

ORAL

NO. 381 OF 2008

THE HON S E LINARES

KING'S BASTION LEISURE CENTRE

What is the electricity bill for each month since the Leisure Centre opened giving a breakdown by facility which includes the bowling alley, ice-skating rink, restaurant and any other amenities available within the complex?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Answered together with Question Nos. 382 to 385 of 2008.

ORAL

NO. 382 OF 2008

THE HON G H LICUDI

KING'S BASTION LEISURE CENTRE

Can Government state whether it has a record of visitors to the King's Bastion Leisure Centre and, if so, how many visitors there have been in each month from the opening of the Centre to August 2008?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Answered together with Question Nos. 381 and 383 to 385 of 2008.

ORAL

NO. 383 OF 2008

THE HON G H LICUDI

KING'S BASTION LEISURE CENTRE

Can Government state why it continues to fail to provide access for disabled persons to the King's Bastion Leisure Centre from Line Wall Road?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Answered together with Question Nos. 381, 382, 384 and 385 of 2008.

ORAL

NO. 384 OF 2008

THE HON G H LICUDI

KING'S BASTION LEISURE CENTRE

Can Government state how many people used the ice-skating rink at the King's Bastion Leisure Centre during each month from the opening of the Centre to August 2008?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Answered together with Question Nos. 381 to 383 and 385 of 2008.

NO. 385 OF 2008

THE HON G H LICUDI

KING'S BASTION LEISURE CENTRE

Can Government state how many accidents requiring treatment have been recorded at the ice-skating rink at the King's Bastion Leisure Centre from April to August 2008 giving a breakdown by month?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

The information requested regarding the monthly electricity bills for the Leisure Centre is contained in a schedule which I hand over to the hon Member.

King's Bastion Leisure Centre Limited, the operators of the Leisure Centre, do not keep a record of all visitors to the facilities.

As regards disabled access from Line Wall Road to the Leisure Centre, I am pleased to say that suitable access is provided for the disabled from both the south and the north end of the Centre. I do not know, some gestures by the Opposition Member, to my knowledge the access has been available for quite some time, so the question is a bit erroneous in saying why does it still not provide the access. I have personally been on site and, to save time and bother to the hon Member I even have some photographs that can prove it. So the access is available from both the north and south ends of the Line Wall entrance to the King's Bastion Leisure Centre.

To carry on with my answer, the Gibraltar Sports and Leisure Authority, as the operators of the ice rink, do keep records of use of its facilities. I will hand over to the hon Member a schedule with the information requested.

Since the opening of the ice rink facility, there have been a small number of accidents recorded. The information requested is also contained in the schedule which I hand over to the hon Member.

ANSWER TO QUESTION NO. 385 OF 2008

ANSWER TO QUESTION NO. 381 OF 2008

KING'S BASTION LEISURE CENTRE – ELECTRICITY BILLS 2008

	MAR	APR	MAY	JUNE	JULY	TOTAL
CINEMA	£7.19	£8.19	£174.13	£138.07	£286.14	£613.72
ICE-SKATING RINK	£4,119.48	£7,141.34	£8,981.15	£8,789.53	£7,994.86	£37,026.36
BOWLING ALLEY	£1,634.46	£2,818.70	£3,024.88	£3,753.95	£4,007.50	£15,239.49
DISCO/LOUNGES	£322.83	£695.04	£915.35	£857.98	£1,365.15	£4,156.35
RESTAURANT	£553.40	£869.34	£1,182.68	£1,216.14	£1,348.06	£5,169.62
COMMON AREAS	£899.11	£1,567.53	£1,829.48	£1,917.32	£2,659.42	£8,872.86
ENTERTAINMENT AREAS	£303.40	£460.18	£581.69	£592.94	£595.43	£2,533.64
RESTAURANT STORE	£90.06	£164.36	£214.56	£215.46	£235.18	£919.62
MANAGEMENT OFFICE	£103.12	£166.25	£234.78	£227.81	£252.49	£984.45
					TOTAL	£75,516.11

ANSWER TO QUESTION NO. 384 OF 2008

USAGE OF ICE-SKATING RINK AT KINGS BASTION LEISURE CENTRE

March 2008	-	10,265
April 2008	-	6,893
May 2008	-	3,684
June 2008	-	1,903
July 2008	-	2,811
August 2008	-	1,971

ANSWER TO QUESTION NO. 385

GIBRALTAR SPORTS AND LEISURE AUTHORITY ICE RINK REPORTED ACCIDENTS

Accident Date	Minor Accident requiring minimal First Aid	More serious accident requiring ambulance call out/or attendance at hospital	Total
March	1	7	8
April	1	3	4
May	2	3	5
June	1	0	1
July	0	0	0
August	1	0	1
Total	6	13	19

SUPPLEMENTARY TO QUESTION NOS. 381 TO 385 OF 2008

HON G H LICUDI:

In relation to access for disabled persons, I understand the Minister to have said that access is available from the Line Wall Road entrance. Can the Minister say from when that access has been available?

HON E J REYES:

Yes, the ramped access at the northern end of the Centre was available for use in April 2008, that is, shortly after the Leisure Centre was officially opened. This access leads to a lift from where a disabled person may gain access to all levels of the Centre's facilities. The ramped access at the southern end of the Centre, that is, through the Boulevard, became available in June 2008. Access is available through the top promenade to a lift for the north terrace, and from there obviously, access to all of the Leisure Centre's facilities.

ORAL

NO. 386 OF 2008

THE HON G H LICUDI

BAYSIDE SPORTS COMPLEX

Can Government state whether the defects to the playing surface of the paddle tennis courts at the Bayside Sports Complex have now been remedied?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Answered together with Question No. 387 of 2008.

NO. 387 OF 2008

THE HON G H LICUDI

BAYSIDE SPORTS COMPLEX

Can Government state whether the monthly cost of maintenance of the hockey pitch at the Bayside Sports Complex has changed since the answer to Question No. 393 of 2007?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

The paddle tennis playing surfaces have not suffered any defects which require remedial works. The surface material did require stretching and consolidation after its installation and will continue to undergo regular maintenance as part of the contractual arrangements we have with the installer.

As regards the current total monthly cost of maintaining the hockey pitch and hockey training pitch at the Bayside Sports Centre, I am pleased to say this has not changed significantly since 2007.

SUPPLEMENTARY TO QUESTION NOS. 386 AND 387 OF 2008

HON G H LICUDI:

I note that the Minister is pleased that the cost has not changed. The last time this matter was addressed the cost of the water alone was £5,000 a month, as well as an additional £1,500 cost in general maintenance. That is, £6,500 a month just in maintenance of one pitch. Does the Minister not consider that to be excessive and not something to be pleased about?

HON E J REYES:

I think I have been asked for a personal opinion and my personal opinion is, no it is not excessive. The costs of water in Gibraltar and the amount of water needed, not just for one pitch it is the main hockey pitch and the training pitch beside, it does have a fair amount, almost 50 per cent of recycled water, so that the bill remains at £5,000 a month. Considering what the water charges are for Gibraltar, it is alright from my point of view.

HON G H LICUDI:

With regard to the paddle tennis court surface, as I understood the Minister he indicated that there were no defects that needed to be remedied. Was my understanding correct?

HON E J REYES:

Perhaps it is a slight variation in interpretation of defects. I took defect to mean that the playing surface had been torn, ripped, or something and, therefore, that is a defect. No, there was a requirement to make some areas of the surface a bit better, truer to the bounce I think is the terminology used by many users of the tennis courts. That has been explained to me because in the last session we had of the House when we talked about this question, I said and I confirm it was true, as the Parliamentary session was on-going the maintenance contractors were actually at Bayside Sports Centre carrying out this maintenance. The surface that we have there was installed and the contractor assured me that we should allow for a period of time to elapse for the playing surface to actually reach its optimum capability. This is because, according to these experts, sand needs to settle and one needs to play on it so that the sand sort of gets almost bonded into the pile of the synthetic turf. So it was not a question of a defect but rather settlement that requires to happen, and we have double-checked and ensured that this inspection will be carried out annually and the surface will be stretched as and when required following its annual inspections.

HON G H LICUDI:

Can the Minister confirm when the latest inspection was to identify whether there were in fact any defects in the playing surface?

HON E J REYES:

The inspection had the purpose of (1) looking out for defects, and also for carrying out general maintenance which helps to avoid defects happening. For the purpose of the record and for those listeners who I know we have many paddle tennis lovers in Gibraltar, I can assure everyone that the testing of these surfaces is actually carried out by a specialist contractor, and also by an independent international sports surfaces testing laboratory, and these entities are actually approved by the International Sports Federation. So we do have a highly reputable maintenance company that carries out these inspections, rather than just the opinion of an amateur paddle tennis player.

HON G H LICUDI:

My question was when did the last inspection take place.

HON E J REYES:

The last inspection took place as we were in Parliament last time, if I am not mistaken I think it was round about May of this year.

ORAL

NO. 388 OF 2008

THE HON G H LICUDI

SUMMER NIGHTS PROGRAMME

Can Government state the total cost of organising the Summer Nights programme at Casemates for each year since the event started to 2008?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Answered together with Question No. 389 of 2008.

NO. 389 OF 2008

THE HON G H LICUDI

SUMMER NIGHTS PROGRAMME

Can Government state why the Summer Nights programme has become progressively shorter with the programme only covering four weeks this year?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

The total cost of organising the Summer Nights programme at Casemates since it has come under the responsibility of the Ministry for Culture is as follows:-

Year 2006	-	£39,359.13
Year 2007	-	£61,450.15
Year 2008	-	£44,289.76

I must continue my answer by adding that this year's Summer Nights programme was slightly shorter as it commenced on the week immediately after the termination of our immediate neighbours' town fair. This decision was taken based upon past poor attendance records during the said period, which we believe is because many local residents attend our neighbours' fair week.

Our Summer Nights programme continued up to and including the week immediately prior to the commencement of our own fair which was held once again this year at Commonwealth Parade.

SUPPLEMENTARY TO QUESTION NOS. 388 AND 389 OF 2008

HON G H LICUDI:

Is the Minister seriously telling this House that it is now Government policy not to organise entertainment in Gibraltar so long as entertainment is available over the border?

HON E J REYES:

I have not said anything of the sort that we will not offer entertainment. What I said was that we took the decision to start the Summer Nights on a particular week, based upon, and I will expand further if the hon Member allows me to. We take into

consideration the school calendar as provided by my very able Colleague, the Minister with responsibility for Education, we try not to hold these summer nights whilst school is still on, because teachers rightly so say it could have an adverse effect on student attendances or alertness whilst in school the next morning. The week immediately after the termination of the schools' academic year happened to coincide with the week of our neighbours' fair. I was told by very reliable sources that attendance figures during that week tend to be a lot poorer. In order to allow, as well, my staff to prepare things better and so on, it was found convenient and it was found that from the funds I was going to make available, we could provide better quality in the remaining weeks if we used that first week of school summer holidays, coinciding with our neighbours' town fair and therefore poor attendance, we used that as a preparation week so that any local performers as well could have that time during which to rehearse and, therefore, not encroach on our schools' education programme. So, if anything is a bigger influencing factor it is our schools' educational calendar that has the greater say in determining my Summer Nights programme than our neighbours' fair, which in many ways happens to be just an additional supplementary or complementary event.

HON G H LICUDI:

It is surprising, to say the least, that given that now the emphasis is on school calendar, that was not included in the original answer to the question when the emphasis given was in relation to the fair across the border, and it seemed to be a policy decision not to interfere with arrangements on the other side of the border. The Minister in answer to Question No. 388, which was the total cost of organising the Summer Nights programme at Casemates for each year since the event started to 2008, has given certain figures since responsibility for the Summer Nights programme was given to the Ministry of Culture. That was not the question, the question was, can Government state not can the Ministry of Culture, can Government state what the cost was since the event started to 2008? That was the question on the Order Paper and I expect an answer.

MR SPEAKER:

I think he has provided more than the answer. The information asked for information since 2008, it is only one year then.

HON G H LICUDI:

No, the question asked, "since the event started to 2008".

MR SPEAKER:

Sorry, my apologies.

HON G H LICUDI:

So since the event started I assume is not since the Ministry of Culture took it over in 2006. I therefore expect an answer to the question as tabled.

HON E J REYES:

Yes, the question, please correct me if I am wrong, can Government state the cost, well Government cannot state any costs for the Summer Nights held in a period when it does not fall under the responsibility of any Government department. A little bit of homework would have avoided this exchange.

NO. 390 OF 2008

THE HON G H LICUDI

SPORTS AND LEISURE AUTHORITY – EMPLOYEES

Can Government state how many persons were employed by the Gibraltar Sports and Leisure Authority as at the end of August 2008 giving a breakdown by grade, sex, nationality and department?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Yes, on this occasion I can state how many were employed by the Gibraltar Sports and Leisure Authority as at the end of August 2008, giving a breakdown by grade, by sex, by nationality and by department. Therefore, the information requested by the hon Gentleman has now been handed over to him in the form of a schedule.

ANSWER TO QUESTION NUMBER 390 OF 2008

PERSONS EMPLOYED BY SPORTS AUTHORITY
AS AT AUGUST 2008

NO.	GRADE	SEX	NATIONALITY
1	Chief Executive Officer: Grade 1	Male	British
1	Finance and Administration Manager: Grade 3	Male	British
1	Facilities and Resources Manager: Grade 3	Male	British
1	Sports Development and Training Officer: Grade 4	Female	British
1	Asst Sports Development and Training Officer: Grade 4	Male	British
1	Office Manager: Grade 4	Female	British
2	Administrative Officers: Grade 6	Female	British
1	Secretarial / Typist: Grade 9	Female	British
6	Centre Managers: Grade 5	5 Male 1 Female	British British
2	Supervisory Groundsmen: Grade 7	Male	1 British 1 Moroccan
23	Sports and Leisure Officers: Grade 8	22 Male 1 Female	British British
1	Support Staff: Grade 11	Female	British

SUPPLEMENTARY TO QUESTION NO. 390 OF 2008

HON G H LICUDI:

Can I just take it for verification purposes that the question does relate to employees of the Gibraltar Sports and Leisure Authority, that the list given does not relate to any Civil Servants, these are all employees of the Authority itself?

HON E J REYES:

That is correct. This table refers only to those classified as employees of the Gibraltar Sports and Leisure Authority. It does not include anyone who enjoys a Civil Servant status.

HON G H LICUDI:

Does the Minister know how many people actually are engaged in working for the Sports Authority even though not directly engaged as an employee of the Authority?

HON E J REYES:

It is my understanding, of which I am 99 per cent certain, that there are three employees currently enjoying Civil Service status who are engaged working on a daily basis at the Stadium. I further believe that their union representatives are undergoing negotiations as to whether these gentlemen wish to maintain their line that they opted out of becoming part of the Sports and Leisure Authority as employees. What the future will hold, I leave it up to the union to negotiate with the appropriate employment departments.

ORAL

NO. 391 OF 2008

THE HON DR J J GARCIA

HERITAGE ACTION COMMITTEE

How often and on what dates has the Heritage Action Committee met since 20 February 2008?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Once on the 30th June 2008.

ORAL

NO. 392 OF 2008

THE HON DR J J GARCIA

HERITAGE MANAGEMENT PLAN

Can Government say at what stage of preparation is the heritage management plan, what departments are involved and which one is taking the lead in this issue?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

A heritage management plan is presently being drafted by the Heritage Division. Pertinent Government departments and NGOs will be consulted as and when deemed necessary.

ORAL

NO. 393 OF 2008

THE HON J J BOSSANO

MUSIC CENTRE (BFBS BUILDING)

Can Government state what is the present use that is being made of the former BFBS building at South Barrack Road and its access road?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

Answered together with Question No. 394 of 2008.

NO. 394 OF 2008

THE HON J J BOSSANO

MUSIC CENTRE (BFBS BUILDING)

Can Government state whether the former BFBS building at South Barrack Road is currently on a lease or a licence to any organisation and if so to which organisation and for how long?

ANSWER

THE HON THE MINISTER FOR CULTURE, HERITAGE, SPORT AND LEISURE

In answer to Question No. 396 of 2007, I informed this House that the Ministry of Culture has no direct involvement in the day to day running of the Music Centre housed in the former BFBS building at South Barrack Road. The situation remains unchanged and, therefore, I am unable to provide the Leader of the Opposition with details of its present use.

The former BFBS building at South Barrack Road was assigned by Government to the Music Centre Trust for use towards the promotion of music and music tuition. There was no date fixed for the termination of this agreement.

SUPPLEMENTARY TO QUESTION NOS. 393 AND 394 OF 2008

HON J J BOSSANO:

When the Minister says that it was assigned is he answering the question as to whether it was a lease or a licence on the basis that it is a lease or on the basis that it is a licence?

HON CHIEF MINISTER:

The Minister does not know and neither do I. I am almost certain there is no lease, I think it is a licence at will but I will have that checked.

HON J J BOSSANO:

If it is indeed a licence then it means it is not a question of how long it is because a licence can be terminated at short notice. Is that not the case?

HON CHIEF MINISTER:

The Leader of the Opposition is seeking legal opinions which he should not be seeking from me across the floor, but.....

HON J J BOSSANO:

I will rephrase the question xxxxxx it is not a legal opinion.

HON CHIEF MINISTER:

The terms of a licence depends on its written terms. In other words, some licences can be terminable at will, other licences if that is what the parties agree, may require a period of notice before termination can be issued, then there are potential legal arguments around all licence agreements as to whether it genuinely is a licence agreement, or whether in law, albeit that the parties did not describe it in that way, it actually creates a tenancy as opposed to a simple licence agreement. So the issues in the Leader of the Opposition's supplementary are almost never as simple as the question suggests.

HON J J BOSSANO:

I see. Well, are the Government then in a position to say whether this particular licence, if it is indeed a licence, is one that is capable of being interpreted, or challenged, or questioned as if there was a lease with a rental agreement? For example, is there a rent payable for the place?

HON CHIEF MINISTER:

I do not have details of the documentary terms for this document. I very much doubt whether there was a fee payable. At the time it was a charitable trust that was running, organising music. I do not think it was the policy of the Government at that time to charge fees but that would appear from the terms of the licence and I can let him know the answer to that too. That information was not requested in the original question.

HON J J BOSSANO:

Does the hon Member know how long it is since it was assigned?

HON CHIEF MINISTER:

Not from memory but several years ago.

HON J J BOSSANO:

Would the hon Member not agree that if it was assigned for a particular use and in fact no use is made of it, or a use different from the one that it was intended for, then

would the Government not consider it as a matter of policy that it is something that they should review? If it is not being used for what it was intended.

HON CHIEF MINISTER:

Yes, I would agree with him.

ORAL

NO. 395 OF 2008

THE HON S E LINARES

APPRENTICESHIP PROGRAMME – E-COMMERCE FIELD

Can Government state whether the apprenticeship programme to equip local people with modern skills within the E-commerce field which commenced in 2002 is still being done and if so, can the Government state how many students have applied giving a breakdown by intake?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

I am not aware of the specific apprenticeship programme that the hon Member is referring to in the field of E-commerce.

NO. 396 OF 2008

THE HON G H LICUDI

EMPLOYMENT – WORK PERMITS GRANTED TO MOD

Can Government state whether any work permits have been granted during the course of 2008 to the MoD in respect of the position of motor transport fitter or for any other position at the MoD motor transport department?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

The Opposition Member may know that Government are not in the habit of discussing in Parliament employment matters as relating to any one particular employer, and will therefore refrain from making further comment in relation to this question.

SUPPLEMENTARY TO QUESTION NO. 396 OF 2008

HON G H LICUDI:

Can the Government explain what its policy is in relation to the provision of work permits, where there are both non-entitled workers and entitled workers available and suitable for a particular position?

HON L MONTIEL:

I think the hon Gentleman knows very well what the policy of the Government is with regard to the issuing of work permits. Whenever there is a suitable candidate locally the work permit will not be issued.

HON G H LICUDI:

The Minister has confirmed that when there is a suitable candidate, a work permit will not be issued. Is it not correct that he has been in correspondence with me and has confirmed that there is a policy of the Government that where there are long-term resident non-entitled workers, those will compete at par with the local labour market or entitled workers and will therefore be granted work permits when an employer, whoever that employer might be, might wish to engage that non-entitled worker?

HON L MONTIEL:

Precisely, the reason why I am stating as I have said is because I privately told the hon Member what the position is and the reality is that long-term Moroccan employees have the right to compete with local people on the same basis.

HON G H LICUDI:

The original answer was that if there is a suitable entitled worker, a work permit will not be granted to a non-entitled worker. Now the Minister is saying that a work permit will be granted to a non-entitled worker on the basis that certain non-entitled workers compete in equality of arms with entitled workers. That is quite clearly a contradiction to what he said earlier.

HON L MONTIEL:

There are two issues here, one is the issue of whether long-term Moroccan employees are entitled to compete with local people for a post, therefore the one who is most suitable will probably be selected by the employer. That is one issue. The other issue is the question of whether the Government are in a position to decide who the employer considers is suitable and not suitable. We do not get the information from the employers as to why they have selected one or the other. This is an assumption that is taken by my officers in the Employment Service on the general basis that if there is a particular post that we consider that it can be done by a local employee, we will not issue a work permit.

HON G H LICUDI:

Is the Minister aware of the actual Employment Regulations and the powers and obligations that fall on his officials? Is he aware, in particular, of regulation 3 of the Employment Regulations, which requires that the director shall not mandatorily, not discretionally, shall not issue a work permit for the engagement of a worker unless he is satisfied that all of the following requirements, and there are a number of requirements. The first one is that there is no entitled worker who in the opinion of the director is capable of undertaking and suitable for the particular engagement in respect of which the permit is sought. The Minister should not act so hastily. This is a mandatory provision which requires an opinion of the Director as to the suitability of the particular person. What the Minister has just said is that they do not engage in that assessment as to suitability, that is left entirely for the worker. So how then does the director comply with his statutory duty under the Employment Regulations?

HON L MONTIEL:

I agree with the contents of the law and it is applied by the Director of Employment, and he does make the assessment himself. However, because I am aware of the issues that the gentleman is trying to bring up, this situation is now becoming academic. In other words, the gentleman knows perfectly well that the issue that he is bringing into this House is that a long-term Moroccan is supposedly being given a job in preference to a Gibraltarian employee, right. That is the case that the hon Gentleman is trying to bring into the equation.

HON G H LICUDI:

The Minister is totally wrong. What I am questioning now is, in relation to Government policy and its adherence to the law, to the law of Gibraltar, and when there is a mandatory provision in regulations which says shall not unless certain conditions are applied, and the Minister is saying that this as a matter of discretion is not applied in this way. Does the Minister recognise that he is confirming that the Government is acting in breach of the law? I am simply trying to establish the policy decision behind that decision to act in breach of the law.

HON L MONTIEL:

No, the Government is acting within the law in this respect.

HON G H LICUDI:

Can the Minister point to the particular provision which gives the Director that specific discretion in respect of work permits?

HON D A FEETHAM:

This is completely way off piste from the original question. The original question refers specifically to the MOD, refers specifically to motor transport fitters, the hon Gentleman to my right has in fact indulged the Opposition Member enough in relation to supplementaries and he is now really taking it to a complete extreme. He has had the answer and, quite frankly, I think the way the hon Gentleman is simply just pushing it and pushing it, is really going beyond the pail.

HON J J BOSSANO:

Mr Speaker, is he now taking over your role as Speaker of the House? I do not think the hon Member has got any right to tell us what questions we put or what questions we do not put. Mr Speaker has that power.

HON D A FEETHAM:

I am not doing that at all.

HON J J BOSSANO:

It sounded like that.

HON D A FEETHAM:

No, what I am doing in fact, if the Leader of the Opposition or the hon Member had bothered to read Standing Orders, they will see that if they want to ask questions they give notice of a question. If he had given notice of a question he would have, no doubt, received the fullest possible answer. He has given notice of a specific

question, he has then received an answer and now he has asked five or six supplementaries, completely off piste from the original question.

MR SPEAKER:

Order, Order.

HON J J BOSSANO:

Mr Speaker must stop the Minister standing here and lecturing to us as to how we in this House have to comply with Mr Speaker's ruling from the Chair. Mr Speaker has to make the ruling. If Mr Speaker says the supplementary is not permissible, we sit down and we shut up but we are not going to be told by him.

MR SPEAKER:

I am obliged. Can I rule on this matter? What the Hon Daniel Feetham has done is what often is done by Members on both sides, both sides stand up in assistance of colleagues. It happens all the time and a certain amount of latitude is generally allowed then. He has not raised a Point of Order but he has done no more than, I think, both sides are, if I may use the word carefully, "guilty" of standing up in assistance of colleagues. Fine, let us put that to one side. Now the original question did raise a specific question to which the answer was very clear, in that the Government do not answer questions relating to the conduct of specific employers. That resulted in a further line of questioning on the Government's policy generally on the issue of work permits to entitled and non-entitled persons. That is where the argument developed. Up to a point there is absolutely no problem with that, it is part of the normal cut and thrust of the Question Time debate. The last question, I must say, to my mind went beyond what Question Time envisages because it embarked upon a detailed examination of the law, a specific point posed by the hon Member. I do not believe that Question Time is the proper place to embark upon an examination of the law, these are matters that can be debated on motion. However, the question has been put and the Minister may answer the point or he may say he needs to examine the law and take advice or whatever it is.

HON L MONTIEL:

I am dealing with the answer that the hon Gentleman has asked. I am aware, I have investigated the matter, I have written to him privately on the matter and what I said to him is that I am not prepared to discuss a particular issue of an employer in Parliament, and that the Director of Employment is complying with the requirements of the law and that I am not prepared to answer any more questions other than that what he has asked.

HON J J BOSSANO:

The Minister said in the first answer to the first supplementary, that the policy of the Government was that long-term resident Moroccan workers were treated on a par. That is to say, they have got EU rights, notwithstanding the fact that they are non-EU nationals, to be on an equal footing in applying for jobs. Well, he also said he is

aware that the law does not permit that. The law says a non-EU national. Surely what the Minister has to do if he wants that policy to be compliant with the law, is to say a non-EU national other than a long-term resident Moroccan worker, has to have that applied but the Director has got the discretion not to apply it in the case of a long-term Moroccan. Which is what he is telling us. He told us in the first answer that the Director decides that if two people apply and one is there which can do the job and is a local or an EU national, and I sympathise with the view. Why should we have a situation where a Moroccan who has been here 25 years has to queue behind a Romanian that has been here for one day? But that is the law. So my understanding of the answer is that in that situation, notwithstanding the fact that there was an EU national available and qualified to do the job, the work permit will be granted to the non-EU national in spite of that. Now if that is the policy and that policy has been there for a long time, then fine. All we are trying to find out is whether the policy is that or the policy is what the law says. So would the Minister not agree that he needs to make sure that the policy he has explained, if that is the policy that is going to continue, is in fact compatible with those requirements.

HON L MONTIEL:

I have answered the question.

HON G H LICUDI:

Does that mean quite simply that the Minister does not know the answer to the question? The Leader of the Opposition has explained in detail how this question arises and how the policy arises. We are not talking of specific issues other than general policy of the law, and we simply want to know whether the Government recognise that it is compliant or non compliant with the law. The answers that the Minister has given seem to suggest that the Government recognise that it is non compliant with the law. So now we want to know what is the Government going to do to redress that situation? Is it going to change the law?

HON L MONTIEL:

I have answered this question.

MR SPEAKER:

With respect, if the Minister does not accept that the Government is acting contrary to the law, he cannot possibly agree to change the law.

ORAL

NO. 397 OF 2008

THE HON G H LICUDI

EMPLOYMENT – CONTRACTS

Can Government state what was the total number of employment contracts registered with the Employment Agency as at 31 August 2008 giving a breakdown by nationality and sex?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

Answered together with Question Nos. 398 and 400 of 2008.

ORAL

NO. 398 OF 2008

THE HON G H LICUDI

EMPLOYMENT – NUMBER OF WORK PERMITS

Can Government state the total number of work permits in place as at end August 2008?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

Answered together with Question Nos. 397 and 400 of 2008.

NO. 399 OF 2008

THE HON G H LICUDI

EMPLOYMENT – GIBRALTARIANS REMOVED FROM UNEMPLOYMENT REGISTER

Can Government state the number of Gibraltarians removed from the unemployment register in each month for the period April 2008 to August 2008 for reasons other than that those persons obtained employment?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

Gibraltarians removed from the unemployment register other than for reasons of employment are those that are lapsed. That is to say, those that have not reported to the Employment Service in the course of one calendar month. The numbers so removed are as follows:

April	69
May	68
June	80

These figures have already been made available to the hon Member as part of the employment related statistics for the second quarter of 2008.

As for information requested in respect of July and August 2008, this will be made available to the hon Member as part of the employment related statistics for the third quarter of 2008.

SUPPLEMENTARY TO QUESTION NO. 399 OF 2008

HON G H LICUDI:

I would just remark that I look forward to that because it will mean that the employment statistics and the questions which are set out in the employment statistics which are provided to us, will now have to be amended to take into account of this new information which has never been included in the employment statistics. So can the Minister confirm that the employment statistics which will now be provided will be amended to include this new information and will not just be the normal quarterly statistics which are periodically provided?

HON L MONTIEL:

No doubt as a result of this conversation, we will consider what extra information the hon Member requires and we shall comply accordingly.

NO. 400 OF 2008

THE HON G H LICUDI

EMPLOYMENT – NUMBER OF WORKERS IN CONSTRUCTION INDUSTRY

Can Government state the total number of workers in the construction industry as at 31 August 2008 giving the totals of Gibraltarians and other nationalities giving a breakdown by nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

As the Opposition Member should know by now, employment related statistics are made available at the end of each quarter, not before. As I have already agreed, I will be passing them on to him directly. I will be only too happy to answer any such questions but only in respect of past quarterly periods for which he will have received the corresponding employment related statistics.

SUPPLEMENTARY TO QUESTION NOS. 397, 398 AND 400 OF 2008

HON G H LICUDI:

To say that, this is quite extraordinary and, again, another departure from established practices is an understatement. I know that certain employment statistics are provided on a quarterly basis. The answers to these questions are not provided in the quarterly statistics, otherwise they would not be asked, they would not be here. These are questions which we ask as at a particular date, not in respect of a quarter, and we had this debate when the matter first arose in relation to employment statistics and the Employment Survey. The Chief Minister himself recognised that this particular question, the total number of employment contracts registered with the Employment Agency as at a particular date, did not come within the ambit of the employment statistics that the Minister refers to. It refers to a specific number on a specific date and that has always been provided. In answer to the last question, Question No. 36 of 2008, which was, “can Government state what was the total number of employment contracts registered with the Employment Agency as at 29th February 2008 giving a breakdown by nationality and sex?” the answer was, “the statistical information requested by the hon Member is set out in the schedule which is being handed to him”. That has been the practice and this information is generally available to us. It is not part of the employment statistics; it is a specific number on a specific date. It is always provided, why is it not provided now?

HON L MONTIEL:

Having agreed with him that I am going to pass to him all the information that he requests, having agreed to the manner in which it was going to be passed over to the hon Member, I presume that it is logical to assume that the information that pertains to a different quarter should be given when the quarter reaches its period.

HON G H LICUDI:

This is not the same information that we are requesting. It does not pertain to a quarter, it is a specific number on a specific date. It has been asked previously and it has been answered previously. Can the Minister explain why they are refusing to answer it now? If I want to ask questions on statistics in relation to certain quarters, then I accept that forms part of the employment statistics and that is the practice that has been going on since before my time in this House. But these are different questions and we had this precise debate the first time that I asked these questions, when I listed all the questions, and the Chief Minister himself recognised that this question was outside the ambit of the employment statistics.

HON L MONTIEL:

Since he last asked these questions, we have now more or less stabilised the position of giving him the information that he requires. Before this we were not giving him, there was a mistake or a problem in the system and he was not getting the information requested. Once I decided to put it in a position where I am giving him all the information that he requires, including some information that he has never got before and I have given it to him now, the hon Gentleman does not want to wait until the period comes into being when he can get this information. He cannot have it both ways. Either he waits until the questions are put in Parliament or otherwise he will not get the answer at all.

HON G H LICUDI:

Can the Minister, first we must remark that that appears to be an implicit or expressed threat that the public is going to be deprived of information at the whim of this particular Minister, and that is a disgraceful statement for the Minister to make in this particular Parliament. The Minister has said that there is information which was not provided previously and which has now been regularised. Can the Minister explain what information he is referring to that was not provided previously?

HON L MONTIEL:

Information related to the Employment Survey statistics. It came to a point prior to me coming into this Ministry, when these questions were being put in Parliament. Now we have decided to provide it to him on a regular basis as and when he requires them. Indeed, he asked for some questions that were going to be placed in this Parliament and I decided to give it to him before Parliament. So it was a decision that was made to provide him with the information prior to Parliament. Unemployment statistics, for example, that was something that I would have had to put them in Parliament today, instead I gave it to him prior to coming to Parliament.

So contrary to what he is trying to imply, I am trying to give him more information than he has ever had.

HON F R PICARDO:

The Minister is, I think, alluding to an arrangement which I entered into with the Hon Mr Linares when he was the Minister for Employment, where we agreed that he would provide the information requested but that that information should not be considered to be public until after the meeting of the House immediately after the information had been provided. In fact, after the Hon Mr Linares left the post of employment and Mr Holliday took over the role, he provided the information very timelessly and without regard to when Parliament might be sitting. So I think the Minister may be labouring under a misapprehension that he has advanced information more expeditiously than was previously the case, when in fact it was already provided on that basis. I think that is just for the purposes of clarification. The hon Gentleman Mr Licudi might want to take the matter further.

MR SPEAKER:

I think we are talking about a different type of information. Perhaps the hon Member would care to spell out the information which is not being provided and he would seek. I can see it but perhaps the Minister cannot.

HON G H LICUDI:

The information that is not being provided in these quarterly statistics is precisely the information that is sought in these three questions. The total number of employment contracts as at a particular date; the total number of work permits as at a particular date; and the number of Gibraltarians removed from the unemployment register for a particular period, for reasons other than that those persons obtained employment. These are not new questions which arise in this Parliament, these questions have arisen in the past and have been answered in the past, notwithstanding that other statistical information has been provided to the hon Member beside me, my predecessor as Shadow Minister for Employment and subsequently to me. So I do appreciate that that information continues to be available, it is not something new, continues to be made available to us. But this is separate information which is not, and as far as I know, certainly since I have been in this post, has never been included in the employment statistics, or even before, as I understand it.

HON L MONTIEL:

The hon Member will receive the information that he is seeking.

HON F R PICARDO:

I certainly would not have the gall to stand up in this House and tell people who have been here for over 36 years that they should read Standing Orders, so I will not be pursuing Mr Feetham's role earlier. But simply for the purposes of clarification, when I entered into the arrangement with the hon Gentleman's two previous predecessors, it was never a condition that I would not be able to put other questions in this House.

It was never a fetter on my ability to put other significant questions, or even the same questions if I wished, for an oral answer in this House. I think it totally unfair to now fetter my successor on that issue.

MR SPEAKER:

But I think the answer has been provided that information will be provided.

ORAL

NO. 401 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – BREAKDOWN OF FULL-TIME JOBS

Can Government provide the comparable breakdown for October 2007 of all the full-time employee jobs by industry, sex and nationality as given in table 12 of the Employment Survey Report in respect of the 836 employers or such lesser number as returned filled questionnaires for October 2007 having also done so for October 2002 and 2003?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

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

Answer to Question 401/2008

Full-Time Employee Jobs by Industry, Sex and Nationality, October 2007

<u>INDUSTRY</u>	<u>ALL</u>		<u>GIBRALTARIAN</u>		<u>UK BRITISH</u>		<u>MOROCCAN</u>		<u>SPANISH</u>		<u>OTHER EU</u>		<u>OTHER</u>	
	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
Shipbuilding	173	5	73	4	22	1	14	0	50	0	14	0	0	0
Other Manuf.	100	35	37	25	6	5	13	1	43	4	1	0	0	0
Elec/Wtr Supply	23	0	10	0	6	0	2	0	5	0	0	0	0	0
Construction	716	47	172	24	226	16	110	1	183	4	16	2	9	0
Whsle/Retail Tr.	974	599	439	297	120	91	96	5	252	176	27	23	40	7
Hotels/Restmnts.	299	216	48	26	57	60	76	26	74	87	24	11	20	6
Trans/Comm.	337	125	195	92	37	10	21	1	80	17	2	3	2	2
Fin. Intermed.	340	485	202	326	62	106	0	1	14	14	52	33	10	5
Real Est./Bus.Ac.	380	420	220	194	77	91	15	9	44	113	16	7	8	6
Public Admin.	19	20	15	18	4	2	0	0	0	0	0	0	0	0
Education	4	29	0	17	2	9	0	0	0	2	0	0	2	1
Health/Social Wk.	15	58	6	15	2	6	0	0	7	36	0	0	0	1
Other Services	550	220	179	71	216	84	30	2	59	32	39	6	27	25
TOTAL	3,930	2,259	1,596	1,109	837	481	377	46	811	485	191	85	118	53

SUPPLEMENTARY TO QUESTION NO. 401 OF 2008

HON J J BOSSANO:

Is the Minister in a position to tell me whether in fact it is a lesser number than 836, the number of employers that employ these people, is a lesser number than 836 and, if so, what the number is now because I know that it has changed from one year to the next?

HON L MONTIEL:

I would have to look carefully at those numbers. I do not think I have the information with me.

HON J J BOSSANO:

The information is not contained in the table because the table gives the employees. What I want to know is, in my question I said the 836 employers or such lesser number as have returned the questionnaires. So what I want to know is whether the number of questionnaires that have been returned by the employers reflected in this table is the 836, which it used to be before, or whether the number for this particular year is less than 836?

HON L MONTIEL:

From recollection, I think it is a lesser number but I am not too sure because I think there is a question that specifically answers that question.

HON J J BOSSANO:

I would not think so, I think it is probably about a different year. Would the Minister know what the number of employers and, therefore, the number of questionnaires that this represents?

HON L MONTIEL:

I would need to find out.

ORAL

NO. 402 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – DISTRIBUTION OF AVERAGE ANNUAL EARNINGS - PRIVATE SECTOR

Can Government provide the distribution of average annual earnings as shown in table 16 of the Employment Survey Report 2007 in respect of private sector employment?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

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

Answer to Question 402/2008

Distribution of Average Annual Earnings of Private Sector Employee Jobs, October 2007

PER ANNUM £	ALL EMPLOYEE JOBS		ALL MALE JOBS		ALL FEMALE JOBS		Total	Part-Time	Full-Time	Total	Part-Time	Full-Time	Total
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time							
0 - 999	3	9	12	1	1	2	2	2	2	2	8	2	10
1,000 - 1,499	4	17	21	3	4	7	7	7	7	7	13	1	14
1,500 - 1,999	11	19	30	10	6	16	16	16	16	16	13	1	14
2,000 - 2,499	7	48	55	6	9	15	15	15	15	15	39	1	40
2,500 - 2,999	33	85	118	30	19	49	49	49	49	49	66	3	69
3,000 - 3,999	117	391	508	74	81	155	155	155	155	155	310	43	353
4,000 - 4,999	91	639	730	50	402	452	452	452	452	452	237	41	278
5,000 - 5,999	190	172	362	89	45	134	134	134	134	134	127	101	228
6,000 - 6,999	92	169	261	42	29	71	71	71	71	71	140	50	190
7,000 - 7,999	185	190	375	74	29	103	103	103	103	103	161	111	272
8,000 - 8,999	226	136	362	85	39	124	124	124	124	124	97	141	238
9,000 - 9,999	755	114	869	351	22	373	373	373	373	373	92	404	496
10,000 - 10,999	462	92	554	247	15	262	262	262	262	262	77	215	292
11,000 - 11,999	566	57	623	400	11	411	411	411	411	411	46	166	212
12,000 - 12,999	686	73	759	449	14	463	463	463	463	463	59	237	296
13,000 - 13,999	652	44	696	481	5	486	486	486	486	486	39	171	210
14,000 - 14,999	632	52	684	423	9	432	432	432	432	432	43	209	252
15,000 - 17,499	1,649	75	1,724	998	13	1,011	1,011	1,011	1,011	1,011	62	651	713
17,500 - 19,999	1,317	54	1,371	825	5	830	830	830	830	830	49	492	541
20,000 - 22,499	1,037	37	1,074	676	12	688	688	688	688	688	25	361	386
22,500 - 24,999	874	31	905	574	7	581	581	581	581	581	24	300	324
25,000 - 29,999	1,018	14	1,032	718	5	723	723	723	723	723	9	300	309
30,000 and over	2,414	22	2,436	1,991	7	1,998	1,998	1,998	1,998	1,998	15	423	438
TOTAL	13,021	2,540	15,561	8,597	789	9,386	9,386	9,386	9,386	9,386	1,751	4,424	6,175

ORAL

NO. 403 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – DISTRIBUTION OF AVERAGE ANNUAL EARNINGS - MOD

Can Government provide the distribution of average annual earnings as shown in table 16 of the October 2007 Employment Survey Report in respect of MOD employment?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

Answered together with Question No. 404 of 2008.

ORAL

NO. 404 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – PRIVATE SECTOR

Can Government provide the information in table 16 of the October 2007 Employment Survey Report in respect of those public sector entities and Government owned joint venture companies included as part of the private sector?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

The statistical information requested by the hon Member is set out in the schedule which is being handed to him.

ANSWER TO QUESTION 404/2008

Answer to Question 403/2008:

Distribution of Average Annual Earnings of MOD Employee Jobs, October 2007

£ PER ANNUM	ALL EMPLOYEE JOBS			MALE JOBS			FEMALE JOBS		
	Full-Time	Part-Time	Total	Full-Time	Part-Time	Total	Full-Time	Part-Time	Total
0 - 999	0	6	6	0	2	2	0	4	4
1,000 - 1,499	0	3	3	0	0	0	0	3	3
1,500 - 1,999	0	2	2	0	0	0	0	2	2
2,000 - 2,499	0	1	1	0	1	1	0	0	0
2,500 - 2,999	0	2	2	0	1	1	0	1	1
3,000 - 3,999	0	9	9	0	3	3	0	6	6
4,000 - 4,999	0	13	13	0	7	7	0	6	6
5,000 - 5,999	2	5	7	0	2	2	2	3	5
6,000 - 6,999	4	9	13	2	1	3	2	8	10
7,000 - 7,999	9	15	24	4	2	6	5	13	18
8,000 - 8,999	13	9	22	0	0	0	13	9	22
9,000 - 9,999	2	10	12	1	0	1	1	10	11
10,000 - 10,999	3	6	9	2	0	2	1	6	7
11,000 - 11,999	2	3	5	1	0	1	1	3	4
12,000 - 12,999	12	3	15	5	0	5	7	3	10
13,000 - 13,999	55	2	57	18	0	18	37	2	39
14,000 - 14,999	57	2	59	34	0	34	23	2	25
15,000 - 17,499	140	4	144	87	0	87	53	4	57
17,500 - 19,999	121	4	125	73	0	73	48	4	52
20,000 - 22,499	79	1	80	48	0	48	31	1	32
22,500 - 24,999	58	0	58	45	0	45	13	0	13
25,000 - 29,999	102	0	102	85	0	85	17	0	17
30,000 and over	275	0	275	263	0	263	12	0	12
TOTAL	934	109	1,043	668	19	687	266	90	356

Cont....

Contd Answer to Question 404/2008

Answer to Question 404/2008

Distribution of Average Annual Earnings of All Employee Jobs in Public Sector Entities and Government Owned JVC's, October 2007

PER ANNUM £	ALL EMPLOYEE JOBS			ALL MALE JOBS			ALL FEMALE JOBS		
	Full-Time	Part-Time	Total	Full-Time	Part-Time	Total	Full-Time	Part-Time	Total
0 - 999	1	0	1	1	0	1	1	0	1
1,000 - 1,499	0	0	0	0	0	0	0	0	0
1,500 - 1,999	1	2	3	1	1	2	2	0	1
2,000 - 2,499	1	1	2	0	1	1	1	0	1
2,500 - 2,999	0	1	1	0	1	1	1	0	0
3,000 - 3,999	0	2	2	0	0	0	0	2	2
4,000 - 4,999	1	317	318	0	316	316	316	1	1
5,000 - 5,999	6	13	19	2	3	5	4	10	14
6,000 - 6,999	5	6	11	2	3	5	3	3	6
7,000 - 7,999	5	12	17	3	3	6	2	9	11
8,000 - 8,999	4	10	14	2	0	2	2	10	12
9,000 - 9,999	3	10	13	3	1	4	0	9	9
10,000 - 10,999	9	5	14	5	1	6	4	4	8
11,000 - 11,999	18	5	23	5	0	5	13	5	18
12,000 - 12,999	43	4	47	24	3	27	19	1	20
13,000 - 13,999	65	2	67	22	0	22	43	2	45
14,000 - 14,999	79	6	85	32	0	32	47	6	53
15,000 - 17,499	167	2	169	77	0	77	90	2	92
17,500 - 19,999	98	3	101	40	0	40	58	3	61
20,000 - 22,499	116	0	116	76	0	76	40	0	40
22,500 - 24,999	82	2	84	62	0	62	20	2	22
25,000 - 29,999	154	0	154	113	0	113	41	0	41
30,000 and over	314	0	314	276	0	276	38	0	38
TOTAL	1,172	403	1,575	746	333	1,079	426	70	496

NO. 405 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – DETACHED WORKERS

Can Government confirm whether the detached workers in employment at the end of October 2007 are included in the numbers of employee jobs shown in the Employment Survey Report for that month?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

Detached workers are not employees of Gibraltar registered employers and no information is requested from employers in this respect for the Employment Survey Report.

SUPPLEMENTARY TO QUESTION NO. 405 OF 2008

HON J J BOSSANO:

I take it from the nature of the answer that that would be true of previous years as well, is that the case?

HON L MONTIEL:

Well, I can tell the hon Member that this is the information that I have with regard to my position now as in Government.

HON J J BOSSANO:

Is it, in fact, that the actual questionnaire that is sent out to employers says what the Minister has just said to me, because there seems to be quite a number, from the information provided in answer to other questions, of detached workers? For example, in the shipyard. Those would not be included then in the breakdown in the Employment Survey Report of the number of workers in the shipyard.

HON L MONTIEL:

It should not.

HON J J BOSSANO:

My question is, does the questionnaire actually specify this? Does he know that?

HON L MONTIEL:

I am not too sure, I am giving the Leader of the Opposition my understanding of what the situation is with regards to detached workers. Detached workers are workers that come with a particular company to do a temporary job. Therefore, those are employees of that particular company.

HON J J BOSSANO:

Well, I have to tell the Minister that that is not the way that it has been explained before in this House. I mean, we have had the situation before where there have been very large numbers of detached workers on ship repairing, for example, which has not been a question of a temporary job, they have been there for months. My question is, (a) can he confirm, therefore, then that the figures that are in the survey under the ship building segment, which I think is the first one in the breakdown, would not include all those workers that are brought in to do ship repairing; and (b) if he does not know can he find out whether in fact what he has just told me about those not having to be included in the replies is something that is actually specified in the questionnaires that employers get?

HON L MONTIEL:

Well, my position with regard to my responsibilities is that given that detached workers come with their companies on a temporary basis, I would ensure that they would remain on a temporary basis in whatever activity they did. Therefore, I presume that is the reason why it is not included in the survey report.

HON J J BOSSANO:

But I am not asking him to assume anything. I am asking for information. It is nice to know what he assumes and it is nice to know how he feels about it but my question is, if an employer gets a form to fill up which is the return from which these figures are compiled, does the form tell him not to include detached workers that are working in his company? When the detached workers come here they may not be employed, as far as he is concerned, in the economy of Gibraltar but they pay tax in the economy of Gibraltar and they are controlled on a daily basis by the employer to which they are attached, not to the ones from which they have been detached in some other part of Europe. I just want to know, if he says they are not included is it that the employers are told not to include them?

HON L MONTIEL:

That seems to be the logic of it.

HON CHIEF MINISTER:

I cannot remember the survey form off hand but I am almost certain that the information requested would not apply to detached workers. Of course, there is always the possibility that employers are misreading the form, but the answer to Question No. 408, when he asks it in a few seconds, will show that as at October 2007 the total number of people employed according to employer survey forms was 195 in ship building, full time. Given that this answer relating to detached workers shows 474 detached workers, it is clear that the statistics for full-time employees, as returned by the employers in the survey, are much lower than the number of detached workers suggesting that on the whole, and we are really talking about one employer, that it understands the distinction. Otherwise the figure for full-time private employee jobs by industry, which is the answer to his next but two questions, would show a number much more similar to the 474 presently shown in the table to answer Question No. 406. So the anecdotal, well more than anecdotal, the statistical evidence given that we are talking about one and the same employer in the main, suggests that he understands the difference and that he fills up his questionnaires accordingly. Which is not to say that the Government can guarantee that there is never a mistake made and that information from one creeps into the other.

HON J J BOSSANO:

Well, I am grateful to the Chief Minister for his intervention but I do not think that he has got his figures right. I have not yet got the answers so I am not able to follow the figures that he is using because I have not yet asked the question. Let me say, my understanding is that detached workers are not all employed in ship building. Therefore, is he saying that all the 400 were in ship building?

HON CHIEF MINISTER:

Well, the group is ship building et cetera.

HON J J BOSSANO:

What does "et cetera" mean? It means the sub contractors on the ships. There are detached workers in the construction industry, I can assure the hon Member.

HON CHIEF MINISTER:

The construction industry in the second item in the answer to Question No. 406.

HON J J BOSSANO:

What I am asking him is, is the information he has provided of 400 odd workers, is he saying that there are 400 detached workers in ship building and that since the total in

ship building is 197, clearly the 400 cannot have been included in the 197? Well, my question is, is he then saying that all 400 of the detached workers are in the ship building sector?

HON CHIEF MINISTER:

No, we do not know what “et cetera” means. To answer that, which is not what I said by the way, but to answer this last supplementary I would have to get information from the Employment offices as to what the words “et cetera” mean after the word “ship building”. In the schedule attached in answer to Question No. 406 it says, industry group, ship building et cetera 474. I assume that it means ship building and activities relating to ship building, I assume that. What I cannot be sure is that those are all with the same employer, namely, Cammell Laird. There may be contractors, sub contractors to Cammell Laird, I do not know. But I would expect them all to be related to ship building. I would not expect ship building et cetera to mean ship building and hair salon workers. I would expect there to be some correlation between the et cetera, and I was not using the information for the precise purpose that the hon Member’s subsequent supplementary suggests. I was saying that there is anecdotal evidence. I have not got my figures wrong, the answer to Question No. 408, which admittedly he does not have in front of him yet, will show that the full-time is 195 for men and six for women as at October 2007, from the survey he will see that in a moment, which is a much lower number than the 474, however the 474 is precisely compiled. That would suggest, anecdotally, that there is not a wholesale confusion of normal workers and detached workers in the way that they respond to questionnaires, which was the original supplementary.

HON J J BOSSANO:

Therefore the supplementary was, which I think he may have answered, then are the 474 detached workers which he has identified, workers all in that category of ship building and et cetera? Or is it that the total in the whole economy of Gibraltar is 474? That is my supplementary. It seems to me that his latest intervention indicates that the 474 is in the ship building and et cetera group, even if we do not know precisely what the et cetera stands for. I would like to be clear that that is the answer that I have been given.

HON CHIEF MINISTER:

Well, high as the number looks to me, that is the purport of the answer. In other words, the schedule is not capable of any other interpretation. The question is how many detached workers were in employment and provide a breakdown by industry and nationality, and there is a table that shows industries, nationalities, with totals at the end of each sub industry group, all then added up to provide an overall total at the bottom.

HON J J BOSSANO:

I have not had that yet.

HON CHIEF MINISTER:

He has not had Question No. 406 yet?

HON J J BOSSANO:

No.

HON CHIEF MINISTER:

The answer is yes, 474 is in the ship building et cetera group.

ORAL

NO. 406 OF 2008

THE HON J J BOSSANO

EMPLOYMENT – DETACHED WORKERS

Can Government state as at the end of October 2007 how many detached workers were in employment and provide a breakdown by industry and nationality?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

The information the hon Member requires is now handed to him in a schedule.

Answer to Question 406/2008

Detached Workers as at October 2007 by nationality and Industry

INDUSTRY GROUP	Other British	Spanish	Other EEC	Other Non-EEC	Total
Shipbuilding, etc	1		473		474
Construction		629	78	17	724
Wholesale Trade		22			22
Retail Trade	3	7	1	1	12
Repair of Consumer Goods		3			3
Post & Communication				2	2
Banking, Finance and Insurance		13	17	12	42
Other Services	67	14	6	75	162
Total	71	688	575	107	1441

ORAL

NO. 407 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – PART-TIME EMPLOYMENT

Can Government provide the figure for part-time employment in respect of table 12 of the October 2006 Employment Survey Report showing the breakdown by industry, sex and nationality?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

Answered together with Question No. 408 of 2008.

ORAL

NO. 408 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – FULL-TIME EMPLOYMENT

Can Government provide the figure for full-time employment in respect of table 12 of the October 2007 Employment Survey Report showing the breakdown by industry, sex and nationality?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

The statistical information that is required by the hon Member is set out in the schedule that is now handed to him.

Answer to Question 408/2008

Answer to Question 407/2008:

Part-Time Private Employee Jobs by Industry, Sex and Nationality, October 2006

INDUSTRY	ALL		GIBRALTARIAN		UK BRITISH		MOROCCAN		SPANISH		OTHER EU		OTHER	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
	Shipbuilding	13	0	5	0	1	0	0	0	2	0	5	0	0
Other Manuf.	9	22	4	13	1	0	2	0	2	9	0	0	0	0
Elec/Wtr Supply	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction	31	38	10	19	9	10	2	0	9	6	0	3	1	0
Whsle/Retail Tr.	104	423	49	261	11	61	11	6	28	78	1	3	4	14
Hotels/Restmts.	91	222	19	30	33	78	9	13	25	92	5	8	0	1
Trans/Comm.	44	58	17	34	15	12	1	2	10	9	1	1	0	0
Fin. Intermed.	27	210	11	148	12	44	0	3	1	8	2	5	1	2
Real Est./Bus.Ac.	379	338	344	255	17	20	6	5	7	51	3	5	2	2
Public Admin.	2	22	1	21	1	0	0	0	0	1	0	0	0	0
Education	6	48	5	33	0	8	0	0	0	5	1	1	0	1
Health/Social Wk.	3	69	3	44	0	16	0	0	0	8	0	1	0	0
Other Services	52	197	27	66	11	46	6	11	4	64	3	10	1	0
TOTAL	761	1647	495	924	111	295	37	40	88	331	21	37	9	20

Cont'd

CONT'D ANSWER TO QUESTION 408/2008

Answer to Question 408/2008:

Full-Time Private Employee Jobs by Industry, Sex and Nationality, October 2007

INDUSTRY	ALL		GIBALTARIAN		UK BRITISH		MOROCCAN		SPANISH		OTHER EU		OTHER	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shipbuilding	195	6	77	5	29	1	14	0	51	0	15	0	9	0
Other Manuf.	134	46	52	32	9	7	16	1	55	4	1	2	1	0
Elec/Wtr Supply	273	22	235	20	19	2	6	0	10	0	1	0	2	0
Construction	2059	112	424	40	405	34	148	2	652	31	404	5	26	0
Wholesale/Retail Tr.	1442	811	673	380	176	127	135	5	351	250	36	33	71	16
Hotels/Restmnts.	444	348	78	47	73	88	113	38	120	147	34	21	26	7
Trans/Comm.	686	195	428	137	96	25	39	1	107	24	11	6	5	2
Fin. Intermed.	704	925	351	580	198	237	0	1	33	37	91	48	31	22
Real Est./Bus.Ac.	1002	678	442	358	246	139	40	10	131	140	127	18	16	13
Public Admin.	7	57	3	42	2	12	0	0	0	2	0	0	2	1
Education	123	397	75	198	18	58	3	4	24	131	1	4	2	2
Health/Social Wk.	1404	749	376	171	599	316	33	3	92	84	185	115	119	60
Other Services	124	78	107	75	9	3	6	0	1	0	1	0	0	0
TOTAL	8,597	4,424	3,321	2,085	1,879	1,049	553	65	1,627	850	907	252	310	123

SUPPLEMENTARY TO QUESTION NOS. 407 AND 408 OF 2008

HON J J BOSSANO:

If I can draw the attention of the Chief Minister to the line on construction workers, which shows that there were in October of last year 652 male and 31 female Spanish workers employed in the construction industry. I note that from the answer that he has now given me to Question No. 406, at the same time there were 629 detached Spanish workers in the construction industry. In fact, the 474 is just in ship building. Apparently in October, there were 1,400 of these detached workers and the Chief Minister is saying that in the construction industry none of the 629 are in the 652. Is that the position?

HON CHIEF MINISTER:

Well, it may be that in this case the employers are not as clear in their minds as in the ship building case. I cannot, on my feet and without notice of the question, tell the hon Member whether there are about, it would have to be just over 1200 employees in all as at that date in the construction industry. It seems a little high.

HON J J BOSSANO:

Of one nationality alone.

HON CHIEF MINISTER:

Of one nationality alone. I think, in this case, the anecdotal evidence, which we will certainly check and confirm to him, in this instance the anecdotal evidence is that there may be detached workers being reported by employers in their employer survey report as normal workers. Just as the anecdotal evidence in the other case was the opposite, in this case the anecdotal evidence I would agree, would indicate that employers submitting their survey forms are including detached workers in their survey forms as normal workers.

HON J J BOSSANO:

Would the Government not agree then that in order to be confident of interpreting this information correctly, which is the purpose of asking for it, one would need to know whether we are talking about there being over 1,250 Spanish workers in the construction industry in October, or half that figure.

HON CHIEF MINISTER:

If the hon Member wants to know how many actual people there were in employment by nationality in a certain industry as at that date, he would need that clarification to know. I will provide that clarification to him.

ORAL

NO. 409 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – FULL-TIME EMPLOYMENT IN THE GIBRALTAR GOVERNMENT

Can Government provide the figure for full-time employment in the Gibraltar Government in respect of table 11 of the October 2007 Employment Survey Report showing the breakdown by industry, sex and nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

Answered together with Question Nos. 410 to 412 of 2008.

ORAL

NO. 410 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – PART-TIME EMPLOYMENT IN THE GIBRALTAR GOVERNMENT

Can Government provide the figure for part-time employment in the Gibraltar Government in respect of table 11 of the October 2007 Employment Survey Report showing the breakdown by industry, sex and nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

Answered together with Question Nos. 409, 411 and 412 of 2008.

ORAL

NO. 411 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – FULL-TIME EMPLOYMENT IN THE MOD

Can Government provide the figure for the full-time employment in the MOD in respect of table 11 of the October 2007 Employment Survey Report showing the breakdown by industry, sex and nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

Answered together with Question Nos. 409, 410 and 412 of 2008.

ORAL

NO. 412 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – PART-TIME EMPLOYMENT IN THE MOD

Can Government provide the figure for the part-time employment in the MOD in respect of table 11 of the October 2007 Employment Survey Report showing the breakdown by industry, sex and nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

The statistical information that is requested by the hon Member is set out in the schedule which is now handed to him.

Answer to Question 412

Answer to Question 409/2008:

Full-Time Gibraltar Government Employee Jobs by Industry, Sex and Nationality, October 2007

INDUSTRY	ALL		GIBRALTARIAN		UK BRITISH		MOROCCAN		SPANISH		OTHER EU		OTHER	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shipbuilding	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Manuf.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Elec/Wtr Supply	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction	247	17	223	17	6	0	18	0	0	0	0	0	0	0
Whsle/Retail Tr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hotels/Restmts.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Trans/Comm.	91	23	82	22	8	1	0	0	0	0	1	0	0	0
Fin. Intermed.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Real Est/Bus.Ac.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Admin.	660	295	621	284	28	11	5	0	1	0	4	0	1	0
Education	191	352	183	337	6	12	2	1	0	0	0	1	0	1
Health/Social Wk.	322	493	230	332	67	131	5	0	20	26	0	4	0	0
Other Services	28	14	26	14	2	0	0	0	0	0	0	0	0	0
TOTAL	1,539	1,194	1,365	1,006	117	155	30	1	21	26	5	5	1	1

Cont....

CONT'D ANSWER TO QUESTION 412/2008

Answer to Question 410/2008:

Part -Time Gibraltar Government Employee Jobs by Industry, Sex and Nationality, October 2007

INDUSTRY	ALL		GIBRALTARIAN		UK BRITISH		MOROCCAN		SPANISH		OTHER EU		OTHER	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shipbuilding	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Manuf.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ElecWtr Supply	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction	0	1	0	1	0	0	0	0	0	0	0	0	0	0
Whsle/Retail Tr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hotels/Restmnts.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Trans/Comm.	0	3	0	3	0	0	0	0	0	0	0	0	0	0
Fin. Intermed.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Real Est./Bus.Ac.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Admin.	0	25	0	25	0	0	0	0	0	0	0	0	0	0
Education	2	185	1	181	1	4	0	0	0	0	0	0	0	0
Health/Social Wk.	8	132	4	89	3	27	0	1	1	14	0	1	0	0
Other Services	0	3	0	3	0	0	0	0	0	0	0	0	0	0
TOTAL	10	349	5	302	4	31	0	1	1	14	0	1	0	0

Cont....

CONT'D ANSWER TO QUESTION 412/2008

Answer to Question 411/2008:

Full-Time MOD Employee Jobs by Industry, Sex and Nationality, October 2007

INDUSTRY	ALL		GIBRALTARIAN		UK BRITISH		MOROCCAN		SPANISH		OTHER EU		OTHER	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Public Admin.	670	266	605	248	13	10	44	5	7	2	0	0	1	1
TOTAL	670	266	605	248	13	10	44	5	7	2	0	0	1	1

Cont'd

CONT'D ANSWER TO QUESTION 412/2008

Answer to Question 412/2008:

Part-Time MOD Employee Jobs by Industry, Sex and Nationality, October 2007

INDUSTRY	ALL		GIBRALTARIAN		UK BRITISH		MOROCCAN		SPANISH		OTHER EU		OTHER	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Public Admin.	17	90	17	82	0	6	0	0	0	2	0	0	0	0
TOTAL	17	90	17	82	0	6	0	0	0	2	0	0	0	0

ORAL

NO. 413 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – INDUSTRIAL CLASSIFICATION

Can Government list the public sector entities and Government owned and joint venture companies that are included in the October 2007 Employment Survey Report showing the industrial classification?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

Answered together with Question No. 414 of 2008.

ORAL

NO. 414 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – COMPLETED RETURNS BY INDUSTRY

Can Government provide the breakdown by industry in respect of the 1317 employers who made completed returns in respect of the October 2007 Employment Survey?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

The statistical information that is requested by the hon Member is set out in the schedule which is being handed to him.

Answer to Question 414/2008

Answer to Question 413/2008:

Public Sector Entities

Elderly Care Agency
Europa Incinerator Company Ltd
Gibtelecom
Gibraltar Broadcasting Corporation
Gibraltar Bus Company Ltd
Gibraltar Community Care Ltd
Gibraltar Community Projects Ltd
Gibraltar Development Corporation
Gibraltar Electricity Authority
Gibraltar Industrial Cleaners Ltd
Gibraltar Regulatory Authority
GJBS Ltd
GRP Investments Company Ltd
KIJY Parking Ltd
Office of the Public Service Ombudsman
Social Services Agency
Sports and Leisure Authority

Industry

Health and Social Work
Other Services
Transport and Communication
Other Services
Transport and Communication
Real Estate and Business Activities
Construction
Public Administration and Defence
Electricity and Water Supply
Other Services
Public Administration and Defence
Construction
Real Estate and Business Activities
Real Estate and Business Activities
Real Estate and Business Activities
Health and Social Work
Other Services

Contd.....

CONT'D ANSWER TO QUESTION 414/2008

Answer to Question 414/2008:

<u>Industry Group</u>	<u>Number</u>
Shipbuilding	7
Other Manufacture	31
Electricity and Water Supply	5
Construction	98
Wholesale and Retail Trade	353
Hotels and Restaurants	115
Transport and Telecommunication	93
Financial Intermediation	185
Real Estate and Business Activities	221
Public Administration and Defence	5
Education	13
Health and Social Work	26
Other Services	165
TOTAL	1,317

ORAL

NO. 415 OF 2008

THE HON J J BOSSANO

UNEMPLOYED FEMALE GIBRALTARIANS

Can Government provide a breakdown of the female Gibraltarians who registered as unemployed in June 2008, showing those who had previously been employed listed by occupation and those entering the labour market for the first time?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

The statistical information that is requested by the hon Member is set out in the schedule which is being handed to him.

Answer to Question 415/2008

Registered female Gibraltarians as at June 2008

Gibraltarian Females Registered	134
First Registration	9

	TOTAL	Administrative & Secretarial Occupations	Personal Service Occupations	Sales & Customer Service Occupations
Previously Employed	96	5	83	8

SUPPLEMENTARY TO QUESTION NO. 415 OF 2008

HON J J BOSSANO:

Can the Minister clarify for me, is the 134 figure that he has given me, the people who registered during June or the total including those who were already there in May and were not employed?

HON L MONTIEL:

These, the 134 were registered in June 2008.

HON J J BOSSANO:

Yes, I know that. But I am asking for clarification as to whether registered in June 2008 means that they entered the register in June 2008, or does it include people who were already there from the previous month?

HON L MONTIEL:

Coming from the first time there were nine registrations, coming from previously employed there were 96, the rest, that is, 29, come from having been previously lapsed or returning to work after a long, long break.

HON J J BOSSANO:

I am grateful for that information but that is not actually the question that I put to him. My question was, these are the people who registered during June. That is to say, at the end of May none of these 134 were on the register, is that correct? That is the question.

HON CHIEF MINISTER:

No, the information that has been given, the question has been misunderstood, misread rather than misunderstood, by whoever has put together this answer. It is clear, as indeed appears by the heading of the schedule attached, that the information provided to the hon Member is as at June 2008. Whereas on a more careful reading, the question sought more specific information than that, which is whatever the figure was as at the end of June, what was June's contribution to that figure, put another way. That is not the question that has been answered. We will provide it to him.

HON J J BOSSANO:

Presumably the correct schedule can be substituted for this one at some stage in the proceedings.

HON CHIEF MINISTER:

If the Leader of the Opposition had a particular supplementary we may still be able to answer it despite not having provided it.

HON J J BOSSANO:

I will not know until I see the figures.

HON CHIEF MINISTER:

Alright.

NO. 416 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – BREAKDOWN OF JOBS

Can Government provide a breakdown by gender and nationality of the 842 jobs in the October 2007 and the 575 jobs in the October 2006 Surveys included in table 12 of the respective Employment Survey Reports?

I think there are some words missing there which are reflected in the subsequent questions which is, of course, that these figures, as the Employment Survey Report shows, are the figures of the labour recruitment sub-industry. That is where the figures come from in that report. My question is for a breakdown by gender and nationality of the figures that are there, that for the benefit of the Minister I do not know whether he has realised it, they are the figures in the labour recruitment sub-industry which I thought I had included in my original drafting of the question and that is included in table 12 of the Employment Survey Report for 2006 and 2007.

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

I am advised by the Statistics Office that they have not been able to identify the figure 842 in table 12 of the October survey, nor the figure 575 in table 12 of the October 2006 survey. To answer this question I must seek clarification from the Opposition Member.

SUPPLEMENTARY TO QUESTION NO. 416 OF 2008

HON J J BOSSANO:

The clarification is that they are the figures given in the introduction, the figures given by the Statistics Office in the introduction to the 2007 Survey Report, which identifies an increase in the labour recruitment sub industry from 575 to 842.

HON CHIEF MINISTER:

In this case, just as I conceded in answer to the last question that the answer had misunderstood the question, on this occasion I think the answer has literally correctly interpreted the question and I think the question is incorrectly or ambiguously drafted. It suggests that the figures that he quotes in the question are to be found in the tables. It is now clear from what he said across the floor that what he intended to ask

was, of the figures mentioned in the introductory summary that relate to the statistics covered by table 12, and that is the information that he has now identified and which I imagine can be provided to him.

HON J J BOSSANO:

Well, obviously it can, otherwise they would not have people to highlight it.

HON CHIEF MINISTER:

Yes, they are identified in their summary.

HON J J BOSSANO:

The Employment Survey Report 2007 explains in its introduction that in table 12 there are 842 jobs in that industry. I have not told them that that is where they are but, in fact, I know they are because they told me. Still, I accept that they must have forgotten that they put it there. But let me say that I thought I had in my original drafting included that reference there but it may have got lost. It got a bit jumbled up, the questions when I handed them in.

NO. 417 OF 2008

THE HON J J BOSSANO

EMPLOYMENT – LABOUR RECRUITMENT SUB-INDUSTRY

Can Government state whether the labour recruitment sub-industry has been included in the real estate and other business activities industry prior to the October 2006 survey and if so from which year?

ANSWER

**THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL
RELATIONS**

The Government can confirm that the labour recruitment sub-industry has been included in the real estate and other business activities since October 1998.

ORAL

NO. 418 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – BREAKDOWN OF EMPLOYERS MAKING RETURNS

Can Government give a breakdown of the 1,317 employers making a return with employees in respect of the October 2007 Employment Survey showing (a) how many employers made a return with employees in October 2006; (b) how many made a nil return in October 2006; and (c) how many made no return in October 2006?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

Of the 1,317 employers who made a return with employees in October 2007, 1,089 submitted a return with employees in October 2006; 33 made a nil return in October 2006 and five made no return in October 2006.

NO. 419 OF 2008

THE HON J J BOSSANO

EMPLOYMENT SURVEY REPORT – BREAKDOWN OF EMPLOYERS WITH NIL RETURN

Can Government give a breakdown of the 541 employers who made a nil return in respect of the October 2007 Employment Survey showing how many of these (a) made a nil return in October 2006; (b) made no return in October 2006; (c) made a return with employees in October 2006 showing the total number of employees involved?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

Of the 541 employers who made a nil return in October 2007, 340 submitted a nil return in October 2006; two made no return in October 2006 and 88 made a return in October 2006 and employed 272 employees.

SUPPLEMENTARY TO QUESTION NO. 419 OF 2008

HON J J BOSSANO:

So in fact, what the Minister is saying is that in the 12 months between October 2006 and October 2007, 88 employers ceased employing people and 272 jobs in respect of those 88 employers were lost? That is the implication then.

HON L MONTIEL:

Yes, well that is why I always give the proviso of the returns.

HON J J BOSSANO:

But the question is about people who have made returns. So we have 88 people who made returns in 2006 who also made returns in 2007.

HON L MONTIEL:

Yes.

HON J J BOSSANO:

In 2006 they employed 272 and in 2007 they employed nobody, that is the answer he has given me. He agrees or not?

HON L MONTIEL:

I presume so. I must agree with the figures that have been provided by the Statistics Officer.

MR SPEAKER:

Before the hon Member moves the adjournment, I understand the Hon Fabian Picardo wishes to seek clarification of a response to Question No. 419.

HON F R PICARDO:

Mr Speaker, thank you, yes. In the absence of the Leader of the Opposition, as the Minister for Employment knows, he has asked me to refer the House to the answer already provided by the Minister to Question No. 419 of 2008. That question asked whether the Government could give a breakdown of the 541 employees who made a nil return in respect of the Government's 2007 Employment Survey, showing how many of these made a nil return in October 2006, made no return in October 2006 or made a return with employees in October 2006, showing the total number of employees involved. The answer appears to be inaccurate, given that the breakdown requested refers to 380 employers having provided some answers and two having provided some other answers, but the total adds up only to 430 and there was a discrepancy of 101. The Leader of the Opposition asked me to refer that to the House and to ask the Minister whether he could clarify the answer?

HON L MONTIEL:

Yes, I have had time to look at these answers and the hon Member is quite right in saying that the figures do not add up. That is because there are various things happening in the returns. One is, for example, that the employers, new employers may have put in a return with a nil return, and there could be a case of new employers ceasing to trade in that name, trading in another name but retaining the employment numbers. That is the explanation that I have received from the Employment Service.

HON F R PICARDO:

So it is that there are no records in respect of that 101?

HON L MONTIEL:

No.

HON F R PICARDO:

No identifiable records.

HON L MONTIEL:

No identifiable records but it is explained in the manner that I have answered.

HON F R PICARDO:

Obliged.

MR SPEAKER:

It is 111 actually.

NO. 420 OF 2008

THE HON J J BOSSANO

INDUSTRIAL TRIBUNAL – COMPLAINTS

Can Government state since the provision for complaints to the Industrial Tribunal was introduced in respect of complaints of discriminatory treatment on the grounds of sex, how many such complaints have there been, if any, and specify the dates when each such complaint was lodged?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS

I am informed by the secretary to the Industrial Tribunal that nine complaints of discriminatory treatment on grounds of sex are recorded with dates as follows:

7th October 1999;
22nd July 2002;
9th September 2002;
3rd July 2003;
29th October 2003;
30th October 2003;
13th February 2008;
20th March 2008; and
2nd July 2008

SUPPLEMENTARY TO QUESTION NO. 420 OF 2008

HON J J BOSSANO:

So, some of these xxx the coming into effect of the new legislation requiring equal treatment, so presumably, it was not as a result of the introduction of a provision which extended the function of the industrial tribunal to complaints of discriminatory treatment on grounds of sex.

HON CHIEF MINISTER:

Yes, I do not recall the exact date when that legislation was introduced but I think it was after 1999, for example.

HON J J BOSSANO:

2004.

HON CHIEF MINISTER:

Exactly. I suppose it is on the grounds, I am only speculating, that even before the new legislation, discriminatory treatment on the grounds of sex could be alleged to be grounds for unfair dismissal, as a matter of argument, whereas the legislation made it specific and not a matter of legal argument.

ORAL

NO. 421 OF 2008

THE HON S E LINARES

MOORISH CASTLE PRISON – CAPACITY

Can Government state what the current capacity at the Moorish Castle prison is?

ANSWER

THE HON THE MINISTER FOR JUSTICE

Answered together with Question Nos. 422 and 423 of 2008.

ORAL

NO. 422 OF 2008

THE HON S E LINARES

NEW PRISON

Can Government state what will be the capacity of the new prison?

ANSWER

THE HON THE MINISTER FOR JUSTICE

Answered together with Question Nos. 421 and 423 of 2008.

ORAL

NO. 423 OF 2008

THE HON S E LINARES

NEW PRISON

Can Government state when the new Prison will be ready for prisoners to be transferred from the old prison at Moorish Castle to the new one being built?

ANSWER

THE HON THE MINISTER FOR JUSTICE

The current capacity at Moorish Castle prison is of 69 inmates. The new prison will initially accommodate a total of 76 inmates housed in the ground and first floor of the prison. The capacity can be increased to 98 in the future by the internal development of part of the second floor which has been earmarked for future expansion if justified by demand. The Government expect the new prison to be ready for prisoners to be transferred by 31st July 2009.

NO. 424 OF 2008

THE HON S E LINARES

MOORISH CASTLE PRISON – REHABILITATION PROGRAMMES AND COURSES FOR INMATES

Can Government state whether any rehabilitation programmes or educational courses are offered or given to inmates at the HM prison?

ANSWER

THE HON THE MINISTER FOR JUSTICE

Every convicted prisoner has his sentence carefully managed throughout the prison term. This involves regular meetings held with the probation officer, the prison chief officer and representatives from the various prison departments, such as works and education. Prisoners are interviewed and potential behavioural targets are identified and set by the interviewing team. These targets may include recommendations to establish or maintain contact with family members, making use of available programmes such as drugs testing or educational classes and give thought to the root cause of their offending behaviour. The probation officer thereafter holds regular sessions with prisoners to assess their progress throughout their sentence. All this is done with a view to attempt to address the prisoner's offending behaviour and achieve a successful re-integration into society. In respect to education, a tutor is contracted to impart lessons to prisoners three evenings a week, six hours in total. Subjects taught include numeracy, literacy, English, Spanish, French and information technology. The prison works section also offers prisoners the opportunity to get experience in various trades. This usually consists of on-the-job training involving on-going maintenance to the prison infrastructure and typically include painting, plastering, masonry, welding and carpentry. The prison also holds weekly narcotics anonymous meetings every Thursday. Various members of this organisation attend and hold sessions with the prisoners. A general counsellor is also available who attends, as required, to offer inmates one to one counselling. The prison also offers incentive based schemes including voluntary drugs testing. Prisoners are encouraged to take part in such programmes and may earn extra privileges as a reward.

SUPPLEMENTARY TO QUESTION NO. 424 OF 2008

HON S E LINARES:

Can the Minister state when all this started?

HON D A FEETHAM:

I cannot give a precise date as to when all this started but this has been on-going for some time, that is my understanding.

HON S E LINARES:

Can the Minister give us an indication of what he means by some time? Years, months?

HON CHIEF MINISTER:

Different parts of this will have been going for different periods of time, would have started at different times. This is a holistic regime, it did not all start at the same time.

HON S E LINARES:

Can the Chief Minister then state when the first one started?

HON CHIEF MINISTER:

Which is the first one?

HON S E LINARES:

The Chief Minister should know, he is the one who implemented it.

HON CHIEF MINISTER:

Which is the first one?

HON S E LINARES:

If the Chief Minister does not understand what the first one is, he should go back to school and learn what the first one means. The first one means, the Minister for Justice has just given us a whole array of things that they do with inmates, and in that whole array of things that he does with inmates I have asked when did all this start. He has just answered a few years, well some time back. I wanted to know exactly how long. Now the Chief Minister has got up and said that it was holistic, that it was not holistic that it was different times. Well, when did the first one of the list that the Minister has mentioned start?

HON CHIEF MINISTER:

Well, the first item on the list, ignoring the hon Member's absurd descent into the discourtesy that can only bring him, anybody who thinks that in an exchange between him and me it is appropriate for him to suggest that I might need to go back to school.....

HON S E LINARES:

Like the Chief Minister has done many times in this House to me.

MR SPEAKER:

Order, Order.

HON CHIEF MINISTER:

Can only bring him into disrepute. Now, the first thing that the Minister for Justice mentioned in his list is that every prisoner has his sentence carefully managed throughout the prison term. I cannot tell the hon Member when that started, I assume that prisoners were having their sentences carefully managed even when the GSLP was in Government.

HON S E LINARES:

I could go through every one and when the second and third one started, he still has not answered the question as in when did this start. I say this because the last time I asked this question in this House the answer that the Minister then gave me was that there were none, no programmes, no educational courses. That is why I have repeated the question.

HON D A FEETHAM:

That is simply not the case. I have gone through every single question that has been asked on rehabilitation going back to 2000 and he simply has not asked that question. He is wrong.

HON CHIEF MINISTER:

There will be a motion censoring him put down.

HON S E LINARES:

Good.

HON CHIEF MINISTER:

For misleading this House. So he had better be right and the Hon Minister better be wrong.

HON S E LINARES:

The school teacher is telling me off, yes Sir.

HON CHIEF MINISTER:

At least we have established who it is that needs to go back to school. I have not not answered his supplementary. His supplementary, after he had finished being rude to me, was can he tell me when the first item on the list started, to which I said the first item on the list is that prisoners have their sentence carefully managed throughout their prison term and that I do not know when it started. That is an answer to his question so his question has been answered not not answered. The answer is we do not know when the first item on the list started.

HON S E LINARES:

Probably the drawback about the GSLP as well.

MR SPEAKER:

Order, next question.

NO. 425 OF 2008

THE HON S E LINARES

PRISON BOARD'S ANNUAL REPORT

Can Government state whether the prison board's annual report has been made public before the last one of 2007 which was tabled in this House and if so where can the Opposition obtain copies of the said reports?

ANSWER

THE HON THE MINISTER FOR JUSTICE

The first annual prison report to be made public by any Government since the Prison Act was introduced in 1986 was the 2007 Report.

SUPPLEMENTARY TO QUESTION NO. 425 OF 2008

HON S E LINARES:

Can the Minister state whether there are other reports, although not tabled in this House, made public previous to the 2007?

HON D A FEETHAM:

Yes, there are other reports that have not been tabled before this House.

HON S E LINARES:

Then in answer to the second part of the question, can the Minister state whether copies of these reports which have not been made public can now be made public or given to the Opposition?

HON CHIEF MINISTER:

The view has been taken in the past by all Governments, including this Government although not consciously, what we did was simply to continue the established practice, but going back to the enactment in 1986 of the Prison Act, there has been a statutory obligation for the production of an annual prison board report. Those reports have been produced and they exist. In the past and going back many years,

and I think it pre-dates the hon Members when they were in Government because we are talking about 1986, the view was taken, continued by us, but I believe erroneously taken initially, that these reports did not require to be tabled in the House. We have discovered this year that, I think, in fact it was the Minister for Justice who discovered it this year, that in his view the Act clearly on his interpretation requires the report, not only to be produced but indeed to be tabled. In the past, going back all the way to 1986, they were produced but not tabled. So the only change this year is that the report that was produced has been tabled, and although they would be reports in the main or in part for years that we were not in office, we are perfectly content to fish them all out from the archives and table them as a bunch going back to 1986. But certainly, the Minister's view, remember this is an area where this is the first time that all aspects of the prison come under a Ministry, the Minister has formed the view that these reports clearly need tabling. I agree with the view that he has formed on the reading of the Act and that will be the practice from now. If the hon Members would like us to table as many of the historical annual reports as we can trace, we are happy to do so.

HON D A FEETHAM:

May I just add to that, that in fact the obligation to produce a report by the prison board is to produce a report to the Governor, that is under the section. The subsection says all reports should be laid before Parliament. What I suspect has happened prior to this year is that taking into account the constitutional context and the over arching responsibilities of the Governor, taking into account as well that they were ex-officio Members of the House, to which the Governor may well have asked the Attorney General to lay before Parliament, it was not thought to be a ministerial responsibility. Now, bearing in mind the new Constitution and bearing in mind as well that the Government intends to change the Prison Act so that these responsibilities are responsibilities for the Minister responsible for prisons, I felt that it was appropriate in that context for the report to be laid this year and for subsequent years.

HON CHIEF MINISTER:

Would the hon Members indicate whether they would like us to remedy this historically going back to 1986? It is really their call.

HON J J BOSSANO:

I think we will get back to the Government when we know what is involved with these reports. We thought this was something new that was being introduced for the first time, when we saw the 2007 report.

ORAL

NO. 426 OF 2008

THE HON S E LINARES

GHA – SCHOOL OF HEALTH COURSES

Can Government state how many students attended courses in the School of Health in the years 2004, 2005, 2006, 2007 to date giving a breakdown by year of intake and relevant course?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

The information requested by the hon Member is contained in the schedule that is now handed to him.

