLEMENTARY TO QUESTION NO 393 OF 2003**

**HON DR J J GARCIA:**

In order to arrive at these figures what method do they use do they group it into different subheadings and then arrive at a global figure when they are working out the estimates?

**HON CHIEF MINISTER:**

Yes, there are some established subheadings I think from memory there are these subheads breakdown perhaps into five or six headings and if he is interested in knowing what those are I could tell him and then if he was content to do so he might ask for totals of that. The real difficulty comes with the breakdown, there may be a thousand items of travel. He is asking for a breakdown of each of the thousand items not just by amount and purpose, who went where for this but also who it was paid for, which means giving him the airline, the travel agent with which every item was booked, the hotel, the name of the taxi driver to which taxi fares were paid, it is just not practical. The way he has formulated the question actually may seek more detail than he perhaps needs and if we could just agree groundly for asking the information in a more manageable way then it may be possible to give him the information. I will let him know what the breakdowns that exist are.

**HON DR J J GARCIA:**

I was going to ask for that. Knowing what the breakdowns already are then it might actually be helpful to us in that way I do take that point but whenever we have asked this question in relation to tourism and air fares and all the rest of it although smaller amounts it has been provided by the Minister for Tourism.

**HON CHIEF MINISTER:**

That is what I am offering, if he asks how much is spent on particular items, or how much was spent as he has just asked in relation of the Chief Minister's visit to Brussels for this European Award, or how much was spent generally on air travel? It is possible to give information easily with criteria that are a bit more general than the question than he has chosen to ask on this particular occasion.

**NO. 394 OF 2003**

**THE HON DR J J GARCIA**

**CASEMATES DEVELOPMENT**

Can Government say whether and if so when units 18B and 21B at the Casemates development and unit 2/3 Casemates Square will be put out to tender?

**ANSWER**

**THE HON THE CHIEF MINISTER**

These units were put out to tender on 17<sup>th</sup> November 2002. Unit 21B has now been allocated to the successful tenderer and Unit 18B is in the process of being allocated. With regard to Unit 2/3 Casemates Square the Government decided that the desired user was a cafeteria/tearoom /ice cream parlour and those tenderers that were judged acceptable were invited to submit:-

- (a) detailed explanation of their business mix and product concept; and
- (b) the rent and/or the premium that they would be willing to pay.

This has now been received from a number of tenderers and a final allocation will be made shortly.

## **SUPPLEMENTARY TO QUESTION NO 394 OF 2003**

**HON DR J J GARCIA:**

The last time this issue was raised Units 18B had been put out to tender, one tender had been received and rejected and 21B had been received but did not materialise. These had been put out to tender a second time and this is the result that the Chief Minister has just explained?

**HON CHIEF MINISTER:**

Correct.

**HON J C PEREZ:**

Is the Chief Minister saying that after having been put out to tender and people have submitted their own tender they have now been asked to submit the rent that they would pay, was that not part of the tender process itself?

**HON CHIEF MINISTER:**

No. The hon Member's supplementary raises two issues, the units were put out to tender with an advertised rent I do not know what it is whatever is the going rate for rents in those areas and people submitted for whatever user they wanted. Some people said a gift shop, some said a restaurant, some said a cafeteria, some people said jewellery shop, sweetshop, wines and spirit shop et cetera, et cetera and I think that there were 40 or more applications received. The first decision that was made was what does the Government want to see there? The Government decided that they wanted to see something that added to the alfresco eatery facilities at Casemates but something that added a different product to the ones that were already provided for. So we did not really want another pub so we said, what is missing in Casemates is a tea room , cakeroom, ice cream parlour that sort of thing which is actually what those units were originally put out for. There were 20 of these, there were 15 or 20 of the 40 were for this line of business and the Government felt that the applications as submitted were insufficient to really allow the Government to choose one from the other. It was just 20 odd people saying tea room or cake shop or ice cream parlour. There was no basis upon which the Government could rationally and transparently select between. I suppose we could have put them all in a bin and draw lots or something. So what we chose to do instead is ask them to give a detailed business plan so that the Government could assess exactly the nature of the product that would result and then we said if there is demand one of the factors that we could take into account is how much rent they are willing to pay. At the end of the day this is not the Government as Government, this is the Government as landlord and if the Government have a commercial property for which there is that amount of demand perhaps the Government should be trying to maximise the rental income that it can obtain from it so we added a sort of bid process for the rents and people have responded to that and now what we have in front of us are

these 20 short-listed candidates is a rental and premium bid and a detail of the product that they wish to deliver.

**NO. 395 OF 2003**

**THE HON DR J J GARCIA**

**EMPLOYMENT FRAMEWORK DIRECTIVE**

In what time frame do Government envisage implementing the Employment Framework Directive in Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As with all its European Union obligations the Government aspires to transpose those that represent legislative obligations within the time period permitted by the European measure to do so. This particular European measure does not require to be transposed until the 2<sup>nd</sup> of December 2003.

**SUPPLEMENTARY TO QUESTION NO 395 OF 2003**

**HON DR J J GARCIA:**

This is obviously a measure which will affect the business community as it will every other employer in Gibraltar and in the European Union as whole. It deals with discrimination in the work place in relation to age, disability, sexual orientation or religion. Is the Chief Minister saying then that the Government intend to have it transposed by the deadline of December 2003 and if so at what stage of the drafting process is the legislation?



**HON CHIEF MINISTER:**

I would have thought that the Government's position was quite clear from the answer that I have given as with all EU directives what we aspire to do is to have it done on time and it is not usual for the Government to be pressed ahead of time as to how it is going and how it is not going. The answer to his question is that the Government with this as it does with all EU obligations attempts to do it on time and our record in that respect is very good. When we transpose legislation late it is usually because we are not informed of their existence by the British Government until years, for example, there is some legislation in unrelated matters coming to the House shortly which relates to a 1999 directive which the British Government had never pointed out to Gibraltar in accordance to the system but when we know about EU legislation our record on timely transposition is really excellent and there are very few directives, data protection is one for a reason that I have explained to him before, where delay beyond the due date is the result of delay brought about by Gibraltar itself. I am sure that this is a very worthy directive and when it is done Gibraltar will have complied with the EU obligation which is not an EU obligation until December 2003 but I have to say that many of the discriminations that the legislation rightly outlaws are not discriminations for which there is any great body of evidence exists in Gibraltar. I have never heard of anybody in Gibraltar being discriminated in their workplace by virtue of their religion. These things might happen in other places I do not know the extent of whether they do or they do not and entirely without prejudice to the fact that it is going to be done because it has got to be done, this is not a matter upon which Gibraltar has got a choice but even if Gibraltar had a choice or regardless of the question of choice I am not aware that there is discrimination in the workplace, in other words by the employer, on the basis of some of the criteria that the legislation deals with. The legislation is on its way and therefore those who fear that there may be a greater incidence of this sort of discrimination than the Government are aware exists will have the comfort that there will be the statutory protection which may presently be missing. Some of the issues are already covered by local legislation. We have a Constitution which protects against discrimination on some of the grounds listed in this directive and the Constitution is primary, statutory, Gibraltar law.

**HON DR J J GARCIA:**

It is certainly not the experience of Opposition Members from representations received from people who come with these problems that there is no discrimination on these grounds so although we have protection of the Constitution it is definitely an extra added protection that we would welcome.

ORAL

**NO. 396 OF 2003**

**THE HON DR J J GARCIA**

**JOHN MACKINTOSH SQUARE**

Are any provisions being made for rubbish collection points in the new piazza development?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answerd together with Question No 397 of 2003.

**NO. 397 OF 2003**

**THE HON DR R G VALARINO**

**JOHN MACKINTOSH SQUARE**

Can Government state where they are going to relocate the toilets that were at John Mackintosh Square?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 396 of 2003**

Apparently not, I am told that the catchment area for refuse is serviced by a door to door collection and by a centralised refuse collection point in Line Wall Road next to the City Hall.

**Answer to Question No 397 of 2003**

The original scheme, as approved by the Government, envisages that the toilets will be located below ground, with a facility for the disabled at street level. That remains the intention at this time.

## **SUPPLEMENTARY TO QUESTION NOS 396 AND 397 OF 2003**

**HON DR J J GARCIA:**

The issue of the rubbish collection points is on the Order Paper because as a result of representations made by members of the public and I am glad that the Chief Minister in his answer raises the question of Line Wall Road and mentioned that there was a collection point there because that is precisely the issue which I was asked to address. The problem is that residents of the area were complaining about the load of refuse in these Line Wall Road collection points and were complaining that there were too many bars and restaurants using those particular services and dumping the rubbish there and therefore we were wondering if there might be new rubbish points placed somewhere else to allow that load to be distributed. The second point which I have been asked to raise refers to the fact that there is no proper building enclosing these collection points but it is customary in other similar points located around Gibraltar to provide a small building in which these skips are placed and my question to the Government therefore is, does the Chief Minister intend to do anything to resolve the issues which have been brought to our attention?

**HON CHIEF MINISTER:**

The hon Member raises issues on the grounds that he is asked to raise them, asked by whom? Presumably people raise issues with him and he decides whether they are issues which he should raise in the House I am sure he does not raise issues on behalf of others or because he is asked to raise them by others, that would be most unconventional. The question of the overloading if it exists, unless of course he is referring to his own company just off Mackintosh Square, the question whether existing rubbish collection points are overloaded and should be split up into more than one is an on-going issue which is kept under review and that has nothing to do with Mackintosh Square. Mackintosh Square actually has very few residential properties in it and relatively few even commercial properties. If one eliminates the House of Assembly at one end and the Government building at the other and one excludes the Treasury and the vacant development site and the old guard room, there is only a handful of properties around Mackintosh Square itself. I am sure that the hon Member would agree that even if the need did exist, which I am not conceding that it may or may not, I do not decide these sort of things to provide further central collection points for the Line Wall Road area of Gibraltar, I am sure that he would agree that it is not sensible to place it in John Mackintosh Square. Presumably he would agree it would be sensible to provide it somewhere else. I am not sure whether his first statement on the toilets amounted to a supplementary or not, when I say at street level for the disabled, I did not mean at street level in the guardroom.

**HON DR J J GARCIA:**

I am sorry I have not mentioned the question of the toilets.

**HON DR R G VALARINO:**

The question is mine. Is there a Clerk of Works or is the Chief Minister taking a personal interest in this project?

**HON CHIEF MINISTER:**

The two are not mutually exclusive in fact there is both a Clerk of Works and the Chief Minister also takes a keen interest. If he means is the Chief Minister the Clerk of Works? The answer is that regrettably my duties do not leave me enough time but if they did I would dearly like to spend that sort of detail on a project of this sort which I think is an important urban renewal project so, I do take a close interest as he knows I did with the Caemates project as well but I am sure that there is a Clerk of Works who does the job.

**HON J C PEREZ:**

Is the Chief Minister saying that the toilets are not going in the old guardhouse that they are going underground and that the disabled toilet has nothing to do with the guardhouse that all the letters in the press, and the speculation, and the press releases, are total nonsense, is that what the Chief Minister is saying?

**HON CHIEF MINISTER:**

As always the hon Member deprives me of the benefit of my carefully chosen words which I suppose he will regard as dysfunction. What I said was that the original scheme as approved by the Government envisaged the toilets going underground that remains the intention at this time. The toilets would only go in the guardhouse if there was some technical or cost imperative that rendered that placing them underground unfeasible or undesirable. We do not think that that is going to be the case but that matter is under technical consideration at the moment. Even if we placed the toilets underground there is still the issue of the disabled and for that there would be limited facilities placed at street level in the square not in any building off the square. As to whether the speculation in the media to the contrary is invention no, it is not invention it was based on a remark made by one of my ministerial Colleagues in a television interview but what is regrettable is that certain organisations, forget the private citizens and the private individuals, it is regrettable that certain organisations that have close levels and channels of communication with the Government chose not to use those channels before having recourse to the media had they done it the other way they would have I am sure not felt it necessary to do the other but people are entitled to express their views. We get lots of people expressing the view that the guardhouse is an ideal place for the toilets and we get many people, more it has to be said, expressing the contrary.

ORAL

**NO. 398 OF 2003**

**THE HON DR J J GARCIA**

**REFORM OF BUSINESS TAXATION**

On what date did the Gibraltar Government reply to the European Commission's invitation to interested parties to comment on the Commission's views on the planned reform of business taxation in Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 399 and 400 of 2003.

ORAL

**NO. 399 OF 2003**

**THE HON DR J J GARCIA**

**REFORM OF BUSINESS TAXATION**

On what date did the British Government reply to the European Commission's invitation to interested parties to comment on the Commission's views on the planned reform of business taxation in Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 398 and 400 of 2003.

**NO. 400 OF 2003**

**THE HON DR J J GARCIA**

**REFORM OF BUSINESS TAXATION**

On what date were Government made aware of the European Commission's letter of 16<sup>th</sup> October 2002 to the United Kingdom over the proposed reform of business taxation in Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Gibraltar Government replied, as an interested party by letter dated 3<sup>d</sup> January 2003. The United kingdom is not an interested party, it is the Member State that notified the proposed scheme. It does not therefore take part in the part of the proceedings reserved for interested parties. As the notifying Member State the UK had the procedural opportunity to comment on the Commissions decision to initiate the formal procedure under article 88(2) with respect to the proposed corporate tax reforms. This the UK did by formal letter dated 13<sup>th</sup> December 2002. The Government were made aware of the Commission's letter dated 16<sup>th</sup> October 2002 on the 21<sup>st</sup> October 2002.



**SUPPLEMENTARY TO QUESTION NOS 398 TO 400 OF 2003**

**HON DR J J GARCIA:**

The Commission in its letter and as published in the official journal requested the United Kingdom Authorities to forward a copy of their letter to the potential recipients of the aid measure immediately, are Government aware as to whether that was done?

**HON CHIEF MINISTER:**

There are no potential recipients of aid measures under the proposed Corporate Tax Reform Scheme which has not yet been brought into effect.

**HON DR J J GARCIA:**

What was the Commission referring to then?

**HON CHIEF MINISTER:**

Assuming that the hon Member is reading from the right letter and is reading from the letter from the Commission inviting interested parties to comment on the tax reform and is not reading from the letter communicating the Commission's decisions to re-institute the exempt status company investigation which are two different things, there are two different things, one is the tax reform proposals and the invitation by the Commissioner to third party, interested parties to comment on the tax reform proposals. At more or less the same time there was a completely different and unrelated development which was the Commission's decision to start again with its exempt status existing tax law therefore investigation following the successful outcome of the court case in which we had told them that they had started it under the wrong chapter. So after many months they decided to start again under the right article, that would require the warning to be issued and that was the matter in respect of which there was some comment that we had not discovered it until the last moment. It may be that the hon Member has crossed those wires.

**HON J J BOSSANO:**

What was published in the official journal which is the reply of the Commission to the United Kingdom ends by saying, "*...the Commission requests the United Kingdom Authorities to forward a copy of this letter,*" this being the letter that has been sent to the Commission which one can only deduce is the one of the 16<sup>th</sup> October 2002, which is being referred to in one of the replies.

**HON CHIEF MINISTER:**

That is not an accurate deduction if the Leader of the Opposition shows me the letter I will tell him which of the two initiatives it uses whether it uses tax reform or exempt status requirements.

**HON J J BOSSANO:**

We shall pass the letter but it is what has appeared in the official journal that has been published.

**HON CHIEF MINISTER:**

Both have appeared in the official journal.

**HON J J BOSSANO:**

The text of the letter says, *"....the Commission wishes to inform the United Kingdom that having examined the information supplied by your authorities on the measure referred to above it has been decided to initiate the procedure laid down."* So it is the procedure.

**HON CHIEF MINISTER:**

Procedure or measures referred to above but that letter could apply to both things.

**HON J J BOSSANO:**

Then it ends up saying, *"....the UK Authorities are requested to forward a copy of this letter to the potential recipients of the aid."*

**HON CHIEF MINISTER:**

The hon Member is jumping over the parts of that document which if he read them would answer the conundrum. The bits that he has chosen to read out .....

**HON J J BOSSANO:**

The beginning and the end.....

**HON CHIEF MINISTER:**

.....yes, the bits that he has chosen to read out could have been in the letters dealing both with the invitation to interested parties to comment on the new reform proposals and in its decision to reopen the exempt company investigation.

**HON J J BOSSANO:**

No it is not clear.

**HON CHIEF MINISTER:**

Otherwise if the hon Member would pass it to me I will tell him myself.

**HON J J BOSSANO:**

It indicates....

**HON CHIEF MINISTER:**

What is the date of it?

**HON J J BOSSANO:**

December 2002, this was published on the 4<sup>th</sup> December 2002 .....

**HON CHIEF MINISTER:**

...and that has the reference number 2002/C/300/02?

**HON J J BOSSANO:**

Yes.

**HON CHIEF MINISTER:**

If that is the document dated 4<sup>th</sup> December 2002 that is indeed the invitation to interested parties to submit comments on the tax reform proposal.

**HON J J BOSSANO:**

Yes. Therefore the question is *“Given that the Commissioner has requested the United Kingdom Authorities to forward the letter to interested parties who are potential recipients of the aid measure immediately..”* can the Government say what has happened about that?

**HON CHIEF MINISTER:**

Nothing has happened to it because there are none. There are no potential recipients. This is the sort of warning that is usually attached to all State Aid decisions. When it applies in respect of an existing aid measure the warning is to people who may be potential recipients of something that they could be offered or could be given but because this is a new tax scheme, remember that no new tax scheme has ever been notified before because this is a new tax scheme which is not in effect and will not be brought into effect unless it is approved by the Commission there is actually nobody that falls into the category described in the ‘health warning’ so to speak. So, it requires no action. There are no potential recipients to send it to.

**HON DR J J GARCIA:**

In relation to Question No 398 of 2003 on the Gibraltar Government's reply as an interested party, the Chief Minister will recall correspondence that we exchanged in relation to whether the Government's reply would have been made available to the Opposition on a confidential basis I take the opportunity now that we are discussing the issue in the House to ask the question once more?

**HON CHIEF MINISTER:**

The Government are still considering that question and we are taking legal advice as to it. Remember a lot of these European procedures are shrouded in rules about when one can make documents public. We are awaiting that and I am conscious of the fact that I owe the hon Member a reply to his letter.

**HON DR J J GARCIA:**

In relation to when the Government were made aware of the letter from the European Commission to the United Kingdom Government of the 16<sup>th</sup> October and the answer was that the Government here were made aware on the 21<sup>st</sup> October, my question is what action did the Government take when they became aware of this letter and if they consulted the industry locally at that stage?

**HON CHIEF MINISTER:**

No it is not the sort of letter that needed consultation. It was a letter which in effect set out the maximalist Commission view of the reforms and what it required was simply a

technical argumentational response to each of the points that the Commission was raising in that letter. Let me tell the hon Member that the Government of Gibraltar played a fundamental and instrumental role in the drafting of the letter from the United Kingdom Government to the Commission. The letter from the Commission did not raise anything about which any body external to the Government needed consulting it was a letter which simply called for a response to those points which were given.

ORAL

**NO. 401 OF 2003**

**THE HON DR J J GARCIA**

**REFORM BUSINESS TAXATION**

Can Government say what one aspect of the planned reform of business taxation the United Kingdom did not agree with?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not that the UK Government did not agree with one aspect of the Reform but rather that they thought that one aspect may not meet the State Aid Regulations. That aspect was the quantum cap element.

ORAL

**NO. 402 OF 2003**

**THE HON DR J J GARCIA**

**REFORM OF BUSINESS TAXATION**

Will any draft legislation agreed with the European Commission over the reforms to business taxation in Gibraltar be subject to comment, ammendment and approval by the House of Assembly?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 403 to 408 of 2003.

**NO. 403 OF 2003**

**THE HON DR J J GARCIA**

**TAX REFORMS**

Can Government give an explanation of the extent to which “Chargable Cooperate Employer” in the company pay roll Tax Ordinance, “Chargable Company” in the Companies (Taxation of designated activities) Ordinance and “Company” in all 4 Ordinances submitted to the EU Commission will ensure that all business activities in Gibraltar including those of companies not registered in Gibraltar fall within the scope of the new Tax regime?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 402 and 404 to 408 of 2003.



**NO. 404 OF 2003**

**THE HON DR J J GARCIA**

**TAX REFORMS**

Can Government say in respect of the proposed tax reform what is the expected revenue from each separate element of the Reform:

- (a) Payroll tax;
- (b) BPOT
- (c) Registratiion fee for companies with income;
- (d) Registration fee for companies without income;
- (e) Top up tax on Financial Services;
- (f) Top up tax on utilities?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 402, 403, and 405 to 408 of 2003.

ORAL

**NO. 405 OF 2003**

**THE HON DR J J GARCIA**

**PAYROLL TAX**

Can Government give an explanation of the relationship between the number of employees in the Private Sector and the expected revenue from Payroll tax?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 402 to 404 and 406 to 408 of 2003.

ORAL

**NO. 406 OF 2003**

**THE HON DR J J GARCIA**

**PAYROLL TAX**

Can Government give an estimate for the loss of revenue from the application of the 15 per cent of profits cap on the liability for Payroll tax, BPOT, and where appropriate Financial Services top-up taxation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 402 to 405, 407 and 408 of 2003.

ORAL

**NO. 407 OF 2003**

**THE HON DR J J GARCIA**

**PAYROLL TAX**

Can Government give an estimate of the loss of revenue from the application of the £0.5 million cap on the liability for Payroll Tax, BPOT and where appropriate Financial Services top-up taxation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 402 to 406 and 408 of 2003.

**NO. 408 OF 2003**

**THE HON DR J J GARCIA**

**PAYROLL TAX**

Can Government give an estimate of the number, size and type of activity of:-

- (a) Companies that will make no profit and consequently escape liability for payroll tax and BPOT;
- (b) Profit-making companies with no employees, that is zero assessable employee unit;
- (c) Profit-making companies with less than one employee (excluding those with zero)?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government do not consider it to be appropriate or desirable in Gibraltar's interest to debate the detail of the reform proposals until Government are in a position to formally adopt them in the knowledge that they can be implemented with legal certainty. That awaits EC Commission clearance under State Aid Regulations. Almost all the legislation necessary to implement the reform is primary legislation and must therefore be fully debated in and passed by this House. That will give hon Members a full opportunity to probe the Government and seek details and clarification about not just the reform proposals but indeed their legislation. The EU Commission is fully aware as is the Council of Finance Ministers, ECOFIN, that the Reform proposals is subject to the legislative approval of this House and therefore it is not a question of the Government agreeing legislation with the Commission, Government have submitted a scheme containing draft legislation to the Commission for approval under State Aid legislation

but the legislation still has to be debated and adopted in this House. True it is that when the legislation is adopted in this House if the hon Members were for example, to move a particular amendment which in the Government's judgement had the effect of putting it on the wrong side of State Aid compliance then the Government might not be able to accede to such a request but none of what is happening is an alternative to a full debate not just of the reforms themselves but indeed also the legislation in this House and it is not that the reforms are Government policy yet, they will be Government policy only if they are viable. So the Government consider that it is premature to engage in a public debate on a set of proposals which have not yet been formally adopted by the Government and which this House will have every opportunity to debate if and when or when and if the Government do adopt it as a policy.

### **SUPPLEMENTARY TO QUESTION NOS 401 TO 408 OF 2003**

**HON J J BOSSANO:**

Given that the Commission was provided prior to November 2002 with the draft legislation which is spelt out in the same public document to which we have referred in a previous question that this document published in December of 2002 and says that they have in their possession copies of the Companies Payroll Tax Ordinance, the Companies Annual Registration Fee Ordinance, the Rates Ordinance and the Companies Taxation of Designated Activity Ordinance, can the Chief Minister say why it is perfectly all right for the Commission to have copies of all these drafts and not us?

**HON CHIEF MINISTER:**

They are not Ordinances they are draft Bills and they are provided to the Commission confidentially as a matter of procedural compulsion on the part of the Government. It is not customary in a Parliamentary system for the Government to provide to the Opposition draft legislation which does not yet even reflect adopted Government policy and which the Government have had to create in order to comply with an external process of approval. The hon Members are entitled as legislators to on the terms to boot of the legislation relating to that, Constitution and the House of Assembly Ordinance, to Bills for Ordinances once they have been adopted by the Government therefore demonstrating an intention on the part of Government to bring those Bills to the House. We are not at that situation yet. If the Commission does not approve this Tax Reform, this reform will not be adopted by the Government, will not become a Bill and will not be debated in this House or anywhere else for that matter. What the hon Member is asking the Government to do is not as a Member of the House of Assembly to share in the legislative process, there is no legislative process afoot yet what the hon Member is asking as a Member of an Opposition political party is for Government to share with them their own internal draft working papers which they have had to generate ahead of adopting them as policy because they have been required to do so by an external in effect Regulatory body, the Commission, who are the administrators of the State Aid legislation. What I have said to the hon Members and I think that I have said this to them at the last Question Time is that given that this legislation is not small or straightforward that as soon as this has become Government policy and as soon therefore as the

Government are able to say, “...*the Reform is the policy of the Government and we intend to proceed with it*,”.. at that stage the Government would give notice of the legislation so that the hon Members would have much more than the seven day period that the law provides of notice of legislation. One thing is to ask the Government to maximise the notice of intended legislation and a different thing is to ask the Government to give them working drafts before they have even been adopted by the Government as intended legislation or Bills or policy. That is the distinction that I am making and that is where I am trying to draw the line.

**HON J J BOSSANO:**

One could understand that in any circumstances where, for example, if the legislation was being drafted by the Legislation Unit and that draft was not the draft approved by the Government and intended to be published one could understand it but in fact what we have here is draft legislation which has been provided to an external body, the European Commission, we have had a situation where at the budget last year the Chief Minister made a statement in anticipation of the date he intended to make it because he thought it would leak and at that stage in response to that statement we said we would await developments but he said we would have plenty of time. Plenty of time, we are now in April and the target of the Government are still to do this on the 1<sup>st</sup> July 2003 and I cannot see why the Government feel that providing it to the Commission in confidence is something that they are comfortable with given the Commission's record of hostility to Gibraltar. [INTERRUPTION] Would the Government not agree that if we knew what the Government are attempting to do after consultation with all the industry we would be in a better position to react positively to these things. Have Government provided any copies of this to people in the industry?

**HON CHIEF MINISTER:**

I believe not.

**HON J J BOSSANO:**

After all they set up this Committee, this is the result of the work of the Committee that has been set up and paid for by money voted in this House is it not the case, all this draft legislation?

**HON CHIEF MINISTER:**

All internal Government working papers are ultimately paid for by taxpayers money, that does not entitle the Opposition to premature access to them.

**HON J J BOSSANO:**

Then when we come to the list of questions which the United Kingdom was asked to give replies to within one month, last October, is this premature internal Government papers?

Every question that has been put by my Colleague which seeks information is verbatim copied from the questions that the Commission put to the United Kingdom and told them that they had a month to answer.

**HON CHIEF MINISTER:**

The United Kingdom's letter of response is not a public document.

**HON J J BOSSANO:**

Yes, but I asked questions of this nature a very long time ago in the House and I said, *"....but I can understand that the Government will need to be nearer the date..."* the Chief Minister actually did not say at the time *"I cannot give you that information some of it will be easier to calculate than others,"* I remember he said *"it will be easier to calculate what the increased fees for company registration will be because we can say whilst there are so many companies and we may lose a certain percentage and we come up with a figure."* These are the kind of statistical information that the Commission is asking the United Kingdom to provide, we are asking the Government the same question seeking the same information that the Commission has asked the United Kingdom and presumably the United Kingdom has given that answer to the Commission having obtained it from the Government.

**HON CHIEF MINISTER:**

I understand what the hon Member is saying but he is just repeating his view he is not developing it. The Commission is entitled to ask for it at this stage and therefore it is a timely request by the Commission it is entirely premature stage for the hon Member in the domestic political context.....[**HON J J BOSSANO:** Why?] because it is not yet Government policy and the Government do not wish to participate in a debate about a possible reform that may or may not occur which the House is going to have every opportunity to debate if the Government do adopt it and we just do not think it is necessary, we do not think it is appropriate and we do not think that the hon Member is entitled to the information at this stage and that is the Government's view. The hon Member has a different view and we do not agree with the him.

**HON J J BOSSANO:**

The questions are seeking information just like the Commission was seeking that information of the Member State UK in order to evaluate what the Government are planning and put us in a better position when we come to debate it. I take it that the answer to all these questions is available because presumably the United Kingdom obtained it from the Government of Gibraltar and the Gibraltar Government must have done this exercise for the United Kingdom, is that correct?



**HON CHIEF MINISTER:**

Yes some of the information is available albeit on a calculated estimate basis. Some of the information is available but the Government, whether or not the information is available, do not consider that it is appropriate to field it locally because it is premature. This is not even Government policy yet why should the Government share with the Opposition internal working papers about something which the Government might adopt as policy which we have not yet adopted as policy and which if we do adopt as policy this House will have to debate in full and that information can then be given at that stage if it becomes appropriate. The hon Member may want to take the view that that is not the right position for the Government to take, we will vehemently disagree, we think it is the correct usual view. It is what the hon Member is asking from us which is the wrong view, the Commission is not asking for the information in order to debate it, the Commission is asking for the information in order to answer the Government's question which the Government have put to the Commission – Commission will you tell us whether if we implemented this legislation would it comply with State Aid Regulations, yes or no? – We can hardly ask the Commission to answer that question without giving them details of what we are going to do and how, that is why the Commissioner had the information and for no other reason.

**HON J J BOSSANO:**

I see so, for example, if I were to ask the Government as I ask and other Colleagues have asked lots of questions about employment in Gibraltar, if I were to ask the Government, *“can the Government say how many profit making with no employees there are?”* the answer is I would not get the answer because the Commission has asked that question and they have got the answer but if the Commission had not asked that question then I would get the answer. That seems to be absurd.

**HON CHIEF MINISTER:**

What is absurd is the motive of the question.

**HON J J BOSSANO:**

The point that I am making is that these are questions about facts. Government have got the facts. If Government say to me we do not want to make a public statement of it for reasons that this could be damaging to Gibraltar then we would understand that but what we cannot understand is that the Government think that in order to protect Gibraltar's interests they should withhold from the elected Opposition representatives even on a confidential basis information that they have shared with the Commission in Gibraltar about the structure of an important area of the economy of Gibraltar which is the Financial Services Centre, it is incredible?

**HON CHIEF MINISTER:**

No it is not at all incredible. The fact that it relates to the Financial Services Centre is as if it related to the state of the water supply industry or to the electricity supply industry. It is as if the hon Member were asking the Government to provide the working papers that Government have even if we had provided them to the unions, *"can we have your working papers about your proposals to set up an Authority in the Port Department,"* and I say, *"well hang on chaps we have not yet made the decision to have an Authority in the Port Department we are still thinking about it it is still hypothetical, we are consulting with the unions, ah but the unions have had a copy, yes the unions have had a copy of the papers because we are consulting,"* .....there is no policy yet adopted on this matter and the hon Member if he wants to be formal about this, this is hypothetical I do not have to answer any of the hon Member's questions which are raised on hypothetical issues. The analogy that he used with more or less than £35,000 those are matches of fact, existing fact, of income taxation administration in Gibraltar nothing to do with, there is no comparison.

**HON J J BOSSANO:**

If I ask the Chief Minister can he say how many companies in the last tax year made no profit and consequently would not pay the pay roll tax then presumably if I do not put the second half.....?

**HON CHIEF MINISTER:**

Of course the hon Member can ask me that.

**HON J J BOSSANO:**

That is one of the questions that he is refusing to answer now.

**HON CHIEF MINISTER:**

No.

**HON J J BOSSANO:**

Yes. In question No 408 of 2003 it says, *"Can Government give the estimate of the number, size and type of activity of companies that made no profit?"*

**HON CHIEF MINISTER:**

He has not just asked that he has also asked profit making companies with no employees that is zero assessable employee units that is the language of the draft legislation for the tax reforms, profit making companies with less than one employee but

in the context of asking general questions about general existing tax administration in Gibraltar if the hon Member wants to ask the Government how many companies are there in Gibraltar that declare no taxable profit to the Commissioner of Income Tax that is entirely a proper question which if he asked he would get an answer.

ORAL

**NO. 409 OF 2003**

**THE HON DR J J GARCIA**

**TAXATION OF SAVINGS INCOME**

Will Government be mounting a legal challenge to the manner in which the EU directive on the Taxation of Savings Income will be applied to Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 410 to 412 of 2003.

**NO. 410 OF 2003**

**THE HON DR J J GARCIA**

**TAXATION OF SAVINGS INCOME**

Have Government now identified those areas of banking business:

- (a) which are unaffected by the EU Directive on the Taxation of Savings Income and,
- (b) those that can continue in a restructured fashion, and if so what are they?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 409, 411 and 412 of 2003.

ORAL

**NO. 411 OF 2003**

**THE HON J J BOSSANO**

**TAXATION OF SAVINGS INCOME**

Does the EU Directive on Disclosure of Information on the Income from Savings apply in Gibraltar in respect of residence in UK as if it were another Member State?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 409, 410 and 412 of 2003.

**NO. 412 OF 2003**

**THE HON J J BOSSANO**

**TAXATION OF SAVINGS INCOME**

Under the proposed EU Directive on Exchange of Information on Income from Savings in Gibraltar by residents of other EU states do paying agents have to provide the information to the Government or directly to the tax authorities in another Member State?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Government are reviewing their options for the best way forward following ECOFIN'S agreement of the Taxation of Savings Directive and the terms of that agreement. That sentence is not entirely accurate, ECOFIN has agreed the text of the proposed directive but there is still no formal political agreement because I think Italy is withholding its agreement on the basis of a milk quota or some completely unrelated matter. So as we speak although at a technical level the text of this proposal has been agreed it has not yet been adopted. That review includes a detailed consultation with the Finance Centre Industry whose interests are primarily involved and that includes the question of whether litigation should take place. The banking and other activities to which the directive will apply are self-evident on the face of the directive. So therefore, by contrast are the activities to which it does not apply since it does not apply to anything to which it does not specifically apply on the terms of the directive. The impact of these on the Finance Centre and ways to overcome the challenges to affected business are under review. This is an exercise which does not benefit from publicity, there is a joint working committee formed between the Government, the Finance Centre Division, people in the Government, and representatives of the Finance Centre Council and the Bankers Association and that Committee is meeting, that joint working group just to go through the exercise of listing the bits of what it does apply to therefore what it does not apply to,

how much of what it applies to is being done in Gibraltar and how much of that continues to be done in another way so that it would not be caught by the directive.

The directive applies to interest payments made in one Member State to beneficial owners individuals resident for tax purposes in another Member State. The information is provided by the paying agent to the Competent Authority in its territory, that is, in our case to the Gibraltar Competent Authority.

#### **SUPPLEMENTARY TO QUESTION NOS 409 TO 412 OF 2003**

**HON J J BOSSANO:**

I assume that when the Chief Minister stressed that it was residence in another Member State what he was saying is that the answer to Question No 411 of 2003 was no?

**HON CHIEF MINISTER:**

I was giving him the correct technical answer as provided in the directive and I stressed the word which I knew would signal to him the answer to his question.

**HON J J BOSSANO:**

So, in order to be made applicable it would require a policy decision on the Government's part to introduce a reciprocal arrangement, would that be the case?

**HON CHIEF MINISTER:**

That is the Government's understanding of the position.

**HON J J BOSSANO:**

In respect of Question No 412 of 2003 is the Competent Authority the Commissioner of Income Tax or the Financial Services Commission?

**HON CHIEF MINISTER:**

No the Competent Authority will be the Commissioner of Income Tax this is not a regulatory matter, this is a tax administration matter.



**HON J J BOSSANO:**

When the paying agents, assuming that it works as it is intended, when the paying agents provide presumably lists of customers resident in other Member States, would the Commissioner then have to channel this through the post box in London or does he do it direct to the Member State?

**HON CHIEF MINISTER:**

I suppose this will be subject to the Competent Authority agreements yes, and no one has raised the issue with me so far but I suppose now that he does it would be. The Competent Authority arrangements deal with all formal communications between a Gibraltar Competent Authority and a counterpart in another Member State.

**HON J J BOSSANO:**

If the post box was not there the directive would be unimplementable?

**HON CHIEF MINISTER:**

No I cannot agree with that logic. The Spaniards may have chosen not to avail themselves of it but certainly it is not true that it would have been unimplementable. If this had been unimplementable so would a million other things in the EU.

ORAL

**NO. 413 OF 2003**

**THE HON DR R G VALARINO**

**HOME OWNERSHIP SCHEME**

Can Government state how many home owners had registered an interest in buying out the Government's share of 50/50 homes as at the 31<sup>st</sup> December 2002, giving a breakdown by estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 414 to 417 of 2003.

ORAL

**NO. 414 OF 2003**

**THE HON DR R G VALARINO**

**HOME OWNERSHIP SCHEME**

Can Government state whether the offer for homeowners to buy Government's share of their co-ownership homes, which was due to end at 31<sup>st</sup> December 2002 is still open?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 413, 415 to 417 of 2003.

ORAL

**NO. 415 OF 2003**

**THE HON J J BOSSANO**

**HOME OWNERSHIP SCHEME**

Can Government say whether it has proved necessary to apply the alternative method of charging the market value as lower than 4 per cent annual increase on the original cost price to the sale of the Government's share of any co-ownership flats at Westside 1 Phase 2?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 413, 414, 416 and 417 of 2003.

ORAL

**NO. 416 OF 2003**

**THE HON DR R G VALARINO**

**HOME OWNERSHIP SCHEME**

Can Government give a breakdown by estate of how many homeowners have purchased Government's share of their co-ownership homes in the financial year 2002/2003 and the total value of such sales?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 413 to 415 and 417 of 2003.

**NO. 417 OF 2003**

**THE HON DR R G VALARINO**

**HOME OWNERSHIP SCHEME**

Can Government state as at 1<sup>st</sup> March 2003 what the estimated value of the Government's share of co-ownership homes is and the number of flats involved, giving a breakdown by estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The deadline for the scheme was the 31<sup>st</sup> December 2002. However, the Government have accepted a small number of late applications, 16 in all, since 1<sup>st</sup> January 2003. All flats sold at Westside 1 Phase 2 have been sold under the "*cost plus 4 per cent per annum formula*". The breakdowns that the hon Member requests are set out in a table of figures that I hand him. They provide the information as he has requested it. He should however bear in mind that not all intended purchases have completed yet. Those still in the pipeline are therefore not included in the figures for those that "have purchased" (which implies completion of the transaction).

**SUPPLEMENTARY TO QUESTION NOS 413 TO 417 OF 2003**

**HON J J BOSSANO:**

In relation to my question on Westside 1 Phase 3 which the question says Phase 2, the question is based on an answer that I got in an earlier House of Assembly where I asked

why was that provision of an alternative to the price and the answer that I got then from the Chief Minister was that in fact that had been specifically put in for houses that had originally been sold at a higher price and the result could have been that if the 7 per cent per annum had been added to the higher price in this particular estate it would have finished up being more than was the case anywhere else and that even with the 4 per cent it would still have finished up possibly more so, effectively the formula as he explained it at the time was that it was the lower of either 4 per cent of the original price or this other alternative. At the time the Chief Minister told us that he expected this to apply only in this particular estate, is that the case or did any other of the estates fall in that same definition?

**HON CHIEF MINISTER:**

Everything that the hon Member has said is correct but it applied to Westside 1 Phase 3 not Westside 1 Phase 2 and the question asks for Phase 2 and the answer is on the basis of Phase 2 so none of them in Phase 2 and I indicated as I was reading the answer that it may be that the question was intended to relate to Phase 3 which is where the consideration applies. In respect of Westside 1 Phase 3 all the interested purchasers are under the 50 per cent of market value formula, just to give the hon Member an idea of why, using the 4 per cent per annum annual increase would have given a price of 36 per cent over cost and using the 50 per cent of market value formula it gives a figure of 25.5 per cent over cost. Therefore the market value formula has been used in the case of Westside 1 Phase 3 and the hon Member's will recall that the reason for that was basically the explanation that the hon Member has given and he can see from that schedule how many sales there have been in Westside 1 Phase 3 but they have all been under the 50 per cent of market value formula rather than cost plus 4 per cent. In other words cost plus 4 per cent would have delivered a higher price than 50 per cent of even market value today.

**HON J J BOSSANO:**

What I was quoting was, I could not find it in Hansard, it was my recollection of the explanation that I was given at the time when I asked why it was there and therefore I am asking, at the time it was envisaged that the only estate would be this one .....

**HON CHIEF MINISTER:**

The answer is yes.

**HON DR R G VALARINO:**

On Question No 414 of 2003 the small number of 16 is still probable, is it likely that there may be an increase, I doubt it considering it is 1<sup>st</sup> April 2003 by now and in Question No 416 of 2003 the Chief Minister said that there are still people in the pipeline has he any idea about what percentage is left?

**HON CHIEF MINISTER:**

Yes he can work it out for himself by deducting the completions from the registration of interests. Dealing first with the 16, yes, there could be one or two more but by now everyone knows whether they want to buy the other half and therefore it is unlikely that there would be anymore but if there are they will be considered on its merits but it has to be in exceptional circumstances. There are 300 in the pipeline who have an interest pending completion. Basically what has happened is that the Building Societies have not been able to process all the applications that they have had so there has been delays and we have had to delay completion really at the rate that the Building Societies can progress the funding applications.