Answer to Question 426 of 2008

Details of the courses and the students attending the School of Health Studies in the years 2004, 2005, 2006, 2007 are as follows:-

2004:

DipHE (Nursing) Sept 2002 intake x 12
Enrolled Nurse training June 2003 intake x 8
Enrolled Nurse Conversion Course intake May 2004 x 7
DipHE (Nursing) Sept 2004 intake x 10

2005:

DipHE (Nursing) Sept 2002 intake x 12 – complete Aug 2005
Enrolled Nurse training June 2003 intake x 8 – complete June 2005
Enrolled Nurse Conversion Course intake May 2004 x 7
DipHE(Nursing) Sept 2004 intake x 8 (2 students – AS & KG – left the course)

2006:

Enrolled Nurse Conversion Course intake May 2004 x 7 – complete May 2006
DipHE(Nursing) Sept 2004 intake x 6 (2 students – SC & TW – left the course)
DipHE(Nursing) Sept 2006 intake x 13

2007:

DipHE(Nursing) Sept 2004 intake x 6 – complete Aug 2007
DipHE(Nursing) Sept 2006 intake x 11 (2 students – LC & SR – left the course)

2008:

DipHE(Nursing) Sept 2006 intake x 11
DipHE(Nursing) Sept 2008 intake x 11

ORAL

NO. 427 OF 2008

THE HON N F COSTA

GHA – CANCELLED OPERATIONS

Can Government list the dates between January to August 2008, on a monthly basis, in respect of which operations at St Bernard's Hospital needed to be cancelled and state the reason why in each case?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

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

Answer to Question 427 of 2008

Cancellations March 2008

Reasons for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/Minor Ops	Oral Surgery	Pain Relief	Plastics	Total
Medical	1	2		1					3
Bed availability				2	2		1		1
Per patient	2	1			1				8
Wrongly scheduled				1					1
No longer required		1				3	6		2
No show					1				10
Consultant sick									
Out of theatre time									
No records									
No clinician									
Ref to UK									
No equipment	3	4	-	4	4	3	7		25
Total									

Cancellations April 2008

Reasons for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/Minor Ops	Oral Surgery	Pain Relief	Plastics	Total
Medical			1	3	4		4		12
Bed availability		1	1	6	2				10
Per patient		5	4	1	2		1		13
Wrongly scheduled									
No longer required		1							1
No show			2		2	2	3		9
Consultant sick									
Out of theatre time									
No records									
No clinician									
Ref to UK									
No equipment		7	8	11	10	2	8		1
Total	-								46

Continued Answer to Question 427 of 2008

Cancellations July 2008

Reasons for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/Minor Ops	Oral Surgery	Pain Relief	Plastics	Total
Medical	1			4	2	1	3		12
Bed availability		1		1	3				4
Per patient			1				3		4
Wrongly scheduled									
No longer required			1	1			1		3
No show			1		1		3		5
Consultant sick									
Out of theatre time	1				1				2
No records									
No clinician									
Ref to UK									
No equipment						1			
Total	2	1	3	6	7	1	10		30

Cancellations August 2008

Reasons for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/Minor Ops	Oral Surgery	Pain Relief	Plastics	Total
Medical	1			1	1		1		4
Bed availability									
Per patient			1		1				2
Wrongly scheduled									
No longer required				1					1
No show		1	2		1		6	1	11
Consultant sick									
Out of theatre time					1				1
No records									
No clinician									
Ref to UK									
No equipment									
Total	1	1	3	2	4	-	7	1	19

Continued Answer to Question 427 of 2008

Cancellations May 2008

Reasons for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/Minor Ops	Oral Surgery	Pain Relief	Plastics	Total
Medical			3	1		2			6
Bed availability									
Per patient		2		1	4		3		10
Wrongly scheduled							1		1
No longer required				1	5	1	1		8
No show									
Consultant sick					1				1
Out of theatre time									
No records			1						1
No clinician							7		7
Ref to UK									
No equipment		2							
Total	-	2	4	3	10	3	12		34

Cancellations June 2008

Reasons for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/Minor Ops	Oral Surgery	Pain Relief	Plastics	Total
Medical	1				2			1	7
Bed availability		1							
Per patient		1	1	1	1		1		5
Wrongly scheduled									
No longer required									
No show				1		2			3
Consultant sick						7			7
Out of theatre time					1				1
No records									
No clinician									
Ref to UK								1	1
No equipment	1	2	1	4	4	9	1	2	24
Total	1	2	1	4	4	9	1	2	24

ORAL

NO. 428 OF 2008

THE HON N F COSTA

GHA – MRSA INFECTION

Can Government state whether any cases of MRSA infection were detected at St Bernard's Hospital on a monthly basis, between March 2008 to date and whether any were fatal, providing a breakdown by patients and members of staff?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

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

Answer to Question 428 of 2008

	Mar 08	Apr 08	May 08	Jun 08	Jul 08	Aug 08	TOTAL
Patients	1	4	2	4	0	1	12
Staff	0	0	0	0	0	0	0

There was no fatality due to MRSA in this period.

NO. 429 OF 2008

THE HON N F COSTA

GHA – CANCER OF THE CERVIX VACCINE

Can Government confirm that population immunisation in respect of the vaccine for girls that reduces the risk of cancer of the cervix has now been introduced?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

As I announced in this year's Budget speech, Government have taken on board the GHA's recommendations in this regard. Government have funded a programme for vaccination for all girls aged 12 to 17 inclusive. The programme is due, coincidentally, to commence today.

SUPPLEMENTARY TO QUESTION NO. 429 OF 2008

HON N F COSTA:

Could the Minister tell us what notifications have been made to the population so that they were aware that this service is now available in the GHA?

HON MRS Y DEL AGUA:

I think that publicity has been given in the press by the health promotion team and all the schools, obviously, because this entails children of school age, have been notified. In fact, everything is in process and the first batch of vaccinations commences today.

ORAL

NO. 430 OF 2008

THE HON N F COSTA

GHA – PERMANENT AND PENSIONABLE VACANCIES

Can the Minister for Health say how many permanent and pensionable posts in the GHA are currently vacant and which ones they are?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

Answered together with Question Nos. 431 to 433 of 2008.

ORAL

NO. 431 OF 2008

THE HON N F COSTA

GHA – TOTAL NUMBER OF PERSONS EMPLOYED

What is the total number of persons employed by the Gibraltar Health Authority as on 1 September 2008, with a breakdown by post and by nationality?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

Answered together with Question Nos. 430, 432 and 433 of 2008.

ORAL

NO. 432 OF 2008

THE HON N F COSTA

GHA – PERMANENT AND PENSIONABLE POSTS

Can the Minister for Health say how many persons in permanent and pensionable posts are currently employed by the GHA with a breakdown by post and nationality?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

Answered together with Question Nos. 430, 431 and 433 of 2008.

ORAL

NO. 433 OF 2008

THE HON N F COSTA

GHA – FIXED-TERM RENEWABLE CONTRACTS

Can the Minister for Health say how many persons on fixed-term renewable contracts are currently employed by the GHA, with a breakdown by post and by nationality?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

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

Answer to Question 433

Answer to Question 430

The following are the current vacancies within the established complement:

Grade	
Nurse Lecturer	1
Nurse Practitioner	0.5
Charge Nurses	2.5
Nurse Specialist (Adult)	1
Nurse Specialist (Paeds)	1
TSSU/CSSD Technicians	2
Enrolled Nurses	5
Nursing Assistants	1
Physiotherapist Sen II	1
Radiographers Sen I	2
Clinical Pharmacist	1
Optometrist	1
Domestics	2
Stores Assistant	1
Asst Linen Supervisor	1
Craftsman	1
Asst Catering Director	1
Blood Bank Manager	1
Senior Donor Carer	1.5
Quality Manager	1
Pathology Production Assistant	1
Window Cleaner	1
Housekeeper	1

Cont.....

Continued Answer to Question 433

Answer to Question 431

Medical Grades:

GRADE	No. of Officers	NATIONALITY
Director of Public Health 1	1	British
Consultants 27	5 3 3 2 2 1 2 1 5 1 1 1	British British/Gib Swedish Slovakian Polish Italian German French Spanish Irish South African Indian
Clinical Psychologist 2	1 1	British British/Gib
Counsellor 1	1	British
NCHD 17	2 1 1 1 1 1 4 5 1	British Dutch Indian German Canadian Irish Spanish Pakistani American
General Practitioner 17	7 3 4 1 1 1	British British/Gib Spanish Irish Indian Maltese
Associate Specialist 1	1	British/Gib
Senior Dental Officer 3	1 2	British British/Gib
Dental Officer 2	2	British/Gib
Superintendent Physiotherapist 1	1	British/Gib
Senior Physiotherapist II 4	1 3	British British/Gib
Senior Physiotherapist I 4	2 1 1	British British/Gib American
Junior Physiotherapist 1	1	British/Gib
Technical Instructor Grade II 1	1	British/Gib
Physiotherapist Helper 1	1	British/Gib
Superintendent Occupational Therapist 1	1	British/Gib
Occupational Therapist II 6	4 2	British British/Gib
Occupational Therapist I 5	4 1	British British/Gib
Technical Instructor Grade III 1	1	British/Gib
Public Analyst 1	1	British/Gib

Contd.....

Continued Answer to Question 433

Continued Answer to Question 431

Pathology Services Manager 1	1	British/Gib
SMLSO 6	1	British
	5	British/Gib
MLSO 2	2	British/Gib
JMLSO 7	6	British/Gib
	1	Russian
Head Pharmacist 1	1	British/Gib
Pharmacist 2	2	British/Gib
Ward Pharmacist 1	1	British/Gib
Radiographer Services Manager District I 1	1	British/Gib
Senior Radiographer/Mammographer 1	1	Austrian
Senior Radiographer II 2	2	British/Gib
Senior Radiographer I 4	2	British
	2	British/Gib
Radiographer Helper 1	1	British
Head Speech & Language Therapist 1	1	British/Gib
Speech & Language Therapist 3	2	British
	1	British/Gib
Emergency Medical Technician 22	6	British
	15	British/Gib
	1	Norwegian
Advanced Ambulance Care Assistant 1	1	British
Ambulance Care Assistant 8	1	British
	7	British/Gib
Specialist Dietician 1	1	British/Gib
Dietician Senior I 2	1	British
	1	British/Gib
Senior Mental Welfare Officer 1	1	British/Gib
Mental Welfare Officer 1	1	British/Gib
Health Promotion Officer 1	1	British
Orthoptist Senior I 2	2	British/Gib
Head of Optometry 1	1	British/Gib
Optometrist 1	1	British
Medical Librarian 1	1	British

Contd.....

Continued Answer to Question 433

Continued Answer to Question 431

Nursing Grades:

GRADE	No. of Officers	NATIONALITY
Director of Nursing and Patient Services 1	1	British
Deputy Director of Nursing Services 1	1	British/Gib
Deputy Director of Mental Health Services 1	1	New Zealand
Clinical Nurse Managers 7	7	British/Gib
Senior Nurse Tutor 1	1	British/Gib
Nurse Lecturer 1	1	British
Nurse Practitioner 3	3	British
Charge Nurse 34	7	British
	25	British/Gib
	1	Ireland
	1	Malaysian
Staff Nurse 119	27	British
	64	British/Gib
	26	Spanish
	1	German
	1	Polish
Registered Mental Nurse 14	14	British
Registered Sick Children's Nurse 6	6	British
Midwife 13	5	British
	7	British/Gib
	1	Spanish
Operating Department Practitioner 6	5	British
	1	Spanish
TSSU/CSSD Manager 1	1	British/Gib
TSSI/CSSD Technician 5	5	British/Gib
Senior Enrolled Nurse 5	5	British/Gib
Enrolled Nurse 80	2	British
	78	British/Gib
Auxiliary Nurse 8	8	British/Gib
Nursing Assistant 81	2	British
	79	British/Gib

Contd.....

Continued Answer to Question 433

Continued Answer to Question 431

Administrative Grades:

GRADE	No. of Officers	NATIONALITY
Chief Executive 1	1	Irish
Director of Finance/PS to the Minister 1	1	British/Gib
Deputy Chief Executive 1	1	British/Gib
Director of Human Resources 1	1	British
Deputy Director of Operations 1	1	British/Gib
Senior Executive Officer 2	2	British/Gib
Higher Executive Officer 4	4	British/Gib
Executive Officer 10	10	British/Gib
Administrative Officer 52	4	British
	48	British/Gib
GHA Clerk 25	25	British
Junior GHA Clerk 1	1	British
Laboratory Clerk 1	1	British
Deputy Director of IM&T 1	1	British
Information Systems Manager 1	1	British
Senior EHT Officer 3	1	British
	2	British/Gib
Assistant EHT Officer 1	1	British/Gib
Complaints Co-ordinator 1	1	British
Operations Device Officer 1	1	British/Gib
Senior Personal Secretary 1	1	British/Gib
Medical Secretary 4	4	British/Gib
Personal Secretary 9	1	British
	8	British/Gib
Typist 6	2	British
	4	British/Gib
Clerk/Word Processor 2	2	British/Gib
Receptionist 7	2	British
	5	British/Gib
Ward Clerk 8	8	British/Gib
PTO 2	2	British/Gib
Head Porter 1	1	British/Gib
Hospital Attendant 19	1	British
	18	British/Gib
Chief Ambulance Officer 1	1	British/Gib
Station Officer 1	1	British/Gib
Ambulance Call Talker/Dispatcher 1	1	British/Gib
Messenger/Driver 3	3	British/Gib
Catering Director 1	1	British/Gib
Assistant Catering Director 1	1	British/Gib
Stores Supervisor 2	2	British/Gib

Contd.....

Continued Answer to Question 433

Continued Answer to Question 431

Industrial Grades:

GRADE	No. of Officers	NATIONALITY
Domestic 89	11 61 12 3 1 1	British British/Gib Spanish Portuguese Moroccan Brazilian
Domestic (Supply) 20	10 8 1 1	British Spanish Portuguese Moroccan
Labourer 24	10 6 6 2	British British/Gib Spanish Moroccan
Lab Operator Med + Env 1	1	British/Gib
Stores Assistant 1	1	British/Gib
Storeman 1	1	British/Gib
Senior Cook 3	3	British/Gib
Cooks 10	1 7 1 1	British British/Gib Spanish Portuguese
Cooks (Supply) 7	1 3 2 1	British British/Gib Spanish Russian
Linen Supervisor 1	1	British/Gib
Assistant Linen Supervisor 1	1	British/Gib
Seamstress 3	3	British/Gib
Craftsman 8	8	British/Gib

Total Number of Employees – 905

Contd.....

Continued Answer to Question 433

Answer to Question 432

August 2008

GRADE & NO OF OFFICERS ON P & P TERMS		NATIONALITY
Consultant Orthopaedic Surgeon - 1	1	Indian
Consultant Physician - 1	1	British
Consultant Orthodontist - 1	1	Bri-Gibraltarian
Consultant General Surgeon - 1	1	Bri-Gibraltarian
General Practitioners - 15	2	Bri-Gibraltarian
	1	Irish
	4	Spanish
	1	Malta
	7	British
Associate Specialist - 1	1	Bri-Gibraltarian
Senior Dental Officer - 2	2	Bri-Gibraltarian
Dental Officer - 1	1	Bri-Gibraltarian
Superintendent Physiotherapist - 1	1	Bri-Gibraltarian
Senior Physiotherapist I - 4	1	Bri-Gibraltarian
	1	American
	2	British
Senior Physiotherapist II - 1	1	Bri-Gibraltarian
Technical Instructor II - 1	1	Bri-Gibraltarian
Physiotherapist Helper - 1	1	Bri-Gibraltarian
Superintendent Occupational Therapist - 1	1	Bri-Gibraltarian
Occupational Therapist Sen II - 3	2	Bri-Gibraltarian
	1	British
Occupational Therapist I - 2	1	Bri-Gibraltarian
	1	British
Technical Instructor III - 1	1	Bri-Gibraltarian
Public Analyst - 1	1	Bri-Gibraltarian
Pathology Services Manager - 1	1	Bri-Gibraltarian
SMLSO - 5	5	Bri-Gibraltarian
JMLSO - 5	5	Bri-Gibraltarian
Head Pharmacist - 1	1	Bri-Gibraltarian
Pharmacist - 2	2	Bri-Gibraltarian
Ward Pharmacist - 1	1	Bri-Gibraltarian
Radiology Services Manager - 1	1	Bri-Gibraltarian
Senior Radiographer I - 3	2	Bri-Gibraltarian
	1	British
Head Speech & Language Therapist - 1	1	Bri-Gibraltarian
Speech & Language Therapist - 2	1	Bri-Gibraltarian
	1	British
Emergency Medical Technician - 22	15	Bri-Gibraltarian
	6	British
	1	Norway
Advanced Ambulance Care Assistant - 1	1	British
Ambulance Care Assistant - 8	7	Bri-Gibraltarian
	1	British
Specialist Dietitian - 1	1	Bri-Gibraltarian
Dietitian Senior I - 1	1	Bri-Gibraltarian
Senior Mental Welfare Officer - 1	1	Bri-Gibraltarian
Mental Welfare Officer - 1	1	Bri-Gibraltarian
Health Promotion Officer - 1	1	British
Orthoptist Senior I - 1	1	Bri-Gibraltarian
		Contd.....

Continued Answer to Question 433

Continued Answer to Question 432

Head of Optometry - 1	1	Bri-Gibraltarian
Medical Librarian - 1	1	British
Deputy Director of Nursing Services - 1	1	Bri-Gibraltarian
Clinical Nurse Manager - 7	7	Bri-Gibraltarian
Senior Nurse Tutor - 1	1	Bri-Gibraltarian
Charge Nurse - 31	25 4 1 1	Bri-Gibraltarian British Spanish German
Staff Nurse - 75	61 10 3 1	Bri-Gibraltarian British Spanish Poland
Registered Mental Nurse - 2	2	British
Registered Sick Childrens Nurse - 1	1	British
Staff Midwife - 4	3 1	Bri-Gibraltarian British
TSSU/CSSD Manager - 1	1	Bri-Gibraltarian
TSSU-CSSD Technician - 5	5	Bri-Gibraltarian
Senior Enrolled Nurse - 5	5	Bri-Gibraltarian
Enrolled Nurse - 78	77 1	Bri-Gibraltarian British
Auxiliary Nurse - 8	8	Bri-Gibraltarian
Nursing Assistant - 81	79 2	Bri-Gibraltarian British
Director of Finance - 1	1	Bri-Gibraltarian
Deputy Chief Executive - 1	1	Bri-Gibraltarian
Deputy Director of Operations - 1	1	Bri-Gibraltarian
SEO - 2	2	Bri-Gibraltarian
HEO - 4	4	Bri-Gibraltarian
EO - 10	10	Bri-Gibraltarian
Administration Officer - 52	48 4	Bri-Gibraltarian British
GHA Clerks - 11	11	Bri-Gibraltarian
Junior GHA Clerks - 1	1	Bri-Gibraltarian
Lab Clerk - 1	1	Bri-Gibraltarian
Deputy Director of IM & T - 1	1	Bri-Gibraltarian
Information Systems Programmer - 1	1	Bri-Gibraltarian
Senior EHT Officer - 1	1	British
Assistant EHT Officer - 1	1	Bri-Gibraltarian
Senior Personal Secretary - 1	1	Bri-Gibraltarian
Medical Secretary - 4	4	Bri-Gibraltarian
Personal Secretary - 9	9	Bri-Gibraltarian
Typist - 2	2	Bri-Gibraltarian
Clerk / Word Processor - 2	2	Bri-Gibraltarian
Receptionists - 4	4	Bri-Gibraltarian
Ward Clerks - 5	5	Bri-Gibraltarian
Professional Technical Officer - 2	2	Bri-Gibraltarian
Head Porter - 1	1	Bri-Gibraltarian
Hospital Attendant - 19	18 1	Bri-Gibraltarian British
Chief Ambulance - 1	1	Bri-Gibraltarian
		Contd.....

Continued Answer to Question 433

Continued Answer to Question 432

Station Officer - 1	1	Bri-Gibraltarian
Ambulance Call Taker - 1	1	Bri-Gibraltarian
Messenger/Driver - 3	3	Bri-Gibraltarian
Stores Supervisor - 2	2	Bri-Gibraltarian
Domestics - 89	61	Bri-Gibraltarian
	11	British
	12	Spanish
	3	Portuguese
	1	Moroccan
	1	Brazilian
Labourers - 24	16	Bri-Gibraltarian
	6	Spanish
	2	Moroccan
Lab Oper Med & Env - 1	1	Bri-Gibraltarian
Storeman - 1	1	Bri-Gibraltarian
Senior Cook - 3	3	Bri-Gibraltarian
Cooks - 10	7	Bri-Gibraltarian
	1	Moroccan
	1	British
	1	Portuguese
Linen Supervisor - 1	1	Bri-Gibraltarian
Assistant Linen Supervisor - 1	1	Bri-Gibraltarian
Seamstress - 3	3	Bri-Gibraltarian
Craftsman - 8	8	Bri-Gibraltarian

TOTAL: 686

Continued Answer to Question 433

Answer to Question 433

August 2008

GRADE & NO OF OFFICERS ON P & P TERMS		NATIONALITY
Director of Public Health - 1	1	British
General Practitioner - 2	1	Bri-Gibraltarian
	1	Indian
Consultant Anaesthetist - 6	2	Swedish
	1	French
	1	Slovakian
	1	German
	1	British
Consultant Radiologist - 2	1	Slovakian
	1	Italian
Consultant Pathologist - 1	1	Polish
Consultant Orthopaedic Surgeon - 2	1	German
	1	Spanish
Consultant Paediatrician - 2	1	British – Gibraltarian
	1	South African
Consultant General Surgeon - 1	1	British
Consultant Psychiatrist - 3	3	Spanish
Consultant Physician - 3	1	Irish
	1	Polish
	1	Spanish
Consultant Ophthalmologist - 1	1	British
Consultant Gynaecologist - 2	1	Swedish
	1	British
NCHD – A&E - 5	1	Pakistani
	1	German
	1	Irish
	1	Spanish
	1	Dutch
NCHD – Medicine - 5	1	Indian
	2	Spanish
	2	Pakistani
NCHD – O&T - 2	1	British
	1	Pakistani
NCHD – Surgery - 4	1	Canadian
	1	Spanish
	1	British
	1	Pakistani
NCHD – Paeds - 1	1	American
Clinical Psychologist - 2	1	Bri-Gibraltarian
	1	British
Counsellor - 1	1	British
Senior Dental Officer - 1	1	British
Dental Officer - 1	1	Bri-Gibraltarian
Senior Physiotherapist II - 3	2	Bri-Gibraltarian
	1	British
Junior Physiotherapist - 1	1	Bri-Gibraltarian
Occupational Therapist II - 3	3	British
Occupational Therapist I - 3	3	British
		Contd.....

Continued Answer to Question 433**Continued Answer to Question 433**

SMLSO - 1	1	British
MLSO - 2	2	Bri-Gibraltarian
JMLSO - 2	1	Bri-Gibraltarian
	1	Russian
Senior Radiographer/Mammographer I - 1	1	Austrian
Senior Radiographer I - 1	1	British
Senior Radiographer II - 2	2	Bri-Gibraltarian
Radiographer Helper - 1	1	British
Speech & Language - 1	1	British
Dietitian - 1	1	British
Orthoptist Senior I - 1	1	Bri-Gibraltarian
Optometrist - 1	1	British
Director of Nursing & Patient Services - 1	1	British
Deputy Director of Mental Health Services - 1	1	New Zealand
Nurse Lecturer - 1	1	British
Nurse Practitioner - 3	3	British
Charge Nurse - 3	3	British
Staff Nurse - 44	3	Bri-Gibraltarian
	17	British
	23	Spanish
	1	Poland
Registered Mental Nurse - 12	12	British
Registered Sick Childrens Nurse - 5	5	British
Staff Midwife - 9	4	Bri-Gibraltarian
	4	British
	1	Spanish
Operating Department Practitioner - 6	5	British
	1	Spanish
Enrolled Nurse - 2	1	Bri-Gibraltarian
	1	British
Chief Executive - 1	1	Irish
Director of Human Resources - 1	1	British
GHA Clerk - 14	14	Bri-Gibraltarian
Senior EHT Officer - 2	2	Bri-Gibraltarian
Complaints Co-Ordinator - 1	1	Bri-Gibraltarian
Operations Development Officer - 1	1	British
GHA Secretary - 1	1	British
Typist - 3	1	Bri-Gibraltarian
	2	British
Supply Typist - 1	1	Bri-Gibraltarian
Receptionist - 3	1	Bri-Gibraltarian
	2	British
Ward Clerk - 3	3	Bri-Gibraltarian
Catering Director - 1	1	Bri-Gibraltarian
Supply Cook - 7	3	Bri-Gibraltarian
	1	British
	2	Spanish
	1	Russian
Domestic Supply - 20	10	Bri-Gibraltarian
	1	Portuguese
	1	Moroccan
	8	Spanish
Stores Assistant - 1	1	Bri-Gibraltarian

TOTAL: 219

ORAL

NO. 434 OF 2008

THE HON N F COSTA

GHA – RESIDENT OR REGISTERED GIBRALTARIAN STAFF

What percentage of all GHA staff, professional and administrative, employed at St Bernard's Hospital are resident or registered Gibraltarians?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

As at the end of August 2008, 93.3 per cent of the staff employed by the GHA were resident or registered Gibraltarians.

NO. 435 OF 2008

THE HON N F COSTA

GHA – CONDITIONS OF CLINICIANS FROM ABROAD

Can Government confirm whether clinicians from abroad are granted more favourable conditions than resident Gibraltarians, namely, a gratuity of 20% of their salary on termination of their contracts and payment of half of their rents?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

Clinicians recruited from abroad are offered a gratuity equivalent to 25 per cent of their basic salary in lieu of the pension and gratuity paid to permanent and pensionable officers. They may also be offered subsidised housing accommodation. This system is a legacy from the previous administration.

NO. 436 OF 2008

THE HON N F COSTA

GHA – STAFF ON CONTRACT

Can the Minister confirm how long clinicians and other staff who are on contract, who have been promised by management permanent and pensionable posts, have to wait to have their contracts renewed?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

As far as I am aware, management has not promised permanent and pensionable employment to any person on contract. Staff on contract required by the GHA to remain in post have their contracts renewed in a timely manner if so required.

SUPPLEMENTARY TO QUESTION NO. 436 OF 2008

HON N F COSTA:

So, for how long could a person in theory go on with a renewable contract?

HON MRS Y DEL AGUA:

Indefinitely, for as long as is necessary.

HON N F COSTA:

The Minister then is not aware of any concerns and complaints that have been voiced by those members who are on renewable contracts who have expressed their wish to become pensionable, and who have been indicated that it would be but that the time it has taken for that to be reviewed is not one that they would like.

HON CHIEF MINISTER:

It is not what they would like. The Government is the employer and the Government decide on what terms they employ people. I have no doubt that everybody on contract would like to be on permanent and pensionable terms. The Government do not just make decisions on the basis of what interested people would like.

Government employ staff with taxpayers' money on contract, because in the Government's judgement that is how the taxpayer best obtains value for money. Some of these people on contract are the sorts of people that the Opposition Members criticise us for employing, because they are not Gibraltarians. If we were to employ them on permanent and pensionable terms, as the hon Member now suggests, we would not be able to gradually replace them with local people, as and when the local people acquire the necessary skills. So, the Government are not driven by whether people would like or not like to be on permanent and pensionable terms. The Government are driven by whether a particular individual who is on contract, and this does happen across the Civil Service on a number of occasions, the Government are driven by a case by case consideration of whether the taxpayers' interests are served by a particular post holder being made permanent and pensionable. Of course, the hon Member as a lawyer presumably has not overlooked the distinction between permanent and pensionable status in the Civil Service, as against rights to indefinite renewal of contract that may accrue under a recently passed EU Directive. They are different things. One can have, by law, a right to indefinite renewal of contract. I cannot remember the law but I think the law says that after four years of contract renewals, something like that, one is entitled to be regarded as being in indefinite employment. Meaning, indefinite employment that if the employer wants to remove one, he can but then he risks an action. But even that is different to the status of a permanent and pensionable employee in the context of the Civil Service. The second part of my answer is, of course, not called for by his question but I hope he appreciates the clarification that it brings to him.

NO. 437 OF 2008

THE HON N F COSTA

GHA – RADIOLOGIST

Can Government confirm that the post holder of the radiologist position in the GHA has resigned and if so with effect from what date, what was the reason given for the resignation and what was the remaining period of the contract?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

One of the GHA's radiologists has resigned with effect from January 2009. The reason given is that he has taken up alternative employment. The contract offered in October 2007 would have ended in October 2010.

SUPPLEMENTARY TO QUESTION NO. 437 OF 2008

HON J J BOSSANO:

As I understand it, there is a provision in terms of fixed term contracts that the party that terminates the contract early is liable for 50 per cent of the unexpired period. Are the Government requiring the radiologist to pay 50 per cent of the unexpired period of the contract?

HON MRS Y DEL AGUA:

As far as I am aware, one of the requirements for early termination of a contract by either side is the three months notice period. I actually was not aware that the requirement that the Leader of the Opposition has mentioned still exists. I will certainly find out for my own benefit because it obviously interests me to know. I assume that if it is a requirement it will be met. But I need to satisfy myself that that is the case.

HON J J BOSSANO:

I think, from my recollection, the requirement was for fixed contracts on the basis that normally fixed contracts are not terminable by notice before the expiry date. They are obviously terminable with or without notice by mutual agreement. If both sides want to see the contract ended, then normally it supersedes other clauses. But my recollection is that whereas the law provides for a period of notice which depends on

how long the person has been working with an open ended contract, in the case of a fixed contract the requirement is that termination before the due date entitles the other side to the contract to 50 per cent of the wages of the remaining period to have fulfilled the contract. But of course, that does not mean that in this case the contract did not have different conditions, they may have had. I am just referring to what I know to be the standard fixed contract conditions. I take it, therefore, that the premise in the supplementary is that, in fact, the initiative for going has come from the radiologist, that the Government would have been happy to keep him if he had not attempted to finalise.

HON MRS Y DEL AGUA:

That is correct.

ORAL

NO. 438 OF 2008

THE HON N F COSTA

GHA – MANAGEMENT MEETINGS

Can the Minister confirm whether the management of the GHA has regular meetings with the professional and the administrative staff of the GHA so as to allow employees to air any concerns or grievances and if so how frequently do these meetings take place?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

Senior management hold meetings with staff representatives on a monthly basis. Line managers hold meetings with staff in their departments on a very regular basis and as required by either side. Staff who are aggrieved over any issue can access senior management directly after having exhausted the established avenues. That is, after having gone through the line managers.

ORAL

NO. 439 OF 2008

THE HON N F COSTA

GHA – MAMMOGRAPHY CLINIC WAITING TIME

What steps, if any, is the GHA taking to expedite the waiting time in respect of the mammography clinic?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

Answered together with Question No. 440 of 2008.

NO. 440 OF 2008

THE HON N F COSTA

GHA – MAMMOGRAPHY SCREENING SERVICE

Can Government say whether the GHA is now in a position to introduce a structured routine mammography screening service, and if not, what steps the GHA has taken, if any, towards establishing this system?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

As explained on numerous occasions in this House, both by myself and by my predecessor, the GHA currently offers a one-stop clinic for patients who are symptomatic. Symptomatic referrals are dealt with as a matter of urgency within five working days. This includes an appointment with the consultant surgeon, radiology and pathology diagnostic services. The GHA, however, does currently offer a reduced screening programme service, workload permitting, and I have mentioned that before in the past.

Plans to introduce a structured routine mammography service are quite advanced. To date one extra mammographer and one extra radiologist have already been recruited. The latter is scheduled to commence in January 2009. Interviews for a breast care nurse have already taken place and an appointment to the post is imminent. The GHA is currently undergoing the selection process for the necessary equipment. Once all the equipment and personnel are in place, a commencement date will be determined.

NO. 441 OF 2008

THE HON N F COSTA

GHA – OXYGEN TREATMENT UNIT

Can the Government say whether they have now completed the review of policy funding and an assessment of the capability of the oxygen treatment unit in Devil's Tower Road and if so on what date and with what result?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

The review of the funding policy is on-going with further research into the effectiveness of oxygen therapy being conducted. The outcome of the assessment is still in the process of dialogue with the operator of the unit.

SUPPLEMENTARY TO QUESTION NO. 441 OF 2008

HON J J BOSSANO:

Given the fact that this facility, or similar facilities to this one, have been in use for a very long time in the United Kingdom and in the Isle of Man and other places, what is it that requires such lengthy research to establish the effect they have, when people have been treated in these places for years?

HON MRS Y DEL AGUA:

It is not as simple as that, as has obviously been explained to the Leader of the Opposition by the operator of the facility, which I assume is the only feedback that he has had on the matter, from the operator of the current facility. The GHA already has a policy on funding hyperbaric oxygen treatment. The policy that it has is that it would fund treatment for people referred for therapy using oxygen above 2.5 atmospheres for certain conditions. Now such patients are referred by the GHA to appropriate centres outside Gibraltar, because the centre in Gibraltar operates under, I think, 2 bars if I am not mistaken. So, I take this opportunity to say that the Leader of the Opposition's recent statements in the press, that there are many people in Gibraltar suffering overdue pain and suffering in Gibraltar because of the GHA's policy, is actually nonsense with all due respect. People are referred to appropriate centres elsewhere. If the Leader of the Opposition would like, I would like to explain to him where the process of dialogue with the operator of the centre has reached. In order to understand the process and his original question, which is a simplistic one,

which is why cannot we just refer people to this centre, I need to explain the background, if he so wishes.

HON J J BOSSANO:

The question the Minister has quoted to me is a simplistic question but it is not the question that I put to her. The question that I put to her is, if people have for 20 years in the United Kingdom been using a centre with under 2 bars, what is the research that she needs to do which is so lengthy and complex to find out the effectiveness or otherwise of something. This is not a newly invented device which is being pioneered here. It is something that has been in existence for a very long time. My difficulty in understanding her original reply is that there is still on-going research into this treatment. I mean, the fact that the Health Authority has decided to fund treatment with a centre that provides over two and a half atmospheres, in terms of pressure, does not explain why they will not do it if it is less than two. If the answer is because they want to find out what is the effect of people using one less than two, then the answer is look, there are places where it has been done for the last 20 years, they can tell what the effect is, one does not have to do new research. I put it to her because if something is long established, what is the problem in the under two? Why does it have to be two and a half?

HON MRS Y DEL AGUA:

If the Leader of the Opposition will allow me to read the lengthy statement that I have taken the trouble of providing, in order to explain what he has just asked, I will do so.

HON J J BOSSANO:

Well then, if she already has got a statement which she somehow foresaw my question then that is fine.

MR SPEAKER:

She was doing that, I think.

HON MRS Y DEL AGUA:

I think I was, before I was interrupted. As I was saying, the GHA will not fund treatment for the use of hyperbaric oxygen treatment below 2.5 atmospheres, as there is no evidence to support its use. Mr Pratts, the operator of the centre that the Leader of the Opposition is referring to, has provided evidence of hyperbaric oxygen below 2.5 atmospheres being prescribed for a number of conditions, including multiple sclerosis, cancer, sports injuries and a few others, but there is no evidence, however, and he cannot produce the evidence which suggests that the NHS in the UK funds treatment for these conditions. That is the policy that we have in the GHA. It is not that they are not undertaken in the UK, they are undertaken privately but not sponsored by the GHA.

HON J J BOSSANO:

So really then, it is not because it is two and not two and a half and they prefer two and a half. It is because you are saying that in the UK the NHS does not, in fact, finance the treatment in these centres.

HON CHIEF MINISTER:

Yes, but for a reason that he is leaving out of that summary.

HON J J BOSSANO:

Which is what?

HON CHIEF MINISTER:

Because the conditions for which treatment is delivered above two and a half, there is evidence that it is useful and beneficial to the patients. For the sort of conditions for which the treatment is delivered under two or two and a half, there is no evidence that the treatment is of any benefit to the patient and that is the criteria that the UK NHS uses in deciding whether to fund treatment or not. There is an organisation or committee, NICE I think it is called, or whatever, and they have as a criteria that the National Health will fund treatment for which there is evidence that it is value for money, in the sense that it is capable of being beneficial to the patient. That is why they are financed in the UK above two and a half and not below two and a half. It is a combination of usefulness and the conditions for which it is supposedly useful, and Gibraltar follows, and apparently always has, although it is not obligatory for us to follow, in terms of when medical treatment should be available at taxpayers' expense by the GHA, because we have not got our own intellectual resource for deciding whether a treatment is or is not useful to the patient. We follow the UK lead on that and, therefore, we only provide treatment free where the UK has decided it is medically useful to the patient. Of course, then we go further than the UK, because there are instances of which he will have read many in the press of late, whereby the UK even drugs that are useful, they do not provide if it is too expensive.

HON F R PICARDO:

Depending on the Trust.

HON CHIEF MINISTER:

Yes, and we do not do that. In other words, if it is useful we do not follow the UK practice about whether it is value for money in the sense of being too expensive. If there is a medicine available and it is useful for the patient, it is provided regardless of cost.

HON J J BOSSANO:

Then the answer is that if there is evidence that it is, in some area of the United Kingdom, funded by some area of the NHS, then it will be done here. Even if that is not the case, if there is evidence that it is useful and, presumably, if it was not useful it would not have survived 20 years, so it must be useful to somebody somewhere if they keep on using it, presumably there is no fundamental problem in meeting the support for the treatment if those concerns can be overcome. Is that the case?

HON CHIEF MINISTER:

Well, some of the concerns that he has just described. He has masterfully reduced the bar to its lowest possible level and then invited us to jump over it. I do not know whether the UK authorities make these decisions about usefulness, whether they make them on a national basis or whether each individual National Healthcare Trust makes these decisions. If it were the latter, in other words, each National Healthcare Trust makes the decision, and some decided that there was evidence of medical usefulness and others decided that there was not, it would be up to the GHA to decide in which of the two camps it wanted to place itself. If on the other hand the UK, contrary to my understanding I just do not know what the answer is, makes these decisions nationally, then it is the UK national decision that we would follow. Can I just say to the hon Member one more thing? In one of his earlier supplementaries he asked the hon Lady Minister what research is there for her to do. Well, the answer is that these are not research or decisions made by the Minister. The Government are advised, these are decisions for GHA management, these are not political decisions, there is no political impediment to this being done. It is not as if the Government are saying they will not provide funds for it. These are decisions that come up from the medical management of the GHA, whether or not they go to the Board of the GHA for ratification I do not know, but this is not an issue sitting on the Minister's desk for her to research and her to make a decision on. I just wanted to make that clear.

NO. 442 OF 2008

THE HON N F COSTA

GHA – PARKING AT EUROPLAZA

Can the Minister for Health say when hospital users will be able to park at Europlaza?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

The position remains as set out in answer to Question No. 207 of 2008. The Government expect the new arrangements to become operational before Christmas.

SUPPLEMENTARY TO QUESTION NO. 442 OF 2008

HON N F COSTA:

May I assume from that answer then that the company now has been appropriately staffed and that everything is in place for the car park to become operational and useful for members of the public?

HON CHIEF MINISTER:

No, as we speak he cannot deduce that from the answer the Minister has given him, because specifically in respect of this car park, we have not yet made a final decision about what regime is going to apply for its use by hospital patients, will it be available to staff, will it not be available to staff, will it be available to visitors, on what terms, how will they demonstrate they are visitors? Will it be free, will it not be free? What system can we have in place that will ensure that the car park will not fill up with people who are not genuine visitors to the hospital, so that when the genuine visitors to the hospital come it is full? These are all issues about which Opposition Members have asked us questions over quite a long period of time, but which actually we have not yet made a decision on. But the decision will be made by the time that the Minister has indicated it is intended for it to become operational.

ORAL

NO. 443 OF 2008

THE HON N F COSTA

GHA – COMPLAINTS

Can the Minister for Health give this Parliament the number of informal and formal complaints lodged since April of this year to date on a monthly basis?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

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

Answer to Question 443 of 2008

The number of informal and formal complaints lodged during the period April to August 2008 is as follows:-

	Formal	Informal
April 2008	2	13
May 2008	9	8
June 2008	4	3
July 2008	8	3
August 2008	6	7

SUPPLEMENTARY TO QUESTION NO. 443 OF 2008

HON N F COSTA:

Could the Minister explain the steps and how patients and other members of the public are made aware of the complaints procedure that they can use?

HON MRS Y DEL AGUA:

I think and I am confident that the steps that need to be taken are known to the general public. At one point or another all of us have needed to use the different facilities, the Primary Care Centre, St Bernard's Hospital, there are signs displayed all over the place that there is a person to approach who is a complaints coordinator if anybody has cause for complaint. In fact, it is well used, it is running well and I do not think there is much more need to publicise the fact that there is, I think everybody is aware of it. Just because there are so few complaints does not mean that people are not aware of it.

HON N F COSTA:

But the opposite could also be true.

HON CHIEF MINISTER:

Yes, presumably.

HON C A BRUZON:

Mr Speaker, could I make a small request? I have done this before, I think it would be helpful to the other Elected Members and also to people listening over the radio, it is not necessary to maybe analyse all the details but could the Minister just tell us, please, the total of complaints, just the totals please?

HON MRS Y DEL AGUA:

Can the hon Members not add up the figures, with all due respect?

HON C A BRUZON:

I do not have a copy.

HON F R PICARDO:

With respect to the Minister, it is not a question of descending again into an exchange about which side should go back to school, which I agree with the Chief Minister was not in any way edifying, but the fact that people who are listening in to these proceedings do not have the figures available. Therefore, it is for that reason I

think that my hon Colleague was suggesting that the numbers should be read out. Not because the Opposition is more or less proficient at mathematics than the Government may be.

HON CHIEF MINISTER:

No, a good attempt to rescue his colleague, but the reason why the listeners have not heard the answer of the totals is not because the Minister has not given it, it is because the question did not seek it. The hon Members have asked the question and have asked for the information only on a monthly basis. Therefore, the answer has been given on a monthly basis. The question does not require the total over the whole period. So the hon Members should formulate their questions in that way. Of course, even if they had formulated it in that way, it would still not have been heard over the airwaves because it would have been delivered in a schedule. But at least the information would be available on the paper for somebody to stand up, the Minister or even the hon Member in formulating a supplementary, would have the total there to read. The total is not there because the question did not ask for the total. It asked only for the information on a monthly basis.

HON C A BRUZON:

I am putting in a request by way of a supplementary. Would the Minister please give us the totals?

HON CHIEF MINISTER:

No, the Minister cannot give him the total because it requires the lady to now add up the figures and that is not her job in this House.

HON F R PICARDO:

Would the hon Lady agree that the total number of formal complaints filed between April to August 2008 was 29, and that the total number of informal complaints filed between April to August 2008 is 34 and then listeners will have the benefit of us cross-checking each other's addition?

HON CHIEF MINISTER:

No, the hon Lady nor I for that matter, can confirm that because we have not done the totals. But because I have confidence in the hon Member's ability to add up six or five figures I am, subject to checking, perfectly willing to accept that it is much more likely that the figure that he has quoted is correct than that it is incorrect.

HON F R PICARDO:

Does this not actually raise an issue for all of us in this Parliament wherever we are, that we need to make our proceedings more intelligible to the general public, and although it is in both our interests to get through these questions quickly, and sometimes when there is statistical data it is best passing them in the form of a

schedule, we perhaps jointly need to think together about a way of making this information easily accessible to those members of the public who may need or may wish access to it?

HON CHIEF MINISTER:

No, I do not agree with the specificity of this question although I do agree with the generality. In the United Kingdom it would not occur to a Member of Parliament to ask for oral answer questions that require the volume of statistics that are requested for oral answer in this House. In the United Kingdom such information would be requested for written answer and I am delighted to note that some of the Opposition Members have recently taken the advice that their colleague the Hon Mr Picardo is now proffering to the whole House, and have started requesting some of this information in written form, in written answer. That is the case, there is no system, so for so long as the hon Members continue to ask for voluminous statistical information by oral question for oral answer, there is no way of making this procedure more intelligible. Not just, let me say, for the good citizens of Gibraltar who may be listening on the radio, but indeed for the other Members of the House as well. Even for the questioner, it is impossible for him or her to digest the information given in a schedule. Now, it may be that this is an area that should be reformed but it cannot be reformed to make it more intelligible in its present form. It can only be reformed, if the House agrees, when we sit to discuss general reforms by agreeing that statistical information should be sought for written answer and not for oral answer. So, I agree with the general sentiment in the hon Member's question that many of the procedures of this House need to be reformed and modernised. But I do not agree with the hon Member that this particular process that we are engaged on, in other words, the giving of detailed statistics orally in response to oral questions, is capable of being reformed in a way that would be particularly more useful to people listening on the radio.

HON F R PICARDO:

I think that there are a number of differences between this House and the House in Westminster. Not least of them that in Westminster the Prime Minister would not be around to intervene in supplementaries like health questions. It is a good thing that there are very many differences between this House and the other House, because this House sometimes works, in my view, much more efficiently than the other House does. I think that there are some ways in which we can make even this process, which the hon Gentleman seems to not enjoy of providing the statistical information, much more accessible to listeners, although perhaps not orally, and that may have to do with how we make our Hansards available to the general public. For example, if we were to have a simultaneous Hansard, and I am not suggesting that we should but perhaps something that we might want to look into, then those who might be listening to the proceedings might be able to access that Hansard on line and see what it is exactly that we are arguing over. But the hon Gentleman is right, even individuals sitting in this House let alone people listening, do not have access to the statistics. This is the point that, I think, my hon Colleague was making. Cannot we at least have a process whereby all Members of the Opposition, in the same way as I think all Members of the Government, who are answering the question, have access to the statistics being discussed? That would essentially mean making

HON CHIEF MINISTER:

There is another question on the Order Paper to that effect and, therefore, it is not an appropriate supplementary.

HON F R PICARDO:

I was not aware of that, but in any event, if not dealing with individuals on the Opposition Benches, certainly considering making our proceedings more accessible I do not think is something that needs to go into whether or not the questions are being asked in the same way as Westminster or not. So, could the Chief Minister give consideration to that?

HON CHIEF MINISTER:

The Chief Minister will not give consideration to isolated reforms of our procedure. The Chief Minister agrees with the hon Member opposite that almost the totality of the proceedings in this House need to be reformed and modernised. It is not productive now in isolation to pre-empt that process by dealing with just one dimension of the holistic reform that is required. I hope that the hon Members will bring that constructive attitude to that Select Committee of the House, when we convene it, which I have indicated earlier will be before the end of this year. But can I correct him when he says that I obviously do not enjoy providing statistical information. It is self-evident that I and my Government do enjoy providing information because we are responsible for initiating the practices that have resulted in the amount of information in the public domain, multiplying by several factors-fold since that was the case when we came into office in 1996. The amount of information that this Government spontaneously on the one hand, or agrees to provide on request by the hon Members, which was not the case before 1996, is huge. I am not criticising them for doing it or not doing it, what I am saying is that the evidence of this Government's attitudes and practices towards providing information publicly, does not sustain the hon Member's aside quip that I do not enjoy providing information. I enjoy it thoroughly.

HON F R PICARDO:

In that case, it must be that everybody who heard him in his earlier answer must have misunderstood him, such as I did.

MR SPEAKER:

I think we have rather departed from the original question. If I may venture an opinion, I think the point which the Hon Chief Minister took as to the interpretation of the question is a perfectly valid one, based on what the question was. But I also do take the view that the supplementary put by the Hon Mr Bruzon was a perfectly valid supplementary, based and arising from the question and the answers. The response given by the Minister is, in her own words, capable of answering the question, she could equally have added up the numbers herself. Anyway, next question.

ORAL

NO. 444 OF 2008

THE HON N F COSTA

GHA – STAND AID HOIST

Can the Government say when the Government will provide a stand aid hoist for Captain Murchison Ward, which, according to the team objectives set out in the ward itself, has been requested from the annual estimates for the past 2 years?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

The Government provide the GHA with an annual budget for equipment. The Government do not choose the equipment upon which the GHA chooses to spend its budget. Those choices are made by the GHA management.

SUPPLEMENTARY TO QUESTION NO. 444 OF 2008

HON F R PICARDO:

Are the Government then surprised to have been, at least to see alluded to in this question, the fact that there is a ward that has on its public information board, which is seen by everybody who visits the ward, this request for a stand aid hoist, and that members of staff of that ward are repeatedly complaining about the fact that the absence of the stand aid hoist causes a problem for them when lifting particularly heavy patients, something which is recognised as being one of the sources of injuries for nurses throughout the world, not just here.

HON CHIEF MINISTER:

The Government are surprised only to the extent that it seems a pretty inappropriate way for members of staff to behave. Look, neither the Government nor the management of the GHA, I suspect, make spending decisions on the basis of notice boards and notices pinned on the notice boards by their employees. That is not the system that exists anywhere for public procurement. There is a system within the GHA, a bottoms up system I understand, whereby suggestions and/or requests by staff for the procurement of equipment filters up to the decision making level in management. Now, as in all areas of public spending, there is a finite amount of money available each year. Therefore, somebody, the GHA management in this

case, has to prioritise how to spend that money. Of course, in making that prioritisation, equipment that somebody has decided or thinks should be purchased will not have been purchased. That is intrinsic to the system. So the only aspect of the matter that I find surprising is that the GHA management should tolerate that its employees should publish their request for funding on the notice board of the hospital. That is the only thing that I find surprising. I can say that I certainly would not tolerate it in my building, but of course, the GHA management are so much more enlightened than I am and this is a matter for them. The Government are certainly not going to interfere but that is the only aspect of it that I find surprising.

HON J J BOSSANO:

Can the Government confirm whether in fact a request for a hoist for Captain Murchison Ward has been made for inclusion in the Annual Estimates in the last two years?

HON CHIEF MINISTER:

The request would not be made to the Government. The hon Member could ask and the hon Lady may know, whether it has been suggested to management of the GHA that this is an item of equipment that should be purchased. My understanding, from something that the Hon Lady has just whispered to me after I got to my feet, is yes, that there has been a suggestion or a request, or whatever is the internal procedure, has generated a request for this piece of equipment, yes.

HON J J BOSSANO:

But is it not a fact that when the budget is approved and we debated one this year, where in fact there was practically a zero increase, which the Chief Minister told me was not realistic in terms of expecting it to be fulfilled, in the budget for the Health Authority for this current year compared to last year, is it not the case that at the time that the budget is being put together, the Minister or the Board of the GHA, if this is not done as it would be done with departmental expenditure, gets lists of things some of which the Government is persuaded should be included in one year, some of which the Government is persuaded should not be included or left for another year? My question is, has this particular request reached that level or is it that it never got as far as being put in the Estimates because the management had discarded the possibility at an earlier stage?

HON CHIEF MINISTER:

As the answer to the original question makes clear, the system is not that which the hon Member has just described in his supplementary. No, the Government centrally provide an amount of money, which the Government expect the GHA to live within, so the zero increase was in relation to the whole budget. The conversation that we had about whether zero increase was realistic was really a conversation about the recurrent..... The amount provided for capital expenditure for equipment, they are certainly expected to live within. Of course, there are things that they would like to buy. If the hon Member remembers, in all Government departments there are always things that they would like to buy and they have got to prioritise. I do not know whether they make those decisions by reference to areas of the health service that

they want to develop, or whether by reference to equipment needed by the largest number of patients. That is the system and by the time it reaches the decision maker, which is in terms of the executive the Minister for Finance, the Minister for Finance decides how much money is available to the GHA for capital expenditure. But I certainly do not see, nor does the bid reflect a list of items of equipment that I would not be able to distinguish, still less understand the respective needs and urgencies for.

HON J J BOSSANO:

But in arriving at the figure that is put to the Government for funding, presumably the Board of the GHA has done that exercise, which would be done in a department and used to be done when the Health Authority did not exist and it was the Medical Department. My question is, is it the case that at that stage a bid has been made for a hoist for Captain Murchison Ward and it has been rejected in two successive budgets? That is my question.

HON CHIEF MINISTER:

Ministers are not involved in that process. Obviously, the management of GHA has not prioritised, hitherto, the purchase of that equipment. It is therefore implicit in that, that they have considered it and decided that there are other items of expenditure to which they attach a higher priority. So if they have prioritised it out, implicit in that is that they have decided in the sum of money which they have available this year, there are other things that they are more interested in acquiring this year than whatever it said on the notice board they should buy or whatever. I cannot remember what the bit of equipment was. A hoist. Which is not to say that it will not be acquired in a future year. Prioritisation is both as to whether one buys it at all or whether one buys it this year or next or in two years time. So it could be prioritised as to timing, it does not necessarily mean that it has been decided whether it should be purchased or not.

HON J J BOSSANO:

I appreciate that, that is why I asked whether in fact it was the case that it had come up to the point of being included in the budget and then perhaps decided that it could wait another year before it happened. From what the Chief Minister is saying, it appears that in the case of the Health Authority the Health Authority Board does not look at the composition of the expenditure before it is submitted to the Government for funding. That is all done by the management, is that the case? Or are they given alternatives?

HON CHIEF MINISTER:

What is submitted to the Government for funding is not, well I do not know whether it gets to quite a junior level in the Treasury Department with the list of equipment. But certainly, by the time it gets to me, there is no list of equipment.

HON J J BOSSANO:

I appreciate that but because the Chief Minister chooses to answer every question does not mean that I am directing all of them at him. I keep on saying “does the Minister” and he is saying he does not get it. I accept he does not get it, I am sure that if he got it he would have told me, and if he would have removed it he would have had no inhibitions about owning up.

HON CHIEF MINISTER:

None.

HON J J BOSSANO:

None, I know that and he does not need to confirm it. But my question is, is it or is it not the case that when the management get bids from different wards and different sections for things that are needed, and they decide what should be put in and what should be put out, that is the final figure or does the Board of the Health Authority, which the Minister chairs, have any say in this? Do they get given alternative options or choices? One can either put the hoist in and leave this out or can leave the hoist out and put something else in. Is that something that the Board has any say in or not?

HON MRS Y DEL AGUA:

In the limited time that I have been in the post, I am not aware of the Board being involved in prioritising what items of equipment is needed at the GHA. What I can say, because I have enquired after the event, after I saw the question on the Order Paper, although I must stress that I am not involved in the process, is that the hoist, I have been told, has been prioritised for this financial year and will be purchased.

HON J J BOSSANO:

Oh well, that is good news.

HON F R PICARDO:

We will have achieved something.

HON CHIEF MINISTER:

No, you have not achieved anything.

NO. 445 OF 2008

THE HON N F COSTA

GHA – PRESCRIPTION OF MEDICINES

Can the Minister describe the mechanism by which the GHA decides which medicines, prescribed by doctors to patients under the Medical Group Practice Scheme, are no longer ordered for prescriptions under the Scheme?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

The medicines that can be prescribed and dispensed to patients under the GPMS are those included in the Gibraltar National Formulary (GNF) and, therefore, Gibraltar Drug Tariff. Basically, the GNF includes all medicines in the current British National Formulary (BNF) that have a monograph and are allowed under the NHS. If a medicine ceases to be manufactured, loses its product licence or is no longer allowed under the NHS, it will be deleted from the GNF and consequently the GDT.

ORAL

NO. 446 OF 2008

THE HON DR J J GARCIA

DEVELOPMENT APPEALS TRIBUNAL

Can Government say how often and on what dates the Development Appeals Tribunal has met this year since this question was asked at the last Question Time in this Parliament?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

None.

ORAL

NO. 447 OF 2008

THE HON J J BOSSANO

GHA – PENSIONERS REGISTERED WITH THE GPMS

Can Government state how many pensioners are currently registered with the GPMS and whether there are any non-resident pensioners so registered included in the number?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

There were 5,103 pensioners registered with the Group Practice Medical Scheme as at 12 September 2008. There are no non-resident pensioners included in the figure.

NO. 448 OF 2008

THE HON J J BOSSANO

GHA – SPONSORED PATIENTS

Can Government confirm that there is a policy in place to require sponsored patients to reimburse the GHA for cancelled flights when their appointments with UK medical facilities are cancelled at the UK end or for some other substantial reason and if so how long has this policy been in place and how many patients have been required to meet the cost of the cancelled flights?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

There is no such policy in place.

SUPPLEMENTARY TO QUESTION NO. 448 OF 2008

HON J J BOSSANO:

So if some patient has been told this then it is a hiccup in the system and, therefore, in the light of the person concerned hearing the Minister's answers they would be entitled to go back to the administration and raise the matter again, I take it?

HON MRS Y DEL AGUA:

Well, if the person that he is aware of has been affected by the reasons that he has just described in his question, certainly, as I say, there is no such policy to ask people to reimburse cancelled flights and he should certainly go back and enquire if it is the case that it happened to him or to her.

HON G H LICUDI:

Is it the case where somebody is booked for an appointment, say for two days time, and that appointment is cancelled and therefore the flight is cancelled, presumably the flight has been booked by the GHA and from what the Minister is confirming it seems to be the case that GHA will meet the cost of that cancelled flight, if the appointment is then rebooked a couple of days or a week later, is there any restriction on the amount of time that has to elapse between one flight being paid for by the GHA and another flight being paid for by the GHA?

HON MRS Y DEL AGUA:

I believe that if it is cancellations by the GHA within a short period of time, because there has been a need for one reason or another to cancel the flights, the flights are certainly paid for by the GHA. I know that there is a policy when sponsored patients go over to the UK, that they have to stay for a certain period of time and if they wish to come back out of wish more than anything else rather than out of necessity, then it has to be paid by the sponsored patient. But I think that is a different situation or scenario.

NO. 449 OF 2008

THE HON J J BOSSANO

GHA – ALZHEIMERS

Can Government state whether there is information available as to the number of persons who currently suffer from Alzheimers and if so how many of them are over pensionable age giving, if possible, the breakdown by gender?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTON

No, while there are no statistics available, a one per cent prevalence in the population would yield an estimate of 300 persons in varying stages of Alzheimers disease. The one per cent prevalence is based on research by the Alzheimers Society in the UK and applies to the world population.

SUPPLEMENTARY TO QUESTION NO. 449 OF 2008

HON J J BOSSANO:

Is it possible to produce a more accurate statement from the people seen by the Health Service that are suffering from this, in order to get some idea of the magnitude of the problem and given that there are many people who believe that this is an area where with an ageing population the incidence increases? Does the Minister think it is possible to find some way of trying to get a more accurate estimate than simply by applying this one per cent from the UK?

HON MRS Y DEL AGUA:

I suppose it would be possible to obtain some statistics of the patients that are seen by the GHA. It is obviously not possible to know the incidence of Alzheimers in Gibraltar because there are cases which have not been identified, who have not gone to the doctors or maybe who live with their families and do not even know that they have the disease. But it would certainly be possible and I will enquire to see whether there is a possibility to obtain, at least, the figures of the patients that are seen within the GHA.

HON J J BOSSANO:

I am grateful for that.

ORAL

NO. 450 OF 2008

THE HON S E LINARES

YOUTH SERVICE – AUDIT REPORT

Can Government confirm that an audit report has been conducted by youth experts to look at some or all aspects of the Youth Service and that it is now complete?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question No. 451 of 2008.

NO. 451 OF 2008

THE HON S E LINARES

YOUTH SERVICE – AUDIT REPORT

Can Government state if an audit report to look into the Youth Service has been conducted whether a copy of the report will be made available to the public and/or to the Opposition?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Following my Budget speech of this financial year, the UK review team have commenced with the said review. This is envisaged to end by the end of the financial year. The Government will decide what use to make of the report, including whether or not to publish it, after the report has been considered by the Government.

NO. 452 OF 2008

THE HON N F COSTA

PERSONS WITH DISABILITIES

Can the Government explain the existing mechanism by which different Government departments, agencies and/or authorities liaise in order to discuss and expedite the business of persons with disabilities?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

The manner upon which Government departments, agencies and authorities will liaise varies depending on the particular circumstances of the disability of the person involved. The process conducted can be flexible to be applied in several ways. Sometimes it can be in the form of a care planning programme involving multi-disciplinary meetings or case conferences. It could also be by regular liaison with other professionals and Government departments, inclusive of the Gibraltar Health Authority, Social Security Department, Housing, Department of Education and Training, et cetera. In addition, both my colleague the Minister for Health, the Hon Yvette Del Agua and myself apply an open door policy, which allows members of the public to make appointments with us. This allows for greater coordination for the benefit of members of the public.

SUPPLEMENTARY TO QUESTION NO. 452 OF 2008

HON N F COSTA:

But at the moment then, if I understood the answer correctly, a person with disability requires to seek information or requires assistance of the Gibraltar Health Authority and the Social Services Agency and any other department, will need to write directly to the different departments or authorities. There is not like a permanent joint committee of those departments that could deal with the enquiry of any one person but which requires the guidance or the input from different Government departments or authorities.

HON J J NETTO:

It would obviously depend on the disability of the person, but xxxxxxxx with professionals themselves in different Government departments, authorities and agencies in which they will sit down to determine the disability and whether there is

connection and liaison that requires to be done, which is not often the case between different Government departments, and that is what they practise.

HON G H LICUDI:

The aim of the question is to see whether there is a centralised policy and an arrangement and a mechanism whereby somebody has access to somebody or some units. If, for example, a person with a disability has a housing problem that person will be directed to the Housing Department. If that person has a problem with access to the beach, that person will be directed to the tourism or leisure or whichever the relevant department is. The point is, is there not merit in the Government considering one centralised unit dealing generally with persons with disability, so that then that person can be accessed and coordinate all the different departments so that the right advice and the right assistance is given to such persons?

HON J J NETTO:

I think what needs to be taken into account is that if there is a person with a disability on one particular issue alone, well obviously as the hon Member has just implied, he will go to that particular department, authority or agency. But whenever there is a person with a disability which encompasses a problem which is shared among different Government departments, authorities and agencies, although we have not got a constituted department that looks into that, automatically once a person with a disability has informed the first department, authority or agency of the various nature which encompasses various Government departments, authorities or agencies, that particular person will then go and actually, depending on the circumstances, prepare a care planning programme involving multi-disciplinary meetings or case conferences, which will encompass all the people that we are talking about.

NO. 453 OF 2008

THE HON N F COSTA

GHA – COST OF PLUMBING WORKS AT ST BERNARD’S HOSPITAL

Can Government set out the total costs incurred from January 2008 to date and the estimated total expenditure, showing a breakdown, in respect of the plumbing works in St Bernard’s Hospital?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

Costs incurred by the contractor for the period 1st January 2008 to date, is £300,413. The works are being carried out by the contractor as part of the defects period. The contractor has advised that the total expenditure will amount to approximately, it is rather accurate for being an approximation the figures given to me but I will quote it anyway, £625,303.06.

SUPPLEMENTARY TO QUESTION NO. 453 OF 2008

HON N F COSTA:

The total, that is the balance between the figure just quoted and the total forecast, would that also be covered in the defects period?

HON MRS Y DEL AGUA:

Yes.

HON N F COSTA:

I am grateful.

ORAL

NO. 454 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that the Social Services Agency investigated a complaint made by a mother of a child in the care of Dr Giraldi Home who had been made to stand facing the wall with quite heavy books in both his arms because it was claimed that the child had misbehaved and that senior member of staff had confirmed that this was a suitable form of punishment?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 455 to 462 of 2008.

ORAL

NO. 455 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that there was a “punishment room” at Dr Giraldi Home which was set up and actively used by some of the agency staff and state how long it was in use and when it was closed down?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 454 and 456 to 462 of 2008.

ORAL

NO. 456 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that between 2000 and 2002 when the Social Services Agency was run by Milbury Services, the Deputy Manager of the Home, whilst drunk attempted to administer excessive doses of Ritalin (Class A drug) to a child because, “he was so drunk he couldn’t read the drug sheet”, and what action did the Agency take over the incident?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 454, 455 and 457 to 462 of 2008.

ORAL

NO. 457 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that between 2000 to 2002 when the Social Services Agency was run by Milbury Services, a carer was high on drugs/alcohol and attacked service users and state what action the Agency took over the incident?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 454 to 456 and 458 to 462 of 2008.

ORAL

NO. 458 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that in 2005, the Social Services Agency refused to provide details to the sister of a service user of statements given to the Police in which it had been alleged that this particular service user had been mentally and sexually abused?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 454 to 457 and 459 to 462 of 2008.

ORAL

NO. 459 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that in 2005, when a complaint made by a service user of the Dr Giraldi Home led to the Police being called, the Agency in addition conducted its own investigation of the matter?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 454 to 458 and 460 to 462 of 2008.

ORAL

NO. 460 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that in 2005, a carer of the Social Services Agency told the CEO of the Agency and the Minister that “the Dr Giraldi Home was a time bomb”?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 454 to 459, 461 and 462 of 2008.

ORAL

NO. 461 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that the Social Services Agency investigated a complaint by a carer to senior management staff of the Agency that she was being threatened at work because she had reported incidents of missing drugs and other abuses?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 454 to 460 and 462 of 2008.

NO. 462 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY – DR GIRALDI HOME

Can Government confirm that the Social Services Agency has investigated the incident in which a bottle of diazepam is said to have disappeared from a locked medicine cabinet at the Dr Giraldi Home in 2005?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

The Government can confirm that a complaint such as described in Question No.454 was indeed investigated in 2002 and this resulted in a member of staff being warned and reprimanded.

There is no and there has never been any “punishment room” at Dr Giraldi Home.

Government can confirm that an investigation did take place in relation to an incident similar in nature to that described in Question No. 456. This resulted in the dismissal of a member of staff.

The Government is advised that no incident took place between 2000 to 2002 in which service users were attacked, as asked in Question No. 457.

The Government can give the confirmations requested in Question Nos. 458 and 459, which relate to the same case.

The Government can confirm that in 2005, an aggrieved supply worker whose supply contract at Dr Giraldi Home had been terminated due to inappropriate behaviour, said to the then Minister that Dr Giraldi Home was a time bomb. When asked by the Minister to explain that statement of opinion, the person in question was unable to substantiate it, limiting her explanation to an alleged difference in culture between Gibraltar and English carers.

The information provided in Question No. 461 is insufficient to enable it to be answered. I would need to know by whom, to whom and when was the complaint made. However, as a rule, all complaints are investigated.

There was indeed an investigation such as is described in Question No. 462. It transpired that there was, in fact, no missing bottle.

SUPPLEMENTARY TO QUESTION NOS. 454 TO 462 OF 2008

HON J J BOSSANO:

Can the Minister say whether the references in the questions of incidents were brought to the attention of the Board or of the senior management at the time that they had them, or is it something that has come to their attention subsequently and been investigated subsequently?

HON J J NETTO:

I am not quite sure that I understood the hon Member correctly. Which case is the Leader of the Opposition referring to?

HON J J BOSSANO:

Well, I am asking a supplementary in relation to all of these incidents, which reflect things that happened at different points in time. I am saying, were the incidents brought to the attention of the senior management or the Board at the time that they happened, and were they investigated at the time that they happened?

HON J J NETTO:

The information available to me is that the incidents in question were brought to the attention of the senior management, at the time.

HON J J BOSSANO:

And that on each occasion.....

HON J J NETTO:

I am sorry and I should have said investigated.

HON J J BOSSANO:

And investigated on this occasion? There are records of this that were submitted to the Board of the Authority or not? Presumably, some of these things would be quite worrying if they proved to be accurate, would they not?

HON J J NETTO:

Well, I am informed that at the time of some of the incidents, the Board was not yet established. So that actually answers part of his question. The other part of his question is that I am not in a position to know whether all of the incidents, even when the Board was established, were referred to the Board. All I am saying is that some of them occurred even before the Board actually was established.

HON J J BOSSANO:

I see, you mean before the Social Services Agency existed, is that it?

HON J J NETTO:

Sorry, xxxxxx the Social Services Agency existed.

HON J J BOSSANO:

Right. In terms of the investigations that took place with different incidents, does he know at what level that investigation was conducted? That is to say, was it that the Chief Executive was the one that carried out the investigations in all the cases, or?

HON J J NETTO:

I do not know the answer.

HON J J BOSSANO:

But the Minister can confirm that it is something that is recorded as having been investigated and that the results have been kept and they are there? Or does he not know either?

HON CHIEF MINISTER:

No, he does not know that either. Clearly the information is available, at least to the person who has prepared these answers, either from memory, which I doubt, or from some record that exists. But these are very specific questions, at first we almost took the view that they were too specific to be expected to be answered by Ministers who are not responsible, on a day to day basis, for these management issues. But then because it was an issue of some public interest, we said, well let us bring to the House the answers that are given to us by management. That is what we have done, but we cannot know what the state of the record is that underpins this information. But the information must exist somewhere in some form because these answers have not been drafted by the Minister. They were drafted by the management and, therefore, they must have the information.

HON J J BOSSANO:

But for example, if the House is told that there has never been a punishment room and, presumably, it is possible to demonstrate that there were people who were prepared to say under oath that a punishment room existed, and be willing, according to the information he has provided, to commit perjury, this is just the department being asked was there ever a punishment room and whoever was there has said no. That is the basis of the answer, am I correct in that?

HON CHIEF MINISTER:

The answer to the question asked which was, can Government confirm that there was a punishment room at Dr Giraldi Home, which was set up and actively used by some of the Agency staff and state how long it was in use and when it was closed down, which is a question that pre-supposes, at least the latter half, pre-supposes begs its own question. The answer to that question, as far as the Government have been told by management, is that there has never been a punishment room. Now, I have assumed, as I think he should, unless there is evidence to the contrary, that the answer to that does not depend on some nice distinction in the definition of what constitutes a punishment room. These are laymen that we are talking about. A punishment room is a room that exists for the purpose of administering punishment. Now, so before accusing anyone who may have given a witness statement in any now concluded Industrial Tribunal's case, before accusing any of those people or suggesting that any of those people may have committed perjury, of course it would be interesting to know what they understand by a punishment room. In other words, that we should not be at cross purposes as to terminology. But applying the most wide definition, we are told that the Agency has never operated anything capable of being understood or misunderstood to constitute a punishment room.

HON F R PICARDO:

In the understanding of the person who drafted the answer.

HON CHIEF MINISTER:

Well, yes, that is why I drew up the distinction. I am telling the hon Member that I would not expect that answer to be based on some nice distinction, either on their part or on ours, about what constitutes a punishment room. In the ordinary meaning of those words in the English language, the Government's answer is that it has never existed.

HON J J BOSSANO:

Can the Government say whether they have approached the management to find out whether a punishment room existed, as a result of this question?

HON CHIEF MINISTER:

Well, yes. The question is asked, it goes to officials before it goes to Ministers and the first thing the Minister sees is the answer, the draft answer, produced to them by their officials. So, yes, the existence or non existence of a punishment room, as far as I am aware, is not an issue that Ministers had addressed their minds to before or separately from the receipt of this question.

HON J J BOSSANO:

So in fact, when the case that is now over was not over and this information was in possession of the Agency, did they not think there was a need to find out? Notwithstanding the fact that, presumably, that is something the Agency would have

wanted if the Tribunal had taken place and the statement had been made, they would have had an answer then. At that time they did not think there was a need to find out whether this allegation had any basis?

HON CHIEF MINISTER:

It seems that the answer to the last supplementary question that I gave may not be entirely accurate. I am now told by the previous Minister that at the time that the allegation was made in the case to which the hon Member is referring, she asked whether there was any..... and she was given the same answer as is given here. So the statement that I made earlier that no Minister had addressed their minds to the question before is not true, insofar as it applies to the previous Minister for Social Services.

HON J J BOSSANO:

This would have been how long ago?

HON MRS Y DEL AGUA:

I cannot remember specifically.

HON J J BOSSANO:

Cannot remember at all? Well, it is good to be told by somebody when they can remember or not, it is wonderful. I have problems sometimes in remembering things but I do not have anybody on this side who tells me what it is I remember, what I do not remember and when I do not remember it. It must be very useful to have somebody like him around to be able to do that for one. Maybe when we are outside the Chamber he can do that for me as well and tell me when I can remember things and when I cannot. Can the Minister remember whether, in fact, the CEO that is no longer there was the person that was asked? There was a CEO that left some time ago, and when the statements were made that CEO was still in office. Can she remember whether it was that person that was asked by her? Can she remember the person she asked? The CEO of the Agency at the time that is no longer there?

HON MRS Y DEL AGUA:

I am not 100 per cent certain, so I do not want to be held to what I answer, but I believe that I asked the Chief Executive at the time, the person who was the Chief Executive at the time.

HON J J BOSSANO:

Who has gone, who is no longer there?

HON MRS Y DEL AGUA:

No, she is no longer the Chief Executive.

HON J J BOSSANO:

No, she is no longer in Gibraltar. The answer to this question is the result of the present Chief Executive producing those answers for the Minister, is that correct?

HON J J NETTO:

The one who provided the information for me was the current manager for Dr Giraldi Home.

HON J J BOSSANO:

The manager of the Dr Giraldi Home, not the Chief Executive?

HON J J NETTO:

No.

HON J J BOSSANO:

They are not the same thing?

NO. 463 OF 2008

THE HON N F COSTA

SOCIAL SERVICES AGENCY

Can Government confirm that the Social Services Agency gave an under-aged girl an option to stay in care with Spanish nurses (who do not speak the affected user's language) or be returned to the parent from whom the SSA had sought a care order?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

The Government are concerned that in answering this question adequately it will be necessary to go into a level of detail that could result in the identity of the girl becoming easily identifiable in the public domain. The Government are, therefore, of the view that this would be an inappropriate breach of confidentiality. I am prepared, however, to provide the answer to this question in private to the hon Member.

NO. 464 OF 2008

THE HON C A BRUZON

SOCIAL INSURANCE – OPEN LONG-TERM BENEFITS FUND

Can Government state what was the number of pensioners being paid or with entitlement to payment for each month to the end of June 2008 as from March 2008 from the Open Long-Term Benefits Fund, giving a breakdown of:

- (a) UK/Gibraltar pensioners;
- (b) Spanish pensioners;
- (c) Moroccan pensioners; and
- (d) other nationalities?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 465 to 471 of 2008.

ORAL

NO. 465 OF 2008

THE HON C A BRUZON

SOCIAL INSURANCE – CLOSED LONG-TERM BENEFITS FUND

Can Government state what was the number of pensioners being paid or with entitlement to payment, for each month as from March 2008 to the end of June 2008, from the Closed Long-Term Benefits Fund, giving a breakdown of pre-1969 Spanish pensioners and locally funded pensioners, showing the number of Gibraltarians/UK nationals, Moroccans and other nationals for the months in question?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 464 and 466 to 471 of 2008.

ORAL

NO. 466 OF 2008

THE HON C A BRUZON

SOCIAL INSURANCE – SHORT-TERM BENEFITS FUND

Can Government state what was the monthly income, expenditure and balance of the Short-Term Benefits Fund as from March 2008 to end of June 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 464, 465 and 467 to 471 of 2008.

ORAL

NO. 467 OF 2008

THE HON C A BRUZON

SOCIAL INSURANCE – 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 monthly amounts, as from March 2008 to end June 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 464 to 466 and 468 to 471 of 2008.

ORAL

NO. 468 OF 2008

THE HON C A BRUZON

SOCIAL INSURANCE – OPEN LONG-TERM BENEFITS FUND EXPENDITURE

Can Government state what was the monthly income, expenditure and balance of the Open Long-Term Benefits Fund, as from March 2008 to end June 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 464 to 467 and 469 to 471 of 2008.

ORAL

NO. 469 OF 2008

THE HON C A BRUZON

SOCIAL INSURANCE – CLOSED LONG-TERM BENEFITS FUND

Can Government state what was the monthly income, expenditure and balance of the Closed Long-Term Benefits Fund as from March 2008, 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 FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 464 to 468, 470 and 471 of 2008.

ORAL

NO. 470 OF 2008

THE HON C A BRUZON

STATUTORY BENEFITS FUND – NUMBER OF PENSIONERS

Can Government state what was the number of pensioners being paid or with entitlement to payment, for each month to date, as from 1st July 2008, from the new Statutory Benefits Fund, giving a breakdown of pre-1969 Spanish pensioners and locally funded pensioners, showing the number of Gibraltarians/UK nationals, Moroccans and other nationals for the months in question?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 464 to 469 and 471 of 2008.

NO. 471 OF 2008

THE HON C A BRUZON

SOCIAL INSURANCE – CLOSED LONG-TERM BENEFITS FUND

Can Government state, in connection with the pensioners being paid or with entitlement to payment from the Long-Term Benefits Fund, how many were also being paid or with entitlement to payment from the Closed Long-Term Benefits Fund giving the numbers for each month as from March 2008 to the end of June 2008 and a breakdown by nationality as follows:

- (a) UK/Gibraltar pensioners;
- (b) Spanish pensioners;
- (c) Moroccan pensioners; and
- (d) other nationalities?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

I now hand the hon Member the requested information.

ANSWER TO QUESTION NO. 471 OF 2008-10-29

Answer to Question No. 464

The following pensioners were in receipt of payments from the Open Long-Term Benefits Fund from March to June 2008.

	Mar-08	Apr-08	May-08	Jun-08
BRITISH PENSIONERS	2699	2718	2722	2745
SPANISH PENSIONERS	143	145	146	146
MOROCCAN PENSIONERS	725	729	736	747
OTHER NATIONALITIES	44	45	46	48
TOTAL	3611	3637	3650	3686

Cont'd ANSWER TO QUESTION NO. 471 OF 2008

Answer to Question No. 465

The following pensioners were being paid or with entitlement to payment from the Closed Long-term Benefits Fund for the months of March to June 2008.

	Mar-08	Apr-08	May-08	Jun-08
Pre-1969 Spanish Pensioners	283	283	283	282
British Pensioners (Gib/UK Nat.)	5275	5280	5276	5307
Moroccan Pensioners	1847	1852	1861	1867
Other Nationalities	530	533	540	542
Total	7935	7948	7960	7998

Cont'd.....

Cont'd ANSWER TO QUESTION NO. 471 OF 2008

Answer to Question No. 466

The Monthly Income, Expenditure and Balance of the Short-Term Benefits Fund as from March 2008 to end of June 2008 is as per the following tentative statement:

SHORT TERM BENEFITS FUND

	<u>31-Mar-08</u>	<u>30-Apr-08</u>	<u>31-May-08</u>	<u>30-Jun-08</u>
<u>Fund Account - Opening Balance</u>	£1,317,723.75	£1,321,942.44	£1,303,813.22	£1,319,780.69
<u>Add</u>				
Receipts	£105,919.31	£73,193.93	£105,073.33	£92,902.73
	<u>£1,423,643.06</u>	<u>£1,395,136.37</u>	<u>£1,408,886.55</u>	<u>£1,412,683.42</u>
<u>Less</u>				
Payments	<u>(£101,700.62)</u>	<u>(£91,323.15)</u>	<u>(£89,105.86)</u>	<u>(£79,796.97)</u>
<u>Closing Balance</u>	<u>£1,321,942.44</u>	<u>£1,303,813.22</u>	<u>£1,319,780.69</u>	<u>£1,332,886.45</u>

Cont'd.....

Cont'd ANSWER TO QUESTION NO. 471 OF 2008

Answer to Question No. 467

The transfers made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund, giving the monthly amounts, to date, as from March 2008 to end of June 2008, are as follows:

March 2008	£1,750,000
April 2008	£1,700,000
May 2008	£1,850,000
June 2008	£1,850,000
	<hr/>
	<u>£7,150,000</u>

Cont'd.....

Cont'd ANSWER TO QUESTION NO. 471 OF 2008

Answer to Question No. 468

The Monthly Income, Expenditure and Balance of the Open Long Term Benefits Fund, as from March 2008 to the end of June 2008 is as per the following tentative statement:

(Receipts include a proportion of the annual contribution from the Consolidated Fund for the period April to June 2008)

OPEN LONG TERM BENEFITS FUND

	<u>31-Mar-08</u>	<u>30-Apr-08</u>	<u>31-May-08</u>	<u>30-Jun-08</u>
<u>Fund Account -</u>				
<u>Opening Balance</u>	£4,617,785.95	£13,910,201.83	£13,779,181.15	£13,944,357.35
<u>Add</u>				
Receipts	<u>£11,246,062.76</u>	<u>£1,682,937.02</u>	<u>£2,078,522.23</u>	<u>£1,930,923.78</u>
	£15,863,848.71	£15,593,138.85	£15,857,703.38	£15,875,281.13
<u>Less</u>				
Payments	<u>(£1,953,646.88)</u>	<u>(£1,813,957.70)</u>	<u>(£1,913,346.03)</u>	<u>(£1,897,276.91)</u>
<u>Closing Balance</u>	<u>£13,910,201.83</u>	<u>£13,779,181.15</u>	<u>£13,944,357.35</u>	<u>£13,978,004.22</u>

Cont'd.....

Cont'd ANSWER TO QUESTION NO. 471 OF 2008

Answer to Question No. 469

The Monthly Income, Expenditure and Balance of the Closed Long Term Benefits Fund as from March 2008, showing the amount from UK and Local Funds and the Expenditure to former Spanish workers and to pensioners from Local Funds is as follows:

CLOSED LONG-TERM BENEFITS FUND

	<u>31-Mar-08</u>	<u>30-Apr-08</u>	<u>31-May-08</u>	<u>30-Jun-08</u>
<u>Fund Account - Opening Balance</u>	<u>£261,181.88</u>	<u>£205,346.37</u>	<u>£173,142.89</u>	<u>£218,767.39</u>
<u>“Local Account”</u>				
Opening Balance	£123,195.99	£100,138.94	£70,333.14	£117,329.04
<u>Add</u> Transfers from the Open Long-Term Benefits Fund	£1,750,000.00	£1,700,000.00	£1,850,000.00	£1,850,000.00
Other Receipts	£3,037.67	£766.62	£712.60	£612.24
	<u>£1,876,233.66</u>	<u>£1,800,905.56</u>	<u>£1,921,045.74</u>	<u>£1,967,941.28</u>
<u>Less</u> Payments	<u>(£1,776,094.72)</u>	<u>(£1,730,572.42)</u>	<u>(£1,803,716.70)</u>	<u>(£1,876,328.47)</u>
Closing Balance	<u>£100,138.94</u>	<u>£70,333.14</u>	<u>£117,329.04</u>	<u>£91,612.81</u>
<u>“Spanish Account”</u>				
Opening Balance	£137,985.89	£105,207.43	£102,809.75	£101,438.35
<u>Add</u> Receipts from DFID Other Receipts	£10,000.00	£0.00	£0.00	£10,000.00
	<u>£147,985.89</u>	<u>£105,207.43</u>	<u>£102,809.75</u>	<u>£111,438.35</u>
<u>Less</u> Pension Payments	<u>(£42,778.46)</u>	<u>(£2,397.68)</u>	<u>(£1,371.40)</u>	<u>(£27,321.21)</u>
Closing Balance	<u>£105,207.43</u>	<u>£102,809.75</u>	<u>£101,438.35</u>	<u>£84,117.14</u>
<u>Fund Account Closing Balance</u>	<u>£205,346.37</u>	<u>£173,142.89</u>	<u>£218,767.39</u>	<u>£175,729.95</u>

Contd.....