**Answer to Question No 417 of 2003**

**TABLE RELATING TO QUESTIONS NO 413 TO 417 OF 2003**

| <b>Estate</b>                | <b>(A)<br/>Registered<br/>interest in<br/>buying as at<br/>31.12.02</b> | <b>(B)<br/>No of Sales</b> | <b>(C)<br/>Value of<br/>Sales in<br/>Column (B)<br/>(£)</b> | <b>(D)<br/>Remaining<br/>Government<br/>Interest</b> | <b>(E)<br/>Net<br/>Estimated<br/>Value of<br/>Column (E)*<br/>(£)</b> |
|------------------------------|-------------------------------------------------------------------------|----------------------------|-------------------------------------------------------------|------------------------------------------------------|-----------------------------------------------------------------------|
| Brympton                     | 304                                                                     | 31                         | 783,281                                                     | 19                                                   | 628,880                                                               |
| Harbour Views                | 105                                                                     | 225                        | 3,385,621                                                   | 281                                                  | 4,526,549                                                             |
| Montagu Crescent             | 57                                                                      | 27                         | 639,699                                                     | 151                                                  | 3,637,843                                                             |
| Montagu Gardens              | 430                                                                     | 107                        | 2,666,386                                                   | 269                                                  | 7,787,376                                                             |
| Sir William Jackson<br>Grove | 106                                                                     | 47                         | 675,362                                                     | 157                                                  | 2,353,677                                                             |
| Westview Park                | 71                                                                      | 23                         | 483,216                                                     | 72                                                   | 1,589,046                                                             |
|                              | <b>1073</b>                                                             | <b>460</b>                 | <b>£8,633,565</b>                                           | <b>949</b>                                           | <b>£20,523,371</b>                                                    |

- The basis of valuation is the lower of 4 per cent annual increase on original cost or 50 per cent of market value.



**NO. 418 OF 2003**

**THE HON DR R G VALARINO**

**HOME OWNERSHIP SCHEME**

Can Government state how many people have registered their interest on a 'no commitment basis' so far for the 275 flats to be built at North Mole Road?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This information is not yet available. Application forms will be analysed, and information collated, when the period allowed for registering this initial interest has expired.

**SUPPLEMENTARY TO QUESTION NO 418 OF 2003**

**HON DR R G VALARINO:**

Considering that each form has a number does the Chief Minister have any idea up to what number forms like these have been handed out.

**HON CHIEF MINISTER:**

A different question is how many forms have been handed out and even returned because the problem is that until the form is analysed we cannot eliminate duplication.

What has happened is that in respect of one potential purchase there will have been many forms taken and filled in. Mother, mother-in-law, father, father-in-law, boyfriend, girlfriend either they all go to get a form there appears to be a view that this is going to be a lottery and that the more application forms one obtains and fills in it increases ones chances of being drawn. That really is not how it is going to work but until we analyse and create a computerised database and see how many of the application forms relate actually to the sale intending purchaser it is very difficult to convert the number of application forms into actual demand for houses. If the hon Member is interested in the number of application forms that have been collected I think it is 1500,1600,1800 or something like that. I will repeat that the hon Member should not regard that as a measure of the number of persons interested.

**NO. 419 OF 2003**

**THE HON DR R G VALARINO**

**HEAD 102 – SALE OF GOVERNMENT PROPERTIES**

Can Government state what amount of the estimate in Head 102, Sale of Government Properties has been received to date?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The total amount of £9,545,715.00 has been received to the end of February 2003 under Head 102, Sale of Government Properties. This includes £8.5 million paid by the Royal Bank of Scotland for the purchase of the new hospital premises from the Government.

**SUPPLEMENTARY TO QUESTION NO 419 OF 2003**

**HON DR R G VALARINO:**

When the estimates were prepared last time I do not think this figure was taken into account because the figure here is £5 million in total so obviously £9 million is far above the estimated figure.

**HON CHIEF MINISTER:**

I have given this additional information claiming the figure of £9.5 million precisely so that the hon Members do not draw the wrong conclusion. It is just a way of the the way

the Government accounting and financial control works. The Government purchased the building because the financing deal was not yet ready at the time that the Government purchased the building. As part of the financial deal with RBS it includes the price originally paid by the Government for the building. So RBS now buys the building from the Government and the money arrives back to the Government in the form of sale proceeds of a building but it really is the same as.....because the Government bought the building in the first place from reserves so it is not new money this is money that the Government spent when it bought the building and it is just now coming back in this form so he would have to really subtract, the £8.5 million, from the figure I have given him if he wants a real figure for how much real property sales has been.

**NO. 420 OF 2003**

**THE HON J J BOSSANO**

**GIBRALTAR CHRONICLE**

Can Government now say when they received the assessment of the needs of the Gibraltar Chronicle for which they paid £35,000, who was the expert that undertook the assessment and how long he took to carry out the assessment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The assessment of the needs of the Gibraltar Chronicle was not commissioned by the Government, but by the Chronicle itself (with Government's Agreement) for the benefit of its management and to support its application to Government for assistance in a restructure. The Assessment was carried out by Mr Tim Revill of BDO Fidecs Chartered Accountants, during a period of about six months and he reported around March 1999.

**SUPPLEMENTARY TO QUESTION NO 420 OF 2003**

**HON J J BOSSANO:**

In the last meeting of the House when I raised the position regarding the assistance the Government had been discussing with the Chronicle I think the Government confirmed that it was in the basis of the recommendations in that report that the funds were being provided am I right?

**HON CHIEF MINISTER:**

Things have moved on, it is actually not a question of funds being provided by way of grant or just capital injection or things of that sort but the assessment established the financial viability of the Chronicle or rather what steps would need to be taken by the Chronicle in order to become financially viable on the assumption that certain historical debts were not relieved but were subject to a manageable management programme. The Government said, *"..well if you want to talk to the Government about things like that you have got to implement the assesement because there is no point in sanitising the Chronicle by one means or another if the source and cause of the position is going to remain the same,"* so that is the linkage between the assessment. The assessment was what needs to be done in the Chronicle in order for it to be successful going forward as a viable commercial concern and the Government then said *"fine, if that is the assessment of the experts, that is really what you need to do before you come to the Government asking for the Government to dissipate in any rescue or restructuring process,"* but the intended methodology in that Government participation upon which I understand the hon Member is to be consulted privately by the Chronicle does not take the form of a grant or injection of monies in that way.

**HON J J BOSSANO:**

If that is what they said sometime after March 1999 presumably which is when they were asked is the position that that has taken place or not?

**HON CHIEF MINISTER:**

My understanding, bearing in mind that he is asking me questions about something that is not a Government entity, is that it has not happened and as a result the situation has deteriorated compared to what it was at that stage.

**NO. 421 OF 2003**

**THE HON J J BOSSANO**

**OCCUPATIONAL PENSION SCHEMES**

Can Government say how many private sector employers were operating approved occupational pension schemes and give a breakdown into money purchases and final salary schemes and the number of employees in each category in the last tax year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information sought is not readily available and is unobtainable without massive administrative effort. The Income Tax Office does not have the information and would have to seek details of it from employers in order to fully answer the question. This obviously would not be possible, the Income Tax Office does have details regarding contributions paid by individual members but do not have information regarding members of non-contributory schemes.

**SUPPLEMENTARY TO QUESTION NO 421 OF 2003**

**HON J J BOSSANO:**

In order for the scheme to be acceptable does it not require the approval of the Commissioner of Income Tax, do employers not have to submit their schemes for his approval?

**HON CHIEF MINISTER:**

Yes the scheme itself has to be approved but that is very different and he may have or may not have a list of schemes that he has approved, perhaps he just approves them on each file and then puts them away. He may not have a way of accessing without an inspection of all those lists. I suppose in due course when the computerisation of the Income Tax Office is complete this sort of information may be produceable but it is not available at the moment.

**HON J J BOSSANO:**

The reason for the question is the fact that he was and I was at a recent launch of private sector occupational schemes and therefore I thought that it might be worth establishing what was the baseline to see the extent to which the private initiative is working given that the Chief Minister announced that the Government preferred a voluntary move in this direction which would do away with the necessity of introducing legislation making it a requirement. I would have thought that if the voluntary move is not being monitored then it is difficult to assess, would he not agree if there is a need to legislate?

**HON CHIEF MINISTER:**

There are other ways of measuring whether the incidence of private sector occupational schemes is increasing and that is through the trade unions. They negotiate the pay reviews with private sector employers and these sort of thing. We are really talking about parts of the private sector, there are parts of the private sector which have probably got quite a high incidence of occupational pensions particularly the more white collar jobs and amongst the higher paid and the structural nature of this problem is more in the blue collar and in the lower paid sections where people do not focus their minds so much on making long term financial provision and where there may be higher incidents of churn of people changing employment which means that they are less likely to be in pensionable employment and that is the area where we believe is important to make advances for the future. There is some being done we are aware of some companies that are doing it and the Government have proposed schemes in mind but we think it right to give this scheme an opportunity before deploying those otherwise the alternative is really very heavy handed and really obligates even the employee, therefore it really requires very careful thought.

**HON J J BOSSANO:**

Could I ask whether it could be possible to try and monitor given that it is not practical to try and find out what the historical position is to try and monitor new ones say from the 1<sup>st</sup> April 2003 and then we will see what is happening during the year and we will be able to ask periodically?



**HON CHIEF MINISTER:**

Yes.

ORAL

**NO. 422 OF 2003**

**THE HON J J BOSSANO**

**JOB SEEKERS AGREEMENT**

Has the policy adopted by the Government to introduce a Job Seekers Agreement now been implemented?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No. I think we have indicated in the past that this policy which is described as having been adopted some time ago we told the hon Member that it was not intended to proceed and that has not changed.

**SUPPLEMENTARY TO QUESTION NO 422 OF 2003**

**HON J J BOSSANO:**

I do not think I was told it was not intended to proceed otherwise I would not have put the question, the last time I asked which was quite a long time ago the distinction was drawn between the policy being adopted but not implemented but I take it that what we are being told now is that it is not going to be implemented?

**HON CHIEF MINISTER:**

Government have no plans to introduce it, no.

ORAL

**NO. 423 OF 2003**

**THE HON J J BOSSANO**

**GHA – NEW HOSPITAL**

Can Government state when the payments to the Royal Bank of Scotland in respect of the hospital project start, what will be the annual payments, what will be the total amount that has to be paid before the property returns to public ownership, what is the net present value of these payments and at what discount rate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 424 and 425 of 2003.

ORAL

**NO. 424 OF 2003**

**THE HON J J BOSSANO**

**GHA – NEW HOSPITAL**

What penalties are provided for the finance agreement with RBS for the hospital project in the event of any payment not being made on the due date?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 423 and 425 of 2003.

**NO. 425 OF 2003**

**THE HON J J BOSSANO**

**GHA – NEW HOSPITAL**

Under what circumstances can the Royal Bank of Scotland repossess the hospital building?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 423 of 2003**

Rental payments to the Royal Bank of Scotland start on the 7<sup>th</sup> April 2003. The annual rent payable amounts to £3 million with an annual uplift of 1 per cent. Bear in mind that that is rent but not just rent on the building it is rent on the fully equipped building. It is rent for the building after £28 million has been spent on it by then in fitting out the hospital. The amount that has to be paid before the property returns to public ownership depends on the timing of the termination of the lease, that had a 30 year lease from the Government that is what they have bought from us for £8.5 million. For example, the Government may exercise their option to terminate the lease at years 10, 15, or 20 in such cases the payment required to be made to the landlord at the end of each of these periods will be £25 million, £20 million and £9 million respectively. For example, if the arrangement were exited at the end of 20 years which is really the end of the financial arrangements although the lease is for 30, financial arrangement is for 20 the last 10 is just a buffer, the payments made will have a net present value of around £45 million using a discount rate of 4.8 per cent. The Government also have the option to terminate the lease at any time other than on the above dates. In such cases the termination payment would need to reflect the cost to the landlord of unwinding the leasing

arrangements and of repaying the underlying financing, because the financing arrangements include a swap arrangement whereby variable rate finance has been swapped for a fixed rate payment in the form of rent such termination payments would also depend amongst other things on the general level of interest rates. As interest rates go higher it becomes cheaper to get out .....

**HON J J BOSSANO:**

Because it is fixed.

**HON CHIEF MINISTER:**

Well, because one's swap arrangement acquires a value. As with any standard leasing arrangement the non-payment of rent on the due dates or within a reasonable period thereafter would give rise to a termination event. In this case a termination event would entitle the landlord to its right and remedies under the law including forfeiture of the lease and or an agreed compensation payment that reflects the costs incurred by the landlord in the lease and leaseback arrangements which exclude any form of penalty. There are also agreements in place that in the event that RBS wanted to sell its lease interests the Government are its agents in the sale. The Government are the agents for RBS in the sale of the lease. As with any other land standard leasing arrangements repossession of the property is one of the remedies available to the landlord as a result of a breach by the tenant of its covenant under the lease. Needless to say these are the positions technically, it is inconceivable that the Government would default on the payments under the lease unless some future Government wanted to do so in order to provoke better exit terms which of course would be one possibility opened to a future Government. There are circumstances in which the exit terms on a default may be more effective.

#### **SUPPLEMENTARY TO QUESTION NO 426 OF 2003**

**HON J J BOSSANO:**

Will a copy of the actual agreement be Tabled in the House as is the case with loan agreements which this is substituting from?

**HON CHIEF MINISTER:**

It is quite important to both sides that this is in fact a private finance initiative to the same extent as any private finance initiative that exists in the UK. Indeed this model has not been tailor made for Gibraltar, this is what the UK Government are doing all the time and should not be treated, certainly not by the Government, as if it were a borrowing. The hon Member is long enough in the tooth to know why the public finance initiatives exist so, we would not wish to Table the agreement. This is a lease it is a lease with very complicated financial and exit terms in it but it is still a lease arrangement so what the

hon Member is saying is “*would the Government Table the lease?*” It would be unprecedented and would tend to categorise it as a borrowing arrangement because those are the documents that are being Tabled in the past and the Government are not very keen to do this. We can consider at some later day whether we can make this available to the hon Members privately. I would have to confirm with the Royal Bank of Scotland about that but that might be a possibility if they are interested in seeing the model that has actually been used but as to Tabling it in the House which makes it a public document that is not something that we had contemplated. It is not one document, the full package of documents is comprised of half a dozen documents, it is not just the lease.

**HON J J BOSSANO:**

I will think about what the hon Member has said and revisit the area.

**NO. 426 OF 2003**

**THE HON J J BOSSANO**

**HEAD 8B SUBHEAD 6**

Have any payments been made in the financial years 2000/2001, 2001/2002 and 2002/2003 as a result of the Group Life Cover for which premiums are provided under Head 8B Subhead 6?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The following are the payments that have been effected as a result of the Group Life Cover relating to civil servants who may die in service.

|           |   |                                        |
|-----------|---|----------------------------------------|
| 2000/2001 | - | No claims submitted                    |
| 2001/2002 | - | 7 claims paid amounting to £223,832.88 |
| 2002/2003 | - | 4 claims paid amounting to £83,470.36  |

There are two claims pending which amount to £52,066.64.



ORAL

**NO. 427 OF 2003**

**THE HON J J BOSSANO**

**CONSOLIDATED FUND**

What was the balance of the Consolidated Fund as at 1<sup>st</sup> April 2002?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The balance of the Consolidated Fund as at 1<sup>st</sup> April 2002 stood at £32.8 million.

**NO. 428 OF 2003**

**THE HON J J BOSSANO**

**HEAD 8A SUBHEAD 17(B)**

Have Government made any use of the increase of £4,935,000 in Head 8A – Subhead 17(b) Sundry Grants approved by the House in last year's estimates of expenditure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, not yet.

**SUPPLEMENTARY TO QUESTION NO 428 OF 2003**

**HON J J BOSSANO:**

Given that it is now past the end of the financial year '*not yet*' means '*not at all*'.

**HON CHIEF MINISTER:**

If it has not already been used it now cannot be unless it is on the basis of reallocations and virements, but no spending decisions can be made now in relation to that money.

**HON J J BOSSANO:**

If it has not been used by the end of the financial year it will not be used unless the money is revoted .....

**HON CHIEF MINISTER:**

No, exactly.

**NO. 429 OF 2003**

**THE HON J J BOSSANO**

**REVOLVING LOAN FACILITIES**

Have Government now borrowed any funds from their loan facilities in the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, Government borrowed £8 million on 10<sup>th</sup> January 2003 from their revolving loan facilities with Barclays Bank PLC. However this sum was repaid in full during the financial year 2002/2003 ended on Sunday. There is no net new borrowing in the financial year 2002/2003.

**SUPPLEMENTARY TO QUESTION NO 429 OF 2003**

**HON J J BOSSANO:**

When the £8 million was borrowed, in the estimates of last year it is shown as revenue for the Improvement and Development Fund.

**HON CHIEF MINISTER:**

It was a Treasury operation for cash flow purposes and I think it was repaid back probably using the money from the £8 million, it was a cash flow rather than expenditure driven borrowing.

**HON J J BOSSANO:**

I accept that and it certainly is logical that if the money was borrowed in anticipation of the money having been received from RBS rather than continuing to pay interest the money should have been paid back. I am just wondering in terms of the actual mechanics of it whether it is that the money went into to the I&D Fund and where the repayment came out of because I am not sure whether low repayment can be charged to the I&D Fund.

**HON CHIEF MINISTER:**

No and it is not and borrowings, I do not think go directly correct me if I am wrong I see he has got the estimates, go into the I&D I think they go into the Consolidated Fund and then transferred as a contribution. I think it gets borrowed in the Consolidated Fund and then gets paid as a contribution. The revenue of the Improvement and Development Fund is (1) sale of Government properties, (2) grants et cetera, (3) contributiun from the Consolidated Fund.

**HON J J BOSSANO:**

No it is contributions and loans and the Head which is Head 101 Contributions and Loans show us (1) proceeds of loans, (2) contributions from Consolidated Fund. So obviously if the £8 million had gone into the Consolidated Fund it would be shown at the beginning of the estimates as extraordinary receipts going into the reserves and then coming out again.

**HON CHIEF MINISTER:**

Then it can only be that the borrowings did not go to the Improvement and Development Fund .....

**HON J J BOSSANO:**

They do.

**HON CHIEF MINISTER:**

.....not the £8 million that was borrowed from the revolving loan. It may not have been used.....I am sure the Treasury would not unwind transactions in a way that breached Appropriation mechanisms.

**HON J J BOSSANO:**

I am not suggesting that anybody has done anything wrong I am just seeking information that is all.

ORAL

**NO. 430 OF 2003**

**THE HON J J BOSSANO**

**GOVERNMENT DEBENTURES**

As at the end of February 2003, 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 28<sup>th</sup> February 2003, of the Monthly Income Debentures and the Pensioners Monthly Income Debentures is as follows:

|                           |             |
|---------------------------|-------------|
| Monthly Income Debentures | £20,383,500 |
|---------------------------|-------------|

|                                      |             |
|--------------------------------------|-------------|
| Pensioners Monthly Income Debentures | £32,448,900 |
|--------------------------------------|-------------|

ORAL

**NO. 431 OF 2003**

**THE HON J J BOSSANO**

**NATIONAL INCOME ACCOUNTS**

In respect of which years is it intended to publish National Accounts and when does Government expect to publish the first such accounts?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 432 of 2003.



**NO. 432 OF 2003**

**THE HON J J BOSSANO**

**NATIONAL INCOME ACCOUNTS**

Can Government state what information will be included in the published National Accounts?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government will shortly publish Gibraltar's National Income Accounts for the years 1996/1997 to 2000/2001, five years. The published tables will show a breakdown of the component items under both the Income and Expenditure methods.

**SUPPLEMENTARY TO QUESTION NOS 431 AND 432 OF 2003**

**HON J J BOSSANO:**

Will any of the additional data that is found in Input and Output studies but is not necessary in terms of the National Accounts, I think in the United Kingdom it is done every five or six years, will any of that appear in this set of accounts?

**HON CHIEF MINISTER:**

I do not believe so I think these are pure National Income Accounts.

ORAL

**NO. 433 OF 2003**

**THE HON J J BOSSANO**

**GDP/GNP**

Can Government confirm that the GDP and GNP estimates for 1995/96 have been calculated using the income method and say what was the residual error for that year and in each case what was the residual error between the income and expenditure methods?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 434 to 440 of 2003.

ORAL

**NO. 434 OF 2003**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state whether the GDP for 1996/97 has been calculated using the historical methodology or the Input/Output methodology?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 433 and 435 to 440 of 2003.

ORAL

NO. 435 OF 2003

THE HON J J BOSSANO

**GDP FIGURE**

Can Government give the estimated GDP values for the years 1997/98 and 1998/99?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos 433, 434, and 436 to 440 of 2003.

ORAL

**NO. 436 OF 2003**

**THE HON J J BOSSANO**

**GDP FIGURE**

What was the estimate of GDP for 1999/2000 by the Statistics Office and was it £2 million higher or lower than the figure of £411 million arrived at by the Input/Output Study?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 433 to 435 and 437 to 440 of 2003.

ORAL

**NO. 437 OF 2003**

**THE HON J J BOSSANO**

**GDP FIGURE**

Was the 1999/2000 estimate of GDP by the Statistics Office arrived at by the income as opposed to the expenditure method?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 433 to 436 and 438 to 440 of 2003.

ORAL

**NO. 438 OF 2003**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government confirm that the 1999/2000 estimate of GDP produced by the Statistics Office was arrived at using the historical methodology based on the UK Blue Book for National Accounts?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 433 to 437, 439 and 440 of 2003.

ORAL

NO. 439 OF 2003

THE HON J J BOSSANO

**GDP FIGURE**

When do Government expect to have calculated the GDP for the years 2000/2001 and 2001/2002?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos 433 to 438 and 440 of 2003.