Cont'd ANSWER TO QUESTION NO. 471 OF 2008

Answer to Question No. 470

The following pensioners were being paid or with entitlement to payment from the Statutory Benefits Fund for the months of July to August 2008.

	Jul-08	Aug-08
Pre-1969 Spanish Pensioners	283	283
British Pensioners (Gib/UK Nat.)	5323	5337
Moroccan Pensioners	1887	1893
Other Nationalities	546	555
Total	8039	8068

Contd.....

Cont'd ANSWER TO QUESTION NO. 471 OF 2008

Answer to Question No. 471

The following pensioners were being paid or with entitlement to payment from the Closed Long-term Benefits Fund for the months of March to June 2008.

	Mar-08	Apr-08	May-08	Jun-08
BRITISH PENSIONERS	2680	2698	2703	2726
SPANISH PENSIONERS	129	131	132	132
MOROCCAN PENSIONERS	725	729	736	747
OTHER NATIONALITIES	44	45	46	48
TOTAL	3578	3603	3617	3653

ORAL

NO. 472 OF 2008

THE HON C A BRUZON

DISABILITY ALLOWANCE

Can Government state how many persons were in receipt of a disability allowance under the social assistance arrangements as from March 2008, to date, giving a monthly breakdown of their age and sex?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

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

ANSWER TO QUESTION NO. 472 OF 2008

PERSONS RECEIVING DISABILITY ALLOWANCE UNDER THE SOCIAL ASSISTANCE ARRANGEMENTS AS FROM MARCH TO AUGUST 2008 GIVING A MONTHLY BREAKDOWN OF THEIR AGE AND SEX.

2008	0-10	11-20	21-30	31-40	41-50	51-60	61-70	TOTAL	MALES	FEMALES
March	23	29	25	17	17	12	3	126	87	39
April	23	29	23	19	17	12	3	126	87	39
May	24	29	23	19	17	12	3	127	88	39
June	25	30	22	21	17	12	3	130	91	39
July	26	30	22	22	17	12	3	132	93	39
August	26	30	22	21	18	11	4	132	93	39

ORAL

NO. 473 OF 2008

THE HON C A BRUZON

STATUTORY BENEFITS FUND

Can Government state what was the monthly income, expenditure and balance of the new Statutory Benefits Fund as from 1st July 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

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

ANSWER TO QUESTION NO. 473 OF 2008

The Monthly Income, Expenditure and Balance of the Statutory Benefits Fund, to date, as from 1st July 2008 is as per the following tentative statement:
(Receipts include a proportion of the annual contribution from the Consolidated Fund for July and August 2008)

STATUTORY BENEFITS FUND

	<u>31-Jul-08</u>	<u>31-Aug-08</u>
<u>Fund Account - Opening Balance</u>	£17,647,986.58	£17,805,643.04
<u>Add</u>		
Receipts	£2,279,490.75	£1,810,653.35
	<hr/> £19,927,477.33	<hr/> £19,616,296.39
<u>Less</u>		
Payments	(£2,121,834.29)	(£2,007,686.28)
	<hr/> (£2,121,834.29)	<hr/> (£2,007,686.28)
<u>Closing Balance</u>	<hr/> £17,805,643.04	<hr/> £17,608,610.11

ORAL

NO. 474 OF 2008

THE HON C A BRUZON

SOCIAL ASSISTANCE

Can Government state how many persons receiving social assistance, to date, as from March 2008, have been employed since, and how many are still receiving social assistance, giving a monthly breakdown by age and sex?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question No. 475 of 2008.

ORAL

NO. 475 OF 2008

THE HON C A BRUZON

SOCIAL ASSISTANCE

Can Government state what was the number of persons receiving social assistance, to date, as from March 2008 giving a monthly breakdown by age and sex?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

I now hand the hon Member lists giving the information requested.

ANSWER TO QUESTION NO. 475 OF 2008

Answer to Question 474

PERSONS IN RECEIPT OF SOCIAL ASSISTANCE FOR THE MONTHS OF MARCH TO AUGUST 2008

2008	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
March	169	303	472	66	140	117	149
April	162	302	464	66	139	114	145
May	157	295	452	64	137	110	141
June	154	290	444	63	137	105	139
July	161	290	451	63	136	108	144
August	156	289	445	59	131	111	144

PERSONS EMPLOYED DURING THE MONTHS OF MARCH TO AUGUST 2008

2008	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
March	4	8	12	3	3	4	2
April	3	2	5	2	0	2	1
May	5	3	8	1	5	1	1
June	7	3	10	3	3	3	1
July	1	2	3	0	1	1	1
August	1	2	3	2	0	1	0

AS AT	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
12-Sept-08	158	294	452	60	135	111	146

Cont'd.....

Cont'd ANSWER TO QUESTION NO. 475/2008

Answer to Question 475

PERSONS RECEIVING SOCIAL ASSISTANCE FOR THE MONTHS OF MARCH 2008 TO AUGUST 2008 BY MONTH, SEX AND AGE

2008	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
March	169	303	472	66	140	117	149
April	162	302	464	66	139	114	145
May	157	295	452	64	137	110	141
June	154	290	444	63	137	105	139
July	161	290	451	63	136	108	144
August	156	289	445	59	131	111	144

NO. 476 OF 2008

THE HON C A BRUZON

MOUNT ALVERNIA – AWNINGS

Can Government state what consideration they have given to the placing of awnings outside residents' rooms in Mount Alvernia, where there are none at present?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Currently there are awnings on all Mount Alvernia communal salons, which have also been fitted with air conditioning units for the comfort of all residents. Additionally, bedrooms on the third floor, in which most of the high nursing dependant residents are accommodated, which are those who are bed bound, all have been fitted with awnings. In general, most of the other residents are able to make use of the communal areas throughout the building and the time spent in their bedrooms is limited. Government are currently in the process of renewing all the balconies in Mount Alvernia, once this is achieved consideration may be given to placing awnings in the other areas, if appropriate.

ORAL

NO. 477 OF 2008

THE HON G H LICUDI

SOCIAL SERVICES AGENCY – EMPLOYEES

Can Government provide a breakdown by grade, sex, nationality and residence, that is whether Gibraltar or Spain, of all the employees of the Social Services Agency as at the end of August 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

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

Answer to Question 477 of 2008

Social Services Agency Employees as at 31st August 2008

Grade	Number of Employees	Female	Male	Gibraltarian	UK National	Spanish National	Other Nationality	Resident Gibraltar	Resident Spain
EMPLOYEES on GOG Terms									
MAIN OFFICE									
Team Leaders	2	2		2				1	1
Counselling Psychologist	1	1		1					1
Senior Social Workers	3	3		2	1			2	1
Social Workers	11	9	2	7	4			9	2
Administration Manager (HEO)	1		1	1				1	
Personnel Officer (EO)	1	1		1				1	
Administrative Officer	1	1		1				1	
Typist	1	1		1				1	
ST. BERNADETTE'S O.T. CENTRE									
St. Bernadette's Manager	1	1		1				1	
St. Bernadette's Deputy Manager	1	1		1				1	
Enrolled Nurses	2	2		1	1			2	
Administrative Officer - Part-time (GOG)	1	1		1				1	
Classroom Aides (full time) Spec. Needs	7	7		7				7	
Classroom Aides (part time) (20hrs)	7	7		7				7	
Vehicle/Escort	1	1		1				1	
EMPLOYEES on SSA Terms									
Chief Executive	1		1		1				
Occupational Therapist/Strategy Co-ord.	1	1		1				1	
Counsellor	1	1		1				1	
Social Workers (Out of Hrs)	2	2			2				2
Community Services Officer	1		1		1				1
Finance Officer	1	1		1				1	
Administrative Officers	4	3	1	4				4	
Personal Assistant (AO)	1	1		1				1	
Day Centre Co-ordinator	1	1			1			1	
Shop Mobility Attendant	1		1	1				1	
Handyman/driver	1		1	1				1	
Sub-total of	56	48	8	45	11	0	0	48	8

Cont.....

Contid Answer to Question 477 of 2008

Social Services Agency Employees as at 31st August 2008

Grade	Number of Employees	Female	Male	Gibraltarian	UK National	Spanish National	Other Nationality	Resident Gibraltar	Resident Spain
<i>Sub-total b/f</i>	56	48	8	45	11	0	0	48	8
DRUGS AWARENESS CAMPAIGN									
Drug strategy Co-ordinator *	1		1	1				1	
Assistant to Drug Strategy Co-ordinator	1	1		1				1	
* GoG Officer on Secondment									
DR. GIRALDI RESIDENTIAL									
Dr. Giraldi Manager	1		1		1				1
Deputy Manager Dr Giraldi	1	1			1				1
Administrative Officer (Part-time)	1	1		1				1	
Unit Managers (40hrs)	5	2	3	2	3			4	1
Social Care Workers (40hrs)	13	10	3	10	3			10	3
Social Care Workers (39hrs)	1		1	1				1	
Social Care Workers (37.5hrs)	29	22	7	4	17	7	1 Dutch	12	17
Social Care Workers (20hrs)	7	6	1	3	2	2		6	1
Domestic Support Worker (22.5hrs)	1	1		1				1	
Domestic Support Workers (20hrs)	5	4	1	5				5	
Domestic Support Worker (15hrs)	1	1		1				1	
CHILDREN RESIDENTIAL									
Unit Managers (40hrs)	6	6		5	1			5	1
Social Care Workers (37.5hrs)	30	24	6	21	3	6		22	8
Social Care Workers (31hrs)	9	7	2	9				9	
INDUSTRIAL STAFF									
Cleaner - 37 hrs per week	2	2		2				2	
Cleaner - 25 hrs per week	1	1		1				1	
School Attendant/Driver	1		1	1				1	
Total: Permanent Staff	172	137	35	114	42	15	1	131	41
TEMPORARY STAFF									
Social Worker	1		1	1				1	
Receptionist/Administrative Assistant	1	1		1				1	
Total	174	138	36	116	42	15	1	133	41

As at 31st August 2008 a further 7 non-industrial posts were vacant

The SSA also uses supply workers for relief cover who are not included here

NO. 478 OF 2008

THE HON G H LICUDI

SOCIAL SERVICES AGENCY – EMPLOYEES

Can Government state how many persons were employed at the Social Services Agency on supply, casual, temporary or short-term contracts on the 31 August 2008 giving a breakdown by grade and nationality?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

The Social Services Agency had 55 supply workers employed or contracted as at the 31st August 2008. There were no staff on casual contracts.

The following 53 are supply social care workers:

- 31 Gibraltarians;
- 12 UK nationals;
- 6 Spanish nationals;
- 2 German nationals;
- 1 Belgian national;
- 1 Danish national.

There was also one supply receptionist/administrative assistant and one supply social worker employed at this point. These were appointed on a temporary basis. Both are Gibraltarian.

SUPPLEMENTARY TO QUESTION NO. 478 OF 2008

HON G H LICUDI:

Of these supply workers, can the Minister confirm how long these supply arrangements have been in place?

HON J J NETTO:

Well, the arrangements as such to have supply workers obviously goes back many years, so off the top of my head I could not tell him how long it goes back. Not at least without being given notice.

HON G H LICUDI:

That was not the question. In respect of the specific numbers that have been given, are these long-term supply arrangements for these individuals? In other words, have these people been on supply contracts for a very long time, such as sometimes happens with teachers? They are on supply for a year and maybe it is extended. Is this a regular arrangement with these individuals or are they engaged on an ad-hoc basis as and when needed?

HON J J NETTO:

My understanding, because I actually asked a similar question to the actual person who produced the figures for me, and what he said to me, in fact it is the administrative HEO who did it for me, he said it varies a lot from person to person, depending on the nature of the duties that he is doing. He also said that certainly no one is more than four years, but certainly, it would vary, some perhaps to meet a momentary bleep in order to supply the social care worker for a particular case in hand, and others may be for a longer period. So it varies from person to person in accordance with the extra work they are doing.

HON G H LICUDI:

I am not sure that I am confusing or whether the Minister is confusing or confusing me, I may be confusing myself, in respect of supply and casual workers. I can understand someone being on a casual list for a number of years as and when needed, but a supply worker is, as I understand it, somebody who is engaged on a more regular basis. If someone is on regular long-term supply for up to four years, does that not call for an enquiry as to why that person is not permanently employed?

HON J J NETTO:

No, I think perhaps we might be at cross-purposes in terms of definition or semantics about how do we define casual employment. At the end of the day, the necessity why the Agency requires these now, as the question being asked now, 55 supply workers, is because there will be, perhaps, children in care which was not planned at the beginning of the financial year. So obviously, the children have to be provided with the social care workers, so they will be people who are not in the establishment figure but they will have to come in as supply workers in order to meet that kind of demand and some other work as well. I have given the example of the receptionist and the social worker as opposed to the social care worker. But these are not people in the establishment figures, these are to meet the specific needs of peak times, of extra work which would not, obviously they cannot be predicted, because one does not know at the beginning of the financial year what sort of things are going to happen in three months or six months into the new financial year.

HON J J BOSSANO:

So the Minister is saying then that there have not been 53 supply workers since the beginning of this financial year, that is the figure for August and he does not know it.

HON J J NETTO:

What I said was that probably there would be some who have been less than a year and probably there are people who have been more than a year. The situation varies quite a lot between all of them. This is the answer that was provided to me by the actual administrator, HEO, who is producing the figures for me.

HON J J BOSSANO:

Does he know whether the figure of 53 is the sort of average that one gets normally every month, or is this an unusually high figure?

HON J J NETTO:

No, I do not think it is an unusually high figure, I am talking from memory here. But in the nature of the work that Social Services does provide, one will always find that there will always be a need to have supply workers. It will vary, it will be higher, it will be lower and some people will be for a very short period of time and some people will certainly have been there, perhaps for even more than a year. What I did ask the administrator was if we had a situation where there were people there continuously on the supply basis for more than four years. The answer he gave me was that there was not.

HON J J BOSSANO:

I am not asking that. Those are the questions that have already been asked and have already been answered. I am not repeating the question, I am asking a different question. I am saying to him, if he has got 53 bodies on supply on 31st August does he know whether there have been 53 bodies, whether they are the same people or different people or they have been a short time or a long time, I am talking about the number overall. Is that number of 53 the sort of normal average number that there is in any given month? Or is the number for August..... Does he know? He does not know.

HON J J NETTO:

Well, I have not got the figures available to me, how much there were in previous months, three months or six months. So I cannot give him the answer as to whether it is a normal average figure.

HON J J BOSSANO:

Well, I would expect the Minister to know how many people there are employed in the department for which he is responsible, if it is 53 or 5. I would expect him to know, he might not know whether it is 53 or 54 but he ought to know whether on average, there are 50 supply carers employed in any given month.

HON J J NETTO:

What I can tell him is that having supply workers is not new, it has happened every month and every year. Whether it is an average of 53 or whether it goes up or goes down, I have not got the information available.

HON J J BOSSANO:

So, if these supply workers are demand-led, that is to say, the number is demand-led, then what the Minister is saying is that they are not, in fact, needed or used for the people who are permanently in the care of the Agency, that it is for people who suddenly come in or may go out and there may be more people needing them and less people needing them.

HON J J NETTO;

That is correct.

HON J J BOSSANO:

So in the answer that he has given in previous answers as to the numbers that would be reflected, if what he is saying is accurate.

HON J J NETTO:

Yes.

NO. 479 OF 2008

THE HON G H LICUDI

SOCIAL SERVICES AGENCY – EMPLOYEES

Can Government state of the employees of the Social Services Agency as at the 31st August 2008, how many were on permanent and pensionable terms and how many were on contract terms, giving a breakdown by grade?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

I hand the hon Member a list giving the information requested. Could I, I do not know if the hon Member is listening, obviously he is going to get the information in a minute but can I point out to him, as soon as he gets the information, that there is a column at the end of the table which he will see now, at the very end, where it says that there are five social workers on contract terms. Does he see that? That could change in the sense that I am aware that for some time now there have been proceedings to try and get them on a permanent basis. It is probably likely that most or some will pass from that column into the other column, and whenever a decision is taken it will go retrospectively to the date of their employment. So, obviously, what I am saying is that the information as it stands here might change in the very near future.

SSA Employees as at 31st August 2008

Answer to Question 479 of 2008

Grade	Number of Employees	Civil Service/ GoG Pension	Eligible to Gib Provident Fund PS No. 2	On Contract Terms (Non-Pensionable)
EMPLOYEES on GOG Terms				
MAIN OFFICE				
Team Leaders	2	2		
Counselling Psychologist	1	1		
Senior Social Workers	3	3		
Social Workers	11	6		5
Administration Manager (HEO)	1	1		
Personnel Officer (EO)	1	1		
Administrative Officer	1	1		
Typist	1	1		
ST. BERNADETTE'S O.T. CENTRE				
St. Bernadette's Manager	1	1		
St. Bernadette's Deputy Manager	1	1		
Enrolled Nurses	2	2		
Administrative Officer - Part-time (GOG)	1	1		
Classroom Aides (full time) Spec. Needs	7	7		
Classroom Aides (part time) (20hrs)	7	7		
Vehicle/Escort	1	1		
EMPLOYEES on SSA Terms				
Chief Executive	1			1
Occupational Therapist/Strategy Co-ord.	1		1	
Counsellor	1		1	
Social Workers (Out of Hrs)	2		2	
Community Service Officer	1		1	
Finance Officer	1		1	
Administrative Officers	4		4	
Personal Assistant (AO)	1		1	
Day Centre Co-ordinator	1		1	
Shop Mobility Attendant	1		1	
Handyman/driver	1		1	
<i>Sub-total cf</i>	56	36	14	6

Cont.....

SSA Employees as at 31st August 2008

Contd Answer to Question 479 of 2008

Grade	Number of Employees	Civil Service/ GoG Pension	Eligible to Gib Provident Fund PS No. 2	On Contract Terms (Non-Pensionable)
<i>Sub-total b/f</i>	56	36	14	6
DRUGS AWARENESS CAMPAIGN				
Drug strategy Co-ordinator *	1	1		
Assistant to Drug Strategy Co-ordinator	1		1	
* GoG Officer on Secondment				
DR. GIRALDI RESIDENTIAL				
Dr. Giraldi Manager	1		1	
Deputy Manager Dr Giraldi	1		1	
Administrative Officer (Part-time)	1		1	
Unit Managers (40hrs)	5		5	
Social Care Workers (40hrs)	13		13	
Social Care Workers (39hrs)	1		1	
Social Care Workers (37.5hrs)	29		29	
Social Care Workers (20hrs)	7		7	
Domestic Support Worker (22.5hrs)	1		1	
Domestic Support Workers (20hrs)	5		5	
Domestic Support Worker (15hrs)	1		1	
CHILDREN RESIDENTIAL				
Unit Managers (40hrs)	6		6	
Social Care Workers (37.5hrs)	30		30	
Social Care Workers (31hrs)	9		9	
INDUSTRIAL STAFF				
Cleaner - 37 hrs per week	2	2		
Cleaner - 25 hrs per week	1	1		
School Attendant/Driver	1	1		
<i>Total</i>	172	41	125	6

As at 31st August 2008 a further 7 non-industrial posts were vacant
The SSA also uses supply / temporary workers for relief cover who are not pensionable

SUPPLEMENTARY TO QUESTION NO. 479 OF 2008

HON G H LICUDI:

Does the Minister know, in respect of those five on contract terms, how long that particular contract has been going on for?

HON J J NETTO:

Off the top of my head, some of them will be recent recruits, recent as defined probably a year or two and some of them have been there, I think, perhaps, I do not know, I would not like to record, two or three or perhaps four years. I am not too sure but, certainly, more than a year. I know also that the reason for that is that there has been some misunderstanding between the Social Services Agency and Human Resources in relation to the conditions of these people. I know that this has not been tackled, I know that all the five are being reviewed now and I feel optimistic that this will change in the not too distant future. This is what I am alerting him to that perhaps if he asks me this question next time he has the opportunity, he will see that this figure will change. So I am pointing him to that fact.

HON G H LICUDI:

Does the Minister know whether those persons are contracted locally or are they brought from abroad specifically on contract?

HON J J NETTO:

Locally.

ORAL

NO. 480 OF 2008

THE HON G H LICUDI

EMPLOYMENT INJURIES INSURANCE FUND

Can Government state what were the opening balances, the total value of receipts and payments and the closing balances of the Employment Injuries Insurance Fund for each month from April to June 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

I now hand the hon Member lists giving the requested information.

ANSWER TO QUESTION NO. 480 OF 2008

The opening balances, the total value of the receipts and payments and the closing balances of the Employment Injuries Insurance Fund for each month from April to June 2008 is as per the following tentative statement:

EMPLOYMENT INJURIES INSURANCE FUND

	<u>30-Apr-08</u>	<u>31-May-08</u>	<u>30-Jun-08</u>
<u>Fund Account</u>			
- <u>Opening Balance</u>	£2,538,691.97	£2,503,581.84	£2,458,873.52
<u>Add</u>			
Receipts	£19,240.10	£21,412.04	£19,314.15
	<hr/>	<hr/>	<hr/>
	£2,557,932.07	£2,524,993.88	£2,478,187.67
<u>Less</u>			
Payments	(£54,350.23)	(£66,120.36)	(£63,819.61)
	<hr/>	<hr/>	<hr/>
<u>Closing Balance</u>	£2,503,581.84	£2,458,873.52	£2,414,368.06
	<hr/> <hr/>	<hr/> <hr/>	<hr/> <hr/>

NO. 481 OF 2008

THE HON J J BOSSANO

PANIC BUTTONS FOR PENSIONERS

Can Government say what is the total number of pensioner households that have been provided with panic buttons and what criteria is used to determine whether they should be provided to a particular household?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Panic buttons are not provided to pensioners by the Government. This is done by the Gibraltar Senior Citizens Association.

SUPPLEMENTARY TO QUESTION NO. 481 OF 2008

HON J J BOSSANO:

Is the Government involved in any way in providing financial assistance to obtaining these panic buttons or not?

HON J J NETTO:

I can tell him that the answer is no, but I can also tell him that a couple of months ago I had representations made to me, by I do not know if he is called the president or the secretary of the association, because they were looking for some money to partially subsidise for another bundle of panic buttons. But at the end they got other sponsors in the private sector and it was not warranted for the Government to give them some sort of donation towards it, because there was more than sufficient from the private sector.

HON J J BOSSANO:

So then it is the association that decide who should get one and who should not. The Government are not involved. Then from what the Minister is telling me the Government is not involved in any way, either in providing finance or in determining the criteria. They set up their own criteria and decide who gets one and who does not, is that it?

HON J J NETTO:

The answer is yes, but can I also add some information. Can I also add that my hon Friend has just whispered to me that in her time she provided, well when she was the Minister, provided some money originally towards the pensioners association. But the answer is that we are not involved with the criteria.

ORAL

NO. 482 OF 2008

THE HON J J BOSSANO

MINIMUM INCOME GUARANTEE

Can Government provide a breakdown for the number of pensioners in receipt of the Minimum Income Guarantee showing the number receiving the single and married rates in bands of £5 up to the full amount as at end of August 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

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

ANSWER TO QUESTION 482 OF 2008

NUMBER OF PENSIONERS IN RECEIPT OF THE MINIMUM INCOME GUARANTEE, RECEIVING THE SINGLE AND MARRIED COUPLE RATES IN BANDS OF £5 UP TO THE FULL AMOUNT AS AT END OF AUGUST 2008.

				SINGLES		COUPLES		TOTAL
				No		No		No
FROM	£151.00	TO	£155.00	0		3		3
FROM	£146.00	TO	£150.00	0		0		0
FROM	£141.00	TO	£145.00	0		0		0
FROM	£136.00	TO	£140.00	0		0		0
FROM	£131.00	TO	£135.00	0		0		0
FROM	£126.00	TO	£130.00	0		0		0
FROM	£121.00	TO	£125.00	0		0		0
FROM	£116.00	TO	£120.00	0		0		0
FROM	£111.00	TO	£115.00	24		0		24
FROM	£106.00	TO	£110.00	2		0		2
FROM	£101.00	TO	£105.00	0		0		0
FROM	£96.00	TO	£100.00	0		0		0
FROM	£91.00	TO	£95.00	0		0		0
FROM	£86.00	TO	£90.00	0		0		0
FROM	£81.00	TO	£85.00	0		1		1
FROM	£76.00	TO	£80.00	1		1		2
FROM	£71.00	TO	£75.00	18		0		18
FROM	£66.00	TO	£70.00	1		0		1
FROM	£61.00	TO	£65.00	2		0		2
FROM	£56.00	TO	£60.00	1		2		3
FROM	£51.00	TO	£55.00	17		1		18
FROM	£46.00	TO	£50.00	8		1		9
FROM	£41.00	TO	£45.00	13		1		14
FROM	£36.00	TO	£40.00	19		0		19
FROM	£31.00	TO	£35.00	13		2		15
FROM	£26.00	TO	£30.00	22		1		23
FROM	£21.00	TO	£25.00	19		1		20
FROM	£16.00	TO	£20.00	244		2		246
FROM	£11.00	TO	£15.00	19		6		25
FROM	£6.00	TO	£10.00	20		8		28
FROM	£0.00	TO	£5.00	8		0		8
TOTAL				451		30		481

ORAL

NO. 483 OF 2008

THE HON J J BOSSANO

CITIZENS ADVICE BUREAU

Can Government state since the Citizens Advice Bureau was given responsibility for the promotion of equal treatment under the provisions of the Equal Opportunities Act what action has it undertaken to provide independent assistance to victims of discrimination on grounds of racial or ethnic origin?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 484 and 485 of 2008.

ORAL

NO. 484 OF 2008

THE HON J J BOSSANO

CITIZENS ADVICE BUREAU

Can Government state since the Citizens Advice Bureau was given responsibility for the promotion of equal treatment under the provisions of the Equal Opportunities Act what action has it taken to bring this about?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 483 and 485 of 2008.

NO. 485 OF 2008

THE HON J J BOSSANO

CITIZENS ADVICE BUREAU

Can Government state since the Citizens Advice Bureau was given responsibility for the promotion of equal treatment under the provisions of the Equal Opportunities Act what action has it taken to provide independent assistance to victims of discrimination on grounds of sex?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

All clients who feel they may have been discriminated follow an interview to determine whether the client may have been discriminated against. Clients then fill in a questionnaire found at the Schedule of the Equal Opportunities Act 2004. Following this, CAB then discusses with relevant organisations concerned and then, if necessary, refers to the legal adviser for a free session of legal consultation.

In order to raise awareness and promote equal treatment, CAB organised in June 2007 an "Equal Opportunities Awareness Training Day". Personnel from different front-line departments were invited to attend and participate. In addition, legal training was given by a Government lawyer.

Promoting equality and valuing diversity is the core business of CAB services. For this reasons, CAB has set up procedures so that people who feel they have been discriminated against, can have access to a session of free legal advice if this becomes necessary.

CAB is also in the initial stages of providing more training days in November 2008, for predominantly private sector firms and trade unions.

SUPPLEMENTARY TO QUESTION NOS. 483 TO 485 OF 2008

HON J J BOSSANO:

What additional resources did the Government provide the Bureau with in terms of either finance or personnel, to enable them to carry out the extra duties that were imposed on them as a result of the new Act?

HON J J NETTO:

Obviously this happened before my time, but I do not think any additional resources were provided as a result of the introduction of this legislation. I mean, I stand to be corrected, but I think that no additional resources were provided for.

HON J J BOSSANO:

Can the Minister say since this responsibility was legislated for, which I think was in 2006, the original Act was in 2004 but I think it was done by regulation in 2006, does he know how many cases they have handled since then?

HON J J NETTO:

Yes and no is the answer. The reason why is that, unfortunately, nothing is simple. CAB produce an annual report which provides statistics on the type of complaint of people who have gone to see them, and we have to bear in mind that this legislation which we are talking about is in the field of employment. So, I mean, the figures that they have provided for 2004, 2005, 2006, 2007, 2008, is that if the hon Member sort of does a column, first for "race ethnic origin", then does a column for "gender", right, he will see that in 2004 there were seven under race ethnic origin and nine for gender, that is a total of 16. In 2005, there was 15 under race ethnic origin and one in gender, again 16 in total. In 2006, there were 11 under race ethnic origin and 8 in gender, that is 19 in total. In 2007, there were 7 under race ethnic origin and 6 in gender, making a total of 13. In 2008, as far as 2008 goes, one under race ethnic origin and three in gender, that is four. So, basically, we have a total of 41 for race ethnic origin and a total of 27 for gender, which brings a grand total of 68. Now, let me qualify when I said yes or no, at the beginning of my answer. The reason is that these figures which are provided to the hon Members are cross-referenced with other issues that do not necessarily follow in the field of discrimination in employment. I am told by CAB that they follow a system of reports which is applied to the National Association of Citizens Advice Bureaux, of which Gibraltar is part thereof. But that the statistical figures provided encompass the very xxxxxx of intimidation within a specific environment, benefits, consumers, housing, relationships et cetera. So what I have asked them, in the future just in case the hon Member might be interested in this, whether we can break this down and try and provide the information if that is what the hon Member in future wants to have. Particularly, given that we are not talking about big numbers here.

HON J J BOSSANO:

Well, given that the responsibility of the Bureau is to provide assistance to the victims of discrimination, what actually happens? Does the Bureau then approach the party which allegedly is guilty of a discrimination, and if so, what powers does it have? Is it able to undertake legal proceedings in its own name against such parties or not?

HON J J NETTO:

Well, I am told that when someone comes in to make a complaint, obviously that is investigated by the staff in the Citizens Advice Bureau. On occasions, as a result of information and investigation, they then sort of mediate, perhaps, with the entity concerned, the organisation concerned, and then that may bring a satisfactory

conclusion to that particular complaint. In other cases, of course, following investigation and the mediation so to speak, CAB may come to the conclusion that there may be a legal issue there, and advise the person to take one free legal consultation with a particular lawyer, where the lawyer will determine whether there is a case to be answered. The person concerned then may choose to take the advice, the first free advice, and then go to a particular lawyer to pursue it or not to pursue it. If he chooses to pursue it, obviously, the person will pay for the legal fees. But of course, at that moment in time, CAB loses track as to whether the person has taken it forward or not, and if the person has taken it forward whether it has been successful in a court of law. So there is a cut off point there where CAB loses track of what is going on.

HON J J BOSSANO:

So then the independent assistance given to the victims is simply to provide them basically with a limited amount of free legal advice to establish, on the advice of that lawyer, whether they have got a case or not. Then if they have a case, it is up to the individual to pursue the matter and pay for it himself?

HON J J NETTO:

Yes.

HON J J BOSSANO:

Does the Minister think that that is sufficient to meet what the legislation we passed here in implementing EU requirements? It does not seem to me to be very much in terms of independent assistance. At the end of the day, somebody that claims to be discriminated against, if it is direct discrimination surely it is something against which there is no defence, the law prohibits that. Is there not a responsibility on the entity that has to protect people, to make sure that people are protected and not simply to say to them, yes what they have done to you is wrong, the lawyer that we sent you to says it is wrong and now do something about it, because what is to stop the discrimination continuing in those circumstances?

HON J J NETTO:

In a way I have answered that question because at the end of the day, much of those mediation efforts by CAB produces a perfectly good solution to the person who has made the complaint. That is the end of the matter, but if one has an organisation which seems to be stubborn on the fact that they do not accept that a discrimination has taken place, well then obviously what CAB does is, look, let us determine independent from us, from a solicitor, whether there is a discrimination taking place or not.

HON J J BOSSANO:

Presumably the legal advice is to establish whether there is sufficient evidence to take legal action. That is what the lawyer is being consulted about. There may be allegations and the person hearing in the allegation may be convinced, but as a non-lawyer, presumably, they may not be able to say that they are so convinced that if

they take this case forward they can win it. That is, presumably, why the lawyer is being provided by CAB. My question to the Minister is, well look, the Government are required by law, and indeed by our obligations under EU law, to make sure that we are effectively combating discriminatory practices, in the workplace and in fact, now increasingly extended to consumers and to a whole range of other things. Since April of this year, many of these things have now been extended to other areas. So is the Minister saying that what we are doing is sufficient to ensure that we are effectively combating discrimination? It does not sound to me as if we are.

HON J J NETTO:

That is a speculative question on the part of the hon Member. Is the Minister satisfied? Well, the Minister has described....

HON J J BOSSANO:

The Minister can always say yes and no.

HON J J NETTO:

It comes to me as grey, not black or white. The Minister will have to determine whether it is or it is not based on the information and advice given by CAB. If it is sufficient, it is sufficient as determined by the advice and if it is not sufficient, then the Minister will have to think why not and then presumably make a report and send it to Government for discussion.

HON J J BOSSANO:

We have got responsibilities in this area and I am trying to establish whether the Government are satisfied, the Minister responsible is satisfied that the responsibilities we have are being adequately discharged with the machinery that he has just described. It does not sound to me as if we are. So what does he...

HON J J NETTO:

He seems to say that he is not satisfied, but it does not seem that this which started in 2004 has been dissatisfied by a number of people. This is not an issue, as far as I see it, in the public domain. Obviously, the people who have redress or advice given and the system seems to have worked well. I mean, what evidence does the Leader of the Opposition have to say the system does not work well?

HON J J BOSSANO:

Well, I will tell him. The evidence is the answer he has given me. If somebody is subjected to racist attacks, goes to CAB, CAB listens to his complaint and it sounds to CAB as if in fact the guy is right, he sends him to a lawyer. The lawyer says yes, you have got 100 per cent case here, and then at that point the man is on his own and he has got to put his own money behind fighting the case. That is the way that he thinks satisfactorily combats racism. Well, I can tell him nobody else in Europe believes that that is sufficient. We must be the only ones that do.

HON J J NETTO:

That is a very similar situation as someone who is seeking unfair dismissal.

HON J J BOSSANO:

No it is not, because for a start, a person can go to a tribunal if he is dismissed on the grounds of gender and without going to CAB and without going to a lawyer, put a complaint before the tribunal and pursue the complaint himself. Otherwise no unemployed worker that may not have the support of the union or somebody like myself, who does it for nothing, would be able to fight the case, because if he is unemployed how can he pay the lawyer. So, the point that I am making is, the machinery that he has described, I am not being critical of what CAB is doing, CAB is doing what it is able to do with the resources it has. That is why the first question I put to the Minister is, well look, if CAB are given duties that they did not have before, have they been given more money and more manpower? The answer is he did not think so. So, in fact, CAB is taking on this responsibility for a number of years with the same resources that it had before the responsibility existed. It seems to me that given that limitation they are going as far as they can go. What I am saying to the Minister, does he think that this is enough to meet the obligation that we have? Which is to give people independent assistance to the victim, and independent assistance to the victim is simply to send him to a lawyer. Well, he can do that without, all he has got to do is look in the telephone directory, there are plenty of lawyers there.

HON J J NETTO:

The information I have is that the system has worked well since the beginning, with the people that have been employed there from the beginning.

HON J J BOSSANO:

Yes, but I have not asked him whether the information he has that it works well. I accept that from the perspective of the people that are there, who are being asked to do this by the Government, they are doing a good job with the resources that they have and with the level of response that is being asked of them. But the level of response is his responsibility not theirs. Does he think that what is being provided is enough? Yes or No?

HON J J NETTO:

Yes, in the absence of being told otherwise.

HON J J BOSSANO:

But I want to know whether he in discharge of his ministerial responsibility, because that is why he is answering this question in the House, as a matter of policy, is satisfied that we do not need to do any more than this to ensure that we are being effective in assisting people who may be the victims of racism or discrimination on grounds of ethnic origin, or discrimination on grounds of gender? Is he satisfied that the system is providing what needs to be provided? Is that right or not?

HON J J NETTO:

I am satisfied because I have not been told otherwise by CAB.

HON J J BOSSANO:

I see. So he has got no independent mind of his own on this subject. He has got no independent position.

HON J J NETTO:

I do not think I need to answer.

MR SPEAKER:

I think you have gone beyond the xxxxxx

HON J J BOSSANO:

I am asking a question of the Minister because it is a matter of Government policy. He is satisfied that CAB is doing a good job and I am sure they are doing a good job because the people there are dedicated to what they do, with the money they have got and the manpower they have got and the responsibility the Minister gives them. But does the Minister think that it is enough that all that is required to support people is that they are given free lawyers advice for half an hour and then, notwithstanding the nature of the racist attacks, or the racist complaints, or the complaints of discrimination, that the responsibility, the public responsibility ends at that point and then it becomes a private matter. Does the Minister think that is right?

MR SPEAKER:

I think the Minister has answered, he said yes and has given a reason xxxxxx otherwise. I do not see where the question of independent mind comes into it. He has given the answer and given the reason for his answer, I think that is where the matter must end.

HON J J BOSSANO:

Because I assume that the Government have got policies which they do not need to ask Civil Servants to approve. The policy maker is him not CAB. I mean, he may tell me that CAB has made no representations to him to go further but having explained it here, I do not know whether he knew how the system worked before the question was put, it is possible that he does not. I do not expect him to be looking into every area that he has responsibility for independently, unless somebody raises it as an issue. We bring it here because we think that what we have here does not seem to be as much as other people have in other places who are implementing the same requirements as we are. Now, that is why I want to know whether he thinks anything more needs to be done or not. The answer is he does not think so because the people in CAB have not asked him for more. Is that the position?

HON J J NETTO:

I have already answered the question.

HON J J BOSSANO:

In that case, since I am not going to get any more answers, I will not ask him any more questions.

ORAL

NO. 486 OF 2008

THE HON S E LINARES

EDUCATION – HEALTH AND SAFETY

Can the Minister for Education state how many meetings he has held with:

- (a) Headteachers; and
- (b) The NASUWT, in relation to the health and safety audit report conducted by ROSPA?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

Meetings were held at the audit phase of ROSPA's intervention under the auspices of my predecessor. Subsequent to that, I have not held any more meetings myself, given that we are now at the stage of producing the health and safety framework for schools to adjust to. When the framework is implemented, contact with the relevant stakeholders will, no doubt, be necessary.

ORAL

NO. 487 OF 2008

THE HON S E LINARES

EDUCATION – PUPILS ATTENDING NURSERY SCHOOL

Can the Minister for Education state how many pupils attended nursery school in the year 2004/2005, 2005/2006, 2006/2007, 2007/2008 and the current academic year giving a breakdown by nursery?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

The statistical information requested is set out in the schedule which I now hand over to the hon Member.

Answer to Question 487 of 2008

Nursery Placements:	Number of Children taking up a placement				
	2004/5	2005/6	2006/7	2007/8	2008/9
Nursery					
St. Bernard's am	48	39	37	33	42
Notre Dame am	30	31	29	30	34
Notre Dame pm	14	8	11	16	Not open
Varyl Begg am	31	31	31	31	31
Varyl Begg pm	16	17	12	16	23
St. Joseph's am	30	41	53	60	60
St. Joseph's pm	26	16	Not open	Not open	11
St. Paul's am	30	40	40	38	41
St. Paul's pm	26	23	Not open	Not open	Not open
St. Mary's	No nursery	No nursery	20	30	31
Governor's Meadow	No nursery	No nursery	30	21	21
St. Martin's	4	6	6	7	7

SUPPLEMENTARY TO QUESTION NO. 487 OF 2008

HON S E LINARES:

Just glancing through the statistics that the Minister has given me, I notice that some of the nurseries are not operating in the afternoons, is that correct?

HON C G BELTRAN:

That is correct.

HON S E LINARES:

Can he give a reason why they are not operating in the afternoon sessions?

HON C G BELTRAN:

Yes, there is no demand.

HON S E LINARES:

When he says "demand" does he mean that there has to be a certain number of children. For example, if in St Bernard's somebody who lives in Moorish Castle, there is only one parent that wants it in the afternoon, are they told they cannot have the afternoon session for their child or one or two children. Is there a sort of number limit to come to that conclusion?

HON C G BELTRAN:

Yes, there has to be some sort of number limit to employ a teacher to have a class. Of course, it does not mean that a child would go by without nursery education, an alternative nursery can be offered and will be offered.

ORAL

NO. 488 OF 2008

THE HON S E LINARES

EDUCATION – MAINTENANCE EXPENDITURE IN SCHOOLS

Can Government state how much money has been spent on maintenance in schools from April 2008 to August 2008 giving a breakdown by school and amount spent respectively?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

Answered together with Question No. 489 of 2008.

ORAL

NO. 489 OF 2008

THE HON S E LINARES

EDUCATION – MINOR WORKS EXPENDITURE IN SCHOOLS

Can Government state how much money has been spent on minor works in schools from April 2008 to August 2008 giving a breakdown by school and amount spent respectively?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

The statistical information requested is set out in the schedule being handed to the hon Member.

Answer to Question 489 of 2008

Answer to Question 488 and 489

The following are the sums spent from April 2008 to August 2008 with regards to minor works and maintenance in schools:

School	Maintenance £	Minor Works £
Gibraltar College	23,050	15,500
Bayside	10,299	90,995
Westside	31,295	-
St Martin's	3,253	9,604
St Anne's	5,750	-
Bishop Fitzgerald	10,903	-
St Joseph's Middle	8,174	-
Sacred Heart	1,463	-
Hebrew	2,707	-
St Mary's First	1,403	-
Governor's Meadow	3,228	-
St Bernard's	2,055	-
St Joseph's	4,669	21,385
St Paul's First	3,695	-
Notre Dame First	13,428	-
TOTAL	£125,372	£137,484

Grand Total - £262,856

SUPPLEMENTARY TO QUESTION NOS. 488 AND 489 OF 2008

HON S E LINARES:

Can the Minister state whether in St Paul's First School, where there is no expenditure on minor works, I am talking about minor works on the list, there seems to be works going on currently. Is it that this is considered to be maintenance rather than minor works, because the works tend to be rather big in terms of maintenance? Can the Minister explain this?

HON C G BELTRAN:

Well, the question refers to the specific period of April to August, so these expenditure figures explain or rather, show a costing for the works that took place in that period. The hon Member may have seen works happening now but this is September, so this would be outside.

ORAL

NO. 490 OF 2008

THE HON S E LINARES

EDUCATION – DEPARTMENT OF EDUCATION CHANGE OF ADDRESS COSTS

Can Government state how much it has cost the Department of Education in relation to letterheads, stationery, etc, following the change of address?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

The cost of stationery following the change of address was £505.

NO. 491 OF 2008

THE HON S E LINARES

EDUCATION – NEW SCHOOL IN WESTSIDE AREA

Can Government state when the new school in the Westside area will be ready for children to attend?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

No Sir.

SUPPLEMENTARY TO QUESTION NO. 491 OF 2008

HON S E LINARES:

Can the Minister not give us any indication whatsoever? He has just answered no, Sir as in when the new school will start, but can he give us an indication of when it is that the building or construction is going to start?

HON C G BELTRAN:

That is a different question, of course, he has asked when it will be finished.

HON S E LINARES:

Yes, a supplementary.

HON C G BELTRAN:

I can say that Government have a list of projects and Government decide in their own time when any particular project will commence.

HON G H LICUDI:

Does that mean that the Minister or the Government do not know at all and have no plans in respect of this?

HON C G BELTRAN:

There are two questions there. The first question, which is really the same as the hon Member has asked, was when the school would be finished and I said no. Can he repeat the question because he has asked two, which one does he want answered?

HON G H LICUDI:

Is this part of Government's plans?

HON C G BELTRAN:

What is?

HON G H LICUDI:

The question relates to a new school in the Westside area. The Minister has given the impression that the Government have not got a clue about what they are doing in relation to a new school at the Westside area. Can the Government confirm whether they do in fact have a clue, whether they do in fact know what plans are afoot in respect of this new school and can the Government give any details as to when they expect that to be finished?

MR SPEAKER:

I must rule that question out of order because the answer was not that the Government have not got a clue. Perhaps the hon Member would rephrase the question.

HON C G BELTRAN:

If I may be allowed to comment on that.

MR SPEAKER:

I would rule out of order. I am trying to enforce the rules.

HON G H LICUDI:

I am happy to accept Mr Speaker's ruling.

NO. 492 OF 2008

THE HON S E LINARES

EDUCATION – NEW SCHOOL IN WESTSIDE AREA

Can Government state where exactly the new school around the Westside area is going to be built?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

Yes, the new school will be on the site of the No. 4 Dock and part of the Yacht Club site. Now he knows.

SUPPLEMENTARY TO QUESTION NO. 492 OF 2008

HON S E LINARES:

Does the Minister have an indication when the present tenants or the people who are there now will be moving in order to get things going for that school?

HON C G BELTRAN:

That is a different question.

HON G H LICUDI:

It is a supplementary, of course it is a different question.

HON C G BELTRAN:

Yes, but not really. It says where exactly is a school being built? He is asking about tenants who live there now, no, I cannot tell him when the tenants will be asked to move.

HON S E LINARES:

Is the Minister then saying that this school could well not open until the year 2015?

HON C G BELTRAN:

Previously the hon Member asked when the school would be finished, if I had given him a date for that, then I would know when it will open. I said I did not know the finishing date, hence I cannot answer the question he has asked.

HON S E LINARES:

Can the Minister state when the construction of the school building will then start in the area in which he has just stated?

HON C G BELTRAN:

No.

ORAL

NO. 493 OF 2008

THE HON S E LINARES

EDUCATION – UNAUTHORISED ABSENCES IN SCHOOL

Can Government state how many children have recorded unauthorised absences in the years 2003/2004, 2004/2005, 2005/2006 and 2006/2007 and 2007/2008 giving a breakdown by school, by term and by year in school respectively?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

Answered together with Question No. 494 of 2008.

NO. 494 OF 2008

THE HON S E LINARES

EDUCATION – AUTHORISED ABSENCES IN SCHOOL

Can Government state how many children have recorded authorised absences in the years 2003/2004, 2004/2005, 2005/2006 and 2006/2007 and 2007/2008 giving a breakdown by school, by term and by year in school respectively?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

Statistics appertaining to pupil absences in the format requested by the hon Member are not kept. However, absences are recorded in school and individual cases followed up by form and year tutors. In the case of repeated absenteeism, these are flagged by form tutors through headteachers and followed up by the Department's adviser with responsibility for children's welfare.

SUPPLEMENTARY TO QUESTION NOS. 493 AND 494 OF 2008

HON S E LINARES:

What criteria does the Minister use in order to ascertain unauthorised as opposed to authorised absences?

HON C G BELTRAN:

I have just told the hon Member that we do not keep statistics in that format, authorised and unauthorised. If we do not keep statistics in that format it means that we do not have definitions as he is asking.

HON S E LINARES:

So therefore the Government cannot ascertain whether absenteeism is as a consequence of truancy?

HON C G BELTRAN:

The fact that most, if not all, schools do not record absenteeism or absences in the format that he has formulated, does not mean of course that teachers are not vigilant

and absences go unrecorded. He knows from his days as a teacher himself that registers are kept rigorously, with usually a zero indicating an absence, which is followed up by the form tutor with the pupil or directly with their parents by telephone, if necessary. Notes from parents and medical certificates when produced, which could be maybe a week or two or whatever late after the absence is recorded, are kept by the school for at least one year. So, what is important here is not so much the form in which statistics are kept, I think, but that everything possible is done to see that children attend school. So, absences in school whether authorised, which presumably means by parents, or unauthorised are taken very seriously by schools and the Department. Proof of this is that average attendance figures are around the 92 per cent mark generally, so very few of these absences are serious cases of truancy.

HON S E LINARES:

Is the Minister aware that there are definitions in UK as to absences, authorised and unauthorised absences. That there is a criteria, a set criteria in the UK?

HON C G BELTRAN:

The UK, I am aware, have all sorts of definitions, criteria on education that we do not necessarily follow because it is not necessarily best practice in Gibraltar.

HON S E LINARES:

Will the Minister then agree with me that in looking at statistics in the UK, without breaking up the authorised as opposed to the unauthorised but general attendance, that in Gibraltar we have quite a high incidence of non-attendance at school as opposed to UK?

HON C G BELTRAN:

I disagree entirely. An average of 92 per cent attendance is a high figure and very similar to UK, if not better. Certainly in some instances.

HON S E LINARES:

I tend to differ with the Minister but that would be another debate.

NO. 495 OF 2008

THE HON S E LINARES

EDUCATION – CHILDREN SUSPENDED FROM SCHOOL

Can Government state how many children have been suspended from school in the academic years 2004/2005, 2005/2006, 2006/2007 and 2007/2008 to date giving a breakdown by school?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

The statistical information requested is set out in the schedule which I now hand to the hon Member, and it shows, I am pleased to say and no doubt he will be happy to hear, a marked and continuing decrease in the total number of pupils who have to be suspended from school.

Answer to Question 495 of 2008

SECTOR	SCHOOL	2004/5	2005/6	2006/7	2007/8
Secondary	Bayside	61	56	39	30
	Westside	11	6	9	10
Middle	Bishop Fitzgerald	0	0	0	1
	St Anne's	2	3	0	0
	St Joseph's	0	0	0	0
	Sacred Heart	4	1	3	2
	Hebrew	0	0	0	0
Primary	St Mary's	0	0	0	0
	St Bernard's	0	0	0	0
	Notre Dame	0	0	0	0
	St Joseph's	0	0	0	1
	Governor's Meadow	1	0	0	0
	TOTALS	79	66	51	44

SUPPLEMENTARY TO QUESTION NO. 495 OF 2008

HON S E LINARES:

I am sure that I am delighted if that is the case.

HON C G BELTRAN:

It is the case, look at the paper in front of you.

HON S E LINARES:

I am not doubting the Minister for one minute. What I am just stating is that has any form of criteria, as in when a child is suspended, changed in order for the statistics to be altered? I am not saying that there is somebody behind the scenes trying to alter the statistics. What I am saying is, is this the same criteria that has always been used past, present and future?

HON C G BELTRAN:

I do not know about the future, but I can tell him that as far as I am concerned and as far as I know in the period that I have been in Education, the criteria are the same as in my predecessor's time.

ORAL

NO. 496 OF 2008

THE HON S E LINARES

EDUCATION – COURSES FOR TEACHERS - SPECIAL NEEDS

Can Government state what courses are currently being offered to teachers who teach Special Needs pupils?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

Answered together with Question Nos. 497 and 498 of 2008.

ORAL

NO. 497 OF 2008

THE HON S E LINARES

EDUCATION – SPECIAL NEEDS BUDGET

Can Government state whether the Department of Education has a specific budget for Special Needs?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

Answered together with Question Nos. 496 and 498 of 2008.

NO. 498 OF 2008

THE HON S E LINARES

EDUCATION – SPECIAL NEEDS POLICY

Can Government state whether there is a specific departmental Special Needs policy in relation to inclusion of pupils in mainstream primary education?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

In respect of Question No. 496, Government are currently offering teachers the courses relevant to Special Needs listed in the schedule that is now being handed over.

In respect of Question No. 497, Special Needs provision is funded from various sources:-

- (i) the school's capitation budget which allows for the development of initiatives and resources in the Special Needs element of the curriculum;
- (ii) a top-up to the school's capitation budget for children in Learning Support Facilities; and
- (iii) a specific additional grant controlled centrally from the Department for the purchase of specialised equipment.

In respect of Question No. 498, yes, there is since the year 2001 a Department of Education and Training document entitled "Guidelines for Meeting Special Educational Needs", the aims of which are inclusive.

Answer to Question 498 of 2008

Answer to Question 496

- (i) University of Durham Leadership and Management Course at Diploma level covering Autism and SEN in general.
- (ii) A level 3 course on Dyslexia and Co-Occurring Conditions with an emphasis on Literacy and Numeracy.
- (iii) A visual impairment and echolocation course.
- (iv) A series of courses entitled "Solution Focused Approach to Behaviour".
- (v) School-based INSET courses in the area of "Literacy and Learning Difficulties".
- (vi) A multi-agency course on child protection.

SUPPLEMENTARY TO QUESTION NOS. 496 TO 498 OF 2008

HON S E LINARES:

I am aware that there is a guideline for Special Needs but that is Special Needs in general. I was trying to see other than that, those guidelines that are in place from May 2001, are there any other specific policies to do with pupils who are included or are inclusive into schools who are of Special Needs? Any specific?

HON C G BELTRAN:

No, the policy if I may say so is an inclusive policy and it is all inclusive, it is an inclusion policy for the whole of the system, not just as in his question, for pupils in mainstream primary education, he is asking in primary education. I can tell him that this document has existed since 2001 and it is for the whole system.

NO. 499 OF 2008

THE HON S E LINARES

EDUCATION – ST BERNARD’S SCHOOL RELOCATION

Can the Minister for Education state when it intends to relocate St Bernard’s School from its current location to the site of the old St Bernard’s Hospital?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 499 OF 2008

HON S E LINARES:

I do not intend to get into the same debate as the one before, but is the Minister not aware that that school is in need of relocation now, as in it is in a desperate state and it is in need of either relocation or need of a new school totally?

HON C G BELTRAN:

Were it to be in a desperate state, children would not be allowed into the building. The school is not in a desperate state, it is not a new building, hence the Government’s plans to provide new purpose-built, alternative facilities. But the specific question is when is it moving and I said I do not know.

HON S E LINARES:

Am I right then in my assumption in the question that it will be, when it will be relocated, that it will be relocated in the old site of St Bernard’s Hospital?

HON C G BELTRAN:

Yes, Mr Speaker.

NO. 500 OF 2008

THE HON S E LINARES

EDUCATION – LONG-TERM SUPPLY TEACHERS

Can Government state whether long-term supply teachers have been given a contract at the start of this academic year and how many are in the long-term supply situation?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

No contracts have yet been given, although I have said that this is one of my priorities, it still is, and we are now closer to a resolution of this matter. I know it has taken a long time, I have been in Education for a year, I said it was a priority, it still is, and we are closer to doing something about this. But when my predecessor said it was a complex issue, I can assure you it is but it should not remain really as it is. It needs some sort of resolution and that is what I am working at. There are at the moment, this year, 20 teachers who will be supplying for one year, this academic year.

NO. 501 OF 2008

THE HON S E LINARES

EDUCATION – TLR POSTS

Can Government state how many TLR posts have been given to date and how many are still to be awarded?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND TRAINING

A total of 116 TLR posts have been filled to date and 86 are pending interviews.

SUPPLEMENTARY TO QUESTION NO. 501 OF 2008

HON S E LINARES:

Can the Minister give an indication as to when all these 86 will be settled as into their posts?

HON C G BELTRAN:

Well, I can give an indication it is not a definite date. But we are working quite hard in the Department, the senior officers who are involved in interviewing with headteachers and so on, it is a complex area as I am sure he understands, requiring the re-advertising of posts that are left by people who obtain new posts in the system. Therefore, maybe December is what we are aiming at. There might be some slippage into January, but certainly I can tell him that senior officers in the Department, he may know have been working, actually doing interviews during the summer holidays when teachers have been on holiday. But some who have been in Gibraltar at the time and the headteachers relevant to the schools whose posts are being given, have actually held interviews during the summer. This is an indication of how seriously and urgently the matter is taken in the Department.

ORAL

NO. 502 OF 2008

THE HON S E LINARES

CEMETERY – MINOR WORKS

Can Government say whether the minor works at the cemetery are now complete and if not when is its completion date?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question No. 503 of 2008.

NO. 503 OF 2008

THE HON S E LINARES

EUROPA ROAD – WORKS

Can Government state what will be the total cost of the replacing and repaving the balustrade and footpath along Europa Road giving a breakdown by phase 1, 2 and 3 respectively?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The position is as given in answer to Question No. 198 of 2008. The hon Member should know that minor maintenance works, by their very nature, have been, are and will always continue to be on-going at the cemetery. So it will never be possible to give a completion date as he is requesting.

The cost of the works to replace the balustrade and repave the footpath along Europa Road and South Barrack Road have been as follows:

Phase one	-	£392,419.06
Phase two	-	£858,789.70
Phase three	-	Currently on-going. The contract sum is £617,899.70.

The estimated total cost for the project, pending completion of phase three, is £1,869,108.46.

SUPPLEMENTARY TO QUESTION NOS. 502 AND 503 OF 2008

HON S E LINARES:

Can the Minister state what minor works are currently going on in the cemetery?

HON LT-COL E M BRITTO:

Relating back to previous questions, I am not absolutely clear whether we are talking about minor works or maintenance works. There were, yes because the hon Member asks the question in a way that implies that there is a particular set of minor works, there was a refurbishment which he was told in the previous answer had now been completed subject to some minor snagging, that has now been completed. He was told then that maintenance is on-going, and I have taken the question, although

he says minor works, to imply maintenance as opposed to minor works. If what he means is minor maintenance works, or maintenance works, then the answer remains the same. It is on-going and will always be on-going as it has always been on-going. So, it is not possible to give a completion date unless he specifies a particular job in a particular place in the cemetery. But if it is a general question it is impossible to give him a completion date.

HON S E LINARES:

I asked this question because I have asked questions ad nauseum questions in the Department of Education, that is, in schools about maintenance and what happened with his predecessor, the Hon Dr Linares, he then said no it is not quite maintenance, there are two types which is maintenance on the one hand, where on-going things go, something breaks or anything that happens there, then that is part of maintenance. Minor works he defined as something within, say in this case, the cemetery which is identified within a section of the cemetery to have some works done over and above what the maintenance is. That is why I put the question because I understand what the Minister answered in Question No. 198 of 2008 in the previous House. What I am saying is that since he was the one that actually said there are still some minor works left, I have posed this question so that I could get an answer as to exactly what, because if one has done a major refurbishment, I would not think, I am a layman, but I would not think that any minor works are envisaged, because there has been a total refurbishment. When there is not a total refurbishment then there are minor works in different places. When there has been a total refurbishment what now is left is the maintenance of that general refurbishment. So the question would be, that is why I posed the question, what minor works are there to be done? There might not be any and what the Minister is trying to say is that there are constant maintenance works. Thank you.

HON LT-COL E M BRITTO:

My position is very much the same as the answers he received from the Hon Bernard Linares. Actually, in answer to Question No. 99 of 2008, I did not mention minor works what I said was, the actual answer was, "yes Sir, the projected works at the cemetery are now complete, with the exception of some minor finishing snagging jobs", which is not minor works. The position, I think, is clear, there are no minor works, there is on-going maintenance, there is a gang of six men at the cemetery on a daily basis doing maintenance and there is no job of minor works that could be identified separately at this moment in time.

HON S E LINARES:

Can the Minister state whether those minor snagging jobs have been completed?

HON LT-COL E M BRITTO:

Yes, I have already said that in answer to a previous supplementary.

ORAL

NO. 504 OF 2008

THE HON G H LICUDI

DUDLEY WARD TUNNEL

Can Government state when it expects works for the realignment and concreted protection of the approach road to Dudley Ward Tunnel to commence?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question No. 505 of 2008.

NO. 505 OF 2008

THE HON G H LICUDI

DUDLEY WARD TUNNEL

Can Government state when it expects Dudley Ward Tunnel to open for vehicular traffic?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Tenders for the works were returned on the 28th March 2008. The tender evaluation process has not yet been completed as there has been a need to clarify a number of technical queries and issues before the evaluation process can be finalised.

The construction period for the re-alignment and concreted protection of the approach road to Dudley Ward Tunnel, is anticipated to be 18 months. The tunnel is therefore expected to be opened to vehicular traffic one and a half years after works commence on the site.

SUPPLEMENTARY TO QUESTION NOS. 504 AND 505 OF 2008

HON G H LICUDI:

Well, that is the same as saying it could open in the year 2020. If it starts in the year 2018 then it will be ready 18 months thereafter which is the year 2020. Is the Minister aware that this is a problem which Gibraltar has faced for many years now, and after tenders were received on 28th March 2008, for us to be six and half months down the line and the Government still, and I will not use the words "not having a clue" because I do not want to be ruled out of order and have the supplementary ruled out, but are the Government not taking this seriously? Certainly, that is the impression that is being given that a problem that has persisted for many years, persists and persists and the Government still do not know when it is going to start. When are the Government going to get their act in order? When are the Government going to know when these works, urgent works, are going to commence?

HONLT-COL E M BRITTO:

There are a number of assumptions in that series of supplementaries which I will deal with by dealing with the factual parts of the question. The hon Member can be excused because of his inexperience of these matters, not knowing how tender

evaluation processes take place. These processes are not in the hands of politicians as yet. These are technical processes. This is a major, major job running into millions of pounds and the tenders come in, they are evaluated at technical level and they are processed at technical level, and until the technical people are satisfied with the answers that they are getting from the tenderers, then the Tender Board cannot meet to make a decision. That is where we are now.

HON G H LICUDI:

We obviously appreciate, despite our ignorance, that there are technical matters.

HON LT-COL E M BRITTO:

Inexperience I said.

HON G H LICUDI:

Inexperience which I suppose equates with ignorance in the particular context. We obviously appreciate that in the case of the re-alignment and concreted protection, that the Minister might not be an expert in the field and some technical expertise might be required. So we obviously expect, that there will be technical people involved and there will be technical issues. Are the Government getting advice from their own technical people as to what the issues are and when those technical issues might be resolved, so that we would be in a position to know when the Government expect this whole project to commence? They must have some idea.

HON LT-COL E M BRITTO:

I can only repeat what I have already said. This is a technical process which is not in the hands of politicians, which is in the hands of the technical people. Until the technical side of the Civil Service makes the assessments and makes the recommendation, then it goes into a tender process, into a Treasury Tender Board and once again, politicians are not involved. It is only when the Treasury Tender Board makes the allocation, it is when it comes to Ministers with the recommendations of the Board. That is the first time that Ministers get involved.

HON G H LICUDI:

Is the Minister telling this House that the Government, essentially, wash their hands of this process and put it in the hands of third parties, and simply sit back and wait, and wait, and wait, and wait until someone someday says, here are the finished projects then this can go to the Tender Board? Do the Government have no involvement at all in this policy decision making?

HON LT-COL E M BRITTO:

I have explained how the system works, I can appreciate the theatrical manner in which the hon Member is asking his supplementaries for the benefit of the audience.

I have given him the facts, the facts are what they are and repeating the same question in a different theatrical fashion will not change the answer.

HON F R PICARDO:

With an attempt to avoid any theatrics whatsoever, can the Minister help me simply with this? Given that we have been able, it appears, to award a tender for the construction of an airport which is going to cost in excess of £50 million in less than a year, can the Minister perhaps help the House and tell us why it is that the technical aspects of the tender to fix Dudley Ward Tunnel, which has been around and functioning without a problem until the very tragic circumstances which gave rise to its closing in 2003, are obviously so much more complex and the award of the tender is so much more difficult than the award of the tender for the airport?

HON LT-COL E M BRITTO:

No, I cannot because the award of the tender for the airport is something that does not come under my Department or my political responsibility. So I cannot draw a parallel.

HON F R PICARDO:

Would it be then, perhaps, possible to reflect on this fact that perhaps other departments are more capable, or other Ministers are more capable when it comes to granting and assessing the technical aspects of contracts and tenders, and are therefore able to move works along much more expeditiously than the hon Gentleman?

HON LT-COL E M BRITTO:

I have already said and I will say again that Ministers do not make the technical assessment, so therefore the question of the capability of one Minister or the other just simply does not come into it.

NO. 506 OF 2008

THE HON G H LICUDI

SUNDIAL ROUNDABOUT

Can Government state the cost of putting up and then removing the new barriers at the Sundial roundabout?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The total cost of erecting and removing these barriers is £19,200.

SUPPLEMENTARY TO QUESTION NO. 506 OF 2008

HON G H LICUDI:

Does the Minister recognise that that is £19,200 down the drain?

HON LT-COL E M BRITTO:

No, Sir.

HON G H LICUDI:

Again, it might be my technical expertise or inexperience that is responsible for this, but if the Government spend almost £20,000 in putting something up, that only a few weeks later as a result of public concern over safety, decide to dismantle and therefore that money is completely wasted, can the Government confirm on what basis the original decision was taken so that only a few weeks later that decision was reversed?

HON LT-COL E M BRITTO:

The Government were advised by the Traffic Commission that a barrier should be put in place, designs for the barrier were put forward and approval was given to those designs. Subsequently, what was erected was not in consonance with the designs that had been approved, either in size or in appearance, the Government did not consider that it was appropriate and in the best overall interests of Gibraltar for that

particular barrier, which is a motorway type of barrier, to feature in such a prominent place in the entrance to Gibraltar. The decision was made to remove it, as I say it is not down the drain because it is reusable again. I said it is not money down the drain because it is reusable, the barrier is reusable and at the moment a design is being prepared for Government approval on a different way of achieving the same means of protecting pedestrians at that particular bend in the road.

HON G H LICUDI:

We certainly applaud efforts which may be made, either at the Sundial roundabout or anywhere in Gibraltar in order to protect pedestrians. That is certainly our interest as well. But this question is not about that type of policy decision for protection. We certainly agree that protection is at the forefront of this type of policy making decision. When the Minister says that the barriers that were erected were not in keeping with the surroundings and possibly not what Government expected, was there nobody in the Government or advising the Minister, who looked at the plans, who knew exactly what was going to be erected and who must have known that this was not going to be satisfactory and was not going to achieve the purpose that it was intended, before the money was spent and before the barriers were erected? Were the Government not advised about this?

HON LT-COL E M BRITTO:

No, the assessment that was made was made once the works had not been completed, once the barrier started going back and what had been seen in presentations and on pictures was actually seen on the ground, and that is when the decision was made.

HON G H LICUDI:

Is the Minister saying that what was presented to the Government as what this would look like did not actually form part of the finished product?

HON LT-COL E M BRITTO:

No, that is not what I said. What was originally presented via the Traffic Commission was a similar type of barrier. What was actually put up was an enhanced barrier with more protection and it was bigger and longer than the original design.

HON G H LICUDI:

The Minister says that this is not money down the drain because the barriers are reusable, well we will have to see whether they are in fact used. There must have been manpower, there must have been a contract, there must have been an award of some sort which does require some money to be spent in erecting and dismantling, and which is money down the drain. Can the Minister give us an indication of that figure?

HON LT-COL E M BRITTO:

I do not have that figure available. I sympathise with what the hon Member is saying, he is correct, I do not have a breakdown of the figure with me.

HON F R PICARDO:

If I might be allowed just before I ask the next question? The Minister's answer puts one in mind of the old saying that the Grand Old Duke of York he did have 10,000 men, he marched them up to the top of the hill and then he marched them down again. I am sure it cost him less than £19,000 to do so.

ORAL

NO. 507 OF 2008

THE HON F R PICARDO

WASTE-TO-ENERGY PLANT EMISSIONS

What emissions, if any, does the Government anticipate that its proposed “waste to energy” plant will produce?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question No. 508 of 2008.

NO. 508 OF 2008

THE HON F R PICARDO

AIR QUALITY MONITORING STATION – LEVEL OF EMISSIONS

What level of emissions have been detected by the new air quality monitoring station in the area of “Jumpers” which the Minister has described as being “within acceptable levels”?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The proposed waste-to-energy plant will be procured under a PFI contract, on a design and build basis. Consequently, the specific information that the hon Member is seeking is not yet available and will not become available until such time as the design is elaborated by the appointed contractor. However, the Government’s requirement for the project clearly state that the plant will have to fully comply with all the requirements of the EU Directive on waste incineration, that is Directive 2000/76/EC of 4th December 2000, and indeed, any future Directives that may come into force during the life of the plant.

The highest hourly average for nitrogen dioxide detected by the new monitoring station at Witham’s Road, has been 151 ug/m³ on the 10th May 2008. The distribution of the majority of the other hourly averages fall into a wide range of double figures. The hourly averages are therefore well below the 200 ug/m³ hourly limit value which has to be met by 1st January 2010.

As the hon Member is aware, this information is available to him by referring to the website.

SUPPLEMENTARY TO QUESTION NOS. 507 AND 508 OF 2008

HON F R PICARDO:

I see that the Government are intending only to comply with the EU criteria and have no more ambitious requirements for the emissions of the waste-to-energy plant. It is called a waste-to-energy plant by the Minister, he and I know it is also called an incinerator by those who do not support that type of technology, although of course, I think across the floor there is support for any technology which does what is required to be done for the community and at the same time produces some energy. But can he tell us, is he intending to contract clairvoyance to build the thing, given that he anticipates that it will comply with EU requirements set out in the year 2000 and all future EU requirements whilst the plant is functioning? I would have thought that the

plant would have a functioning life of 20 to 30 years and it is impossible to anticipate what it is that the EU might in future, given that none of us can tell the future, decide are going to be acceptable levels of emissions?

HON LT-COL E M BRITTO:

The hon Member should be aware that the Government do not intend to contract clairvoyants but rather businessmen. He should understand what I said at the beginning of the answer, that the plant will be procured under a PFI contract on a design and build basis, and that the Government will therefore condition the contract, because the plant will obviously remain in the ownership of the builder. The plant the Government will qualify the contract as I have said. The obligation will be on the owners of the plant to update it according to future EU requirements. They can only build it to EU requirements, Directive 2000/76/EC as I mentioned, at this moment in time. But they will have the commitment to update it, to keep it EU compliant going into the future. That is perfectly possible.

HON F R PICARDO:

I appreciate that, I am grateful for clarification. I think if the Minister reads his original answer, it does not talk about updating although I accept that the way that he has now explained it will require less crystal ball gazing by all parties involved.

HON J J BOSSANO:

Can the Minister confirm that the PFI is just for the construction of the plant and that it will be operated by the Government? Or does it include the owner of the plant operating it as well?

HON LT-COL E M BRITTO:

I do not have that information. I am not running this project.

HON J J BOSSANO:

Does it mean the Government have not taken a policy decision on that issue or just that he personally does not know the answer?

HON LT-COL E M BRITTO:

The second.

HON F R PICARDO:

Given that he is the Minister for the Environment, who is running this project?

HON LT-COL E M BRITTO:

The Minister responsible for the electricity.

NO. 509 OF 2008

THE HON F R PICARDO

EASTSIDE RECLAMATION – SEEPAGE OF DAMAGING CHEMICALS

What is the Government doing or what has the Government done to ensure that the seepage of damaging chemicals and liquids from the Eastside reclamation does not affect bathers on the Eastside, the environment in the area and the present residents of the Eastside?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The Government have for a very long time maintained very strict controls to ensure that only inert building materials were dumped at the Eastside reclamation. No tipping of any other materials, liquids or chemicals has been permitted. In the circumstances, it was not considered necessary to implement specific monitoring of surrounding waters, other than the routine sampling and testing of water quality at Eastern Beach and Catalan Bay.

The inert building materials have their own chemical composition and migration of this into the sea could be expected to affect seawater quality. However, the levels of these contaminants are at present insignificant within the surrounding seawater. This has been identified in the recent EIA carried out on behalf of the Eastside Developers.

SUPPLEMENTARY TO QUESTION NO. 509 OF 2008

HON F R PICARDO:

Does that EIA not also identify that in the process of development of the Eastside, there is a need to ensure that there is no further seepage of the types of damaging chemicals that I described in my question, which might be released by the development process on the land?

HON LT-COL E M BRITTO:

Yes indeed, and the developer will be conditioned to do the necessary to avoid that.

ORAL

NO. 510 OF 2008

THE HON F R PICARDO

OESCO – SOUND ATTENUATION

What progress has been made in respect of the “sound attenuation” of the building at Europa Business Park which is occupied by OESCO?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question No. 511 of 2008.

NO. 511 OF 2008

THE HON F R PICARDO

OESCO – TENDERS FOR SOUND ATTENUATION

What was the total number of tenders received in respect of the “sound attenuation” of the building at Europa Business Park which is occupied by OESCO and which was awarded to Profield Limited?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Sound attenuation works of the building at Europa Business Park occupied by OESCO are currently in progress. The projected completion date for these works is March 2009.

Two offers were received for the tender entitled “Proposed Sound Proofing Works at OESCO Power Station”.

SUPPLEMENTARY TO QUESTION NOS. 510 AND 511 OF 2008

HON F R PICARDO:

Can the Minister tell us who was the unsuccessful tenderer?

HON LT-COL E M BRITTO:

Yes, the tender was awarded to the lowest tenderer and the unsuccessful tenderer was Sharrock Shand

NO. 512 OF 2008

THE HON F R PICARDO

WIND TURBINE BED OFF EUROPA POINT

What progress has been made in the introduction of a wind turbine “bed” off Europa Point, which the Minister for the Environment referred to in chairing the opening plenary of the Commonwealth Parliamentary Association on Climate Change and Energy?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

This project, which is still in the assessment stage, has not as yet been considered by Ministers. The question of progress in the introduction therefore does not arise.

SUPPLEMENTARY TO QUESTION NO. 512 OF 2008

HON F R PICARDO:

How is the assessment progressing?

HON LT-COL E M BRITTO:

In 2007 the Government commissioned a report on the options for Gibraltar in relation to renewable energy. In this report three types of renewable energy, wind, waste, energy from waste and tidal current, were identified and recommendations were that these should be pursued. At present the assessment or the negotiations have been done at technical level. The hon Member should realise that this particular form of renewable energy, unlike the other ones, is a process that is still in its infancy and has not yet been tried and tested on a large scale. At that same conference which the hon Member refers to in his question, it became clear that the Channel Islands are going through the same process of evaluation. It is estimated that the process could be as long as two years in measuring the strength of currents in the particular area off Europa Point. So, it is unlikely that we will see energy being derived from this particular process in the immediate future. Well, unlikely, impossible.

HON F R PICARDO:

Should the two year period be deemed to have commenced in 2007, in which case the assessment might be over by next year, or not?

HON LT-COL E M BRITTO:

No, the period of assessment by a possible contractor will commence when the equipment is in place and measuring currents. We have not got to that stage yet.

NO. 513 OF 2008

THE HON F R PICARDO

GREEN ROOFS

What progress is being made on the introduction of “green roofs”?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Government supports and promotes green roofs whenever these are considered appropriate, possible and viable. This same policy has been adopted by the Development and Planning Commission in its consideration of planning applications.

The DPC encourages the adoption of green roofs in developments within certain areas of Gibraltar. No proposals have as yet been received. The Department of the Environment is keen to assist any developer who might consider undertaking projects of this nature.

SUPPLEMENTARY TO QUESTION NO. 513 OF 2008

HON F R PICARDO:

How does the DPC encourage the adoption of green roofs?

HON LT-COL E M BRITTO:

I cannot answer, although I am a member of DPC I cannot answer for the actions of DPC outside DPC.

HON F R PICARDO:

I appreciate that that may be a matter of policy for the Government, not to wish to engage us in that respect. But if the Minister has just referred to the House specifically and he is a member of the DPC, to the fact that the DPC encourages the adoption of this green roofs technology, I think it is fair to have followed it up with a supplementary on that issue. It is not as if I am asking about the deliberations, I am asking about something which should be something, I would have thought, fairly public and positive in the sense that if it is being encouraged, the fact that we are debating it at least is putting it out there.

HON LT-COL E M BRITTO:

Yes, fair enough but the key word is “encourages”. The hon Member understands the planning process and the prospective developer proposes a project to DPC. In the discussions between the Town Planners, or should I say to the Town Planning Department and to building control, in the discussions between the Town Planners and the developers, the Town Planners on behalf of DPC, encourage them in appropriate areas to adopt green roofs as well as a number of other things, not just green roofs, and more to come when the Building Energy Directive comes into being. But at the end of the day, it is, dare I say, a commercial decision by the developer and the DPC and the Government can do no more than encourage but cannot oblige a developer. Other than in certain circumstances where DPC can make it conditional to the granting of planning permission. I am just trying to generalise so as not to talk about any particular DPC project.

HON F R PICARDO:

The Minister will agree with me, of course, that the Government do not lead by example on buildings that they develop?

HON LT-COL E M BRITTO:

I am trying to think of a building where Government could have led by example. Well we are not talking about green roofs, my understanding of it anyway, in areas like the airport. I think we are talking green roofs in areas where there is vegetation. A building in the airport in the middle of the tarmac with a green roof on it would stick out like a sore thumb.

HON F R PICARDO:

Or beautify the area. The whole idea is that it has a dual purpose.

HON LT-COL E M BRITTO:

No.

HON F R PICARDO:

So the Minister would agree with me that the Government do not lead by example in any of the buildings that it has developed?

HON LT-COL E M BRITTO:

The Government support and promote and have not yet led by example.

HON F R PICARDO:

Do as I say and not as I say I will do?

NO. 514 OF 2008

THE HON F R PICARDO

NEW RECYCLING BINS – ADVERTISING

Why was the Ministry of the Environment's insert in the Gibraltar Chronicle and the Panorama advertising the new recycling bins not printed on recycled paper?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The insert was printed on “environmentally friendly paper”. Recycled paper of the desired quality was not available, and I am told is not normally available. In such circumstances, any literature of guidance is published on paper from sustainable forests, accredited by ISO or the Forest Stewardship Council.

NO. 515 OF 2008

THE HON F R PICARDO

NOXIOUS FUMES AFFECTING GIBRALTAR

What action has Government taken as a result of the ESG having highlighted the problems of noxious fumes affecting different areas of Gibraltar?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

It is assumed that this question is in connection with bunkering fuels. Maybe the hon Member can confirm that before I carry on.

HON F R PICARDO:

The Minister is right and I should have added that to the question to clarify, but we both know xxxxxx.

HON LT-COL E M BRITTO:

Okay, I will proceed on that basis. In June 2005, the Environmental Agency on behalf of the Government of Gibraltar were already investigating the complaints concerning obnoxious, not noxious smells I stress, obnoxious, I stress because as the hon Member will appreciate, two completely different words. The word he uses in the question and the word that I am using in the answer. Obnoxious smells in Gibraltar before this was highlighted by the ESG.

The following measures have been taken by the bunkering companies as a result of Government intervention:

- a) temperature reduction of stored fuel in barges to reduce emissions;
- b) addition of scavenging agents to fuel oils to reduce emissions of hydrogen sulphide;
- c) the prohibition of fuel loaded barges from berthing at the Extension Jetty.

The number of complaints associated with this activity has reduced to insignificance since these measures were introduced.

The Government also engaged Environmental Consultants, AEA Energy & Environment, to conduct a study on the pollutant impacts from fuel bunkering in the Bay of Gibraltar. A report on the study was produced in January 2008.

The report identified that modelled emissions occurring under the worst case scenario from bunkering taking place simultaneously at all the Bay anchorages, are still not sufficient to directly cause harm to health. However, the emissions have the potential to cause odour nuisance, or smell nuisance under certain circumstances.

SUPPLEMENTARY TO QUESTION NO. 515 OF 2008

HON F R PICARDO:

The Minister will forgive me for taking a number of issues in supplementary. The first relates to the question of whether these fumes are noxious or obnoxious. He will agree with me, no doubt, that there have been some instances where individuals have had to attend at St Bernard's as a result of the effect of these fumes, which is what would render them noxious and not just obnoxious.

HON LT-COL E M BRITTO:

The dictionary definition for noxious is poisonous or harmful. Attending hospital does not necessarily mean not obnoxious, it could mean precautionary.

HON F R PICARDO:

Well, I am grateful for the fact that he has told us what has been done to avoid it happening in the future, but certainly, I think that there would be an issue between us if actually on the day that Dr Johnson was born in 1709, we had reduced the dictionary to something which allowed the Government to get away from the fact that some people have actually had to go to hospital as a result of these fumes. So that, therefore, they were noxious on some occasions and not just obnoxious. But the fact is that the Minister's answer has indicated that things are being done to avoid this happening in the future, and I am grateful to that. So perhaps we can move on. What is in the Minister's lexicon insignificant, is it that there are ten reports a months instead of 100, or is it that there is one report a year instead of 100?

HON LT-COL E M BRITTO:

At the risk of re-opening the debate, I touch on the words again. The point I was making is that I reject the insinuation in the question that the fumes are poisonous or harmful, and as I read in my answer to the question, the report that has been produced identifies that even in the worst case scenario, the level of emissions cannot directly cause harm to health. Therefore, I reject the word "noxious" and accept they are obnoxious, which means they are objectionable and offensive. In terms of insignificance, I apologise to the hon Member because I should have picked up that possible supplementary myself and have had the information here, I do not have the numerical answer. If he is interested in it and he writes to me I shall provide it to him but I do not have it here with me.

HON F R PICARDO:

I am obliged. I do not find his argument persuasive on the issue of noxious or obnoxious and neither would the people who have had to attend hospital who have found themselves, obviously, overwhelmed either by poisonous fumes or fumes so obnoxious that they have found that they had to seek medical attention. A lot of what he tells us about whether the fumes we are told in the report can amount to something which is dangerous to health or not, will be based no doubt on assumptions made on the report about disbursal et cetera. Will the Minister agree to provide a copy of the report?

HON LT-COL E M BRITTO:

This question falls between two Ministries, both of which are under my political responsibility up to about April this year. Bunkering comes under the Port and is now my colleague's Joe Holliday. He is actively following, I was advised this morning, considering developing a code of practice for the Port, to make sure that this situation is better regulated. He is also taking advice and considering whether to release the report or not release the report. One of the problems with the report is, I am told, well I have seen it, that it is presented in a very technical form and it is being considered how and if to release it. But I would ask the hon Member to follow that up with him rather than with me because it is now bunkering and that side of it is under Minister Holliday now and not under me.

HON FR PICARDO:

I appreciate the Minister's answer. Would he agree with me, nonetheless, that this is an issue, obviously, which is of some interest to people in the areas who have been affected, and it would certainly inform the public debate, however technical the report may be, if at least its conclusions were to be made public and the results of any surveys carried out were to be made available generally, not just to the Opposition but to the public at large.

HON LT-COL E M BRITTO:

Yes, I certainly agree and that is why I have summarised the main conclusion, which is, assuming every single bay anchorage had a bunkering, which is not possible because we do not have the capability, but assuming every single anchorage had a tanker on it and bunkering was taking place, simultaneously, even then, that is the summary of what the conclusions of the report. Even then the level of the emissions would not be harmful to health. Having said that, I agree that it is a subject that people are naturally concerned when they smell the obnoxious odour. That is, without doubt, the uncertainty, if nothing else, of whether it is harmful or not harmful. So, yes, I do favour making the report in a readable and understandable form public, and I have already spoken to the ESG about this and discussed it with them on a number of occasions.

NO. 516 OF 2008

THE HON F R PICARDO

TRAFFIC MONITORING CABLES

What data has been collected from the cables laid on road ways to monitor traffic?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The Government's Technical Services Department has been installing road traffic counters at various locations on the highway network for the past two years, to collect data on total vehicle traffic movements.

SUPPLEMENTARY TO QUESTION NO. 516 OF 2008

HON F R PICARDO:

When will that data be available?

HON LT-COL E M BRITTO:

I do not have that information at hand, I can tell him that it has been necessary to do it to assess our highway network in relation to compliance with the EU Environmental Noise Directive, 2002/48/EC. But I cannot tell him whether there is a deadline. Presumably there is, almost certainly there is and I suspect that we need to report the levels to the EU as well. But I do not have a date in front of me.

HON F R PICARDO:

Is it the intention to publish this data?

HON LT-COL E M BRITTO:

I would not have thought so. The intention is, my understanding of it, to assess our liabilities under the EU Directive. There is nothing sinister about it. Again, my understanding is that if there is a threshold level of traffic under which the Directive kicks in or does not kick in, and one needs to establish the movement of traffic on any particular area to see whether these reporting requirements or any other

requirements come into play. But I do not have, he will appreciate, the full details with me.

HON F R PICARDO:

Having said all that, the Minister will surely agree with me that if this data is available to the Government and is being collected at taxpayers' expense, then it would be a good idea for at least people in Gibraltar to be able to access it, on the basis that although we may or may not be above or below the requirements of the Directive to do or not do certain things, certainly it would inform again the public debate on issues such as traffic on our roads, or traffic on particular roads of Gibraltar and, from my point of view, the emissions created by the traffic on those roads and whether each side might formulate policy relating to that, or individuals might wish to take up particular issues relating to that. Again, because I do not think there is anything sinister about it, this is data that could very simply be published for the purposes of those who may have an interest in it.

HON LT-COL E M BRITTO:

I think I would rather react in answering to those that have an interest in the subject asking the questions, rather than publishing matters of data that may or may not be available. I can certainly invite the hon Member to ask questions in this House or to write to me, whichever he prefers.

HON F R PICARDO:

I accept the invitation because in that way, certainly, the Opposition would have the information available and anybody who has an interest could consult the Hansard. Whether or not they would know from listening to the radio what the answers are, but certainly from consulting the Hansard they would have the information available that they require.

HON G H LICUDI:

Is this data that is available to the Government on a periodic basis or are they collecting this to have an assessment on a once and for all basis?

HON LT-COL E M BRITTO:

I think we need to collect it not on a once and for all basis but we need to collect it initially to establish what the level of traffic is in different areas of Gibraltar, and I am almost certain that we then need to keep tabs of it periodically. This is not the first time these counters have been used. But they are used for a number of reasons, they are used sometimes if one is going to put traffic lights at a junction, to assess the timings for the lights and so on. On this particular occasion, these have been done for the reasons I have already said. If there are EU requirements, as there are, and if there are EU reporting requirements, then obviously they would need to be updated.

HON G H LICUDI:

Does the Minister know over how long this data is now being collected? Since when did it start? What period are we talking about?

HON LT-COL E M BRITTO:

No I do not. But, again, if he writes to me I will make the information available.

HON G H LICUDI:

I do not know whether this is information that is available to the Minister, but is this reviewed internally before taking that final decision and compiling that report? Is the Minister aware whether, in fact, we are compliant or non-compliant with the EU Directives?

HON LT-COL E M BRITTO:

No, because the data is still being collected and assessed. I do not know for what period of time, I can certainly find out. To be honest I was not anticipating such a lot of interest on this particular question. Otherwise, when I do have some information provided to me in supplementary, I usually ask for more if I know or I expect supplementaries. But I invite both the hon Members who have been asking questions to write to me and ask me for further information and I will provide it.

ORAL

NO. 517 OF 2008

THE HON F R PICARDO

RECYCLING BIN – OUTSIDE ST BERNARD’S HOSPITAL

How often is the recycling bin outside St Bernard’s Hospital emptied, as it is unsightly and overflowing?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 518 and 519 of 2008.

ORAL

NO. 518 OF 2008

THE HON F R PICARDO

RECYCLING OF GLASS AND CANS

What are the details of the agreement between the Government and the company responsible for the recycling of glass and cans?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 517 and 519 of 2008.

NO. 519 OF 2008

THE HON F R PICARDO

RECYCLING OF GLASS AND CANS – VEHICLE DOCUMENTATION

What was the “initial administrative problem” encountered with the documentation of the vehicle designed to carry out the exportation of the glass and cans for recycling?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The contract between the Government and the company in respect of the recycling of glass and cans requires the company to place recycling bins at locations throughout Gibraltar for depositing of waste, glass and cans by the public, and for the subsequent collection of these wastes for transportation to an authorised recycling facility.

The recycling bins are required to be emptied with such frequency as will ensure that they have sufficient capacity to admit further waste.

In the case of the recycling bins opposite St Bernard’s Hospital, which incidentally has proved to be the most popular location, the company has been experiencing difficulties in accessing the bins to empty them, due to their location behind parking spaces. A new permanent location which will not be obstructed when the bins require emptying, has been sought, identified and is being considered. But this location needs the agreement of a third party and this has been requested.

The initial administrative problems related to organisational misunderstandings within the company, with documents being mislaid and which resulted in delays in the issue of the vehicles log book.

SUPPLEMENTARY TO QUESTION NOS. 517 TO 519 OF 2008

HON F R PICARDO:

Which is the company?

HON LT-COL E M BRITTO:

Master Services.

HON F R PICARDO:

Was there a consideration payable in respect of this contract?

HON LT-COL E M BRITTO:

The requirement was put out to tender, I understand, some time in 2007 before my time. Master Services were awarded the contract but it was then absorbed into the full Master Services contract, so it is not a separate contract and it is on a cost plus basis. But further details than that I would not release publicly today, but he would need to write to me if he wants further details of the commercial aspects of the contract.

HON F R PICARDO:

Would he answer the question publicly in this House or is he asking me to write to him privately?

HON LT-COL E M BRITTO:

If he is seeking more commercially sensitive information, I would ask him to write to me xxxxxx.

HON F R PICARDO:

The site where the recycling bin outside St Bernard's was originally located, and is still located, was identified.....

HON LT-COL E M BRITTO:

Not quite.

HON F R PICARDO:

Was it identified by the Government or by Master Services?

HON LT-COL E M BRITTO:

I am hesitating because when I took this over at the end of last year a lot of the work had already been done. I am trying to remember whether this was one of the sites..... It was probably, anyway, it was done in my time so I probably approved it, but the initial survey was done jointly by Master Services and by the Government's Cleansing Section, which now is called something else monitoring something or other. I will come to it in another answer shortly. The survey was done and identified by them jointly, the difficulties were not anticipated, there has been a temporary solution by moving the bins down onto the road, which prevents the problem but loses a parking space. So, we have identified a new location in conjunction with Morrison's inside their car park, and Morrison's are now consulting

with their headquarters about cooperating with the recycling process and allowing the bins to be placed within their own car park.

NO. 520 OF 2008

THE HON F R PICARDO

APES

Has any killing of apes taken place in this calendar year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

In view of the controversy that arose, both at a local and international level, after this subject was discussed during the last meeting of this Parliament, the Government consider that it is not in the best interests of Gibraltar to provide this information publicly. However, the Government are prepared to make this information available to the hon Member opposite on a confidential basis.

SUPPLEMENTARY TO QUESTION NO. 520 OF 2008

HON F R PICARDO:

I would hope that the Minister knows that he can count on Opposition Members where we are of one mind about what are in the interests of Gibraltar, what are the general public interests of Gibraltar, that we will agree to take information confidentially and, perhaps not even pursue requests for information, as is obviously not obvious from the Order Paper, given that we do not ask about certain things. But on this issue which is an issue of partisan controversy across the floor of this House, where we have been standing firm on the issue that there should be no killing of apes, that there should be a better ape management in place. Well, the Minister has taken the contrary position and defended that publicly, where international controversy has been caused. It is not fair and it is not proper, in my view, that the Minister should say that there is information which provides an answer to this question, which is obviously not none but that he will not give across the floor of this House. I would urge him to reconsider his position and to put into the public domain the numbers of any apes which he has authorised the killing of.

HON LT-COL E M BRITTO:

The Government's position remains as stated in the answer to the question already. One of the reasons for that position is that the controversy has been generated and fuelled by misinformation or lack of information, not in this House but outside this House, and it has obliged the Government to write quite a number of letters to people

who have written in expressing concern, and that concern was obviously on the basis of this lack of full information. Each of these letters has been replied to and, I think with one exception, no one has written back to challenge what had been said. In terms of releasing the information, the Government have made a policy decision and if the hon Member is sincere in what he said at the beginning of his supplementary, that Opposition Members put Gibraltar's interests first, it is a question of what they are putting first. They should reconsider their own position as well.

HON F R PICARDO:

This is not, with the very greatest of respect to him, about the interests of Gibraltar. This is about the interests of the GSD. This is about a policy that is unsustainable whether locally or internationally. This is about an answer that obviously is to the effect that a number of apes have been killed on licences granted by the Minister, and that he is not prepared to stand up in this House and defend the number of licences he has given to end the life of apes or macaques in Gibraltar. Therefore, I will not be bound by confidentiality when provided with that answer, nor will I be tarnished with the brush that I do not have Gibraltar's best interests at heart because I do not accept the Minister's position.

HON LT-COL E M BRITTO:

All I will say is that I equally accuse the Opposition Member of having the interests of the GSLP in mind and taking the position they are taking in order to cause harm to the Government at the expense of the best interests of Gibraltar.

HON F R PICARDO:

Causing harm to the Government, the Minister will agree, is not causing harm to Gibraltar because in the phrase he has used he will no doubt have to agree the words "Government" are interchangeable with the letters "GSD" and not Gibraltar.

HON LT-COL E M BRITTO:

If the hon Member has indicated he is not prepared to accept the information on a confidential basis, I will not make it available to him.

ORAL

NO. 521 OF 2008

THE HON F R PICARDO

APES

What is the Government doing about the problem of apes continuing to be attracted to open rubbish dumps in the area of Tankerville / Tank Ramp?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question No. 522 of 2008.

NO. 522 OF 2008

THE HON F R PICARDO

COMPLAINTS FROM RESIDENTS OF SANDY BAY – EROSION OF BEACH/APE MANAGEMENT

What is the Government doing in respect of the further complaints which have been made by residents of Sandy Bay to the Ministry of the Environment, in relation to the erosion of that beach and ape management in the area?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

A new enclosed bin holding facility is being designed for the area of Tankerville and Tank Ramp, in order to replace the current arrangements which no longer meet the requirements. A survey of the area has been carried out, has been necessary to carry out following the re-routing of traffic in the area and possible new locations have been identified by the environmental monitoring unit, which now need to be considered by Government in the light of technical difficulties which have been identified in most of these by the monitoring unit, in most of these possible locations.

The Ministry for the Environment has not received any further complaints from the residents of Sandy Bay in relation to the beach or to the ape management programme in that area since the meeting I held on 3rd April this year with representatives of the two residential groups in Both Worlds at which these issues were raised by them.

SUPPLEMENTARY TO QUESTION NOS. 521 AND 522 OF 2008

HON F R PICARDO:

Well, at least I am pleased that the answer was not that he was going to sign further licences for the assassination of apes in the areas of Tankerville and Tank Ramp. It is frustrating sometimes to come to this House and to get the same answer repeatedly. I have not been a member of this House for as long as the Minister has been, but in all the time that I have been here we have been pursuing this issue, and every time I ask questions about this particular area and what is being done about ape management, I am told that there is a survey of that area, there is a further review of how rubbish management in that area is going to be carried out et cetera. I am exasperated by the answers but the residents of each of the particular areas are becoming exasperated by the fact that the apes continue to be attracted, not just to people who might feed them in breach of the law, but to the open rubbish dumps in

the area. I have available for the Minister and for the Chair copies of photographs taken in the area of Tankerville and Tarik Road, which show both what the unsightly rubbish dumps are like on a daily basis and what the unsightly rubbish dumps are like, particularly on a Sunday, which is the worst day of the week. There are two sets.

MR SPEAKER:

Am I permitted to look at photographs? Not according to Erskine May.

HON F R PICARDO:

Mr Speaker must be because the Minister for the Leisure Centre was making copies available of photographs in relation to Frazer's Ramp.

MR SPEAKER:

He offered but I did not take up the offer. According to Erskine May I am not allowed to look at photographs, nor is anyone in this House. I will look at it off the record.

HON F R PICARDO:

I am obliged. If Mr Speaker is not allowed to look at photographs I am very sorry he will not be able to look at his own family's photo albums. I assume he means in this House.

MR SPEAKER:

Absolutely.

HON F R PICARDO:

These photographs show, and I think they are a useful aid to understanding what the position is xxxxxx

MR SPEAKER:

Not permitted under Erskine May, as you know.

HON F R PICARDO:

.....that the rubbish dumps in the area are more than just unsightly, they are probably quite unhygienic. Not just for the apes who forage there but for the children who play in the area. Now, I know this area very well and I am sure that the Minister has been made familiar with it, it is the area just below Moorish Castle, where lots of tourists sometimes lose their way on their way down from the upper rock and it is an area where there are lots of residents. As the Minister would see if he were to look at

the photographs, the apes come onto the rubbish dumps, there is absolutely nothing to stop them gaining access to the rubbish. In fact, the bins no longer have any lids left. Therefore, what we are providing for the apes is a rubbish food fest in the area which results in them being attracted massively to the bins and providing awful disruption to the individuals who live in the area. All it takes is to build, and I know from experience because I have seen the Ministry do it elsewhere, a small wall covered with fairly sturdy wire and a door that apes cannot open. It has worked in all the other areas. In fact, it has worked in the areas surrounding Tankerville, that is why the apes are now attracted principally to Tankerville because in all the other areas the rubbish dumps have been closed up. Why is it taking so long?

HON LT-COL E M BRITTO:

I share some of the frustrations of the hon Member, he may be surprised to hear. He sums up his exposition and presentation, which was not a question, with ten words in the question at the end when he asks why is it taking so long. I regret to say that as we speak it has become almost necessary for it to take longer. If he looks at answers to previous questions he will have seen that plans were in place, the bin area was being designed, everything was going ahead but we have had to stop those plans because since the road direction has been changed, the refuse depositing pattern of people in the area has also changed. Whereas, for example, the outgoing traffic from Moorish Castle used to go along Castle Road and used to use the bins at the bottom of Castle Steps, now because the direction of traffic has changed in the opposite direction, people are using the upper area. So, whereas there had been an intention of moving the bottom one, we are now re-assessing whether there is a need to do that or a need to build in place. That re-assessment is taking place. Also on the upper side on the Tankerville level the present facilities, as I indicated in my answer, have become unsuitable for requirements because much more refuse is being deposited there. So we are trying to find or are finding an alternative location where a bigger bin holding facility can be installed because the present location is not big enough. Now, I am told, I have not been briefed on the locations and I have not seen the report yet, but I am told that a number of locations that have been identified all have problems of one sort or another. Either they are on the public highway or they are being used for some other purpose, and we are in that position now. Having almost got there, we are now rethinking the whole situation. But believe me, as far as I am concerned, it is a matter of urgency and it is a matter that needs to be tackled quickly, precisely for the reasons that the hon Member is saying, of the unsightly mess and of the attraction to the apes. I cannot resist the opportunity to go back to the hon Member's point about the bins not having lids. Regrettably, those bins are not removed by the Government or by Government officials. They are either removed by people who find it too difficult or too cumbersome to open the bin and it is easier just to dump the rubbish into an open bin, or they are removed by those who should know better and who are employed in the business of refuse. But the hon Member has my assurance of my interest in this matter.

HON F R PICARDO:

I am very grateful to the Minister for that assurance. These are not just issues which can be solved by the Government, there is an obligation here of civic responsibility on behalf of individuals. In the area of Tankerville, the Minister will know that the 12 bins are below a playing area and many people are given to avoiding having to walk down and throwing their rubbish in a way that sometimes does not always hit the target and which causes the rubbish to scatter, and which could cause serious injury

to any child who might fall in the area because it is, as I am sure he will agree, absolutely disgusting in that area. What I would ask the Minister to look at, if he will agree, is that there is a store, quite a large store, that goes into all the area below the playing area just there. If that store were to be the area where the bins were provisioned and a door provided to it, there would not even be a need for a cage and nobody would be able to dump their rubbish from on high because they need to gain access to the storage area. For whatever it is, I am grateful for the Minister's assurance that he is going to act quickly. Can he assure us that he is going to stay on top of this because it is really making life a misery for all the people in the area, and the fact is that it is unhygienic even if we get the apes out of the equation, to have rubbish strewn around where there are children playing on bicycles et cetera, where they frequently fall.

HON LT-COL E M BRITTO:

I do not undertake to stay on top of the bins, but certainly to give it the priority that it needs and deserves under all my responsibilities.

NO. 523 OF 2008

THE HON F R PICARDO

ACCESSIBILITY OF PAVEMENTS

What steps is the Government taking to ensure that pavements in Gibraltar are accessible by users of wheelchairs and “shopmobility” riders?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The Government’s Technical Services Department has been working for the past few years in conjunction with a representative from wheelchair users and the GHA Occupational Therapy Department, to identify routes along Gibraltar where wheelchair access is required. These have been prioritised based on those with greater use, and over the past three years the following routes have been completed:

1. From Alameda Estate to Main Street;
2. From Laguna Estate to Main Street;
3. From Main Street to the new St Bernard’s Hospital;
4. From Varyl Begg Estate to the land frontier;
5. From Laguna Estate, on the Devil’s Tower Road side, to the land frontier.

During the current year, works will be completed along Queensway, Ragged Staff Road, Smith Dorrien Avenue, Line Wall Road, Westside Road and Harbour Views Road.

SUPPLEMENTARY TO QUESTION NO. 523 OF 2008

HON F R PICARDO:

I am grateful for that. Is the reference to year financial or calendar?

HON LT-COL E M BRITTO:

I am not sure it makes a difference. The answer was that the Government have been working for a number of years.....

HON F R PICARDO:

When the Minister said, “in the current year we expect to complete the following”, that is the reference to “year”.

HON LT-COL E M BRITTO:

I beg your pardon, in the current financial year.

ORAL

NO. 524 OF 2008

THE HON DR J J GARCIA

GTB - VISITING UK JOURNALISTS

What was the cost, with a breakdown, of hosting visiting journalists from the UK from 2-4 June, how many were there and what publications did they represent?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The information requested by the hon Member is contained in the schedule which is being handed to him.

Answer to Question 524

Air Fares – British Airways	£1233.00
Overnight Accommodation London Gatwick	£576.54
Travel expenses T Poggio Accompanying group	£88.13
TOTAL	£1897.67

Press Trip – June 2008

Journalists

Ms Jeannine Williamson	Freelance commissioned for Sussex Life (also writes for Bella Magazine)
Ms Anna Maria Epsater	Freelance ABTA Magazine
Mr Frank Gray	Freelance Independent & Times correspondent
Mr John Malathronas	Contributor to Sunday Times
Mr Gavin Haines	Travel editor Bournemouth Echo
Mr David Whitley	AOL online Travel
Mr Robert Melotti	Practical Boat Owner
Mr Cornelis Abraham van den Berg	Travel Editor of Het Parool (leading paper for businessman in Amsterdam)

SUPPLEMENTARY TO QUESTION NO. 524 OF 2008

HON DR J J GARCIA:

Is the Minister in a position to say whether any articles have been published as a result of these visits in the respective publications?

HON LT-COL E M BRITTO:

As the hon Member probably knows, it is usual for articles to be published but I am not aware, I have not actually seen any of them but I am sure they have or will be done.

ORAL

NO. 525 OF 2008

THE HON DR J J GARCIA

GTB – MINISTER’S OVERSEAS VISITS

Can the Minister with responsibility for tourism give the dates when he has been away from Gibraltar on Government business, since the last Question Time in this Parliament, giving the event or function attended, the venue, the city and the country visited?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The information requested by the hon Member is contained in the schedule which is being handed to him.

Answer to Question 525/2008

9th April to 10th April 2008

UK GTA meeting
Birmingham Tourism Marketing Road Show

1st May to 2nd May 2008

London – familiarization visit to London
Office & GTB Marketing Budget Meeting

12th to 13th June 2008

Manchester Tourism Marketing Road Show

21st July to 22nd July 2008

London – Presentation of Ed Lacy Award
and meeting in London Office

3rd to 11th August 2008

Kuala Lumpur, Malaysia – CPA Conference
Airlines: BA
Japan Airlines
Singapore Airlines

Club Class
Cost £5423.10
Blands Ltd

NO. 526 OF 2008

THE HON DR J J GARCIA

GTB – TOP SELLING DESTINATIONS

Can Government list the Costa del Sol tour operators that they use to support their claim that Gibraltar is the top selling destination, with a breakdown in each case showing the top six destinations?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

I am advised that the information that Gibraltar is the top selling destination has always been received verbally or informally from tour operators on the Costa del Sol and/or their representatives in Gibraltar.

The further information being requested in relation to other top selling destinations related to the names of the actual Costa del Sol tour operators, may be commercially sensitive and the Government would need to obtain this information from them, as well as their agreement to make this information public.

SUPPLEMENTARY TO QUESTION NO. 526 OF 2008

HON DR J J GARCIA:

Can the Minister say, even though he has been told, as I understand the answer, the Minister is saying that he is being told verbally by different tour operators.

HON LT-COL E M BRITTO:

The Gibraltar Tourist Board has been told.

HON DR J J GARCIA:

Can he name which tour operators have said that? Is it possible for him to name them?

HON LT-COL E M BRITTO:

No, I do not want to name names without asking the parties first whether they are in agreement to their names being used. If the hon Member would like me to do that, if he writes to me asking specifically what he wants I will then, through the GTB, contact the tour operators and invite them, or otherwise, to agree to their names being used and to the information being provided. It seems to me it can be commercially sensitive for a particular tour operator to allow me to say publicly that their top destinations are so and so and so and so, and at the same time name another number of tour operators and another series of destinations. They may not want to share the information with others. But if he wants me to try, please write to me and ask me for what he wants and I will see what I can do.

HON DR J J GARCIA:

What we are trying to do, obviously, is substantiate the claim that the Government make. They make claims in this House, we want to see how the information has been arrived at in order to make the claim. What I asked him now in my last supplementary related only to Gibraltar, not to the other six destinations but only to Gibraltar. In other words, is it possible for him to name the companies that have mentioned that Gibraltar is a top selling destination, without mentioning the other six destinations or the first six destinations? That was my question.

HON LT-COL E M BRITTO:

Again, firstly I do not have the information so it is not a question that I cannot do it today. But secondly, I would not want to use publicly the names of the tour operators without their agreement. But I am willing to get the GTB to contact the tour operators and to ask them for whatever information the hon Member asks me to obtain.

HON DR J J GARCIA:

Can I ask the Minister how many of these tour operators have given them this information verbally? Are we talking about one tour operator, five or twenty, how many?

HON LT-COL E M BRITTO:

Presumably the tour operators that come to Gibraltar. I just have not followed up the information because I did not think that it would be appropriate for me to release any of this information publicly until we had contacted the third parties concerned. So, as I said, I am willing to try but I do not have the information here with me.

HON DR J J GARCIA:

We are only asking at this stage for the name, for the number, we do not want the name of the operators we just want to know how many there are.

HON LT-COL E M BRITTO:

I do not have it here with me, I cannot. Even if I wanted to I cannot do it because I do not have the information. But, in any case, I do not have the information, I have not followed it up because even if I had the names I do not think it is appropriate to say publicly, such and such tour operator in Portugal or in Spain or wherever, considers Gibraltar to be its top selling destination. To use the names, I think I need to have their agreement.

HON J J BOSSANO:

We have heard that answer three or four times and we understand the point, but surely he does not need their permission to say "one tour operator" or "two operators". Or is it that he does not know how many there are?

HON LT-COL E M BRITTO:

I have said that I do not know.

HON J J BOSSANO:

He does not know then how many people have said that its their top selling destination, it could be one then? For all he knows.

HON LT-COL E M BRITTO:

For all I know it could be one, I think it is more likely to be the tour operators who come to Gibraltar who have been asked. But as I said, because I did not think it was appropriate for me to release information, I just have not obtained it, I have just given the answer. If the hon Member wants me to follow it up, then I invite him to write to me and say, "this is what I would like to know", so that there is no possibility of confusion. Then we will follow it up.

ORAL

NO. 527 OF 2008

THE HON DR J J GARCIA

GTB – BIRMINGHAM ROAD SHOW COSTS

What was the cost with a breakdown, of the Tourist Board road show in Birmingham in April?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 528 to 532 of 2008.

ORAL

NO. 528 OF 2008

THE HON DR J J GARCIA

GTB – DELEGATION TO BIRMINGHAM ROAD SHOW

Can Government say how many persons made up the official Gibraltar delegation to the Tourist Board road show in Birmingham and list what offices they hold?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 527 and 529 to 532 of 2008.

ORAL

NO. 529 OF 2008

THE HON DR J J GARCIA

GTB – ATTENDANCE AT BIRMINGHAM ROAD SHOW

Can Government say how many persons involved in the tourism industry in Birmingham attended the Birmingham road show organised by the Tourist Board in April showing who they represented?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 527, 528 and 530 to 532 of 2008.

ORAL

NO. 530 OF 2008

THE HON DR J J GARCIA

GTB – MANCHESTER ROAD SHOW COSTS

What was the cost with a breakdown of the Tourist Board road show which took place in Manchester on 12 June?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 527 to 529, 531 and 532 of 2008.

ORAL

NO. 531 OF 2008

THE HON DR J J GARCIA

GTB – DELEGATION TO MANCHESTER ROAD SHOW

Can Government say how many persons made up the official Gibraltar delegation to the Tourist Board road show in Manchester and what offices they hold?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 527 to 530 and 532 of 2008.

ORAL

NO. 532 OF 2008

THE HON DR J J GARCIA

GTB – ATTENDANCE AT MANCHESTER ROAD SHOW

How many travel agents from the Manchester area attended the Tourist Board road show in Manchester on 12 June?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The information requested by the hon Member is contained in the schedule which is being handed to him.

Answer to Question 532

BIRMINGHAM ROAD SHOW

Answer to Question 527

Costs:

TAXIS	£57.46
TRAIN TICKETS	
LONDON - BIRMINGHAM	£447.50
DINNER	£2,802.55
AUDIOVISUAL EQUIPMENT	£905.00
HOTEL	£277.30
ENTERTAINMENT MAGICIAN	£528.75
INVITATIONS	£385.40
POSTAGE	£120.00
MISC. EXPENSES	£25.87
TOTAL	£5,549.83

Cont'd.....

CONTD ANSWER TO QUESTION 532

Answer to Question 528

Attendees Gibraltar Delegation

Minister for enterprise, Development, Technology and Transport – J Holliday
Minister for the Environment and Tourism – E Britto
Mr A Poggio, Director Gibraltar Government Office London
Mr N Guerrero – Chief Executive, GTB
Mr P Canessa – PPS to Minister J Holliday
Mr I Leyde – Sales Manager, GTB London
Miss C Lerner – Marketing & Events Co-ordinator – GTB London
Miss K Bensadon – Information Officer – GTB London
Ms T Poggio – Redleaf Associates – marketing & PR Services for GTB London

Cont'd.....

CONTD ANSWER TO QUESTION 532

Answer to Question 529

Attendees – Birmingham Area Tourism Industry

ROAD SHOW BIRMINGHAM	
TRAVEL AGENT	NUMBER ATTENDED
Airport Travel Ltd	3
American Express Europe Ltd	2
Bowen Travel Ltd / First Choice	3
Carlson Wagonlit	3
Carrick Travel Ltd	2
Diamond Travel	3
Going Places	2
Jet Link Travel Ltd	1
Midlands Co-Op Travel	5
Midlands Co-Op Travel	2
Midlands Co-Op Travel	3
Midlands Co-Op Travel	2
Midlands Co-Op Travel	3
Midlands Co-Op Travel	3
Midlands Co-Op Travel	1
Moseley Travel	4
Ross & Brown Travel	2
Thomas Cook	1
Thomas Cook	1
Thomas Cook	2
Thomas Cook	3
Thomas Cook	1
Thomson	4
Travel Club Elite	1
United Travel & Tours Ltd	4
TOTAL	61

Cont'd.....

CONTD ANSWER TO QUESTION 532

MANCHESTER ROAD SHOW

Answer to Question 530

MANCHESTER ROAD SHOW	
	COST
SUBSISTENCE	£102.44
FLIGHTS	£1,811.10
TRAIN TICKETS	£187.20
DINNER COSTS	£3,595.40
AUDIOVISUAL EQUIPMENT	£1,194.40
HOTEL	£862.20
ENTERTAINMENT MAGICIAN	£587.50
INVITATIONS	£390.10
POSTAGE	£105.06
MISC. EXPENSES	£135.95
TOTAL	£8,971.35

Cont'd.....

CONTD ANSWER TO QUESTION 532

Answer to Question 531

Attendees – Gibraltar Delegation

Minister for the Environment and Tourism – E Britto
Mr A Poggio, Director Gibraltar Government Office London
Mr I Leyde – Sales Manager, GTB London
Miss C Lerner – Marketing & Events Co-ordinator – GTB London
Miss K Bensadon – Information Officer – GTB London
Ms T Poggio – Redleaf Associates – marketing & PR Services for GTB London

Cont'd.....

CONTD ANSWER TO QUESTION 532**Answer to Question 532****Attendees – Manchester Area Tourism Industry**

ROAD SHOW MANCHESTER	
TRAVEL AGENT	NUMBER ATTENDED
Addison Travel	3
American Express Europe	4
Brightsun Travel	3
Carlson Wagonlit	7
Commodore International Travel	4
Cooperative Business Travel	5
Cresta (Cresta World Travel Ltd)	2
Delta Travel Agency	3
Hebridean Int Cruise	1
Hill's Travel Worldchoice	2
Mayfair World Travel	2
Peregrination	4
Pole Travel	2
Premier Leisure (Chadwell Travel)	9
Thomas Cook	3
Thomson (TUI UK Ltd)	2
Thomson (Tui UK Ltd)	6
Travel Options Ltd	2
WA Shearings Holidays Ltd	1
Miss Ellies Travel World	3
Howards Way Travel	1
TOTAL	67

SUPPLEMENTARY TO QUESTION NOS. 527 TO 532 OF 2008

HON DR J J GARCIA:

In relation to the answer to Question No. 527, this shows a dinner which cost £2,800, can the Minister say how many people attended that dinner?

HON LT-COL E M BRITTO:

I think he has got the answer somewhere else in the answer to the question. Is he talking about Birmingham? A total of 78 people, and to save him the trouble of working it out, it is £35.93 per head.

HON DR J J GARCIA:

The dinner is again the highest item of expenditure in relation to the Manchester road show, can I ask him how many people attended that dinner which cost £3,595?

HON LT-COL E M BRITTO:

Yes, a total of 84 people and the cost per head is £42.80, giving an average across both events of a cost per head of £39.50.

ORAL

NO. 533 OF 2008

THE HON DR J J GARCIA

GTB – REVENUE RAISED

Can Government say how much revenue has been raised on a monthly basis since March 2008 inclusive:

- (a) by charging coaches that use the coach park;
- (b) in admission fees to the Upper Rock;
- (c) in admission fees to the Gibraltar Museum?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The information requested by the hon Member is contained in the schedule which is being handed to him.

Answer to Question 533

(a)

Coach Park Revenue March – August 2009

Month	Cash Revenue	Credit Revenue	Month Total
March	£6,169.39	£640	£6,809.39
April	£8,726.54	£760	£9,486.54
May	£8,639.71	£850	£9,489.71
June	£6,354.24	£1,060	£7,414.24
July	£5,896.17	£1,150	£7,046.17
August	£5,580.64	£940	£6,520.64
Total	£41,366.69	£5,400.00	£46,766.69

(b)

Month	Revenue Raised
March 2008	£228,144.90
April 2008	£283,838.11
May 2008	£309,088.20
June 2008	£270,826.06
Total	£1,091,897.27

Figures for July and August are not yet available.

(c)

Month	Revenue Raised
March	£ 887.50
April	£1592.00
May	£2164.60
June	£1103.08

NO. 534 OF 2008

THE HON DR J J GARCIA

GTB – NUMBER OF INTERVIEWS

Can Government say how many interviews have been carried out with persons who said:

- (a) that they had stayed at a hotel;
- (b) that they had not stayed at a hotel,

since the information supplied at the last Question Time in this Parliament, stating where they were interviewed and the number interviewed at each location, and in the case of those who stayed at hotels what was the average length of stay in each case?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

The information requested by the hon Member is contained in the schedule which is being handed to him.

Answer to Question 534/2008

a) Stayed at Hotel:-

	Total No. of Interviews	Stayed at Hotel	Airport Interviews	Average length of Stay	Frontier Interviews	Average length of Stay	Elsewhere Interviews	Average length of Stay
Feb 2008	1004	1	-	-	1	2	-	-
Mar 2008	1002	1	-	-	1	4	-	-
Apr 2008	1262	45	44	5.3	1	2	-	-
May 2008	1022	-	-	-	-	-	-	-
June 2008	1197	4	4	3.5	-	-	-	-
July 2008	1193	4	3	10	1	4	-	-

b) Not stayed at Hotel

	Total Interviews Not Stayed at Hotel	Airport	Port	Frontier	Waterport	Marina	Coach Park
Feb 2008	1003	-	-	1003	-	-	-
Mar 2008	1001	-	-	1001	-	-	-
Apr 2008	1217	108	103	1000	-	6	-
May 2008	1022	-	15	1003	-	4	-
June 2008	1193	42	151	995	-	5	-
July 2008	1189	20	104	996	1	-	68

NO. 535 OF 2008

THE HON DR J J GARCIA

GTB – VACANCY FOR UPPER ROCK SITE OFFICER

In respect of the vacancy for Upper Rock Site Officer which was advertised at the end of March, can Government say:

- (a) how many posts were vacant;
- (b) how many applications there were for the post and how many were Gibraltarians;
- (c) whether the post has now been filled;
- (d) if so, whether the successful applicant was a Gibraltarian?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

One post was vacant, there were no applicants as the vacancy was cancelled. The post has now been filled by an internal transfer of a Grade II Clerk from within the GTB. The transferee is a Gibraltarian.

SUPPLEMENTARY TO QUESTION NO. 535 OF 2008

HON DR J J GARCIA:

Did I hear correctly that there were no applicants for the post? Nobody was interested, is that what the Minister said?

HON LT-COL E M BRITTO:

Well, I said a little bit more than that. I said there were no applicants because the vacancy was cancelled. There was a vacancy but it.....

NO. 536 OF 2008

THE HON DR J J GARCIA

CHARLES V WALL – REFURBISHMENT

What was the final total Government contribution, in addition to the £260,000 donated by the Bonita Trust and the £60,000 donated by the EU, for the refurbishment of Charles V wall?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Government have made no financial contribution to the costs of the Charles V wall refurbishment project. We have, however, contributed by assigning in-house resources to project manage and supervise the works. For the sake of correctness, the hon Member should know that the total contract sum is £312,855, with the EU contribution being, in fact, £65,472 and the balance of £247,383 being contributed by the Bonita Trust.

SUPPLEMENTARY TO QUESTION NO. 536 OF 2008

HON DR J J GARCIA:

The figures the Minister has given are higher than the figures that were published, is that because there were some invoices which had not been paid? Why was that?

HON LT-COL E M BRITTO:

When the hon Member says the figures that were published, I am not aware of what publication of figures he is talking about. In any case, these are the current figures and they are correct. I cannot explain what the difference is.

HON DR J J GARCIA:

The reference is to an article which was published in July in which the Minister was quoted, not giving these figures but saying other things. There it says, "the Trust contributed over £260,000 and the EU £60,000 towards the project". The figures given now in this House are higher than this.

HON LT-COL E M BRITTO:

Where does the hon Member say that was published?

HON DR J J GARCIA:

On 4th July.

HON LT-COL E M BRITTO:

Where?

HON DR J J GARCIA:

In the Chronicle.

HON LT-COL E M BRITTO:

I cannot answer for the accuracy of the Chronicle figures, but it would seem to me, because this is an on-going project, in fact I think it is now finished but it only finished recently, the figures that were given in July must have been on-going figures and then the final figures will have to be adjusted when the project has ended. It is also probable that in giving figures which were probably given at the top of Charles V wall at the inauguration of the wall, that these figures were rounded off.

NO. 537 OF 2008

THE HON DR J J GARCIA

UPPER ROCK – ENTRY OF FOREIGN CARS

Can Government say whether it has always been the practice to allow foreign registered private cars to enter the Upper Rock during the peak summer month?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

No, Sir. It has not always been the practice. In the year 2005, the then existing restrictions preventing foreign vehicles from entering the Upper Rock Nature Reserve during August until after 3.00 p.m. were lifted. Current practice, which is considered to be working well, is for control or restriction to be applied and coordinated by the Gibraltar Tourist Board staff, taking into account a number of factors which include traffic congestion at the entry point to the Nature Reserve, at the tourist sites themselves, or on an assessment of the times and passenger numbers of pre-booked tours. When such pre-booked passenger numbers exceed 3,000, entry restrictions on foreign registered private cars is automatically applied.

The number of vehicles entering the Nature Reserve is closely monitored throughout the day and recorded on a half hourly basis, to enable GTB staff to carry out checks on traffic volumes in order to be able to take informed decisions.

SUPPLEMENTARY TO QUESTION NO. 537 OF 2008

HON DR J J GARCIA:

Given the volume of traffic and the amount of chaos which we have seen in the Upper Rock on specific days, does the Minister consider this policy to be working well?

HON LT-COL E M BRITTO:

Because the hon Member is incorrect when he says there is traffic chaos in the Upper Rock. There have been, to my knowledge, one, possibly two incidents, both associated with vehicle accidents. One was a bus that went off the road and the road was blocked, and the other was a similar traffic accident. Two incidents caused by factors extraneous to traffic volumes can hardly be defined as traffic chaos. I know it is a favourite word with Opposition Members because they think they can achieve political brownie points, but I refute the allegation.

HON DR J J GARCIA:

I do not know whether the Minister has been to the Upper Rock to see for himself what happens there on a daily basis, particularly in the summer months and particularly in August. But certainly, the information we have and what we have witnessed ourselves is not in line with what he is saying. Does the Minister consider that there is a serious safety risk, in the sense that given the congestion that we tend to get up there, it might not be possible to get people out quickly in the event of a serious accident like the ones he has mentioned, but if that developed even further into a fire or necessitated some kind of evacuation, that at present there is a serious health and safety risk in terms of getting people out quickly?

HON LT-COL E M BRITTO:

In the same way as what the hon Member has described applies to anywhere where a large number of vehicles conglomerate. Like, for example, the frontier or like, for example, a traffic jam in Queensway or along Devil's Tower Road when there is a tailback due to difficulties in traffic passing through the frontier. So, yes, whenever that happens there are concerns but this is one of the things we have to live with. I am conscious of the issues involved and I am taking a more holistic view of the Upper Rock than I am of just this particular issue. But I am conscious of the issue. I am also conscious of the issue that when there are stoppages or conglomeration of traffic on the Upper Rock, it is caused not so much by foreign registered vehicles but by local vehicles which are parked in such a way as to prevent flow of traffic.

HON F R PICARDO:

The Minister will forgive me for not accepting his analogy with Queensway for this reason, it was not the case that until 2005 foreign vehicles were prevented access to Queensway in peak summer months. It was the case, as the Minister has indicated in his answer, that until 2005 foreign registered vehicles were prevented access to the Upper Rock in peak summer months. Why do we not revert to that position which obviously alleviated the traffic, shall we call it situation, in order not to give way to descriptions such as chaos or not chaos, in the Upper Rock?

HON LT-COL E M BRITTO:

Because in the assessment of the Gibraltar Tourist Board and the Government, it is not necessary to return to a situation of a complete ban on every day of the week. By the way, when he says up to 2005, it did not start at the beginning of the century, it started, I understand, when the Opposition Members' party were in office and it was assessed that a lot of people coming into Gibraltar in foreign vehicles, were being prevented from going into the Upper Rock at times when there was no reason to stop them, especially during the morning. So the decision was made to do the assessment on an on-going basis and this assessment, as I have described, taking into account cruise liners, taking into account tours pre-booked by coaches coming across the frontier, by and large is working well. Like every human being designed arrangement, there are some days when it may work better than others if people do not do things exactly the way they are supposed to do them. But by and large it works well because when the traffic conditions get bad or are expected to get bad, then the foreign registered vehicles are stopped. But the rest of the time there is no sense in stopping them if there is no need to stop them.

HON F R PICARDO:

Is it that the evidence suggests that if these individuals do not go up in their own vehicles they do not go up at all and, therefore, it has an effect on revenue?

HON LT-COL E M BRITTO:

Well, it is not for me at this moment in time to say whether they do not go up at all or whether they go by taxi or cable car instead. That is obviously an individual decision by an individual tourist. The options are obviously open for the individual to make.

HON F R PICARDO:

No, of course I understand, that is why I asked the Minister whether there was evidence that if people did not go up in their own vehicles they did not go up. Is there any evidence of that?

HON LT-COL E M BRITTO:

No, there is not to my knowledge but I think it is a natural assumption that if one drives into a place and cannot get beyond a certain point, that the majority of people would then not find an alternative means of doing it. Especially if they have driven in and they are not aware that there are taxi tours that take them up there. The cable car might be more obvious but the indications I have from the GTB are, which I did not include in my answer but if I look at this moment if the hon Member bears with me. In fact, the advice from the GTB says precisely that, I do not know on what they have based their assumption but this has meant, meaning the restriction on foreign registered vehicles, that visitors to Gibraltar who come in their private vehicles get the chance to visit the sites, when what used to happen was that they would go away without seeing the tourist product as they could not get a taxi or the cable car, as they were practically working to full capacity, which happens when there are two liners in port or coaches in the middle of August.

HON F R PICARDO:

First of all, the Minister will excuse me for not accepting his assumption as natural that people who cannot drive up will then turn around and go back because they do not know about taxis. I do not accept that as a natural assumption. The bit that he has read us from the Tourist Board suggests, actually, that the only time when it makes sense to allow people to take their own cars into the Upper Rock is when all coaches and taxis are working to full capacity. So that would appear to be contradictory. The Minister tells us when there is a lot of uptake on coach and taxi tours we then close the Upper Rock. The GTB advice seems to be that it is good to allow people up in their own cars when there are not any taxis available and the coaches are not available because they are all in the Upper Rock. So, I think a truly holistic approach would be to understand what happens to that revenue if we do not allow individuals in their own cars to go to the Upper Rock. Something which appears to me, from what the Minister has read, has not yet been properly assessed.

HON LT-COL E M BRITTO:

I am not aware that there has been a xxxxxx.

ORAL

NO. 538 OF 2008

THE HON DR J J GARCIA

GTB – TENDER FOR BEACH CONCESSIONS

Can Government list the successful tenderers in respect of the tender for beach concessions, showing the amount bid in each case, the nature of the concession, and the beach in question?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 539 and 540 of 2008.

ORAL

NO. 539 OF 2008

THE HON DR J J GARCIA

GTB – TENDER FOR BEACH CONCESSIONS

Can Government list the successful tenderers in respect of the tender for beach concessions “kiosks” showing the amount bid in each case and the beach in question?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Answered together with Question Nos. 538 and 540 of 2008.

NO. 540 OF 2008

THE HON DR J J GARCIA

GTB – TENDER FOR BEACH CONCESSIONS

Can Government say how many tenders they received in respect of the tenders for beach concessions and beach concessions “kiosks” and indicate whether in every case the tender was awarded to the highest bidder?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM

Two beach concessions and four beach concessions for “kiosks” were available and only one application was received in each case, making a total of six applications. These concessions carry a fixed standard fee of £325 for the summer season, so applicants were not required to submit bids and, therefore, the question of whether the highest bidder was successful does not apply.

The detailed information requested by the hon Member is contained in the schedule which I now hand to him.

ANSWER TO QUESTION 540/2008

Applicant	Beach	Proposed Venture	Specific Location
1 Sunrise Beach Bar Restaurant Ltd	Eastern Beach	Beach Kiosk (Bar/Restaurant)	Adjacent to playground
2 Sunrise Beach Bar Restaurant Ltd	Eastern Beach	Hiring of beach umbrellas and sun loungers	Area directly in front of Sunrise Kiosk premises
3 Willy's Return	Camp Bay	Beach Kiosk	Camp Bay South Promenade (Next to retaining wall)
4 Little Bay Kiosk	Little Bay	Beach Kiosk	Adjacent to beach facilities
5 El Chiringuito	Western Beach	Beach Kiosk	Enclosed area at south end of beach
6 Latinos on the Beach	Eastern Beach	Hiring of beach umbrellas and sun loungers	Area directly in front of Latinos on the Beach premises

ORAL

NO. 541 OF 2008

THE HON C A BRUZON

HOUSING – RENT RELIEF

Can Government state how many households on rent relief have had this benefit terminated, to date, as from March 2008, giving a monthly breakdown?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 542 to 545 of 2008.

ORAL

NO. 542 OF 2008

THE HON C A BRUZON

HOUSING – RENT RELIEF

Can Government state how many households have had the level of rent relief reduced, to date, as from March 2008, giving a monthly breakdown?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 541 and 543 to 545 of 2008.

ORAL

NO. 543 OF 2008

THE HON C A BRUZON

HOUSING – RENT RELIEF

Can Government state how many households were on full rent relief, to date, as from March 2008, giving a monthly breakdown?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 541, 542, 544 and 545 of 2008.

ORAL

NO. 544 OF 2008

THE HON C A BRUZON

HOUSING – RENT RELIEF

Can Government state how many households have received rent relief, to date, as from March 2008, giving a monthly breakdown?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 541 to 543 and 545 of 2008.

ORAL

NO. 545 OF 2008

THE HON C A BRUZON

HOUSING – RENT RELIEF

Can Government state how many households have applied for rent relief, to date, since March 2008, giving a monthly breakdown?

ANSWER

THE HON THE MINISTER FOR HOUSING

I now hand the hon Member a schedule containing the information requested.

Answer to Question 545 of 2008

Answer to Question 541

The number of households, on Rent Relief, that have had this benefit terminated, to date, as from March 2008, is as follows:

APRIL 2008	-	9
MAY 2008	-	7
JUNE 2008	-	6
JULY 2008	-	8
AUGUST 2008	-	11
SEPTEMBER (until 12/9/08)	-	6

Answer to Question 542

The number of households that have had the level of Rent Relief reduced, to date, as from March 2008, is as follows:

APRIL 2008	-	32
MAY 2008	-	23
JUNE 2008	-	21
JULY 2008	-	21
AUGUST 2008	-	24
SEPTEMBER (until 12/9/08)	-	13

Answer to Question 543

The number of households that were on full Rent Relief, to date, as from March 2008, is as follows:

APRIL 2008	-	46
MAY 2008	-	46
JUNE 2008	-	46
JULY 2008	-	49
AUGUST 2008	-	46
SEPTEMBER (until 12/9/08)	-	42

Answer to Question 544

The number of households that have received Rent Relief, to date, as from March 2008, is as follows:

APRIL 2008	-	653
MAY 2008	-	622
JUNE 2008	-	626
JULY 2008	-	622
AUGUST 2008	-	614
SEPTEMBER (until 12/9/08)	-	602

Contd Answer to Question 545

Answer to Question 545

The number of households that have applied for Rent Relief, to date, since March 2008, is as follows:

APRIL 2008	-	11 (5 active)
MAY 2008	-	10 (5 active)
JUNE 2008	-	9 (8 active)
JULY 2008	-	9 (8 active)
AUGUST 2008	-	6 (4 active)

ORAL

NO. 546 OF 2008

THE HON C A BRUZON

HOUSING – WAITING LIST

Can Government state how many applicants on the Housing Waiting List, to date, are medically recommended, giving a breakdown of their medical category?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 547 of 2008.

ORAL

NO. 547 OF 2008

THE HON C A BRUZON

HOUSING – WAITING LIST

Can Government state how many applicants, to date, are medically recommended, apart from those who are described as applicants on the Housing Waiting List, giving a breakdown of their medical category?

ANSWER

THE HON THE MINISTER FOR HOUSING

I now hand the hon Member a schedule containing the information requested.

Answer to Question 547 of 2008

Answer to Question 546

There are 55 applicants on the Housing Waiting List, to date, who are medically recommended as follows:

A+	-	3
A	-	12
B	-	20
C	-	20

Answer to Question 547

There are 194 persons, to date, who are medically recommended, apart from those who are described as applicants on the Housing Waiting List, as follows:

A+	-	25
A	-	59
B	-	46
C	-	64

ORAL

NO. 548 OF 2008

THE HON C A BRUZON

HOUSING – ARREARS OF RENT AGREEMENTS

Can Government state how many tenants have entered into agreements to pay arrears of rent, to date, as from March 2008 giving a monthly breakdown, and what is the total of arrears covered by such agreements?

ANSWER

THE HON THE MINISTER FOR HOUSING

I now hand the hon Member a schedule containing the information requested.

Answer to Question 548 of 2008

The number of tenants that have entered into agreements to pay arrears of rent, to date, as from March 2008 is as follows:

<u>Month</u>	<u>No. of tenants entering agreements</u>	<u>Amount</u>
March (from 29.3.08)	5	£40,292.57
April	35	£69,695.53
May	12	£66,777.37
June	22	£148,028.05
July	14	£69,036.22
August	12	£40,876.30
September (up to 12.9.08)	2	£7,774.76
TOTAL	102	£442,480.80

ORAL

NO. 549 OF 2008

THE HON C A BRUZON

HOUSING – REPOSSESSED FLATS

Can Government state how many Government flats have been repossessed, to date, since the answer given to Question No. 124 of 2008?

ANSWER

THE HON THE MINISTER FOR HOUSING

Two flats have been repossessed.

ORAL

NO. 550 OF 2008

THE HON C A BRUZON

HOUSING – SOCIAL CATEGORY ‘A’ LIST

With reference to the answer given to Question No. 127 of 2008, can Government state how many applicants, since that date, have been removed from the Housing Social Category ‘A’ List because a suitable dwelling has been found for them and give the dates?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 551, 552, 555 and 564 of 2008.

ORAL

NO. 551 OF 2008

THE HON C A BRUZON

HOUSING – SOCIAL CATEGORY ‘A’ LIST

Since the answer given to Question No. 126 of 2008, can Government state how many applicants have been placed on the Housing Social Category ‘A’ List and give the dates?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 550, 552, 555 and 564 of 2008.

ORAL

NO. 552 OF 2008

THE HON C A BRUZON

HOUSING – SOCIAL CATEGORY ‘A’ LIST

Can Government state how many persons are currently on the Housing Social Category ‘A’ List?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 550, 551, 555 and 564 of 2008.

ORAL

NO. 553 OF 2008

THE HON C A BRUZON

HOUSING – PRE-LIST

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

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 559 of 2008.

ORAL

NO. 554 OF 2008

THE HON C A BRUZON

HOUSING – PRE-WAR UNITS

Can Government state how many pre-war housing units have been allocated, to date, since the answer given to Question No. 123 of 2008?

ANSWER

THE HON THE MINISTER FOR HOUSING

A total of seven pre-war housing units have been allocated.

ORAL

NO. 555 OF 2008

THE HON C A BRUZON

HOUSING – POST-WAR UNITS

Can Government state how many post-war housing units have been allocated to social cases as from March 2008 providing a monthly breakdown?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 550 to 552 and 564 of 2008.

NO. 556 OF 2008

THE HON C A BRUZON

HOUSING – ALLOCATION OF HOMES

How many Government homes have been allocated to applicants other than by the Housing Allocation Committee, whether by direct allocation by the Minister for Housing or otherwise?

ANSWER

THE HON THE MINISTER FOR HOUSING

The question does not provide a timeframe and so it is not possible to provide a figure. In particular, given the difficulty I am told in my office, of collating information relating to the previous administration, that is, prior to 1996.

All Government flats are allocated via the Housing Allocation Scheme. There have been occasions when an urgent case has been granted a priority allocation, approved by Government, due to very exceptional social circumstances. Indeed, the hon Member himself, also the Ombudsman and Action for Housing, for example, regularly write to me requesting that individuals who have brought these circumstances to their attention be given such special assistance.

SUPPLEMENTARY TO QUESTION NO. 556 OF 2008

HON C A BRUZON:

More recently, since the new Housing Act was introduced in June this year, I understand that the Housing Allocation Committee, the Medical Advisory Board and the Social Advisory Board all became one. Maybe I should have been more specific in my question, I acknowledge the point that the Minister has made, but since this happened at the beginning of June has this body, in fact, been meeting to allocate homes? Has it been done by the Minister or by Dr Coram or by the Chief Minister? That is the spirit of the question, it is really and regrettably we did not specify that what we are very concerned about is the stopping of those three important committees from working as individual committees, or advisory boards, and being put into one.

HON F J VINET:

A couple of points to make. First of all, the thinking behind the amalgamation of the Housing Allocation Committee with the then two sub-committees was, in fact, to expedite matters and, therefore, rather than having to wait until different sub-committees met, all matters including social cases, including medical requests, could be assessed in the one sitting of the one committee. It is true that the new Housing Allocation Committee has in fact not met since the previous committee ceased to exist. A number of factors, including for example one or two individuals who had initially agreed to form part of the Committee and at a later stage decided not to, and we therefore had to commence the process of appointing new members of the Committee. I am happy to say the Committee is now in place and I understand it will be meeting later on this month. Can I perhaps finalise if there is perhaps something of worry in the hon Member that individual cases who may have been assessed by the Committee and have not had the opportunity of the Committee assessing those cases, if there is perhaps the belief that they have somehow missed out on the opportunity of improving their conditions of entering the social list, perhaps with Mr Speaker's leave I can explain the difference, for example, between the Social List where the Housing Allocation Committee does have a very active role to play, as opposed to the normal waiting lists. In the normal waiting lists, an individual is not necessarily guaranteed to always go up that list. I will give an example, because it is entirely points based, if for example I am an applicant on the Housing Waiting List and today I find myself at No. 20 on the list and whoever is at No. 21 happens to be granted additional points, maybe because of overcrowding, maybe because of the size of the property, that person may well jump over me and I, in effect, go down the list. The Social List works entirely different to that, it works on a first come first served basis. So, whoever gets to the top of the list is offered a flat and everyone else moves up one space. What I am trying to explain is that all those people who have requested their cases to be categorised as a social case and therefore to be included in the Social List, when the Housing Allocation Committee decides or is able to look at those cases, it will do so on a retrospective basis. Therefore, if someone happens to apply say in July, and the Committee decides to approve their case and categorise it as a social case, they will enter the Social List as if the Committee had met and deliberated the application in July. So, therefore, no one would miss out of whatever position they would find themselves in today, even if they had applied earlier and the Committee had deliberated earlier.

HON C A BRUZON:

Is it the intention of the Housing Department to have monthly meetings of this new amalgamated group, because obviously when we are talking about medical cases, my understanding was that there were two or three doctors on this advisory committee, they would deal with medical cases? If it were a question of the Social Advisory Board, obviously there would be people skilled in that area, with knowledge of the field, of what happens in peoples' homes or in areas where there are social problems. Then, of course, the Housing Allocation Committee would be the committee that would actually allocate the flat. Now, I honestly do not think that having these three amalgamated, what would happen? Would there just be one doctor in the new group? One social worker, maybe to advise on social issues? The Housing Manager? I honestly do not see how it is going to work.

HON F J VINET:

Well, the composition of the Housing Allocation Committee is nothing new, it is part of the Housing Act which was approved by this House over a year ago, and if I remember correctly, Opposition Members made no mention of that particular point. They raised no specific issues as to the composition of the Committee. The new Housing Allocation Committee has a total of five members, including an occupational therapist, including a doctor, including someone well versed in social services issues, as well as alternate members with those specific knowledge areas, as it were. Yes, there is just the one doctor, just the one occupational therapist, just the one person with expertise in social services, two additional persons, and the whole reason, as I said earlier, is precisely to expedite matters.

HON F R PICARDO:

Just as a supplementary, the Minister has told us that two people who originally had agreed to be on the Committee, subsequently decided they could not be on the Committee. I am going to ask him who they are and by that I am not going to ask him their names. What I mean is, is it the person who was supposed to be the doctor or the person who was supposed to be the social worker, or was it one of the alternates, can he identify by category who or what category of individual it was that initially said yes and subsequently decided to withdraw?

HON F J VINET:

They were individuals who would have been appointed directly by the Minister as opposed to meeting the criteria of knowledge or expertise.

ORAL

NO. 557 OF 2008

THE HON C A BRUZON

HOUSING – MEDICAL LISTS

Since the answer given to Question No. 131 of 2008, can Government state how many applicants have been placed on the various Medical Housing Lists 'A+', 'A', 'B' and 'C', and give the dates?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 558 of 2008.

NO. 558 OF 2008

THE HON C A BRUZON

HOUSING – MEDICAL LISTS

With reference to the answer given to Question No. 132 of 2008, can Government state how many applicants, since that date, have been removed from the various Medical Housing Lists 'A+', 'A', 'B' and 'C' because a suitable dwelling has been found for them and give the dates?

ANSWER

THE HON THE MINISTER FOR HOUSING

I hand the hon Member a schedule containing the information requested. However, I should add, and this is I think an important point, that the hon Member will see from the schedule once it is in front of him, that in answer to Question No. 558 there were a total of five applicants who were removed from the various Medical Housing Lists since the answer to Question No. 132 of this year. I ought to add, that a further ten offers have been made to applicants on the Medical Housing List which have been refused. Therefore, up to an extra ten applicants could have been removed from the Medical Waiting List had they accepted the flats offered to them, flats which are entirely suitable from a medical perspective. That is to say, there are those who have not been removed from the Medical List even though a suitable dwelling had been found for them.

Answer to Question 558 of 2008

Answer to Question 557

A total of 29 applicants have been placed on the various Medical Housing Lists since Question No. 131 of 2008, as follows:

Date	A+	A	B	C
March (since 29.3.08)	-	-	-	-
April	2	6	2	3
May	3	2	-	-
June	-	-	-	-
July	5	4	-	2
August	-	-	-	-
September (up to 12.9.08)	-	-	-	-

Answer to Question 558

A total of five applicants have been removed from the various Medical Housing Lists since the answer given to Question No. 132 of 2008 because a suitable dwelling has been found for them, as follows:

Date	A+	A	B	C
March (since 29.3.08)	1	-	-	-
April	-	-	-	-
May	-	-	-	-
June	1	-	-	-
July	1	-	-	-
August	1	-	-	-
September (up to 12.9.08)		1	-	-

ORAL

NO. 559 OF 2008

THE HON C A BRUZON

HOUSING – WAITING LISTS

Can Government state how many applicants are currently on the Housing Waiting Lists giving a breakdown of their flat requirements?

ANSWER

THE HON THE MINISTER FOR HOUSING

I now hand the hon Member a schedule containing the information requested.

Answer to Question 559 of 2008

Answer to Question 553

There are currently 444 applicants on the pre-list. The breakdown of their flat requirement is as follows:

1RKB	-	309
2RKB	-	16
3RKB	-	77
4RKB	-	40
5RKB	-	2

Answer to Question 559

There are 744 applicants on the Housing Waiting List. The breakdown of their flat requirement is as follows:

1RKB	-	348
2RKB	-	59
3RKB	-	198
4RKB	-	125
5RKB	-	13
6RKB	-	1

SUPPLEMENTARY TO QUESTION NOS. 553 AND 559 OF 2008

HON C A BRUZON:

Forgive me for introducing the same topic that I raised this morning, but I would be extremely grateful if the Minister would answer at least, orally, those questions which require or contain a very short answer. For example, the answer to Question No. 552, there are currently 76 persons on the Social Category 'A' List, he has included a lot of short statistics in two sheets of paper which could easily have been given orally for the benefit of my Colleagues and those listening over the radio and anybody who may be here. I suppose I have to accept it if that is the way the Minister wants to present his answers.

MR SPEAKER:

It is not just a question of the Minister, the practice in Erskine May suggests that some Speaker, not over here, the Speaker in the House of Commons, has suggested that lengthy answers should be contained in written format. So I think that is the practice which has been developed, not just over here but in the House of Commons. I take the point the hon Member is making, it is a question of subjective opinion as to whether the answer is lengthy or not lengthy as to merit a written response.

HON C A BRUZON:

I am only referring to non lengthy answers.

MR SPEAKER:

The answers to Question Nos. 553 and 559 are quite lengthy.

HON C A BRUZON:

No, no, with the greatest respect, let us look at the answer to Question No. 552 when I asked how many were on the Social Category 'A' List. The answer is, there are currently 76 persons on the Social Category 'A' List, that is all.

MR SPEAKER:

Yes, that has been clubbed together with Question Nos. 550, 551, 555 and 564 and all that becomes a lengthy answer.

HON C A BRUZON:

Yes but what I am requesting, for the benefit of all of us, is if the Minister would consider in future answering just those questions which have a short answer one at a time.

HON F J VINET:

I am grateful for Mr Speaker's clarification. Can I just add, perhaps, that the answer to these two questions would require me to state a total of ten different figures. In fact, my view at least, is that those figures are far more easily assessable for the purposes of the hon Member, if they are in front of him in written format rather than if I just happen to read them out quickly and he scribbles them down.

MR SPEAKER:

I think the hon Member has in mind the wider audience.

ORAL

NO. 560 OF 2008

THE HON C A BRUZON

HOUSING – WAITING LIST

Can Government state, in respect of applicants already on the Housing List, for each category of list and for each month since Question No. 133 of 2008, how many applicants had overcrowding points disallowed because other people who had sold their homes moved in with them?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 561 of 2008.

ORAL

NO. 561 OF 2008

THE HON C A BRUZON

HOUSING – WAITING LIST

Can Government state, in respect of applicants already on the Housing List, for each category of list and for each month since Question No. 134 of 2008, how many applicants were allowed points for overcrowding when other people who had sold their homes moved in with them?

ANSWER

THE HON THE MINISTER FOR HOUSING

None on both counts.

ORAL

NO. 562 OF 2008

THE HON C A BRUZON

HOUSING – APPLICATIONS REJECTED

Can Government state how many applicants for housing were rejected on the grounds that they were homeowners who had chosen to sell their homes, giving a breakdown by month, since the answer to Question No. 137 of 2008?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 563 of 2008.

ORAL

NO. 563 OF 2008

THE HON C A BRUZON

HOUSING – APPLICATIONS ACCEPTED

Can Government state how many applicants for housing were accepted because in the judgement of the Housing Allocation Committee the sale was necessary, giving a breakdown by month since the answer given to Question No. 138 of 2008?

ANSWER

THE HON THE MINISTER FOR HOUSING

I am happy to give this answer across the floor. Two housing applications have been rejected, one in April and one in May and four applications for housing were accepted, two in April and two in May.

ORAL

NO. 564 OF 2008

THE HON C A BRUZON

HOUSING – HOMELESS PERSONS

Can Government state how many cases of applications for housing from homeless persons are currently being dealt with by the Housing Department?

ANSWER

THE HON THE MINISTER FOR HOUSING

A reply in written format has now been passed on to the hon Member.

Answer to Question 564 of 2008

Answer to Question 550

Since the answer given to Question No. 127 of 2008, a total of nine applicants have been removed from the Housing Social Category 'A' List because a suitable dwelling has been found for them, as follows:

March (since 29.3.08)	-	Nil
April	-	8
May	-	Nil
June	-	Nil
July	-	1
August	-	Nil
September (up to 12.9.08)	-	Nil

Answer to Question 551

A total of 11 applicants have been placed on the Social Category 'A' List since Question No. 126 of 2008, as follows:

March (since 29.3.08)	-	Nil
April	-	2
May	-	4
June	-	5
July	-	Nil
August	-	Nil
September (up to 12.9.08)	-	Nil

Answer to Question 552

There are currently 76 persons on the Social Category 'A' List.

Answer to Question 555

Five post-war flats have been allocated to social cases since Question No. 128 of 2008, they were all allocated in April.

Answer to Question 564

Thirty-seven applications for housing from homeless persons are currently being dealt with by the Ministry for Housing.

ORAL

NO. 565 OF 2008

THE HON C A BRUZON

HOUSING – ANONYMOUS PHONE CALLS

Can Government state, since they introduced the policy of inviting anonymous phone calls on the non-use of Government rented dwellings:

- (a) how many phone calls have been received;
- (b) in how many cases was the information received correct,

and provide a breakdown as from April 2008?

ANSWER

THE HON THE MINISTER FOR HOUSING

On this occasion and given the voluminous nature of the reply, I will hand over the reply in written format.

Answer to Question 565 of 2008

Since the policy of inviting anonymous phone calls on the possible non-use of Government rented dwellings was introduced:

- (a) 143 phone calls have been received
- (b) 80 were found to be correct

The breakdown as from April 2008 is as follows:

Month	Calls	Correct	Incorrect	Currently being investigated
April	5	2	2	1
May	5	3	2	
June	6	5	1	
July	4	1	3	
August	4	2	1	1
September (up to 12.9.08)	4	2	2	
TOTAL	28	15	11	2

ORAL

NO. 566 OF 2008

THE HON C A BRUZON

HOUSING – WAITING LISTS (REINSTATEMENTS)

With reference to the answer given to Question No. 144 of 2008, can Government state how many persons, if any, have in fact been re-instated in the Housing Waiting Lists because of a genuine inability to complete the purchase within any of the Government home ownership schemes?

ANSWER

THE HON THE MINISTER FOR HOUSING

A total of eleven persons have been re-instated in the Housing Waiting Lists.

NO. 567 OF 2008

THE HON C A BRUZON

HOUSING – NEW GOVERNMENT RENTAL ESTATE

With reference to the answer given to Question No. 145 of 208, how many of the 490 applicants who received letters of allocation in the proposed new Government rental estate have since been offered an existing Government flat and how many have accepted?

ANSWER

THE HON THE MINISTER FOR HOUSING

A total of 26 applicants have been offered an existing Government flat and 13 have accepted the offer.

SUPPLEMENTARY TO QUESTION NO. 567 OF 2008

HON C A BRUZON:

The 13 that have accepted the offer, of course, means that there are 13 more people to whom letters can be written maybe offering them these homes. Is that the Government's intention? Though we do not particularly agree with the way it is being done.

HON F J VINET:

No, the intention is to wait until the completion of the new housing estate and then have a better idea of just how many flats remain empty, and then offer them to whoever happens to be next on the Waiting List.

HON C A BRUZON:

I think that makes sense. The actual reason for the supplementary contains a request from an individual who came to see me whose family situation has now changed. They went to Housing and the allocation of a home was made by Dr Coram with the Chief Minister, I believe, prior to the Election. The counter at Housing did not know how to handle this. So what is the procedure when people who have letters promising them a flat of a specific requirement, whether it be a 3RKB or a 4RKB, if their condition changes, if their requirements change rather, what do they have to do?

HON F J VINET:

First of all can I say I am not aware of the particular case the hon Member is referring to, neither have I been asked to intervene in any such request. So therefore, I would not like to give a reply without first knowing what the facts are, what particular circumstances of each individual concerned are. I would imagine that if a person or a family, in effect, have been offered a flat in the new estate, and for whatever reason, they have outgrown the flat they have been offered, then there was a need to look for an alternative. The answer, or how that request is addressed will vary from case to case and I would not like to give just an umbrella approach, because I think the right and proper thing to do is look at individual cases and the merits of each particular case.

ORAL

NO. 568 OF 2008

THE HON C A BRUZON

HOUSING – REFURBISHMENT OF DWELLINGS

Can Government state how many Government dwellings are currently in the hands of Buildings and Works for refurbishment?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 569, 571 and 572 of 2008.

ORAL

NO. 569 OF 2008

THE HON C A BRUZON

HOUSING – EMPTY DWELLINGS

Can Government state how many Government dwellings are currently empty with no work being done in them at present?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 568, 571 and 572 of 2008.

NO. 570 OF 2008

THE HON C A BRUZON

BUILDINGS AND WORKS – INCENTIVE BONUS SCHEME

Can Government state, as at the end of August 2008, how many completed jobs under the incentive bonus scheme within the Buildings and Works Department, are still awaiting payment?

ANSWER

THE HON THE MINISTER FOR HOUSING

At 31st August 2008, there were three completed jobs awaiting payment.

SUPPLEMENTARY TO QUESTION NO. 570 OF 2008

HON C A BRUZON:

It is interesting that the figure quoted is three because, again, the feedback I get is that in particular sections there are 300 jobs still awaiting payment. Now, I do not know.

HON F J VINET:

Perhaps he may have been given that figure by 100 different persons all quoting the same three jobs. Just to put things into perspective, those three outstanding jobs were outstanding as at 31st August. My understanding is that they have now been processed for payment. They are three outstanding jobs out of a total of 1,816 jobs. So I think that puts things into perspective. The fact is that, usually, there is a two or three week delay from the time the job is carried out until the payment is effected, because the way it works is, someone reports a particular job that needs doing, the estimator goes and checks what work is required and he comes up with what a reasonable time for completing that job is, say ten hours for example. Then the workman undertakes that job and if he happens to complete that job in a shorter time frame then he can pocket the balance. Of course, the estimator then needs to go and check that the job has indeed been carried out to the required standard. Also, on occasions there are what are known as variation orders, where the workman once he actually starts carrying out a particular job, realises that the nature of the job is actually more severe, requires more work than first envisaged and the number of hours need to be recomputed. But my understanding, certainly what I am being told

by Buildings and Works, is that normally it takes two to three weeks for payment to be computed and paid.

ORAL

NO. 571 OF 2008

THE HON C A BRUZON

HOUSING – JOBS REQUIRING ATTENTION

Can Government state how many jobs are currently listed as requiring the attention of Buildings and Works within the Housing Department?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 568, 569 and 572 of 2008.

ORAL

NO. 572 OF 2008

THE HON C A BRUZON

HOUSING – TENANTS REQUIRING WORK TO HOMES

Can Government state how many Government tenants are currently listed as requiring work to be done in their homes by the Housing Department as landlords?

ANSWER

THE HON THE MINISTER FOR HOUSING

I have just handed over to the hon Member a schedule containing the information requested.

Answer to Question 572 of 2008

Answer to Question 568

There are currently 18 dwellings requiring refurbishment which are with Buildings and Works.

Answer to Question 569

There are currently 47 empty dwellings with no work being done in them at present.

Answer to Question 571

The number of jobs currently requiring the attention of Buildings and Works is 4241.

Answer to Question 572

The number of tenants requiring works to be done to their dwellings is 1012.

SUPPLEMENTARY TO QUESTION NOS. 568, 569, 571 AND 572 OF 2008

HON C A BRUZON:

I see from the answer to Question No. 571 that there are currently 4,241 jobs requiring the attention of Buildings and Works and that the number of tenants requiring work to be done in their dwellings is 1,012. Is the Minister not concerned about the statistics and should there not be a faster and more pro-active system in place to cover these jobs?

HON F J VINET:

No, I am not concerned in the very least because the hon Member will have seen, from the answer to Question No. 572, that the number of tenants requiring works has in fact been halved since the question was last asked in the House. When the hon Member asked in Question No. 116 of 2008, how many tenants are requiring works to be done, the answer was 2,079. That figure has gone down in just a few months to 1,012. It is arguable what is better, to have fewer pending jobs or fewer tenants requiring works to be done, and that is arguable and the answer may differ from person to person. But if one looks at the figure, bear in mind that the nature of the outstanding jobs depends on the season. For example, shortly after rainfall there will always be a big demand for water penetration work and so on. The numbers can go up, can go down, there has been a push in the past to deal more effectively with some of these jobs but no one can ever foresee that the numbers are going to continue falling. They are just likely to go up, depending on the nature of the jobs that arise.

HON C A BRUZON:

Is the Minister not aware that one of the reasons why there are still these works requiring to be done is because there has been a lack of funds provided for the materials to be bought? This is the feedback I sometimes get, maybe he can clarify that?

HON F J VINET:

Well, if it is the feedback that the hon Member gets, and I am not disputing for one moment that he has received that feedback, it is certainly not true. I cannot recall the exact question but I recall the Leader of the Opposition asking me a question related to funding last Question session of the House, where it was explained that there was indeed ample funding available. That is not the issue. Please bear in mind that the nature of each individual job may differ greatly. There may be some jobs that can be carried out in one or two hours and others in 20 hours. So the fact that, perhaps from one month to another, there are a smaller total of jobs carried out, does not mean that there have been less resources put in place to deal with those jobs. In fact, it could be precisely the opposite.

ORAL

NO. 573 OF 2008

THE HON C A BRUZON

HOUSING – REPAIRS TO GOVERNOR’S MEADOW AND RED SANDS HOUSES

Can Government state what plans are in place to carry out external repairs to Governor’s Meadow House and Red Sands House?

ANSWER

THE HON THE MINISTER FOR HOUSING

The Government have already, in principle, agreed to proceed with the external works at Governor’s Meadow House and this will commence as soon as practically possible. I am hopeful it will start before the end of this current financial year. But I also would like to add that other blocks, such as Red Sands House, have also been identified for similar works. The works will be carried out systematically on a block by block basis.

NO. 574 OF 2008

THE HON G H LICUDI

CAR PARKING – ALAMEDA ESTATE

Can Government state whether residents of Alameda Estate who are elderly or in need of care will be provided with a car parking permit for use by the relevant carer notwithstanding that the resident himself or herself may not have a car?

ANSWER

THE HON THE MINISTER FOR HOUSING

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 574 OF 2008

HON G H LICUDI:

The question obviously refers to Alameda Estate because it is the one that has been recently announced and ventilated publicly, but it could just as well refer to any other estate where car parking permits have been in place. Can the Minister tell us whether he has received representations or concerns that there are or may be people who are in need of care, who do need their relatives to come and do some care, washing, the food, and that the restrictions on car parking that are now in place cause severe difficulties for those persons?

HON F J VINET:

No, I have received no such request although I have a meeting with the Alameda Estate Tenants Association some time next week, and for all I know it may arise there, but no such request has been forthcoming to date.

HON G H LICUDI:

Is the Minister aware that the tenants association has said publicly that this scheme will not work? Those were their words, "this scheme will not work" and do the Government not accept that it is really quite extraordinary that a scheme that is put in place ostensibly to help tenants, has resulted in nobody being happy at all, not the residents, not the tenants association, not people who have businesses in the area who are now deprived of parking where parking spaces that were available generally

are no longer available and the general complaint is that there are insufficient parking spaces available for this scheme, yet the parking spaces that are available are not available to people who might otherwise want to use it? Do the Government not recognise that this really is a mess?

HON F J VINET:

The Government recognise no such thing. In fact, I am very surprised to hear that the tenants association have said publicly or otherwise, I have certainly not had sight of that problem, that this scheme will not work. My surprise stems from the fact that the scheme was the one suggested by the tenants association itself. Let me make clear, the Government did not just one day wake up and decide to have parking restrictions for the benefit of tenants in all those areas of estates. The Government decided to go along this route precisely because the various tenants associations came to Government making that specific request. Before doing so and before agreeing to do so, the Government entered into a very lengthy consultation process with those tenants associations. In fact, there were a number of possible schemes to introduce and the ones that have been introduced, which are incidentally exactly the same as Alameda, Laguna Estate and Glacis Estate, are those that had been agreed to with the tenants associations. Now, if there comes a point in the future where, perhaps, the tenants association were to come to the Ministry for Housing and say this is not working as well as we thought it would, then of course, we are always open to looking at different possibilities and perhaps considering changes in the future. But the scheme currently in place is the scheme that has been agreed with the tenants association.

ORAL

NO. 575 OF 2008

THE HON S E LINARES

WATER – AMOUNTS COLLECTED AND BILLED

Can Government state what were the amounts collected and the amounts billed in respect of water in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 576 to 581 of 2008.

ORAL

NO. 576 OF 2008

THE HONS E LINARES

WATER – DOMESTIC PRIMARY UNITS INVOICED

Can Government state the number of domestic primary units of water invoiced in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 575 and 577 to 581 of 2008.

ORAL

NO. 577 OF 2008

THE HON S E LINARES

WATER – DOMESTIC PRIMARY UNITS INVOICED

Can Government state the value of domestic primary units of water invoiced in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 575, 576 and 578 to 581 of 2008.

ORAL

NO. 578 OF 2008

THE HON S E LINARES

WATER – DOMESTIC SECONDARY UNITS INVOICED

Can Government state the number of customers that were invoiced for domestic secondary units of water in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 575 to 577 and 579 to 581 of 2008.

ORAL

NO. 579 OF 2008

THE HON S E LINARES

WATER – STANDING CHARGES INVOICED

Can Government state the value of water standing charges invoiced to domestic customers in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 575 to 578, 580 and 581 of 2008.

ORAL

NO. 580 OF 2008

THE HON S E LINARES

WATER – VALUE OF DOMESTIC SECONDARY UNITS

Can Government state the value of domestic secondary units of water for the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 575 to 579 and 581 of 2008.

ORAL

NO. 581 OF 2008

THE HON S E LINARES

WATER – DOMESTIC SECONDARY UNITS INVOICED

Can Government state the number of units of domestic secondary units invoiced in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

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

SCHEDULE TO QUESTION NO. 581 OF 2008

Answer to Question 575 of 2008

	Amounts Collected	Amounts Billed
April 2008	£392,891	£420,247
May 2008	£408,519	£448,579
June 2008	£453,903	£444,052
July 2008	£378,858	£515,390
August 2008	£474,559	£560,656

Answer to Question 576 of 2008

Number of Domestic Primary Units

April 2008	386074
May 2008	389456
June 2008	386824
July 2008	387650
August 2008	394931

Answer to Question 577 of 2008

Value of Domestic Primary Units

April 2008	£81,075
May 2008	£81,785
June 2008	£81,233
July 2008	£93,423
August 2008	£95,178

Answer to Question 578 of 2008

Number Customers Domestic Secondary Units

April 2008	5373
May 2008	5605
June 2008	5403
July 2008	5526
August 2008	5551

Answer to Question 579 of 2008

Values of Water Standing Charges

April 2008	£36,663
May 2008	£36,375
June 2008	£36,348
July 2008	£36,042
August 2008	£37,539

Schedule to Question 581 of 2008 (contd)

Answer to Question 580 of 2008

Values of Domestic Secondary Units of Water

April 2008	£104,946
May 2008	£113,251
June 2008	£104,659
July 2008	£127,527
August 2008	£136,074

Answer to Question 581 of 2008

Number of Domestic Secondary Units

April 2008	201819
May 2008	217790
June 2008	201268
July 2008	213257
August 2008	227549

ORAL

NO. 582 OF 2008

THE HON S E LINARES

ELECTRICITY – AMOUNTS COLLECTED

Can Government state what were the amounts collected in respect of electricity in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 583 to 590 of 2008.

ORAL

NO. 583 OF 2008

THE HON S E LINARES

ELECTRICITY – AMOUNTS BILLED

Can Government state what were the amounts billed in respect of electricity in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 582 and 584 to 590 of 2008.

ORAL

NO. 584 OF 2008

THE HON S E LINARES

ELECTRICITY – VALUE OF FUEL COST ADJUSTMENT

Can Government state the total value invoiced to domestic customers in respect of Fuel Cost Adjustment (FCA) in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 582, 583 and 585 to 590 of 2008.

ORAL

NO. 585 OF 2008

THE HON S E LINARES

ELECTRICITY – VALUE OF STANDING CHARGES

Can Government state the total value invoiced to domestic customers in respect of electricity standing charges in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 582 to 584 and 586 to 590 of 2008.

ORAL

NO. 586 OF 2008

THE HON S E LINARES

ELECTRICITY – VALUE OF T3 (DOMESTIC) UNITS INVOICED

Can Government state the total value invoiced to customers in respect of T3 (Domestic) units of electricity in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 582 to 585 and 587 to 590 of 2008.

ORAL

NO. 587 OF 2008

THE HON S E LINARES

ELECTRICITY – NUMBER OF T3 (DOMESTIC CONSUMERS) UNITS INVOICED

Can Government state the number of T3 (Domestic Consumers) units of electricity invoiced to customers in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 582 to 586 and 588 to 590 of 2008.

ORAL

NO. 588 OF 2008

THE HON S E LINARES

**ELECTRICITY – NUMBER OF CUSTOMERS INVOICED WITH T3 (DOMESTIC)
UNITS**

Can Government state the number of customers invoiced in respect of T3 (Domestic) units of electricity in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 582 to 587, 589 and 590 of 2008.

ORAL

NO. 589 OF 2008

THE HON S E LINARES

ELECTRICITY PURCHASED FROM MOD

Can Government state the number of units and the value of electricity purchased from the MOD in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 582 to 588 and 590 of 2008.

ORAL

NO. 590 OF 2008

THE HON S E LINARES

ELECTRICITY PURCHASED FROM OESCO

Can Government state the number of units and the value of electricity purchased from OESCO in the months of April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

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

SCHEDULE TO QUESTION 590 OF 2008

Answer to Question 582

Amounts collected in respect of electricity

	April	May	June	July	August
Collected	£1,369,506.15	£1,465,479.12	£1,309,123.23	£1,372,413.91	£1,414,883.87

Answer to Question 583

Amounts billed in respect of electricity

	April	May	June	July	August
Billed	£1,335,572.52	£1,328,535.04	£1,389,150.33	£1,464,095.23	£1,630,364.95

Answer to Question 584

Total value invoiced to domestic consumers in respect of Fuel Cost Adjustment (FCA) electricity

	April	May	June	July	August
Billed	£148,362.00	£141,594.00	£134,798.00	£122,842.00	£130,954.00

Answer to Question 585

Total value invoiced to domestic consumers in respect of electricity Standing Charges

	April	May	June	July	August
Invoiced	£51,856.00	£51,516.00	£51,784.00	£50,708.00	£53,248.00

Answer to Question 586

Total value invoiced to domestic(T3) consumers in respect of units of electricity

	April	May	June	July	August
Invoiced	£532,444.00	£510,181.00	£488,551.00	£490,086.00	£521,455.00

Answer to Question 587

Number of (T3)Domestic Consumers units of electricity invoiced

	April	May	June	July	August
Units Invoiced	4,489,536	4,284,740	4,080,656	3,768,280	4,557,475

Answer to Question 588

Number of (T3) Domestic Customers invoiced in respect of units of electricity

	April	May	June	July	August
Consumers	12,955	12,965	12,958	12,951	12,946

Answer to Question 589

Number of units and value of electricity purchased from the MOD

	April	May	June	July	August
Units (kWh)	344,809	220,705	350,332	318,570	209,894
Value	£35,492.15	£22,871.79	£36,176.82	£32,596.55	£21,654.87

Answer to Question 590

Number of units and value of electricity from the OESCO

	April	May	June	July	August
Units (kWh)	7,648,720	7,723,620	6,457,180	7,444,800	7,251,270
Value	£1,358,136.88	£1,531,458.01	£1,352,823.35	£1,516,814.72	£1,348,522.51

ORAL

NO. 591 OF 2008

THE HON S E LINARES

POWER CUTS

Can Government state the number of power cuts that affected whole districts in the years 2005, 2006, 2007 and 2008 to date giving a breakdown by areas affected and the reason why they occurred?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question No. 592 of 2008.