**NO. 440 OF 2003**

**THE HON J J BOSSANO**

**GDP FIGURE**

Has there been any change to the estimate of GDP for 2000/2001 at £433 million?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There has been no change to the GDP estimate for 2000/2001 at £433 million. The final revised figures for GNP and GDP estimate for the years 1996/1997 to 2000/2001 are as follows:

|           | GNP (£m) | GDP (£m) |
|-----------|----------|----------|
| 1996/1997 | 332.62   | 352.12   |
| 1997/1998 | 346.01   | 364.51   |
| 1998/1999 | 371.53   | 393.23   |
| 1999/2000 | 383.82   | 409.89   |
| 2000/2001 | 401.44   | 433.61   |

These estimates have been calculated under both the income and expenditure methods based on the UK National Accounts-Sources and Methods system as has always been the case. The published figure is that produced by the income method which is supported by better quality data. The 1995/1996 GDP estimate was calculated under the same methods. The residual error for that 1995/1996 GDP was £57.29 million.

The 1999/2000 GDP estimate produced by the Statistics Office was £409.89 million which is around £2 million lower than the estimate of £411 million produced by the Input/Output Study. As the Report on that study explained, a high degree of confidence and reliability can now be placed on the GDP estimates given the fact that calculations under both methods are derived from different samples of the economy and calculated using different methodologies and the estimates under the corresponding methods produced extremely close figures. The Input/Output figures serve to test and verify the relative accuracy of the system of national accounts estimates as is the case and practice internationally. The Input/Output methodology does not replace the income or expenditure methodology that is to say the standard methodology used in the past for calculation of National Income Accounts.

#### **SUPPLEMENTARY TO QUESTION NOS 434 TO 440 OF 2003**

**HON J J BOSSANO:**

Is it not a fact that if the impression that has been given previously whilst this study was going on was that a different way of calculating National Income was going to be introduced as a result of the Input/Output study. I accept what has been said because that certainly was my understanding that in the UK, for example, Input/Output is used to supplement not to replace national calculations according to the Blue Book and we are presumably doing the same thing here.

**HON CHIEF MINISTER:**

I do not think that we are giving the impression that the Input/Output study would replace the methodology, certainly I remember saying frequently in the past that it would certainly enable us to prepare more reliable national accounts estimates in the sense that the figures would be more verifiable against the figures produced by a model, of course the Input/Output methodology is a methodology I think there is one country in the world or two that calculate their National Income Accounts using the Input/Output methodology but as the hon Member says it is most unusual it is usually only used to verify and to support and to supplement the data and the calculations generated by either or both of the other two methods.

**HON J J BOSSANO:**

It is in last year's budget, in fact, the Chief Minister said referring to GNP and GDP that the MOD formed part of the GNP and not the GDP. Does he recall having said that?

**HON CHIEF MINISTER:**

Yes and it is a discussion that I have had with Professors Fletcher and Wanhill who explained this in the public presentation of the accounts. They take the view that the Ministry of Defence should not be included in the GDP estimate because it is not a factor that is within the control of Gibraltar's economic decision makers. I simply bowed to their expertise and being assured that the MOD has always been excluded from Gibraltar's GDP calculations.

**HON J J BOSSANO:**

I believe it has always been included in Gibraltar's GDP calculations but is the Chief Minister saying then that notwithstanding the fact that the GDP figure is higher than the GNP figure in the list that he has just given me, the GNP includes the MOD and not the other one?

**HON CHIEF MINISTER:**

Apparently so but included is a word that has to be used carefully. Included as a GNP calculation, if what the hon Member is saying is that the pre-1996/97 GDP figures include the MOD I assure him that they did not. For his own benefit let me assure him that they do not because if the figures pre my Government the GDP included MOD and the figures post my Government do not include MOD and are still higher then the comparison between my GDP figures and his would be even more favourable to me which is not an advantage that I would claim over him. I am assured that the basis of the treatment of the MOD for the purposes of GDP and GNP calculations have not changed to what it was .

**HON J J BOSSANO:**

I am not suggesting that it has changed I am suggesting that he is wrong in the statement that he has made now and at budget time when he said, *"....the MOD which as I say is not included in GDP calculation studies would be included in GNP."* I am saying to him if he still stands by that statement it means that in 1996/1997 the GNP which according to him includes MOD was £332 million and the GDP which according to him excludes MOD was £20 million more. The point that I am making is that the £352 million, 1996/ 1997 GDP, is inclusive of the MOD.

**HON CHIEF MINISTER:**

Sorry which figure?

**HON J J BOSSANO:**

£352 million in 1996/1997 .....

**HON CHIEF MINISTER:**

.....of GDP is inclusive of MOD.

**HON J J BOSSANO:**

Yes. That is the point that I am making.

**HON CHIEF MINISTER:**

The statements that I have made if he wants I will check my source these are obviously not things that I calculate myself they are calculated by the Statistics Office and the more recent ones verified by the authors of the Input/Output Study but I am assured that there has been no variation whatsoever. So I have to first of all refute unconditionally the last of his statements which imply that there has been a change in the composition of the GDP figure for 1996/1997. He has put to me whether I wish to resile from the statement that the GNP figure however does include the MOD although it is lower than the GDP figures, I am not willing to resile from that statement but I will accept his invitation to recheck my sources and I will confirm to him at a later date whether I maintain my statement that GNP figures include MOD or not.

**HON J J BOSSANO:**

The statement that he has made is that it is excluded from the GDP and included in the GNP and that is the statement which I believe to be incorrect of these figures and of all the previous ones. Can the Chief Minister confirm that the £409 million for the year 2000/2001 GDP includes the MOD?

**HON CHIEF MINISTER:**

He can ask me the question in respect of each of the years as he likes and ask me the same question five times.

**HON J J BOSSANO:**

There is a particular reason why I ask the question.

**HON CHIEF MINISTER:**

My information is (a) that each of these figures is calculated on the same basis that is to say the GDP on its basis and the GNP on its basis that there has been no change between the post 1996/1997 figures of the pre 1996/1997 basis and he has reminded me of a statement of which I have a vague recollection making it but I am taking him at his word that the GDP figure does not include MOD but the GNP figure does. He has thrown the gauntlet down at me as to whether I maintain that statement or not and I am

taking time out. I am not accepting his invitation in the heat of the moment to resile from it but I am accepting his intervention as an invitation to check the source because the original statement when I made it was also on the basis of information provided to me by the Statistics Office so I wish to give them the opportunity to revisit the question.

**HON J J BOSSANO:**

The Government accept that in the £411 million input/output computation of the GDP the £411 million is inclusive of the MOD?

**HON CHIEF MINISTER:**

I understand it is inclusive of certain elements, my understanding of it is that the tables include MOD but that the GDP calculation figure does not. That is my understanding of the matter.

**HON J J BOSSANO:**

I can tell him that if he looks at page 9 of the report that appears to indicate that the £411 million is inclusive of the MOD because it then expresses the MOD contribution as 3.77 per cent of that total and if it was not included it could not be calculated as a percentage of that total.

**HON CHIEF MINISTER:**

It could be presented in that way, having excluded the MOD figure one could then having brought the MOD figure onto the page say, *".....and this represents 'X' per cent."* That is how it has been explained but I am happy to provide the definitive answer to this issue to the hon Member when I have had an opportunity to consult the authors of the report on it. What I have explained to the hon Member is my understanding of the MOD, GDP issue as explained to me historically by Government's own Statistics Office in the case of the historical figures and as explained by Professors Fletcher and Wanhill to me in respect of the Input/Output Study but I will have the matter clarified and I shall write to him on it.

**HON J J BOSSANO:**

In that same statement in last year's budget the MOD was said to be calculated as being 10 per cent of National Income, the Chief Minister was then talking about the initial results of the Input/Output methodology in arriving at National Income, can he explain how it is that in the revision of that figure it drops so dramatically from 10 per cent to 3 per cent?

**HON CHIEF MINISTER:**

I would need to have notice of that question and have the opportunity to confer about it, certainly my view is that that 3 per cent figure and I have expressed this view to Professor Fletcher. I think that he accepts that that figure of 3 per cent is an understatement of the current contribution of the MOD to the economy he has an explanation as to why that is so but certainly as an unqualified figure without an explanation it is very low. The MOD is more than 3 point odd per cent of the economy and I do not think there is any argument in that. I have had this discussion with Professor Fletcher, he has produced his response in reply to my queries it is just that I have not had an opportunity to sit down and analyse and consider.

ORAL

**NO. 441 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

As at the end of February 2003 how many employers had returned their 2001/2002 Employer's Declaration and PAYE Certificate and what was the total amount of tax deducted and the number of employees involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 442 and 443 of 2003.

ORAL

**NO. 442 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

As at the end of February 2003 how many of the employers who had returned their 2001/2002 Employer's Declaration and PAYE Certificate had not paid the full amount of PAYE deducted and what was the shortfall?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 441 and 443 of 2003.



**NO. 443 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

As at the end of February 2003 how many employers had not yet returned their 2001/2002 Employer's Declaration and PAYE Certificate and what is the estimated number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 441 of 2003**

As at 28<sup>th</sup> February 2003, a total of 1578 employers had lodged their 2001/2002 Employer's Declaration and PAYE Certificates. The total amount of PAYE tax deducted is £46.4 million and the number of employees was 21,506.

**Answer to Question No 442 of 2003**

As at 28<sup>th</sup> February 2003, from a total of 1578 employers who have returned the 2001/2002 Employer's Declaration and PAYE Certificates, there is PAYE tax outstanding on 235 Returns totalling £3.5 million.

**Answer to Question No 443 of 2003**

As at 28<sup>th</sup> February 2003, 327 employers had not yet returned their 2001/2002 Employer's Declaration and PAYE Certificates. The estimated number of employees affected was approximately 3,400.

**SUPPLEMENTARY TO QUESTION NOS 441 TO 443 OF 2003**

**HON J J BOSSANO:**

The 3,400 as has happened on previous years includes a number of Government Returns that have not yet been submitted?

**HON CHIEF MINISTER:**

Yes, as at that date the Treasury had lodged the Income Tax Office Returns in respect of approximately 1,700 individuals.

**HON J J BOSSANO:**

1,700 had not yet?

**HON CHIEF MINISTER:**

No had been lodged.

**HON J J BOSSANO:**

Does the Chief Minister have the balance because it would have been easier to get the figure for the people that have been lodged than the other way round given that I am comparing it with the 3,400. Presumably the 1,700 that he has given me is included in the 21,000, so how many of the 3,400 are from the Treasury?

**HON CHIEF MINISTER:**

I do not know, the number of Government employees minus 1700, but I cannot tell him.

**HON J J BOSSANO:**

Given that it includes pensioners can I just point out that the usual answer has not been given this time to the usual supplementary the mirror image of the usual answer has been given.

**HON CHIEF MINISTER:**

The reverse has been given, the split side of the coin has been given.

ORAL

**NO. 444 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

As at the end of February 2003 how many of the employers who had returned the 2000/2001 Employer's Declaration and PAYE Certificate had not paid the full amount of PAYE deducted and what was the shortfall?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 445 and 446 of 2003.

ORAL

**NO. 445 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

As at the end of February 2003 how many employers had returned their 2000/2001 Employer's 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**

Answered together with Question Nos 444 and 446 of 2003.

**NO. 446 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

As at the end of February 2003 how many employers had not yet returned their 2000/2001 Employer's Declaration and PAYE Certificates and what is the estimated number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 444 of 2003**

As at 28<sup>th</sup> February 2003 from a total of 1654 employers who have returned the 2000/2001 Employer's Declaration and PAYE Certificate, there is PAYE tax outstanding on 230 Returns totalling £900,000.

**Answer to Question No 445 of 2003**

As at 28<sup>th</sup> February 2003, a total of 1654 employers had lodged their 2000/ 2001 Employer's Declaration and PAYE Certificates. The total amount PAYE tax deducted was £52.9 million and the number of employees was 25,191.

**Answer to Question No 446 of 2003**

As at 28<sup>th</sup> February 2003, 194 employers had not yet returned their 2000/2001 Employer's Declaration and PAYE Certificates. The estimated number of employees affected is approximately 360.

**SUPPLEMENTARY TO QUESTION NOS 444 TO 446 OF 2003**

**HON J J BOSSANO:**

I take it the 360 for that particular year does not include the Government?

**HON CHIEF MINISTER:**

I would jolly well hope not.

ORAL

**NO. 447 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – SELF EMPLOYED PERSONS**

Can Government state as at the end of February 2003 what were the amounts assessed in respect of self-employed persons for each tax year 1995/1996 to 2001/2002 giving the amounts discharged, confirmed and paid and the number of taxpayers involved in each year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information is as follows:-



**Answer to Question No 447 of 2003**

|                            | <b>1995/96<br/>(£m)</b> | <b>1996/97<br/>(£m)</b> | <b>1997/98<br/>(£m)</b> | <b>1998/99<br/>(£m)</b> | <b>1999/00<br/>(£m)</b> | <b>2000/01<br/>(£m)</b> | <b>2001/02<br/>(£m)</b> |
|----------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| <b>Assessed</b>            | 8.0                     | 8.3                     | 10.1                    | 10.6                    | 45.1                    | 11.7                    | 7.9                     |
| <b>Discharged</b>          | 5.2                     | 5.0                     | 6.1                     | 6.3                     | 40.4                    | 6.5                     | 3.1                     |
|                            | 2.8                     | 3.3                     | 4.0                     | 4.3                     | 4.7                     | 5.2                     | 4.8                     |
| <b>Paid</b>                | 2.0                     | 2.4                     | 2.7                     | 2.9                     | 3.2                     | 3.0                     | 2.2                     |
|                            | 0.8                     | 0.9                     | 1.3                     | 1.4                     | 1.5                     | 2.2                     | 2.6                     |
| <b>Outstanding</b>         |                         |                         |                         |                         |                         |                         |                         |
| <b>No of<br/>Taxpayers</b> | <b>1211</b>             | <b>1176</b>             | <b>1203</b>             | <b>1157</b>             | <b>1147</b>             | <b>1031</b>             | <b>770</b>              |

ORAL

**NO. 448 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

What is the current estimated amount of PAYE payable for the tax year 2001/2002 by area of employment and the number of employees as follows:-

- (a) MOD
- (b) Gibraltar Government
- (c) Government owned joint venture companies
- (d) Private Sector?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Based on the Employer's annual Statement, Declaration and Certificate submitted up to 21<sup>st</sup> March 2003 the information sought is as follows:-

|                                                 | £m          | Approximate<br>No of Employees |
|-------------------------------------------------|-------------|--------------------------------|
| MOD                                             | 4.3         | 2,600                          |
| Gibraltar Government                            | 9.6         | 3,100                          |
| Government owned and<br>joint venture companies | 2.6         | 600                            |
| Private Sector employment                       | 30.9        | 16,000                         |
|                                                 | <hr/>       | <hr/>                          |
|                                                 | <b>47.4</b> | <b>22,300</b>                  |
|                                                 | <hr/>       | <hr/>                          |

**SUPPLEMENTARY TO QUESTION NO 448 OF 2003**

**HON J J BOSSANO:**

When I asked the question in October the numbers were not available and the figure for the Gibraltar Government was £2.3 million, in the previous year the Gibraltar Government figure was £20 million, is this not rather late in the day that it still should be as little as £9.3 million presumably these figures have to go up much more?

**HON CHIEF MINISTER:**

Yes £30.9 million is a figure for 16,000 employees of the private sector, then £9.6 million is certainly very low for 3,100 in the Government. So the answer is yes the only thing that I can suggest is that those figures do not include the estimate of PAYE tax payable in respect of the employers that have not returned the Employer's Annual Statement so that if there are any of those 3,100 employees in the Government in respect of which the Employer's Annual Statement has still not been returned in respect of that year then the financial figure is not estimated.

**HON J J BOSSANO:**

The Chief Minister is the employer, the employer he is talking about is himself.

**HON CHIEF MINISTER:**

Yes the political Government do not take the view that it is the employer of the civil servants we still fortunately have that separation of powers but I realise that I am responsible for the Government but I do not personally deal with the paperwork relating to what is in effect book entries because the money is paid to the Commissioner of Income Tax, it goes to exactly the same account as it is drawn from in order to pay him so it is a question of paperwork, but I agree there is no reason why the Government should not be up to date in their paperwork.

**HON J J BOSSANO:**

Last October I could understand it because the figure was £2.3 million but I think that given that we are now at the end of the subsequent financial year we are talking about nine months I presume I will have to put the question at a later date to get a more up-to-date figure.

ORAL

**NO. 449 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

How much was collected in PAYE each month since August 2002?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 450 of 2003.

**NO. 450 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

What is the amount of tax collected in PAYE to February 2003 in the financial year 2002/2003 by area of employment as follows:-

- (a) MOD
- (b) Gibraltar Government
- (c) Government owned joint venture companies
- (d) Private sector employment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 449 of 2003**

The figures (net of refunds) and subject to possible adjustments when reconciled with the Treasury Books are as follows:

|                | £m   |
|----------------|------|
| August 2002    | 3.84 |
| September 2002 | 4.35 |
| October 2002   | 4.64 |
| November 2002  | 4.34 |
| December 2002  | 4.23 |
| January 2003   | 5.57 |
| February 2003  | 4.69 |

**Answer to Question No 450 of 2003**

The total amount of PAYE collected to 28<sup>th</sup> February 2003 in the financial year 2002/2003 is £54.3 million analysed as follows:-

|                                                  | £m               |
|--------------------------------------------------|------------------|
| (a) MOD                                          | 4.1              |
| (b) Government of Gibraltar                      | 19.6             |
| (c) Government owned and joint venture companies | 2.6              |
| (d) Private Sector Employment                    | 28.0             |
|                                                  | <hr/> 54.3 <hr/> |

**SUPPLEMENTARY TO QUESTION NO 449 AND 450 OF 2003**

**HON J J BOSSANO:**

Would the Government not agree that they should be able to calculate the amount of PAYE paid by the Gibraltar Government unto last February this year and in Question No

448 of 2003 they were not able to give the figure for the year ending June 2002 and they can give the figure up to February 2003?

**HON CHIEF MINISTER:**

I do not think that the hon Member can draw that conclusion from the comparison of the two answers because the two questions are different. Question No 448 of 2003 speaks of PAYE payable for a particular tax year whereas Question No 450 of 2003 simply asks for the amount PAYE Tax collected in the financial year. Different things one can collect PAYE in respect of a financial year in respect of the previous year I presume that must explain the difference between the two answers. One is gross collections during that year and the previous answer was how much is due in respect of a particular tax year.

**HON J J BOSSANO:**

That difference might be explainable in the case of private sector employers who may deduct the PAYE in the year that it is due and transmit it to the Government in a subsequent year therefore it is deducted by the employer in one year and collected by the Government in another but I am talking about the Gibraltar Government component the £9.3 million given in answer to Question No 448 of 2003. What is the figure?

**HON CHIEF MINISTER:**

The answer that I have given him is that it must be that the Government do the same thing as the private sector employers. It is the only explanation otherwise he would be entirely correct why is the information available for Question No 450 of 2003 but not for Question No 448 of 2003 it can only be that the Government do the same as some of these private sector employers and pays the money in a subsequent year.



**NO. 451 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – CORPORATION TAX**

What was the amount of Company Tax collected in each month since September 2002?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Corporation Tax collected in each month since September 2002 (net of refunds) was as follows:-

|                | £m  |
|----------------|-----|
| September 2002 | 0.9 |
| October 2002   | 0.4 |
| November 2002  | 0.3 |
| December 2002  | 0.2 |
| January 2003   | 0.4 |
| February 2003  | 0.1 |

These figures are subject to Treasury Books reconciliation.

**NO. 452 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – CORPORATION TAX**

As at the end of February 2003 how many companies had been assessed by the Commissioner of Income Tax without having made a return of taxable profit (a) below £35,000 and (b) above £35,000 for the years 1998/1999 to 2001/2002, what was the tax assessed and paid in each case and for each category and each year and what were the amounts assessed and paid by qualifying companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I hand the hon Member a schedule giving the information he has requested.

**Answer to Question No 452 of 2003**

**COMPANIES OTHER THAN QUALIFYING COMPANIES**

| <b>YEAR OF ASSESSMENT</b>             | <b>1998/1999<br/>£</b> | <b>1999/2000<br/>£</b> | <b>2000/2001<br/>£</b> | <b>2001/2002<br/>£</b> |
|---------------------------------------|------------------------|------------------------|------------------------|------------------------|
| <b><u>Under £35,000</u></b>           |                        |                        |                        |                        |
| No of Companies assessed              | 863                    | 738                    | 518                    | 528                    |
| Total Assessed (ie total tax payable) | 1.7m                   | 1.2m                   | 1.0m                   | 1.1m                   |
| Total paid                            | 1.1m                   | 0.7m                   | 0.3m                   | 0.4m                   |
| <b><u>Over £35,000</u></b>            |                        |                        |                        |                        |
| No of Companies assessed              | 52                     | 45                     | 18                     | 33                     |
| Total Assessed (ie total tax payable) | 3.2m                   | 3.0m                   | 0.5m                   | 2.6m                   |
| Total paid                            | 3.1m                   | 2.7m                   | 0.4m                   | 1.8m                   |
| <b><u>QUALIFYING COMPANIES</u></b>    |                        |                        |                        |                        |
| <b><u>Under £35,000</u></b>           |                        |                        |                        |                        |
| No of Companies assessed              | 17                     | 17                     | 12                     | NIL                    |
| Total Assessed (ie total tax payable) | 18K                    | 16K                    | 7K                     | NIL                    |
| Total paid                            | 3K                     | 1.6K                   | NIL                    | NIL                    |
| <b><u>Over £35,000</u></b>            |                        |                        |                        |                        |
| No of Companies assessed              | 1                      | 6                      | 10                     | NIL                    |
| Total Assessed (ie total tax payable) | 18k                    | 0.3M                   | 0.5M                   | NIL                    |
| Total paid                            | NIL                    | NIL                    | 92K                    | NIL                    |

ORAL

**NO. 453 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – CORPORATION TAX**

As at the end of February 2003 how many companies had declared taxable profits (a) above £35,000 and (b) below £35,000 for each of the tax years 1998/1999 to 2001/2002, 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 he has requested.

**Answer to Question No 453 of 2003**

**COMPANIES OTHER THAN QUALIFYING COMPANIES**

| <b>YEAR OF ASSESSMENT</b>             | <b>1998/1999<br/>£</b> | <b>1999/2000<br/>£</b> | <b>2000/2001<br/>£</b> | <b>2001/2002<br/>£</b> |
|---------------------------------------|------------------------|------------------------|------------------------|------------------------|
| <b><u>Under £35,000</u></b>           |                        |                        |                        |                        |
| No of Companies assessed              | 174                    | 229                    | 280                    | 271                    |
| Total Assessed (ie total tax payable) | 405K                   | 457K                   | 635K                   | 639K                   |
| Total paid                            | 360K                   | 429K                   | 633K                   | 638K                   |
| <b><u>Over £35,000</u></b>            |                        |                        |                        |                        |
| No of Companies assessed              | 52                     | 65                     | 84                     | 82                     |
| Total Assessed (ie total tax payable) | 6.6m                   | 7.1m                   | 9.1m                   | 8.9m                   |
| Total paid                            | 6.6m                   | 6.9m                   | 9.0m                   | 8.6m                   |
| <b><u>QUALIFYING COMPANIES</u></b>    |                        |                        |                        |                        |
| <b><u>Under £35,000</u></b>           |                        |                        |                        |                        |
| No of Companies assessed              | 6                      | 8                      | 6                      | 1                      |
| Total Assessed (ie total tax payable) | 3K                     | 5K                     | 3K                     | 0.7K                   |
| Total paid                            | 3K                     | 5K                     | 3K                     | NIL                    |
| <b><u>Over £35,000</u></b>            |                        |                        |                        |                        |
| No of Companies assessed              | 11                     | 21                     | 11                     | 1                      |
| Total Assessed (ie total tax payable) | 880K                   | 1.7m                   | 704K                   | 82K                    |
| Total paid                            | 880K                   | 1.7m                   | 702K                   | 82K                    |

## **SUPPLEMENTARY TO QUESTION NO 453 OF 2003**

**HON J J BOSSANO:**

I notice in respect of the qualifying companies that there seems to have been in the years 2001 and 2002 very little return, there was not much to speak of before anyway given that there are supposedly 147. Is that an indication that in fact this sector which is so relevant to what is being done with the tax reform are not in fact producing such profits as to be particularly affected by the rate of tax given as they seem to be paying hardly any tax at all?

**HON CHIEF MINISTER:**

The importance of the companies involved is not just related to the amount of profits that they make and therefore profits tax that they pay but also the number of jobs that they sustain. Some of these qualifying companies employ a lot of people and may not be very profitable.

**HON J J BOSSANO:**

I am not suggesting that there would be no interest in having them here unless they were profitable given that in fact the very low rate of tax is supposedly the incentive, it just makes me wonder that if we have got a situation where for 2002 there is none paying tax and one assessed at below £35,000 and one at above and the one below was assessed as having to pay £700. The point that I am making is it would appear from this that the tax is not the primary reason why they are here because half of the profits will be taxed on anyway.

**HON CHIEF MINISTER:**

I think the column from 1999/2000 is probably the more indicative, in 2000/2001, 2001/2002 there is still a large element of not being up to date the situation has not changed that much from the figure in 1999/2000 either in number of companies involved or the tax paid. Bear in mind also one thing that qualifying certificates are no longer being issued because that was the part of the State Aid challenge were we did not beat the Commission in the court case and it is the area in which we are most exposed so what is happening pro tem whilst the situation clarifies itself is that some organisations, some companies that have previously been allowed in only as qualifying companies are for the time being given exempt certificates so that they come and stay but we cannot give them a certificate, a status anew which is so much challenge as the qualifying certificate. So any outgoing, any companies that are leaving or dying are not being replaced by new qualifying entrants.

ORAL

**NO. 454 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – CORPORATION TAX**

As at the end February 2003 how many companies, in each tax year 1995/1996 to 2001/2002 had been assessed for company tax, and what were the amounts of tax payable and paid in respect of each tax year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I hand the hon Member a schedule giving the information he has requested.

**Answer to Question No 454 of 2003**

|                            | 1995/96<br>(£m) | 1996/97<br>(£m) | 1997/98<br>(£m) | 1998/99<br>(£m) | 1999/00<br>(£m) | 2000/01<br>(£m) | 2001/02<br>(£m) |
|----------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b>Assessed</b>            | 15.7            | 15.3            | 17.9            | 24.7            | 87.7            | 25.4            | 19.8            |
| <b>Discharged</b>          | 5.3             | 4.3             | 6.9             | 11.5            | 72.9            | 12.0            | 5.8             |
|                            | 10.4            | 11.0            | 11.0            | 13.2            | 14.8            | 13.4            | 14.0            |
| <b>Paid</b>                | 9.4             | 10.2            | 10.2            | 12.4            | 13.2            | 12.1            | 11.6            |
| <b>Outstanding</b>         | 1.0             | 0.8             | 0.8             | 0.8             | 1.6             | 1.3             | 2.4             |
| <b>No of<br/>Taxpayers</b> | <b>1439</b>     | <b>1413</b>     | <b>1455</b>     | <b>1430</b>     | <b>1502</b>     | <b>1450</b>     | <b>1187</b>     |



**NO. 455 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – CORPORATION TAX**

Can Government explain how it is that in answer to Question Nos 1081 and 1082 in October 2002 they said that the number of companies assessed to Company Tax for 1998/1999 was 1206, yet in answer to Question No 1083 the number given was 1422 and which answer was correct?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The specific nature of the data provided in reply to Question Nos 1081, 1082, and 1083 of 2002 is such that any assumed inconsistency in the figures provided for any year prior to 2001/2002 can be attributable to manual entries and transactions made prior to the introduction of the new computer software in April 2001. A further factor is the fact that companies that are assessed and subsequently file returns showing losses are included in the reply to Question No 1083 of 2002 but not in the reply to Question Nos 1081 and 1082 of 2002 as these are not concerned with companies that have been accepted as having made losses. I am not sure the answer still says which is the accurate one but I think implicit is Question Nos 1081, 1082 and 1083 of 2002.

**SUPPLEMENTARY TO QUESTION NO 455 OF 2003**

**HON J J BOSSANO:**

Question No 1083 of 2002?

**HON CHIEF MINISTER:**

They are being compared with Question Nos 1206 of 1998/1999 and the explanation as to why this gives a figure for companies that is higher than a subsequent date in which the same question is answered .....

**HON J J BOSSANO:**

The question that has been answered today shows the same discrepancy and if he adds the number of companies he will get a different total from the total he has just given me.

**HON CHIEF MINISTER:**

The explanation is that subsequent returns mean that they are included in one of the previous categories but not in the other. If they are previously treated as assessed in the absence of a return and the figure in which they are assessed is included and they are included in that as a company in that number of companies and they subsequently submit a return showing a loss, well then they are not included in 1081 and 1082 and I assume that that is the explanation for 1998/1999 as well. What the hon Member calls a discrepancy in the number of companies is put down to two reasons (1) manual variations before the computerisation of the system and (2) the fact that inbetween questions the treatment of particular companies has been clarified or changed in a way that affects the tally in a subsequent question relative to the previous one. I remember all this started because he expressed if my memory is serving me correctly, all this started a long time ago because an answer in respect of a subsequent period was lower than the figure in the previous period. He said how can the number go down I think he asked.....

**HON J J BOSSANO:**

Yes.

**HON CHIEF MINISTER:**

.....the explanation as to why a number goes down appears to be, so I am told, that as time passes these companies submit returns and then there categorisation is changed.

**HON J J BOSSANO:**

But the answer that I have been given which is how it all started a long time ago when I was asking precisely that is not the answer to the question I put on this occasion because on this occasion I am not asking as to why is it that six months ago I was told that so many companies had made returns and now I ask the same question and I get a lower figure. Question Nos 1081, 1082 and 1083 of 2002 were all answered on the same day about the same year and all prepared the same week and in fact the point that

I am making to the Chief Minister is that if I were in Question No 455 of 2003 to ask the same question about today I would say, *"can the Government explain how it is that in answer to Question No 452 and 453 for 1988/1989 I have got a total which is different to the answer to 454 for 1988/1989,"* given that I have been given the three pieces of paper on the same day this is not because it was done manual which is the excuse given.

**HON CHIEF MINISTER:**

It is because the categorisation of companies varies in each of the questions. I understand that the hon Member is referring to three questions asked and answered on the same day and that in those questions asked and answered on the same day in October last year and again today there is a statistic in respect of the year 1998/1999 and that in one it is 1206 and in the other it is 1422 and one would expect three answers given on the same day to have the same figure for the same year and the answer according to the Income Tax Office is that companies that are assessed and subsequently file returns showing losses are included in the figures in Question No 1083 of 2002, but are not included in the figure in the reply to Question Nos 1081 and 1082 of 2002 because these two are not concerned with companies that have been accepted as having made losses. The definition is different for Question No 1081 and 1082 of 2002 and Question No 1083 of 2002 on the other because 1081 and 1082 are not concerned with companies that have been accepted as having made losses. Question No 1083 of 2002 reflects the fact that companies have subsequently submitted a return so in fact the figures should not be the same in all three the figures should be different in Question No 1083 of 2002 to what they are in the other two. That is the explanation that I have been given by the Commissioner of Income Tax.

**HON J J BOSSANO:**

Would the Chief Minister take note that that explanation does not seem to make sense and perhaps seek further clarification given that it might be more helpful if we addressed the three questions that I have just asked which are virtually the same as the ones that I asked in October last year when I noticed. I had noticed the changed over time but on this occasion I noticed that there was a change in three consecutive questions and therefore is it not correct that if Question No 452 of 2003 which he has just answered is the assessment made on companies which have not made a return and 453 is the assessment of companies which have made a return, then 454 which is the total must necessarily be the addition of the first two and I ask one question, how many people have got tax assessments without having made a return of their profits and I get an answer?

**HON CHIEF MINISTER:**

Without having made it is 452.

**HON J J BOSSANO:**

Without having made a return it is 452?

**HON CHIEF MINISTER:**

Having made a return is 453.

**HON J J BOSSANO:**

Having made a return is 453, and the total is 454. Either one must have made a return or one must not have made it so when I add the numbers that have not made the return to the numbers that have made a return I get a total which was at variance with the total for the very same year, prepared by the very same department, on the very same day of 200 companies this is why I assumed that it must be an error on either one of the two. The 1206 is in fact my addition of the first column in the answer the Chief Minister has provided today to 452 and 453 which is adding the 863, 52, 17, 1, 174, 57, 6, and 11 and I imagine from what I see taking a look at it it is not going to be all that different although it appears to have gone down strangely enough. In 1082 for example there are 908 companies and then 863 on this occasion but I can accept the movement between these two lists because of late returns, that is to say, if the information on the number of companies appears at one point in time as people who have not made a return of profit and they make a return subsequently I would expect them to disappear from 452 and to appear in 453, that is to say, anybody making late returns would reduce the number in 452 historically given that we are going back a few years and increase that number and I understand that and I accept it and that is what I would expect. What I would not expect is that the total should change when given in a different answer and the total remains the same when the two are added and therefore I would ask the Government in the light of those comments to go back and check if the explanation that has been provided makes sense.

**HON CHIEF MINISTER:**

I will of course invite the Commissioner of Income Tax to consider whether the answers that I give are consistent to one another I am just thinking whether perhaps the facts of the totals varies may not reflect the fact that new companies come into the picture. In other words, companies assessed without return, companies assessed with return, but there is still a third category that appears on the scene and they are companies who did not submit a return nor were they assessed in the absence of a return because the Commissioner never got round to doing it. If they suddenly appear on the scene and submit a return they would alter the figure in 452, the totals would change and the change in the total would not be explainable by passing one from 452 to 453 or from 453 to 452.

**HON J J BOSSANO:**

That possible example, the addition of 452 and 453 would still reflect an increase the same as 454.

**HON CHIEF MINISTER:**

If 452 is without return and 453 is with return if a company that had been listed as having been assessed without a return submits the return he passes from 452 to 453 and one should go up by one and the other should go down by one and the total should be the same. That is the point that he has been making but what I am saying to him is that there is a third source of company which would increase the total in 453 and that is companies that submit a return and therefore would fall in 453 but had not previously been assessed, in the absence of a return, because the hon Member's assessment assumes that every company that has not submitted a return is assessed in the absence of a return so that together returning and non-returning companies constitute the whole and there is a third category, I am not saying this is necessarily the answer, but it is capable of explaining why it is not a question of a balancing figure. Why it is not the question of an answer in Question No 454 of 2003 always having to reflect the totals of 452 and 453. There is a third category of companies that can submit accounts that were neither in 452 or 453.

**HON J J BOSSANO:**

Would the Chief Minister not accept that since the question is as at the end of February 2003, as at the end of February 2003 appears as the date in all three questions so if somebody had not made a return in February 2003 and made it in March it could not appear in the answer in Question No 454 of 2003 because Question No 454 of 2003 refers to the same date. I am not asking the information about two different points in time, the information is, "*As at the end of February 2003 how many companies (a) had not made a return (b) how many had made a return and (c) what was the total?*" The total can change between February and March but it has to change in (c) and in one of (a) or (b) the explanation that the Chief Minister has put forward would only make sense if the answer to the total in Question No 454 of 2003 referred to a different date from the answers given in Question Nos 452 and 453 of 2003 and the question is on this occasion and in October in Question Nos 1081, 1082 and 1083 of 2002, were all about the end of September figures.

**HON CHIEF MINISTER:**

I accept that observation and I shall invite the Commissioner of Income Tax to reconsider his explanation.

**NO. 456 OF 2003**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

Are Government now in a position to say what is the practice as regards the penalties for failure to return the Employer's Declaration and PAYE Certificate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Employers are required, by Notice issued annually and published in the Official Gazette, to submit, by not later than the 31<sup>st</sup> July, Deduction cards for all employees, together with a summary statement for the year. Employers who fail to comply with the Notice are summoned to appear before the Court.

**SUPPLEMENTARY TO QUESTION NO 456 OF 2003**

**HON J J BOSSANO:**

As I recall the answer that I got the last time, what I was told was that that was the theory but not necessarily the practice that is why my question asks what is happening in practice?

**HON CHIEF MINISTER:**

I think that some of the answers that the hon Member has had today suggest that there is a fair amount of chasing going on and that the chasing appears to be successful. In February 2002 he was told that 124 employers had not returned a P8 and the corresponding figure today is down to 18. So there is an administrative process, at what stage the summoning is done and whether the summoning is just part of the chasing up process, or whether it is taken and pursued in court. I cannot tell him how many of the summonses issued have resulted in actual court proceedings as opposed to simply gearing people up to come and correct their arrears I am not in a position to give that information. The alternative penalty which is the daily fine provided for in the Ordinance is not invoked or at least is invoked only rarely by the Commissioner for reasons that will not be helpful if I went into now but he has a view about them.

**HON J J BOSSANO:**

I think the question in fact is about the penalties as opposed to the action that is taken because the last time when I asked it was in a supplementary and the reply was that the Government were not sure whether anything was happening about the penalties so the answer is.....

**HON CHIEF MINISTER:**

These are not being invoked and I am told have not been since 1990. They have been occasionally invoked since 1990 but never systematically since 1990. There is a view about that.

ORAL

**NO. 457 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Can Government say what is the nature of the training that has to be provided to civil servants in relation to the use of the Input/Output model?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 458 and 459 of 2003.



ORAL

NO. 458 OF 2003

THE HON J J BOSSANO

**INPUT/OUTPUT STUDY**

How many civil servants, in which grades and from which departments are to be trained in the use of the input/output model?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos 457 and 459 of 2003.

**NO. 459 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Can Government say what is the expected duration and cost of the training that is being provided in the use of the Input/Output model?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As a first step, both the Head of Statistics and the Government Statistician will shortly be undertaking an intensive two-week period of training at Bournemouth University to be followed by on-going training throughout the year via internet link with the University. This will involve detailed training on how the model was constructed, how it should be used, how the software was put together and how to develop the model for continuing future use. The training will be undertaken by Professors Fletcher and Wanhill and some of the researchers in the team that undertook the study. The cost of the training will relate mainly to travel and subsistence costs. Consideration is being given to train other selective staff but it is not envisaged that large numbers of staff will need to be trained.

**SUPPLEMENTARY TO QUESTION NOS 457 TO 459 OF 2003**

**HON J J BOSSANO:**

The training is intended to enable the staff at the Statistics Department to do exactly what with the model which they cannot do already?

**HON CHIEF MINISTER:**

No, I think the training is for two purposes, first of all the model is capable of being used for many purposes. One can change any of the factors in the model presuppose that £45 million investment in real estate investment what will be the effect direct, indirect, and induced effect of that throughout the rest of the economy, how many jobs it will create et cetera, et cetera. That requires a little bit of training as to how one actually uses the software although it is a Windows based software one still needs to be talked through how one actually uses the model not for National Income Account creation but how one uses the model which is an interactive model and is capable of being used as an economic management prognostication tool in respect of any variant or variable that one puts into to. So one can say to it presuppose the loss of 300 jobs in the gaming industry for the sake of it, what is the effect of that to the rest of the economy and one tells it that and it recalculates all the figures in the whole model and it gives the effect of that variant in terms of its effect on the economy. Government Revenue, employment throughout the rest of the economy et cetera, et cetera that is one of the things. The use of the model for its non-statistics and National Income Account generating purposes but then the use of the model for that purpose and also for verifying National Income Account calculations begins to reduce the more years that pass without injecting up-to-date statistics into it. I recall having been told that it remains very accurate for three years because it prognosticates forward and back, it is both a retrospective and prospective model. I have heard it said that it is very accurate for three years, acceptably accurate for five and between five and 10 the accuracy begins to wane. The training is also to ensure that the local Statistics Office understands the sort of statistics that have to be updated in the model to keep the model fresh so to speak and reliable and the methods by which that information should be collected to maximise its reliability and then the inputting of the information. Those are the two elements of training required.

**HON J J BOSSANO:**

The second reason of these uses would be something that will happen some years in the future with the variables presumably to be recalculate the multipliers.

**HON CHIEF MINISTER:**

One can do that, the first one was the use of the model for non-statistical purposes, that can be done immediately. The Opposition can say to the Government please pass to the model the effect of this £500 million property development that I am going to promise the electorate in my manifesto at the next general election and the model would calculate that and that is available immediately except that I personally would not know how to do it and Professor Wanhill has done examples for me in my presence but for the local staff to be able to do that at the request of the Chamber of Commerce or any business who might want to know it requires an element of training. I understand that it is not expected or required for the data to be injected every year in order to keep the model fresh. I think it is not required to be done on an annual basis so I do not think that there is now a requirement to feed in new statistics every year. I cannot remember now the period to which the questionnaire's related but I think that the information is still sufficiently recent that what has been inputted into the model for it still to be accurate and usable, so it may

be that a new questionnaire and survey may have to be done in the next year, two years or whatever.

**NO. 460 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

How long after the end of a financial year do Government expect it will take for the GDP to be calculated using the Input/Output methodology?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As I have explained to the hon Member in answer to previous questions, the GDP estimates for Gibraltar are not calculated using the Input/Output Study methodology.

**SUPPLEMENTARY TO QUESTION NO 460 OF 2003**

**HON J J BOSSANO:**

As I have explained previously that was the impression that I was given by previous answers. Is it not in fact that when we are being told that the, for example, the £411 million calculation of the GDP has been done using the Input/Output model and that the Statistics Office has arrived at £409 million which is the £2 million difference using the UK National Accounts methodology even though that means that the figures that are going to be used are the ones using the National Accounts methodology the Input/Output methodology can produce National Accounts because the Chief Minister has said that some countries do it.

**HON CHIEF MINISTER:**

That is not the methodology that is conventionally used to underpin the published figure but what the calculation of the GDP using the Input/Output methodology has shown that the calculations done by our own Statistics Office using the usual models the Income and Expenditure models actually produced quite accurate results because the residual error between the two methods is very small and that is the use to which these things are put to verify, to underpin statistical information not to replace the previous as the method of the published statistics.

**HON J J BOSSANO:**

To the extent that any of the questions suggest that it is to replace it is because that is the impression I had from the answers that we had before. Given that the Chief Minister is not going to be using the GDP methodology using the traditional methods can Government say how long they expect it will take after the end of the financial year to produce an estimate of GDP for any particular year, I think that the last one we are talking about is 2001/2002?