ORAL

NO. 592 OF 2008

THE HON S E LINARES

POWER CUTS

Can Government state how many power cuts there have been during the months of April 2008 to August 2008 stating when these occurred and their duration?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

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

SCHEDULE TO QUESTION NO. 592/2008

RECORD OF POWER CUTS

Incident No.	Date	Duration	Areas affected	Reason
YEAR 2005				
1	Sat 8 Jan 05 13.15 hrs	8 mins to 10 mins	Four districts supplied from WPS. 14,15,17,18	Generator set no. 2 at WPS Alternator's neutral bars earth fault due to vibrations
2	Sat 22 Jan 05 11.30 hrs	18 mins to 20 mins	Four districts supplied from WPS. 14,15,17,18	OESCO no 6 generator tripped on load. Electrical fault.
3	Tue 25 Jan 05 22.24 hrs	7 mins to 9 mins	Four districts supplied from WPS. 14,15,17,8	OESCO no 6 generator taken off load by mistake – Operator error
4	Thu 3 Feb 05 01.12 hrs	9 mins to 13 mins	Four districts supplied from WPS. 10,13,15,18	Failing Frequency Protection System tripped feeders as a result of load surge when closing JBDC interconnector
5	Thu 3 Feb 05 03.25 hrs	5 mins to 7 mins	Four districts supplied from WPS. 10,13,15,18	Failing Frequency Protection System tripped feeders as a result of surge when closing S10 Bayside
6	Sun 6 Mar 05 18.21 hrs	1 hr 24 mins to 1 hr 52 mins	Eleven districts supplied from KBDC & JBDC 1,2,3,4,5,7,8,9,6,19,20	Translay Relays operated at WPS disconnecting the two Interconnectors WPS to OBDC.
7	Fri 18 Mar 05 23.55 hrs	6 mins to 20 mins	Four districts supplied from WPS 10,13,14,15,18 and one from KBDC 9	Generator set no. 3 at WPS tripped due to faulty exhaust valve link pin
8	Sat 19 Mar 05 23.34 hrs	1 min to 3 hrs	District 2 St Bernard's Hosp restored after 1 min. All districts fed from OBDC and JBDC affected by up to 3 hrs.	Fault in Interconnector no. 1 OBDC – OESCO.
9	Sat 19 Mar 05 01.00 hrs	4 mins to 7 mins	Five districts supplied from WPS. 10,13,14,15,18	Fault in Interconnector no. 1 OBDC – OESCO. FFP activated.
10	Sat 19 Mar 05 01.13 hrs	7 mins to 10 mins	Five districts supplied from WPS. 10,13,14,15,18	Fault in Interconnector no. 1 OBDC – OESCO. FFP activated.
11	Thu 19 May 05 09.05 hrs	9 mins to 23 mins	Five districts supplied from WPS. 10,13,14,15,18	Generator set no. 2 at WPS Lub oil trip elec fault.

12	Thu 19 May 05 09.51 hrs	6 mins to 10 mins	Five districts supplied from WPS. 10,13,14,15,18	Generator set no. 2 at WPS Lub oil trip elec fault.
13	Mon 23 May 05 19.03 hrs	6 mins to 9 mins	Five districts supplied from WPS. 10,13,14,15,18	OESCO no 4 generator tripped on load, due to engine governor oil leak.
14	Mon 11 July 05	7 mins to 9 mins	Five districts supplied from WPS. 10,13,14,15,18	Generator set no. 1 at WPS Lub faulty emergency stop valve.
15	Sat 17 Aug 05 12.50 hrs	9 mins to 12 mins	Five districts supplied from WPS. 10,13,14,15,18	OESCO no 7 generator under test at 4MW, tripped on load, due to low lub oil pressure switch
16	Sun 4 Sept 05 14.35 hrs	9 mins to 13 mins	Five districts supplied from WPS. 10,13,14,15,18	Generator set no. 1 at WPS Lub oil trip elec fault.
17	Tue 6 Sept 05 00.26 hrs	8 mins to 9 mins	Five districts supplied from WPS. 10,13,14,15,18	OESCO no 3 generator shutdown instead of no. 1 – Operator error
18	Wed 5 Oct 05 20.02 hrs	7 mins to 1 hr 29 mins	Eight districts supplied from WPS. 10,1,12,13,14,15,17,18 Four Districts supplied from OBDC, 1,7,9,21	Fault in S49 Substation at Europort. Switchgear circuit panel to S72 Safeway substation flashed over.
YEAR 2006				
1	Sat 15 April 06 07.29 hrs	7 mins to 10 mins	Four districts supplied from WPS 10,13,14,18 One District supplied from OBDC, 9	Generator set no. 3 at WPS Tripped manually Turbocharger fault.
2	Thu 27 April 06 02.13 hrs	2 mins to 16 mins	Eight districts supplied from WPS, 10,11,12,13,14,15,17,18 Four districts supplied from WPS, 10,13,14,18 One District supplied from JBDC, 23	Generator set no. 2 at WPS Lub oil trip elec fault.
3	Mon 4 June 06 06.09 hrs	3 mins	One district supplied from WPS, 18	OESCO no 1 generator tripped on load due to low lub oil pressure switch
4	Wed 14 June 06 05.37 hrs	22 mins	Two districts supplied from WPS, 14, 17	Generator set no. 1 at WPS. Broken air valve caused turbocharger surge.
5	Sun 23 July 06 10.25 hrs	10 mins to 11 mins	Four districts supplied from WPS, 10, 13, 14, 15	Generator set no. 2 at WPS. Fuel changeover valve failure.

6	Fri 18 Aug 06 10.52 hrs	3 mins to 10 mins	Five districts supplied from WPS, 10, 13, 14, 15, 18	Generator set no. 1 at WPS. Lub Oil filter changeover activated low pressure trip.
7	Wed 23 Aug 06 12.48 hrs	12 mins to 21 mins	Five districts supplied from WPS, 10, 13, 14, 15, 18	OESCO no 4 generator tripped on load due to high temperature alarm.
8	Sat 26 Aug 06 11.15 hrs	2 mins to 7 mins	Five districts supplied from WPS, 10, 13, 14, 15, 18	OESCO no 4 generator tripped on load due to high temperature alarm.
9	Wed 27 Sep 06 06.41 hrs	11 mins to 12 mins	Four districts supplied from WPS, 10, 13, 14, 18	OESCO no 7 generator tripped on load due to low pressure in coolant circuit.
10	Tue 31 Oct 06 10.30 hrs	4 mins to 9 mins	Four districts supplied from WPS, 10, 13, 14, 18	OESCO no 3 generator tripped on load due to low oil pressure – clarifier fault.
11	Thu 16 Nov 06 13.26 hrs	8 mins to 10 mins	Four districts supplied from WPS, 10, 13, 14, 18	Generator set no. 1 at WPS. Lub Oil pump failure activated low pressure trip.
12	Sun 19 Nov 06 18.09 hrs	10 mins to 29 mins	Five districts supplied from WPS, 10, 11,12,13,14, 15,18 Two districts supplied from OBDC, 1, 9	Generator set no. 2 at WPS. 4B Connecting rod counter weight bolts sheared. Emergency manual trip.
13	Sun 3 Dec 06 16.40 hrs	5 mins to 57 mins	Eight districts supplied from WPS, 10,11, 12,13, 14,15, 18 Four districts supplied from OBDC, 1,7,9,21 Four districts supplied from JBDC, 5,6,16,19,20	Fault in HV cable from S9 Substation at Rosia Road to S31 Sandpits Substation.
14	Tue 19 Dec 06 23.40 hrs	7 mins to 10 mins	Four districts supplied from WPS, 10, 13, 14, 18	WPS generator no. 1. Faulty over-speed protection sensor caused engine trip.
YEAR 2007				
1	Mon 12 Feb 07 19.59 hrs	7 mins to 9 mins	Four districts supplied from WPS, 10, 13, 14, 18	WPS generator no. 2. Broken fuel pipe. Tripped manually.
2	Sat 3 Mar 07 16.36 hrs	3 mins	One district supplied from WPS, 15	WPS Generator set no. 1 Problem in fuel system. Reverse power relay caused engine trip.
3	Wed 14 Mar 07 13.43 hrs	11 mins to 13 mins	Four districts supplied from WPS, 10,13,14,18	OESCO no 6 generator tripped on load due to engine governor failure
4	Mon 7 May 07 14.11 hrs	21 mins to 23 mins	Five districts supplied from WPS, 10,13,14,15,18	WPS generator no. 1 Problem in fuel system. Reverse power relay caused engine trip.

5	Tue 29 May 07 19.21 hrs	12 mins to 14 mins	Four districts supplied from WPS, 10,13,14,18	OESCO no 4 generator shed load due to fuel leak. Engine tripped manually.
6	Thu 23 Aug 07 08.13 hrs	17 mins to 19 mins	Four districts supplied from WPS, 10,13,14,18	OESCO no 4 generator tripped on load due to low lub oil pressure latch.
7	Wed 12 Sep 07 14.12 hrs	6 mins to 19 mins	Four districts supplied from WPS, 10,13,14,18	OESCO no 7 generator tripped on load due to high temperature alarm.
8	Fri 21 Sep 07 00.30 hrs	20 mins to 1 hr 55 mins. Some MOD supplied consumers in excess of 11 hours	Total Blackout in Gibraltar	High Voltage fault in MOD's Glenn Rocky substation caused a cascade tripping effect on the generators operating at the time.
9	Mon 24 Sep 07 22.26 hrs	3 mins to 4 mins	Four districts supplied from WPS, 10,13,14,18. One District supplied from OBDC, 9.	WPS no.3 generator stopped in error by operator whilst on load.
11	Thu 8 Nov 07 09.27 hrs	6 mins to 9 mins	Five districts supplied from WPS, 10,13,14,15,18.	OESCO no 7 generator tripped on load, due to low lub oil pressure switch
12	Tue 27 Nov 07 12.38 hrs	37 mins	One district supplied from WPS, 15.	Contractor engaged in works at Ocean Village damaged an 11000 volts high voltage feeder cable.
13	Fri 7 Dec 07 01.48 hrs	4 mins to 12 mins	Six districts supplied from WPS, 10,12,13,14,15,18. Two Districts supplied from OBDC, 1,9.	Shutdown due to WPS no. 1 generator emergency burst fuel pipe.
YEAR 2008				
1	Sat 12 Jan 08 23.01 hrs	2 mins	Ten substations within the Westside area.	Planned switching schedule caused operation of protection relay having wrong setting (at "64 Eurotowers substation).
2	Tue 22 Jan 08 07.39 hrs	3 mins to 5 mins	Five districts supplied from WPS, 10,13,14,15,18.	WPS generator set no. 3 Lub oil temperature trip elec. Fault.
3	Mon 24 Mar 08 13.40 hrs	3 mins to 6 mins	Five districts supplied from WPS, 10,13,14,15,18.	OESCO no 5 generator tripped on load, due to excitation failure.
4	Tue 25 Mar 08 18.50 hrs	3 mins to 4 mins	Five districts supplied from WPS, 10,13,14,15,18.	OESCO no 5 generator tripped on load, due to excitation failure.
5	Wed 26 Mar 08 15.55 hrs	10 mins	Five districts supplied from WPS, 10,13,14,15,18.	OESCO No.5 generator Tripped on load due to overcurrent.

6	Tue 1 May 08 11.03 hrs	2 hours	Five districts supplied from WPS, 10,13,14,15,18.	HV Cable joint failure at OBDC to Oesco Interconnector No.2.
7	Wed 25 Jun 08 14.25 hrs	20 mins to 3 hrs 55 mins	Five Districts from WPS: 10,13,14,15,18. Six Districts from OBDC: 1,3,5,7,9,21. One District from JBDC: 20	HV Cable fault damage by contractor in South District, Rosia Bay feeder.
8	Wed 16 Jul 08 08.55 hrs	13 mins	Five districts supplied from WPS, 10,13,14,15,18.	WPS generator No.2 tripped on load due to fuel starvation, Changeover fuel valve failure.
9	Wed 23 Jul 08 14.00 hrs	1 hour to 4 hours 15 mins.	All Districts.	Total Blackout caused by HV Cable fault at WPS feeder Panel supplying S68 Western Arm District.
10	Fri 22 Aug 08 10.05 hrs	5 to 20 mins	Five districts supplied from WPS, 10,13,14,15,18.	OESCO No.7 generator tripped on load due to high engine jacket water temperature.
11	Mon 1 Sept 08 12.17 hrs	5 to 10 mins	Five districts supplied from WPS, 10,13,14,15,18.	OESCO No.4 generator tripped on load due to Electrical fault on Bearing temperature sensing circuit.

The districts fed from Waterport Power Station comprises an area covering parts of Queensway, Line Wall Road, Casemates, Marina Bay, Glacis Road, Waterport, North Mole and the whole of the Westside reclamation area.

The districts fed from Orange Bastion Distribution Centre (OBDC) comprises an area covering Laguna, Bayside, British Lines, Devil's Tower Road, Catalan Bay, Sandy Bay, Town Area, Moorish Castle area and parts of Queensway.

The districts fed from Jumper's Bastion Distribution Centre (JBDC) comprises an area covering parts of Rosia Road, Witham's Road, Red Sands Road, Vineyards, Naval Hospital Road, Europa Road, New Harbours, Europa Business Centre.

ORAL

NO. 593 OF 2008

THE HON S E LINARES

SKID MOUNTED GENERATORS

Can Government confirm that they are planning to bring in “Skid” generators and if so when, how many, at what cost and where will they be located?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

The Government are not planning to bring “Skid” mounted generators.

ORAL

NO. 594 OF 2008

THE HON S E LINARES

GENERATOR AT MOUNT PLEASANT

What approvals in relation to licences, permits or any other have the Government given to Gibtelecom for their installation of a generator at Mount Pleasant?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Gibtelecom have been granted planning permission and building control approval for their installation of a generator at Mount Pleasant.

NO. 595 OF 2008**THE HON G H LICUDI****GIBRALTAR BUS COMPANY LTD – NUMBER OF PAYING PASSENGERS**

Can Government state the number of paying passengers that were transported and the value of fares from these passengers by the Gibraltar Bus Company Limited in the months of April to August 2008?

ANSWER**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The number of paying passengers that were transported and the value of fares from these passengers by the Gibraltar Bus Company in the months of April to August 2008 was as follows:-

	Passengers	Fares
April	166,488	£67,580
May	170,528	£69,404
June	173,293	£69,685
July	211,265	£89,589
August	220,766	£95,547

NO. 596 OF 2008

THE HON G H LICUDI

BUS SHELTERS

Can Government state what works have been carried out to bus shelters pursuant to the contract which it awarded to AMCO in January of this year?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

No contract has been awarded to AMCO this year.

SUPPLEMENTARY TO QUESTION NO. 596 OF 2008

HON G H LICUDI:

This question arises as a result of an answer given by the Minister's predecessor at the last House, the last session of the House in April, where I understood and I am happy to check the Hansard if it is available, but I understood the Minister's predecessor for Mr Holliday to have said that there was a maintenance contract and the question was specifically related to bus shelters, there was a maintenance contract which was awarded to AMCO, that is why there is a specific reference to AMCO in January of this year, and our understanding was that that was a maintenance contract in respect of bus shelters and that is why we ask what works are being carried out. Our understanding is that no works have been carried out to these bus shelters because they continue to be in a regrettable state and they are in urgent need of maintenance, or repair, or replacement. Can the Minister confirm what the situation is?

HON J J HOLLIDAY:

The only thing I can add to that is that AMCO were given some work to be done on bus shelters in August 2007, but it was part of the highways maintenance term contract and not a specific contract for this. At that time, seven bus shelters were tackled and nothing more than that has been undertaken.

HON G H LICUDI:

May I have Mr Speaker's permission to go back to Question No. 596, because I did say that I thought that there might be a reference in Hansard which I have now found? May I ask a supplementary on that?

MR SPEAKER:

Yes.

HON G H LICUDI:

That question was, "what works have been carried out to bus shelters pursuant to the contract Government awarded AMCO in January of this year"? As I understood the answer, that there was no such contract. Is my understanding correct that that was the answer?

HON J J HOLLIDAY:

Yes, what I did say was that there had not been a contract, I think it specified, What question was that sorry?

HON G H LICUDI:

Question No. 596.

HON J J HOLLIDAY:

Yes, in January this year, that is correct no contract has been awarded. The only works that have been tasked to AMCO in respect of bus shelters was in August 2007 as part of their overall highways maintenance term contract and not specific to bus shelters.

HON G H LICUDI:

As I indicated earlier, this was a matter that I raised in an earlier session of this House. In answer to Question No. 174 of 2008, the Minister, his predecessor, said "the Government has implemented a scheduled programme of repairs to maintain bus shelters. The repair of bus shelters has been included as part of the highways term maintenance contract and has been awarded to AMCO as from January this year." I took this to mean that there was already the general highways term maintenance contract with AMCO and as from January of this year, the repair of bus shelters was included in that contract. Therefore, the information given to this House was that there was a contractual provision as from January of this year for the maintenance and repair of bus shelters, and I am particularly interested to know why no such repairs have been carried out, given that the House was informed that this was a contractual requirement by AMCO?

HON J J HOLLIDAY:

Well, I cannot really give an answer on that. As the hon Member knows, there was a Ministerial reshuffle earlier on in the year and when I retook the responsibility for transport I identified that the bus shelters was an issue which I wanted tackled. What I definitely can do is find out what the position is, but my only possible answer for that would have been that as part of the highways maintenance term contract, which I referred to in my original answer, they were tasked to do the bus shelters and those never got done. I do not know why, but if my predecessor gave him the answer that as from January this would be undertaken under this particular contract, it should have happened but did not happen. So, if the hon Member would like I am happy to write to him on the matter and clarify the matter for his information.

HON G H LICUDI:

I am grateful for that. Could the Minister just clarify one thing? In relation to this contract, is it the case that a fixed sum is paid to the contractor for them to do works as and when required, or is it simply a contract for the contractor to be available and to be called upon to be awarded certain works which are then charged for separately? My concern is only that if as from January of this year, as the Hon Mr Britto confirmed, there has been included in a contract, which has been paid for, the repair and maintenance of bus shelters and that has not happened, it may be that the Government are paying for something that they are not getting.

HON J J HOLLIDAY:

I do not think he should worry about that. The highways maintenance term contract is a contract, and I am here outside my remit because I do not have responsibility for that particular contract, it comes under roads and it is not really my area, but I know for a fact that the highways term maintenance contract is a contract where there are special, not special but agreed rates that are agreed with the Government in order to be on call to be able to deal with matters as and when required. So, therefore, there is an order of works that is given to them at a pre-agreed rate already, and that basically happens throughout the term of the contract. If the work has not been done, I have assumed they have not been paid, and I am not sure whether there has been an agreed term contract in respect of bus shelters. But I can tell him, and as he has probably seen for himself, no work has been done apart from the seven bus shelters which I have referred to in my supplementary, which were tackled in August 2007.

NO. 597 OF 2008

THE HON G H LICUDI

BUS SHELTERS

Can Government state whether it has now concluded the feasibility study on bus shelters?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

No Sir. However, since the drafting of this question ten days ago or so the actual study has now been concluded. So it is a no Sir at the time of the drafting of the question but there has been a development since then and, in fact, tender notices should shortly be issued in respect of this. So there has been substantial progress in the last week or so.

SUPPLEMENTARY TO QUESTION NO. 597 OF 2008

HON G H LICUDI:

Can the Minister give us a little bit more detail about what the study actually says and concludes? I note that the Minister has mentioned tenders, can we have some indication of what precisely is proposed and the timescale that the Government is thinking about?

HON J J HOLLIDAY:

A study has had to be undertaken in order to ensure that we were totally conversant with the state of the bus shelters, and obviously, to be able to prepare a contract which will enable all the bus shelters to be brought up to good condition. Then there is a phase 2 which is the maintenance of these once these are repaired. There is no point in repairing the bus shelters and then let them deteriorate. So it is a two phased exercise, that has now been concluded and hopefully we will be able to move this fairly quickly now.

HON G H LICUDI:

Can the Minister confirm that the feasibility study actually states that the bus shelters are in a very bad state of disrepair and in urgent need of attention?

HON J J HOLLIDAY:

Absolutely, one does not need the study to say that, one just needs to drive around to be able to assess for oneself that that is in fact the case.

HON G H LICUDI:

I asked in the previous supplementary the question of timescale, can the Minister confirm whether we are talking of three months, six months, a year, until we see bus shelters that are up to the condition that Gibraltar deserves?

HON J J HOLLIDAY:

I would not want to actually give a firm answer on that because, obviously, this is going to be the subject of a tender very shortly, but there are funds available during this financial year so, therefore, we would like to definitely see this happening and concluded during this financial year. Then, obviously, phase 2 is the maintenance of this, which will be an on-going contract, which hopefully we will then maintain the buses to the standards that we all desire.

NO. 598 OF 2008

THE HON G H LICUDI

BUS SERVICE – BUS ROUTE NO. 2

Can Government state whether a final decision has been taken on the buses it will order for route number 2?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The tenders submitted did not meet the tender specifications, so the tender has not been awarded. A new tender will shortly be published.

SUPPLEMENTARY TO QUESTION NO. 598 OF 2008

HON G H LICUDI:

Can the Minister confirm whether there were some technical problems which will arise with future tenders, or whether it was a problem with this particular tendering process? Have the Government identified why they have been unable to award a tender in this particular occasion?

HON J J HOLLIDAY:

Well, this happened at the time when my predecessor was leading on transport matters, but from what I understand, the tender was published requiring certain specifications for tenders to comply with, and even though the Tender Board actually went as far as actually trying to have some trials done on some of the tenders, to see whether there was actually a possibility of flexibility in this, because obviously the exact bus that we needed for the Upper Town was very specific, the Tender Board then decided that even those that were possible, successful tenderers with an element of flexibility, really did not meet the mark. One needs to understand that the Upper Town is a very complex area in which to manoeuvre and, therefore, there were elements of size and elements of power within the engines of the buses themselves to be able to operate the system. It may have worked on one or two trials a day but when one has a bus that is actually doing the route on a constant basis, then it has to meet certain targets and none of them really met the targets. So, I have issued instructions for the tender procedures to commence again and,

hopefully, there may be some better tenders that come in which meet our specifications.

HON G H LICUDI:

Can the Government confirm whether the new tender procedure will involve the same specifications, and if it was unsuccessful in finding the right tenderer on the last occasion, is there any reason why the Government are optimistic that they will be able to do so this time round?

HON J J HOLLIDAY:

Well, from what I am informed, there have been developments in new buses coming onto the market since this tender was published last year. We are hopeful that some of these developments of new products may actually meet the requirements. But, obviously, we will have to wait and see who bids rather than us being able to identify an actual bus itself.

HON G H LICUDI:

Is my understanding correct that this is a route currently operated and will continue to be operated by the Gibraltar Bus Company Limited?

HON J J HOLLIDAY:

That is correct.

HON G H LICUDI:

What then is the problem in that particular company that is responsible for that route, simply going out to the market and buying a bus that meets the specifications that the Government set?

HON J J HOLLIDAY:

Well, the Government tend to go down the route of public procurement through the tender process. However, we may have to go down that route if we do not get the necessary submissions when we publish the tender the second time round.

HON G H LICUDI:

I understand and fully accept the desirability of going down the tender process, but this is not a tender that would be awarded by the Government themselves. It is a Government-owned company so it is the company that has to acquire the necessary vehicles to operate the routes that it is obliged to operate on behalf of the Government. Therefore, where there are difficulties and although we certainly agree that matters should be opened up to tender whenever possible, but in the particular case of a Government company, seeking to acquire a specific vehicle for a specific

purpose, does the Minister not agree that some urgency now needs to be given to this and that, if necessary, the company need to go out and buy the right vehicle?

HON J J HOLLIDAY:

I have already said that we would go down the new tender route for a second time and if that does not happen then we would have no option but to go down the other option.

NO. 599 OF 2008

THE HON G H LICUDI

WEIGHT EXEMPTION CERTIFICATES

Can Government state how many applications for weight exemption certificates were turned down during the period April 2008 to August 2008 giving the reason why each application was turned down?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

In July 2008 an application for an exemption of a weight and dimension restriction to enter Line Wall Road of a forklift was turned down on the advice of the Technical Services Department, because the forklift exceeded ten tonnes, which is the maximum of Smith Dorrien Bridge.

In July 2008 an application for an exemption of a weight and dimension restriction to travel along Ragged Staff Road of a container was turned down because container vehicles can only travel on heavy traffic roads.

NO. 600 OF 2008**THE HON G H LICUDI****WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many weight exemption certificates were granted during the period April 2008 to August 2008 giving a breakdown by month?

ANSWER**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

Below is a table stating the monthly breakdown of the weight and dimensions exemption certificates that were granted during the period April 2008 to August 2008.

2008	Cranes	Goods Vehicles (lorries, and trucks)	Motor Vehicles designed for excavation or shovelling work	Total
April	11	22	10	43
May	19	8	4	31
June	16	18	3	37
July	10	15	3	28
August	10	19	6	35

SUPPLEMENTARY TO QUESTION NO. 600 OF 2008**HON G H LICUDI:**

As I understand the position, the weight exemption certificates are granted where a particular vehicle is proposed to go down a road which has certain weight limits, and because of the exceeding of the gross weight of that vehicle of the weight limit for that particular road, it is necessary for a certificate exempting that vehicle from that restriction to be given, otherwise the person or the vehicle would be contravening the traffic legislation. The weight limits on the road are clearly there for a purpose, presumably, because that is the weight that engineers have assessed the road can take. Does the Minister have any concerns about the numbers of vehicles that regularly have to exceed or have to be authorised to exceed the weight limit on particular roads, and does that not defeat the purpose of having the restriction in the first place? I am not suggesting that there should be a free for all and the weight

restriction should be removed, but if on the whole, most people who apply given the answer to this question and the previous question, where only a couple had been refused, but the very vast majority of people who applied for weight exemption certificates are granted that certificate, do Government engineers not have any particular concerns that on a regular basis the weight limit on our roads are being exceeded and therefore damage could be caused?

HON J J HOLLIDAY:

I think we need to understand, that although there may be a ten tonne restriction on a particular road, there is an element of leeway in that. Therefore, even though there is a restriction on a particular weight, say ten tonnes, the road can actually take much more weight than that. So there is an element of leeway there that should not be of concern. The other issue is that when an application is made, it is normally the Transport Division or Transport Department that actually examine the route for that vehicle to take and, obviously, it minimises the use of roads that are subjected to certain levels of weight so as to minimise the impact that they may have on the road. So the route may not be the straight route or the quickest route to get to it, but it is actually done on that. Additionally to that, obviously, a lot of these exemptions are granted not just on weight but on dimension. Therefore, the issue of being able to control this is obviously because a lot of these vehicles do need police escort to be able to manoeuvre within the city area or within the whole of Gibraltar. So, therefore, there has to be coordination, so the actual control of this permit is not purely on weight but also on dimension itself. Let me say that all certifications are verified by the Technical Services Department, who obviously take a view and if there is an element of concern, like there have been obviously in these two cases that I have pointed out, they would refuse the permit altogether. But the permits are there to control and I think the system works fairly well. We would not like to see any of these vehicles on our roads preferably, but it is a matter of fact that they do need to move along our roads. So, therefore, the system in place I think works well in being able to control and restrict how these vehicles actually move along our roads.

HON G H LICUDI:

I am grateful for the clarification by the Minister. Are the Government aware of any particular damage of a medium or long-term basis which may have been caused to these roads which have weight restrictions, as a result of all these vehicles which exceed the restriction being allowed on the road?

HON J J HOLLIDAY:

No, I do not think that there are any sort of long-term effects so far. I think there are areas of concern but what has happened is that the Technical Services Department have been able to foresee these and have made certain changes in logistics, in order to be able to address these. I will give an example of this, Europa Road by the area of Shorthorn Farm, he will recall that cars used to be parked against the wall at one time, so the vehicles, these heavy goods vehicles would actually move along the road on the outer side and that has changed. Now the vehicles actually go on the inner side of the road where parking xxxxxx. Also, in the area further down by Sunnyside House and further on, he will notice that before cars used to park against the building and now they actually look over Vineyards, for example. So vehicles and lorries actually move on the inside of the road because, obviously, the long-term

effects are that if they move further inside the road, the likelihood is that the long-term effects of that would be longer lasting. But there are not actual areas of concern. Having said that, there is a monitoring system in place which is constantly being reviewed in order to ensure that if we do identify an area of concern, it will either be addressed or further restrictions put on the use of that road.

NO. 601 OF 2008

THE HON G H LICUDI

EXTRA BERTHS FOR SMALL BOATS

Can Government state when it expects to provide the extra 50 berths for small boats which it promised during the October 2007 election campaign?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Following the highly successful and excellent Coaling Island facility provided by this Government to local boat owners, the Government are considering different options for the provision of more berths for local boat owners. As the hon Member knows, the Government invest heavily in local sports and leisure amenities and navigational boating facilities is an important part of that. The Government will be making a statement when ready to do so.

SUPPLEMENTARY TO QUESTION NO. 601 OF 2008

HON G H LICUDI:

Unfortunately and regrettably that really says nothing at all. That simply says, we have an intention to do something at some point in the future, we do not know when, and if and when we get to that point we will make an announcement. That is the same as saying we just do not know when it is that we are doing this. I am aware that this is a matter that the Minister has looked at in the past and has had meetings with different committees, but the purpose or the reason that the question refers specifically to promises which were made, is because this was something that was highlighted during the election campaign and I do recall the Minister on television making a very clear commitment that this would happen. Frankly, it is simply not good enough to say, well this will happen whenever it will happen. We would like to see, certainly.....

MR SPEAKER:

I think the hon Member should put a question.

HON G H LICUDI:

Yes. Do the Government not agree that they need to take a more pro-active approach that there is a dire need in Gibraltar, being almost surrounded by water, for berthing facilities for small boats, that this is now a matter that has been pending for a very long time and can they not give any type of commitment in terms of the timescale, the effort, the money that will be invested and where precisely these extra berths are going to arise?

HON J J HOLLIDAY:

I can say that Government are actively pursuing this matter, and as the hon Member has clearly pointed out himself, I actively pursue this matter as one of my priorities because I do understand the frustration that some of these boat owners do have. The reason why at the last elections there was the mention of an extra 50 berths, is because considering the berths that are currently available at Watergardens, and if one adds roughly another 50 or so berths to that, we would probably cater for what is the immediate demand that exists in Gibraltar. The demand is far, far greater than that, let me tell him. But at least it will address those that have their boats on the hard as a result of the fact that Western Beach had to be almost dismantled as a result of the weather conditions and the exposure of the area. I have to say that when this commitment, or when this comment was made by me at the last elections, it was done on the basis that this would happen during this term of office and it will be pursued actively and it will come about as soon as possible. One has to understand that Gibraltar does have its limitations, right, and finding an ideal location to find an extra 50 berths is not something that I can just....., I have not got the options there. I am looking at options but I have not got the facility to come up with the answers straight away. But, I mean, I have to say that I find it rather surprising that the hon Member should be complaining at the fact that I made a commitment at the last elections and still not delivered on it, which is a short ten months or eleven months ago, when most of these that are suffering as a result of this were the result of the fact that his party when in office moved them out of the Camber to Western Beach, only to find.....

HON F R PICARDO:

Point of Order. The Minister should sit down if a Point of Order is being made.

HON J J HOLLIDAY:

The hon Member is not to tell me what I have to do.

MR SPEAKER:

Order, Order. I will allow the Minister to finish the answer then I will take the point.

HON F R PICARDO:

That would be totally unfair, with respect, because the Minister is misleading the House and to allow him to continue finishing the answer is to allow him to continue misleading the House.

MR SPEAKER:

If the Point of Order is misleading the House, then I will hear the Point of Order. I should hear it if there is an allegation of misleading the House. But I am sure the hon Member knows about the question of bringing a motion.

HON F R PICARDO:

Absolutely. I have said that if Mr Speaker allows him to faintish speaking, he will continue misleading the House. I am not saying that I am going to bring a motion of misleading the House. The Point of Order is simply this.....

MR SPEAKER:

Sorry, sorry, the hon Member has decided to, perhaps, challenge my ruling when I said I would finish hearing the answer on the basis that he will be misleading the House.

HON F R PICARDO:

Yes, that is right.

MR SPEAKER:

So, has he misled the House so far?

HON F R PICARDO:

I believe he is about to mislead the House.

MR SPEAKER:

Well, with respect, in that case I am sorry I cannot accept an anticipation about to do something.

HON F R PICARDO:

Well, the matter is one entirely for Mr Speaker. Let him finish his sentence and then Mr Speaker can make up his mind.

MR SPEAKER:

If the Minister has misled the House up to this point, I will definitely take a Point of Order if he has misled. If he is about to, then I suggest we should wait.

HON F R PICARDO:

If Mr Speaker would listen to my point he might be able to make up his mind, otherwise the allegation of clairvoyance should be directed at Mr Speaker not at me.

MR SPEAKER:

I beg your pardon.

HON F R PICARDO:

The allegation of clairvoyance that has been made across the floor of the House, from the person who seems only to be able to move to make a point, has been made towards me, perhaps it should be directed at Mr Speaker.

MR SPEAKER:

Well, let us get back into order. If the Minister is said to have misled the House then I will take the Point of Order. If the hon Member anticipates that he is about to mislead the House, with respect I cannot interrupt an answer on what the hon Member anticipates.

HON F R PICARDO:

If Mr Speaker listens to my point, then he can make up his own mind whether my point is one of misleading the House or not.

MR SPEAKER:

With respect, then we move backwards again.

HON F R PICARDO:

Well, yes, the Minister has misled the House in my view and for the following reason. As the Minister knows, because he has been in Government now for over 12 years and has made this point in this House before, the decision to move the small boat owners from the Camber in the area where Queensway Quay was developed, was a decision made by the AACR Government not by the GSLP and it was made before 1988. Now, I stopped the Minister before he went on so he may not yet have misled the House, but he was saying, at the time that the GSLP were in office. So, in my view he was about to mislead the House if he had not misled it already. That is the point Mr Speaker.

MR SPEAKER:

Well, I will take that point, we will put a marker on that point and perhaps if the hon Member will continue his answer and then we will know which way he was going.

HON J J HOLLIDAY:

What I am about to say or was about to say is a matter of fact. I know that Mr Picardo sometimes does not like to face reality and listen to what he has to listen to, but unfortunately he will have to sit and listen to what I have to say. That is, that some of the people *[Interruption]*

MR SPEAKER:

Order.

HON J J HOLLIDAY:

What I was about to say when I was interrupted was that the clear fact that most of the people that are now suffering what Mr Licudi is claiming has not happened in the last ten months, are people that were waiting for eight years whilst the GSLP were in office for something to happen. It was this Government when in office who then moved and built the facilities in Coaling Island for over a thousand berths, and therefore, I do not think that he should be able to demand anything from this Government as being overdue when we have been in office for ten months. All I said was, the commitment that I entered into in the last elections will happen and will happen during this term of office, and a statement will be made in due course.

HON G H LICUDI:

The Minister has referred to a thousand berths at Coaling Island, my understanding is more like 300 rather.....

HON J J HOLLIDAY:

Whatever, sorry.

HON G H LICUDI:

The Minister may have been slightly exaggerating in his answer.

HON J J HOLLIDAY:

I agree with that, I am sorry.

HON G H LICUDI:

We certainly accept that when a commitment is given at election time it sets out a programme over the term of office. But the purpose of this question, and let me say also that the reference to 50 in the question, is not because we in the Opposition believe that 50 is sufficient and we agree entirely with the Government that 50 will not solve the problem and there is a dire need for a much greater number. What we simply seek to do is to impress upon the Government the urgency that there are many long-term suffering individuals who have their boats on the hard and who are not able to enjoy those boats. Therefore there is an urgent need for this problem to be addressed. Not in three year's time, not in 2011, not even 2010 but there is an urgent need for the matter to be addressed now. Can the Minister give a commitment that this is now something that is going to be looked at with the priority that it deserves?

HON J J HOLLIDAY:

It will be looked at with the same priority as it was before I walked into the House this morning.

NO. 602 OF 2008

THE HON G H LICUDI

VEHICLE REGISTRATIONS

Can Government state the number of new registrations of:

- (a) private; and
- (b) commercial,

road vehicles for each month from April 2008 to August 2008?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

From April 2008 to August 2008 a total of 526 new vehicles were registered as private and 96 vehicles were registered as commercial.

Below please find a table of the monthly breakdowns:

2008	Private	Commercial
April	117	31
May	113	13
June	98	19
July	115	16
August	83	17

ORAL

NO. 603 OF 2008

THE HON F R PICARDO

NEW FLAME

When do the Government now anticipate that the removal of the hull of the vessel the New Flame will have been completed?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

The date is dependent on weather conditions and the ability of Titan, the wreck removal company, to work at sea. Titan expect to be finished by the end of December.

ORAL

NO. 604 OF 2008

THE HON DR J J GARCIA

CHIEF EXECUTIVE/CAPTAIN OF THE PORT VACANCY

Can Government say whether the post of Chief Executive/Captain of the Port has now been filled and if so on what date and by whom?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The post of Chief Executive/Captain of the Port was filled on 18th August by Captain Peter Hall.

ORAL

NO. 605 OF 2008

THE HON DR J J GARCIA

PORT DEPARTMENT – EAST SIDE RADAR COVERAGE

Can Government say whether the link from the MOD Windmill Hill Signal Station provides the Port Department with live radar coverage of the East Side?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

Answered together with Question Nos. 606 and 607 of 2008.

ORAL

NO. 606 OF 2008

THE HON DR J J GARCIA

PORT DEPARTMENT – VTS SYSTEM

Can Government say what upgrade was provided to the Port Department's VTS system in 2005 and at what cost, and can they say what upgrade was provided to the Port Department's VTS system in 2008 and at what cost?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 605 and 607 of 2008.

NO. 607 OF 2008

THE HON DR J J GARCIA

REGULATION OF FISHING

Have Government now completed their consideration of the following and with what result:

- (a) the implementation of Port Rules to regulate fishing activities from the North Mole;
- (b) the introduction of legislation to regulate the activities of anglers in all of Gibraltar's shoreline?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT

The link from the MOD Windmill Hill Signal Station does provide live radar coverage to the Port Department.

In addition, the Automatic Identification Signals (AIS) are received from each vessel.

In 2005, the VTS was upgraded to include electronic charts. The hardware and software were also upgraded to newer versions. The cost was £2,484.50.

A review of the VTS system is currently underway.

The Government have not yet completed their consideration of the implementation of Port Rules to regulate fishing activities from the North Mole, or the introduction of legislation to regulate the activities of anglers in all of Gibraltar's shoreline.

There is, however, a management system at the Port which enables anglers to fish at times which do not conflict with shipping operations.

SUPPLEMENTARY TO QUESTION NOS. 605 TO 607 OF 2008

HON DR J J GARCIA:

Starting with Question No. 605, can the Minister say since when the Port Department has had live radar coverage of the East Side in the link it receives from Windmill Hill?

HON J J HOLLIDAY:

I think that has been on-going now for some years. I cannot really specify when but I know that the signal is not satisfactory, as far as we are concerned, but the system has been in place now for many years.

HON DR J J GARCIA:

I cannot understand the answer the Minister has given because the question arises out of a report into the Samothraki incident which the Minister may recall. One of the areas which it highlights is the fact that, and I just quote from it, the information is subject to signal interruptions, which is what he just said, but it says and delays and the display data is not in real time. It highlights that as one of the areas which needs looking at. So can the Minister clarify that contradiction?

HON J J HOLLIDAY:

Yes, there is a delay but I mean, we are talking of seconds of delay it is relatively live, it is not a situation where we are getting it hours later or even minutes later, so it is fairly live. It may not be a complete second to second transmission but it is realistically live. Maybe the use of the word "live" may be open to interpretation here, in the sense that any delay is not of any good to us and, obviously, the new VTS system that we intend to put in place, firstly will not need the MOD Signal Station at all because we want to do away with all this possible delay. Also the fact that there are interruptions to the system on a regular basis.

HON DR J J GARCIA:

Do the Government consider that any safety issues arise or have arisen as a result of this delay?

HON J J HOLLIDAY:

No, I do not think that is the case. Having said that, we feel that the new system we want to put in place will upgrade the system quite considerably and will enhance our ability to police the East Side in a much more effective manner.

HON DR J J GARCIA:

Can he tell the House why it is then, if they do not consider that this has contributed or has had any safety implications, why it is that it was highlighted in the report produced by their own Maritime Administration and why it is that they are changing the system?

HON J J HOLLIDAY:

I think that there is an EU requirement to upgrade all VTS systems in all ports in Europe and that must be complied with by December 2009. The systems are far more sophisticated than anything we have and most ports have. In fact, only the

very large ports actually comply with this already, others are still working to make sure that they achieve this by the end of 2009 and we are working quite hard at this in order to achieve this as early as possible.

HON DR J J GARCIA:

Does the Minister know, he said the review on upgrading the system is currently underway, does he know what timescale we are looking at before the new system is in place?

HON J J HOLLIDAY:

Well, as I have said, we have a target of December 2009 from the point of view of meeting EU requirements. We are hopeful to be reaching that point much earlier than that. I would like to think that some time within the first six months of next year we should have achieved that. In fact, we are very close to now looking at different options for the procurement of the new VTS system. We are actually learning as well from some of the mistakes that others have made, who have sort of come on stream much earlier than anticipated and we are hopeful that within the next nine months or so we should be on track for that.

HON DR J J GARCIA:

In relation to Question No. 607, which is the one about fishing in the Port and in other areas of Gibraltar, this has been under consideration now for a considerable amount of time, and my concern is that given the limited number of spaces and the large number of people who want to fish in different parts of Gibraltar, including the North Mole, what kind of priority are the Government giving this and when do they expect the consideration to be completed?

HON J J HOLLIDAY:

I cannot really give a commitment to that, the only thing I can say is that there are management systems at the Port in order to allow anglers to use the North Mole when it is not in conflict with shipping operations. However, the legislation in respect of activities in other areas of Gibraltar is not something that has been given, possibly, the priority that the hon Member may feel the matter deserves, but it is something that is under review.

HON DR J J GARCIA:

I am not surprised to hear that it is under review because when I asked the Chief Minister the same question in 2005, the answer was the situation is constantly under review. It may be that at some stage a licensing system may be the option that is pursued. Is that the option they are looking at or are they looking at other options?

HON J J HOLLIDAY:

We are looking at various options. However, the licensing option is probably the more likely one, probably the more feasible one as well, considering that a lot of the anglers that use our shores are not just locals but those that come over from our neighbouring country to use our facilities.

NO. 608 OF 2008

THE HON DR J J GARCIA

SAMOTHRAKI

Can Government say whether they have now taken a decision on the two recommendations that were under consideration from the report made by the Gibraltar Maritime Administration into the reasons why the Greek tanker Samothraki ran aground in March 2007?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The recommendations have not yet been fully implemented.

SUPPLEMENTARY TO QUESTION NO. 608 OF 2008

HON DR J J GARCIA:

Does that mean that the two, there were five recommendations made, three of them were accepted by the Government and two were under consideration, that is what we were told last time in April at the last Question Time of the House. Is the Minister saying that the two recommendations that were under consideration have still not been implemented? Have they now been accepted by the Government? Is that what he is saying?

HON J J HOLLIDAY:

No, I think he is referring to the exclusion zone in the area off Europa Point and the off Port limit. When I said "fully implemented" it is because we actually have put in place regimes to be able to establish that. However, at the moment with the New Flame in the position it is, de facto, there is an exclusion zone off Europa Point and off Port limits, again, are being instructed to be undertaken further away from our shores. However, the real time for full implementation will be when we have the fully operational VTS new system where we can police that. At the moment we are finding it difficult to police people off the New Flame wreck and the only way that we can actually enforce this is when we have the new VTS system in place, in order to undertake this and police this adequately.

HON DR J J GARCIA:

In relation to the second recommendation, that was to consider establishing a southern limit to the eastern anchorage. At the last Question Time we were told it had been accepted by the Government but it was something that could not be monitored. Has there been any change on that position?

HON J J HOLLIDAY:

I think he is referring to the three miles off Gibraltar to the eastern side?

HON DR J J GARCIA:

No, that was the third one, I am referring to the second one.

HON J J HOLLIDAY:

Which is what?

HON DR J J GARCIA:

Consider establishing a southerly limit to the eastern anchorage.

HON J J HOLLIDAY:

Yes, that is a recommendation that has been accepted by the Port Authority. The only issue is that one cannot effectively monitor that until the upgraded VTS system has been installed. When we have the new VTS system we will be able to police the eastern anchorage and, therefore, we will be able to enforce that to the letter. But we have accepted that principle and, de facto, it is in operation but whether it is effectively being observed is a different matter.

ORAL

NO. 609 OF 2008

THE HON DR J J GARCIA

GIBRALTAR AIRPORT – OCCURRENCE REPORTS

Can Government say how many mandatory occurrence reports have been raised in relation to incidents at Gibraltar Airport since the last Question Time in this Parliament, with a breakdown giving the date of the incident, the name of the airline and aircraft involved, and a short description of each case?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

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

ANSWER TO QUESTION 609/2008

A total of 13 Mandatory Occurrence reports have been filed from April 2008 to 15 September 2008 as follows:-

07-Apr-09 @ 17.00 h

Easyjet A320 – Air crew were warned of severe turbulence and waterspouts in the vicinity of Gibraltar, particularly affecting the approaches; the aircraft made an approach and encountered a waterspout on a short final causing it to bank right at a steep angle before carrying out a missed approach.

10-Apr-08 @ 11.18 h

PHCIJ C 680 – Has a runaway excursion during an attempt to land in conditions of severe turbulence.

16-Apr-08 @ 08.45 h

Easyjet A320 – Aircraft was held off due to a failure of the Tetra ground management radio, it subsequently landed safely.

23-Apr-08 @ 09.45 h

Report filed due to repeated failures of the Secondary Radar while the Primary Radar was off for annual maintenance.

04-Jun-08 @ 14.22 h

Taxiway incursion by members of a working party.

04-Jun-08 @ 15.25 h

Runway incursion by the foreman of the working party involved in the previous incident.

24-Jul-08 @ 08.45 h

Easyjet A320 – Emergency State 2 called when pilot reported overheating in a hydraulic system, aircraft landed safely.

06-Aug-08 @ 10.38 h

ECKIH SR22 – Runway incursion, aircraft line up without clearance.

13-Aug-08 @ 10.20 h

ECKIR EC35 – Two reports filed for the same incident, medevac helicopter landed on the southern shoulder without landing clearance while BAW2495 was lined up to depart from runway 27.

14-Aug-08 @ 11.35 h

A works vehicle crossed the threshold of runway 27 without ATC clearance.

19-Aug-08 @ 06.00 h

Report filed re the availability of ATCOs on the watch roster.

31-Aug-08 @ 12.03 h

ECKLY SR22 – Propellor strikes runway on landing.

31-Aug-08 @ 16.21 h

EZY905U A320 – Parachute flare was fired towards the airfield while the aircraft taxied out. The incident was reported to GSP and RGP.

ORAL

NO. 610 OF 2008

THE HON DR J J GARCIA

GIBRALTAR AIRPORT – BUS TO LA LINEA /FOR ARRIVING PASSENGERS

Can Government say how many arriving passengers on the flight from Madrid to Gibraltar boarded the bus to La Linea after landing here on a monthly basis since the information supplied at the last Question Time in this Parliament?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 611, 612 and 613 of 2008.

ORAL

NO. 611 OF 2008

THE HON DR J J GARCIA

GIBRALTAR AIRPORT – BUS FROM LA LINEA FOR DEPARTING PASSENGERS

Can Government say how many departing passengers on the flight from Gibraltar to Madrid arrived at the air terminal on the bus from La Linea on a monthly basis since the information supplied at the last Question Time in the Parliament?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT

Answered together with Question Nos. 610, 612 and 613 of 2008.

ORAL

NO. 612 OF 2008

THE HON DR J J GARCIA

GIBRALTAR AIRPORT – TRANSIT PASSENGERS FROM MADRID

Can Government say, of the passengers who arrived in Gibraltar by air from Madrid since the last Question Time in this Parliament, on a monthly basis, how many were deemed to be in transit through Gibraltar and how many stayed in Gibraltar?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 610, 611 and 613 of 2008.

ORAL

NO. 613 OF 2008

THE HON DR J J GARCIA

GIBRALTAR AIRPORT – SHUTTLE AND TERMINAL BUSES

Can Government say what was the cost of operating the Gibraltar airport shuttle bus to and from La Linea and the smaller buses that operate between terminals on a monthly basis since the information supplied at the last Question Time in this Parliament?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

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

ANSWER TO QUESTION 613/2008

Answer to 610 of 2008

March (from 28 th)	0
April	15
May	22
June	34
July	28
August	49
September (up to 7 th)	1

Answer to 611 of 2008

March (from 28 th)	6
April	5
May	15
June	20
July	17
August	15
September (up to 7 th)	4

Answer to 612 of 2008

Month	In Transit	Stayed
March (from 28 th)	42	23
April	184	119
May	382	81
June	503	112
July	408	111
August	410	130
September (to 7 th)	145	17

Answer to 613 of 2008

April	£2,200
May	£2,750
June	£2,200
July	£2,200

The bill for August has not yet been received.

SUPPLEMENTARY TO QUESTION NOS. 610 TO 613 OF 2008

HON DR J J GARCIA:

In relation to the cost of the bus to La Linea, the figures the Minister has supplied show that it costs £2,200 a month but in May the cost is £2,750, is there a reason for that? What is the reason for that?

HON J J HOLLIDAY:

Yes, the flight to Madrid operates on Friday and Sunday and in the month of May there were five weekends, the same as there probably will be in August as well.

HON DR J J GARCIA:

In view of the recent developments in relation to this route, can the Minister say what is going to happen to the buses?

HON J J HOLLIDAY:

The issue has not been given consideration yet. However, I think I have been quoted in the Chronicle on Tuesday reacting to this when I actually said that I was hopeful that this would provide a gap for another operator to come on stream. If that is the case, then obviously the buses will be used for that purpose.

NO. 614 OF 2008

THE HON DR J J GARCIA

GIBRALTAR AIRPORT – FLIGHT DELAYS

Can Government say how many flights from Gibraltar to the following airports were delayed by more than half an hour on a monthly basis:

- (a) London Gatwick;
- (b) London Luton;
- (c) Madrid,

since the information supplied at the last Question Time in this Parliament?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT

The information requested is as follows:

Delayed	Gatwick	Luton	Madrid
March (from 27th)	2	0	0
April	5	0	0
May	17	8	0
June	24	1	0
July	24	3	1
August	25	1	2
September (to 11th)	6	1	0

SUPPLEMENTARY TO QUESTION NO. 614 OF 2008

HON DR J J GARCIA:

I do not know whether the Minister has this information but there certainly seems to be a huge increase in the number of delays on flights to London Gatwick, is there a particular reason for that?

HON J J HOLLIDAY:

Probably because it is getting to the peak summer months when there are delays generally in aviation around the whole of Europe. Gibraltar is no exception.

NO. 615 OF 2008**THE HON DR J J GARCIA****GIBRALTAR AIRPORT – FLIGHTS TIMETABLED AND CANCELLED**

How many flights between Gibraltar and the following airports were timetabled and how many were cancelled on a monthly basis to or from:

- (a) London Gatwick;
- (b) London Luton;
- (c) Madrid,

since the information supplied at the last Question Time in this Parliament?

ANSWER**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

The information requested is as follows:

	GATWICK	LUTON	MADRID
March (from 27th)	9	5	2
April	90	30	8
May	101	31	8
June	98	30	9
July	102	31	8
August	101	31	10
September (to 11th)	36	11	2

One flight was cancelled to Gatwick in August 2008.

SUPPLEMENTARY TO QUESTION NO. 615 OF 2008**HON DR J J GARCIA:**

Can the Minister say how many of these flight cancellations, and again the number seems to have increased considerably, how many of these cancellations were flights leaving from Gibraltar?

HON J J HOLLIDAY:

There was only one cancellation in August 2008.

NO. 616 OF 2008**THE HON DR J J GARCIA****GIBRALTAR AIRPORT – PASSENGERS GIBRALTAR/MADRID ROUTE**

What was the total number of passengers carried by airlines on the Gibraltar-Madrid route, showing inward and outward bound, on a monthly basis since the information was supplied at the last Question Time in this Parliament?

ANSWER**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The total number of passengers carried by airlines on the Gibraltar-Madrid route showing inward and outward on a monthly basis is as follows:

	Inward	Outward
April 2008	300	283
May 2008	412	431
June 2008	528	560
July 2008	715	629
August 2008	803	949

NO. 617 OF 2008

THE HON DR J J GARCIA

DISCUSSIONS WITH AIRLINES

Can Government say whether discussions continue with the three airlines that are interested in flying to countries not presently served by flights to and from Gibraltar airport and indicate which countries they are?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

I do not know which three airlines the hon Member is referring to. In any case, Government continue their discussions with more than three airlines.

SUPPLEMENTARY TO QUESTION NO. 617 OF 2008

HON DR J J GARCIA:

The three are the ones identified at the last Question Time by his predecessor in that post.

HON J J HOLLIDAY:

Yes, well if they were the three airlines highlighted by my predecessor, then I can advise that the discussions continue.

HON DR J J GARCIA:

The second part of the question which refers to the countries, can he say which ones they are?

HON J J HOLLIDAY:

I am not sure which are the three airlines that he mentioned, but I know that all the airlines that he was dealing with as a result of me passing it on to him and him passing it back to me, are all in discussion and they refer to a number of airlines across Europe. So I cannot really specify those three specifics. I am happy to write

to him if he so wishes and confirm it to him, but I can assure him that we are in contact with a vast range of airlines at the moment.

ORAL

NO. 618 OF 2008

THE HON DR J J GARCIA

SHIP CALLS

How many ships have called at Gibraltar since the information supplied at the last Question Time in this Parliament on a monthly basis for:

- (a) bunkering;
- (b) cargo;
- (c) repairs,

and how many tonnes of bunker fuel were sold each month?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

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

ANSWER TO QUESTION 618/2008

SHIP CALLS SINCE APRIL 2008 INCLUSIVE

	April	May	June	July	August
(a) Bunkering	526	575	534	504	549
(b) Cargo	28	24	25	31	22
(c) Repairs	10	12	17	17	8

BUNKERS SOLD (TONNES)

	April	May	June	July	August
	333,661	400,110	350,622	352,405	375,656

ORAL

NO. 619 OF 2008

THE HON DR J J GARCIA

BUNKERING LICENCES

Can Government say whether any new bunkering licences have been issued, or whether any application for such a licence has been made since the last Question Time in this Parliament?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

No bunkering licences have been issued nor have any applications for such licences been submitted since the last Question Time in this Parliament.

NO. 620 OF 2008

THE HON THE HON DR J J GARCIA

CONFERENCES SPONSORED OR CO-SPONSORED

Can Government list the conferences that they have sponsored or co-sponsored, both in Gibraltar or elsewhere, since the last Question Time in this Parliament, showing the dates when the conferences were held, the cost and the department that was most directly involved?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

My Ministry has not sponsored or co-sponsored in Gibraltar or elsewhere any conferences since the last Question Time in this Parliament.

SUPPLEMENTARY TO QUESTION NO. 620 OF 2008

HON DR J J GARCIA:

In relation to Question No. 620, is the Minister aware of any conferences organised by any other Ministry, which is what the question asks?

HON J J HOLLIDAY:

There may be and maybe my colleague Mr Reyes may be able to enlighten us on that.

HON E J REYES:

If I take the meaning of conference to be in its wide range, only last week I opened and concluded a very successful Calpe Conference, more details of which I will refer to in tomorrow's annual general meeting with the Gibraltar Heritage Trust. Whilst I am on my feet, I am glad to say that one of the fruits arising out of the conference is that Gibraltar is being greatly highlighted in international scientific publications. Can I take the opportunity to forewarn Members of Parliament and Gibraltar at large that October's edition of National Geographic carries a lovely article where Gibraltar features prominently and in wonderful double-page colour spread photographs.

NO. 621 OF 2008

THE HON DR J J GARCIA

TOURISM/PORT/BUSINESS AND COMMERCE/E-BUSINESS ADVISORY COUNCILS

How often and on what dates have the following met since the information supplied at the last Question Time in this Parliament:

- (a) the Tourism Advisory Council;
- (b) the Port Advisory Council;
- (c) the Business and Commerce Advisory Council;
- (d) the E-Business Advisory Council?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT

The respective Advisory Councils have met since the information supplied at the last Question Time in Parliament as follows:

- (a) The Tourism Advisory Council – once on 26th June 2008; may I just remind him that I no longer Chair this particular Advisory Council, so maybe in future questions he may want to split the question up into two;
- (b) The Port Advisory Council have met twice on 24th April and 30th June;
- (c) The Business and Commerce Advisory Council met twice on 24th April and 24th June; and
- (d) The E-Business Advisory Council met twice on 24th April and 24th June 2008.

NO. 622 OF 2008

THE HON DR J J GARCIA

EU FUNDING APPLICATIONS

Can Government list the parties who have applied for:

- (a) EU funding;
- (b) Gibraltar Government funding,

since the last Question Time in this Parliament, indicating the amount of funding 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 ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

I now hand the hon Member a table containing the information requested.

ANSWER TO QUESTION 622**ERDF PROJECTS OBJECTIVE 2 2000-2006 PROGRAMME**

Project No.	Sponsor	Status	ERDF	GOG	Purpose of Grant
134	Savannah Restaurant	Active	£79,601.00 (30%)		Building works, Kitchen & bar equipment, purchase of furniture, sound & CCTV equipment.
135	MED Cleaning	Active	£9,207.60 (30%)		Refurbishment works, purchase of equipment, telephony and data cabling
136	Law Reports	Active	£34,172.00 (50%)	£34,172.00 (50%)	Purchase of data ownership & copywrite, purchase of IT equipment.
137	Embroidery Services	Active	£4,442.17 (30%)		Metal shutters, IT equipment, embroidery equipment, import duty @ 12%
138	Orange Bastion Phase III	Active	£503,450.00 (50%)	£503,450.00 (50%)	Pre-contract works, project execution, project management

ERDF C&EO 2007-2013 PROGRAMME

Project No.	Sponsor	Status	ERDF	GOG	Purpose of Grant
1	Aluminium Services	Active	£1,325.45 (15%)	£1,325.44 (15%)	Purchase of tools, uniforms advertising, IT equipment, furniture, rent subsidy scheme (12 months)

ESF C&EO 2007-2013 PROGRAMME

Project No.	Sponsor	Status	ERDF	GOG	Purpose of Grant
1	Focus 5508	Active	£29,950 (50%)	£29,950 (50%)	Wage subsidy
2	Harmony 08	Active	£29,950 (50%)	£29,950 (50%)	Wage subsidy
3	VTS 6	Active	£118,367 (50%)	£118,367 (50%)	Training
4	Deliverex 2008/2010	Active	£11,562.10 (50%)	£11,562.10 (50%)	Technical Assistance

ORAL

NO. 623 OF 2008

THE HON DR J J GARCIA

DPC MEETINGS

How many meetings of the Development and Planning Commission have taken place since the information supplied at the last Question Time in this Parliament and on what dates?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

There have been seven meetings of the Development and Planning Commission since the last Question Time in Parliament.

The dates of these meetings are as follows: 17th April 2008, 1st May 2008, 20th May 2008, 12th June 2008, 26th June 2008, 7th August 2008 and 11th September 2008.

NO. 624 OF 2008

THE HON DR J J GARCIA

RECUSE FROM PLANNING PERMISSION APPLICATIONS

Can Government say whether the Minister with responsibility for Planning and Development has ever recused himself from the consideration of any application for planning permission?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

As has been established practice for all members of the Commission, I have declared an interest whenever an application for planning permission has been heard in which I have a direct or indirect interest and have not participated in discussion or when voting has taken place.

SUPPLEMENTARY TO QUESTION NO. 624 OF 2008

HON DR J J GARCIA:

Does the Minister have a record of how many occasions this has happened, is it something very frequent or very rare?

HON J J HOLLIDAY:

On eleven occasions myself, they may be in respect of the same application because it may have been the subject of discussion at more than one meeting, but on eleven occasions.

Before we go to the next question, I said eleven occasions, I had records checked since 2007. I was not going to get somebody to go through the records down to 2003 because it was just too much, but at least it shows the matter is being properly addressed.

ORAL

NO. 625 OF 2008

THE HON DR J J GARCIA

DPC – APPLICATIONS FOR PLANNING PERMISSION

Can Government list the applications for planning permission in respect of projects that have been granted and rejected since the last meeting of this Parliament, showing those that are still under consideration, including the name of the applicant and of the project in question?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

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

SCHEDULE TO QUESTION NO. 625 OF 2008

APPLICATIONS RECEIVED BETWEEN: 04/04/08 AND 12/09/08

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
10887	Gillaine Dellipiani	Proposed demolition of three storey masonry and concrete structure	Pending	6-9 Moreilo's Ramp
10888	Andrews Kent and Stone	Replacement of existing timber stair due to delapidated state.	Pending	23 Casite Road
10889	Mr Brian Schembri	Extension and modification to existing building.	Approved	9a Flat 1/4 Europa Flats
10890	EFG Bank (Gibraltar) Ltd	Office Refurbishment	Approved	Bld 6, 4th Floor Euroflife Building Corral Road
10891	KS Investments	Proposed Offices	Approved	Unit 34 & 36 Ocean Village Promenade Ocean Village
10892	Lionel Desoiza Esq	Proposed construction of glazed aluminium solarium on rooftop terrace of penthouse apartment.	Approved	1201 Block 4 Europlaza
10893	Gilberto Goncalves	Proposed first floor level - part extension	Approved	7 Benoliel's Passage
10894	J.S.Langdon Barch	Proposed single storey extension and improvements to the existing building.	Approved	2D Castle Road
10895	Pride of Gibraltar Lodge	Application for change of use from club to office space	Approved	3 Pride of Gibraltar Lodge Victualling Office Lane
10896	Mr Peter Oton	Renovation and extension of existing footprint by 10%	Approved	4 Lower Bruces Farm Upper Rock
10897	Andrews Kent and Stone	Extension to canopy and interior fit-out	Approved	Unit 14 On the Quay Queensway Quay
10898	Monaco Ocean Village Limited	Office suite fit out.	Approved	23 Leisure Island Ocean Village
10899	Josephine Marr	Installation of metal shutter on workshop front.	Approved	12A Renown House Laguna Estate
10900	J Guiffiano	New internal refurbishment to cater for new shop.	Approved	10-16 Ocean Village Promenade Ocean Village
10901	Loreto Convent School Trust	Demolition of existing derelict out buildings and the construction of a 3 storey classroom block	Approved	Loreto Convent School St Bernard's Road
10902	Government of Gibraltar	Demolition of existing kiosk	Approved	Kiosk Eastern Beach Road

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
10903	Mosquera Architects	Extension to existing garage with new terrace above.	Approved	11 Catalan Gardens Sir Herbert Miles Road
10904	Mr W McClaren	Demolition of chimney and duct.	Approved	ROP Plant Dobinson's Way
10906	Talent Trading	New pizza restaurant.	Approved	17 The Sails Ocean Village Promenade Ocean Village
10907	Deepa Aidasani	Proposed single storey new entrance lobby	Pending	Hindu Temple Engineer Lane
10908	Mrs M. Cabedo	Conversion of terrace area and roof of existing bathroom into room and mezzanine floor area. To be covered with Mono Slope Roof.	Pending	94/96 Irish Town
10909	ABCO LTD	Demolition of lookout.	Pending	Sir Herbert Miles Road Both Worlds
10910	M E Bellio & Partners	Installation of additional storage tank.	Approved	S.O.R.T Sullage Plant North Mole Road Western Arm
10911	Colwood Properites Ltd	Re-fit of restaurant premises into offices.	Approved	12 Town Range
10912	Andrews Kent and Stone	Existing blockwork wall to be demolished to allow opening.	Approved	Flat 24 Block 1 Queensway Quay
10913	Andrews Kent and Stone	Internal refurbishment and shop frontage modification	Approved	72 Main Street M. Marquez & Co Ltd
10914	Gillaine Dellipiani	Improvement and alteration to existing property (including some demolition)	Approved	Approved 8-9 Moreilo's Ramp
10915	George A. Olivera	Conversion works to premises (shop) into shop and part offices	Approved	1/5 Governor's Street
10916	GC Architects	Conversion of existing residential property into offices. Works to include general reconditioning, two storey extension, construction over light well, new lift/sanitary cores, new roof terrace.	Works Pending	1-9 Giras Passage
10917	Lewis Stagnetto Limited	Proposed refurbishment and extension of toilet/ablutions block	Pending	Approved 41 Main Street
10918	Mr Nicholas Balban	Proposed extension to building	Pending	42 Crutchett's Ramp
10919	Space Interiors	Change of use from retail to office (A2) and fitting out.	Approved	11 Governor's Street
10920	J.S.Langdon B.Arch	Proposed demolition and re-construction of office building.	Pending	1,3 & 5 Crutchett's Ramp

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
10921	Andrews, Kent & Stone	Proposed demolition of buildings.	Government Project	British Lines Road
10922	Francis Sheriff	Proposed conversion of car parking bay into a garage	Approved	Unit 13 Devil's Gap Upper Rock
10923	A Watkins	Extension to shop and installation of new frontage.	Approved	4 Admirals Walk Marina Bay
10924	John S. Langdon	Refurbishment and repair of existing building for office use.	Approved	29/37 Engineer Lane
10925	Desmond Walsh	Redevelopment of existing plot to construct two semi detached houses, first floor offices and lock up garages.	Pending	1A Cumberland Road
10926	M E Bellio & Partners	Construction of a fire escape staircase in compliance with the requirements of the fire prevention department	Pending	2 O'Callaghan Elliott Hotel Governor's Parade
10927	Mr and Mrs F Burgod	New attic floor and access stairs.	Approved	18 Naval Hospital Road Admiral's Place
10928	Ehsan Malik	Screening of balcony with clear glass.	Pending	1303 Block 6 Europlaza
10929	Barrow Hills Ltd	Brick round existing portacabin and extend storage facility as per drawings.	Pending	Car Wash Waterport Coach Park
10930	John P. Pitaluga	Modification of Internal layout of flat	Approved	7 Laburnum Lodge Montagu Gardens
10931	H Murphy & S Vinales	Fitting out of unit for shop use, suspend ceiling and electrical installation.	Approved	18 Ocean Village Promenade Ocean Village
10932	Stagnetto Properties Ltd	Refurbishment, alteration and extension of existing building for conversion to office use	Approved	51/53/53A Irish Town
10933	Mr and Mrs T S Seaborn	Enclosure of balcony.	Approved	345 Watergardens
10934	Andrews Kent and Stone	The construction of a temporary land mass to join Coaling Island to the Sails land mass for access of site vehicles and materials.	Pending	The Sails Queensway Quay
10935	Mr Jason Ratcliffe	Conversion of two dwellings into one, requiring minor internal structural alterations.	Approved	5/6 Rosia Dale
10936	BWIN International Ltd	Office refurbishment	Approved	Suite 611 Europort Europort Road
10937	Mr John Diaz	Proposed garages building and store.	Pending	Europa view Terrace Europa Road

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
10938	Sunitil Nagrani	Proposed works to beautify outside façade front and side elevation.	Pending	13 Main Street
10939	Dr & Mrs M.R. Maskill	Proposed extension to rear upper terrace	Approved	7/1 Tam House Gardiner's Road
10940	Joseph Charles Garcia	New terrace deck and pergola to external area	Approved	5 Lord Napier Mews Rodger's Road
10941	Mr and Mrs Weigold	Partial demolition of building.	Approved	Mount Barbary Mount Road
10942	Mr Zane Bennenworth & Others	Minor works and alterations/refurbishment of three adjacent apartments and building	Pending	Flats 1, 3 & 4, F Block 2 Naval Hospital Hill
10943	D C Grant & J Evans	Proposed new storey to existing flat	Pending	3/5 Charles V Ramp
10944	Gert Albers	Erecting satellite dish in garden (west side), screened off by plants and dish painted by local artist (oleander).	Approved	17 The Island Queensway Quay
10945	Ocean Village Gym Limited	Semi- permanent outdoor wooden structure for sole use as a bar unit.	Pending	44 Royal Ocean Plaza Ocean Village
10946	Marie Victoria Daniell	Proposed leisure room.	Pending	31 Waverley House Cumberland Road
10947	Virginia Bazaars Ltd	Unit 6.2 divided into two office units, East side - divided into smaller office units and West side - open plan	Approved	Unit 6.2, 6th Floor Waterport Place Europort Avenue
10948	Hammonds Ltd	Installation of mezzanine floor	Pending	Unit 8 North Mole Industrial Estate
10949	PISA International Ltd	Proposed refurbishment of existing shop premises.	Approved	7-9 John Mackintosh Square
10950	Andrews Kent and Stone	Refurbishment of interior with no structural works to new restaurant. New fully glazed entrance door to replace existing door.	Pending	22A Main Street
10951	Breckland Trading co Ltd	Proposed two storey extension for office use.	Pending	22 Main Street
10952	Jyske Bank (Gib) Ltd	Internal office refurbishment.	Approved	39/41 Jyske House Irish Town
10953	Barclays Bank Plc	Strengthening works to trusses at 2nd Floor	Pending	Barclays Wealth Tuckey's Lane
10954	Newton Systems Ltd	Refurbishment and conversion works to commercial premises	Approved	75 Irish Town
10955	Anglo Hispano Co. Ltd	Extension to existing building	Approved	3B Piccadilly Garden Bar Rosia Road

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<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
10956	Owen Smith	Internal refurbishment of existing house. New rear construction and demolition of existing rear construction.	Approved	Nos 1 & 3 New Passage
10957	Sylvia Desoisa	House extension and refurbishment	Approved	14 Gardiner's Road
10958	The Trading Room	Demolition of temporary partitions to create single open plan office (works already completed)	Approved	4a/b/c Eurolife Building Corral Road
10959	Marrache & Co	Proposed minor alteration to office layouts. Proposed new door and surrounds to Main Façade.	Approved	290A Main Street
10960	Space Interiors	Proposed fitting out of ground floor retail unit including new shop front.	Pending	10 King Street
10961	Damon Hough	Proposed conversion of social club to offices	Pending	3 Pride of Gibraltar Lodge Victualling Office Lane
10962	George Desoisa	Construction of concrete parking platform over existing south-east patio to provide up to 4 No. New parking spaces	Pending	La Morna Sunnyside Steps
10963	Andy Hunter	Proposed new mezzanine floor.	Pending	O'Reilly's Leisure Island
10964	M.E. Bello & Partners	Re-roofing of existing store using lightweight materials	Pending	20 Lancaster Road
10965	The Hon B Linares	Construction of gate/doorway to boundary wall to Europa	Pending	17 Naval Hospital Hill
10966	Mr J J De La Paz	Proposed loft conversion to provide new bedroom, bathroom and storage	Pending	28A Naval Hospital Road Admiral's Place
10967	Mr James Risso	Proposed minor internal alterations to dwelling.	Pending	32 Admiral's Place
10968	Derek J. Moreno	Removal and replacement of balcony rails	Pending	11 Blackwood Tower Brympton
10969	Harridge Ltd	Change of use from stores to store and office	Pending	35 City Mill Lane
10970	Mr & Mrs D Sptier	Carry out minor works to residence (rear patio area) including forming new bedroom and bathrooms	Pending	Pending 1 Mediterranean Terrace
10971	Andrews Kent and Stone	Proposed demolition of 2 Storey reinforced concrete frame building.	Pending	Lathbury Ex-Education Block
10972	Mr F Hernandez	Refurbishment of shop premises and re-modelling works	Pending	110/112 Main Street

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
10973	Space Interiors	Fit out a new commercial unit as a sports bar	Pending	Unit R2 Trade Winds
10974	Aarsons Ltd	Refurbishment/remodelling of existing shop premises	Pending	81 Main Street
10975	Mr Neil Hall and Mrs Lourdes	Demolition and replacement of existing garage	Pending	8 Rodger's Road
10976	James Olivero Limited	Proposed change of use from retail to take -away use.	Pending	Units Nos. 4 & 5 Ocean Heights Fish Market Road
10977	Akis Enterprises Limited	Extension of third floor to increase size of existing apartment no. 8 and provide for two additional apartments over existing roof area	Pending	32 Parliament Lane
10978	Mr and Mrs M Castie	Proposed alteration to existing west façade incorporating timber pergola and dutch canopies.	Pending	11 Windmill Hill Road Sunset Close
10979	Mr & Mrs A Anderson	Enclosure of existing balcony with retractable glass roof and windows	Pending	225-226 Both Worlds Sir Herbert Miles Road
10980	Andrews Kent and Stone	Proposed roof conversion into storage space, incorporating new timber staircase and skylights	Pending	No. 16 Admiral Place Naval Hospital Road
10981	Alex Trinidad	Complete internal & external refurbishment inclusive of electics, waste & plumbing	Pending	Hexagonal Building Governors Cottage
10982	Richfield Holdings Ltd	Refurbishment and conversion of 2 shops, 1 store and 1 dwelling into 2 shops and 3 self contained apartments	Pending	16/20 Engineer Lane
10983	Sharrock Shand Holdings Ltd	Proposed change of use of existing rooms on 4th floor from office to residential flat.	Pending	3 Bedlam Court
10984	AKS Architects & Engineers Ltd	Proposed office development	Pending	47 Line Wall Road
10985	Manuel Anthony Lopez	Proposed extension to garage ventilation and change of ventilation grills to aluminium.	Pending	Sunrise Court Catalaan Bay Village
10986	Andrews Kent and Stone	Proposed internal modification to join both apartments with minor structural opening to incorporate a spiral staircase.	Pending	4A Engineer Road Maida Vale

NO. 626 OF 2008

THE HON DR J J GARCIA

PLANNING PERMISSION

Can Government say whether planning permission has been granted in respect of the following and if so on what date:

- (a) Stan James, Marina Bay, one storey extension;
- (b) Loreto Convent, St Bernard's Road, demolish derelict building and construct a classroom block;
- (c) Sullage Plant, Western Arm, North Mole, install an additional storage tank;
- (d) 1, 3, 5 Crutchett's Ramp and Unit FP18 Casemates Square, for a retail and office development;
- (e) Desmond Walsh, 1a Cumberland Road, residential and offices?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Stan James, Marina Bay – this application is under consideration.

Loreto Convent, St Bernard's Road – this application was approved on 18th June 2008.

Sullage Plant, Western Arm – this application was approved on 16th June 2008.

1, 3, 5 Crutchett's Ramp and Unit FP18 Casemates Square – this application is under consideration.

Desmond Walsh, 1a Cumberland Road – this application is under consideration.

ORAL

NO. 627 OF 2008

THE HON DR J J GARCIA

PLANNING PERMISSION – MCB (GIBRALTAR) - EASTSIDE PROJECT

Can Government list the conditions that were attached to the planning permission issued to MCB (Gibraltar) in respect of the Eastside project?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Planning permits are granted by the Development and Planning Commission, and, therefore, are not Government documents. The Government are not able to provide the hon Member with the list of conditions attached to the planning permission issued to MCB (Gibraltar) Limited in respect of the Eastside project or any other application. However, this information is available for inspection at the offices of the Town Planner at Suite 631 in Europort.

NO. 628 OF 2008

THE HON DR J J GARCIA

VIEWING OF DEVELOPMENT PLANS OR EIAs

Can Government say what facilities are in place for members of the public who want to view plans for developments or EIA's at the offices of the Development and Planning Commission and does it continue to be the policy of the Government that the public cannot take copies or photographs of the plans?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The public may view applications for developments or EIA's during normal work office hours from 8.00 a.m. to 2.30 p.m. during summer hours, and 8.45 a.m. to 1.15 p.m. and 2.15 p.m. to 5.30 p.m. winter hours, at the office of the Town Planner in Suite 631 Europort.

I think he should know that because he has one of his followers that is sent by him regularly to take notes so I do not know why he is asking the time. But in any case, no photocopies or photographs of the plans are permitted due to copyright reasons.

SUPPLEMENTARY TO QUESTION NO. 628 OF 2008

HON DR J J GARCIA:

Does the Minister consider that scrutiny of these documents..... How effective can scrutiny of these documents be if people are not allowed to make copies of them?

HON J J HOLLIDAY:

That has been the practice for many, many years and that is what the law actually says. This would require a change of policy and I do not envisage that taking place for the foreseeable future, but it may well do.

ORAL

NO. 629 OF 2008

THE HON DR J J GARCIA

DEVELOPMENT AID ADVISORY COMMITTEE

Can Government list the date of the meetings of the Development Aid Advisory Committee since the information supplied at the last Question Time in this Parliament?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 630 and 631 of 2008.

ORAL

NO. 630 OF 2008

THE HON DR J J GARCIA

DEVELOPMENT AID LICENCE NO. 3/2008

Can Government say why a new Development Aid Licence No. 3/2008 was issued to Monaco Ocean Village Ltd on 14 April 2008 and on what date this application was made?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 629 and 631 of 2008.

NO. 631 OF 2008

THE HON DR J J GARCIA

DEVELOPMENT AID LICENCE NO. 3/2006

Can Government say why Development Aid Licence No. 3/2006 which had been issued to Longhorn Properties Ltd was amended to extend the date of completion of the project to 30 June 2008 and what the reasons were for the delay in completion?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT

There has been one meeting of the Development Aid Advisory Committee since the last Question Time in Parliament. The meeting was held on 3rd September.

Monaco Ocean Village Limited had originally been granted a Development Aid Licence No. 04/06 with a stipulated completion date of 31st March 2007. On 26th April 2007 new legislation (section 13(1A)) was enacted which did not allow for the extension of the completion date if the request was made after the stipulated completion date. Monaco Ocean Village submitted a request for the extension of its completion date on 27th April 2008. At the time it was common practice for developers to submit and be granted requests for extensions of completion dates after these had expired, hence the reason to amend the legislation.

Due to this legislation, the Development Aid Advisory Committee rejected the request to extend the completion date of this project but felt that due to the request being submitted a day after the commencement date of the legislation, there was a genuine possibility that Monaco Ocean Village Limited was unaware of the commencement of the new legislation. The Committee, therefore, recommended that due to these exceptional circumstances Monaco Ocean Village Limited could submit a new application for the remaining completion period of the project. This application was approved by the Development Aid Advisory Committee and a new licence No. 03/08 granting the same relief as licence No. 04/06 was issued.

Development Aid Licence No. 03/06 issued to Longhorn Properties Limited was amended to extend the completion date of the project to 30th June 2008 due to unforeseen delays encountered by the contractor. I can just add to that, there was a subsequent application due to further delays and the Development Aid Advisory Committee recommended that these extensions be extended to 31st December 2008.

NO. 632 OF 2008

THE HON DR J J GARCIA

IMPORTS – COMPUTER HARDWARE

What was the value of computer hardware imported into Gibraltar on a monthly basis since the information supplied at the last Question Time in this Parliament?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The value of computer hardware imported into Gibraltar on a monthly basis since February 2008 was as follows:

	Value of Computers (£ thousands)
February 2008	1,248
March 2008	919
April 2008	708
May 2008	674
June 2008	1,176

ORAL

NO. 633 OF 2008

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 the information supplied at the last Question Time in this Parliament?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question No. 634 of 2008.

ORAL

NO. 634 OF 2008

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 the information supplied at the last Question Time in this Parliament?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

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

SCHEDULE TO QUESTION NO. 634/2008

	Goods Vehicles Imported by Individuals		Goods Vehicles Imported by Licensed Dealers	
	Number	Value (£ thousands)	Number	Value (£ thousands)
February 2008	1	0	45	633
March 2008	2	4	13	163
April 2008	1	0	45	647
May 2008	1	0	44	575
June 2008	1	0	8	105

	Private Motor Vehicles Imported by Individuals		Private Motor Vehicles Imported by Licensed Dealers	
	Number	Value (£ thousands)	Number	Value (£ million)
February 2008	30	55	626	8.3
March 2008	15	63	509	7.6
April 2008	22	76	501	7.4
May 2008	23	84	540	7.8
June 2008	19	63	457	12.2

ORAL

NO. 635 OF 2008

THE HON DR J J GARCIA

POSIDONIA – COMPOSITION OF GIBRALTAR DELEGATION

Who made up the official Gibraltar delegation to the Posidonia exhibition in Greece and what offices do they hold?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

Answered together with Question Nos. 636 to 638 of 2008.

ORAL

NO. 636 OF 2008

THE HON DR J J GARCIA

POSIDONIA – COST OF GIBRALTAR’S PARTICIPATION

What was the cost, with a breakdown of Gibraltar’s participation in this year’s Posidonia exhibition in Greece?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

Answered together with Question Nos. 635, 637 and 638 of 2008.

ORAL

NO. 637 OF 2008

THE HON DR J J GARCIA

POSIDONIA – COST OF STAND

Can Government say what proportion of the cost of the stand was part-sponsored by industry players during the Posidonia exhibition in Greece showing how much was paid by each player?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

Answered together with Question Nos. 635, 636 and 638 of 2008.

ORAL

NO. 638 OF 2008

THE HON DR J J GARCIA

GTB – MEDCRUISE GENERAL ASSEMBLY

Can Government say what was the cost of Gibraltar's participation a the 32nd General Assembly of Medcruise in Italy from 21-24 May?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

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

SCHEDULE TO QUESTION NO. 638/2008

Answer to question 635/2008

Albert A Poggio, OBE – UK Representative, Government of Gibraltar/Senior Vice President MedCruise

Claire Lerner – Marketing and Events Coordinator

Alan Cubbin – Maritime Administrator

Answer to question 636/2008

Cost of Exhibition stand space, design, construction and artwork	£33,396.00
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Air fares, hotel accommodation and incidental expenses for Mr Albert Poggio, Miss Claire Lerner and Mr Alan Cubbin	£ 4,335.68
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£37,731.68

Less Contributions	£23,000.00
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Less from 2007/2008 budget	£10,200.00
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Balance	<u>£-4,531.68</u>
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Answer to question 637/2008

Aegean Bunkering	£ 5,000.00
Cammel Laird	£ 5,000.00
Gibunco Group	£ 5,000.00
Vemaoil	£ 5,000.00
Bunkers (Gibraltar)	£ 750.00
Java Oil	£ 750.00
Marine Services	£ 750.00
Marrache & Co	£ 750.00

Total	£ 23,000.00
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Answer to question 638/2008

The total cost was £1,036.89.

ORAL

NO. 639 OF 2008

THE HON DR J J GARCIA

EU FUNDING – ERDF PROJECT NO. 132

Can Government say what are the premises in question in respect of project number 132 which was an ERDF grant of £68,408.16 (28%) to M H Bland Ltd for building works and fitting out costs?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The premises in question are the Top Station of the Cable Car.

ORAL

NO. 640 OF 2008

THE HON DR J J GARCIA

EU FUNDING – ERDF PROJECT NO. 133

Can Government say what are the premises in question in respect of project number 133 which was an ERDF grant of £66,381.30 (30%) to Compo Holdings Ltd for building works, equipment, restaurant furniture and advertising?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The premises in question is the All Stars Sports Café on the Ocean Village Promenade.

ORAL

NO. 641 OF 2008

THE HON DR J J GARCIA

PLANNING PERMISSION – EXTENSION TO SUNRISE MOTEL

Can Government say whether planning permission has been granted to construct an extension to the Sunrise Motel and how many representations have been received in respect of this project?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

This application is under consideration by the Development and Planning Commission.

No representations were received.

ORAL

NO. 642 OF 2008

THE HON DR J J GARCIA

PLANNING APPLICATION – OCEAN VILAGE WATERSIDE VILLAS

Can Government say whether they have now completed their consideration of application 10723 by Ocean Village Waterside Villas for the proposed construction of 72 waterside villas and apartments with associated berthing at Marina Bay?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The Commission is awaiting the submission of further details from the applicants. Once submitted, the Commission will give further consideration to the application.

ORAL

NO. 643 OF 2008

THE HON DR J J GARCIA

TENDER AWARD – FLAT 4, F BLOCK, 14 NAVAL HOSPITAL ROAD

Can Government say who was awarded flat 4, F Block, 14 Naval Hospital Road and how much has been paid to date and when?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Flat 4, F Block, 14 Naval Hospital Road was awarded to Mr and Mrs M Walsh in the sum of £287,500 paid on 20th May 2008.

ORAL

NO. 644 OF 2008

THE HON DR J J GARCIA

SIX VILLAS PROJECT SANDY BAY

In relation to the six villas project in the Sandy Bay area, can Government say:

- (a) on what date was planning permission granted;
- (b) what was the premium paid by the developers to the Government and when was this paid;
- (c) what is the area of the site in square metres;
- (d) was the site owned by the developer or by the Government;
- (e) what is the present status of the project?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 645 and 646 of 2008.

ORAL

NO. 645 OF 2008

THE HON DR J J GARCIA

SIX VILLAS PROJECT SANDY BAY

Can Government say, if the site for the six villas project near Sandy bay was not owned by the Government:

- (a) who it was leased to;
- (b) how long was the lease for and how much was left to run;
- (c) what premium was paid on the original lease;
- (d) what is the use that the land can put to under the original lease?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 644 and 646 of 2008.

NO. 646 OF 2008

THE HON DR J J GARCIA

SIX VILLAS PROJECT SANDY BAY

Is it the policy of the Government that the development of six luxury villas by ABCO Ltd on the sand slopes above Both Worlds should go ahead?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Outline planning permission was granted on 30th June 2008. The premium paid was £135,000 on 11th July 2008. The area of the site is 4,503 square metres. The leaseholder was the developer. Outline planning permission has been granted to the proposal to build six residential units.

The site for the six villas project is held by ABCO (International) Ltd under the terms of a 15 year development licence, with effect from 1st April 1998 for the construction of a residential complex, subject to the grant of a 150 year lease on completion.

The site in question forms part of the land originally held by Hoods Development Limited which undertook the Both Worlds development.

When the conversion of the facilities to residential was agreed in 1998, a new lease was granted for the existing built-up area and a development licence was granted for the land across Sir Herbert Miles Road at the base of the slope. A £360,000 premium was paid for the change of use of the existing building to residential.

No premium was paid on the original lease granted to Hoods Development Limited.

The use allowed under the original lease was a holiday centre.

It is the policy of the Government that the development of six luxury villas by ABCO Ltd on the sand slope above Both Worlds should go ahead.

NO. 647 OF 2008

THE HON DR J J GARCIA

DEPUTY GOVERNOR'S GARDEN – VALUATION OF PLOTS

Can Government say who valued the plots of land that have been taken away from the Deputy Governor's garden and sold to the owners of adjacent properties:

- (a) £16,764 for 200 square metres which also includes a sliver of land of approximately 60 square metres;
- (b) £3,390 for 52.5 square metres,

and can Government say whether there is any restriction as to the use which that land can be put to?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The valuation of the plots of land was carried out by Land Property Services Limited.

The use of plots is restricted to a passageway and entrance providing alternative safe access to the family homes at 33A and 33B Europa Road.

ORAL

NO. 648 OF 2008

THE HON DR J J GARCIA

EDEN PLACE DEVELOPMENT

Can Government say what was the premium paid by Taylor Woodrow in respect of the plot of land in Devil's Tower Road which has been earmarked for a new residential scheme called Eden Place, and what is the area of the site in square metres?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 649 and 650 of 2008.

ORAL

NO. 649 OF 2008

THE HON DR J J GARCIA

EDEN PLACE DEVELOPMENT

Can Government say whether the land in Devil's Tower Road where Taylor Woodrow propose to construct the Eden Place development was purchased from the Government and if so on what date?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question Nos. 648 and 650 of 2008.

NO. 650 OF 2008

THE HON DR J J GARCIA

EDEN PLACE DEVELOPMENT

Can Government say whether Taylor Woodrow have submitted an application for planning permission in respect of the Eden Place scheme in Devil's Tower Road, and if so on what date?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Taylor Woodrow has paid Government a premium of £800,000 for the right to develop the existing single house into a residential apartment block. A new 150 year building lease has replaced the existing 150 year residential lease.

The area of the site is approximately 830 square metres.

The land was not purchased from the Government but from the existing leaseholder who held a 150 year residential lease. The date of the transaction was 27th August 2008.

Taylor Woodrow submitted an application on 25th April 2007.

SUPPLEMENTARY TO QUESTION NOS. 648 TO 650 OF 2008

HON DR J J GARCIA:

Can the Minister say who was the existing leaseholder that sold it on to Taylor Woodrow?

HON J J HOLLIDAY:

Mr and Mrs J Zayas.

ORAL

NO. 651 OF 2008

THE HON DR J J GARCIA

AIR TERMINAL – COMMERCIAL UNITS

Can Government say how many commercial units there are in the existing air terminal and in what part of the terminal they are located?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT

There are two shops in the arrivals hall, eight shops and one cafeteria in the departure hall and one shop and one cafeteria in the main hallway. There is also one bureau de change in the main hallway.

NO. 652 OF 2008

THE HON DR J J GARCIA

NEW FLAME

Can Government give the cost to date, with a breakdown, of the operation to remove the wreck of the New Flame?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The costs involved in the removal of the wreck of the New Flame are a matter for the vessel's owners, their insurers and the wreck removal company.

There are no costs to the taxpayer.

SUPPLEMENTARY TO QUESTION NO. 652 OF 2008

HON DR J J GARCIA:

When a similar question was tabled in April, the answer given by the Minister was that the Government had paid out certain costs which were then reimbursed by the insurers. Those are the costs I am referring to. Has there been anything else?

HON J J HOLLIDAY:

Correct, that is the case. I mean, costs that we may have incurred in legal advice and other advice have been, obviously, claimed from the insurance and those have been settled.

HON DR J J GARCIA:

Are those the only costs, £16,723?

HON J J HOLLIDAY:

No, the additional cost to date which has been incurred by the Government but reimbursed by the insurance, cover legal fees - £46,000 (I will give to the nearest thousand); personnel supplied by the Board for the use of the launch and fuel et

cetera - £90,000; rental of xxxxxx marker buoys, including repairs and spares - £66,000; and Port personnel overtime - £31,000. Roughly about £235,000 which are recoverable from the Swedish Club.

HON DR J J GARCIA:

Have these been recovered already or are they in the process of being recovered?

HON J J HOLLIDAY:

Well some of them have, for example, the Port personnel overtime that is an on-going thing so we put a claim every so often towards them. But everything that we put to them has been settled.

ORAL

NO. 653 OF 2008

THE HON DR J J GARCIA

GTB – VACANCY FOR TERMINALS ASSISTANT

Can Government say how many persons applied for the vacancy for Terminals Assistant that was advertised in July, how many were Gibraltarian and has anyone been selected for the post?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

Answered together with Question No. 654 of 2008.

NO. 654 OF 2008

THE HON DR J J GARCIA

GTB – VACANCY FOR TERMINALS ASSISTANT

In respect of the vacancy for Terminals Assistant which was advertised in April, can Government say:

- (a) how many posts were vacant;
- (b) how many applicants there were for the post and how many were Gibraltarians;
- (c) whether the post has now been filled;
- (d) if so, whether the successful applicant was a Gibraltarian?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY
AND TRANSPORT**

The vacancy was cancelled due to the withdrawal of the resignation which caused the original vacancy.

In respect of the vacancy for Terminals Assistant which was advertised in April, there was one vacant post. There were nine applicants, all of whom were Gibraltarian, the post has been filled and the successful applicant was a Gibraltarian.

ORAL

NO. 655 OF 2008

THE HON G H LICUDI

STATUTORY BENEFITS FUND – PAYMENTS

Can Government state what payments were made out of the Statutory Benefits Fund for each month from July to August 2008 in respect of employment injuries?

ANSWER

THE HON THE MINISTER FOPR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 656 to 658 of 2008.

ORAL

NO. 656 OF 2008

THE HON G H LICUDI

STATUTORY BENEFITS FUND – PAYMENTS

Can Government state what payments were made out of the Statutory Benefits Fund for each month from July to August 2008 arising from the insolvency of any employer?

ANSWER

THE HON THE MINISTER FOPR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 655, 657 and 658 of 2008.

ORAL

NO. 657 OF 2008

THE HON G H LICUDI

INSOLVENCY FUND

Can Government state what payments were made out of the Insolvency Fund for each month from April to June 2008?

ANSWER

THE HON THE MINISTER FOPR FAMILY, YOUTH AND COMMUNITY AFFAIRS

Answered together with Question Nos. 655, 656 and 658 of 2008.

ORAL

NO. 658 OF 2008

THE HON G H LICUDI

INSOLVENCY FUND

Can Government state what was the closing balance of the Insolvency Fund as at 30 June 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

I now hand the hon Member the information requested.

In relation to the answer to Question No. 656, no payments arising from insolvency of any employer have been made from the Statutory Benefits Fund in July and August 2008.

In relation to the answer to Question No. 657, no payments have been made from the Insolvency Fund from April to June 2008.

In answer to Question No. 658, the tentative closing balance of the Insolvency Fund as at 30th June 2008, stands at £2,246,997.89.

ANSWER TO QUESTION NO. 658 OF 2008

Answer to Question 655/2008

Payments from the Statutory Benefits Fund for July and August 2008 in respect of employment injuries have been as follows:

STATUTORY BENEFITS FUND – TENTATIVE STATEMENT

	July 2008	August 2008
Payments – employment injuries	£75,783.10	£72,583.23

SUPPLEMENTARY TO QUESTION NOS. 655 TO 658 OF 2008

HON G H LICUDI:

In relation to Question Nos. 656 and 657, which relate to either the Insolvency Fund or payments out of the Statutory Benefits Fund in respect of insolvency or arising from insolvency. The Minister has confirmed that no payments were made during the relevant period April to August 2008 in total. I know it is not on the Order Paper, does the Minister know when the last payment was made out of the Insolvency Fund in respect of insolvency of employer? Is it normal that there should be no payments at all during this period?

HON J J NETTO:

No, quite frankly the hon Member will have to give me notice because I have not got the information in front of me. If I had, I would gladly provide the information. Can I also, because the Clerk pointed out when I was giving the answers that I did not turn the page over, so I missed some part of the answer I should have given the hon Member before. So can I say now for his own benefit, in relation to the answer to Question No. 655, payments from the Statutory Benefits Fund for July and August 2008 in respect of employment injuries, has been as follows:

STATUTORY BENEFITS FUND – TENTATIVE STATEMENT

	July 2008	August 2008
Payments – employment injuries	£75,783.10	£72,583.23

I am obliged to the Clerk for pointing this out to me.

ORAL

NO. 659 OF 2008

THE HON C A BRUZON

HOUSING – ALBERT RISSO HOUSE

Can Government state what is the current estimated date for completion of “Albert Risso” House for senior citizens?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 660 and 661 of 2008.

ORAL

NO. 660 OF 2008

THE HON C A BRUZON

HOUSING – WATERPORT TERRACES

Can Government give an explanation concerning the ongoing delays in connection with the completion of Waterport Terraces?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 659 and 661 of 2008.

NO. 661 OF 2008

THE HON C A BRUZON

HOUSING – WATERPORT TERRACES

Can Government state what are the current estimated dates for completion in connection with the various phases of Waterport Terraces?

ANSWER

THE HON THE CHIEF MINISTER

The contractor's current commitment is that all phases of Waterport Terraces will be completed by the end of this year.

There has already been practical completion of two blocks at Waterport Terraces and the process of completing on the purchase and sale agreements is now in hand. In respect of Albert Risso House, the current commitment of the contractor is to complete in the second quarter of next year. The delays are due to a variety of reasons including technical factors. Amongst them, Government's rejection of sub standard works which have therefore had to be removed and redone by the contractor.

SUPPLEMENTARY TO QUESTION NOS. 659 TO 661 OF 2008

HON C A BRUZON:

Does the Chief Minister not remember that in December 2007 he described the delays concerning Albert Risso House as slippage? It reminds one of an oil slick when somebody falls to the ground and hurts himself. I think the Chief Minister should apologise to these people for the endless delays in the completion of these phases of Waterport Terraces.

HON CHIEF MINISTER:

I will apologise to the people of Gibraltar for selling them delayed but high quality residential accommodation at Waterport Terraces, when the GSLP has apologised to the residents of Harbour Views, Montagu Gardens, Montagu Crescent, Brympton Estate, who ten years after delivery of their GSLP supervised properties to them, are still suffering the results of shoddy, hasty construction which the GSD Government is still fixing.

HON C A BRUZON:

If what the Chief Minister says is true then is he saying that two wrongs make a right? If it is true.

HON CHIEF MINISTER:

No, what I am saying is that unlike the defects that all those Estates that I have mentioned have suffered, which was the result of GSLP negligence, the delays being suffered today are not the fault or the result of GSD negligence, but rather the result of GSD care, punctilious care of supervision to ensure that the second generation of Gibraltar home owners does not suffer the same fate as the first generation of Gibraltar home owners.

HON C A BRUZON:

Does the Chief Minister not remember that in December 2007 in connection with the role of GRP Investment he said that Government, because it is a solely owned company the GRP Investment, was in fact responsible and taking over the construction and role of developer? Is there not an element of responsibility on the part of the Government? The Chief Minister should apologise.

HON CHIEF MINISTER:

Well, it must be clear by now to the hon Member that he should not start all his questions with the words "does the Chief Minister remember" because it is clear to him, surely, that the Chief Minister remembers almost everything, particularly about their record. What is much less clear is whether the hon Member remembers, or even whether the hon Member accurately refers to things that he has had the opportunity to research in preparation for his supplementary question. The Chief Minister did not say that the Government had taken over the construction of Waterport Terraces. The Government said that there was no taking over, it was a GRP project as developer in the first place. The Government have never taken over construction of the Waterport Terraces. GRP has never been the constructor of Waterport Terraces. GRP, a wholly owned Government company, have always been only the developer with a contracted contractor. So why the hon Member thinks he is entitled to stand up and ask me in supplementary whether I remember that I said that the Government were responsible as contractor and developer, is frankly not clear to me. Except to the extent that it shows that the one who does not remember things is him and not me.

HON C A BRUZON:

It is not a question of my remembering, I have got it here black upon white in Hansard. Insofar as GRP Investment is solely owned by Government, there has to be an element of responsibility. In fact the Chief Minister, when both my colleague the Hon Fabian Picardo and myself questioned him on this matter regarding OEM, which indeed refers to the south district, but the concept that I am trying to project now is that GRP Investment is Government owned and the Chief Minister says "yes, we take over everything lock, stock and barrel".

HON CHIEF MINISTER:

I honestly do think that the hon Member in his excitement is confusing Waterport Terraces for the OEM developments in the south district where the Government did take over the construction contracts. Not the contractor but took over the status of employer of the contractor. I honestly do think the hon Member is confused in the excitement that his hon Colleagues, in jeering and encouragement from the wings, give him. Now, what I think that the hon Member does is shamelessly exploit for political reasons something that he knows the Government bears no actual, factual responsibility for. I am going to demonstrate to him that that is the case. He says that the Government bear responsibility because it is a Government owned development company. Presumably what he means is that we bear responsibility for the fate of citizens of Gibraltar who have to suffer delay in receiving the houses which they are expecting. But why is he not equally vociferous if he is genuinely concerned about the delays suffered by Gibraltarian purchasers, and not as I accuse him of just making party political opportunistic point scoring, why is he not equally concerned and equally vociferous, and equally critical of all the other developers in Gibraltar, not Government owned, whose projects suffer equal amounts of delay with Gibraltarian purchasers waiting just as much as the Gibraltarian purchasers of Waterport Terraces? The answer is that the hon Member, despite his pretence to the contrary, is not genuinely motivated by any serious concern for the interests of delayed purchasers. He just thinks this is a good opportunity to put the boot into the Government.

HON C A BRUZON:

Obviously the Chief Minister does not know me, he does not know how I think. *[Interruption]* Would Mr Speaker ask the Chief Minister to allow me to speak? The Chief Minister has to understand, and if he does not, well it is too bad, I am in politics to serve the people who elected me. I can tell with 100 per cent honesty that it is for their sake that I stand here today. I am not being a political opportunist, I am not even thinking of the elections in three year's time, I am thinking generally of the people who stop me in the street, frequently, elderly people, young married couples, who are concerned about the unreasonable delays regarding Waterport Terraces.

HON CHIEF MINISTER:

Well, the hon Member might say that but I have to tell him that the views that we are forming on the Government side of the House is that the hon Member, much as he thinks that it should be clear to all of us that we should know him, actually tries to create a public perception of himself which is actually then not consistent by the nature and quality of his behaviour in this House. That is what we think, but if everything that the hon Member has just said in his last intervention, if it were true, I would expect the hon Member to care equally for all Gibraltarians and other residents of Gibraltar who are suffering similar sorts of delays for their completions in other private sector projects. Until he does so and to the extent that he does not, his last statement is not credible.

HON C A BRUZON:

Would Mr Speaker please ask the Chief Minister to withdraw the statement that I am misbehaving in this House?

MR SPEAKER:

I do not think there was an allegation of misbehaviour. I do not understand that as an allegation of misbehaviour. He did indicate, I do not recollect the word "misbehaviour" or even an allegation. But.....

HON J J BOSSANO:

Is the Chief Minister in a position to tell us what are these delays in other private sector developments about which we should be concerned? Does he have that information for us?

HON CHIEF MINISTER:

No, it is self evident, but if it is true as the hon Members say, that Gibraltarians that are concerned by delays in property developments stop them in the street at every corner and form long endless queues outside their party offices in Waterport to complain about this, presumably there will be people from all the other developments as well, and they will know the delays that are involved.

HON J J BOSSANO:

No, we do not know otherwise I would not be asking him. But since he seems to be advising us to do something about it, I would be grateful if he would share with us the information that he has of all the delays that he claims in this House exist in private developments so that we can do something about it.

HON CHIEF MINISTER:

It is not for me to share with the hon Member any information that I have. It is for them to be aware of the considerable delays that exist and have existed over the many recent years in almost every private sector development that has existed. Not least, for example, the blue building next to the new hospital, where there has been a huge delay and I never heard the Opposition Members, of course because the developer was not Government owned and there was not any opportunity to taint the Government electorally and politically, they thought it not worthwhile protecting the interests of delayed Gibraltarian purchasers in those cases.

HON J J BOSSANO:

The Chief Minister makes assumptions and attributes motives to people which reflect the way he behaves which, he assumes, must follow that other people behave as well. Does he not consider that it is probable that the other people do not complain because in all those cases where they do not have conditions attached to resales, the delays have resulted in people reselling the unsold properties many, many times in the course of the construction? Is he not aware that that has been happening?

HON CHIEF MINISTER:

That is nothing to do whatsoever with the consequences of the delays suffered by people who are the vast majority of them, who are not purchasers for resale but waiting to move into their new home. I do not accept that anything that I have said is subject to that assumption. Therefore, I do not accept the premise of the hon Member's supplementary.

HON J J BOSSANO:

If the Chief Minister thinks that we should show concern for these people, can he tell us whether he is concerned about them and what he is doing about it?

HON CHIEF MINISTER:

Well, I will tell him what I am doing, which if the hon Member had done when he was Chief Minister, thousands of Gibraltarians would not have had the experience of home ownership, the nightmare of home ownership that they had. I personally meet with the contractors, I personally visit the site, frequently and regularly and I personally take an interest in, not only the standards and quality of construction, but all negotiations with the contractor and therefore I do all that is within my power to ensure that these houses are completed, not just as quickly as possible but to the best standard as is possible. Frankly, given the experience of Gibraltar's first generation of home owners, most of the buyers would rather we emphasised the second, that is to say the quality, rather than the first the speed, which is the equation that the hon Members got wrong.

HON J J BOSSANO:

I may have got the equation wrong or not, given that we were the pioneers of home ownership at prices that everybody could afford, which was £19,000 not £120,000. But perhaps the Chief Minister seems to have mistaken, for example, that Brympton was something that predated the GSLP in his anxiety to tar us with everything, and he seems to have forgotten that, in fact, the GSLP did not actually build things, that they were built by private developers, including the ones that he mentioned. Thirdly, that in this area I have followed what he says, which is that the experts that understand construction were the ones doing it, where he takes pride in being a Clerk of Works. In any event, my question was about the private sector developments that he says we should be concerned about. If he has information that we do not, then are the Government doing anything to protect the people who are suffering delays in the private sector developments?

HON CHIEF MINISTER:

No, because the Government are doing nothing for the same reason, presumably, as the Opposition does not complain about it and that is that almost all construction projects of any magnitude suffer delay. Yes, and the more that the hon Members shift the subject matter of this line of questioning from the original question of delay to all the other things that have now being raised, *[Interruption]* No, I have not shifted it to anything, the Leader of the Opposition I can send out for a bottle of valium if they like and give one to each of the Opposition Members because I have never

seen them in such a collective state of nervousness and jumpiness as I have this morning. Can I suggest to the hon Members, I realise that Mr Picardo's natural instincts are contagious to everybody in the Opposition side but can I recommend seriously to all the other Opposition Members to resist the temptation to jump up and down constantly, as is the wont of one or two of them normally. The position is that we were discussing delay and now we are discussing something slightly different. Something I am perfectly happy to discuss. The Government have no power to intervene in private contractual arrangements as they know. The Government have power but as a contractor not as a Government, as an employer to interact commercially with the Government's own contractor, which the Government are doing. But at the end of the day the Government have no alternative but whatever remedies the contracts contain, for any breach of contract, if there are delays. The Government cannot physically influence or control the rate of progress on the site. Now, all the hon Members know that, everybody listening to this debate knows that and the rest of it equals pure political opportunistic point scoring.

HON J J BOSSANO:

If the Chief Minister has invited us to take an interest in the delays in the private sector, how does he reconcile that with the answer that he has just given and which he says everybody knows? Which is that it is not possible to intervene to do anything about it.

HON CHIEF MINISTER:

No, I have not invited the Opposition Members to intervene in anywhere. I have said that the hon Members' constant lament for delayed purchases from property developers that are owned by the Government, contrasted with their complete lack of lament and interest in favour of equivalent Gibraltarians, where the developer is not Government owned, means and demonstrates that they are motivated by pure party political opportunism and not, as they claim, by concern about the purchasers, because both are equally local, most equally Gibraltarian and most affected by delay.

HON J J BOSSANO:

But is it not the case that he has said two things? First of all, that because we do not take the same interest in the private sector developments it means that we are biased in order to criticise the Government, which is in fact what Oppositions do. But that he does not do anything. Oppositions criticise Governments that is what he used to do here when he was in Opposition, I never heard him criticise the private sector, it was always the Government's fault. I never condemned him for doing it because that is, to my knowledge, what happens in every Parliament in Europe. But the point that I am making to him is, I took him at his word, assumed that he was doing it in good faith, perhaps very naïve of me, and that in fact what he was saying is that we did not do it and that we should be doing it. In fact, since I assumed that he was saying that we should be doing it, I have only intervened to find out what we can do to help these other people in the private sector that he says we have been forgetting and neglecting. Therefore, I was hoping that he would be able to tell me how we can raise the matter in the House in future about the private sector delays and ask the Government to do something about it. But he has just told me he cannot

do anything, so how does he think we can do something about it rather than simply be silent?

HON CHIEF MINISTER:

The Leader of the Opposition, as always, is disingenuous in his attempt to move the spotlight away from what I said repeatedly to the hon Member. What I had said to the Hon Mr Bruzon is nothing like what the hon Member is saying now. In short, so that he understands it, although I have no doubt that he has perfectly understood it already, the GSLP's campaign to complain to the Government, albeit that they are entitled to do it, about delays in Waterport Terraces because it is a Government owned developer, is an act of hypocrisy, politically motivated for political capital point scoring only, because they do not show the same concerns, even if they cannot do anything about it, they could at least articulate the same concern when the same fate is suffered by equally Gibraltar delayed purchasers in private sector development. That is what I say and the hon Member can stand as many times as he likes to distort, shift, change the position of the goalpost, try to take me onto different ground, that is what I have accused the hon Members of and that is an accusation that I stand by.

HON J J BOSSANO:

I regret that what he thinks that what we are doing is political hypocrisy. It does not say much for his interest in Parliamentary democracy, if asking the Government in a Government project, which is Government partly funded and where the Government owns the developer, to give explanations about the delays, if that is political hypocrisy because we do not ask the same of private developers, is he in a position therefore to accept questions in this House about delays in the private sector? In which case I am sure that he will be glad to know that we are happy to put them to him.

HON CHIEF MINISTER:

The hon Member again disingenuously distorts what I have said. I have not suggested that the hon Members are not entitled to ask for explanations, they have asked for explanations and I have given them in my original answer the explanations to the questions that they have asked. So all his little crocodile tear speeches that he might want to give here, about the hon Member not being allowed to ask questions, all that is fabrication, intellectual, factual fabrication on his part. What I have said is hypocrisy is not the request for an explanation but the accusations and the attribution of blame and responsibility and the use that the hon Members seek to put politically the explanations that we give, as put by the hon Members opposite. That is what I think is a hypocrisy, not that they should ask. In answer to the original question, I did not say any of the things that I have said in the supplementaries, because the original question simply asked for an explanation. Therefore, a factual straight explanation was given. So he should not confuse the answers that I had given in supplementaries as being answers given to the original question, because they were not the answers given to the original questions. The answers that I have given in supplementaries are the answers to questions made in supplementaries, which was not just asking for a little explanation.

MR SPEAKER:

I think we must really now begin to curtail this line of debate. I will allow one last question but I think the position of both sides is abundantly clear. The only thing is the Hon Mr Bruzon has a choice between himself or his leader.

HON C A BRUZON:

In connection with the delays, the on-going delays regarding Waterport Terraces, does the Chief Minister, who has responsibility as owners, the Government, as owners of GRP Investments, have they any information concerning the appropriate time which is mentioned in the newsletter concerning the adjudication of the delays in construction?

HON CHIEF MINISTER:

Standing Orders specifically prohibit me from giving legal advice or him for asking for it across the floor of the House. But if Mr Speaker is willing to indulge us in a clear breach of Standing Orders, then let me say that the hon Member must know that under a construction contract, adjudication of disputes has a procedure attached to it, arbitration, and cannot be done until the full extent of the delay and the claims are known. Some types of contractual dispute can be arbitrated about whilst the contract is in course, others cannot and claims based on delay, which are invariably met by counterclaims by contractors for alleged entitlement to additional monies for other reasons, is a typical, practically inevitable endgame of every construction contract that has ever been signed anywhere. That is the reality of life and I am surprised that the hon Member does not know it.

ORAL

NO. 662 OF 2008

THE HON C A BRUZON

HOUSING – NELSON'S VIEW

With reference to Nelson's View, can Government give a breakdown of the current sales details as follows:

- (a) How many flats are being sold with 100% financing from the purchaser;
- (b) How many are being sold with the 50/50 ratio;
- (c) How many are being sold at any other ratio and specify what that ratio is?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 663 and 664 of 2008.

ORAL

NO. 663 OF 2008

THE HON C A BRUZON

HOUSING – CUMBERLAND TERRACES

With reference to Cumberland Terraces, can Government give a breakdown of the current sales details as follows:

- (a) How many flats are being sold with 100% financing from the purchaser;
- (b) How many are being sold with the 50/50 ratio;
- (c) How many are being sold at any other ratio and specify what that ratio is?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 662 and 664 of 2008.

ORAL

NO. 664 OF 2008

THE HON C A BRUZON

HOUSING – BAYVIEW TERRACES

With reference to Bayview Terraces, can Government give a breakdown of the current sales details as follows:

- (a) How many flats are being sold with 100% financing from the purchaser;
- (b) How many are being sold with the 50/50 ratio;
- (c) How many are being sold at any other ratio and specify what that ratio is?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a schedule containing all the very interesting information that he has requested.

ANSWER TO QUESTION 664

Breakdown of sales details at Nelson's View, Bayview Terraces and Cumberland Terraces by purchaser share

	Purchaser share												
	50%	55%	60%	65%	70%	75%	78%	80%	82%	85%	88%	100%	Total
Development													
Nelson's View	17	2	12	1	23	4	1	4	0	1	0	53	118
Bayview Terraces	7	0	6	1	26	4	0	5	0	0	0	26	75
Cumberland Terraces	45	0	26	0	22	3	0	5	1	1	1	22	126
Total	69	2	44	2	71	11	1	14	1	2	1	101	319

NO. 665 OF 2008

THE HON C A BRUZON

HOUSING – SALE OF 50 PER CENT SHARE OF CO-OWNERSHIP HOMES

Can Government state if there has been any sale of the Government 50% share of co-ownership homes as from March 2008, providing a breakdown by month and estate?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a table giving the information that he has requested. Whilst the information is being sent to him, although I am obviously delighted to carry on giving him the information orally or in this form, the hon Member may wish in respect of questions of this nature, to follow the lead now started by one or two of his colleagues, and ask for the information by way of written answer, which would give him time to prepare for oral cross-examination on the next opportunity.

ANSWER TO QUESTION 665

	SWJG	Montagu Gardens	West View Park	Harbour Views	Montagu Crescent	Totals
Mar-08	Monies Received					£0.00
Apr-08	Monies Received	£29,902.30		£38,042.88		£67,945.18
May-08	Monies Received			£76,201.94		£76,201.94
Jun-08	Monies Received					£0.00
Jul-08	Monies Received	£105,295.67				£105,295.67
Aug-08	Monies Received					
Totals		£105,295.67	£0.00	£114,244.82	£0.00	£249,442.79

ORAL

NO. 666 OF 2008

THE HON C A BRUZON

HOUSING – NELSON'S VIEW

With reference to Nelson's View, can Government state what the current estimated date of completion is?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 667 to 669 of 2008.

ORAL

NO. 667 OF 2008

THE HON C A BRUZON

HOUSING – CUMBERLAND TERRACES

With reference to Cumberland Terraces, can Government state what is the current estimated date of completion?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 666, 668 and 669 of 2008.

ORAL

NO. 668 OF 2008

THE HON C A BRUZON

HOUSING – SOUTH DISTRICT HOME OWNERSHIP SCHEMES

Can Government state if they are aware of any problems that exist concerning the construction of any of the three Government home ownership schemes in the south district that are likely to cause delays in completion?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 666, 667 and 669 of 2008.

NO. 669 OF 2008

THE HON C A BRUZON

HOUSING – BAYVIEW TERRACES

With reference to Bayview Terraces, can Government state what is the current estimated date of completion?

ANSWER

THE HON THE CHIEF MINISTER

The contractor's, who are Haymills, current commitment is to have all three developments completed by December 2008. The Government's consultants believe that this date will not be met and that completion will take several more months. Realistic, new completion dates have not yet been calculated. The Government's consultants have recently rejected some work carried out with concrete that did not meet the contractual specification. This work will have to be removed and redone and this will invariably cause delay.

SUPPLEMENTARY TO QUESTION NOS. 666 TO 669 OF 2008

HON J J BOSSANO:

In respect of the last answer, can the Chief Minister explain, I mean, is the defective concrete not something that they look at before it is actually, as it were, put in situ? How come that they discovered it after the event and, therefore, it has to be removed?

HON CHIEF MINISTER:

Under the forms of construction contracts that are used in Gibraltar and in the UK, the employer, that is to say the developer, in this case GRP Investments, has not only no obligation but indeed no right to interfere in the works whilst the contractor is building it. We do have a right to inspect work as they finish it and either accept it as being within contractual specifications, or reject it as being outside contractual specifications, in which case, the contractor has to remove it and rebuild it at his expense. That is what had happened. The possibility of a developer measuring every consignment of concrete as it arrives on the site is neither contractually possible, nor desirable because it means that the Government would then become, or the developer in this case the Government, but any other developer would then become responsible for the final outcome with that material, and that is not how

construction contracts work, here or anywhere else that I am familiar with. So this is how it happens, it has happened several times here, it has happened several times in Waterport Terraces. In this instance, the defective, I am a little out of my technical depth here, but I understand the issue was not so much that the concrete was defective but rather that the lorry, the thing that turns, took too long to get to the site and by the time it was poured, the cement had fallen outside of specification, it was too wet or too dry or whatever it was. It was nevertheless poured to form a floor slab and those floor slabs now have to be removed and relayed.

HON J J BOSSANO:

Can the Chief Minister say who are the consultants that they use to test that the things are up to standard?

HON CHIEF MINISTER:

They are the Government's consultants, I do not know which of them does this particular, it may be John Licudi and Associates, it is one of the local firms of consultants. But it does, without wishing to re-ignite the previous debate under the previous question, it does show how the Government through their consultants is on top of building contracts to ensure that bad workmanship is not covered up and built on so that problems emerge later, but are on the ball, spot things and reject them and require the contractor to redo them. That is what we promised we would do and this is what we are doing and this is not the first occasion. I think this is the most significant occasion because the amount of work involved and their value is quite significant. I think it is two floors in one development and one floor in one of the other ones on the south side. So it is quite a lot of valuable work, it is everything that they poured with that consignment of concrete. In Waterport Terraces there were similar events on a slightly smaller scale, but still, this has been the modus operandi since both projects began since we have been involved.

HON J J BOSSANO:

Is it that the Government use different consultants in different sites, or are they permanently employed by the Government to check these things or what? What is the nature of the relationship of these consultants?

HON CHIEF MINISTER:

Yes, the Government employ different consultants on different sites. So in Waterport Terraces we have one set of consultants and in the OEM site we have a different set of consultants, the ones that we inherited from OEM when we took over the contract. I do not remember who they are but I know that John Licudi and Associates, I think is the name of the firm, is the lead consultant and I think there are probably several of them. Some on the QS side, others on the structural side, others on the mechanical and engineering, there is a team.

HON C A BRUZON:

The problem with regard to the concrete, I am not sure if the Chief Minister specifically mentioned which of the three housing schemes it involved. Can the Chief Minister confirm that this has not happened in the three developments but just in one and which one?

HON CHIEF MINISTER:

I cannot confirm that it has happened in only one because I have just said it happened in two. It has not happened in one, what I cannot be 100 per cent certain is which is the one in which it has not happened. We see all three of them, in a sense, as one project so when information comes to me I do not focus on which of the blocks it affects. But I think that, I would be guessing, if he is interested I will let him know.

NO. 670 OF 2008

THE HON C A BRUZON

HOUSING – SITE FOR BALANCE OF RENTAL FLATS

With reference to the outstanding balance of 210 rental flats that are not now scheduled to be constructed opposite HMS Rooke, has Government now identified another site, and if so, where?

ANSWER

THE HON THE CHIEF MINISTER

A site has not yet been decided upon.

SUPPLEMENTARY TO QUESTION NO. 670 OF 2008

HON C A BRUZON:

In answer to a similar question in December, the Chief Minister said that “the issue is not so much identifying a relevant site as designating a relevant site”, and gave me the impression that some sites had been designated. Could the Chief Minister say which?

HON CHIEF MINISTER:

I think he has both disqualified and answered his own question. What I told him last time was that it was not so much a question of identification as designating sites, and I have now told him when he has asked whether that has now been done, the relevant word in his question is the word “now”, because everything else repeats the question previously. That has not yet been done. We have not yet, I have told him, decided upon a site but he is right at what I said last time and it remains the case, there are several possibilities but one has not yet been decided upon.

ORAL

NO. 671 OF 2008

THE HON C A BRUZON

OEM

Has the Government decided whether it will allow OEM to take over some of the projects it was previously involved in and if so which ones?

ANSWER

THE HON THE CHIEF MINISTER

No decision has been made, the matter remains under negotiation.

ORAL

NO. 672 OF 2008

THE HON C A BRUZON

HOUSING – NEW GOVERNMENT RENTAL ESTATE

Can Government state what are the commencement and completion dates agreed to in connection with the proposed new Government rental estate?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 673 and 674 of 2008.

ORAL

NO. 673 OF 2008

THE HON C A BRUZON

HOUSING – NEW GOVERNMENT RENTAL ESTATE

Can Government state what clauses or conditions, if any, concerning delays in completion, have been included in the contract signed recently with the contractor in connection with the construction of the proposed new Government rental estate?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 672 and 674 of 2008.

NO. 674 OF 2008

THE HON C A BRUZON

HOUSING – TENDER FOR NEW GOVERNMENT RENTAL ESTATE

Can Government list the names of the five companies who submitted a tender for the construction of the housing rental estate near Rooke, showing the amount bid by each?

ANSWER

THE HON THE CHIEF MINISTER

The tender has been awarded, as the Government have announced, but not yet signed at the time of preparation of this answer. It is thus not appropriate to publish details of other tenderers. In any event, the Government are advised that it is commercially inappropriate to identify the amounts submitted by particular losing bidders. Accordingly, in due course, the Government will publish in the Gazette the name and amount of the winning bidder and the amount of the unsuccessful bids but not the names of unsuccessful bidders. Commencement is scheduled for immediately on signature of the contract, which I incidentally advise is scheduled to happen in the next day or two, the actual signature of the contract. Phase one is, under the terms of the contract, due to be completed by 30th July 2010, phase two by 30th September 2011. As the contract is not yet signed, it would be inappropriate of me to give details of the clauses that it contains but the hon Member may be aware of the sort of standard delay clauses that are to be found in standard forms of building contracts, such as the JCT model building contract.

ORAL

NO. 675 OF 2008

THE HON S E LINARES

EDUCATION – DEPARTMENT OF EDUCATION RELOCATION

Can Government state when it took the decision to relocate the Department of Education?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 676 to 678 of 2008.

ORAL

NO. 676 OF 2008

THE HON S E LINARES

EDUCATION – DEPARTMENT OF EDUCATION REFURBISHMENT COSTS

How much has it cost the Government to refurbish the new Department of Education at Queensway?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 675, 677 and 678 of 2008.

ORAL

NO. 677 OF 2008

THE HON S E LINARES

EDUCATION – DEPARTMENT OF EDUCATION RELOCATION COSTS

How much has it cost the Government to relocate the Department of Education to the present Queensway premises?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 675, 676 and 678 of 2008.

NO. 678 OF 2008

THE HON S E LINARES

EDUCATION – OLD DEPARTMENT OF EDUCATION PREMISES

Can Government state what the old Department of Education at 40 Town Range will be used for now that the relocation has taken place?

ANSWER

THE HON THE CHIEF MINISTER

I took the decision in consultation with the then Minister of Education. Although it is difficult to pinpoint the precise moment when a particular decision is made, it was finally made in the sense of authorised to proceed after the election in around November 2007.

The amount paid to date in respect of refurbishment of the splendid new premises for the Department of Education is £619,745.59.

The cost for relocating the Department to Queensway, that is to say the moving costs, have been £25,822.73.

No. 40 Town Range will become an annexe to No. 6 Convent Place in support of the various political responsibilities and administrative functions.

NO. 679 OF 2008

THE HON S E LINARES

THE MOUNT

Can Government state whether the Mount is being used for any purpose other than for private, public functions and for a Tribunal as was the case recently and if so on what terms and conditions is this being done giving a list of institutions or entities to which it is being hired?

ANSWER

THE HON THE CHIEF MINISTER

As the hon Member must surely know, the Loreto Convent School is allowed to use part of the Mount for the purposes of their adjoining school. What he may not know is that this is an informal licence arrangement terminable at will and no payment is made.

SUPPLEMENTARY TO QUESTION NO. 679 OF 2008

HON S E LINARES:

I could not have known because, quite frankly, I asked this question in a previous House and the Chief Minister stated that it was not being used for any other function, and that was before the Tribunal. Since the Tribunal happened, I posed the question so saying that I should know is an assumption on his part. So could the Chief Minister tell us when this happened so that we can put a timescale into when he took this decision?

HON CHIEF MINISTER:

What he has just said by way of preamble to his supplementary is not true. He has asked a different question now and I have divided my answer carefully into two parts. Part that I had assumed he did know, namely that the Loreto Convent uses it. Everybody in Gibraltar knows that the Loreto Convent uses part of the Mount as classrooms. Then I said what he may not know, because there is no reason why he should, are the basis on which that occupation takes place. So I assume, I would be surprised if he had not known, that the Loreto Convent uses the school. What I acknowledged he might not know, were the terms upon which the Loreto Convent uses the school, namely, informal licensed terminable at will and that no payment is made. I cannot recall exactly when this arrangement began but I think this is the

second academic year, just started, in which it happens. Was there any other part of his supplementary that I have not answered?

HON S E LINARES:

In Question No. 270 of 2007, which is not two academic years by the way, it is only one, but he says two academic years and I should know, I asked, "can the Government state whether the Mount is being used for any purposes other than functions and parties and, if so, by who and how much is the rate being paid for the usage?" Answer the Chief Minister, "no, the Mount is not being used for any other purposes than for functions and parties". Then he goes on to state about the fees for each function and he lists that. Then how is it that I am supposed to know, two academic years before, that the Mount is being used by the Loreto Convent, if in answer to a question here in 2007, which is one academic year, he is saying that it is not being used? So am I supposed to be clairvoyant or what? Can the Chief Minister explain the premise of his answer?

HON CHIEF MINISTER:

There is no danger of anybody thinking that the hon Member is clairvoyant. I just think he should set the bar considerably lower when inviting people to attribute such characteristics to him. I did not say two years ago, I said this is the second academic year in which it happens. The second academic year started in September 2008, just a few weeks ago. The first academic year was indeed in 2007 at some point. So he would have to give me the date in which he asked me the question and I will then be able to tell him whether my answer was accurate or inaccurate. But in any event, my answer today which is not two years ago, I said to him that this is the second academic year in which it happened. The second being the one just started, the first one indeed being 2007.

ORAL

NO. 680 OF 2008

THE HON S E LINARES

PUBLIC MARKET – OFFERS TO BUY OUT TRADERS

Can Government confirm whether they have offered to buy out traders at the public market and if so can they list those traders who have accepted the offers and the amounts in question?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 681 and 682 of 2008.

ORAL

NO. 681 OF 2008

THE HON S E LINARES

PUBLIC MARKET – AMOUNT PAID FOR BUTCHER'S SHOP

What amount was paid per square metre to the butcher's shop bought out by Government from the local public market?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 680 and 682 of 2008.

NO. 682 OF 2008

THE HON S E LINARES

PUBLIC MARKET – BUYING OUT OF TRADERS

Can Government say if they are buying out traders at the public market why they are doing so?

ANSWER

THE HON THE CHIEF MINISTER

Yes, the Government are in the process of refurbishing the public market and exposing the City walls at the entrance to Casemates. In this context, it has agreed to buy out the Market Restaurant and is trying to relocate the adjoining take-away in order to demolish these buildings. One of the stall holders who offered to surrender their stall, has also been bought out by the Government with a view to relocating holders of stalls to the south and outside of the market place building and at the rear of the market place itself, to an inside location thereby enabling the Government also to demolish the external structures, thus exposing further parts of the City wall and removing as many as possible of the unsightly, external structures cluttering the public market building.

The traders and the amounts in question are as follows:

Ashall Trading Limited	£300,000
OPH Holdings Limited	under negotiation
SP Butchers	£258,750

Units D and E were surrendered at approximately £1,500 per square metre. Stalls 3, 6 and 23 and a vault at Fish Market Road were surrendered at a rate of approximately £890 per square metre.

NO. 683 OF 2008

THE HON G H LICUDI

HEALTH AND SAFETY OFFICERS

Can Government state whether it has now taken a decision with respect to the number of health and safety officers which it employs?

ANSWER

THE HON THE CHIEF MINISTER

No, Sir, not yet.

SUPPLEMENTARY TO QUESTION NO. 683 OF 2008

HON G H LICUDI:

It would be useful if the Chief Minister could give a little bit more information about the state of play, particularly having regard to the fact that we know that one particular person retired leaving two officers in place and, therefore, we know for a fact that the Health and Safety Inspectorate is one man short. We were given assurances in April of this year that there was going to be a review of health and safety generally, and that assurance was given by the Hon the Minister for Employment, and that that review was going to be undertaken very quickly, those were his words. Can the Chief Minister or the Government tell us now when the particular post, which is outstanding and which was advertised last year but then withdrawn, when that is expected to be filled?

HON CHIEF MINISTER:

No, I cannot even give the hon Member an assurance, as I think I told him last time, that that particular post would be filled. But I agree with the rest of what he has said and that is exactly where the matters lies. That this review is underway, meetings are taking place, the Government are generating internally a whole new approach to health and safety management in all its aspects in Gibraltar, that is not a simple, short task that can be done quickly, nor in truth, is it number one in the Government's list of priorities although it is not the last either. It is something that is being progressed at whatever rate the exercise turns out to require. This is not a fiddling exercise, it is a whole new architecture, perhaps even a new legislative framework for the approach to health and safety in Gibraltar, and the position of the Government remains the same. That that review, I do not know if my hon colleague said quickly,

if he did of course it is a word that is not capable of precise definition. Certainly, if he did use the word “quickly” I would have better advised him to use the word “expeditiously”, in the sense that one never knows how long these things are going to take. It is being done, it is being given the importance that it does deserve but the position remains that the Government think it is not sensible to fill posts graded at grades that reflect the old architecture, when that might not be what the new architecture requires. So whilst the Government will certainly try to complete its internal review and make a policy decision about how they are going to deal with health and safety issues in the future, that will happen hopefully as quickly as possible, and certainly expeditiously. It remains the Government’s position that in the meantime, we are intending not to fill that post.

HON G H LICUDI:

The hon Member, the Minister for Employment, not only used the word “quickly” I can tell the Chief Minister exactly what he said which was that that particular post and advertisement will be taken in conjunction with the general review which is going to be undertaken very quickly. So the words were not “quickly” or “expeditiously”, the words were “very quickly” which suggests that the Government are giving this a certain impetus and a sense of urgency. We are now being told that this is not number one in Government’s list of priorities. Can the Government explain the apparent change of policy from the urgency that was displayed by the Hon Minister in April of this year with use of the term “very quickly”, which I understand is not a term above but one could be forgiven for believing that there is a sense of urgency, when Government Ministers attribute the term “very quickly” to a review. Can the Government not explain, or can the Government explain why it is not showing a degree of expediency and concern given the amount of construction projects that are going on in Gibraltar and concerns which have been voiced about the lack of availability of health and safety officers?

HON CHIEF MINISTER:

I cannot agree with the sentiment and the assumptions upon which the hon Member’s supplementary is based. The word “quickly” does not lend itself to precise attribution of a particular length of time. If one agrees to build two things quickly, a cathedral and a garden shed, one uses the word “quickly” about both but one does not expect the cathedral to be finished at the same time as the garden shed. When one does things quickly, the length of time that it takes depends on the nature of what one is doing, and reviewing the legislation and the whole historical system in Gibraltar for dealing with health and safety, even if one is doing it quickly that does not imply that it is going to be next week or next month, or even next year. It means that one will not cause undue delay in pursuit of the process, whatever that might be or however long it might naturally take, given the size, complexity and other aspects of the task in hand. So I do not accept the hon Member’s underlying premise that “quickly” was the wrong word, even though I would have used the word “expeditiously” better to describe the concept that I am talking about. Therefore, I do not agree that there is any contradiction between what I have said and what my hon Colleague the Minister for Employment said, or that what he said would happen is not happening.

HON G H LICUDI:

In the context of the actual review, can the Chief Minister give any details as to who is conducting that review, when it was started and whether it is expected to be finished during this financial year?

HON CHIEF MINISTER:

I cannot give him any assurance on the last point, I am simply not willing to box the Government into any time frame, still less one set by the Opposition Members whose policy this is not. I do not recall in the hon Members' manifesto seeing a desire. The hon Member appears to be concerned about the filling of the vacancy, that is what his question is. I cannot tell him whether it will be ready, I cannot tell him whether the review will be ready by the end of the financial year. Therefore, I cannot tell him whether a post will have been filled by the end of the financial year or not. The policy initiative to review the health and safety is in the hands of a committee of three. It includes me but I do not take part in the day to day work, it is the Minister for Employment and the Minister for Health and Civil Protection who are jointly doing the thinking and taking this matter forward. It is not yet at the stage where we have made choices between the various options going forward and, therefore, clearly we have not yet made decisions about staffing the option going forward or the legislative amendments that would be needed for the option going forward.

HON G H LICUDI:

The Chief Minister is right in that this does not involve a policy decision on behalf of the Opposition. The concern is that a vacancy was advertised internally within Government and after applications were made for that vacancy, the vacancy would appear to have been withdrawn. When questioned in this House we were given the explanation about the review. Can the Chief Minister or the Government explain whilst this review is on-going, and although we now know that no time scale is attributed or will be given by the Government, what is actually happening to the functions of the person who actually retired, is someone filling it on an ad-hoc basis, is someone acting as health and safety officer, do we actually have three health and safety officers working as health and safety officers or has the post and the work actually been lost?

HON CHIEF MINISTER:

I am advised that there is somebody acting in the post.

NO. 684 OF 2008

THE HON G H LICUDI

FREE PARKING SPACES AT NEW CAR PARKS

Can Government state how many free parking spaces will be made available at the new car parks at Willis's Road, Sandpits and New Harbours?

ANSWER

THE HON THE CHIEF MINISTER

None within the car parks. However, as part of the Sandpits car park project five spaces and a motor cycle parking bay were created on the public highway for free public parking.

SUPPLEMENTARY TO QUESTION NO. 684 OF 2008

HON G H LICUDI:

I am not sure whether I understand the Chief Minister's answer to mean five spaces which did not exist previously, because as I understand it, there was some parking available outside Sandpits even before the development, people did use to go to Sandpits with their cars and park outside. So I am not sure whether this refers to five additional parking spaces, perhaps the Chief Minister can clarify that? Can the Chief Minister also state how many parking spaces which were available in the public highway in the vicinity of the three car parks, have actually been lost as a result of the construction of these car parks?

HON CHIEF MINISTER:

First of all in relation to the first part of his supplementary, I believe that these are additional parking spaces in places where parking was not possible before. I think they are on the ramp on the way down into the parking, on the right there xxxxx rough land. The parking that used to be available outside, where people going to play tennis go up, that he knows will be reprovided, I think, probably with bigger capacity in a more ordered and xxxxx surfaced way. I believe that there is no net loss in parkings on any of the roads as a result of the building of these three car parks.

HON G H LICUDI:

Would the Chief Minister not agree with our understanding, particularly with regard to the one at Willis's Road, that the entrance to the car park previously used to be a wall which was part of the road that came down from the Moorish Castle area, the entrance to Moorish Castle from the Upper Rock, and that necessarily as a result of the opening up of the wall in order to create the entrance to the car park, that free street parking facilities, opposite the wall as I understand it, have actually been lost? Does the Chief Minister not agree that some parking spaces have been lost? My question is, why have they not been reprovided within the car parks themselves?

HON CHIEF MINISTER:

Well, first of all I said to the hon Member that I did not believe that there was any net loss of parking spaces, which means that they may be lost in one place and reprovided in another. He needs to listen to the answer more carefully. Secondly, even if there were two or three, even if contrary to what I was saying it turns out at the end of the day that there were two or three, the Government, given the huge net gain for that project, would not necessarily feel..... If there were a substantial number of losses then the Government would certainly have to consider, and I think indeed in the past we have said that in those circumstances we would provide for free public parking inside. But for one or two it is just not viable because what we cannot have is the general public entering the car park building to see if one of two or three public parking spaces were available or not. This means that one cannot operate a barrier system, one cannot issue, it makes the whole system unviable. So, therefore, I do not believe there are any net losses, particularly not following the making of Willis's Road one-way. But even if there were, contrary to what I am saying, just a handful of them the Government would be minded to let that be, given the overall net gain to residents of the area.

HON G H LICUDI:

The answer to the question, to the supplementary, really is quite extraordinary that this is something to do with viability in connection with access by the general public through the barrier. Is it not the case that this is something that the Government would have known about when they started constructing the car parks? Did they not know exactly the amount of car parking spaces that would be available and exactly the car parking spaces that would be available for rental as opposed to having them as free parking spaces? Did they not have the plans when they started building a long, long time ago and well before the last Elections? Did they not know that the plans showed car parking spaces of exactly the same number that would subsequently be advertised for rental or for sale? In those circumstances, given the answer about viability, and this appears to be a policy decision, can the Chief Minister explain the commitment that was given by the Government at the time of the last Elections, which is actually contained in this document, their manifesto? With regard to Willis's Road, Sandpits and New Harbours car parks the Government actually said in their manifesto, "our projects to provide 460 new parking spaces at Willis's Road, Sandpits and New Harbours are nearing completion and will become operational soon", November 2007. By the way, almost one year later they are still not operational. So, so much for their prediction as to time. These will provide a mixture of free parking spaces, a manifesto commitment, and in brackets to cover themselves, "(if street parking has been lost in the vicinity)". Then weekly, monthly rentals and outright purchases opportunities. So, the Government's explanation now

that it is simply not viable simply does not fit with a policy decision and announcement made at the time of the Elections, that a mixture of free parking spaces and other types of arrangement would be implemented. Does this not amount to yet another electoral fraud by this Government which this Government must explain?

HON CHIEF MINISTER:

No, what it amounts to is another example of how behaviour on the Opposition side of the House seems to contagion from one Member to the other, and it has now reached even the Hon Mr Licudi whom we had thought was amongst the more sensible of the Opposition Members. But apparently not. Look, I would not expect a lawyer to make a preamble of a case, suggesting to all that were listening that the Government was somehow in breach of a manifesto commitment and then read out the manifesto commitment which says exactly what I had told him before he bothered to stand up to get up, that is, that the Government would consider, would make free public parking available if there were losses of street parking in the area. That is not to cover, where is the electoral fraud? The manifesto says mixture of sale, hire and free, if there are losses in the public highway, and the hon Member, because he wants to describe the words in brackets as cover, then goes on to describe the rest of it as a fraud. What is a fraud is the hon Member's distortion, misrepresentation and conscious premeditated misreading of the Government's manifesto, in order to falsely accuse the Government of another electoral fraud. That is what is a fraud.

HON G H LICUDI:

Does the Chief Minister not realise and understand, in his haste to chastise us, that the electoral fraud arises precisely from the knowledge that this Government would have had in October 2007, because at that time they would have known precisely that the plans were ready, that the projects were nearing completion, as they said, and they gave a date of November 2007 and they would have known that there would be not a single free parking space available. Yet in their manifesto one month before the date of completion, they said there would be a mixture. Does he not understand that that clearly amounts to an electoral fraud?

HON CHIEF MINISTER:

No, I am sorry, the Government did not say that there would be a mixture including free parking. The Government said that there would be a mixture including free parking if there were losses on the highway. That is what the Government said and that is exactly what I said to him five minutes ago before he misread, misinterpreted, distorted what the Government's manifesto says. But the hon Member, in his haste to score political points, has still not understood the position, which is that whether there is a net loss or not, does not depend only on the car park. It also depends on how the one-way system works, and whether as a result of the one-way system in Willis's Road, which is nothing to do with the car park, there is a net loss of free public parkings on the highway or not. Why the hon Member thinks that this depends only on the building of the car park, is certainly a false assumption on his part. Many things can impact on whether there is a net loss of public parking spaces. In the case of Willis's Road, as a result of eliminating the two-way traffic flow, parking becomes viable in places in which it was not viable before. So places that one loses in one place, because we need to leave a gap to get into the garage as he quite

rightly says, one may gain somewhere else which one could not park before because it used to be a two-way street before. Now, the hon Member is the one who in his, not for the first time hasty interventions in this House, simply gets it wrong. Not content with getting it wrong, builds on his mistake the most hostile attack on the Government accusing it of electoral fraud. That is the hon Member, it is not the first time he does it.

HON G H LICUDI:

Well it might not be the first and it will not be the last.

HON CHIEF MINISTER:

I have no doubt.

HON G H LICUDI:

If we discover that there are continuing electoral fraud, as I am sure we will discover in the next three years. The Chief Minister seeks to divert attention from the thrust of the accusation in the question and in the supplementary. In answer to the previous question or supplementary, the Chief Minister seemed to give the very clear impression that quite apart from the fact that there may be parking spaces lost in the public highway, there seemed to be this over-arching principle or policy decision which prevented the general public having access to this, and this was that it was simply not viable to have the use by the general public of a private car park with access to the barrier. Can the Chief Minister explain, in the light of that lack of viability, unless that lack of viability has suddenly been realised today by the Chief Minister, can the Chief Minister explain in the light of that lack of viability how he or his party envisaged in October 2007 that there could, in theory, whether there would or not is another matter, be a mixture of free parking spaces and rental. How did he envisage when he wrote this manifesto that that would actually work in practice when we are now being told it was simply not viable?

HON CHIEF MINISTER:

The hon Member has just done it again. Another example of misleading, distorting, misrepresenting in this House what I have said not more than three minutes ago.

[Interruption]

HON CHIEF MINISTER:

No, Mr Speaker, I have heard a lengthy answer, I am entitled to answer it.

MR SPEAKER:

Order, Order.

HON F R PICARDO:

Point of order, Mr Speaker. The Chief Minister has just made an allegation that the hon Questioner has misled the House. I thought we had come to terms with the fact that one did not do that in this House unless one did it in a particular way.

MR SPEAKER:

I know that but yesterday we went through the same exercise again.

HON F R PICARDO:

Yes, Mr Speaker. The Chief Minister has made an allegation that the House was being misled. Now, either that is to be done by way of Point of Order or to be done by way of motion. Not to be done across the floor of the House. If Mr Speaker allows the Chief Minister to get away with saying that the Hon Mr Licudi has misled the House, I assure Mr Speaker he will not be the only one who makes that sort of allegation across the floor repeatedly.

MR SPEAKER:

Is that a threat from the hon Member?

HON F R PICARDO:

No, it is not a threat, it is that if Mr Speaker is going to make the ruling that the Chief Minister can say to Mr Licudi that he has misled the House, and that is going to be proper, it will surely be proper coming from all other Members. That is not to threaten you Mr Speaker.

MR SPEAKER:

Does the hon Member recall his own behaviour yesterday when he accused the Hon Joe Holliday of about, with respect, of about to mislead the House? Not that he had actually done so.

HON F R PICARDO:

Absolutely.

MR SPEAKER:

How does that differ then from today's proceedings?

HON F R PICARDO:

Well, very simply, because I got up on a Point of Order to say that the hon Gentleman was about to say something that was going to mislead the House. When I made the point, the hon Gentleman actually had the courtesy, although in very political terms, not to pursue what he was doing. Therefore, I did not pursue the matter any further. The Chief Minister now has made a very clear statement that would not stand in Parliament, that should not stand in Parliament, which is that the Chief Minister said that Mr Licudi has misled the House. He has not said that in a Point of Order, he has said that in the course of debate and as part of his answer. Now if that is proper Parliamentary debating manner, then we should all be free to adopt it. I am sure Mr Speaker would agree.

MR SPEAKER:

I agree. But does the Hon Joe Holliday's response yesterday minimise the hon Member's own conduct yesterday?

HON F R PICARDO:

I do not think there is absolutely anything wrong with my conduct yesterday. I got up in keeping with the practice in this House as Mr Speaker is aware on a number of occasions, and even now, to make a Point of Order, and the Point of Order was that the hon Gentleman was about to mislead the House.

MR SPEAKER:

Absolutely.

HON F R PICARDO:

It was not in the course of debate an allegation that the Minister had misled the House, which is what we have now. If that is proper and Mr Speaker is ruling that proper, we should all know and be clear that that is the procedure. I am sure that we will enjoy thrusting that sort of allegation across the floor to each other.

MR SPEAKER:

Well, I will rule on the point right now. An allegation that a Member is about to mislead the House is a far greater crime than an allegation that a Member has misled the House. Let us get that clear for a start. Going back to the present issue, yes, allegations of misleading must necessarily be the subject of a motion.

HON F R PICARDO:

Thanks.

HON CHIEF MINISTER:

Well, all I can say is two things to the Hon Mr Licudi. First of all, that what has been left most clear in this House is that the Hon Mr Picardo thinks that his partner in legal practice needs his instant and considerable protection in this House. The second thing is that I am very sorry that he should be responsible for raining upon his head a motion of misleading the House which would not otherwise rain upon him. He has his colleague to thank for that. I will indeed bring a motion that the hon Member has misled the House, because for the second time this morning he has chosen to ignore what I have said, to distort what I have said, to attribute to me words that I have not said, for the purposes of making a false point. I have not said to him, as he pretends in his supplementary, that there is a policy decision against allowing any free public places in the garage. I said to him that it is not viable if it is only for a handful because of the logistics involved in making that system operate. But I also told him that if it turned out to be more than a handful, then the Government would honour its commitment to do it. That is what I have said, which is practically the opposite of what the hon Member attributes to me in his supplementary. The opposite, and therefore, I do believe that he has misled this House about what I said to it and therefore, I will bring a motion because I agree that there are rules about this with which I fully intend to comply. The position, therefore, is that the manifesto says exactly what I said in this House before the hon Member theatrically produced the manifesto, and that is that the Government would consider free public parkings in the garages if there was a loss of parking spaces, free public places on the highway. That is what I have said in this House, that is what the manifesto says and any attempt by the hon Member to suggest anything to the contrary, including building on that anything to the contrary the extraordinary accusation of electoral fraud on the basis of the most convoluted non-arguments, about whether we knew at the time how many parking spaces were in the garage, is simple fraud, distortion and misleading this House. Let me say to the hon Member, but of course the Government knew how many.....

MR SPEAKER:

Motion. It is a repetition of misleading the House.

HON CHIEF MINISTER:

Yes, I have committed to bring a motion and I will bring a motion, that the hon Member builds his fantastic argument on the premise that because the Government knew how many spaces there were in the car parks before they were built, they must have known that there would be no free parking. That is simply wrong. Of course the Government knew, one can never be sure whether in the end the builder is going to tell one, well look, you cannot get this because of that, but of course the Government knew how many parking spaces there would be in the garage. But that is not what determines whether there is a loss of parking spaces on the highway in Willis's Road. There has been no loss of parking spaces on the highway in any of the other developments, one is on the roof of New Harbours, I do not suppose he could ever have thought that there might have been any loss of public spaces on the public highway as a result of building an extra floor on New Harbours, and certainly, in Sandpits there have turned out to be a net gain not a net loss of free public highway. In the case of Willis's Road, it is a question of net because of the one-way system. That is the position and anything that the hon Member says to the contrary is pure politics, fought on a factually false and dishonest premise.

HON G H LICUDI:

Not only do we have an accusation of misleading the House now also of dishonesty, which is actually worse.

MR SPEAKER:

Dishonest premise.

HON G H LICUDI:

Dishonest premise is the same as dishonesty. Knowing that the premise is false I have made the argument on that false premise, dishonestly. That is the accusation and the Chief Minister should be very careful in the sort of Parliamentary behaviour that he indulges on. We in the Opposition side of the House will not be silenced by threats of motions by the Government Ministers. We will do our job as we have to do and people out there will judge the behaviour of both sides of the House. The Chief Minister may be comforted by the fact that if he brings the motion, that motion would be successful, because he has all his people there who will vote with him on that motion. So every single Government motion on misleading the House will succeed, and every single Opposition motion on accusations of misleading the House will fail. That is not the true test of whether the House is being misled. We will be happy to debate that motion when the time comes and people out there will see through the political prank that the Chief Minister is trying to pull. Quite frankly, the behaviour by the Chief Minister is quite astonishing this morning. But he simply has not answered the last point in the supplementary, and I stand by everything I have said previously. The last point in the supplementary was, quite simply, how did the Government envisage in the event that street parking were to be lost, how did the Government envisage that it would operate in practice given the practical difficulties that he has explained and lack of viability that he has explained? He must have given some thought, it was actually in the manifesto, if it is not an electoral fraud then it must have been thought out. Can the Chief Minister explain how that policy was thought out and how it would work in practice? We still have not got an answer to that question.

HON CHIEF MINISTER:

First of all, in respect of the first part of his lengthy supplementary, of course people in Gibraltar expect the Opposition to hold the Government to account. Of course people in Gibraltar do not expect the Opposition Members to be covered by threats of a motion, and of course the hon Member, but again that is not the issue here, because all those people that expect the Opposition to do all that, expect them to do it by reference to the facts and to the truth. What all those people out there do not expect their elected Parliamentarians to do is to fabricate a set of facts for the purposes of building a political attack. That is what nobody in Gibraltar expects and that is what the Opposition Members do as a matter of political style and system, and they have done it, not now, but for many, many years, which is why they have been in Opposition for the last four elections, amongst many other reasons. Now, the hon Member cannot be as unimaginative as the second part of his supplementary question suggests that he is. Well look, his argument now appears to be reduced to this. There must be an electoral fraud here because what could be the logistical system for allowing some free public parking in the building, given what one has said

about the barrier, and if one had not thought about that then I stand by everything that I have said because there must be an electoral fraud. How superficial, ill thought through and on the hoof can somebody's arguments in public be? It is perfectly simple. Not simple enough for him to understand so I will explain it to him. What one does is that one gets the barrier at some cost and build it further in to the ground floor not at the door, so that before one gets to the barrier, beyond which only permanent renters can get, there are a number of spaces to which one gets and therefore the public can accede before one gets to any barrier control. That is how it is done. It is hardly worth doing it for one, two or three or a handful of parking spaces, because the amount of space that one would have would barely give one room to manoeuvre, which is why I said that it would not be practical for only a handful of places. But if it was more, there is plenty of space because I can put the barrier for cars to get into this room at the door or I can put it under this arch, leaving all these spaces here for people. See how simple it is, not everything has to be an electoral fraud, despite their political desires to make it seem so.

HON G H LICUDI:

The manifesto commitment was certainly not qualified in any way in terms of numbers. It did not say if substantial street parking is lost in the vicinity, or if ten parking spaces are lost in the vicinity. So for now the Chief Minister, to qualify that commitment, is somewhat disingenuous. Given that the Chief Minister accepts that it is feasible and viable, there must have come a point, again given that the possibility of free parking spaces within the car parks was considered at the time of the Elections, there must have come a point when the Government decided that there would not be any free parking spaces made available, whether viable or not. That there would not be as a matter of fact. Can the Chief Minister tell us when that decision was taken?

HON CHIEF MINISTER:

No, what I will say to the hon Member finally on this question is that in keeping with our performance in Government in almost all areas of public administration, being hugely superior than anything that the Gibraltarians experienced under the GSLP, this Government have, since it has been in office, created a multiple number of free public parkings, when the previous GSLP Government showed no interest whatsoever in doing so. Indeed, removed free public parking without any care or concern about replacing it. We replace the ones that we remove and created hundreds more. That is what I would tell the hon Member in answer to his supplementary.

HON G H LICUDI:

Unfortunately that does not provide an answer and it seems that the Chief Minister refuses to tell us when that decision was taken, which leaves open the possibility of interpreting this that that decision was taken before this commitment was given and therefore it does amount to an electoral fraud.

MR SPEAKER:

Well in the absence of a question, next question please.

NO. 685 OF 2008

THE HON G H LICUDI

NEW ROAD SYSTEM – COST OF WORKS

Can Government now provide the total estimated cost for the works for the new road system at Devil's Tower Road, Eastern Beach and the tunnel under the airport?

ANSWER

THE HON THE CHIEF MINISTER

The tender evaluation is still in progress and the estimated cost for the works cannot be disclosed at this stage.

SUPPLEMENTARY TO QUESTION NO. 685 OF 2008

HON G H LICUDI:

Is that a reference to tender evaluation in respect of the whole project? Has any part of the project been allocated or decided upon? The reason I say that, perhaps I should just premise this, my understanding is that some works will be carried out imminently, maybe next week or in the next two weeks or may have even started, in the Eastern Beach area in terms of relocation of premises, of changing rooms, and all that is in preparation of this. So there must be some cost element which has already been built in and which the Government, I assume, know about. That is why I am asking.

HON CHIEF MINISTER:

That is not what the hon Member was asking. What the hon Member asked was "can the Government now provide the total estimated cost for the works for the new road system at Devil's Tower Road, Eastern Beach and the tunnel under the airport?" to which the answer is no, we cannot.

HON G H LICUDI:

We still do not have an answer. Certainly the Chief Minister may indulge in semantics and just attach particular importance to particular words like "total", but if the Government do not have a total cost but have a partial cost, one would have thought that the easiest thing in the world would be for the Government to say, "no

we cannot provide the total cost but this part of the project has been allocated and will cost £x million". Do the Government have that information? That is a perfectly reasonable supplementary to ask in the context of this question.

HON CHIEF MINISTER:

The answer is that the tender evaluation is still in progress and the estimated cost of the works cannot be disclosed at this stage.

NO. 686 OF 2008

THE HON G H LICUDI

FRONTIER – TRAFFIC FLOW

Can Government state when it expects the flow of traffic at the frontier with Spain to be regularised so that the present bottle-neck going into Spain is removed?

ANSWER

THE HON THE CHIEF MINISTER

It is not clear what the hon Member means by “regularised”. The Government understand that the industrial action by Spanish border police may be over. The flow appears to have been restored pre-industrial action levels, although in the last day or two I noticed that there has been a queue again. However, frontier fluidity remains under constant review in the Trilateral Forum.

SUPPLEMENTARY TO QUESTION NO. 686 OF 2008

HON G H LICUDI:

The Chief Minister suggests that he does not understand or is not clear what the term “regularised” means, and everybody, I will suggest everybody in Gibraltar looks at the media and is aware of what the problem is, knows exactly why the problem is irregular and therefore needs to be regularised. If one has a tap and simply turns on the water and does not let any out, the bath eventually overflows and we have a problem, and that is precisely what Gibraltar has been suffering from in the last couple of years, with a tap coming into Gibraltar being open but not to the same extent going out of Gibraltar. That is why there is a need for the position to be regularised, because by the Government’s own admission there is much more traffic coming in to Gibraltar now. Given that that is the position, is it not desirable and does the Chief Minister not agree that it should be addressed as a matter of urgency, that the rate of flow coming in should equal the rate of flow going out? At present it does not, everybody knows that, do the Government not wake up to that reality?

HON CHIEF MINISTER:

I do not know how many people share that reality but it is a false reality. First of all let me deal with the first part of the hon Member’s question. The Government are not willing to use the word “regular” or “regularised” for any aspect, at any time of the flow across the border, not before Cordoba, not after Cordoba, not before industrial action or after industrial action. I think that the hon Member makes a mistake by

choosing to use the word “regularised” in relation to the regime that has existed at the border at any time in living memory. To me a regular system of frontier flow is one which permits the Spanish authorities to do whatever checks they are legally entitled to make, but to deploy the number of crossing points and to deploy the amount of resources that allows them to do that, without causing more delay at this border than at other borders where they carry out the same legal checks and customs. That to me would be regularising the border flow and that has never been the case, ever, and is still not the case with or without what has been achieved in Cordoba yet. So, I would not in the name of Gibraltar attribute the term “regular” or “regularised” to any of those times. I think the hon Member makes a mistake in doing so. As to whether the rate of flow in and out should be the same, the answer is that it is not and should not be the same. No, because look, much as we criticise Spain justifiably for failing to have the sort of resources that are available and the number of manned crossing points that are available at other borders on this border, that is the Gibraltar Government’s complaint. Gibraltar cannot complain that they carry out customs and immigration checks, because not only are they entitled to, but indeed they are obliged to under the Schengen in respect of passports and under the Common Customs Union regulations in respect of customs. The extent of the checks that they are obliged to carry out on Schengen and customs exit are less than the extent of the checks that they are obliged to carry out in respect of Schengen and customs entry. I am talking about exit from Spain and entry into Spain. Therefore, given that their obligations as to the amount of checks going into Spain are qualitatively different to their obligations in respect of checks carried out on people leaving Spain, it is not logical to suggest that the rate of flow in should be the same as the rate of flow out. The thrust of the Gibraltar Government’s position, let me tell the hon Members when I discuss these things with the Spanish Government, is not to complain about the checks because it is an argument that we cannot win because they are entitled and required to and they could just turn round and say that and there would be nothing more to be said. The Government’s thrust, the Government’s position is, okay, so they have got an obligation to do these things, fine. That does not prevent them from having a sufficiently resourced and sufficiently designed and a sufficiently large crossing area, so that there can be multiple crossing points, as happens in many other frontiers. So the issue is not checks, the issue is lack of crossing facilities, if I could just refer to them all collectively as that, given the volume of traffic trying to cross. If one had just 100 cars waiting to cross into Spain, and they took just 30 seconds on each, and I do not think anybody would argue that 30 seconds is too long to take in checking passports and customs control, if we multiply 100 by 30 second we get a queue. So the issue is not that they are taking too long to service each car, the issue is that they have not got enough facilities at the border to handle the volume of traffic that wants to pass through it. That is the thrust of the Government’s political revindication against the Spanish Government, because that argument we are right and can win and the argument, even though they are in Schengen and even though they are in the Common Customs Union and even though we are not in Schengen and not in the Customs Union, and even though we insist on having a border here, and even though we insist on our right to sell tobacco, perfume and petrol more cheaply than them, we do not want them to exercise any control when they come from our country into theirs, is not a rational or even a winnable argument. The rational and winnable argument is, carry out whatever checks they must but do it in a regular fashion, do it as other countries do it in other borders, with enough resources, enough facilities, so that it does not need to be more of a source of delay here than it is when people get off the ferry in Algeciras, or when people cross from Andorra, or when people get into Germany from, I cannot remember now, there is a non-EU country to the east of Germany. That is the argument and that is where we should focus our political aims.

HON G H LICUDI:

The Chief Minister describes what he has just set out as the rational and reasonable argument which Gibraltar can win. That in itself would suggest that so far this Government have failed to win that argument and have failed to bring about a system where sufficient resources are deployed on the other side of the border. The Chief Minister says that the issue is not checks, this question has nothing to do with checks nor have I said anything about checks, or the availability of checks on the other side of the frontier. The question relates to a bottleneck and the bottleneck arises because of the lack of sufficient resources, not because of the checks per se, but because of the lack of sufficient resources on that side of the border. We all accept, and do the Government not recognise that we accept that checks have to be made. They have their obligations, we have ours. We have obligations to carry out checks but we do it with two green channels. On the Spanish side there is only one green channel. Do the Government not accept that they have so far failed abysmally on this question of frontier fluidity? There are more cars coming in to Gibraltar than are allowed to go out at the same rate and the Government have not been able to successfully, so far, deploy the argument that this is nothing to do with checks but with amount of resources. Why is it that this Government did not secure that precise provision and that precise arrangement when we decided to open up our frontier with two green channels?

HON CHIEF MINISTER:

The Government do not accept that they have failed abysmally. The Government accept, because it is self-evident, that we have not achieved what we ultimately wished to achieve yet. But look, the frontier situation is worth, unless the hon Member is saying that it is not worth achieving small gains unless one can first achieve at the same time the totality, God help Gibraltar if the hon Member with that attitude should ever find himself on this side of the House. Now, what I can tell the hon Members about miserable, abysmal failure is that if he compares the state of the border flows now to what it was at the time of the Braña triple filters, which was the case when the GSLP was in Government for reasons that we all know, most people would not describe the Government's performance as an abysmal failure.

NO. 687 OF 2008

THE HON F R PICARDO

CONSULTANCY/SERVICES PROVIDED TO GOVERNMENT BY MR PARDO

What salary or fee does Mr Nigel Pardo (or any company legally or beneficially ultimately owned by him) receive from the Government or any Government owned company for the provision of consultancy or other services and provide a list of the services provided to the Government in return for such remuneration?

ANSWER

THE HON THE CHIEF MINISTER

The Gibraltar Investment (Holdings) Limited, which is a wholly owned Government company, has engaged Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited, being companies in which Mr Pardo and/or his family interests have shareholding interests, to provide professional services in relation to a number of Government projects.

The services include full project design development and management, development control, cost management, health and safety management, negotiation and management of the building contracts, coordination of all legal work provision and provision of general office facilities, programming and overseeing all aspects of the execution and delivery of the projects, acting as project director and single point of contact for the delivery of the projects, coordinating all aspects of the delivery of the various projects and assisting in the negotiation and obtention of project finance.

The fees are a composite comprising 20 per cent of the cost of the services to be provided by all the project design consultants. So in other words, that is a fee equivalent to 20 per cent of other fees, and one per cent of the agreed project values. There are also performance bonuses equivalent to one per cent of any sum by which they are able to reduce the tendered sum, through negotiation with the preferred bidder, without altering the nature and scope of the project and 0.25 per cent of the contracted sum if the projects are completed and delivered within the contracted sum.

SUPPLEMENTARY TO QUESTION NO. 687 OF 2008

HON F R PICARDO:

The Chief Minister said a number of projects, can he say how many?

HON CHIEF MINISTER:

Yes, 12 and if he likes I will list them for him.

HON F R PICARDO:

Yes please.

HON CHIEF MINISTER:

The airport and frontier access roads and tunnel; the new air terminal; the various MOD airfield facilities relocations; the mid harbour reclamation works; the Government rental housing project; new boat sheds for the Mediterranean Rowing Club, Calpe Rowing Club and also the RGYC relocation; the relocation of JATU which is the MOD joint training unit at No. 4 Dock, in layman's terms; Gibraltar Boat Squadron relocation; relocation of Police and Customs marine units, and also relocating the sea scouts. Seventh, Gibraltar infrastructure review and sewage upgrade project; the new power station and distribution network; the new waste water treatment plant; new energy from waste facility; simple approach lighting for the airfield and the park and ride car park at Devil's Tower Road and the air terminal car park in Winston Churchill Avenue.

HON F R PICARDO:

Can the Chief Minister tell us whether any of those have now been completed and resulted in a payment? I know that some of them are projects which are on-going, it may be that some phases are the ones that have been completed and payment has already been made.

HON CHIEF MINISTER:

I do not think that any of these projects are anywhere near completion, but to my knowledge I am certain that payments have been made on an on-account formula. I cannot tell him how much but I can do if he is interested.

HON F R PICARDO:

Are there any projects not listed on which Mr Pardo has previously, or the companies which the Chief Minister has told us about, previously been engaged and completed and which have not been covered, perhaps inadvertently, by the language of my question? Or is this a practice which has commenced in respect of these projects?

HON CHIEF MINISTER:

Well, the way the question is formulated asks for current arrangements and not for past arrangements. It says "what salary or fee does Mr Nigel Pardo (or any company legally or beneficially ultimately owned by him) receive from the Government in respect of the provision?" That is not language which suggests, I do not know whether in the past, I have to think whether he was involved in any of, he or these

companies in which he has ownership interests, or indeed other companies, I do not know. I need notice. It is possible.

HON F R PICARDO:

I am happy to give notice of the question in respect of past projects for the next House.

HON J J BOSSANO:

Are all these projects financed from the Improvement and Development Fund? Does the Chief Minister know if they are not all, which are and which are not?

HON CHIEF MINISTER:

No, I would need notice of that question. I can see one or two that I think are financed from the companies. For example, some of the MOD relocation work has been financed. The projects in which there has so far been the most capital expenditure, in terms of payments for the work of the projects themselves, are the various MOD airfield facilities relocation. One can see, for example, as one drives round the Cross of Sacrifice, there is a structure going up there just next, in the south dispersal, that is part of the relocation. So that is the one in which most money has been spent. Obviously the mid harbour reclamation, phase one of the reclamation work is complete. Phase two, I think, is going to start quite soon. That I think has come out from the companies and then there is the road club relocation works, I think that has come out from the companies as well. So the Government have not yet decided which are coming in from the companies and which are not. But it seems likely that all the ones that cannot be funded from the company's own resources, given that those reserves that part of the reserves if he will remember from the figures I have given him, are more or less used now. It is very probable that all the projects that require Government resourcing will come from the Improvement and Development Fund and will be passed through there. What is not clear is which of these projects may end up being financed through some model of the public finance initiative, and those might not require treatment through the Improvement and Development Fund.

ORAL

NO. 688 OF 2008

THE HON F R PICARDO

EPIDEMIOLOGICAL STUDY

In light of the Government's commitment to pursue the Opposition policy of carrying out an epidemiological study, when does Government anticipate that it will have evaluated and analysed the statistics that Gibraltar has been collecting for a "Cancer Register" and will the Government commit itself to the publication of these statistics when evaluated and analysed?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 689 of 2008.

NO. 689 OF 2008

THE HON F R PICARDO

EPIDEMIOLOGICAL STUDY

What progress has been made in identifying consultants in respect of the decision by the Government to finally adopt the policy previously set out by the Opposition for the carrying out of an epidemiological study, and what has the Government done in the process of identifying such consultants?

ANSWER

THE HON THE CHIEF MINISTER

The premise of both questions is false. The Government are not pursuing any policy of the Opposition in this matter. Policies are set out in election manifestos. The Government's manifesto contained a commitment to an epidemiological study. The Opposition's manifesto is completely silent on the matter.

SUPPLEMENTARY TO QUESTION NOS. 688 AND 689 OF 2008

HON F R PICARDO:

As the Chief Minister well knows, the Opposition's policy was set out in a communication direct to all the environmental bodies as far back as 2003. But in any event, will the Chief Minister having set out his position on the premise of the question, care to answer the substance of both questions?

HON CHIEF MINISTER:

No, I am not willing to answer the substance of a question which is asked on a false premise. If in 2003 the hon Members had the thought, which they reduced to paper, of conducting an epidemiological study I regret that they abandoned their policy, because they certainly did not give it sufficient importance to merit even one line of a manifesto otherwise full of things that they thought were important. So either they had the policy and abandoned it, or maintained the policy but did not think it was important enough even to feature in the manifesto. In either case, the Government are not following the Opposition's policy, self-evidently, and I am not willing to answer a question based on a false and, one should add, ironical premise.

HON F R PICARDO:

I do recognise that the Chief Minister this morning is as tightly wound as the Duracell bunny and I do not want to push him further than one should. But the Opposition's policy set out in 2003, once again set out in 2007 directly to the environmental groups who are pursuing this issue, and in fact neither the Government nor the Opposition should claim to be the originators of this. It is an issue very firmly put on the policy agenda by the environmental groups, but so be it, and debated by the hon Gentleman's colleague for the environment and myself when we had the debate on the environmental issues. It is hardly something that was ignored during the election campaign. But I have asked two very clear questions, despite their political paraphrasing, one relates to the cancer register, an issue of general public importance, and the other one to the identifying of consultants, which is an issue that the Minister for the Environment referred to recently in an interview with the Gibraltar Chronicle. I think in the interests of the public having the information on an issue as crucial as this, would the Chief Minister not consider just simply telling us when the remarks I have asked him for on the cancer register and on the consultants, when we will see progress on this?