**HON CHIEF MINISTER:**

I am told that GDP estimates usually have a 12 to 18 month time lag given that they rely heavily on data which is not available normally until the financial year has ended and beyond that Government accounts and company accounts and things of that sort are available so, 12 to 18 months time lag is the information I have.

ORAL

**NO. 461 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Is the sector of the economy labelled Financial Services identical with the sector labelled Financial Intermediation in the Input/Output Study?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 462, 463, and 465 to 496 of 2003.

ORAL

**NO. 462 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Does the statement in the Input/Output Study on the 9,000 exempt companies linked to 84 Trust and Company managers, mean that these 84 service the 9,000 exempt companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 463 and 465 to 496 of 2003.



ORAL

**NO. 463 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

What was the figure for petroleum exports used in the Input/Output Study for the calculation of the GDP for 1999/2000 and what was the total income and employment effect of these exports?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462 and 465 to 496 of 2003.

ORAL

**NO. 464 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Can Government say what was the residual error as between the income and expenditure method of calculating GDP in respect of the estimates of £325 million for 1996/1997 made by the Statistics Office?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The figure that I have is actually the figure 1995/1996 and the reason that I have hesitated is that I have noticed that the question asks for 1996/1997 and I do not have that figure. I shall send it to him tomorrow.

ORAL

NO. 465 OF 2003

THE HON J J BOSSANO

**INPUT/OUTPUT STUDY**

How is imputed rent for owner occupiers treated in the Input/Output calculation of GDP?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos 461, 462, 463, and 466 to 496 of 2003.

ORAL

**NO. 466 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

How are the GDP values for stock exchanges, depreciation and business savings arrived at in the Input/Output model?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 and 467 to 496 of 2003.

ORAL

**NO. 467 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Are the multiplier co-efficients used in the input/output calculation of GDP for 1999/2000 being used for other years and if not what are the other values for each year since 1996/1997?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465, 466 and 468 to 496 of 2003.

ORAL

**NO. 468 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

What adjustment has been made in the Input/Output Study for the multiplier effect at the induced level in respect of frontier workers?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465, 467 and 469 to 496 of 2003.

ORAL

**NO. 469 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

How much of the £10.6 million expenditure by air arrivals in the Input/Output Study was attributed to in-transit visitors and how much of this was spending in hotels?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 468 and 470 to 496 of 2003.

ORAL

**NO. 470 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Are the 2,760 Full Time Equivalent jobs attributed to £145 million tourist expenditure in the Input/Output Study all in the private sector?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 469 and 471 to 496 of 2003.



ORAL

**NO. 471 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Is the £91.5 million total income effect of the £145 million of tourist expenditure the share of the national income?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 470 and 472 to 496 of 2003.

ORAL

**NO. 472 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Are the indirect and induced effects of the different sectors which lead to Full Time Equivalent jobs in the Input/Output Study all in the private sector?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 471 and 473 to 496 of 2003.

ORAL

**NO. 473 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Are the income and employment effects of the £31.9 million expenditure on fuel by land visitors the same as for the balance of expenditure on other shopping and if not how do these compare?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 472 and 474 to 496 of 2003.

ORAL

**NO. 474 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Since land arrivals spend £31.9 million on purchase of fuel are the same multipliers applied to this expenditure as for retail expenditure as a whole and if not what are the correct multipliers?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 473 and 475 to 496 of 2003.

ORAL

**NO. 475 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

The Input/Output Study claims that 83.2 per cent of the expenditure of land visitors was on shopping of which 25 per cent was fuel and 29 per cent other shopping, what was the content of the missing 29.2 per cent?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 474 and 476 to 496 of 2003.

ORAL

**NO. 476 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

On pages 15 and 16 of the Input/Output Study Report figures for Government Revenue and Imports are attributed to day visitors expenditure, is this correct or should it refer to expenditure by visitors arriving by land which includes staying visitors?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 475 and 477 to 496 of 2003.

**NO. 477 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

On page 15 the Input/Output Study Report refers to the £127 million spent by visitor arrivals by land and then goes on to attribute direct income of £35.338 million generated by DAY visitors who spent £120 million. Is this correct or is the income effect generated by land visitors which include those staying overnight?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 476 and 478 to 496 of 2003.

**NO. 478 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Does the incremental effect of the multipliers for indirect and induced economic activity from the expenditure of visitors indicate that there is a larger income and employment effect from land arrivals than by sea or air arrivals?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 477 and 479 to 496 of 2003.



ORAL

**NO. 479 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

What adjustment was made in the Input/Output Study to the 7,048,108 visitor arrivals by land for frontier workers included in this figure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 478 and 480 to 496 of 2003.

ORAL

**NO. 480 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Is the expenditure of visitors arriving by land who stayed overnight included in the £13.164 million spent by visitors staying in hotels?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 479 and 481 to 496 of 2003.

ORAL

**NO. 481 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

According to the Input/Output Study spending by visitors arriving by land amounted to £127.616 million, since day visitors arriving by land spent £120 million is the balance of £7.616 million attributable to visitors arriving by land who stayed overnight?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 480 and 482 to 496 of 2003.

ORAL

**NO. 482 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Since the Tourist Survey Report for 2001 Tabled in this House gives the number of visitors by land as 7,048,108 why does the Input/Output Study Report say on Page 15 that it was 7,100,000 and on Page 17 that it was 7,268,648?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 481 and 483 to 496 of 2003.

ORAL

**NO. 483 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Was the Tourist Expenditure figure of £145 million for the calendar year 2001 used in the calculation of GDP for 1999/2000 and if so why is it that the relevant expenditure amounts for 1999/2000 was not used?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 471 and 473 to 496 of 2003.

**NO. 484 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

The Input/Output Study claims that there were 147 qualifying companies one of which has 200 Full Time Equivalent jobs and 49 of which are major employers, are all these classified as the Financial Services Sector in the calculations of the Sector for Full Time Equivalent jobs?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 483 and 484 to 496 of 2003.

ORAL

**NO. 485 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Has the figure of £193 million as the export earnings of the Financial Services Sector been used in the Input/Output calculation of the GDP for 1999/2000 and if not what is the comparable figure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 484 and 486 to 496 of 2003.

ORAL

**NO. 486 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

According to the Input/Output Study the Export earnings of the Financial Services Sector of £193 million produced direct, indirect and induced income effect of £112,398,466 is this the effect in the calendar year 1998 or in the financial year 1999/2000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 485 and 487 to 496 of 2003.



**NO. 487 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

What is the relationship between the 7.68 per cent of total employment attributed to Financial Intermediation and the 813 direct, 1295 direct plus indirect and 1847 direct plus indirect plus induced full time equivalent jobs attributed to the Financial Services Sector in the Input/Output Study?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 486 and 488 to 496 of 2003.

ORAL

**NO. 488 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Has the direct, indirect and induced income effect of the £29 million earned by the Financial Services Sector from local customers in 1998 been used in the GDP calculations for 1999/2000 and if not what is the comparable figure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 487 and 489 to 496 of 2003.

ORAL

**NO. 489 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

The Input/Output Study Report Table 25 shows Financial Intermediation accounts for 7.68 per cent of the Total Employment, is this the percentage of 12,171 Full time Equivalent jobs?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 488 and 490 to 496 of 2003.

ORAL

**NO. 490 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

The Input/Output Study says that the estimates for Financial Services in the Input/Output tables are very different to those used in the income measure of GDP, what are the adjustments that have been made?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 489 and 491 to 496 of 2003.

ORAL

**NO. 491 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Is the difference between 21.02 per cent of GDP and the 9.69 per cent of Direct Income attributed to Financial Intermediation in the Input/Output Study accounted for in the element of stock changes, depreciation and business savings?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 490 and 492 to 496 of 2003.

ORAL

**NO. 492 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Is the 9.69 per cent of Total Direct Income attributed to Financial Intermediation in the Input/Output study the percentage of the sum of £217,776,176 element of GDP made up of wages, salaries and Distributed Profits, and if not what is it the percentage of?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 491 and 493 to 496 of 2003.

ORAL

**NO. 493 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

The Input/Output Study Report shows Financial Intermediation as accounting for 21.02 per cent of GDP, can Government confirm that this is the percentage of the figure £411,337,683?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 492 and 494 to 496 of 2003.

ORAL

**NO. 494 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Does the employment generation effect of the Financial Services Sector of 1,847 Full Time Equivalent jobs from its export earnings relate to the calendar year 1998 or the financial year 1999/2000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 493 and 495 to 496 of 2003.



ORAL

**NO. 495 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Is the figure of £193 million as the earnings of the Financial Services Sector from overseas customers for the year January to December 1998?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 461, 462, 463, 465 to 494 and 495 to 496 of 2003.

**NO. 496 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

What is the total spending by transit visitors in respect of which table 3.9 of the Input/Output study gets a percentage distribution?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Input/Out Study is an external independent report produced as the hon Member knows by Professors Wanhill and Fletcher and their research team at the Bournemouth University Specialist Unit that deals with the production of Input/Output studies of small economies. The Government are not accountable in this House for the Input/Output Study produced by independent experts. Government are happy to answer questions in this House about the economy of Gibraltar, which may arise from the Study but the questions that the hon Member has asked asks for information that only the authors of the report could know, explain, and account for. All these questions seek information desired by the hon Member to facilitate his understanding and/or analysis of the Study. The Government are happy to be of assistance to him in this respect by asking the authors of the Report to provide the information that the hon Member seeks. As soon as it is available it shall be provided to him by the Chief Secretary. I can however answer two of his questions from my own personal knowledge of the model. The Input/Output model uses standard UN economic sector classifications. The sector of our economy, which we know locally as Financial Services is **NOT** all contained in the sector labelled Financial Intermediation. The latter contains such things as banking, insurance and fund management. Activities such as lawyers and accountants who do a significant share of "finance centre work", are included in the category "Real Estate and Business Services" in the prepared Input/Output Study model. On the whole, the 9,000 exempt companies are serviced by the 84 Trust and Company managers.

## **SUPPLEMENTARY TO QUESTION NOS 461 TO 463, AND 465 TO 496 OF 2003**

**HON J J BOSSANO:**

Can I simply remind the Chief Minister what he told the House in the budget which was, "...the Government will publish a full report of the study .....", therefore if he obtains a provision in the estimates of expenditure for carrying out a study, if the Government include quotes from the preliminary report in their budget speech I would have thought that it is pertinent to raise with the Government at Question Time the report from which they have been quoted because it is a document they have chosen to quote from. I think that the practice in the House is that if the Government quotes from a document everybody else can quote from the same document and if the Chief Minister chooses to bring to the notice of the House that the Government intend to publish a full report on the study he then subsequently says that the moment to ask questions might not be the moment of the presentation which he thought might be public but which turned out not to be public, it was by invitation and therefore I was not able to go and put my questions there. In fact many of the questions that I am putting here I e-mailed to Professor Fletcher on the weekend after the report was produced and I had a response within 24 hours seven weeks ago saying that he would provide the answers provided it did not breach the confidentiality of any of the respondents, which I do not think any of these questions do, and provided that he got Government approval. The Government have said today that they are going to approve it but apparently they have not yet received a request from Professor Fletcher in these seven weeks asking for the green light to answer the questions. Any questions that would have been answered before today would not have been put today.

**HON CHIEF MINISTER:**

The Government commission a study from independent experts, the study arrives, the Government publish it, they can even debate it, what the Government cannot do is stand in this House as if it had the knowledge of working papers. How was this calculated? Was this figure included in that area or was it not included? If that was the figure in that area how come it does not also show it in that area? Only the authors of the report could possibly have the answers to those questions, I cannot possibly have the answers to those questions. It is not a Government report. It is an external report and it is not for the Government to account for, or explain that study. What the Government can do and is very happy to do is to request the consultant which the Government are paying to answer those questions so that the hon Member can have clarified in his mind any issues that arise from the report which he wants to know about in order to maximise his understanding or his analysis or his assessment of the accuracy of the report et cetera, et cetera. He can have the information all I am saying is that he cannot have it from me and it is not appropriate to expect the Government to engage on a pitched battle in debate across the floor of this House on a document which is not for the Government to account for in this House.

Professor Fletcher's answer does not surprise me the man is a consultant for the Government, he is commissioned by the Government at Government expense to produce a report. He suddenly gets e-mails from the Leader of the Opposition asking him questions and the man says "*I have no difficulty answering them but you had better*

*ask my client who is paying my fees whether he is happy for me to give this third party all the answers to the questions that he asks"* The Government's position is that it is happy to do that this year because it is a new report and I suppose that this is the fruit of the hon Member's look at the report and this is probably the bulk of the issues that he wants clarifying and on that basis I have said to the Chief Secretary to start getting answers to these questions from Professors Wanhill and Fletcher and when the answers arrive some of them may already be near at hand because some of these questions have been asked before I do not appreciate that all of them have been asked before. When the answers are available they will be passed to him but they will be information that reaches him from Professor Wanhill and Professor Fletcher and not given by me in this House which makes me responsible for the answers that have been given and which is not something for which I can or indeed should be responsible, it is not a Government report it is a report by independent experts just as when the Government receive the Health Audit we can debate in this House whether the Government intend to accept the recommendations, whether we think that the recommendations are a good idea or a bad idea but presumably the hon Member is not going to ask me to explain and justify and account for the view expressed by a brain surgeon somewhere who says that the operating theatre should have a table tilted this way so that he can do brain surgery or tilted that way so that he can do foot surgery. It is not my opinion, it is not my report, it is not my assessment and it is not something for which I can or should be held accountable for in this House. A very different issue is that the Government are not willing that the information should flow to him from the right source and the answer to that question is that the Government are happy that the information should flow to him from the right source and are going to do what is required to ensure that he receives it.

**HON J J BOSSANO:**

The only inconsistency in what the Chief Minister has said is that I have not come to this House with these questions in order to ask the Government to ask Professor Fletcher, I asked Professor Fletcher first and I asked him first because the Chief Minister invited me to put my questions to Professor Fletcher over a number of years. When I asked for the opportunity to be put in contact he said to me that it was up to me to look up Professor Fletcher in the internet and contact him. When I look him up in the internet and I contact him Professor Fletcher says *"I am happy to receive your questions ....."*.

**HON CHIEF MINISTER:**

With the greatest of respects if the hon Member would just give way. I never said find him in the internet and contact him yourself, I said that the Government were happy for him to have access to Professor Fletcher, those were my exact words. In fact I might even have implied that on the occasion that Professor Fletcher was in Gibraltar the hon Member might be able to meet with him, in fact that did not happen when Professor Fletcher came, I think it was right that it should not have happened the man should have been given an opportunity just to present his report, I never said to the hon Member, *"deal with it yourself find him on the internet and telephone him in his house."*

**HON J J BOSSANO:**

I will find it.

**HON CHIEF MINISTER:**

No what the hon member will find in Hansard is the version of the statements that I am describing not the somewhat more dismissive version that he is trying to put on my lips.

**HON J J BOSSANO:**

The degree of dismissiveness will not be discernable from the written text because we will not have images of the Chief Minister's lips to be able to see what they were looking like at the time. All I can say is that the perception he created in me was that he was not being particularly helpful in putting me in contact and that if I wanted to do it that it was a matter for me. Let me say that I would have thought that it is obvious that from the nature of this question that the purpose of this exercise is because on the basis of reading the text it gives rise to a number of misgivings and I want to be sure that I have tested the doubts that have been generated before we come up with our own evaluation of this and I would have thought that the Government themselves given the importance they attach to this as a tool for prognostication would want to be satisfied that any apparent inconsistencies are cleared in order to ensure that its reliability, I would remind the Chief Minister that on a number of previous occasions I have pointed out to him that the two previous attempts at Input/Output Studies did not prove to be very accurate as predictive tools but on this occasion he has said that he could answer one of the questions I am afraid he has not understood the question because my question which he answered by referring to the definition of the Financial Services Sector in the Input/Output Study and what it is elsewhere, my question is that the fact that in the report on one page in the same report it talks about Financial Services and on another page in the same report it talks about financial intermediation and therefore in reading the report I put it to the Government and this is after all a report that was presented to an invited audience with the Chief Minister there lending his support to this. It is a report which he said in the budget was going to be published by the Government and it is a report from which he quoted in the budget saying, "... according to the draft report in 1998 the Financial Services Sector accounts directly or indirectly for a total income level of £130 million." If he makes a statement like that in the House irrespective of where he got it from he is responsible for the accuracy of the statement and I am entitled to question it. So if the House is going to find that the Government use the analysis and the conclusions of the report in its presentation of the performance of the economy I would have thought that Opposition Members must equally be entitled to ask the Government that since there appears to be something odd in this I am surprised that nobody in the Government between the draft report and now, in a year, has thought to ask Professor Fletcher, because it is the first thing that would occur to anybody I would have thought, "if you say that the Financial Services Sector sold £193 million in 1998 and then you go on to talk about the percentage of the sector in the GDP of 2001 why are you not giving the figure of what they sold in 2001, are you saying that the sales in 1998 and the sales in 2001 were the same?" These are simple common sense questions to which a common sense explanation ought to be possible but a priori if in fact one produces an estimate of the output of the economy in the year 1999/2000 using tourism figures for

2001 and Financial Services figures for 1998 would the Government not agree that that seems a very peculiar thing? My previous contact with Professor Fletcher was in 1989 when he came to do the last one and we had an opportunity then when I was Leader of the Opposition to have a number of meetings and discuss the work that he was doing so it is not that I come across this methodology for the first time I have seen it before the point that I am making is that my recollection of it is that all the figures related to the same year the last time and here they seem to be in different years so, is this not something that the Government have raised with Professor Fletcher, this oddity in the report?

**HON CHIEF MINISTER:**

The Government do not agree with what the hon Member has just said. The Government do not accept that simply because the Government make reference or use of an independent experts report which is in the public domain that the Government therefore become accountable for the report itself. That is a rule of parliamentary practice that the hon Member has just invented on his feet. It is true that I am accountable in this House for the factual accuracy of statements that I make in it, that is a rather different thing to making me accountable in this House for a report to which I simply refer by name. Nor does the Leader of the Opposition give sufficient regard to the fact that when he says an obvious common sense question *“why have the Government not thought of asking it?”* Well the Government do not teach its grandmother to suck eggs. These two men have a global, not only United Kingdom, a global international reputation amongst the world’s foremost experts in the creation of Input/Output Studies for small economies. They have produced Input/Output model studies for 88 countries around the world. The hon Member may think that he is up to picking holes in it I doubt very much if it is true, what I do know is that the hon Member has a natural predisposition to want to pick holes in it because before the Input/Output Study had even been done the moment that I announced that it was going to be done by Professor Fletcher he stood up in this House to say, *“....well if it is going to be as accurate as the last one that he did it is going to be no bloody use to you.”* So, if he has had this inclination from the beginning [INTERRUPTION] I am sorry the Government do not share his view. The Government think that Professor Fletcher and Professor Wanhill and Bournemouth University and the reputation that they all enjoy in this particular discipline speaks for itself and this idea, this image that the hon Member tries to paint of them that they are somehow bungling oafs who sort of do this on the back of an envelope with about as much expertise as he would find inside a cornflake packet is frankly not a vision of life that the Government are willing to give any credence to and as to whether the Government have had the common sense or not had the common sense to ask questions of these experts, which apparently to the hon Member should be that obvious, there is a Government Statistician who is a qualified graduate statistician. The Chief Secretary is also a qualified graduate statistician, they are the ones that have been conducting, liaising with Professor Fletcher in this matter. The hon Member is not a qualified graduate statistician he may wish to give the impression that he is many things but he is certainly not a qualified graduate statistician, yet in a nutshell dismisses as people who do not ask obvious straightforward questions implying that they are not switched on to have spotted it. These two are senior professional civil servants who are qualified experts in this field. Therefore the hon Member may have his attitudes, his suspicions, his desire put at its most innocent, his desire just to check things out to make sure that they are right and that is fine he is entitled to have that view. He asks the

Government questions to get to the bottom of some of his concerns and the Government say, *“that is fine too, I am quite happy to facilitate you getting the information to let you do the trick,”* from that to asking the Government or inviting that still less to implying that any idiot would do so that the analysis that he is doing on his feet in this House is true and that anyone who does not obviously see that it is somehow is innumerate is not an analysis that recommends itself to us. So I do not accept the analysis that he has done in his last intervention, he is free to form of the Input/Output Study whatever view he likes and the Government will certainly give him all the help that he reasonably calls upon the Government to give him in order to ask questions of the experts at Government’s expense. Government experts are not normally paid by Government to answer the Opposition’s queries about an independent expert report this is something that the hon Member has invented and which the Government are happy to go along with but it is not normal anywhere in the world, it is not normal. The hon Member is free to make his own analysis of a published independent report and make his comments about it but he is certainly not entitled to expect Government to fund his cross-examination of the independent experts that produced the report to see if he can pick holes in it. We are willing to allow him to do even that but he must not try and rope the Government into his vision of this unreliable Input/Output model. Government assume that the Input/Output model is accurate and reliable because it has been done by experts in whose expertise and reputation the Government and the Government’s other advisors have complete confidence and that is the Government’s starting and finishing position. In addition to that he can have whatever help he likes from the Government to get the questions that he wants answered.

**HON J J BOSSANO:**

I do not think this is a question of me asking for help, this is a report paid for by this House of Assembly, a report which the the Government took responsibility for in last year’s budget when he said, *“....the Government will publish a full report,”* I have been repeatedly in the last three or four years been making the point of my reservations from the experience that I have had of the previous one, that does not mean that I think that the man is an oaf that he is an idiot that Ernest Montado is not a qualified statistician or anything else. The fact that the Chief Minister [INTERRUPTION] I have not said any of those things, all those implications that he reads into me are a reflection of his own attitude to life since he says everything in the House with the nuance and insults two seconds away from whatever it is that he is saying he is assuming that I am trying to do the same thing. No. It is quite straightforward we have been given a copy of the report, a report that has been paid for by public money, the money has been voted by this House, the Government have been responsible for presenting in public and defending this report, they argue that this report is going to be used as a way of measuring the impact on the economy of various changes and in that context we want to be satisfied that it is capable of doing what the Government claim it is capable of doing.

**HON CHIEF MINISTER:**

The Government are perfectly satisfied that it is capable of doing whatever it is that it is doing.

**HON J J BOSSANO:**

Since Government are perfectly satisfied how do they explain things that do not seem to add up in the report? And if the Government *[INTERRUPTION]*...the Government say here is the report, read it and since I am perfectly satisfied even though this report belongs to the people of Gibraltar it is the report that I am going to be using to defend politically that the output of the economy is £411 million. So one has a choice either one lumps it or one does without lumping it because at the end of the day it is an independent report and the author is responsible. The author is responsible for the accuracy of this to the people who have paid for it, the Government, and the Government have paid for it with funds provided by this House.

**HON CHIEF MINISTER:**

The Government are satisfied that it is accurate.

**HON J J BOSSANO:**

Do Government not agree that at the very least they ought to have a passing interest in questions that I have raised on the report which as I have said I am only bringing to this House because the impression that I got after seven weeks – I got in touch with Professor Fletcher as soon as this thing saw the light of day and I said to him “...*I want to make sure that I am not misinterpreting anything that you have got in the report. There are things in the report that to me do not add up, do not make sense, so are Government able to give me answers to questions?*” I do not think that that is something that the man has got to be paid for I would have thought that if one pays somebody to do a report and there is a public presentation and somebody says “*you have got a figure for the number of visitors on page 15 that is £7 million, on page 17 that it is £7.2 million, the report presented in the House of Assembly says it is £7,048,000, which is it?*” And the Chief Minister says, “*ah well because it is the consultant and he is independent one cannot pay him to tell you which is right.*” I find that incredible that the Government should consider that that is the right way to proceed and therefore if we have to put the questions to which we do not get answers in another way they will be put in another way but the Government will not get away with simply saying the way to answer the questions is go to the Professor which I have attempted to do already, and therefore as far as I am concerned if the Government had said yes to Professor Fletcher, I imagine Professor Fletcher has already approached them and said I have had a list of questions from the Leader of the Opposition am I free to answer, can I ask the Government whether in fact Professor Fletcher has asked for their approval to answer my questions before this meeting of the House?

**HON CHIEF MINISTER:**

There is no point in us both standing up in turn to simply repeat the views that we have already each expressed. I am not contending to do so simply to say that I simply do not accept or agree with what the hon Member is saying. The hon Member does not have the choice of accepting it or lumping it. I would disregard again, as I always have to do, I will disregard the hon Member putting words into my mouth and twisting their meaning



and the context in which I use them in order to then be able on the basis of his false representations to accuse me of having insulted him or anybody else. It is part of his debating technique it no longer even causes my blood pressure to rise, there was a time that it did, it no longer does. He has his debating style I have my debating style and we both present ourselves to the electorate every four years. His choice is not to lump it or to accept it his choice is the same as everybody else's which is to accept it or to reject it with whatever degree of criticism he wishes to make of it. I am not saying he has got to accept the report. He is perfectly free to study the report and say, "...I think this report is a load of rubbish because of (a), (b), (c)," which is what people normally do when official reports or reports are published. Some people say jolly good report this is excellent and some people say I think it is a bloody awful report and then they give or they do not give the reasons. So he has got the choice he does not have to accept it or lump it the fact that the Government accept it does not require him to accept it. His position might be and I think it probably is, before deciding whether to accept it or to reject it and criticise it I need some information, if I get a satisfactory answer I accept it and I pat Professor Fletcher on the back and I say "*what an excellent report you have written*" and if he gives me answers which do not persuade me or which are nonsense I then say this man is bla, bla, bla and I reject his report for reasons (a), (b), (c), (d) and (e) and all I am saying is that that exercise in which the Government are happy to assist him does not entitle him to put those questions to me. To decide whether he wants to criticise Professor Fletcher's handy work or not which before doing he wants answers to certain questions about the report to decide whether or not to criticise or not I am not the proper addressee recipient nor is this House the appropriate place to ask. The correct person to answer these questions is the author of the report and the Government have offered to facilitate it for the hon Member. He has asked whether the Government were aware that Professor Fletcher and the answer is yes I am aware that he has asked the Chief Secretary for clearance. He has been told please to work on the answers and that is why I have said that when they are ready they will be given to him.

My final point, the hon Member cannot move the goal posts in the middle of a discussion or an argument. He says "*I have not suggested or implied anything against anybody, it is the Chief Minister who has accused me because it is the way he sees life, it is because he is a barrister who is always insulting people, I have not implied anything about poor old Professor Fletcher I think he is a wonderful expert, I have never suggested anything about Mr Montado or about the Statistician*" but he has got to be more coherent. There are statements that he makes which have a natural and inescapable consequence and if he stands in this House and says "*....but look has it not even occurred to the Government to ask them in the three years that they have seen the first draft and the second draft, and the third draft and in three years has it not occurred to anybody in the Government to ask this obvious question whether this is here and why this is not there?*" Does he not understand that the natural meaning of those statements are that these are very obvious defects and questions that any switched on competent person would have spotted and done something about and that he is therefore saying that those who are in charge of this and are competent have not done it and that that implicitly amounts to criticism of them otherwise what do words mean and then he says that he is not impugning Professor Fletcher or his expertise. I am delighted to hear it but how is that consistent with making a statement that he has made no insinuations against Professor Fletcher or anything like, with the statement that he has been expressing these concerns for four years. The Leader of the Opposition has been casting aspersions on the reliability of this report and the usefulness of this report since before it was written.

**HON J J BOSSANO:**

Yes.

**HON CHIEF MINISTER:**

If the report has not been written he cannot be expressing concerns and aspersions about the report that does not yet exist. He can only be casting aspersions and expressing concerns about the authors of the report because as he has said the last two reports that they did were apparently and in his view a complete waste of space and money and effort and after he has said all those things those statements have some natural implications and meanings. He was not criticising the report he was criticising it before it had even been written but he was not criticising the authors or the people that the Government had chosen to write the report. Well then, on what basis was his concern based before he had even seen a draft of the report. The hon Member may wish to stand up and say that all these criticisms of all these people are figments of my imagination that he has not done it and that I have done it because I am this terrible person that does these things all the time. No, he does it by statement, by suggestion, by insinuation and by implication and then when it is pointed out to him that he has done it it is his practice to deny that he has done it and he does that time and time and time again and all I do is act as a sound board back to him of the very criticism of people that he has made. *[INTERRUPTION]* No, I will tell the hon Member what we do out of the goodness of our heart which we are under no obligation to do I disagree on this. We disagree about this but as the Government are the Government and the Opposition is the Opposition it is out of the goodness of our hearts and out of our commitment systematically proven to maximum transparency and accountability it is out of therefore the goodness of our hearts that we agree to facilitate access by the Leader of the Opposition to all this information at Government expense and by giving him access to the Government experts and consultants. I happen to believe in answer to his quibble that that indeed is out of the goodness of the Government's heart

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**HON J J BOSSANO:**

Obviously we have diametrically opposed views as to what is legitimate for us to raise in this House on something that has been paid for out of public money. Perhaps if he was in Opposition he might take a different view from the one that he has taken. If the Chief Minister tells the House that the tourism industry generates 4,000 jobs as he did in the last budget and that is on the basis of the draft report in his possession from which he is quoting which we do not have access to, we did not have access to that document in last year's budget when the document comes out I would have thought it was perfectly legitimate to say to the Chief Minister *"I cannot find the 4,000 jobs generated by the Tourism Industry that you quoted in your speech last year anywhere in this report."* The Chief Minister will say *"you ask Professor Fletcher that."* I cannot ask Professor Fletcher because the man who said it in the House was him not Professor Fletcher. It is true that my experience of two previous Input/Output Studies in the 1970's and in the 1980's have led me to the conclusion that the methodology of the Input/Output Study in the two previous cases did not produce what was expected of it, I am not saying Professor Fletcher is an oaf as he says I have implied, I am not saying he does not know how to do Input/Output Studies, I am not saying Mr Montado is not a statistician I am saying as a

matter of history the last two times that we had one when the model was used to do what he claims he is going to use this one I will tell him what happened the last time. The last time the model was used to predict the effect of MOD cuts the prediction of the model was Armageddon, total collapse through the indirect and induced effects. So even though the model may produce a methodology through no fault of anybody, in fact there are conclusions being drawn and connections being made in these transactions tables, these multipliers which are flawed then of course the result will be flawed. Given the fact that the Government are now going to be defending the GDP of Gibraltar which in the year 2000 was £411 million then presumably one can seek to establish how the £411 million figure was compiled and it is no answer to say it was compiled by Professor Fletcher.

I am glad that I have been able to establish today that Professor Fletcher has been given the green light to give these answers. I do not know why the Government want to have the answers channelled through the Chief Secretary I have no problem with Ernest Montado seeing the question and seeing the answer certainly the impression I had was that Professor Fletcher in the email he wrote to me said he and Professor Wanhill would work on drafting answers to this point which obviously they do not think it is an attempt by me to portray them as a couple of idiots otherwise they would not have been so happy to produce answers and that they were just waiting for the approval to provide the answer. Presumably, and I take note that when the Government say what I am trying to imply is that because others have not asked that question and I have not said it in two or three years I have said that if the Government had had a draft report which has been looked at I know what I would have expected. The Chief Minister in Hansard last year was quoting from that draft report, we now have a final report I would have thought that between the draft and the final people have asked for explanations and I am surprised frankly that one of the explanations which may have a straightforward answer but it is not an answer that I can work out from the information contained in the report and it is a question that I have put on a number of occasions. The point that I am making to the Chief Minister is in terms of a scientific document if one is saying the financial services sector, one of the questions which I put to him which he said he was going to answer but he has not so I have to go back to it is the one which says, Question No 461 of 2003, *"Is the sector of the economy labelled Financial Services identical with the sector labelled Financial Intermediation in the report?"* I know that different people may call it different things in different places, I am not saying that, all I am saying is if in the report one calls a part of the economy Financial Intermediation and then three pages later one finds that it is called Financial Services then the obvious thing before one starts drawing any conclusions is to check whether they have just been labelled differently. I do not think it is a very good idea to call the same thing different names in a report because it only leads to difficulty in interpreting the results so to give the report the proper attention that it requires as something that is supposed to be validating the way we have calculated the GDP here in Gibraltar which I thought previously was intended to be a way of replacing the method but it is now validating it which is fine I have no problem with validating it but then it is sensible that the validation to itself should be examined and therefore as I have said many of these questions have been submitted as long as seven weeks ago. I hope the answers will not take long in coming but we have got a budget around the corner and I have no doubt that the Government intend to make full use of the report in its budget presentation this year. So the apparent inconsistencies which may not be inconsistencies once they are explained would be better to be explained so that when we sit here to debate what is happening to the economy we are all assured that we are talking about a picture of the economy that is as

accurate as it is possible to produce. I do not know why the Government find it so objectionable that I should try and do a serious job of my role in this House which people pay me to do. All I am trying to do is do the work of this report which I think people are entitled to expect me to do given that they have paid for it, the people of Gibraltar through their taxes.

**HON CHIEF MINISTER:**

It does not matter what the hon Member is told. It does not matter what the hon Member is offered he says what he likes regardless, to take his very last point, it almost makes one want to cry does it not? [INTERRUPTION] *"Why do Government find it.....,"* I am sorry I assume that the Hon Mr Linares wants to make some intelligent contribution to the debate I am happy to give way.

**HON S E LINARES:**

The same intelligence that the Chief Minister is using now.

**HON CHIEF MINISTER:**

If that is the extent of his contribution to a discussion about Input/Output studies and GDPs.

**HON S E LINARES:**

Normally it does not take two hours to say silly things.

**HON CHIEF MINISTER:**

It takes him much less than two hours. The hon Member asks why do Government find it so objectionable that I should do a serious job for which I am paid? Anyone would think that the Government have said to him *"how dare you ask these questions, how dare you want the information, how dare you question this or question that?"* That is what anybody who heard him make that last remark would think. Anybody who heard him make that last remark would be forgiven for not rushing to the conclusion that the Government had offered to provide the information to him and that the difference between us is not whether he should do a serious job or not, not that whether he should get the information or not but simply whether it is appropriate that this should be dealt with in Question Time in the House so that the Government are held directly accountable or whether the information should reach him from the authors of the report. So it is just his twisting and his misrepresentation and his complete distortion of debate and of the statements that people make in that debate to serve the purpose that he wants it to serve and I simply do not let him get away with it and it is as simple as that. The hon Member can do whatever serious job he likes and he is in the fortunate position for a Leader of the Opposition which no Leader of the Opposition was in when he was Chief Minister that the Government help him do the serious job that he says he wants to do

and that instead of denying him information and denying him access to information this Government have the opposite approach with this Leader of the Opposition and gives him all the information and all the access to information that he wants. That is the reality and no amount of distorting of that reality by the hon Member is going to go unrebutted by the Government.

The hon Member speaks about the Government using the report to defend the GDP estimate of £411 million. The Government do so with confidence because even if which the Government deny but even if the hon Member were able to demonstrate that the Input/Output Study is inaccurate in this respect or in that respect which is in the Government's view a figment of the hon Member's imagination by which the Government are happy to help him ventilate but even if it were the case at least there is an independent verification of the figure for GDP that the Government have published. The figures for GDP that the hon Member used to publish were not subject to any such verification where almost figures plucked from the clouds in the sense that they were not based on statistics the reliability of which could be relied upon, indeed the first thing that I was told when I arrived in office was that if we did not get the statistics sorted out that the reliability of the GDP was, for example, here is a letter dated August 1996 from the Statistician to No 6, the final figure for GDP for 1994/1995 was calculated at £326 million when he used to stand up in the House and say that Gibraltar has got the fastest growing economy in the world after Luxembourg and Malaysia or whatever it is that he used to say, on the basis of figures that one could not skin a cat on one could not skin a cat on the basis of the reliability of those figures. *"The final figure for GDP for 1994/1995 was calculated at £326.6 million this compares favourably with the year obtained for 1993/1994, £320 million however the residual error that was compiled for table 1(b) that is the expenditure method was £113.62 million residual error this represents 34.8 per cent of GDP."* The residual error in the figures was up to 35 per cent of the entire GDP figure and the Government did not unleash when we came into office a barrage of criticism against the hon Member's office we just got on and did the necessary quietly to correct the quality of the statistics and that included the Input/Output Study which the hon Member is now so critical of and when we produced that to correct this sort of unacceptable situation now the hon Member glosses over the unacceptable situation as it was, criticises the Input/Output Study even before he saw it and then says that I am not entitled to allow the Input/Output Study to verify the figures that I published. In the circumstances that I have described we feel entirely justified in accepting the Input/Output Study as entirely accurate, entirely valid, drawn up by experts with an international reputation and therefore the reliability and credibility of the Input/Output Study cannot be undermined by the hon Member. He can question, he can duck, he can die, he can insinuate, he can overestimate and over egg the pudding on his own expertise in the attempt to undermine everybody else but he should understand that the Government do not think that his assault on this Input/Output Study is credible and it is not credible not least for some of the things that he says about it. I am not a statistician and therefore it is like when I talk about health I am not a health service professional. I go by what the experts brief me. The hon Member says that he is sceptical about this report because the last time the last two reports were a load of rubbish and apparently he thinks that they were unreliable because they prognosticated Armageddon when the closure of the dockyard. Surely he must know because it has been stated publicly on many occasions that this particular Input/Output Study and model is very different to the previous two. Very different to the previous two that whereas the previous two was a snapshot of the economy at a given moment this is an organic computer based model. Very different creatures, and that whatever criticism he might have been able to levy

which I do not accept either but he is entitled to his view and he has given it more thought than I have because I have not considered the accuracy of the previous two models, but the hon Member will forgive me if I do not take all of his statements at face value. This particular Input/Output model is not open to those particular criticisms it is a different thing so he cannot just say “ah” because the previous two were in his view suspect this one might be suspect as well it is non sequitur. It is non sequitur because this is not the same sort of Input/Output model that has been created and finally we do not have diametrically opposed views on what he is free to raise in this House. What he is free to raise in this House is not a matter for me either to decide or even to express a view on. What he is free to raise in this House is a matter firstly for Standing Orders and secondly for the Speaker’s Rulings but by the same token just as he is free to raise what he likes I am equally free to decide on what the Government are accountable for and not accountable for or put another way the fact that he is free to raise something does not make me accountable for it in this House. The fact that I decide that something that he has raised is not something that the Government should answer in this House is not tantamount to my censoring what he is free to raise but what he is free to raise he is not the judge of what I must account for and therefore his raising it or not raising it is not the trigger as to whether it is right that the Government should answer it or wrong that the Government should decline to answer it. That is not having diametrically opposed views about what he can raise in this House. I have no views about what he can raise in this House, as far as I am concerned he can raise whatever he pleases the Government will decide whether it is then decided that it is then appropriate for the Government to subject to that process of information giving or not that is not diametrically opposed views about what he can raise.

**HON J J BOSSANO:**

The nit picking approach of the Chief Minister shows that he picks an argument even about whether we are in disagreement and the degree to which we are in disagreement. The simple facts are that anybody that has listened to the last hour will be able to quantify the language used by the Chief Minister and the language that I use and the fact that he accuses me of putting words in his mouth and he then proceeds to put all sorts of words in my mouth as to the low opinion I have of everybody under the sun. he then concludes that he must have a very low opinion of me for having such a high opinion of myself by definition through his process of analysis. All this is a load of rubbish it is quite simple, I have been asking for an opportunity to be in contact with Professor Fletcher. The Chief Minister at one stage made it clear to me perhaps unintentionally as it appears now just as it appears now that he gave me the impression that he thought the traditional way of calculating the GDP was not acceptable and that a new methodology was going to be established as a result of the Input/Output Study it now appears that the Input/Output Study is being used for validating the [INTERRUPTION] I thought that impression based on the statements that he has made previously and I am convinced that that is what he was saying then and that in fact when he got the report and he got to talk to Fletcher he realised what a lot of rubbish he had been talking for a number of years.

**HON CHIEF MINISTER:**

All based on supposition.

**HON J J BOSSANO:**

Well that is what I believed but I am prepared to give the Chief Minister the benefit of the doubt something which he never gives to anybody else and therefore perhaps I mistook the impression he was seeking to give me and he was simply saying before what he is saying now. It is certainly not how I remember it but let us suppose he was right, then all I have done so far is based on the misgivings that I have got about the adequacy of this model for our economy from having in 20 years come across it twice before is to say I am going to get the report and when I finally get my hands on it and go to the author and seek explanations for things that do not seem to make sense to me and I do not think that it is an unreasonable thing to say before I decide whether we support the Government's enthusiasm and glowing definitions of what a wonderful piece of technical work it is we want to have our doubts put to bay and obviously if the author is not able to do it then I am afraid we may have to take a different view but we have not yet taken a view on this we have got clear views on the last two but not on this one. It is quite simple, the questions would not have been here today if in the last seven weeks indeed in the last week if when the deadline for putting questions came I had had a reply from Professor Fletcher saying the Government have now said that it is all right to answer questions I would have waited since I did not get it I had to take a decision that perhaps the Government were not going to give their approval given the silence from the other end and that therefore in the absence of Government agreeing to Professor Fletcher answering the questions I would put them in this House. There are questions that Professor Fletcher may think is a matter of policy for the Government to answer. Most of the questions are of a technical nature and when the replies are then we will have to wait and see to what extent the report is fine as it is or is not fine as it is.

**HON CHIEF MINISTER:**

I will just be very brief. With the greatest of respects I am delighted to hear at last that the hon Member's bottom line is that he is not expressing a view on this report yet. With the greatest of respect to the hon Member and one can see how easy it is to come to the wrong conclusion and to form the wrong perception. Government have not been left with the impression in relation to the Input/Output Study since the date that the Government announced it that the hon Members were keeping an open mind about it. The hon Member has before and even today said on several occasions that he has misgivings before he had even seen the report and now he says eventually and I am delighted to hear it that he has not yet formed a view which means that he has not formed a positive or a negative view about it. That is not the impression that he has been giving throughout at least not the impression that Government have formed. I am not responsible for what he has chosen to believe in the past about my statements about what the Input/Output Study was for just as he is not responsible now for what I am sure he thinks is the conclusions to which we have come about whether or not he has an open mind about the Input/Output Study. I am not responsible for what he may have chosen to conclude about what I have said in the past about the Input/Output Study but I assert that I have not said anything which would justify the hon Member having formed the view of what he says I have formed. I do not require him to give me the benefit of the doubt on the issue and finally he says that we are nit-picking. Again he will forgive us if Government have formed the view that the systematic political nit-picker is them. Unless he means my nit-picking is that we answer precisely, we focus precisely, we make him deal with issues precisely and that this is inconvenient to his imprecise

scattergun approach to political debate. He wants on the basis of his little knowledge to give the impression of being a widely knowledgeable person on the basis of broad unsustained generalistic remarks and then by that means to discredit this or that or the other or whatever he chooses at any given moment in any given debate he wants to discredit, more or less subtly and when somebody addresses his issues and makes him focus on the nitty gritty and to be precise to deny him the opportunity for that unfair debating techniques he calls it nit-picking. I can understand that it does not help his political style, I understand that it undermines his purpose but if that is the definition of nit-picking he can look forward to it for as long as I am in Government and for as long as he is in Opposition.