HON CHIEF MINISTER:

Well, just for the record, the Government do not accept that the Opposition have any known policy to conduct an epidemiological study. But on the assumption and on the basis, and upon the clear understanding that the supplementaries are delinked and decoupled from the false and ironical premise of the original questions, I have no difficulty dealing in isolation with the more sensible parts of the hon Member's questions. The position is that as we speak a brief, yes the document through which one commissions the study, the briefing paper, the instructions, the brief to the consultants has been drawn up and is awaiting final approval. A number of non British and non Spanish but globally renowned experts in this area have been identified, and initial contact has been made with them. What is now required is for.....

HON F R PICARDO:

If the Chief Minister will allow me? That is in relation to the second one, in relation to the consultants for the study not the cancer register, yes?

HON CHIEF MINISTER:

Yes. The figures that have been collated for a cancer register are no more than a data resource for the first. In isolation, cancer statistics by themselves do not give a sufficient, particularly the very localised because, of course, it is different pollutions of the atmosphere lead to different types of cancer. So it is not every cancer that results from benzene. So one has got to get information over a wide enough area and over a long enough period of time to see if there is a significantly greater than average, because obviously an average means that there will always be places that there are more, that is what an average is, but a significantly greater than average cluster of a particular form of cancer in a particular part of the anatomy, which suggests a particular type of environmental threat to public health. That is done in the context of the epidemiological study. One of the things, I am not a great expert on this but from what little has been explained to me, that the epidemiological study

consultants will do is precisely analyse the cancer statistics and the cancer types within those statistics, and one of the reasons why we are anxious even at this late stage to encourage the Spanish authorities to join us in the study, is so that the statistics will have a broad enough base to be statistically xxx. Which is not to say that the study cannot be done without that, but that it is necessarily less empirically reliable, the smaller the sample and the measure is. So I think it would be true for me to say that the Government itself, I suppose the Director of Public Health looks at these cancer statistics, I am not aware that he has brought anything specific to ministerial attention, but the purpose of setting up the cancer registry in the first place was in order to start creating a body of information for the study. So I do not think that we can really so clinically separate the two issues.

HON F R PICARDO:

I am grateful for that clarification even though, of course, I do not accept the premise of the answer insofar as it suggests that anything that had been said by the Opposition was false. But drawing him further if I can, and with our differences marked out on the issue, given that the brief has already been drawn up does the Chief Minister envisage that the consultants will be engaged in this calendar year?

HON CHIEF MINISTER:

If not in this calendar year, which is a very strong possibility, certainly very early in the new year. But before Christmas is more likely than after Christmas.

HON F R PICARDO:

Certainly in this financial year then?

HON CHIEF MINISTER:

I would have thought so, yes.

ORAL

NO. 690 OF 2008

THE HON F R PICARDO

RULINGS ON NON-TAXABLE ACTIVITIES IN GIBRALTAR

Since July 2005, how many requests for rulings that companies registered in Gibraltar are undertaking activities which are not to be considered taxable in Gibraltar on his interpretation of Section 6(1) of the Income Tax Act (pursuant to his exchange of letters with the Chairman of the Finance Centre Council in June and July 2005), have been turned down, giving a breakdown by month?

Mr Speaker, I think the words "Commissioner of Income Tax" are missing from that question, although I am almost certainly sure that they were in the question as put. I hope that is understood.

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 691 of 2008.

ORAL

NO. 691 OF 2008

THE HON F R PICARDO

RULINGS ON NON-TAXABLE ACTIVITIES IN GIBRALTAR

Since July 2005, how many rulings have been made by the Commissioner for Income Tax that companies registered in Gibraltar are undertaking activities which are not to be considered taxable in Gibraltar on his interpretation of Section 6(1) of the Income Tax Act (pursuant to his exchange of letters with the Chairman of the Finance Centre Council in June and July 2005), giving a breakdown by month?

ANSWER

THE HON THE CHIEF MINISTER

The Government do not consider it to be in the public interest to provide the information requested publicly. I am, however, willing to provide it to him confidentially, together with an explanation privately about why we do not think it is in the public interest to provide it publicly.

SUPPLEMENTARY TO QUESTION NOS. 690 AND 691 OF 2008

HON F R PICARDO:

In those circumstances, I will await the explanation and the information privately.

ORAL

NO. 692 OF 2008

THE HON F R PICARDO

GBC REVIEW

What is the contracted sum payable to Allan King for the "review of GBC" commissioned from him by the Government?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 693 and 694 of 2008.

ORAL

NO. 693 OF 2008

THE HON F R PICARDO

GBC REVIEW

When do the Government expect that the review of the GBC it has commissioned from Mr Allan King will be completed?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 692 and 694 of 2008.

NO. 694 OF 2008

THE HON F R PICARDO

GBC REVIEW

Will Government agree that Mr Allan King's report on his review of the GBC should be published without the Government first being provided with a draft?

ANSWER

THE HON THE CHIEF MINISTER

The Government will make no decision about the publication of Mr King's report until it has been submitted to the Government and considered.

The contract sum payable to Mr King is £50,750. It is currently envisaged that the report will be submitted in March 2009.

SUPPLEMENTARY TO QUESTION NOS. 692 TO 694 OF 2008

HON F R PICARDO:

That is an anticipated date for the submission of a complete version of the review not of a draft, is that right?

HON CHIEF MINISTER:

Well, the Government are not willing to curtail whatever may be the usual practice in the delivery of reports to Government. If he is specifically ferreting for an answer to the question, "will the Government agree that Mr Allan King's report from his review of GBC should be published without the Government first being provided with a draft?" the answer is firstly that we will make no decision about the publication, which is what he xxxxxx it to. He has not asked whether Mr King should send the final draft to the Government without first handing in....., he has not asked whether Mr King should give a final report without handing in a draft first. What he has asked is whether the publication of it by the Government should be without it first being provided with a draft. As he has asked about publication, the answer is that the Government have made no decision about publication and will not make. He should not be asking me for expressions of opinion, according to my recent reading of Hansard, but I do not mind expressing one if Mr Speaker will indulge. I do not agree with the premise of the question, as it happens, I do not think there is anything wrong with governments being shown drafts of their internally commissioned reports for themselves. This is not a report for the world, this is a report to advise the

Government of how it might decide to reform GBC. I see no objection, frankly, to Government being provided with a draft to give the Government an opportunity, for example, to correct factual inaccuracies, or perhaps to seek the elimination from the report of confidential information that might impinge upon the Government's ability to decide to publish it. So there are any number of legitimate reasons why it is proper for somebody who commissions a report to be shown to it in private. However, is what the hon Member is getting at, without actually saying so, is that he fears that the purpose of submitting to the Government a report might be for the Government to doctor its content, in terms of, oh for God's sake, do not recommend that because I do not want to have to explain why I will not accept your advice. Well, that is a different matter of course. There is no purpose in a government seeking a report if the government is going to ultimately be the author of its content.

HON F R PICARDO:

I am grateful for that clarification on the very limited circumstances in which the Government would interfere with a report submitted to it in draft. Would the Chief Minister agree with me that given that the GBC is a publicly funded public broadcaster, and that this review has been advertised, as it rightly should have been, it is important that not just the Government but certainly at least in this House, if not all the community, should know what it is that Mr King, who has been advertised as being sufficiently qualified to carry out the review, if not more so, that we should all have access to his report and consider as a community, or at least as a parliament, and then of course each of us make our own policy decisions, about what should happen to the future of GBC.

HON CHIEF MINISTER:

Well, that may turn out to be the Government's position but I do not think it follows necessarily. Look, everything that the Government do is publicly funded, which is not to say or imply surely, that the Government are not entitled to maintain confidential things that the Government consider should be confidential. So the fact that it is publicly funded I do not think leads necessarily to the conclusion that the hon Member is inviting me to share with him. The subject matter may and that is precisely why the Government are not saying to him now we do not intend to publish. What Government are saying is that we have not yet addressed our minds to the question of publication and it may well be that when we do set out minds to it, it may be that we agree with what the hon Member has said or for other reasons which the hon Member has not touched on, we think it should be published. It has to be said that previous reform of GBC, of course, has not been as transparent as this would be if we publish the report.

NO. 695 OF 2008

THE HON F R PICARDO

FREQUENT FLYER SCHEMES

Can Government confirm that Ministers and Senior Civil Servants who travel frequently at the expense of the taxpayer are able to apply for their personal use the benefits they collect from frequent flier schemes operated by airlines?

ANSWER

THE HON THE CHIEF MINISTER

Yes, that is indeed the case and it has always been so. The Government have not considered it to be improper and so has not changed the position that we inherited from the previous GSLP Government in May 1996. Ministers and/or Civil Servants, for that matter, are not required to belong to a frequent flyer scheme operated by an airline. Therefore, if they choose to belong to it, without any form of compulsion, it is from their personal choice and they do so in a personal capacity. Consequently, those who choose to belong to such schemes do not need to account to Government for any benefits of membership that might arise. There is no cost to the taxpayer.

SUPPLEMENTARY TO QUESTION NO. 695 OF 2008

HON F R PICARDO:

Is the Chief Minister aware, in fact, if Mr Speaker will allow me I will preface my answer by saying we have had this debate in this House before, where the Chief Minister has only been able to allude to a faint memory of following a Minister in a previous Government to a checking desk sometime, somewhere, he cannot remember when, because the Minister was going to collect some travel points. I think that is the only debate we have had previously about this issue. Is the Chief Minister aware that the ministerial code of conduct in the United Kingdom actually sets out what should happen to air miles collected by Ministers, given their travel at public expense, and that they should be applied for the purpose of the taxpayer in future travel and not for their personal travel?

HON CHIEF MINISTER:

Yes, I am aware of what the practice is in the United Kingdom, which does not as far as we are concerned consist of any form of gospel on the subject. There are many things about the way we administer ourselves in Gibraltar that does not follow UK

practice. The fact that it is a practice in the UK is not decisive about whether (a) it is the best practice, and certainly it is not decisive or determinative about what is right and what is wrong. The UK choose to do it that way, that is legitimate. Other countries that choose to do it a different way is not illegitimate simply because the UK chose to do it the different way. Now, of course it would be possible to adopt the policy that the hon Member appears to be recommending by the thrust of his questions. But then, really, logically, one would have to oblige every frequent flyer publicly funded, he would have to oblige them to join the frequent flyers. What he could not say is, "you fly at public expense, you do not have to join a frequent flyer club but if you do then you have got to give the benefit of it to the taxpayer". The logical thing would be that if the taxpayer thought that frequent flyer benefits should belong to it because it has paid for the travel, is to make it compulsory for everybody that flies at public expense to join frequent flyer schemes so that the taxpayer then gets some sort of benefit. Let me say that the benefit would be narrow because it cannot be transferred to unrelated people. I think it extends to one and one's members of family but I do not think one can give it to a stranger. But can I just say, I am not sure that he was trying to, but I have no difficulty recollecting either who the Minister was, where we were going, what we were going for, unlike the hon Members I try to avoid mentioning individual's names in this House where possible. But no one should be in this House or elsewhere, in any doubt about the firmness or nebulosity of the incident in question.

HON F R PICARDO:

I agree with the premise that not everything that is done in the United Kingdom is best done just because it is done in the United Kingdom. Given developments in the way that frequent flyer air miles can be collected, and given that it is now possible to have corporate membership so that parts of a corporation, like the Government for example or individuals in a corporation, can collect points or air miles as they are colloquially known, and then others can travel on them and thereby earn considerable saving for the taxpayer, it may be that this is not an issue that we want to consider, either collectively as a Parliament or separately as a Government and Opposition. The relevant reference is to paragraph 10.16 of the latest version of the ministerial code, which reads as follows: "air miles and other benefits earned through travel paid for from public funds other than where they are de minimis for example, access to special departure lounges or booking arrangements which go with the membership of regular flyer clubs, should be used only for official purposes or else foregone. If it is impracticable to use the benefits for Government travel, there is no objection to Ministers donating them to charity if this is permissible under the chosen terms of the airline scheme and the charity is one chosen by the airline." The hon Gentlemen were returned to Government for four years. There are three years to go. This is not necessarily an issue that has to become partisan; it is an issue which could save the taxpayer money. Will the Chief Minister agree to look into this issue again, given what I have told him about the possibility of corporate membership?

HON CHIEF MINISTER:

No, frankly, no, we are not particularly inclined to do so. Look, the position before the United Kingdom decided to adopt that guideline, which is quite recent, was that it was the same as it is here now. In other words, the UK for many years thought that it was perfectly proper for Ministers and other officials to be allowed to keep the benefit of their air miles. One day, usually these things happen in the UK because somebody writes an article in the Guardian or something, some bright spark decided that it will

be done differently. What the UK had done itself for many years and suddenly decides to reverse, that decision by the UK to reverse on a given day does not render improper either what they were doing for many years, or any less improper that people continue to do it thereafter. Presumably the hon Members agree because whilst they were in office, it surely did not take the UK to change its practice for the hon Members to know that it was possible for the taxpayer to save money, by saying to, for example, the Minister in the example that we are not particularising, no, keep those and next time you have to travel on official business, use your air miles and that way the taxpayer saves having to buy you another ticket. Surely the previous Government did not need to change its practice to know that it was mechanically possible for it to have had the policy that it is now recommending to us, that could result in a change of attitude. I am not saying that what the hon Member is suggesting is not arguable. It is a perfectly legitimate point of view. It is possible to come to the conclusion that no one should have any tangential benefit from something that they have accessed as a result of something the taxpayer has paid. That is perfectly possible. If one follows that logic to its enth degree, one may not be limited to the use of air miles. I cannot right now think of others but I am sure there are. So, it is perfectly legitimate to change to the system that the hon Member is recommending. What I do not concede is that there would be any degree of illegitimacy to coming to the opposite conclusion. Therefore, this is not a matter that the Government feel particularly bound to change. It can be changed, if we were to decide to do so, but frankly, we do not think that the argument is that compelling. This is not something that costs the taxpayer money. If it costs the taxpayer money, then there would be no argument. Because it does not cost the taxpayer money, what he is saying is a foregone, future saving to the taxpayer as a result of something that one has chosen to do. To do what the hon Member is suggesting, one would have to make it compulsory for everybody. What we could not have is to say, well, the taxpayer does not require one to give it the opportunity to save this money in the future. But if one personally makes the choice of joining these schemes, then one has got to give the taxpayer the benefit. So I think it would go hand in hand with any adoption of what the hon Member is suggesting that the Government would have to organise all its travel procurement through a channel that made it compulsory for everybody to go. It could not be based on the choice of the flight. So we make no commitment to doing so, which of course does not mean that at some stage we might not do so. But the hon Member has asked me for a commitment and I do not feel able to give it to him now.

HON F R PICARDO:

I appreciate that and the Chief Minister knows that I have never been in office so, therefore, it is not a practice I have incorporated before. In fact, it is not just that, it is the fact that these schemes have developed and corporate membership of these schemes is possible only, I think, in the past two years. I am not for one moment suggesting that not adopting this code, or this part of the code, results in a position that is illegitimate. Of course, the position until now is legitimate. But as a matter of good corporate governance, given that there is this possibility now and given that joining these schemes involves simply signing up, filling in a form and signing up, as a matter of good corporate governance, even if the Chief Minister will not give a commitment to doing this, would he agree to consider this given that, for example, three Club Class fares across the Atlantic done by one individual on three occasions or by three individuals on one occasion, going into a corporate account can result in the next trip across the Atlantic either being free of charge to the taxpayer who will be meeting the bill, or paid for at an economy rate but actually then transferring the individual across the Atlantic in Club Class, which is the class which the individuals

travel. It is something that would provide a considerable saving, perhaps even of up to ten per cent in the cost of travel in the context of a year's travel. Would the Chief Minister at least agree to consider this more carefully given the potential savings?

HON CHIEF MINISTER:

Well, I propose to deliver to the taxpayer savings on the cost of trans-Atlantic travel by more direct means than the hon Member has suggested. I will look into how the corporate thing would work and if it makes it logistically more, the case more compelling, then I will certainly give the matter some further thought to see if our position changes or does not change. But these frequent flyer schemes are not for free and we have also got to be careful, of course, there may be the potential for savings that the hon Member suggests but benefiting from frequent flyer schemes requires one to fly with particular airlines, who do not always offer the cheapest way of getting to one's destination. One needs to be careful that in ensuring that one gets savings when one can, that one does not institutionalise a system where one is, in effect, encouraging everybody to fly in what might not be, in any event, the cheapest option. I will look into the question of the corporate account and see on what terms it is available and whether that alters the balance of the Government's position on the matter.

HON F R PICARDO:

I am obliged. By way of information the Chief Minister might like to know that on joining it is possible to go back six months to obtain air miles and points. So the sooner the consideration happens we might even be able to obtain miles for the June trips that he is no longer going to be doing to New York. I am sure the people of that city will be devastated to know that he will not be there biannually.

NO. 696 OF 2008

THE HON F R PICARDO

TRAVEL ARRANGEMENTS BY MINISTERS AND SENIOR CIVIL SERVANTS

Can Government say whether Ministers and Senior Civil Servants who are allowed to travel club class by air, are allowed to keep the difference in price in credit for their own personal use if they choose to travel economy or if there is a reduction in the club fare?

ANSWER

THE HON THE CHIEF MINISTER

No, Sir, they are not.

SUPPLEMENTARY TO QUESTION NO. 696 OF 2008

HON F R PICARDO:

Would the Chief Minister be surprised if I told him that, in fact, it has come to my attention that certain travel agents allow this practice to occur? Would he investigate that to make sure it does not happen?

HON CHIEF MINISTER:

Yes to the first, no the second. It would come as a surprise to me, but I am not going to go and investigate on the basis of the non-information that he has provided to me. If he would provide me with the name of a particular travel agent and a particular incident, I will most certainly investigate it.

HON F R PICARDO:

I will be delighted to do so privately, I think it would be unfair to do so across the floor of this House.

ORAL

NO. 697 OF 2008

THE HON F R PICARDO

NEW POWER STATION

On what date does the Government presently anticipate the completion of the new power station it has announced?

ANSWER

THE HON THE CHIEF MINISTER

Government is currently embarked in the tender process for the appointment of a contractor. The first stage of this process has already been completed and we will very shortly be embarking on the second stage leading to an appointment. It is envisaged that works will not physically commence on site until early to mid 2009. The works are estimated two years.

NO. 698 OF 2008

THE HON F R PICARDO

NEW POWER STATION

What, in the Government's view, will make the new announced power station "environmentally friendly"?

ANSWER

THE HON THE CHIEF MINISTER

I believe that this question asks for an expression of opinion which I will not express. However, the new station uses modern technology and replaces three stations that are using old technology. In addition, the stations are being removed from built up residential areas, will be moved away from built up residential areas, and accordingly there is a significant net environmental gain.

SUPPLEMENTARY TO QUESTION NO. 698 OF 2008

HON F R PICARDO:

The position of the Government is that the new power station will be not environmentally friendly but more environmentally friendly than the three power stations we have at the moment.

HON CHIEF MINISTER:

Well they are not mutually exclusive. It is certainly the position of the Government that the new power station will be more environmentally friendly than the existing arrangements for power generation in Gibraltar. It is not the position of the Government that it is impossible at cost, and if the Government were willing to make technology choices, which it is not willing to make, and fuel burning choices which it is not willing to make, it is possible to have power generation in Gibraltar that would be even more environmentally friendly than what is being built. But it involves burning gases and things which we think brings public safety issues to Gibraltar which the Government are not willing to do. So, the Government do not say that it is not possible to generate electricity in Gibraltar more environmentally friendly than it would be the case with the new power station, but the new power station is environmentally friendly in the sense that it will use leading technology in oil burning power stations, and will represent a gain for that reason, for reason of the fact that

the engines will be new and for reason of the fact that they will be outside of built up areas.

HON F R PICARDO:

I appreciate that. Is there a commitment then from the Government that the generation will be using best available technology in the technology that the Government choose to pursue?

HON CHIEF MINISTER:

Not necessarily because best available technology also has to be balanced with cost and has to be balanced with the technical ability of people in Gibraltar to work, maintain, overhaul the equipment, so it has to be best available affordable technology, which is compatible with the skills sets that we have in an engineering sense in Gibraltar, for the future maintenance, upkeep and overhauling of that equipment. It is not a one dimensional.....

HON F R PICARDO:

That is actually the definition of "best available technology" in the Directive which is relevant to this.

HON CHIEF MINISTER:

Alright, well, I am not familiar with that. If that is the definition of "best available technology" balancing cost and all of those issues as well, the answer is yes. In other words, we are not buying the cheapest kit simply because it is the cheapest regardless of the environmental implications of that. Which is not to say that we are buying the most expensive kit. It is a multi-faceted balance and the environment is not least amongst the variables or the factors that have informed the decision.

NO. 699 OF 2008

THE HON F R PICARDO

KING'S BASTION LEISURE CENTRE

On what technical advice did the Government decide not to have solar panels fitted to the roof of the Leisure Centre?

ANSWER

THE HON THE CHIEF MINISTER

Solar panels were not recommended by the design team of the Leisure Centre.

SUPPLEMENTARY TO QUESTION NO. 699 OF 2008

HON F R PICARDO:

Did the Chief Minister not think to propose them himself as Clerk of Works for that particular site?

HON CHIEF MINISTER:

No.

HON F R PICARDO:

Was that a failure of vision or was it simply not addressing the issue of the environment as strenuously as we are led to believe the Chief Minister does in all his decision making?

HON CHIEF MINISTER:

If the hon Member has a sensible question I am perfectly happy to answer it. I am not willing to engage on banter based exclusively on his sarcasm and irony.

HON F R PICARDO:

Was it a failure to appreciate the potential advantages of having solar powered generation on the roof of the Leisure Centre?

HON CHIEF MINISTER:

The Government's expert design team in this project does not think so.

NO. 700 OF 2008

THE HON F R PICARDO

KING'S BASTION LEISURE CENTRE

How "regenerative" is the Leisure Centre building?

ANSWER

THE HON THE CHIEF MINISTER

The meaning of this question is not intelligible to the Government and the Government are thus unable to detect the information being requested. The Government are not required, in any event, to express opinions in answers to questions.

SUPPLEMENTARY TO QUESTION NO. 700 OF 2008

HON F R PICARDO:

First of all, if the Chief Minister were as concerned about the environment he would have read the term "regenerative" in a number of publications that deal with how buildings renew the energy that they use. He obviously is not. Secondly, the question does not call for an opinion, it calls for a statement of fact, how regenerative is the Leisure Centre building?

HON CHIEF MINISTER:

That is precisely why the Government cannot answer the question. The Government are entitled to answer questions that it is asked and that it can understand without going off to read whatever publications the hon Member whiles his time away reading in his spare time. Questions should be clear, explicit and not require the Government to have to wonder what it is that the hon Member is after. The word "regenerative" can apply to anything. I do not see why he thinks it should apply just to the environment, he could have meant regenerative of heritage, he could have meant regenerative of leisure facilities, he could have meant regenerative of anything. It is an unintelligible question. It is calculated as a trick question, which would not be of concern to us, if at least we knew what the hon Member wanted answering. This question does not enable us to know what question we are being asked. There is no reluctance, he can try and ask me a supplementary now, if I can help him I will tell him. The question, as it stands, does not enable the Government to deduce, or to

perceive, or to discern what it is being asked and we do not see why we should submit to such questions.

HON F R PICARDO:

Well, despite the bluster and the complaints about my question and Mr Speaker's approval of it, we all know the answer and the answer is that there is no energy regeneration carried out at the Leisure Centre, because there are no solar panels and there is none of the other materials that could have been used in the process of the refurbishment that could have provided some regeneration. But so be it and there lies the Chief Minister's commitment to his own environmental charter.

HON CHIEF MINISTER:

No, none of that is the case because the hon Member is assuming, as only he could know in his mind because he is the author of the question, that by regenerative he means environmentally regenerative. Why the hon Member should think that it is clear that this means environmentally....., why should we assume that this means environmentally regenerative when he has just asked another question specifically about solar panels? Or has he asked the same question twice in different words?

HON F R PICARDO:

No, the Chief Minister clearly does not know what he is talking about. A building does not just have to be regenerative because it has solar panels, there are many other things that can be done to a building to make it regenerative, some of which might not be visible....., of energy.

HON CHIEF MINISTER:

Ah, but the question does not say that.

HON F R PICARDO:

As the Chief Minister would know if he visited, for example, the Welsh Parliament building, which I understand he has visited already and as the Minister for the Environment knows from our recent CPA Conference, that building regenerates a lot of its electricity. But I cannot take from this attempt to avoid playing a trick on the answer in the question, anything other than the fact that the Chief Minister really is a voice piece for the environment when he thinks it is politically useful to be, but is not really committed when he is the Clerk of Works to a building site, to ensure that what he is building or refurbishing actually does something for the environment.

HON CHIEF MINISTER:

Look, this Government's commitment to the environment in action makes the previous Government look like environmental terrorists. We do not need commitments to the environment, it is self-evident that the difference between this Government and the GSLP is that when we are in office we do things which suggest

that we are committed to the environment, that when the GSLP is in Government they ignore the environment and when they are in Opposition they pretend to be environmental crusaders. That is the accurate description of our respective positions on this matter and not the one that he has just described. But if he is inviting me, since the question reads "how regenerative is the Leisure Centre building?" and if he thinks that I can apply to the word "regenerative" apply that to whatever field I like, let me say that the Leisure Centre is spectacularly regenerative of important Gibraltar heritage, which the GSLP Government was willing to allow derelict and abandoned for the eight years that it was in office.

HON F R PICARDO:

That is just a party political diatribe which does not address the issue of what has been done at that building.

HON CHIEF MINISTER:

Inaccurate.

HON F R PICARDO:

Inaccurate in so many respects, that I am not going to descend to ask supplementaries on it.

HON CHIEF MINISTER:

How was it inaccurate?

MR SPEAKER:

The hon Member is trying to put the question, I think.

HON F R PICARDO:

That is an invitation to debate, I mean, this is Question Time.

HON CHIEF MINISTER:

I am not shy about debating.

HON F R PICARDO:

Oh, well, I am quite happy to debate with him anywhere he likes except not here in Question Time, and I am not going to ask any supplementaries xxxxxx on party political diatribe.

MR SPEAKER:

Next question, please.

NO. 701 OF 2008

THE HON F R PICARDO

USE OF VEHICLE G1

On how many occasions since he took office has the Chief Minister allowed the vehicle G1 to be used for purposes other than official Government business and what have any such occasions been?

ANSWER

THE HON THE CHIEF MINISTER

G1 and its driver are available to the Chief Minister for his use in his capacity as Chief Minister and to support the Chief Minister in the discharge of his duties and responsibilities. It does not necessarily follow that every use of G1 is what the hon Member calls "official Government business". I cannot therefore consider an appropriate answer to the question without knowing exactly what the hon Member means by "official Government business".

ORAL

NO. 702 OF 2008

THE HON F R PICARDO

CHIEF MINISTER'S VISITS OVERSEAS

Why is no cost attributed to the cost of air fares in respect of the meetings with various airlines referred to in answer to Written Question No. W2 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 703 and 704 of 2008.

ORAL

NO. 703 OF 2008

THE HON F R PICARDO

CHIEF MINISTER'S VISITS OVERSEAS

Are the figures for airfares provided in answer to Written Question No. W2 of 2008 for the cost of travel by the Chief Minister alone or by the whole of the party travelling with him?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 702 and 704 of 2008.

NO. 704 OF 2008

THE HON F R PICARDO

CHIEF MINISTER'S VISITS OVERSEAS

Why is no exact figure available for the cost of accommodation in relation to the answer given to Written Question No. W2 of 2008, in respect of the travel to the UN 4th Committee between 13.12.07 – 18.12.07 (which dates must be wrong, and should be referenced to October and not December 2007)?

ANSWER

THE HON THE CHIEF MINISTER

The Minister for Enterprise, Development, Technology and Transport and I were invited by Mansion to watch a football match between Tottenham Hotspur and Manchester United, which I am glad to say Manchester United won, in London. Mansion are the main sponsors of Tottenham Hotspur. We therefore travelled to the United Kingdom at no cost to the Government.

I took that opportunity to leverage some value for the taxpayer, to meet with the airlines during that visit.

The figure for airfares for the UN trip are in respect of myself alone, which must have been what the question asked. The figure of £620.25 for accommodation is, in fact, correct. The reason for the use of the word "approximately" which is difficult to attribute to the figure of £620.25, was because the amount was being converted from dollars to sterling. I am not sure if that provides a rational explanation, but yes, it should not have had the word "approximately" in effect.

SUPPLEMENTARY TO QUESTION NOS. 702 TO 704 OF 2008

HON F R PICARDO:

In relation to Question No. 703 where the Chief Minister has said that the travel to the UN is the cost for himself alone, Question No. 703 does not actually just ask about that. Question No. 703 asks whether the schedule is providing information in relation to air fares for the Chief Minister alone, or whether the schedule sometimes covers the cost of air fares for the party. Can I take it from his answer that all the air fares listed, the cost of all the air fares listed is for the cost of him alone?

HON CHIEF MINISTER:

Well, in the question to which his question refers, namely Written Question No. 2 of 2008, yes. But he cannot necessarily generalise that to all the occasions. He asks, "are the figures for air fares provided in answer to Question No. W2 of 2008 for the cost of travel by the Chief Minister alone or by the whole of the party travelling with him?" The answer to that question is that the figures for air fares provided in answer to Question No. W2 of 2008, are for the cost of travel by the Chief Minister alone.

HON F R PICARDO:

It makes sense when the Chief Minister refers me to the travel to the UN Fourth Committee that a trans-Atlantic Club Class fare should cost £2,400, but for a flight to London to cost £1,000 seems quite excessive. I must put it to the Chief Minister, that he will agree with me, that that is not the standard cost for a flexible Club Class fare to London, which at its highest usually reaches £800. That is why I have asked him whether it relates to him and other individuals travelling with him. Can he undertake to look at that cost and ensure that, either it relates only to him or that he gets a better deal on his Club Class flights to London?

HON CHIEF MINISTER:

Well, I agree that flying to London is quite expensive, I do not make my travel arrangements and I do not deal with minute detail of that sort. If he will write to me asking precisely what he wants, I will pass it down and I will reply to him.

HON F R PICARDO:

No, the question is whether the answer given today, which is based on an answer given already earlier this year, is accurate and if it is accurate does he agree with me that this is a very elevated cost for a Club Class return to the United Kingdom? It is almost, I would have thought, unprecedented to pay that much for a Club Class return to the UK.

HON CHIEF MINISTER:

Well, that is what I have been told. My answer remains the same on the basis of the information that I have provided, and the premise for the hon Member doubting it would not appear to be correct. My colleague, the Hon Mr Britto, is just passing me details of an occasion in June in which he was charged £1,185.90 for a return Club Class fare to London.

HON F R PICARDO:

That is why I put it to him that he needs to look at this in more detail. It seems to me that the only corporation that has been charged over £1,000 to go return to London is the Government.

NO. 705 OF 2008

THE HON F R PICARDO

CHIEF MINISTER'S VACATION

Has the Chief Minister, since taking office, ever accepted the hospitality of any company or individual to spend time on any vessel on vacation?

ANSWER

THE HON THE CHIEF MINISTER

Like other Ministers I am accountable in this House under Standing Order 15, through Opposition questions that relate to the public affairs of Gibraltar, or to a matter of administration for which the Government are responsible.

The Chief Minister is not accountable in this House for the manner in which he spends his vacation. Save as may be required by the rules relating to the registration of Members' interests. If the hon Member thinks that his question raises a matter of public affair of Gibraltar, or a matter of administration for which the Government are responsible, he will need to identify it before I consider answering the question in a different way.

SUPPLEMENTARY TO QUESTION NO. 705 OF 2008

HON F R PICARDO:

Does the Chief Minister not accept that if a Minister of any Government accepts the hospitality of an individual when he is on vacation, that individual may believe, perhaps entirely erroneously, that he may have the ear or some advantage in respect of the Minister who he may have invited on vacation? This is an issue which has been ventilated in many other Parliaments. For example, in the United Kingdom the fact that the Right Hon Tony Blair when he was Prime Minister accepted the hospitality of Cliff Richard in respect of his Barbados villa whilst Mr Richard was pursuing changes in the law in relation to copyright and the length of the period of copyright, was considered to be relevant and were debated.

HON CHIEF MINISTER:

In the case of this Government, simple social contact between members of the community and Government Ministers could not possibly lead the citizen to believe that he is capable of gaining an advantage there. But I can understand why the hon

Member might think that it might be different, because indeed it may have been different in times gone by. So I do not accept the basis, I do not accept the premise of his question and frankly, the suggestion that because Ministers interact socially with members of the community, that they or the Ministers may be more or less prone to corruption, is frankly inappropriate. Unless the hon Member can I have invited the hon Member to identify, what I have said to the hon Member is that I am not willing as a matter of system, to account to this House as to how I spend my social life or how I spend my holidays. Unless he can make it a question that relates to the public affairs of Gibraltar or to a matter of administration for which the Government are responsible. So, for example, if the hon Member thought that I have gone on holiday with, or accepted the hospitality of somebody who was a bidder for a contract that the Government was about to allocate, by that means he could make it a matter of public administration and the question would be perfectly proper that it should be both asked and answered. I have therefore said to him, if the hon Member thinks that his question raises a public affair of Gibraltar or a matter of administration for which the Government are responsible, which are the only two things that he can ask me questions on in this House, he will need to identify it before I consider answering the question differently. In other words, he has got to ask a question that raises an issue of a public affair of Gibraltar or a matter of administration for which the Government is responsible. Simply what my holiday arrangements are, is not per se a matter of the public affairs of Gibraltar. The example that he uses of Mr Blair and his Tuscany villas, or his Barbados villas or whatever it is they are, is not comparable because there are rules in the United Kingdom Parliament about registration of such things which do not apply here. But if the hon Member wants to reformulate his question in a way which raises a matter of public administration or a matter of public affairs, I will of course be entirely happy to answer it. But I am not willing to accept that he can simply ask me how I spent my holiday on Thursday 23rd August.

MR SPEAKER:

Before the hon Member moves to pose his next supplementary and before this matter gets out of hand, may I borrow the hon Member's copy of Erskine May? I do recollect. I will ignore everything other than page 344, if I am not mistaken. Yes, page 344, "questions addressed to Ministers should relate to the public affairs with which they are officially connected, to proceedings pending in Parliament, or to matters of administration for which they are responsible". I think the first part of the stricture there relates to public affairs. So the question must be directed.

HON F R PICARDO:

I am obliged. Mr Speaker has, of course, approved this question by allowing it to go on the Order Paper. But.....

MR SPEAKER:

May I call the hon Member back? Page 342, "or on his attention being drawn to an irregularity the Speaker has refused to permit a question to be asked, although it stood upon the Order Paper". So, I have allowed it to be asked, the answer has been provided, any supplementary must bear those in mind.

HON F R PICARDO:

I am very grateful for Mr Speaker's guidance, as usual. I am not asking about simple social contact, we all speak in the street and we might even accept a coffee from someone who is a constituent. I am not raising any allegation of corruption, that word has been only on the Chief Minister's mouth. It is very difficult, other than acting upon gossip or hearsay, to put to the Chief Minister an allegation. But I appreciate the way he has framed his second answer to my supplementary, and perhaps I could rephrase my question in this way. Has the Chief Minister, since taking office, ever accepted the hospitality of any company or individual, spent any time on any vessel on vacation from any individual who may have received any tender, permit or award or concession, since 1996?

HON CHIEF MINISTER:

The answer to that question is almost certainly yes and it is probably not limited to one. But speaking of gossip, whilst I was spending a very pleasurable two or three days in Ibiza during the summer, I did chance upon his partner Mr Lewis Baglietto, who saw me in the company of the person to whom this question is no doubt intended. Now, in interacting socially with Mr Baglietto in Ibiza, even though I was not staying on his boat, I do not consider Mr Baglietto to be disqualified as a recipient of Government legal instructions in the future.

HON F R PICARDO:

Perhaps if I could pass up Erskine May again, Mr Speaker could find how many rules has that answer breached. There will be no supplementaries on it because I consider it to be so below par for the Chief Minister to make such a personalised intervention in relation to somebody who has absolutely no connection with this question, and no reason to be named across the floor of this House, that I will leave it exactly at that and I will pursue this matter elsewhere.

MR SPEAKER:

Surely this line of questioning, which is perfectly reasonable for an Opposition to pursue within the Parliamentary context, should be raised in the context of their code of conduct rather than across the floor of the House in these circumstances.

HON F R PICARDO:

With the very greatest of respect, I simply asked a question. It may be that there is nothing improper, there may be nothing in respect of a code of conduct, there may be absolutely nothing to talk about here. The Chief Minister has said himself that there actually may be more than one occasion when he has accepted hospitality from people who have been recipients of tenders, permits, awards or concessions. I think it is in the public interest and it relates to the public administration of Gibraltar, perhaps to pursue that further and then to find, I sincerely hope as a citizen and as a Member of this Parliament, that there is nothing untoward and nothing of conduct. But Question Time is to put questions of that sort.

HON CHIEF MINISTER:

It is a typical example of the hon Member pretending that an innocent line of questioning does not have a very specific insinuation objective. It is not the first time he does it, he did it last time as well. The hon Member should be big enough to acknowledge that the purpose of asking this question is to leave people with the impression that I have accepted grace and favour from people who have then benefited. Everybody listening to this debate knows that and the hon Member should have the courage not to run away from that inescapable conclusion. It goes without saying that there has been no impropriety and we do not need any investigation by him to establish it. Although he is free to ask. The issue here is not whether I am willing to say to the hon Member how I spent my summer holiday, perhaps if he bumps into me in the street it is no secret how I spent my summer holiday and where I went and with whom I did not go. The point of my position here today is that I am not willing to put my private life into the political domain as a matter of general questioning by the hon Member. I am willing to make an exception to that rule, as I am obliged to make, it is not even voluntary on my part, if he can establish that it raises a matter of the public affairs or the public administration of Gibraltar. Unless he makes it relevant to my official duties in that way, as the rules require, I am simply not willing to allow him to pry into my private life. It is as simple as that.

HON F R PICARDO:

I assure the Chief Minister that I have no interest whatsoever in his private life. It is for that reason his private life, and if I wanted to know it simply because I wanted to pry into his private affairs, I would have asked him if we would have had the opportunity to take coffee together in the back room. I assure him, although he obviously thinks that size matters and he is one of those men, I am big enough for him and for all his cronies and I have the courage to put my position..... I am gutless, if I am gutless the hon Gentleman has not got a fibre in his being.

MR SPEAKER:

Order, order. Is there a question there?

HON F R PICARDO:

Only to say that as I told the Chief Minister before, I will not be pursuing this in this House, I may do it elsewhere and on the next occasion I may ask him questions which do reflect more clearly on whether he has accepted grace and favour from those who he has said he has accepted it, in respect of each particular tender or award that has been granted. I think, from what the Chief Minister has said, he himself will be obliged to answer it.

HON CHIEF MINISTER:

Having said that, he still maintains that a sentence which contains the concept, both of grace and favour and of award of tenders, is not intended to insinuate any impropriety on my part. That is why he is gutless, because he flies kites and the moment the wind gets a bit strong he says I am not flying a kite.

HON F R PICARDO:

The terms “awards of tender” and “grace and favour” were introduced into this debate by the Chief Minister and that is why I adopted them. The only person who is gutless in this place is the Chief Minister, who makes his arguments only when he can at a distance and has not got the courage to say to people to their faces and up front outside this Parliament, the things that he says in this House. If anybody is gutless and unprincipled in this place it is the Chief Minister and it has been his position since he entered politics in 1991.

MR SPEAKER:

Order, order. We have had enough of gutless accusations on both sides, I really think we ought to move to the next question.

NO. 706 OF 2008

THE HON F R PICARDO

GIBRALTAR CHRONICLE LEASE

Why has the lease of the Gibraltar Chronicle over its old premises at the Garrison Library not yet been transferred to the Government in consideration of the £450,000 paid by the Government to the Chronicle?

ANSWER

THE HON THE CHIEF MINISTER

The answer is because part of it is still being used by the Gibraltar Chronicle printers.

SUPPLEMENTARY TO QUESTION NO. 706 OF 2008

HON F R PICARDO:

Is there a date when possession is envisaged to be handed over to the Government?

HON CHIEF MINISTER:

No.

HON F R PICARDO:

Given that the Government are paying £450,000 for a particular property, why does the Government not know when it is going to take possession of it?

HON CHIEF MINISTER:

The Government are not paying, the Government has paid.

HON F R PICARDO:

All the more relevant that the Government have already paid that money and do not seem to know on what date they are going to receive vacant possession of the property. Why is that the case?

HON CHIEF MINISTER:

Because the Government are quite content for the Chronicle to carry on using it until they no longer need it.

HON J J BOSSANO:

Is it that the Government have to provide them with alternative premises for the printing that is carried out there to be carried out somewhere else?

HON CHIEF MINISTER:

No, it has already done that.

HON J J BOSSANO:

This is a complete mystery then. The Government pay money to obtain premises, provides alternatives so that the work that is done in the premises can be carried on somewhere else, and is content that the work is still being done there? What is the point of having bought the place in the first place?

HON CHIEF MINISTER:

It is not a mystery at all, the migration process between the premises is not yet complete.

HON J J BOSSANO:

Oh I see, so then there is a timescale by which it has to be completed, is there?

HON CHIEF MINISTER:

I am not aware of a specific timescale.

HON J J BOSSANO:

I see, so then if I give him notice he will be able to provide that answer?

HON CHIEF MINISTER:

If there is one yes, if there is not one no.

HON J J BOSSANO:

Well, is it then the case that in providing this money in order to obtain the premises, the migration process as he calls it is open ended and may last for an indefinite time?

HON CHIEF MINISTER:

Well, it could last an indefinite time but certainly the Government are not concerned until it identifies a specific use and wants to put that use to it for the building. The Government are just not concerned at the moment, which is not to say that it is an open ended facility.

HON J J BOSSANO:

So then really the answer is that it is not pressing for the release because it has no immediate function to put there. Is that the position then?

HON CHIEF MINISTER:

It is not pressing because the functions that the Government are considering putting there are not going to happen any time soon.

NO. 707 OF 2008

THE HON F R PICARDO

CHIEF MINISTER'S SALARY

What is the present rate of the Chief Minister's salary?

ANSWER

THE HON THE CHIEF MINISTER

I think, my present salary for office of Chief Minister is £71,179, a snip at the price if one asks me.

SUPPLEMENTARY TO QUESTION NO. 707 OF 2008

HON F R PICARDO:

Yes, not bad for a man without courage. What is the, are there any further allowances payable in respect of that amount?

HON CHIEF MINISTER:

No allowances are payable in respect of that amount.

HON F R PICARDO:

In addition to that amount the Chief Minister receives the House salary as well, is that correct?

HON CHIEF MINISTER:

Yes, in addition to that I get what he gets for the little that he does.

HON F R PICARDO:

Believe me, I earn my salary and I am quite happy to defend it and I am sure he is happy to defend his.

HON CHIEF MINISTER:

I am sure he earns more money than me but not for his xxxxxx

HON F R PICARDO:

I am quite happy to debate this and everything else that the Chief Minister likes, face to face in the back room if he prefers.

NO. 708 OF 2008

THE HON F R PICARDO

TENDERS AWARDED TO MR PARDO

Can the Government provide a list of all tenders (whether in respect of the award of property, provision of services or any other type of tender) awarded since May 1996 to Mr Nigel Pardo or to any company in which Mr Pardo is (or was at the time that the relevant tender was granted) either a director, a legal shareholder or an ultimate beneficial shareholder, giving a breakdown by year?

ANSWER

THE HON THE CHIEF MINISTER

The information on tender awards is not maintained by the Government on the basis outlined in the question and is thus not readily available to the Government in any case. Rather, is not readily available to the Government. In any case, the winner of all such tenders (save in respect of services) have been published in the Gazette. The directors and shareholders of successful companies are available to the hon Members by searching the Companies Registry, which is a public register.

SUPPLEMENTARY TO QUESTION NO. 708 OF 2008

HON F R PICARDO:

As the Chief Minister will be aware, it is possible for individuals to be shareholders known to the Government as ultimate beneficial shareholders, but not visible to the public on a search of the public register. For that reason would the Chief Minister consider providing the information?

HON CHIEF MINISTER:

No, the Chief Minister cannot provide the information for the reasons that I have explained and the possibility, the hypothetical possibility, that people may be hiding behind the sort of nominee services that he provides in his professional capacity has not yet been established. Therefore, it is hypothetical. He should go away, see what he can find out in the public register, since he is not allowed to ask me for information which is available in public documents, and then come and ask me whatever he cannot find. But look, if I could put up a list, if I could draw up a list of the tenders for the award of property, provision of services or any other type of tender awarded to Mr Nigel Pardo, and I went back not to 16th May 1996 but to March 1988, I guarantee

him that there would be more items on the list when they were in office than there will be on the list since we were in office after 16th May. That almost for sure, with one difference. The ones he got after 1996 were following tenders, most of them, almost all of them, whereas the ones he got before were practically none with tenders.

HON F R PICARDO:

Perhaps the Chief Minister can provide the list from 1988 that he says he cannot provide from 1996. It is a matter for him but I am sure that we will come back, we will look at this and we will see the value of the guarantees that he brings.

HON CHIEF MINISTER:

I detect no question there, and therefore we must all get used to the fact that the hon Member thinks that he has a right in this House to have the last word. Even when there is not a supplementary question. For someone who is allegedly obsessive about Standing Orders and things like this, it is a remarkable style that he pursues.

MR SPEAKER:

Order, is there a question? That comment by the Chief Minister was a fair reflection on the absence of a question before. Is there a question now?

HON F R PICARDO:

Yes there is. Would the Chief Minister not accept that I built up my practice, given that he uses Question Time to debate rather than just to answer questions?

MR SPEAKER:

Xxxxxx of the question?

HON CHIEF MINISTER:

I cannot accept that because I do not know the sort of business that he does in his professional practice. I only know the sort of business I used to do.

ORAL

NO. 709 OF 2008

THE HON F R PICARDO

PROVISION OF INSURANCE COVER BY ARGUS INSURANCE COMPANY (EUROPE) LTD

Does Argus Insurance Company (Europe) Ltd (or any related company) provide any insurance cover or other service to the Government or any other statutory authority or public body?

ANSWER

THE HON THE CHIEF MINISTER

Yes.

SUPPLEMENTARY TO QUESTION NO. 709 OF 2008

HON F R PICARDO:

Which?

HON CHIEF MINISTER:

It is a very long line of business for which I would need notice and provide it to him in writing. But he has not asked in his question for the details, he has asked whether.

HON F R PICARDO:

Yes, and I am sure that given that he knows that it is a very long list, he must have it there. I am quite happy to jot it down whilst he reads it, if he likes.

HON CHIEF MINISTER:

It is too long for me to read and I have not got it in a form that I can hand it to him. So he will have to ask for that specific question next time and it will be given in the usual way.

HON F R PICARDO:

Very well.

NO. 710 OF 2008

THE HON F R PICARDO

GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS

Given his answers in this House, why did the Chief Minister tell the Foreign Affairs Committee of the Parliament in Westminster that the Government had not withdrawn advertising from any newspaper?

ANSWER

THE HON THE CHIEF MINISTER

The Chief Minister is not accountable in this House for what he says outside of it to other people. I confirm that the statements made in this House in relation to this matter are accurate.

SUPPLEMENTARY TO QUESTION NO. 710 OF 2008

HON F R PICARDO:

The Chief Minister is accountable in this House, as he has reminded us, for the public administration of the affairs of Gibraltar. When the Chief Minister was questioned in the Foreign Affairs Committee of Westminster on 5th March this year, he told the questioner who was Mr Andrew Mackinlay, "we have not withdrawn advertising from any newspaper". Yet in supplementaries in answer to Question No. 284 of 2007, the Chief Minister told us that he had withdrawn, or that the Government had withdrawn advertising from the Vox newspaper, because it had not paid arrears of debt. Those two answers are conflictive. It is not in the interests of the public administration of Gibraltar that the leader of Government should give conflicting answers in this House and in another Parliament. Can he clarify the position?

HON CHIEF MINISTER:

I repeat my answer. I confirm that the statements made in this House, where I am accountable for my statements, are accurate.

HON F R PICARDO:

Given that the Chief Minister has given an answer in another place, whether it is at Westminster or in the street, which conflicts with the answer that he gave here, can he explain why he said something somewhere else as the Chief Minister of Gibraltar?

Not at that stage on vacation in London seeing Andrew on the street, but as Chief Minister of Gibraltar, something which appears not to have been true, given the confirmed veracity of the answer given in this House.

HON CHIEF MINISTER:

I confirm that the statements made in this House are accurate.

NO. 711 OF 2008

THE HON F R PICARDO

JUDGMENT IN LEGAL PROCEEDINGS

Do the Government have any date for the delivery of the judgment in the legal proceedings (Court of First Instance register number 240836 and allocated case number T-211/04) against the EU Commission, or any indication of when a date for the delivery of that judgment will be forthcoming?

ANSWER

THE HON THE CHIEF MINISTER

No.

SUPPLEMENTARY TO QUESTION NO. 711 OF 2008

HON F R PICARDO:

Are the Government doing anything to try and ascertain when this judgment will be delivered?

HON CHIEF MINISTER:

The Government are doing what they can and what is appropriate, which is to make discreet, indirect enquiries. But as the hon Member must know, it is not normal for litigants to demand from judges when they deliver their judgments and when they do not. He must know that.

HON F R PICARDO:

Absolutely right and I have not suggested that we should. But what have been the results of those discreet enquiries at the Registry of the Court of Justice?

HON CHIEF MINISTER:

I have not said that the enquiries were at the Registry of the Court of Justice and I am not willing to disclose to him, even confidentially, what the answers to discreet enquiries were, since they would thereby, by definition, cease to be discreet.

HON F R PICARDO:

That is plainly ridiculous, of course. First of all, I never seek information from him confidentially because I do not expect him to take me into his trust. But given that he has already told the House that he has made discreet enquiries, and I am not asking him of whom he made them and the House will forgive me for my assumption, can he tell us what the result of those discreet enquiries has been?

HON CHIEF MINISTER:

I have not said that I have made enquiries, discreet or otherwise.

HON F R PICARDO:

Will the Chief Minister accept that this is an issue which is, we agree, highly important to the Finance Centre, that we need a judgment as soon as possible, that cases dealing with the same subject matter filed after ours have already been provided with, thankfully, very positive decisions in very similar matters, and that we should do everything possible to ensure within the bounds of what a litigant can do in terms of procuring a judgment in a matter in which he is a party, that we have this ruling as soon as possible for the sake of the Finance Centre in Gibraltar?

HON CHIEF MINISTER:

Those are facile words. The hon Member knows that it is outside the power of the Government to do anything such as he has just tried to make the moral, political or professional responsibility of the Government. Nor is he right in saying that the helpful cases in which judgment has been delivered earlier, deal with the same subject matter. There is in part a coincidence of issues at stake, in part, it is not to say that they deal with the same subject matter.

ORAL

NO. 712 OF 2008

THE HON F R PICARDO

THIRD MONEY LAUNDERING DIRECTIVE

Have the Government now had a chance to consider amending its implementation of the Third Money Laundering Directive in the Criminal Justice (Amendment) Act 2007 to allow for reliance on the due diligence carried out by Company Managers?

ANSWER

THE HON THE CHIEF MINISTER

No, Sir, whilst this may be done in due course it is not a priority for the Government in the allocation of drafting resources.

ORAL

NO. 713 OF 2008

THE HON F R PICARDO

CHIEF MINISTER'S SECRETARIES AND ASSISTANTS

How many private secretaries and personal assistants does the Chief Minister have?

ANSWER

THE HON THE CHIEF MINISTER

My private office consists of nine officials. A Principal Private Secretary; a Private Secretary for legal and legislation issues; a Private Secretary for project, commercial and land issues; a Private Secretary for financial issues; a Personal Assistant and then there are three Executive Officers and one Senior Personal Secretary that support me and the four senior officials that I have listed.

ORAL

NO. 714 OF 2008

THE HON DR J J GARCIA

ROCK HOTEL – CHANGE OF USE

Does the Government have a position, as a matter of policy, on any possible application for change of use in respect of the property presently known as the Rock Hotel?

ANSWER

THE HON THE CHIEF MINISTER

It is the policy of the Government that the site of the Rock Hotel should continue to provide Gibraltar with a quality hotel.

ORAL

NO. 715 OF 2008

THE HON DR J J GARCIA

TENDERS – COMMERCIAL UNITS AT CHATHAM COUNTERGUARD

Can Government say how many tenders were received for each of the commercial units at Chatham Counterguard?

ANSWER

THE HON THE CHIEF MINISTER

A total of 27 tenders The tenders received per unit are as follows:-

Unit	Tenders Received
3	11
4	14
5	17
6	19
7	17
8	18
9	18
10	15
11	16
12	11
13	7

I hope it is clear to the hon Member that the first of those figures is the unit number and the second is the number of applications for it.

ORAL

NO. 716 OF 2008

THE HON DR J J GARCIA

BETTING INDUSTRY

Can Government provide the latest available figures for the number of persons employed in the betting industry in Gibraltar, giving a breakdown by company and by nationality, showing how many are Gibraltarian and the date when the figures apply?

ANSWER

THE HON THE CHIEF MINISTER

A total of 1,802 persons were employed by 19 companies as at 31st August 2008. The breakdown requested by the hon Member is set out in the schedule which I now hand to him.

ANSWER TO QUESTION 716

REMOTE GAMBLING COMPANIES - EMPLOYMENT STATISTICS AS AT 31 AUGUST 2008

	Gibraltarian	Other British	Spanish	Other	Total
Ladbrokes (Gibraltar) Limited	21	72	4	8	105
Victor Chandler (International) Limited	50	164	17	31	262
Stan James (Gibraltar) Limited	6	156	18	55	237
bwin International Limited	23	41	16	120	200
Eurobet (Gibraltar) Limited	10	22	0	4	36
Carmen Media Group Limited	5	4	2	2	13
32 Red P/c	4	30	0	6	40
St Mirver Limited	22	28	15	50	115
Digibet Limited	0	1	0	9	10
888 Holdings P/c	41	106	18	74	239
Globet.com Group Limited	0	9	0	7	16
International Betting Association Limited	0	0	0	6	6
PartyGaming P/c	74	133	15	85	317
Mansion (Gibraltar) Limited	18	104	4	23	149
Futuresbetting.com Limited	1	6	0	0	7
Pantouche Interactive (Gibraltar) Limited	0	2	1	2	5
William Hill (Gibraltar) Limited	1	10	0	1	12
Hillside (Gibraltar) Limited	1	7	0	2	10
Petfre (Gibraltar) Limited	5	17	0	1	23
Overall Total	284	912	110	498	1802

(a)

Source : Ministry of Finance, Gambling Division

(a) Reduction to 4 is attributable to further mis-classifications by 32 Red P/c between Gibraltarians and Other British (March 08 figure for Gibraltarians was 22)

NO. 717 OF 2008

THE HON DR J J GARCIA

ENERGY CHARTER TREATY 2007/GENEVA CONVENTIONS ACT 2007

Can Government say what were the technical reasons why it did not proceed with the Energy Charter Treaty 2007 or the Geneva Conventions Act 2007 last year and indicate when they expect to proceed with them?

ANSWER

THE HON THE CHIEF MINISTER

On 9th April 2008 the Government of Gibraltar asked Her Majesty's Government in the United Kingdom for the Energy Charter Treaty to be extended to Gibraltar. Consideration is now being given to whether we wish the trade amendments also to be extended to Gibraltar.

I am advised by Her Majesty's Government in the United Kingdom that there are a variety of Geneva Conventions. A raft of Conventions that cover the laws of war and another body that covers copyright issues, just two examples. It is not clear which Geneva Convention the hon Member is referring to.

SUPPLEMENTARY TO QUESTION NO. 717 OF 2008

HON DR J J GARCIA:

The Geneva Conventions Act which was published locally and which we were to consider in this House in 2007, and the Chief Minister advised the House that we were not proceeding with them for technical reasons at this stage. The Act of 2007 which we were going to consider in this House, that is the one.

HON CHIEF MINISTER:

So it is the second Geneva Convention, which I advised what?

HON DR J J GARCIA:

Which of the two Geneva Conventions I was referring to is the one that was published as a Bill, circulated to all Members.....

HON CHIEF MINISTER:

I was hoping that he would prompt me, jog my memory by just finishing what he was saying that I did not hear about what I had told the House.

HON DR J J GARCIA:

That we are not proceeding with them for technical reasons, the Chief Minister said.

HON CHIEF MINISTER:

I am sorry, then the drafter of this answer has failed to spot the word "Act", because of course the question actually now, on reflection, does not refer to Conventions but to the Conventions Act, for which a wholly different answer would have been available. But I regret I do not have the answer. I do not remember what the Geneva Conventions Act was precisely about now on my feet here, but there was certainly a reason why it was not proceeded with and that would be available to me now to give him, had the question not been misread. I apologise. I will provide him with the answer.

NO. 718 OF 2008

THE HON DR J J GARCIA

INFRACTION PROCEEDINGS

Can Government say whether the European Union has opened any new infraction proceedings against the United Kingdom for the non-implementation of EU Directives in Gibraltar since the last Question Time in this House, and if so when, what Directives does it relate to and at what stage are the infraction proceedings?

ANSWER

THE HON THE CHIEF MINISTER

The stage is all infraction stage and the Article 266 letters were issued on 25th July 2008 in the five cases which I will now refer him to.

Directive 2006/7/EC concerning the management of bathing water quality.

Directive 2006/23/EC on Community air traffic controller licence.

Directive 2006/32/EC on energy end-use efficiency and energy services (which actually repeals a previous Directive).

Directive 2006/43/EC on statutory audits of annual accounts and consolidated accounts.

Directive 2006/21/EC on the management of waste from extractive industries

In this last case the Government is querying the applicability of the Directive to Gibraltar.

NO. 719 OF 2008

THE HON DR J J GARCIA

POST-BOXING BY COMPETENT AUTHORITIES OF GIBRALTAR AND SPAIN

Can Government list the competent authorities of Gibraltar and those of Spain that made or received each post-boxing request through the UK shown in the table given in answer to Question No. 298 of 2008 in the period 2000-2008?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member eight pages of closely typed print, which will give to the hon Member details of the 133 cases, no it is more than that. He will see that the numbering reference is by year, so there were 133 of them in 2007 alone. But anyway, they are all there broken down by year and by authority and by subject matter. If he has got nothing better to read, I can recommend a very good book to him that I have just finished.

Answer to Question 719

Competent Authorities of Gibraltar and Spain that made or received post-boxing requests in the period 2000 – 2008

Year 2000 (Outgoing)

Post-Box ref	Issuing Authority	Receiving Authority
PB/01/00	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/02/00	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/03/00	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/06/00	Financial Services Commission, Gibraltar	Director de Instituciones Finacieeras, Bank of Spain, Madrid, Spain
PB/07/00	Environmental Agency Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/09/00	Environmental Agency Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/10/00	Environmental Agency Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla

Year 2001 (Incoming)

Post-Box ref	Issuing Authority	Receiving Authority
(I) PB/01/01	Court of First Instance & Instruction No2, Fuengirola, Spain	Supreme Court of Gibraltar
(I) PB/03/01	Agencia Tributaria, Madrid	Income Tax Department, Gibraltar
(I) PB/04/01	Court of First Instance No3 of Ronda, Spain	Attorney General's Chambers, Gibraltar
(I) PB/06/01	Central Examining Court No 4, Madrid, Spain	Attorney General's Chambers, Gibraltar

Year 2001 (Outgoing)

Post-Box ref	Issuing Authority	Receiving Authority
PB/01/01	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/02/01	Financial Services Commission, Gibraltar	Ministerio de Economia Y Hacienda, Spain
PB/03/01	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/04/01	Financial Services Commission, Gibraltar	Spanish Supervisory Authority
PB/06/01	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/07/01	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/08/01	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/09/01	Supreme Court of Gibraltar	Judicial & Enforcement Authority, Spain

Contd.....

Contd Answer to Question 719

Year 2002 (Incoming)

Post-Box ref	Issuing Authority	Receiving Authority
(I) PB/01/02	Servicio Ejecutivo de la Comision de Prevencion del Blanqueo de Capitales or Infracciones Monetarias	Gibraltar Financial Intelligence Unit (GFIU)
(I) PB/05/02	Servicio Ejecutivo de la Comision de Prevencion del Blanqueo de Capitales or Infracciones Monetarias	Gibraltar Financial Intelligence Unit (GFIU)
(I) PB/07/02	Spanish Ministerio de Economia	Financial Services Commission, Gibraltar

Year 2002 (Outgoing)

Post-Box ref	Issuing Authority	Receiving Authority
PB/01/02	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/03/02	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/04/02	Financial Services Commission, Gibraltar	Direccion Nacional de Seguros, Spain
PB/05/02	Financial Services Commission, Gibraltar	Bank of Spain
PB/06/02	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/11/02	Financial Services Commission, Gibraltar	Spanish Insurance Supervisory Authority
PB/12/02	Financial Services Commission, Gibraltar	Direccion Nacional de Seguros, Spain

Year 2003 (Incoming)

Post-Box ref	Issuing Authority	Receiving Authority
(I) PB/03/03	Spanish Ministerio de Economia	Financial Services Commission, Gibraltar
(I) PB/12/03	Spanish Ministerio de Economia	Financial Services Commission, Gibraltar

Year 2003 (Outgoing)

Post-Box ref	Issuing Authority	Receiving Authority
PB/01/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB?03/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/04/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/05/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/09/03	Financial Services Commission, Gibraltar	Ministerio de Economia, Spain
PB/14/03	Financial Services Commission, Gibraltar	Ministerio de Economia, Spain
PB/26/03	Financial Services Commission, Gibraltar	Bank of Spain
PB/33/03	Financial Services Commission, Gibraltar	Bank of Spain

Contd.....

PB/34/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/44/03	Financial Services Commission, Gibraltar	Bank of Spain
PB/46/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/47/03	Financial Services Commission, Gibraltar	Bank of Spain
PB/52/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/53/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/54/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/55/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla
PB/73/03	Financial Services Commission, Gibraltar	Bank of Spain
PB/78/03	Environmental Agency, Gibraltar	Dirreccion General de Prevencion y Calidad Ambiental, Sevilla

Year 2004 (Incoming)

Post-Box ref	Issuing Authority	Receiving Authority
(I) PB/04/04	Spanish Ministerio de Economia	Financial Services Commission, Gibraltar
(I) PB/05/04	Spanish Ministerio de Economia	Financial Services Commission, Gibraltar

Year 2004 (Outgoing)

Post-Box ref	Issuing Authority	Receiving Authority
PB/06/04	Supreme Court, Gibraltar	Ministerio de Justicia, Spain
PB/10/04	Financial Services Commission, Gibraltar	Direccion General de Seguros y Fondos de Pensiones
PB/17/04	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/19/04	Supreme Court, Gibraltar	Ministerio de Justicia, Spain
PB/40/04	Financial Services Commission, Gibraltar	Direccion General de Seguros y Fondos de Pensiones
PB/43/04	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores
PB/45/04	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores
PB/47/04	Chief Secretary	Ministerio de Justicia, Spain
PB/48/04	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/50/04	Supreme Court, Gibraltar	Ministerio de Justicia, Spain
PB/54/04	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/57/04	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/59/04	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/61/04	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla

Contd.....

Contd Answer to Question 719**Year 2005 (Incoming)**

Post-Box ref	Issuing Authority	Receiving Authority
(I) PB/14/05	Oficina Nacional de Investigacion, Spain	Commissioner of Income Tax

Year 2005 (Outgoing)

Post-Box ref	Issuing Authority	Receiving Authority
PB/02/05	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores
PB/16/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/28/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/36/05	Supreme Court, Gibraltar	Ministerio de Justicia, Spain
PB/37/05	Supreme Court, Gibraltar	Secretaria del Juzgado de Instruccion
PB/38/05	Supreme Court, Gibraltar	First Instance and Trial Court No 2 of Vera Spain
PB/43/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/44/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/49/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/52/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/53/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/55/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/60/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/62/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/68/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/70/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/73/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/74/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/75/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/77/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/80/05	Financial Services Commission, Gibraltar	Bank of Spain
PB/82/05	Financial Services Commission, Gibraltar	Bank of Spain
PB/100/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/101/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/102/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/109/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/114/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/115/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/116/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/119/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/120/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla

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Contd Answer to Question 719

PB/126/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/128/05	Supreme Court, Gibraltar	Ministerio de Justicia
PB/129/05	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/132/05	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain

Year 2006 (Incoming)

Post-Box ref	Issuing Authority	Receiving Authority
(I) PB/07/06	Oficina Nacional del Fraude	Commissioner of Income Tax
(I) PB/10/06	Ministerio de Justicia	Supreme Court, Gibraltar
(I) PB/16/06	Ministerio de Justicia	Supreme Court, Gibraltar
(I) PB/18/06	Juzgado de Instruccion No1, Cadiz	Supreme Court, Gibraltar
(I) PB/19/06	Ministerio de Justicia	Attorney General Chambers

Year 2006 (Outgoing)

Post-Box ref	Issuing Authority	Receiving Authority
PB/01/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/06/06	Financial Services Commission, Gibraltar	Bank of Spain
PB/13/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/16/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/20/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/21/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/26/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/33/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/46/06	Financial Services Commission, Gibraltar	Direccion General de Seguros, Spain
PB/54/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/56/06	Financial Services Commission, Gibraltar	Director General de Supervision
PB/73/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/75/06	Financial Services Commission, Gibraltar	Bank of Spain
PB/78/06	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/107/06	Financial Services Commission, Gibraltar	Bank of Spain

Contd.....

Contd Answer to Question 719**Year 2007 (Incoming)**

Post-Box ref	Issuing Authority	Receiving Authority
(I) PB/01/07	Oficina Nacional del Fraude	Income Tax Department, Gibraltar
(I) PB/02/07	Direccion General de Seguros y Pensiones	Financial Services Commission, Gibraltar
(I) PB/05/07	Ministerio de Justicia, Spain	Supreme Court, Gibraltar
(I) PB07/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/ 08/07	Ministerio de Justicia, Spain	Attorney General's Chambers
(I) PB/09/07	Ministerio de Justicia, Spain	Government of Gibraltar
(I) PB/11/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/12/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/13/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/21/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/23/07	Ministerio de Justicia, Spain	Attorney General's Chambers
(I) PB/24/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/ 25/07	Ministerio de Justicia, Spain	Attorney General's Chambers
(I) PB/29/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/30/07	Administracion de Justicia, Spain	Supreme Court, Gibraltar
(I) PB/34/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/36/07	Oficina Nacional del Fraude	Commissioner of Income Tax
(I) PB/37/07	Oficina Nacional del Fraude	Commissioner of Income Tax
(I) PB/39/07	Consejeria de Medio Ambiente, Spain	Environmental Agency
(I) PB/40/07	Administracion de Justicia, Spain	Registrar of the Supreme Court
(I) PB/41/07	Ministerio de Justicia, Spain	Attorney General's Chambers
(I) PB/42/07	Ministerio de Justicia, Spain	Attorney General's Chambers
(I) PB/4807	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar
(I) PB/51/07	Ministerio de Justicia, Spain	Supreme Court, Gibraltar
(I) PB/53/07	Ministerio de Justicia, Spain	Attorney General's Chambers
(I) PB/58/07	Administracion de Justicia, Spain	Registrar of the Supreme Court
(I) PB/60/07	Ministerio de Economia Y Hacienda, Spain	Financial Services Commission, Gibraltar

Contd.....

Contd Answer to Question 719**Year 2007 (Outgoing)**

Post-Box ref	Issuing Authority	Receiving Authority
PB/17/07	Attorney General's Chambers	Ministerio de Justicia, Spain
PB/20/07	Financial Services Commission, Gibraltar	Bank of Spain
PB/21/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/22/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/24/07	Financial Services Commission, Gibraltar	Mercados Secundarios, Spain
PB/25/07	Financial Services Commission, Gibraltar	Bank of Spain
PB/27/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Fondos
PB/28/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/29/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/38/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/40/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/44/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/53/07	Supreme Court	Ministerio de Justicia, Spain
PB/55/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/56/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/63/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/91/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/93/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/101/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/102/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/106/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/108/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/113/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/117/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/120/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/121/07	Financial Services Commission, Gibraltar	Director General de Seguros y Fondos
PB/122/07	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/128/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones
PB/133/07	Financial Services Commission, Gibraltar	Direccion General de Seguros y Pensiones

Contd.....

Contd Answer to Question 719**Year 2008 (Incoming)**

Post-Box ref	Issuing Authority	Receiving Authority
(I) PB/04/08	Juzgado de 1a Instancia, Marbella, Spain	Supreme Court, Gibraltar
(I) PB/07/08	Ministerio de Justicia, Spain	Attorney General
(I) PB/10/08	Juzgado de 1a Instancia, San Roque, Spain	Attorney General
(I) PB11/08	Juzgado de 2a Instancia, Almeria, Spain	Supreme Court, Gibraltar
(I) PB12/08	Ministerio de Justicia, Spain	Attorney General
(I) PB13/08	Court of First Instance, Belgium	Attorney General
(I) PB/14/08	Court of First Instance No 3, Spain	Supreme Court, Gibraltar

Year 2008 (Outgoing)

Post-Box ref	Issuing Authority	Receiving Authority
PB/05/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/08/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/10/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores
PB/17/08	Attorney General	Ministerio de Justicia, Spain
PB/19/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/20/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/23/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla

SUPPLEMENTARY TO QUESTIO NO. 719 OF 2008

HON DR J J GARCIA:

Just to clarify a figure. The actual table the question refers to in respect of Spain for 2007 shows 29 outgoing and 27 incoming. The Chief Minister said 137 if I remember correctly or 133?

HON CHIEF MINISTER:

There is a page full of outgoing and a page full of incoming but I do not think it is 133 of any category. So the numbering plan does not appear to be..... I do not know. I had assumed that the numbering plan was continuous and as the last number was 133, but it is not. Yes, it is possible if he wants some more information. It is possible that the question asks for Spain, so the gaps are maybe to other Member States.

ORAL

NO. 720 OF 2008

THE HON DR J J GARCIA

NEW HARBOURS INDUSTRIAL PARK

Can Government say how many tenants there are in New Harbours and how many of these have indicated an interest in purchasing their unit from the Government?

ANSWER

THE HON THE CHIEF MINISTER

There are 92 tenants in New Harbours. Of these, ten are Government Departments, Companies or Agencies, leaving 82 eligible to purchase. Of those, 30 to date have expressed an interest to buy their leases.

SUPPLEMENTARY TO QUESTION NO. 720 OF 2008

HON DR J J GARCIA:

Is there a price per square metre for the sale?

HON CHIEF MINISTER:

There is a price per square metre, from memory so please do not accuse me of electoral fraud if I got it wrong. It is £1,000 a square metre.

ORAL

NO. 721 OF 2008

THE HON DR J J GARCIA

IMPORT DUTY COLLECTED – NON-COMMERCIAL GATE

How much import duty has been collected from persons entering Gibraltar through the non-commercial gate at the land frontier on a monthly basis since the information supplied at the last Question Time in this Parliament?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 722 of 2008.

NO. 722 OF 2008**THE HON DR J J GARCIA****IMPORT DUTY – BUILDING MATERIALS**

What was the amount of import duty paid on building materials on a monthly basis since the information supplied at the last Question Time in this Parliament?

ANSWER**THE HON THE CHIEF MINISTER**

In respect of the collections from persons in the non-commercial gate, starting with March 2008 and then monthly thereafter:-

March 2008	-	£18,627.20
April 2008	-	£17,167.07
May 2008	-	£19,155.06
June 2008	-	£14,874.64
July 2008	-	£13,531.94
August 2008	-	£11,017.12

In respect of import duty collected on building materials over the same monthly periods:-

March 2008	-	£269,718.21
April 2008	-	£93,844.30
May 2008	-	£125,305.15
June 2008	-	£132,036.66
July 2008	-	£141,268.63
August 2008	-	£96,008.43

ORAL

NO. 723 OF 2008

THE HON DR J J GARCIA

MINISTERS' AIR TRAVEL

Can Government list the cost of air travel incurred by each individual Minister and the Chief Minister on official business since the information supplied at the last Question Time in this Parliament, with a breakdown showing the date of travel, the destination, the airline, the category of seat paid for and the travel agent that was used to make the booking?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a schedule containing the information and his colleague, although not of the same party, the Hon Mr Picardo, may be interested to see the information about the cost of Club Class fares to London.

ANSWER TO QUESTION 723/2008

CHIEF MINISTER'S AIR TRAVEL

Destination	Dates	Amount	Airline	Seat Category	Travel Agent
London	07.05.08 – 10.05.08	£944.50	British Airways	Club Class	Blands
Geneva	21.05.08 – 23.05.08	£215.00	Easyjet	N/A	Blands
New York - London	17.06.08 – 24.06.08	£3,626.50	British Airways	Club Class	Blands
London	01.07.08 – 03.07.08	£909.80	British Airways	Club Class	Blands
London	08.07.08 – 09.07.08	£909.80	British Airways	Club Class	Blands

CONTD ANSWER TO QUESTION 723/2008**MINISTERS' AIR TRAVEL**

Minister	Destination	Dates	Amount	Airline	Seat Category	Travel Agent
Minister Holliday	London	04-08 April 08	£170.00	Easyjet	N/A	Blands
	London	15-16 May 08	£398.50	British Airways	Club Class	Blands
Minister Britto	London	09-10 April 08	£198.00	Easyjet	N/A	Blands
	London	01-02 May 08	£868.50	British Airways	Club Class	Blands
	London	12-13 June 08	£1,185.90	British Airways	Club Class	Blands
	London-Manchester	12-13 June 08	£289.20	British Airways	Economy	Blands
	London	21-22 July 08	£386.00	Easyjet	N/A	Blands
	London-Malaysia	03-11 August 08	£5,423.10	British Airways-Japan Airlines-Singapore Airlines	Club Class	Blands

ORAL

NO. 724 OF 2008

THE HON DR J J GARCIA

NEW GIBRALTAR OFFICE IN LONDON – COST

Can Government provide the cost, with a breakdown of the purchase of the new Gibraltar office in London including the legal and other expenses associated with it?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 725 of 2008.

NO. 725 OF 2008

THE HON DR J J GARCIA

NEW GIBRALTAR OFFICE IN LONDON – REFURBISHING COSTS

Can Government say what are the estimated refurbishing costs, with a breakdown, of the new Gibraltar office in London?

ANSWER

THE HON THE CHIEF MINISTER

The wonderful freehold property at 150 The Strand, which the Government will use for its new offices and other facilities for Gibraltar-based industries, was purchased for £4.375 million.

Other expenses related to the purchase were: Stamp Duty £300,000; the refurbishment and building works in progress which were taken over, they were already in hand at the time of the purchase in the previous ownership is worth £900,000; legal fees, surveyors fees and other professional fees amounted to £200,000; other refurbishment works over and above the ones that were already in hand, which the Government have decided to do £500,000; and furniture and fittings have so far cost £100,000.

It is a basement plus ground and then four more storeys, so it is a six storey building including basement and ground.

SUPPLEMENTARY TO QUESTION NOS. 724 AND 725 OF 2008

HON J J BOSSANO:

Are these costs met by the Government from the Improvement and Development Fund or is it being done through a Government company?

HON CHIEF MINISTER:

No, this acquisition has been funded by a mortgage facility from a bank to the Government company that owns the building. I cannot tell him off hand what the name of the company is but it reflects the property. I think it is called The Strand property or 150 The Strand Limited or something like that.

HON J J BOSSANO:

Is it a Government company that is incorporated in Gibraltar or in the UK?

HON CHIEF MINISTER:

I am almost certain it is incorporated in Gibraltar but I cannot be 100 per cent certain of that.

HON J J BOSSANO:

Is the mortgage facility being provided in the UK then, notwithstanding the fact that the company is here?

HON CHIEF MINISTER:

The mortgage facility has been provided by a bank that has branches both in Gibraltar and in the UK.

HON J J BOSSANO:

But is it a UK originating or a Gibraltar originating mortgage? Who does the company pay? Does it pay somebody here or somebody there?

HON CHIEF MINISTER:

I do not know. I suspect it is somebody here, it is no secret, I think it is the Royal Bank of Scotland. I do not know whether they booked it in the London Branch or whether they booked it in the Gibraltar Branch, I just do not know. But certainly the payments are administered from here by the Financial Secretary.

ORAL

NO. 726 OF 2008

THE HON DR J J GARCIA

EIA – AIRPORT ROAD AND AIR TERMINAL PROJECTS

Can Government say who conducted the EIA into the airport road and air terminal projects, at what cost and on what date was this submitted to the Government?

ANSWER

THE HON THE CHIEF MINISTER

The EIA was conducted by Environmental Gain Limited. The cost of the EIA for the airport terminal has been £141,507.93 and £116,111.92 for the new road. The EIA for the airport terminal was submitted by the Government to the Development and Planning Commission on the 6th December 2007, and for the new road on 17th December 2007.

NO. 727 OF 2008

THE HON DR J J GARCIA

NEW AIR TERMINAL – TENDER FOR CONSTRUCTION

Can Government confirm whether the award of the tender for the construction of the new air terminal and related facilities to Dragados SA in the sum of 59 million euros was the lowest tender received?

ANSWER

THE HON THE CHIEF MINISTER

Yes.

SUPPLEMENTARY TO QUESTION NO. 727 OF 2008

HON J J BOSSANO:

Is the tender a Government tender and therefore this is a contract between Dragados and the Government? Or is there some other entity in the middle?

HON CHIEF MINISTER:

I am 99.9 per cent certain that it is the Government not a company.

HON J J BOSSANO:

It is not the Gibraltar Development Corporation that happens to be the owner of the existing terminal?

HON CHIEF MINISTER:

No.

NO. 728 OF 2008

THE HON DR J J GARCIA

NEW AIR TERMINAL – TENDER FOR CONSTRUCTION

Can Government supply a list of all the companies that tendered for the construction of the new air terminal and related facilities showing the amount bid in each case?

ANSWER

THE HON THE CHIEF MINISTER

The Government are advised that it is not commercially appropriate to publish the names of unsuccessful tenderers. The name and amount of the winner and the amounts, but not the names of the unsuccessful bids will be gazetted in due course. Indeed, it may already have been done. I do not know if the hon Member has seen it or not. But I am told that this is how it has always been done. One publishes the name of the winner and the amount, the same answer as I gave the Hon Mr Bruzon, and the amounts but not the names of the unsuccessful bids, obviously so people can see if it was given to the highest one or to whom, but not the names of the unsuccessful bidders.

SUPPLEMENTARY TO QUESTION NO. 728 OF 2008

HON DR J J GARCIA:

Does he have the other amounts available to give across the floor of the House?

HON CHIEF MINISTER:

No, I have not.

ORAL

NO. 729 OF 2008

THE HON DR J J GARCIA

LAND AND PROPERTY SALES

Can Government give a breakdown of the revenue collected from land and property sales since the information supplied during the last Question Time in this Parliament, giving the date the revenue was received, the name of the land/property and the cash received in each case and from whom?

ANSWER

THE HON THE CHIEF MINISTER

The very extensive information that the hon Member seeks is given to him on the three pages that are now being handed to him.

Answer to Question 729 of 2008

Residential Property Sales From 1 March 2008 To 31 August 2008 (Improvement And Development Fund)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Mar-08	B Alvares	Part payment of GOG share with 4E Rulander	£30.00
Mar-08	R Peire	Sale of 2C Elliotts Battery	£47,600.00
Apr-08	R & M Estella	Premium iro of 150 Year Lease for 51C Europa Road	£2,000.00
Apr-08	Messrs J Casciario	10% Deposit iro Sale of 2/4 North Pavilion Road	£30,350.00
Apr-08	C & L Avellano	Premium iro Surrender & Grant of 99 Year Lease for 15 Rosia Steps	£34,000.00
Apr-08	B Alvares	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 14/4/08)	£30.00
May-08	B Alvares	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 13/5/08)	£30.00
May-08	Mr & Mrs A Garro	GOG Share IRO Sale 4C Rulander House	£13,524.58
May-08	Messrs M Yome	10% Deposit iro Sale of Vista Alegre, 16/20 Europa Road	£125,800.00
May-08	Mr & Mrs Llamas	90% Balance iro Sale of 3 Johnstones Passage	£168,300.00
Jun-08	B Alvares	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 12/6/08)	£30.00
Jun-08	M & P Casciario	90% Balance iro Sale of Lower Elms, 2/4 North Pavilion Road	£273,150.00
Jul-08	B Alvares	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 14/7/08)	£30.00
Jul-08	J C & E V Perez	Sale of 4/8 Centre Pavilion Road	£495,000.00
Jul-08	J K & G Lopez	Premium iro strip of land leading to 33A Europa Road	£3,390.00
Aug-08	B Alvares	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 12/8/08)	£30.00
Aug-08	M & I Yome	90% Balance iro Sale of Vista Alegre, 16/20 Europa Road	£1,132,200.00
			£2,325,494.58

contd....

Contd Answer to Question 729 of 2008

Commerical Property Sales From 1 March 2008 To 31 August 2008 (Improvement And Development Fund)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Mar-08	Casino Calpe	Part payment of 51 Line Wall Road	£1,964.00
Mar-08	Care Care Centre	Premium iro 99 year lease for Unit 1, 59 Devil's Tower Road	£40,000.00
May-08	Casino Calpe	Part Payment iro 51 Line Wall Road	£1,964.00
Jun-08	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00
Jul-08	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00
Jul-08	Abco Int	Premium iro Development of Six Houses on plot opposite Both Worlds	£135,000.00
Jul-08	Runciman Ltd	Premium iro construction of additional floor to Blake House	£10,000.00
Aug-08	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00
			£2,517,368.58

Cont....