ORAL

**NO. 497 OF 2003**

**THE HON J J BOSSANO**

**FINANCIAL SERVICES SECTOR**

How many Full Time Equivalent jobs were generated by the £29 million earned by the Financial Services Sector in 1998 from local customers?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 498 to 500 of 2003.

ORAL

**NO. 498 OF 2003**

**THE HON J J BOSSANO**

**FINANCIAL SERVICES SECTOR**

What was the direct, indirect and induced income effect of the £29 million earned by the Financial Services Sector in 1998, from local customers?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 497, 499 and 500 of 2003.

ORAL

**NO. 499 OF 2003**

**THE HON J J BOSSANO**

**FINANCIAL SERVICES SECTOR**

If the employment effect of 1,847 full time equivalent jobs of the export earnings of the Financial Services Sector was for the calendar year 1998, what was the full time equivalent job figure for the financial year 1999/2000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 497, 498 and 500 of 2003.

**NO. 500 OF 2003**

**THE HON J J BOSSANO**

**FINANCIAL SERVICES SECTOR**

If the direct, indirect and induced income effect of the export earnings of the Financial Services Sector amounting to £112,398,466 is for the calendar year 1998, what is the figure estimated for the financial year 1999/2000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As I have said in answer to other questions, Government are happy to seek any information that the hon Member may require to assist him to clarify, understand or analyse the Report. These questions however, call for specific calculations to be made for which Government are not accountable to this House. Given however that this is the first Question Time in this House since the Report was published, the Government have asked the author of the Report to provide the answers and calculations to the questions. They will be provided in due course.

**SUPPLEMENTARY TO QUESTION NOS 497 TO 500 OF 2003**

**HON J J BOSSANO:**

Can I ask the Chief Minister is he saying that the Government will not give answers in respect of any financial year as to the components of any of the sector which is from the

model or is he limiting that approach to these particular questions because they refer to things mentioned in the Report.

**HON CHIEF MINISTER:**

That is the exact distinction that the Government make. The hon Member is free to ask Government questions about sectors of the economy, he is free to cross examine in Question Time the Government about any aspect of the economy of Gibraltar but cannot in our view ask the Government to do specific calculations under this particular model. He may ask me questions and I may need the model to answer them, that is a different matter but the model is there, so what is going to happen? Everytime the hon Member wants a calculation done is he going to ask me a question in the *House* *"please do this calculation on the model and let me know the answer?"* The Government are not accountable in the House for the model it is an in-house Government tool, the hon Member can ask questions about the economy but the Government do not consider that they are accountable in this House for analysis of the model or for calculations under the model but on this occasion the Government are happy, and indeed I do not know if the model is available for the hon Member to access the model himself and do his own calculations, I do not know what the copyright issues are in relation to the model but yes the distinction that he has drawn is exactly the distinction and because I know that he is not entirely devoid of logic the fact that that distinction occurred to him so quickly and that he articulated that distinction in his supplementary suggests to me that the distinction is not as far fetched as the hon Member seeks to make out.

**HON J J BOSSANO:**

The Chief Minister produces one word in a sentence which is a reply to a question and then 20 words after that which are passing judgement on me from the degree to which I can be considered to be logical to anything else that he might choose to intersperse as recuperative adjectives which he enjoys using so much. The reason why I am asking as a supplementary to this question is because if we take Question No 497 of 2003, my question is *"How many full time equivalent jobs were generated by the £29 million pounds earned by the Financial Services Sector in 1998 from local customers?"* There is no reference there to the Report or the Input/Output Study in that particular question it just so happens that the Input/Output Study tells us that in 1998 the Financial Services Sector slowed and earned from overseas customers £193 million and they tell us what they consider to be the impact on the economy of £193 million which is useful. My obvious question is if they tell us in the Report that as well as £193 million from outside the industry earned £29 million from residents of Gibraltar, I would like to know in the context of that Report what the effect of that £29 million is, hence my question. If in fact what the Chief Minister is saying is that it may be possible without having even to ask Professor Fletcher or without having to put a question to push a button on a model that brings the answer out then that is fine because this is seeking information and I am seeking information about the economy of Gibraltar without at the moment judging whether the figures that have been made public by the Study commissioned by the Government are figures that we give the same degree of confidence to as they do. That remains to be tested but independent of that given that it is possible to establish certain things about the economy that it was not possible to do before then what I am saying is is the position of the Government that we cannot expect to ask questions to which an

answer might not have been possible before but to which an answer is possible now because that would mean that they would be going into the computer to run the question and get the answer, is he saying that they will not do that because he says that my logic has enabled him to pinpoint this difference and I am not sure that I have understood whether his answer was yes or no?

**HON CHIEF MINISTER:**

The answer was yes. The answer is that when the Report is up and running, when the model is up and running and when the local people have been trained in its use just as the hon Member asks me today how many companies are there that have not paid their PAYE or that had paid their PAYE, if there is factual information about the public affairs which is available to the Government the hon Member is entitled to ask the Government that question if the information is available the Government give it, if the information is not available or cannot be obtained without excessive administrative effort the Government do not provide it. If in future when this model is fully set up in the sense that it can be operated locally which is not the case today, so therefore this question at the moment has to go to Professor Fletcher with the others, the Government get asked a question about the economy of Gibraltar and there is a source of that information for the Government be it in a ledger, be it in a book, be it in a table or be it in a computer programme, then the Government will answer that question. That is different, that is why these questions have been separated from the previous batch of questions. The difference between these questions and the previous batch that we had the lengthy debate about is because those are asking questions about the Report, how it was written, why this is here and why this is there, and these ask for the model to be put into use to produce a recalculation. A calculation that he has identified. That is the difference between these four questions and the other 30 odd and that is why they are dealt with separately. Government are not in a position today because the people have not been trained in the use of the model yet. That is why I am saying because it is the first Question Time we are going to ask them to calculate it in Bournemouth University.

**NO. 501 OF 2003**

**THE HON J J BOSSANO**

**FINANCIAL SERVICES SECTOR**

Can Government say what was the total output of the Financial Services Sector for each year since 1995/1996 and the export value of the sector for the same years?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No. The information sought would require a retrospective survey of all the businesses in the financial sector on the same basis as that undertaken by the Input/Output Study consultants for 1999/2000. We have the survey for 1999/2000 which gives us the data for 1999/2000 to get that information in respect of previous years would require backdated surveys.

**SUPPLEMENTARY TO QUESTION NO 501 OF 2003**

**HON J J BOSSANO:**

Did the Chief Minister not say that the model was capable of working retrospectively as well as progressively did he not say that at the beginning?

**HON CHIEF MINISTER:**

Not in respect of prophesying data.

**HON J J BOSSANO:**

If we have got the economy broken down into 12 or 13 sectors and there is a transaction table which in the report explains how it is constructed, a matrix, with columns and lines and we have the matrix of the other years will it not have a value.....?

**HON CHIEF MINISTER:**

The model and the table is the inter-relationship within the economy of all those various component factors of it based on the information collected in respect of those in the survey that was conducted out there in the economy in respect of the years 1999/2000 that is the matrix for that year. In previous years when the economy was differently made up were there was more public sector, less private sector, less finance centre, the model would have been different, the inter-relationship and the relative contributions and the direct, indirect and induced effect of the various sectors would have been very different. The hon Member asked whether Government can say what the total output in financial services sector for each of the years .....we are no more able to say that in respect of the financial services for that year as Government of Gibraltar have ever been in respect of any of those unless it might have been done at the time of the previous models, I do not know if at the time of the previous models it was done on that basis but certainly it was not until this survey done for this Input/Output model that the Government had available to it the sort of statistics needed to stake the total output of a particular sector of the economy was.

**HON J J BOSSANO:**

There was a question in one of the ones that have not been answered as to whether the multiplier values need to be recalculated or they remain for different years which are really what the matrix is.

**HON CHIEF MINISTER:**

The input and the output values may change and that is the raw statistics that are drawn from the questionnaires. Whether the multipliers themselves would change I doubt but I presume that is a fixture. I am not an expert in these things but I suppose that that is a fixture which has been designed into the model at the beginning on the basis of an expert assessment of what the multiplier would be in an economy of this nature. He can add it to his list of questions he is going to put to Professor Fletcher, but in the explanations that I have had in the Report it has never been suggested that the multipliers themselves will change because one updates the data but it may be and it has not been explained to me and I have not understood it in that way.



**HON J J BOSSANO:**

I have got a question as to whether it changes or not and I am assuming that in fact when the hon Member said that it is reliable for a number of years that effectively means that one may need to check whether the multipliers still are valid by doing a survey every few years but for a few years one can count on it but the point that I am making is, we have an Input/Output model of the economy for the year 1999/2000 is that model going to be used or not to produce pictures of the economy in other years.

**HON CHIEF MINISTER:**

In other forward years and the further forward, on the basis of the data already in the model which is 1999/2000 data and one can say if growth continues at a certain rate what will be the picture of the economy and one can press the button and open Windows in the year 2005, 2006, 2007 and it prognosticates forward. It cannot really do that until it has had a couple of years data put in because what in effect it does is that it compares the data for two or three years, it assumes a straightline growth based on the two or three years of factual record that has been injected into it and on that basis one can say on the basis of the figures for 1999/2000, 2001/2002, 2002/2003 what will be the position in 2015? And one picks the dates a number of years forward and the further forward one goes obviously the less reliable that straightforward the calculation is because the more chance there is of other things changing and putting one off a straight line. That is one function of the report or study. The other one is that in order that it should be an organic model, in other words, in order that this is not something that one has to do again in five or 10 years time, in order that in 10 years time a future Government are not debating with the future Opposition whether it is worth employing Professor Fletcher or not to do another Input model this is not a snapshot on a one off. The model is designed and set up on the software as organic. So long as one continues to feed it with reliable data it continues to provide a model of the economy. The longer that one goes without putting in updated information or the more unreliable that may be the information that one feeds it the less reliable the Input/Output model is going forward. So it is organic in the sense that it is done in a once and for all basis and so long as one feeds it with information one will have a model that one can use indefinitely into the future.

**NO. 502 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Can Government say whether any changes were made to the preliminary Input/Output Study Report they received a year ago as compared to the final version published in February this year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As I explained to the hon Member in October last year in answer to Question No 1121 of 2002, the consultants visited Gibraltar in July last year following submission of a draft report at the end of April. I added that a final report for publication would be received shortly. The consultants completed validation of the data in consultation with the Statistics Office at the end of November 2002. No substantive changes were made to the report. The final report was submitted to the Government in December 2002 for their consideration and was published on 6<sup>th</sup> February 2003.

**SUPPLEMENTARY TO QUESTION NO 502 OF 2003**

**HON J J BOSSANO:**

The quoting from the report in the budget, from the preliminary report, on page 19 of Hansard of the budget the Chief Minister quotes a number of figures which do not

appear in the final version that has been made public, is this an indication that the figures in the report that he had then have been amended in some of the areas between that report and the one that has come out?

**HON CHIEF MINISTER:**

Not according to the answer that I have just given him. This has been fed to me by the Statistician.

**HON J J BOSSANO:**

If I can quote some of the things he said which I think is of interest, "*...the other major export earning activity in the economy, shipping and populated services have been a traditional mainstay of final demand and is also recognised in the report. Because of the Industrial clasification used for the study no detailed breakdown is yet available but disaggregated results are expected very shortly. The contribution to total output is calculated at 15 per cent that is our port and port related services.*" There is no mention of it here. Everything that I have read which is the Chief Minister speaking in the budget .....

**HON CHIEF MINISTER:**

There are working papers that contain information which then do not appear in the report like this business of the finance centre not all being categorised under the same heading. If under the United Nations clasification there is not a heading called Port Related Service then when it comes to the production of the report it all goes to the appropriate classification. I do not know what the appropriate classification is for that area but the information must have been available because I had access to it at that time.

**HON J J BOSSANO:**

Yes but I am afraid that his explanation will not wash with the little bit of logic he is prepared to concede that I have because tourism expenditure is not one of the areas in the categories and yet we are told tourism expenditure brings money into the economy that is then distributed into restaurants, hotels, shops, that provides income and jobs. What the Chief Minister was telling us in the budget last year was that the same was true of port activity. It is not mentioned at all.....

**HON CHIEF MINISTER:**

It is not mentioned where, in the narrative or in the tables?

**HON J J BOSSANO:**

In the tables, in the narrative or anywhere.

**HON CHIEF MINISTER:**

It is not mentioned in the narrative because the authors of the report have chosen not to include it in the narrative, of course it is included in the tables it is just not labelled in the tables, port and port related activities because for it not to be included in the tables means that a chunk of the economy has been excluded and the hon Member can make outrageous propositions of that nature if he wants but I can assure the House that it is not the case, this is a supposition based on speculation. A slight difference in language because what I said then and what I said now the result is that it is not in the study.

**HON J J BOSSANO:**

The point that I am making is if he informed the House in the budget as he did that he read a report which was a draft *[INTERRUPTION]* you said it, *"according to the draft report in 1998 the financial services sector accounts directly or indirectly for total income of £130 million"* and he went on quoting these figures. *"It provides employment level of 1,187 full time equivalent jobs. The Government receives £90 million in income from this sector. The tourism industry provides £107 million it gives 2,300 jobs and with the multiplier effect it comes to 4,000 jobs."* If the Chief Minister quotes that and I get a report a year later I go and look for this here I do not think that this is an unreasonable thing, this is information he has volunteered in the course of a budget debate. Since I do not find some of these figures here which he was quoting I ask have there been changes between the draft report that he was quoting and the final report which I have now got? I am not suggesting that in the last 12 months the port has evaporated, no, all I am saying is there was an estimate in the report that he had of the contribution of the port.

**HON CHIEF MINISTER:**

If he wanted the explanation for that then he should have said why is this not in the report if it was in the draft. *[INTERRUPTION]* No, I am talking about the answers. The answer given is that there have been no substantive changes to the report, the change in the narrative not the change in the model which is contained in the tables. Now whether they have decided to shorten the report and instead of giving all the examples that they were in the draft they have decided to give fewer in the narrative by way of highlighting. Whoever has drafted this answer does not think that that is substantive. If he had wanted to know why that particular sentence if indeed it is excluded which again I take him at his word but assuming that it has been excluded as he said, given our experience with Question No 215 of 1998, yes given our experience with that it is no longer open to him to shed crocodile tears when I make remarks of that sort because on the Monday we had a half an hour debate not dissimilar to this one on the premise which turned out to be a false premise of his statement when he had asked exactly the same question in 1998 and when I had the opportunity to go to Hansard and check the alleged question I found that the question far from being identical was completely different. If the hon Member had wanted to know whether there was any reason not sinister reason just

reason why that sentence which he says is missing is missing if he had asked me, if he had asked the question I would have the answer for him here now.

**HON J J BOSSANO:**

I am not sure that after all he has said as to why he does not have to answer what the report says because the authors of the report are responsible I am not sure that I would have had an answer.

**HON CHIEF MINISTER:**

A very different situation he would have had an answer.....

**HON J J BOSSANO:**

I have not finished.....

**HON CHIEF MINISTER:**

I apologise.

**HON J J BOSSANO:**

I take the point that what the Chief Minister is saying is that instead of my asking whether any changes were made between the preliminary report and the final version and I did not say anything about substantial I said any changes in my question, but then if one qualifies the answer by saying substantive and I do not know in whose judgement the substantive bid has been there then it is possible that somebody might have thought that not mentioning the activity carried out in the port produces 15 per cent of the demand of the economy of Gibraltar that not mentioning that was not a substantive change they could equally apply that concept to any other bit that is missing. If I had put a list of questions all I would have done was added perhaps another 20 questions to the list of questions that I have already put about the report. I thought if I ask about the changes then we will see the answer. If the answer explains the change that I have noticed fine, if the answer leaves it out then there will be a supplementary that is all that is happening. Given that in the supplementary I have brought the point to the Chief Minister's notice then perhaps he can find out whether the figure that he quoted which is not mentioned is still applicable or has there been any change?

**HON CHIEF MINISTER:**

That is why he would have had an answer and he cannot say as he started in this supplementary by saying "*I wonder if I would have got an answer given that I have not had an answer to all my others.*" He would have had an answer on this occasion because this would not have been a question asking me to account for the report. It

would have been a question asking me to account for a previous statement that I have made in this House. He would have been saying to me, *“Chief Minister in June last year in the budget statement you said that the report contained this sentence in its draft version I now see that the final product does not contain that statement, what is the explanation?”* and I would not have been able to say to him *“I am not accountable for the content of the report”* because I would be accountable for the fact that I quoted from its draft.

**HON J J BOSSANO:**

Can I say to him as he is inviting me to do, *“Chief Minister in the statement you made in this House a year ago you said in terms of employment, tourism accounts directly for around 2,300 jobs and when account is taken of the relatively high employment multiplier for the industry the total employment generation for tourism is around 4,000. Given that in the final version the number of jobs are related to the distribution of hotels, transport et cetera, can he go back and find out whether in fact the estimate of 4,000 and 2,300 jobs quoted by him about the preliminary report are still valid in respect of the final figure?”*

**HON CHIEF MINISTER:**

If I find that I have made an incorrect statement to the House, which I do not concede on the basis of the hon Member's analysis, I will of course clarify it as I would with any statement that I may make to the House which is found to be incomplete or inaccurate but the hon Member should not run away with the notion that that is the case here. He is asserting that there are quotations from the draft report, I do not know at what point my budget speech purports to be quoting from a draft report and at what point it purports to cease to be quoting from a draft report so until I have had that opportunity I am certainly not going to accept what the hon Member says but if I have said that quoting from the report and it depends whether it is according to the report or according to the tables and if I have said anything that suggests that that statement was in the draft report in the narrative of the report, and I have to check, but if it turns out that that statement has not been carried through into the final report then I will explain to the hon Member and I will ask Professor Fletcher to explain why that sentence, if it is a direct quote from a draft, was dropped from the final report which does not necessarily invalidate the accuracy of the figures given in my quote but certainly we might want to know why it was thought unnecessary to include that descriptive paragraph in the narrative of the report.

**NO. 503 OF 2003**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Is the transactions table used in the Input/Output Study going to be made public?

**ANSWER**

**THE HON THE CHIEF MINISTER**

So far the decision is not to publish the table given that it would be open to widespread misinterpretation by persons who do not understand the significance of entries in a table attached to a study of this sort. They tend to disclose information of the sort we have historically tendered not to want to give away but certainly we can consider if the hon Member is interested in having this table we can consider making a copy of it available to him on a confidential basis.

**SUPPLEMENTARY TO QUESTION NO 503 OF 2003**

**HON J J BOSSANO:**

If it is not going to be made public I would be grateful to have a copy.

**HON CHIEF MINISTER:**

On a confidential basis.

**HON J J BOSSANO:**

On a confidential basis, until he chooses to make it public at the Chamber of Commerce Annual Dinner.

**HON CHIEF MINISTER:**

That would be my prerogative.



**NO. 504 OF 2003**

**THE HON J J BOSSANO**

**EU COURT CASE**

Can Government explain what was the nature of the work undertaken by Professor Fletcher for which a £4,000 fee was paid in respect of his role as a professional witness in the EU Court case on Exempt and Qualifying Companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Professor Fletcher was commissioned by the Government to prepare a witness statement analysing in detail the value and impact of the financial services sector to the Gibraltar economy and therefore provide an independent expert assessment of the direct and indirect economic effect resulting from elimination of the exempt and qualifying companies. This evidence formed a crucial part of the Government's submission to the European Court.

**SUPPLEMENTARY TO QUESTION NO 504 OF 2003**

**HON J J BOSSANO:**

The last time I raised it the Government said they did not think it was appropriate to make it available because the matter was still in the hands of the court, at what stage do they think the analysis of Professor Fletcher will be available?

**HON CHIEF MINISTER:**

It is not a question of the analysis being available, Professor Fletcher has given evidence to a court, my understanding and I can check is that the evidence given to the European Court of Justice and to the Court of First Instance remains confidential and does not become publishable. I can check to see if that is indeed the case but certainly that is the impression that I have been left with.

**HON J J BOSSANO:**

On the last occasion when we raised this the answer was that the Government did not think it was a good idea to do it at that time given that the case was still going on.....

**HON CHIEF MINISTER:**

I do not remember saying that.

**HON J J BOSSANO:**

I will look for the answer.

**HON CHIEF MINISTER:**

Exactly, look for the answer and in the meantime I do not accept that that is what I said.