Contd Answer to Question 729 of 2008

Residential Property Sales From 1 March 2008 To 31 August 2008 (Government-Owned Companies)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Mar-08	Mr Gabay	Sale of 3/1 Centre Pavilion Road	£101,300.00
Mar-08	M A & ME Walsh	10% Sale of Apartment 4 F Block, 2 Naval Hospital Hill	£28,750.00
Apr-08	Ocania & Molina	20% Sale of 21 Palm Tree Lodge	£29,902.30
Apr-08	Mr & Mrs Poggio	50% Sale of 26 Melbourne Court & CPS No. 953	£38,042.88
May-08	Mr Alman	40% Sale of 27 Halifax Court	£38,460.34
May-08	Mr & Mrs Gonzalez	50% Sale of 19 Nassau Court	£37,741.60
May-08	Mr & Mrs Caetano	Sale of Flat No. 2 Electra Flats	£100,400.00
May-08	Z & J Benneworth	90% Sale of Apartment 1 F Block, 2 Naval Hospital Hill	£257,175.00
May-08	H & A Benitez	90% Sale of Apartment 3 F Block, 2 Naval Hospital Hill	£258,750.00
Jun-08	M A & ME Walsh	90% Sale of Apartment 4 F Block, 2 Naval Hospital Hill	£258,750.00
Jun-08	Mr G Guiliano	10% Deposit iro 5 Castle Steps and 7/9 Richardsons Passage	£1,000.00
Jun-08	Mr & Mrs Pardo	Deposit fee iro Flat 4 Sandpits	£500.00
Jun-08	Mr & Mrs Russo	Deposit fee iro Flat 5 Sandpits	£13,500.00
Jun-08	Mr & Mrs Collado	Deposit fee iro Flat 8 Sandpits	£13,500.00
Jun-08	Mr & Mrs Soiza	Deposit fee iro Flat 9 Sandpits	£13,500.00
Jun-08	Ms Budhrani & Mr T Garcia	Deposit fee iro Flat 10 Sandpits	£13,500.00
Jun-08	Mr & Mrs Bocarisa	Deposit fee iro Flat 11 Sandpits	£500.00
Jun-08	Mr & Mrs Rodriguez	Deposit fee iro Flat 12 Sandpits	£500.00
Jun-08	Mr & Mrs Goodman	50% Sale of 1/3 Daninos Ramp	£18,800.00
Jun-08	Mr & Mrs Goodman	Sale of 1/4 Daninos Ramp	£21,800.00
Jun-08	Mr & Mrs Bruzon	Sale of Flat No. 3 Electra Flats	£129,500.00
Jul-08	Dr M A Zammit	Deposit fee iro Flat 6 Sandpits	£500.00
Jul-08	C Pitaluga	Sale of Flat No. 5 Electra Flats	£129,500.00
Jul-08	Mr L Garbarino	Sale of Flat 7, Store 1 & CPS No.2 Electra Flats	£129,500.00
Jul-08	Mr & Mrs Mason	40% Sale of 1:05:04 Oleander Court, SWJG	£38,185.67
Jul-08	Mr & Mrs Victor	50% Sale of 2:00:19 Rosemary Court, SWJG	£44,582.67
Jul-08	Mrs Penalver	Sale of Previous Option C Flat 5:03:02 Apricot court, SWJG	£22,527.33
			£1,740,667.79

ORAL

NO. 730 OF 2008

THE HON DR J J GARCIA

RESIDENTIAL TENDERS AWARDED

Can Government list the residential tenders they have awarded since the information supplied at the last Question Time in this Parliament, showing the name and the amount paid by the successful tenderer, the name of the property in question and the date on which the payment was made?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 731 of 2008.

NO. 731 OF 2008

THE HON DR J J GARCIA

ALLOCATION OF SANDPITS APARTMENTS

Can Government say whether the 12 apartments with garage at Sandpits have now been allocated and if so when and to whom?

ANSWER

THE HON THE CHIEF MINISTER

Vista Alegre and the 12 units at Sandpits have been awarded via the tender process since the information supplied at the last Question Time. Details of these sales will be published shortly by way of Official Notice. I can tell the hon Member that Vista Alegre was sold to a Mr and Mrs Yome for £1.25 million, which was received in August 2008. Although of the 12 units at Sandpits were allocated by public draw, there were 33 applicants in total, some purchasers have since dropped out and, therefore, full details will be published as soon as these are re-allocated and all 12 purchasers have signed up.

ORAL

NO. 732 OF 2008

THE HON DR J J GARCIA

NEW AIR TERMINAL – COMMERCIAL UNITS

Can Government confirm that the existing commercial tenants in the air terminal building will be granted a commercial unit in the new air terminal and that any remaining units will be put out to tender?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 733 of 2008.

NO. 733 OF 2008

THE HON DR J J GARCIA

NEW AIR TERMINAL – COMMERCIAL UNITS

Can Government say how many commercial units will be available in the new air terminal building and in what part of the terminal will they be located?

ANSWER

THE HON THE CHIEF MINISTER

Speaking politically and not legally, in the sense that no legal commitment is hereby created, it is the Government's intention that concession holders in the current terminal, who are in good standing at the time, will be offered concessions in the new terminal. The remaining concessions available will go out to tender.

As currently designed, there are three retail units spread over 120 square metres. Then there is an 137 square metre catering facility, all of that at the arrivals check-in concourse. So, land side so to speak.

On the first floor, that is air side, there is provision for 13 retail units spread over 895 square metres and 425 square metres of catering facilities, all at the departure lounge. So we shall all be able to tuck in as we wait to catch our flights to Spain.

ORAL

NO. 734 OF 2008

THE HON DR J J GARCIA

COMMERCIAL UNITS AT CHATHAM COUNTERGUARD

Can Government say whether the commercial units at Chatham Counter guard have now been allocated and if so to whom and in what amount?

ANSWER

THE HON THE CHIEF MINISTER

The commercial units at Chatham Counter guard have not yet been allocated.

ORAL

NO. 735 OF 2008

THE HON DR J J GARCIA

TENDERS – COMMERCIAL UNITS AT WATERPORT TERRACES

Can Government say how many tenders were received for each of the commercial units at Waterport Terraces?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 736 of 2008.

NO. 736 OF 2008

THE HON DR J J GARCIA

TENDERS – COMMERCIAL UNITS AT WATERPORT TERRACES

Can Government say whether the tender for the commercial units at Waterport Terraces has now been allocated and if so to whom?

ANSWER

THE HON THE CHIEF MINISTER

Nine tenders were received for the commercial units at Waterport Terraces. These units have not yet been allocated. The number of tenders received per unit is apparently sensitive commercial information until the units are allocated, which appears not to be the case in the other one where I gave it to the hon Member before. I do not have the information, I do not agree with this answer. I have the information here. It may take me some while to..... Three tenders were received for unit 1, well, the unit numbers are more complicated in this case. Three tenders were received for unit 3.0.1; two for unit 3.0.2; two for unit 4.0.1; two for unit 4.0.2; two for unit 5.0.1; one for unit 5.0.2; two for unit 8.0.1; two for each of unit 8.0.2, unit 11.0.1 and unit 11.0.2; three for unit 12.0.1 and three for unit 12.0.2; four for unit 13.0.1; three for unit 13.0.2; three for unit 18.0.1 and five for unit 18.0.2. I should say, and perhaps this is what the person who drafted the answer had in mind, the fact that there is only one tender for a unit does not necessarily mean that it will be awarded, because there is the question of the purpose for which it is wanted, which may or may not be compatible with the tender conditions.

ORAL

NO. 737 OF 2008

THE HON DR J J GARCIA

TENDERS – “VISTA ALEGRE”

How many tenders have been received for “Vista Alegre”, 16/20 Europa Road, has the tender been awarded and if so when, in what amount and to whom?

ANSWER

THE HON THE CHIEF MINISTER

Twenty-seven tenders were received and I have already given him the other information.

NO. 738 OF 2008

THE HON DR J J GARCIA

MOD REPRESENTATIVE ON DPC

Can Government say whether it is their policy that MOD should no longer have a representative on the Development and Planning Commission?

ANSWER

THE HON THE CHIEF MINISTER

The MOD currently have a representative on the Development and Planning Commission and that, therefore, means that it is currently the Government's policy that this should be case at this time. However, that policy will be reviewed at some point in time.

SUPPLEMENTARY TO QUESTION NO. 738 OF 2008

HON DR J J GARCIA:

The question was tabled because, actually, a Bill was published to that effect, withdrawing the MOD representative from the DPC and the Bill was then withdrawn itself. How did that Bill come to be published if it was not the policy of the Government to proceed with it in that direction?

HON CHIEF MINISTER:

I think I have given an explanation for this but I may not have. But I am almost certain I have. That is that the publication of the Bill was premature because it had not been followed by an appropriate process of consultation. So, it was xxxxxx, the matter has not yet been, to my knowledge, pursued but certainly the Government will review that policy at some point in time. My personal view is that it is not necessary or appropriate for the MOD to have a seat on the DPC, and it is certainly not appropriate for the MOD to express a view or cast a vote on applications which do not impact on the MOD.

NO. 739 OF 2008

THE HON DR J J GARCIA

GIBRALTAR CIVIL AVIATION AUTHORITY

Can Government state when they propose to set up a Gibraltar Civil Aviation Authority and can they say whether a prospective chairman has already been selected?

ANSWER

THE HON THE CHIEF MINISTER

The Government have no plans to set up a Gibraltar Civil Aviation Authority.

SUPPLEMENTARY TO QUESTION NO. 739 OF 2008

HON DR J J GARCIA:

Do they have plans to set up a Gibraltar Aviation Authority not a Gibraltar Civil Aviation Authority?

HON CHIEF MINISTER:

No, not as a corporate entity. The Government intend to appoint a director of civil aviation who will be the authority within the Government for civil aviation matters. But it is not a civil aviation authority in the sense that it is a corporate entity, as is the case, for example, in the UK where there is actually a statutory body called The Civil Aviation Authority. So I suppose the authority would not mean a capital 'A'. In other words, there will be an aviation director who will exercise authority in civil aviation matters.

HON DR J J GARCIA:

Has a person, has a director already been selected?

HON CHIEF MINISTER:

Yes indeed, he has his feet tucked up under a desk in anticipation of the legislation, and in the meantime he is working in the context of a Government department

without statutory framework. Is the hon Member going to ask me who it is? Well ask.

HON DR J J GARCIA:

Who the person is and how is he being paid and where from, given his position?

HON CHIEF MINISTER:

It is Wing Commander Curtis, who was until recently the Station Commander of the RAF, who has expressed a wish to stay in Gibraltar and has all the understanding and, in our judgement, personal attributes to do the job. Did he say how he was being paid? I do not know. Well, the Financial Secretary must have created a vote or it must be in some department, presumably the Minister's, it must be in some departments payroll, as expenditure. Certainly the office was not created, I think, at the time of the Budget. I assume he is being paid, I doubt if he is working for nothing.

HON DR J J GARCIA:

Can the Chief Minister say how much this person actually earns?

HON CHIEF MINISTER:

It is not an insubstantial amount, I cannot remember the figure, it was sort of negotiated over quite a long period of time. I cannot remember but I think it is upwards of £70,000 or £80,000. Yes, it is somewhere between £80,000 and £100,000. If he gives notice of the question I am happy to answer him.

HON J J BOSSANO:

At the moment then is it the position that he is employed by the Crown or he is employed by somebody like the Development Corporation?

HON CHIEF MINISTER:

I think his position is that he is a contract officer at the moment. But I think it is by the Crown, I think it is by the Government, yes.

NO. 740 OF 2008

THE HON DR J J GARCIA

PARTYGAMING – REDUNDANCIES

Can Government confirm whether they have been officially notified that Partygaming has declared a state of collective redundancy and if so on what date was the Government notified and what is the total number of persons that they wish to make redundant?

ANSWER

THE HON THE CHIEF MINISTER

I confirm that Partygaming notified the Government a day or two before the public announcement of the possibility and, indeed, of their intention to declare a number of redundancies and to conduct the required process of consultation required by law, during which they would determine the exact number of the posts that might be affected. But I think we are talking about something in the order of just over one hundred posts in all that are under threat. Whether they will all materialise or not is not known.

SUPPLEMENTARY TO QUESTION NO. 740 OF 2008

HON DR J J GARCIA:

Have the Government been informed as to whether these posts are actually being abolished completely or they are being moved elsewhere in Europe or anywhere else?

HON CHIEF MINISTER:

I think the majority of them are moving, it is a consolidation. Partygaming already has activities which it carries out in several places and it is consolidating them in one place. This particular activity, I think, is being consolidated in Bulgaria and Romania or one of those new Eastern European Member States. That accounts for the bulk of them, not necessarily all of them. But certainly the bulk is in that category.

HON DR J J GARCIA:

Have they given a reason why the consolidation is taking place from Gibraltar to Bulgaria or Romania and not the other way round?

HON CHIEF MINISTER:

I can only suppose that it is the fact that labour costs in these countries is a fraction of the cost here, and it is no coincidence therefore, that the function involved is a call centre, call and customer services, which involves a large number of people. Let me say that, of course, Partygaming will still remain by some margin probably the largest employer in Gibraltar in the on-line gaming sector, and that the Government are confident that all the belonging people in that category, who want to continue working in that sector, will be able to find jobs in the two or three new licence applications that are on the point of being favourably considered.

NO. 741 OF 2008

THE HON J J BOSSANO

COPIES OF WRITTEN ANSWERS FOR ALL OPPOSITION MEMBERS

Can Government ensure that each member of the Opposition is provided with a copy of the information given in written form in reply to questions tabled for oral answer so that all members have the opportunity to ask supplementary questions on the information provided if they so wish?

ANSWER

THE HON THE CHIEF MINISTER

The Government will give consideration to this request. On the one hand, the Government has no objection to doing so for any reasons relating to the Government itself. On the other hand, the Government wish to consider the effect that this would have on the length of time that would be taken up on each question. For example, if the Clerk were expected to wait until each Member of the House had perused the written information, often a very voluminous amount of information provided, before moving on to the next question, then that would, I think, simply extend the period of time each question would take. Perhaps he and I could consult about this, or otherwise leave it to include in the reform proposals that, hopefully, the Select Committee will get stuck into this year. I would certainly have no difficulty in doing that immediately for written answers to questions, or otherwise, if it were indicated. Let us start by saying that most of the answers to which the question refers are really answers that in most other parliaments would be asked for written answer. The Government have no difficulty in sending him the answer with seven copies attached to be circulated from the written version. We do not have any problem with making those extra copies and having sort of the Usher circulating them from here. Those are not our concerns. The concern is that the degree of disruption that it might bring to what is already a very extended process of waiting to see whether any supplementaries arise from the very voluminous question, and that is something that I would like to have an opportunity to exchange views on. Perhaps before I give a commitment.

SUPPLEMENTARY TO QUESTION NO. 741 OF 2008

HON J J BOSSANO:

Well, given that the question is for oral answer and that all Members would be able to hear the answer, and that presumably all Government Ministers already have the answer, then it seems to me that it is only right that we should all have the answer rather than just the original question. Secondly, there is no reason why if everybody

gets the written answer at the same time, everybody should not take as long to read it as one person now does. It may be that some other Member wants to put a supplementary as a result that is not able to do so now. But that is precisely why I put the question because I think there should be a right to do that. I mean, Mr Speaker has never ruled that Members cannot put supplementaries in respect of a Member's answer originated by a different person. But even when Mr Speaker's predecessor did, he still allowed two questions to be put by every other Member if need be to the original question.

HON CHIEF MINISTER:

Yes, but that is not in the Government's mind the issue, the Government have no objection to the secretarial aspect of providing the information. Let me say that the fact that the question has been asked for oral answer does not make the case, that is precisely the problem. Take the question that was asked a moment ago by the Hon Dr J J Garcia about the number of instances broken down by year of all the instances in which the post box had been used. Well, there are seven or eight pages, it would have taken me well over half an hour to read the information and if I had, they would have had no chance whatsoever of absorbing it or of using it for any supplementary question. So the issue here is that we need to have, I think, a change which obviously is not going to come across now it is going to be part of the reform of Parliamentary processes. We need a change in relation to the sorts of questions that are and can be asked for oral answer. Some of the questions that are asked for oral answer cannot conceivably, sensibly be answered orally. I am willing to consider it on the basis of this exchange of views, if that is what he wants me to do, and I will let him know. But that is the Government's only concern, if it were not for that the answer would be yes.

HON J J BOSSANO:

Well, if the answer is not yes by the time of the next question, then presumably we can ask the Usher to make copies of the original one when he gets to this side of the House, because I do not see how we can be denied all having the copy of an answer where the answer to the question, it is true that there are some areas which create the necessity for providing long, detailed tables, but of course, there are also questions where we do not know we are going to get a long, detailed table until we get the answer because we do not know what the answer is. There are many occasions when there is not long, detailed tables and the Government choose to group 20 questions together and answer it on one piece of paper, as they are entitled to do. All I am saying is that everybody on the Opposition is entitled to information simultaneously as far as I am concerned, because that is what the oral answer is all about.

MR SPEAKER:

Can I help on this one? Again going back to Erskine May, it is part of my favourite bedtime reading as well as the Hon Mr Picardo's. This is at page 354, the Speaker has stressed that the length of both Ministerial replies and of supplementary questions should be curbed, that is a separate issue there, the Speaker suggested that the lengthy answers should be circulated with the official report instead of being given orally. So at Westminster that would go straight into Hansard as opposed to

being circulated within the House on the day in question in answer to the point the hon Member is making.

HON J J BOSSANO:

Yes, where the Parliament is meeting all the time, where questions are being put all the time and where Hansard is available within 24 hours.

MR SPEAKER:

Absolutely and the opportunity to ask questions arises.

HON CHIEF MINISTER:

On an experimental basis we will do that next time.

HON J J BOSSANO:

That is all I want.

HON CHIEF MINISTER:

My only concern is that we should not now have a situation which is not one that the Government think is particularly appropriate anyway, where there is a long pause before the Clerk feels he can move on. At the moment he sort of looks at the questioner and waits for an eye signal from the questioner. The Clerk cannot be in a position where he has to go round seeking eye contact with every Member before he can feel that he can move on. That is the only concern. On an experimental basis and subject to the opportunity, which I suppose I would have to justify, to withdraw the facility, we will do it that way next time.

NO. 742 OF 2008

THE HON J J BOSSANO

CASEMATES ARCADE – ACCESS

Can Government explain why there is a £25 fee for unlocking the padlock that gives access to the Casemates Arcade for businesses in the arcade on public holidays charged by LPS?

ANSWER

THE HON THE CHIEF MINISTER

The arcade's main entrance is locked on public holidays and weekends, I understand, no on public holidays, I beg your pardon. A fee of £25 is levied by LPS to cover the cost of the security guard attending to open and close the gate when requested.

SUPPLEMENTARY TO QUESTION NO. 742 OF 2008

HON J J BOSSANO:

But is it not the case that the people who have these businesses, in fact, are functioning on many occasions on these days and therefore they are there to service customers, why should they be deprived of that opportunity by having to pay?

HON CHIEF MINISTER:

Because those are the terms of their lease. The arcade is not public highway, it is a private, Government-owned but private as opposed to public highway, shopping mall and the rules are that it is closed at weekends. The gates, the bit going upstairs, it is not public highway, it is closed on certain days of the year and everybody has accepted that and that is the arrangement. If they do want access it is given but they have got to pay for the unlocking.

ORAL

NO. 743 OF 2008

THE HON J J BOSSANO

GIBRALTAR SERVICES POLICE

Has the Gibraltar Government sought an explanation from the MOD as to why they persist in giving the erroneous impression that the preferred option of the Gibraltar Government is the option the MOD is pursuing of reducing the level of direct employment in the GSP and transferring some jobs and responsibilities to the Government?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 744 of 2008.

NO. 744 OF 2008

THE HON J J BOSSANO

GIBRALTAR SERVICES POLICE

Can Government state what discussions have taken place with the MOD over the future strength or other aspect of the Gibraltar Services Police, on which dates and who has represented the Gibraltar Government in these discussions?

ANSWER

THE HON THE CHIEF MINISTER

I agree that the erroneous impression is being created that the preferred option of the Gibraltar Government is the option of reducing the level of direct employment in the GSP and transferring some jobs and responsibilities to the Government. However, the Government do not know that it is the MOD that is creating this false impression. Certainly the MOD deny it and, indeed, they have since denied it publicly. They had denied it privately to me before by, I understand, the CBF made some sort of statement in the last few days. In fact, the Government policy is the very opposite. No discussions have taken place as yet between the Government and the Ministry of Defence, about service transfers, policing service transfers that GOG may be willing to consider. Nor, indeed, about the future strength or other aspect of the GSP, which is specifically what the question refers to.

ORAL

NO. 745 OF 2008

THE HON J J BOSSANO

NEW AIR TERMINAL – CAPITAL TO MEET COST

Can Government state whether they have now decided how the capital to meet the cost of the air terminal contract and related works is to be raised?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 746 of 2008.

NO. 746 OF 2008

THE HON J J BOSSANO

NEW AIR TERMINAL – COST OF CONTRACT

Can Government state whether the cost of the contract for the airport terminal and related works is being met from the Improvement and Development Fund or from some other Government controlled fund or Government owned Company?

ANSWER

THE HON THE CHIEF MINISTER

The cost of the new airport terminal building and related capital investment will be met from the Improvement and Development Fund. Token provision under Head 103 – 6(g) was included in the Approved Estimates of this year. The contract sum for the terminal building, as the hon Members know, is just over 59 million euros.

The Improvement and Development Fund source of funds for the project will include borrowing and contributions from the Consolidated Fund reserves. The Government, however, has still not decided whether to have recourse instead to other possible sources of funding, such as PFI type arrangements. But it is certainly true, given that the construction is about to start physically, it will start as the first type. It will start as an Improvement and Development Fund project, which is not to say that at some stage it may not become a PFI project and the funding rebooked and resourced. But as we speak, given that the contract has been signed and that the contractor is mobilising any day now, it will be I&DF.

SUPPLEMENTARY TO QUESTION NOS. 745 AND 746 OF 2008

HON J J BOSSANO:

On the basis that it is an I&DF project using the token vote, which of course will not take him very far, is the Government covering itself for a change in fluctuation since the contract seems to be in euros and not in sterling?

HON CHIEF MINISTER:

The Government have entered, or are about to enter into two contracts in euros, this one and indeed the contract for the Government rental housing. The Government's view is that over a period of time, relevant to the construction of these projects, the euro will fall in value against the pound and has, therefore, chosen to enter into these

contracts in euros. But there has been some hedging contracts taken out. I do not believe, specifically, in relation to this contract but given that we will have exposure to euros in both contracts, then hedging has either already been done or is about to be done, it has been under discussion for the last two or three weeks, to create what is called a bottom in case the market moves the other way.

HON J J BOSSANO:

Would the hedging be with a local financial institution that would cover for possible changes in the currency from the Government's expectations?

HON CHIEF MINISTER:

I understand the hedging product is available from Barclays Bank and other leading banks. I did not understand the rest of the question.

HON J J BOSSANO:

It is available from branches in Gibraltar, is that correct?

HON CHIEF MINISTER:

It is available through the branches of Gibraltar, I suspect that detailed, expert products of this source are probably run centrally from some place other than Gibraltar. But it is through the Gibraltar office.

ORAL

NO. 747 OF 2008

THE HON J J BOSSANO

MOD LAND TRANSFER RELOCATION COSTS

Can Government now state what have been the total relocation costs to date arising out of the 2004 MOD Land Transfer?

ANSWER

THE HON THE CHIEF MINISTER

Yes, the total relocation costs arising from the 2004 Land Transfer so far is £2,869,798.43.

ORAL

NO. 748 OF 2008

THE HON J J BOSSANO

MOD LAND RELOCATION COSTS

Can Government now state what, if any, relocation costs, other than publicly funded costs, have been borne by private developers who have acquired MOD land for development purposes since 2004?

ANSWER

THE HON THE CHIEF MINISTER

All relocation costs have been publicly funded.

ORAL

NO. 749 OF 2008

THE HON J J BOSSANO

LAND AND PROPERTY SALES

Can Government state what property or land sales there have been in the current financial year resulting in receipts to the Improvement and Development Fund?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 750 of 2008.

ORAL

NO. 750 OF 2008

THE HON J J BOSSANO

LAND AND PROPERTY SALES

Can Government state what land or property sales there have been in the current financial year resulting in receipts to a Gibraltar Government company and if so to which company has the proceeds of such sales been credited?

ANSWER

THE HON THE CHIEF MINISTER

I will hand the information to the hon Member in the table that is now being handed to him.

ANSWER TO QUESTION 750

ANSWER TO QUESTION 749 OF 2008

**Breakdown of Receipts to the Improvement and Development Fund for the period
1st April 2008 to 31st August 2008**

Property	Cash Received
51C Europa Road	£2,000.00
2/4 North Pavilion Road, Lower Elms	£303,500.00
15 Rosia Steps	£34,000.00
4E Rulander House (Part Payment iro profit of GOG's share)	£150.00
51 Line Wall Road	£4,910.00
4C Rulander House	£13,524.58
16/20 Europa Road, Vista Alegre	£1,258,000.00
3 Johnstones Passage	£168,300.00
6 House Development, Opposite Both Worlds	£135,000.00
Blake House Additional Construction	£10,000.00
4/8 Centre Pavilion Road	£495,000.00
Strip of Land Leading to 33A Europa Road	£2,427,774.58

Contd.....

CONTD ANSWER TO QUESTION 750 OF 2008**Answer to Question 750****Breakdown of Receipts to Government Companies in respect of Land and Property
Sales for the Period 1st April 2008 to 31st August 2008**

Gibraltar Co-ownership Company Ltd	Cash Received
20% Sale of 21 Palm Tree Lodge	£29,902.30
Westside Two Co-Ownership Company Ltd	
50% Sale of 26 Melbourne Court & CPS No. 953	£38,042.88
40% Sale of 27 Halifax Court	£28,460.34
50% Sale of 19 Nassau Court	£37,741.60
	£114,244.82
Gibraltar Residential Property Investments Company Limited	
Sale of Flat No. 2 Electra Flats	£100,400.00
Sale of Flat No. 3 Electra Flats	£129,500.00
Sale of Flat No. 5 Electra Flats	£129,500.00
Sale of Flat 7, Store 1 & CPS No.2 Electra Flats	£129,500.00
90% Sale of Apartment 1 F Block, 2 Naval Hospital Hill	£257,175.00
90% Sale of Apartment 3 F Block, 2 Naval Hospital Hill	£258,750.00
90% Sale of Apartment 4 F Block, 2 Naval Hospital Hill	£258,750.00
10% Deposit iro 5 Castle Steps and 7/9 Richardsons Passage	\$1,000.00
Deposit fee iro Flat 4 Sandpits	£500.00
Deposit fee iro Flat 5 Sandpits	£13,500.00
Deposit fee iro Flat 6 Sandpits	£500.00
Deposit fee iro Flat 8 Sandpits	£13,500.00
Deposit fee iro Flat 9 Sandpits	£13,500.00
Deposit fee iro Flat 10 Sandpits	£13,500.00
Deposit fee iro Flat 11 Sandpits	£500.00
Deposit fee iro Flat 12 Sandpits	£500.00
50% Sale of 1/3 Daninos Ramp	£18,800.00
Sale of 1/4 Daninos Ramp	£21,800.00
40% Sale of 1:05:04 Oleander Court SWJG	£38,185.67
50% Sale of 2:00:19 Rosemary Court, SWJG	£44,582.67
Sale of Previous Option C Flat 5:03:02 Apricot Court, SWJG	£22,527.33
	£1,466,470.67

ORAL

NO. 751 OF 2008

THE HON J J BOSSANO

CORPORATION TAX – AMOUNTS COLLECTED

What was the amount of Company Tax collected in each month since February 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 752 of 2008.

ORAL

NO. 752 OF 2008

THE HON J J BOSSANO

PAYE – AMOUNTS COLLECTED

How much was collected in PAYE each month since February 2008?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a schedule containing the information requested.

ANSWER TO QUESTION 752 OF 2008

Answer to Question 751 of 2008

The Corporation Tax collected (net of refunds) in the months of March 2008 to August 2008 is:

	£M
March 2008	0.85
April 2008	1.70
May 2008	0.18
June 2008	0.73
July 2008	0.45
August 2008	0.58

Answer to Question 752 of 2008

The PAYE Tax collected (net of refunds) in the months of March 2008 to August 2008 is:

	£M
March 2008	9.31
April 2008	6.73
May 2008	7.57
June 2008	7.64
July 2008	8.46
August 2008	7.23

ORAL

NO. 753 OF 2008

THE HON J J BOSSANO

CORPORATION TAX

As at the end of August 2008, how many companies, in each tax year 1995/1996 to 2007/2008 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 now hand the hon Member a table containing the information requested.

ANSWER TO QUESTION 753 OF 2008

	1995/96	1996/97	1997/98	1998/99	1999/00	2000/01	2001/02
	£M	£M	£M	£M	£M	£M	£M
Assessed	15.8	15.7	20.1	26.1	90.4	29.1	31.7
Discharged	5.8	5.2	9.5	11.5	76.6	15.9	16.9
	10.0	10.5	10.6	14.6	13.8	13.2	14.8
Paid	9.6	10.4	10.5	14.5	13.6	13.2	14.3
Outstanding	0.4	0.1	0.1	0.1	0.2	0.0	0.5
No. of companies	1446	1419	1468	1463	1550	1591	1554

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	£M	£M	£M	£M	£M	£M
Assessed	36.8	41.7	35.9	47.3	51.1	41.5
Discharged	20.2	18.8	13.2	22.2	25.9	16.2
	16.6	22.9	22.7	25.1	25.2	25.3
Paid	15.6	22.0	20.4	22.3	22.9	21.1
Outstanding	1.0	0.9	2.3	2.8	2.3	4.2
No. of companies	1546	1607	1613	1538	1450	1181

ORAL

NO. 754 OF 2008

THE HON J J BOSSANO

CORPORATION TAX – ASSESSMENTS ON DECLARED TAXABLE PROFITS

As at the end of August 2008, 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 2007/08, and what was the tax assessed and paid in each category and year?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 755 of 2008.

ORAL

NO. 755 OF 2008

THE HON J J BOSSANO

CORPORATION TAX – ASSESSMENTS WITHOUT A RETURN OF TAXABLE PROFITS

As at the end of August 2008, how many companies had been assessed by the Commissioner of Income Tax without having made a return of taxable profit:

- (a) above £35,000; and
- (b) below £35,000,

for each of the tax years 1998/1999 to 2007/2008, and what was the tax assessed and paid in each case for each category and each year?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a schedule containing the information requested.

ANSWER TO QUESTION 755

Answer to Question 754 of 2008

COMPANIES ASSESSED HAVING MADE A RETURN OF TAXABLE PROFITS

Year of assessment	1998/99	1999/00	2000/01	2001/02	2002/03
	£	£	£	£	£
Under £35,000					
No. of companies assessed	231	317	382	444	448
Total assessed (i.e. total tax payable)	0.5M	0.6M	0.9M	1.1M	1.1M
Total paid	0.5M	0.6M	0.9M	1.1M	1.0M
Over £35,000					
No. of companies assessed	78	102	135	153	157
Total assessed (i.e. total tax payable)	6.3M	9.7M	12.0M	13.5M	15.2M
Total paid	6.3M	9.7M	12.0M	13.4M	15.2M
Year of assessment	2003/04	2004/05	2005/06	2006/07	2007/08
	£	£	£	£	£
Under £35,000					
No. of companies assessed	468	443	465	399	258
Total assessed (i.e. total tax payable)	1.1M	1.1M	1.0M	0.7M	0.6M
Total paid	1.1M	1.1M	1.0M	0.7M	0.6M
Over £35,000					
No. of companies assessed	169	169	146	134	114
Total assessed (i.e. total tax payable)	21.9M	22.1M	22.3M	20.7M	19.7M
Total paid	21.9M	21.1M	20.9M	20.1M	18.4M

Contd.....

CONTD ANSWER TO QUESTION 755**Answer to Question 755 of 2008****COMPANIES ASSESSED WITHOUT HAVING MADE A RETURN OF TAXABLE PROFITS**

Year of assessment	1998/99	1999/00	2000/01	2001/02	2002/03
	£	£	£	£	£
Under £35,000					
No. of companies assessed	714	517	222	224	239
Total assessed (i.e. total tax payable)	1.4M	0.9M	0.4M	0.5M	0.6M
Total paid	1.3M	0.7M	0.2M	0.2M	0.2M
Over £35,000					
No. of companies assessed	42	34	8	11	27
Total assessed (i.e. total tax payable)	2.7M	2.5M	0.2M	0.3M	0.9M
Total paid	2.7M	2.5M	0.1M	0.1M	0.4M
Year of assessment	2003/04	2004/05	2005/06	2006/07	2007/08
	£	£	£	£	£
Under £35,000					
No. of companies assessed	259	321	408	526	632
Total assessed (i.e. total tax payable)	0.6M	0.9M	1.0M	1.3M	1.3M
Total paid	0.2M	0.3M	0.2M	0.3M	0.1M
Over £35,000					
No. of companies assessed	20	21	46	73	98
Total assessed (i.e. total tax payable)	0.7M	0.8M	1.0M	2.1M	3.5M
Total paid	0.4M	0.3M	0.4M	1.1M	1.8M

ORAL

NO. 756 OF 2008

THE HON J J BOSSANO

PAYE – OUTSTANDING ANNUAL RETURN OF DEDUCTIONS

Can Government state, as at the end of August 2008, how many employers had failed to submit an annual return of PAYE deductions for employees for the tax year 2004/2005?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with question Nos. 757 and 758 of 2008.

ORAL

NO. 757 OF 2008

THE HON J J BOSSANO

PAYE – OUTSTANDING ANNUAL RETURN OF DEDUCTIONS

Can Government state, as at the end of August 2008, how many employers had failed to submit an annual return of PAYE deductions for employees for the tax year 2005/2006?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 756 and 758 of 2008.

ORAL

NO. 758 OF 2008

THE HON J J BOSSANO

PAYE – OUTSTANDING ANNUAL RETURN OF DEDUCTIONS

Can Government state, as at the end of August 2008, how many employers had failed to submit an annual return of PAYE deductions for employees for the tax year 2006/2007?

ANSWER

THE HON THE CHIEF MINISTER

The information is being given to him but it is short enough for me to read, but he has it there in front of him.

As at 8th September 2008, 77 employers had not yet returned their 2004/2005 Employers' Declaration and PAYE Certificates; 125 employers had not yet returned their 2005/2006 Employers' Declaration and PAYE Certificates; and 203 had not yet done so in respect of their 2006/2007 Declaration and Certificates.

NO. 759 OF 2008

THE HON J J BOSSANO

SOCIAL INSURANCE FUND – ACTUARIAL REPORT

Can Government now say when it will be in a position to provide the Actuarial Report on the Social Insurance Fund of 30 March 2007?

ANSWER

THE HON THE CHIEF MINISTER

No, I am afraid that despite the time that has elapsed since this matter, the Government are not yet in a position to do so. The Government are still studying the report in connection with a comprehensive review of social insurance benefits and related funding arrangements. Indeed, a further actuarial assessment may be required in order to update the report, in order to take account of the changes to the scheme that have taken place since April 2007. The Actuarial Reports and assessments, the Government still believe it would like not to produce until it has got a position. The fear is that if we put it in the public domain, we shall be fighting political debates at a time that we are not really in a position. I would not mind giving it to the hon Member confidentially, in the sense that he understands that until the Government has completed the review he would not be at liberty to sort of challenge the Government or hold the Government to account. If he has some sort of technical interest in it, I obviously have no difficulty that he should have it, but that it should not be treated by him as being in the public domain for the purposes of referring to its content. If he is happy with that he can have it now.

SUPPLEMENTARY TO QUESTION NO. 759 OF 2008

HON J J BOSSANO:

In fact, it was on that basis, I think, that he promised to give it to me the last time. I am happy to have it now. Really, this is a historical document because I think he answered in one of his original questions some time ago, that it was done when the scheme was still frozen. So really, it is just to get a technical picture of the state of play before the changes.

HON CHIEF MINISTER:

Do I take that to mean that he accepts the stricture?

HON J J BOSSANO:

Yes.

ORAL

NO. 760 OF 2008

THE HON J J BOSSANO

WATERPORT DEVELOPMENT – PAYMENTS TO CONTRACTORS

Can Government state what further payments have been made to the contractors or other parties in respect of the Waterport Development since the answer to Question No. 340 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 761 of 2008.

ORAL

NO. 761 OF 2008

THE HON J J BOSSANO

WATERPORT DEVELOPMENT – PAYMENTS BY ENTITIES

Can Government state by which entity payments in respect of the Waterport Development have been made in the financial year 2007/2008 and in the current financial year and in respect of the latter the total amount paid since 1st April 2008?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a schedule which contains the statistical information, but I do not see that it sets out by which entity. I am almost certain that it is between them, GRP and Gibraltar Investment Holdings. But if he particularly wants to know I will have that provided to him. I am sorry, the schedule does not identify the entity.

ANSWER TO QUESTION 761**Answer to Question 760**

<u>Date Paid</u>	<u>Contractors</u>	<u>Quantity Surveyors</u>	<u>Engineers</u>	<u>Total</u>
30/04/2008	1,598,636.35	-	-	£1,598,636.35
09/05/2008	-	3,786.95	-	£3,786.95
30/05/2008	1,510,940.88	-	-	£1,510,940.88
30/06/2008	2,641,760.85	-	-	£2,641,760.85
30/07/2008	1,230,071.69	-	-	£1,230,071.69
06/08/2008	-	-	5,086.42	£5,086.42
06/08/2008	-	-	5,086.42	£5,086.42
06/08/2008	-	-	5,086.42	£5,086.42
06/08/2008	-	-	5,086.42	£5,086.42
06/08/2008	-	-	5,086.42	£5,086.42
31/08/2008	1,502,458.72	-	-	£1,502,458.72
	8,483,868.49	3,786.95	25,432.10	£8,513,087.54

Answer to Question 761

<u>Date Paid</u>	<u>Contractors</u>	<u>Quantity Surveyors</u>	<u>Engineers</u>	<u>Total</u>
02/04/2008	-	3,786.95	-	£3,786.95
30/04/2008	1,598,636.35	-	-	£1,598,636.35
09/05/2008	-	3,786.95	-	£3,786.95
30/05/2008	1,510,940.88	-	-	£1,510,940.88
30/06/2008	2,641,760.85	-	-	£2,641,760.85
30/07/2008	1,230,071.69	-	-	£1,230,071.69
06/08/2008	-	-	5,086.42	£5,086.42
06/08/2008	-	-	5,086.42	£5,086.42
06/08/2008	-	-	5,086.42	£5,086.42
06/08/2006	-	-	5,086.42	£5,086.42
06/08/2008	-	-	5,086.42	£5,086.42
31/08/2008	1,502,458.72	-	-	£1,502,458.72
	£8,483,868.49	£7,573.90	£25,432.10	£8,516,874.49

SUPPLEMENTARY TO QUESTION NOS. 760 AND 761 OF 2008

HON J J BOSSANO:

It is just that given the fact that at the end of the last financial year there was only £1 million left as the cash balances of all the companies, it seemed to me that there must have been some changes taking place as to who was paying. Originally I think it must have started in one company, maybe it has changed since, but I am asking for the information against the background of being given information as to the amount of cash that there was in different companies.

ORAL

NO. 762 OF 2008

THE HON J J BOSSANO

REVOLVING LOAN FACILITIES

Can Government state what has been the amount of outstanding Government debt in respect of the revolving loans from local banks in each month since the answer to Question No. 361 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

It was £10 million, split equally £5 million each in July. In August it went up to £17 million, still split equally between the two.

ORAL

NO. 763 OF 2008

THE HON J J BOSSANO

GIBRALTAR SAVINGS BANK – INVESTMENTS

Can Government state what changes have taken place in the investments held by the Gibraltar Savings Bank since the coming into effect of the Gibraltar Savings Bank (Amendment) Act 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 764 and 765 of 2008.

ORAL

NO. 764 OF 2008

THE HON J J BOSSANO

GIBRALTAR SAVINGS BANK – DEPOSITS

Can Government say whether the final figure for Government deposits in the investment accounts with the Gibraltar Savings Bank in 2007/2008 was £70 million as forecast?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 763 and 765 of 2008.

NO. 765 OF 2008

THE HON J J BOSSANO

GIBRALTAR SAVINGS BANK – BONDS/DEBENTURES

Can Government state whether the Gibraltar Savings Bank continues to issue bonds or debentures to the public and if so what are the terms?

ANSWER

THE HON THE CHIEF MINISTER

Since the coming into effect of the Gibraltar Savings Bank (Amendment) Act 2008, investments have been restricted to cash or near cash deposits in order to protect their capital value in accordance with the amendments to the said Act. The current asset allocation is as follows:-

Cash/Call Deposits	-	23.5 per cent
Certificates of Deposit	-	39 per cent
Floating Rate Notes	-	37.5 per cent

Government deposits in the investment accounts with the Gibraltar Savings Bank stood at £66.3 million as at 31st March 2008.

The Gibraltar Savings Bank debentures currently available to the public are Pensioners' Monthly Income Debentures and Monthly Income Debentures.

The Pensioners' Debenture currently pays interest at par with the Bank of England's Repo Rate, presently 5.0 per cent per annum. The interest rate for the Monthly Income Debenture is current 4.5 per cent per annum, that is, 50 basis points below the Bank of England's Repo Rate, which presently stands at 5 per cent.

SUPPLEMENTARY TO QUESTION NOS. 763 TO 765 OF 2008

HON J J BOSSANO:

The Government then is planning to continue to make further issues of these debentures available to the public, is that the case?

HON CHIEF MINISTER:

Yes, the Government have no intention of varying. At some point in time, the Government may decide to restore the practice of issuing Government debentures

now that there is headroom in the public borrowing statutory ceiling. But that decision has not been addressed or taken and for the moment, I think it is open for business, there is no closing of them.

HON J J BOSSANO:

I thought the Government had given an indication previously that they were planning to resume issuing Government debentures as opposed to Post Office debentures the last time that I raised it, that is why I am asking the question. But it has not happened yet?

HON CHIEF MINISTER:

Indeed, in these times of credit crunch, although it has not yet affected the Government, it may be a very welcome source of public debt financing. But as I say, that is certainly a distinct possibility but at the moment it is not being actively considered as we speak.

ORAL

NO. 766 OF 2008

THE HON J J BOSSANO

SALES OF GOVERNMENT BONDS/DEBENTURES

Can Government state what sales of Government bonds or debentures to the public have taken place in the current financial year and give a breakdown by month to the 31st August?

ANSWER

THE HON THE CHIEF MINISTER

None.

NO. 767 OF 2008

THE HON J J BOSSANO

GIBRALTAR COINAGE IN CIRCULATION

Can Government state as at 31st March 2008 what was the total value of the Gibraltar coinage put into circulation net of coins withdrawn from circulation since the coinage fund was set up?

ANSWER

THE HON THE CHIEF MINISTER

The Treasury estimates that the circulation figure of Gibraltar coinage is currently around £3 million to £4 million.

The Gibraltar Coinage Fund was dissolved on 1st April 1997. Since then all net proceeds from the issue of circulating coinage, that is to say, issues less redemptions, are credited directly to the Consolidated Fund. The total credited to revenue during the period 1st April 1997 to 31st March 2008, was £4.6 million.

However, the total proceeds from coin issues is not representative of the Gibraltar coinage actually in circulation, as a good proportion of these coins are withdrawn from local circulation by visiting tourists, coin collectors and others.

SUPPLEMENTARY TO QUESTION NO. 767 OF 2008

HON J J BOSSANO:

I am not sure what the answer to the original question is, having heard all that. Is he saying then that the number of coins that have actually been put into circulation since the coinage started is £4.6 million plus the £3 million to £4 million that he mentioned in the first part of the answer? Or is it that the profit that has been made is £4.6 million?

HON CHIEF MINISTER:

No, the £4.6 million is the net amount of coinage put into circulation since the Coinage Fund was dissolved on 1st April 1997. In other words, that has been credited to the Consolidated Fund. By xxxxxx that is the total aggregate amount of coins put in circulation minus coins reduced during that period from 1st April 1997. The £3 million to £4 million that are in circulation as an estimate, is that part of the

net £4.6 million which is estimated as not being taken away, and is therefore in circulation. The answer does not purport to give any information about since the Coinage Fund was set up, which was many years ago and since which accounts have been published for coinage.

ORAL

NO. 768 OF 2008

THE HON J J BOSSANO

STAMP DUTY

Can Government state how much has been collected as Stamp Duty in each month since the answer to Question No. 368 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 769 to 771 of 2008.

ORAL

NO. 769 OF 2008

THE HON J J BOSSANO

STAMP DUTY

Can Government state what has been the amount collected in each month since the answer to Question No. 369 of 2008 from the £10 Stamp Duty on share issues?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 768, 770 and 771 of 2008.

ORAL

NO. 770 OF 2008

THE HON J J BOSSANO

STAMP DUTY

Can Government now state what has been the revenue yield per month of the 1.6 per cent Stamp Duty on property sales since the answer to Question No. 370 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 768, 769 and 771 of 2008.

ORAL

NO. 771 OF 2008

THE HON J J BOSSANO

STAMP DUTY

Can Government now state how many properties have been approved as qualifying for Zero Stamp Duty on their sale in each month since the answer to Question No. 371 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member the information requested in written form.

ANSWER TO QUESTION 771/2008

Answer to Question 768/2008

Stamp Duty collected in each month since March 2008 is as follows:

March 2008	£340,069.15
April 2008	£451,869.94
May 2008	£290,545.74
June 2008	£314,740.75
July 2008	£325,668.64
August 2008	£390,539.46

Answer to Question 769/2008

The amount collected from the £10 Stamp Duty on share issues in each month since March 2008 is as follows:

March 2008	£1,640.00
April 2008	£2,280.00
May 2008	£1,730.00
June 2008	£2,060.00
July 2008	£1,400.00
August 2008	£1,360.00

Answer to Question 770/2008

The revenue yield in respect of the 1.6 per cent duty in each month since March 2008 is as follows:

March 2008	£70,680.00
April 2008	£39,712.00
May 2008	£34,228.80
June 2008	£20,120.00
July 2008	£41,907.20
August 2008	£14,087.20

Answer to Question 771/2008

The number of properties which have qualified for Zero Stamp Duty on sale since March 2008 is as follows:

March 2008	20
April 2008	10
May 2008	14
June 2008	29
July 2008	10
August 2008	24

ORAL

NO. 772 OF 2008

THE HON J J BOSSANO

VACANT POSTS IN GOVERNMENT DEPARTMENTS

Can Government state whether any further vacant posts in Government departments have been filled since the answer to Question No.372 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 773 of 2008.

ORAL

NO. 773 OF 2008

THE HON J J BOSSANO

VACANT POSTS IN GOVERNMENT DEPARTMENTS

Can Government state whether any additional posts in Government departments have become vacant since the answer to Question No.373 of 2008, and if so, show the grade and department?

ANSWER

THE HON THE CHIEF MINISTER

The information the hon Member requests is set out in the two schedules that are now being handed to him.

ANSWER TO QUESTION P773

Answer to question 772

The posts filled are as follows:-

<u>DEPARTMENT</u>	<u>GRADE</u>	<u>NO. OF POSTS FILLED</u>
Attorney General	Clerk/Word Processor	1
Audit	Audit Clerk	1
Buildings and Works	PTO (Complaints and Customer Support Manager)	1
Civil Status and Registration Office	Administrative Officer	1
Customs	Assistant Officer	1
Department of Social Security	Personal Secretary	1
Department of Enterprise, Development & Transport	Personal Secretary	1
Education	Headteacher	1
	Deputy Headteacher	1
	Teacher	9
	Cleaner	1
Fire Brigade	Sub-Officer	1
	Firefighter	2
	Clerk/Word Processor	1
Gibraltar Health Authority	Administrative Officer	2
	Clerk/Word Processor	2
	Messenger	1
	Labourer	2
Housing	HPTO (Building Surveyor)	1
Income Tax	Administrative Officer	1
	Clerk/Word Processor	1
Gibraltar Port Authority	Chief Executive/Captain of the Port	1
	Port Operations Room Operative	2

Contd.....

CONTD ANSWER TO QUESTION 773

Answer to Question 772

<u>DEPARTMENT</u>	<u>GRADE</u>	<u>NO. OF POSTS FILLED</u>
Legislation Support Unit	Law Drafter	2
	Clerk/Word Processor	1
Maritime Administration	Marine Surveyor	1
No.6 Convent Place	Executive Officer	1
	Clerk/Word Processor	1
Police	Administrative Officer	1
Procurement	Executive Officer	1
Statistics	Statistics Officer Level 1	1
Supreme Court	Clerk/Word Processor	1
Technical Services Department	SPTO (Quantity Surveyor)	1
	HPTO (Infrastructure Engineer)	1
	TG1 (Trench Inspector)	1
	Drains Operative	1
	Sewer Operative	1
	Labourer	4
Treasury	Administrative Officer	1
	Clerk/Word Processor	1

Contd.....

CONTD ANSWER TO QUESTION 773

Answer to question 773

<u>DEPARTMENT</u>	<u>GRADE</u>	<u>NO. OF POSTS FILLED</u>
Audit	Audit Clerk	1
Buildings and Works	Chief Executive	1
	Works Supervisor	2
	Labourer	1
	MT Driver	1
Customs	Executive Officer	1
Environment	Senior Environment Officer (SPTO)	1
	Energy and Conservation Officer (HPTO)	1
Fire Brigade	Chief Fire Officer	1
	Sub Officer	1
	Firefighter	1
	Fire Control Operator	1
Housing	PTO (Clerk of Works)	1
Legislation Support Unit	Senior Officer	1
No.6 Convent Place	Higher Executive Officer	1
	Messenger/Driver	1
Police	Sergeant	2
Procurement	Higher Executive officer	1
Treasury	Administrative Officer	2
Technical Services Dept	PTO (Engineering Assistant – Sewers)	1
	HPTO Quantity Surveyor (Contracts Manager)	1

ORAL

NO. 774 OF 2008

THE HON J J BOSSANO

CIVIL SERVICE PENSIONS – BROKEN SERVICE

Can Government state, since the provision for counting previous broken service in the calculation of civil service pensions, what has been the effect for existing pensioners of the retrospective calculations since their date of retirement and the amounts due and number of pensioners affected?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 775 of 2008.

NO. 775 OF 2008

THE HON J J BOSSANO

CIVIL SERVICE PENSIONS – BROKEN SERVICE

Can Government state, since the provisions were introduced to enable civil servants' pensions to be recalculated on the basis of removing the broken service provisions, how many (a) existing pensioners; and (b) current civil servants have become eligible to obtain pension increases in respect of previous broken service?

ANSWER

THE HON THE CHIEF MINISTER

There are 192 existing pensioners who are eligible for an up-rated pension. Around 50 per cent of the computations have already been processed by the Treasury at this stage. The estimated overall effect of these 192, is an estimated £0.5 million a year, although only 50 have been individually computed the rest is just presumably a straight line projection. A total of 192 existing pensioners and a further 17 civil servants, who have retired since the legislation was introduced, have become eligible for pension increases for previous broken service. The Pension (Amendment) (No. 2) Regulation 2007 came into operation on 1st July 2007. There are a further 77 civil servants, currently in employment, who have previous broken service. They will eventually become eligible for an increased pension for previous broken service as and when they retire as eligible pensioners.

SUPPLEMENTARY TO QUESTION NOS. 774 AND 775 OF 2008

HON J J BOSSANO:

The £0.5 million estimate takes account of the retrospective element for the 192 that are already pensioners?

HON CHIEF MINISTER:

The retrospective element to the 1st July 2007 which is as far as the retrospection goes. In other words, there is no historical retrospection.

HON G H LICUDI:

Of the 192 mentioned by the Chief Minister, are these all existing pensioners who have approached the Government and applied for up-rated pensions, or is it an

exercise being carried out by the Government itself to identify who has broken service and contact those people who may be entitled to up-rated pensions?

HON CHIEF MINISTER:

I do not know. I cannot imagine that too many eligible pensioners have not applied, but it is possible, I do not know if the Treasury have done an internal, spontaneous so to speak exercise or whether it has waited for applications. I guess they, actually, probably had their own exercise but it is pure guess, I do not know.

HON G H LICUDI:

Could I ask the Chief Minister to make enquiries? It is possible there may be some elderly pensioners who may not have done this, either for an oversight or for whatever reason and it would be useful if the Government could identify that, if it is possible.

HON CHIEF MINISTER:

I would like the hon Member to write to me since it arises from a supplementary and not from a deficiency in the answer as originally given.

NO. 776 OF 2008

THE HON J J BOSSANO

FINAL SALARY CIVIL SERVICE PENSION SCHEME

Can Government state what is the estimated value of the final salaries civil service pension scheme as a percentage of salary calculated on the basis of a non-contributory funded scheme and on the same basis what would be the comparable ratio in the case of police officers and fire fighters whose compulsory retirement age is younger?

ANSWER

THE HON THE CHIEF MINISTER

No, as the hon Member knows the civil service pension scheme is neither contributory nor separately funded. Pensions and gratuities to retiring civil servants are paid directly from the Consolidated Fund on a pay-as-you-go basis. There is no actuarially assessed pension fund value or contribution level.

SUPPLEMENTARY TO QUESTION NO. 776 OF 2008

HON J J BOSSANO:

Yes, I know all that, this is why I am asking for an estimate of the value so that I can compare it with, for example, the answer to the next question dealing with the ones that apply in the Agencies and the other ones where people make a contribution. The Government charges an amount when they charge fees for work done by civil servants, which is supposed to be an estimate of what the cost of the pensions are. The Government, for example, has a footnote in respect of the Electricity Authority, which makes clear that the pensions of people in the Electricity Authority who are xxxxx civil service pensions is not reflected in those accounts. So that is the kind of estimate I am asking.

HON CHIEF MINISTER:

No, the Government do not have quite that, the Government have something which is what the hon Member may be alluding to although not specifically describing. When there is a non-pensionable officer on contract terms, therefore, not permanent and pensionable, the Government pays a terminal gratuity of 25 per cent in lieu of pension. So I suppose if he wanted to, he could say, ah that suggests that the Government thinks that 25 per cent is the value, so to speak, of having or not having a pension. That is the only thing that I can think of that the hon Member may be

referring to, and it is a figure that is widely bandied about as being the sort of contribution that an employer that is trying to fund a final salary scheme, it is said, almost on the informal sort of grapevine, that it should be somewhere of the order of 25 per cent. But of course it depends on a lot, it depends on the age profile of a workforce, it depends on the other terms and conditions of the pension scheme.

HON J J BOSSANO:

But when the Government charges for services by public officers, by civil servants, does it not charge an hourly rate to which a percentage amount is added to cover for their entitlement to a pension?

HON CHIEF MINISTER:

I do not know whether it does or it does not but if it did, I am sure they use the 25 per cent measure for that, if they do do that. I do not know if the Government does add pension cost to the payroll cost when trying to get back on a full recovery cost basis, the services of permanent and pensionable officers, I do not know whether it does or it does not. But if it did do it I have no doubt they would use the 25 per cent measure, because this is the nearest figure that exists within the Government.

HON J J BOSSANO:

To my knowledge it does so, if it does, that would be presumably the value that they estimate the final salaries as in terms of charging customers for services provided by people who are entitled to final salary pensions.

HON CHIEF MINISTER:

The value of the pension to the pensioner is what it is, it is worth different amounts to different individuals, as the hon Member knows it is calculated with part of it payable commutable. That is what it is worth to the pensioner, to the employee. What the value of it is to the Government is academic because it is not a funded obligation. If the Government did have a fund to finance its occupational pension scheme, it would then, I suppose, have as others, for example, as the Gibraltar Chronicle does, an actuarial report and assessment of how much the employer's contribution and how much the employee's contribution would have to be to the fund, so that the fund were fully funded given the pension entitlements and the age profiles and the level of earnings et cetera of the employees. But, of course, the Government do not bother to do that because in any case it comes out of budgetary expenses. So I do not think the Government have ever attempted to do a calculation of cost or value in that sense. Perhaps it should.

HON J J BOSSANO:

Well, can the Government establish whether in fact when the services of public officers are charged to private entities, the full charge cost includes a percentage addition for the pension and, if so, what that percentage addition is?

HON CHIEF MINISTER:

Yes.

NO. 777 OF 2008

THE HON J J BOSSANO

FINAL SALARY CIVIL SERVICE PENSION SCHEME

Can Government confirm that its policy is to discontinue the final salary civil service pension scheme for new entrants into the civil service and replace this with the provident fund arrangements currently applicable in Government agencies?

ANSWER

THE HON THE CHIEF MINISTER

The Government has no such current policy. But this is one of the issues that will be discussed between Government and civil service unions, amongst other strategic reform issues.

SUPPLEMENTARY TO QUESTION NO. 777 OF 2008

HON J J BOSSANO:

Well, but surely, if it is going to be discussed with the unions I do not imagine that it is a union initiative to put this proposal to the Government, so is it that it is something that the Government are going to propose to the union because it is something they would like to see introduced?

HON CHIEF MINISTER:

The Government have no policy but the Government wish to discuss the matter with the unions and the Government will arrive at a policy decision after the discussion. That is the whole purpose of consultation.

HON J J BOSSANO:

Well, but what they wish to discuss with the union is the possibility of discontinuing the civil service pension, is that correct or not?

HON CHIEF MINISTER:

Well, for new entrants, of course not for existing pensioners.

HON J J BOSSANO:

Not for existing pensioners, for new entrants as the question says.

HON CHIEF MINISTER:

Yes, what is on the agenda for discussion is in relation to new entrants not existing pensioners or employees.

HON J J BOSSANO:

Right and the question in fact is about new entrants unless I made a mistake in drafting it.

HON CHIEF MINISTER:

It is the policy of the Government that it wants to discuss it, not that it wants to do it. It may become the policy of the Government that it wants to do it.

HON J J BOSSANO:

If the unions agree.

HON CHIEF MINISTER:

Not necessarily if the unions agree but the Government will decide whether it wants to do it when it has seen what the stakeholders' opinions are. That is what consultation is about.

HON J J BOSSANO:

In arriving at finding out what the stakeholders' opinions are and indeed then making up its mind what it wants to do, is the Government not going to do an exercise which establishes what is the value of the present arrangements, which was the previous question, to compare it with the value or the cost, whichever way one wants to look at it, value to the recipient, cost to the payer, which is the Government of the alternative arrangements. Surely, in evaluating that to arrive at a policy decision there ought to be two figures to consider?

HON CHIEF MINISTER:

No, not necessarily, because the new arrangements are not an attempt to replicate either the cost or the value of the old arrangements. This would be a new scheme and there is no need, therefore, to have the value cost analysis of the original scheme to decide whether to set up a new scheme. The principle and reason for doing this, is actually a disadvantage to the Government. The principal reason for the Government being interested in this area is that we draw a line in respect of unfunded occupational pensions liability for the Government, civil service pensions,

when the last of the pensioners and employees dies off, that will be the end of the unfunded, it will take a long time to happen, and in the meantime we start creating a funded pension scheme for new entrants. But, of course, that is a huge disadvantage to the incumbent Government because it means that we have to use current revenue for paying contributions into a pension scheme, and therefore it would not be available for us for other recurrent expenditure. So if it happens it is an act of responsibility, in the sense that rather than taking the view, never mind that it is unfunded because it is some future generation's responsibility, it is an attempt to say, how can we pass from an unfunded pension scheme, which is growing in cost quite a lot each year, to a funded pension scheme so that each year the Government is actually making a provision for future pensions liability. Now that transition necessarily has to take place over a long period of time, and that is the principal motivator for the Government in doing this.

HON J J BOSSANO:

So the principal motivation is not to reduce the cost and make the pension provisions less generous than the ones that are in place, that is not the principal.....?

HON CHIEF MINISTER:

Different people have different views. There are some people who think that the Government's present pension scheme, particularly since the hon Member discontinued the widows and orphans aspect of it, there are many people who think that the current pension scheme in the Government, whilst quite generous to a retired officer whilst he lives, is actually quite ungenerous to the dependants of an employee or a pensioner who dies. There are many people who think that the provident scheme creates more security for their family because there is actually a capital sum of money being built up with one's name and address on it. If one dies whether before or after retirement, that lump sum is family assets. So there is £150,000, £160,000, £200,000, whatever it is, that has accumulated. That is one's money and it does not matter if one dies before whilst in service, or one dies the day after one retires, there is an asset there for one's family. There are many people who find that proposition much more attractive and generous than the final salary scheme which is very generous whilst one is alive but actually makes very little provision, I think the widow gets the gratuity if one dies but very little provision for sustained maintenance of dependants.

HON J J BOSSANO:

Well, can I just say for the record, although I have said it before, and I have said it publicly and it has been accepted by the Pensioners Association publicly, that all the people that opted out of the Widows and Orphans Pension Scheme did so voluntarily, and indeed, as the Chief Minister knows, there are some people who did not and continue to be entitled to it. Therefore, the people who took their money, took their money on the basis that it was better to have the money in their pocket than the protection for afterwards. It was a choice that was given to them because they asked for it. But the point that I am making, I certainly know of no one in the United Kingdom, where this has been going on for some time, that has not considered the funded scheme inferior to the final salary. Therefore, if what the concern of the Government is to have a funded scheme, there is nothing to prevent, as he himself has acknowledged, in the case of a Gibraltar Chronicle pension fund, a

funded final salary scheme. So if it is not that he wants to bring to an end final salary schemes then there is nothing, surely, to prevent the Government from funding a final salary scheme, if that is what they want.

HON CHIEF MINISTER:

I have not said that it is not one of the Government's objectives to end the final salary scheme. Nor has anybody suggested that anybody was forced to give up the old Widows and Orphans Pension Scheme. What the hon Member has said publicly, which has been contradicted to me privately, is the suggestion which he has made publicly that somehow the unions came asking for this. Well, I know that the hon Member has said publicly that the unions asked him for this. A different version of events has been put to me privately and it is neither here nor there. The Government want to make the civil service pension scheme less of a burden to future generations of taxpayers, without affecting the accrued rights of any existing employee. That is something that governments and private sector employers all over the world are doing, and I do not suppose that the hon Member thinks Gibraltar has some divine protection from all the factors that are leading almost all governments in the world, and almost all companies in the world, to abandon, even funded final salary schemes, let alone unfunded final salary schemes. So if we can bring about these changes, which will do a service to future generations of taxpayers, then our view or our responsibility as a Government extend that far. Of course, we know that we are opening the door for an extra item on the hon Member's list of goodies for the next general election. But as we are confident that those do not ever do the trick, then we will stick with the responsible thing which is not to cut anybody's pension entitlement. In England, for example, in the British Government, when they do this, I was talking to somebody in the Foreign Office recently, they actually alter the scheme, not in respect of past years of service but even if one is still an employee, in relation to one's future years of service they actually alter the scheme. We are not planning to do that. The scheme will remain. If any change ever happens we do not envisage any change whatsoever to the scheme as it currently is for people who are already in it. Namely, current employees. But we do feel that we have an obligation to future generations of taxpayers to change the scheme by then having a wholly different funded scheme, which may very well be not a final salary scheme, as is presently the case of all employees of the Gibraltar Development Corporation and all Government owned companies.

HON J J BOSSANO:

Yes, that is in fact, I think, that is closer to an accurate explanation to the original question than anything that has been said until now. Of course, it is true, as the Chief Minister says, that many other governments have moved in this direction in other places, but none of them have claimed to have done it for the reasons that he has claimed in the House today, which is to do it out of concern for the welfare of their employees in order to give them more protection. In the original questions the Chief Minister said there are many people all over the place who actually think that funded schemes that are money purchased are actually better, because they can give a pot of money that one can pass.....

HON CHIEF MINISTER:

I have said that but that was not the explanation of why the Government was doing it. He is converting that comment into the explanation for the Government's position, which is not what I said.

HON J J BOSSANO:

I see, well, it may not be the explanation, it then may be a way of selling the package so that it looks as if it is an improvement instead of.....

HON CHIEF MINISTER:

If he will give way, the explanation is the one that I have given him and that is, it is an attempt to relieve future generations of Gibraltar taxpayers of increasingly expensive burdens arising from the current Government pension scheme. That is the objective and it can be done (1) by converting to a funded scheme; and (2) by that funded scheme being contributory, as opposed to non contributory, and that new funded contributory scheme not being final salary but being money purchased schemes, of which he is aware. That is the motivation. The remark that actually some people find the Government schemes less generous than people think in certain circumstances, is indeed the case. The fact that some people prefer the endowment scheme rather than that final salary scheme is also true. But that is not the reason why the Government is doing it. The hon Member is not going to get away with switching, on the basis of his selective drawing from what I have said at different times in this discussion, what are the reasons why the Government is doing it.

HON J J BOSSANO:

I gave way although we are not in a debate, obviously, but it sounds as if we were in a debate. The point is that my original question was whether they had a policy to move to the scheme that is in the agencies, and the answer was no, there is no such policy. It is only after many supplementaries that we have been given the last answer, which is possibly the most accurate answer as to the motivation for wanting to sit down with the unions to discuss it. In fact, if the Chief Minister is concerned simply, in terms of Government policy, about the funding as opposed to the cost annually of a final salary scheme, can he confirm therefore that one of the options under consideration will be a funded final salary scheme?

HON CHIEF MINISTER:

I am not willing to confirm that or deny that. What we are initiating is a discussion. The cost of it is double, because during all the years that it takes to transition into this, the Government has to pay both the unfunded gratuity and annual pension payments to the retired and retiring members of the current scheme, and also the contributions for the new scheme of its then current employees. So this is not something that the Government does to save annual budgetary costs, it is actually more expensive for the Government, in terms of disposable public monies, it diverts resources for a long period of time to pensions from other things. But when the system is fully in place, the taxpayer of Gibraltar would have, if it proceeded, a fully

funded occupational pension scheme for its public servants that would not be an annual budgetary drag, in terms of the cost in paying out the benefits, as the present one is and the Government is not going to succumb to whatever attempt the hon Member devises now to talk to him about what may or may not be, hypothetically, in a policy that has not yet been formulated and about which the Government have so far only the policy of sitting down to discuss it with the unions. That is the position.

ORAL

NO. 778 OF 2008

THE HON J J BOSSANO

PERMITS OF RESIDENCE – NON-EEA SPOUSES OF GIBRALTARIANS

Can Government state if the policy for non-EEA spouses of Gibraltarians is to restrict the permit of residence initially to 6 months and require repatriation if the couple cease to live together as man and wife, how many Gibraltarians currently have non-EEA spouses living in Gibraltar who are subject to these conditions?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 779 of 2008.

NO. 779 OF 2008

THE HON J J BOSSANO

VISAS AND PERMITS OF RESIDENCE – NON-EEA SPOUSES OF GIBRALTARIANS

Can Government confirm that the policy applied to the issuing of visas and residence permits to the non-EEA spouses of Gibraltarians is that in the first instance this is on a 6 months residence permit and subject to the requirement for an undertaking by the Gibraltarian applicant to repatriate the spouse to the country of origin if the couple cease to live together as husband and wife?

ANSWER

THE HON THE CHIEF MINISTER

The answer is yes, where the non-EEA spouse of the resident Gibraltarian is also a visa requiring national. There are currently 18 non-EEA visa requiring spouses residing in Gibraltar who are subject to these conditions.

SUPPLEMENTARY TO QUESTION NOS. 778 AND 779 OF 2008

HON J J BOSSANO:

And that is the condition mentioned in both questions, including the repatriation?

HON CHIEF MINISTER:

It is very difficult to spot the difference. Repatriation is mentioned in both.

HON J J BOSSANO:

Well, in the second one there is an undertaking required, presumably, from what I have seen of the letters concerned, it would mean that if the Gibraltarian applicant was not willing to sign such an undertaking the spouse would not be allowed to come.

HON CHIEF MINISTER:

Correct.

HON J J BOSSANO:

That is applied to all of them? Can the Chief Minister say whether in all cases we are talking about a male Gibraltarian and a female partner being the non-EEA national?

HON CHIEF MINISTER:

No, I cannot tell him that.

NO. 780 OF 2008

THE HON J J BOSSANO

VISAS AND PERMITS OF RESIDENCE – NON-EEA SPOUSES OF GIBRALTARIANS

Can Government state whether the policy that applies to the issuing of visas and residence permits to the non-EEA spouses of EEA nationals residing in Gibraltar is the same as the one that applies to Gibraltarians, and if not can Government identify the difference?

ANSWER

THE HON THE CHIEF MINISTER

The issuing of visas and residence permits to the non-EEA spouses of EEA nationals is a matter of law and not of Government policy. EU law on freedom of movement, which is given effect in Gibraltar by our legislation, unconditionally entitles the non-EEA spouses of EEA nationals exercising EU residence rights in another Member State, to enter and reside in the state where the EEA national is resident. In other words, there is an EU right to bring your non-EEA spouse with you if you are exercising an EU right.

SUPPLEMENTARY TO QUESTION NO. 780 OF 2008

HON J J BOSSANO:

Yes, but I am asking if the policy that is applied, presumably as a requirement under EU law, is different from the one that has been explained in answer to the previous question, which is confirmation of what the question asked and the Chief Minister has not mentioned in the difference, whether there is a difference on having.....

HON CHIEF MINISTER:

None of that arises. There is no policy discretion, the law requires unconditional rights to remain.

HON J J BOSSANO:

So, therefore, the unconditional rights to remain continue to apply to the spouse even if the EEA national leaves Gibraltar?

HON CHIEF MINISTER:

No.

HON J J BOSSANO:

Well then?

HON CHIEF MINISTER:

It is whilst the EEA national is exercising his EU residence rights in another Member State.

HON J J BOSSANO:

I see. If the EEA national is exercising his rights in Gibraltar and the couple cease to live together, the position continues to be that the spouse can still remain here?

HON CHIEF MINISTER:

I am sure that that is regulated by the legislation, by the EU Directive, I do not know what the answer to that is. I suspect the answer is no. But it is a matter of law, in any case, not policy.

HON J J BOSSANO:

I am trying to establish, I do not know whether the Chief Minister has got the hang of it or not, I am trying to establish if, in fact, as appears to be the case, Gibraltarians are actually worse off in this particular area than EEA nationals. Is that the case or not?

HON CHIEF MINISTER:

Well, what does he mean by worse off? Both are allowed to be here, the EEA national that used to be attached to a Gibraltarian has to go when they cease to be attached. Whether that is the case also for the non-EEA spouse of an EEA national is a matter of law, the answer to which I do not know. But in any case, it is not a matter of Government policy. I am sure that the circumstance that the hon Member is describing and trying to contrast with the Government's policy in relation to the non-EEA spouses of Gibraltarians, is provided for under the Directive. I would be very surprised if the Directive left that lacunae in its provision but he would have to look it up. It is a legal matter and the Government have no policy which is different.

HON J J BOSSANO:

Well, would the Chief Minister not agree that if, in fact, the legal requirements under the EU provisions provide a level of protection for the spouse of an EEA national,

which is absent in the policy that applies to the Gibraltarian, that that is a matter that has to be looked into?

HON CHIEF MINISTER:

No, I do not because the person who may deserve protection is the Gibraltarian not the EEA spouse that has left the Gibraltarian.

HON J J BOSSANO:

I see, and therefore, this is not a question, we are not talking about a spouse leaving a Gibraltarian as the Chief Minister says.

HON CHIEF MINISTER:

What is the hon Member talking about?

HON J J BOSSANO:

A marriage may go through a period when the two people are not living under the same roof, and here we pick the wife, I imagine in nearly all the cases, because in fact certainly all the people that I know are cases of male Gibraltarians with wives of another nationality which is not an EEA nationality. I do not know of any other one. I asked him and he does not know either. I asked him if he knew and the answer is that he did not know. I have to put a question to him about the 18 for the next House so I get the breakdown.

HON CHIEF MINISTER:

What does he expect me to do the division between sexes of the 18 examples?

HON J J BOSSANO:

Because for all I know he may have on that bit of green paper the 18 listed, I do not know what he has got there.

HON CHIEF MINISTER:

Well, I have not.

HON J J BOSSANO:

I am not to know whether he has it or not. It would not be the first time that I have asked a supplementary to which he is able to give me an answer because the information is in front of him. He has told me he does not have the information, I accept it, and I will ask him a question on it and then he will have the right bit of

green paper in front of him. That is why I expect him to know the next time round and he does not know this time. But what I am saying is, here we have a situation where the treatment of the spouse is that the spouse gets deported from Gibraltar if they cease to live together under the same roof. But if the guy was a Spanish national with a non-EEA spouse, if the law does not allow that to happen then, in fact, there is a difference there which seems to me very peculiar and needs looking into. Is the Government prepared to look into that or not?

HON CHIEF MINISTER:

No. The position is that a spouse has to leave when the entitlement ends. So if the position is that the entitlement under EU law ends when they separate, then the Government is free and would expel the non-EEA spouse of an EEA member. There are no circumstances in which the Government, being free as a matter of policy to expel the non-EEA spouse of a Gibraltar, would not expel the non-EEA spouse of an EEA member unless it was prevented by EU law from doing so. That is the position.

HON J J BOSSANO:

What I am saying is, if it is prevented by EEA law would the policy of the Government be to continue to do it for the spouses of Gibraltar, even though they could not do it for the spouses of any other of the 13 nationalities of the EEA?

HON CHIEF MINISTER:

For the ex spouses of Gibraltar, yes.

HON J J BOSSANO:

No, look, an ex spouse is someone that has gone through a procedure of divorce. The rule that the Government apply as a matter of policy is not that. If they cease to live together as husband and wife, they can have a quarrel and move out.

HON CHIEF MINISTER:

Yes, well the answer is yes.

HON J J BOSSANO:

They would continue to apply to Gibraltar.

HON CHIEF MINISTER:

Yes. To the non-EEA spouse of Gibraltar, yes.

HON J J BOSSANO:

If they have a child, the child will have to go with the mother.

HON CHIEF MINISTER:

No. Does the hon Member want to ask supplementaries about children?

HON J J BOSSANO:

There is nothing in the policy to indicate that there is anything about children, because there is nothing in the letters telling people that they have to go. There is no mention of children there.

HON CHIEF MINISTER:

The position is that if there are children who have acquired Gibraltar belonger status, of which by the way there is no such case yet, but where there are children born before the separation who have acquired Gibraltar belonger status, this policy is not enforced. The mother or father of a child that has acquired Gibraltarian status.

NO. 781 OF 2008

THE HON J J BOSSANO

VISAS AND PERMITS OF RESIDENCE – EEA NATIONALS AND GIBALTARIANS

Can Government state if there is a different policy applied to EEA nationals and Gibraltarians in respect of the issuing of visas and residence permits for non-EEA spouses whether non-Gibraltarian British Citizens are treated according to the policy that applies to Gibraltarians or the one that applies to EEA nationals?

ANSWER

THE HON THE CHIEF MINISTER

Our legislation provides for United Kingdom nationals who are defined as EEA nationals to be treated as EEA nationals in Gibraltar. Therefore, non-Gibraltarian British Citizens are treated in accordance with the law applied to EEA nationals.

SUPPLEMENTARY TO QUESTION NO. 781 OF 2008

HON J J BOSSANO:

So that means that the first regime which is Government policy, because there is no law on it, only applies to those British Citizens that have got the right to be registered under the Gibraltarian Status Act?

HON CHIEF MINISTER:

Here is what it says, the question asked whether non-Gibraltarian British Citizens are treated in accordance with the policy that applies to Gibraltarians or in accordance with the policy that applies to EEA nationals. The answer is that they are treated in accordance with the law that applies to EEA nationals. That is the answer. There is only one way of saying that, it does not have to be re-articulated.

NO. 782 OF 2008

THE HON J J BOSSANO

PROVIDENT FUND PENSION ARRANGEMENTS

Given the policy decision to allow 100% commutation in respect of provident fund pension arrangements, will Government extend the choice to those entitled to a civil service pension?

ANSWER

THE HON THE CHIEF MINISTER

No Sir. Provident Fund pension arrangements are fully funded in the sense that a fund exists that contains 100 per cent of the capital monies attributable to each pensioner. One hundred per cent commutation, therefore, has no capital or funding implication for the Government. The Government's Civil Service Pension Scheme is entirely unfunded and thus 100 per cent commutation would require the Government to provide a significant amount of capital every year for that purpose. What is more, the question confuses the Government in two different statuses. Contrary to what is implied in the question, the allowance of 100 per cent commutation rights is a taxation decision made by the Government as the taxing authority. To benefit from that, it is still necessary for a pensioner to belong to a pension scheme that allows 100 per cent commutation. This question relates to the Government's status as an employer in respect of the pension terms of its employees. Therefore, the word "given" in the question is inappropriate, in the sense that the two issues are not comparable. In other words, the fact that the Government as taxing authority has allowed those people who belong to a pension scheme that permits it, to commit, commute from a taxation point of view 100 per cent of their pension, is a non sequitur when it comes to whether the Government should do the same as an employer of its own occupational pension scheme. The word "given" is therefore inappropriate and misleading.

HON J J BOSSANO:

Well, I do not know whether it is inappropriate or misleading, I suppose we ought to send him draft questions so that he can now decide as well what pleases him in the terminology.

HON CHIEF MINISTER:

Absolutely, just as his people ask xxxxxx to categorise it and characterise it.

HON J J BOSSANO:

Well yes, I mean the whole purpose of the exercise is to seek information but if the Chief Minister gets more pleasure out of making remarks about the drafting capacity of the Opposition than about providing the information, I am not going to deny him his pleasure. There are few pleasures in life, apparently, so why should I want to take that one away from him? Is it not the case that the private sector schemes that have a limit of 25 per cent commutation, have got a 25 per cent commutation limit precisely because the tax authorities required it before the 100 per cent commutation was, in fact, introduced and that now there is nothing to stop private employers from having 100 per cent commutation and getting the scheme accepted by the tax office?

HON CHIEF MINISTER:

That is precisely what I have said in the answer, and with the greatest of respect to him, although it is a systemic approach, the purpose of this question was not just to ask information. If the hon Member's purpose in asking this question were simply to ask for information, he could have said, will the Government allow 100 per cent commutation, that would have been request for information. By saying "given the policy decision to allow 100 per cent commutation in respect of provident pension arrangements, will Government extend the choice to those entitled to a civil service pension?" is to compare apples with pears and to say, because you have allowed apples now allow pears. The Government have allowed it as tax authority not as employer in its pension scheme. In other words, all Government employees would be free as all employees of all private sector companies would be free, as far as the tax laws of Gibraltar are concerned, to commute 100 per cent of their pensions if they are in a pension scheme that allows 100 per cent commutation. So there is no discrimination between anybody in the context in which the Government have made the policy decision to allow 100 per cent commutation. Government pensioners, like pensioners in many private sector pension schemes, belong to a pension scheme that does not allow 100 per cent commutation. If the question is, is the Government as an employer willing to amend the Pensions Act to allow its pension scheme members to commute 100 per cent of their pensions, the answer is no.

HON J J BOSSANO:

I know that the answer is no because he has already given me the answer at the beginning. But, in fact, is it not the case, and he says that this is a repetition of the thing, that because the Government as a matter of policy took away the requirement of capping commutation at 25 per cent, it is now open to all employers, which it was not before and because it is open to all employers then it is, in my view, legitimate to say that given that this has happened, it is open to them as an employer to do the same as is open to all other employers, and the Government chooses not to do it. Fair enough.

HON CHIEF MINISTER:

No, that is not an optional interpretation of this question because he says, given that the Government have made a policy decision wearing its tax hat, to allow for tax purposes 100 per cent commutation, will Government extend the choice to those entitled to a civil service pension? At that point he is destroying the availability to him of the justification that he has just, because the Government have not given a choice to

anyone that is a member of a pension scheme that does not allow 100 per cent commutation, to go for 100 per cent commutation. What the Government have said, there is no taxation objection to going for 100 per cent commutation, but one first has to belong to a scheme that does. The Government did not do this as a matter of policy because it dreamed it up one day. The Government did this because the only company that was selling annuity schemes in Gibraltar, which is what people in private sector pension schemes have to do with the part of their lump sum that they are not allowed to commute, withdrew from the market and there were people retiring with private sector pension schemes, with a legal obligation under the Income Tax Act to commute no more than 25 per cent, obliged, therefore, to buy if it is a money purchase scheme an annuity for the balance of 75 per cent, and the annuities were simply not available in the market to residents of Gibraltar. So it was a trap, people had a legal obligation to do something which, in fact, the market was not giving them a way of providing. Quite apart from the fact, as if that had not been enough, that in the Government's view annuity contracts are not good value for money. But it was driven by the market.

HON J J BOSSANO:

He seems to have forgotten that the first time he amended it he kept the 20 per cent tax on the balance over 25 per cent and, that in fact, we voted against it for this reason. It was only the second time round....

HON CHIEF MINISTER:

That was a different policy.

HON J J BOSSANO:

No, that was the policy when he was talking about providing the annuities from the Provident Fund. But, anyway, it is all on the record, it is all in Hansard and I will fish it out for him. My point is that, of course, the Government as an employer in the Development Corporation have as a result of the change in the tax law allowed 100 per cent commutation. Is that not the case?

HON CHIEF MINISTER:

They are two different things. There is whether one is allowed to commute more than 75 per cent, and there is the separate issue of the taxation of the resulting part. The first stage, as I recall now on my feet, is that there was a relaxation of the commutation.....

HON J J BOSSANO:

But it was still taxed?

HON CHIEF MINISTER:

Yes, and the second stage was, when we abolished tax on pensions, that there was no tax paid on the balance. They are different policies taken in respect of different issues.

HON J J BOSSANO:

So the reason for abolishing the tax on the balance was the fact that pensions were not taxed.

HON CHIEF MINISTER:

Exactly.

HON J J BOSSANO:

The decision to remove the ceiling on the commutation came earlier and was not as a result of removing the tax.

HON CHIEF MINISTER:

No, it was as a result of the market unavailability of xxxxxx

HON J J BOSSANO:

But, clearly, when it was still being taxed, in people taking a decision would the Chief Minister not agree, as to whether to go beyond the 25 per cent or not, they had to take a decision in the knowledge that if they went over 25 per cent it was taxed at 20 per cent, the amount was taxed at 20 per cent.

HON CHIEF MINISTER:

Correct.

HON J J BOSSANO:

When the change in the tax followed the removal of tax on pensions, it was then that the Government changed the provisions of its own provident fund for employees in the GDC, in the Electricity Authority and in other areas, to have 100 per cent commutation. There we have got a Government policy in respect of public employees following the decision to do away with the ceiling on commutations. So it seems to me perfectly logical that having done it for those other employees, I should ask him whether there is a policy to do it also for civil service pensions. The answer is no, okay.

HON CHIEF MINISTER:

The answer is no for the reason given, that in the case of a provident fund it is fully funded and has no capital implication, and in the case of the unfunded civil service scheme, it would have huge annual capital implications. In the case of a provident fund, there is no cost to the scheme of allowing 100 per cent commutation because the money is there with the pensioner's name on it. Whether the provident scheme trustees allow them to take 100 per cent in one go or not, is of no cost consequence to the pension scheme because the money is all there in their account. They either take 100 per cent of it on day one, or less than 100 per cent on day one and the rest over a period of time, but the money is all there. There is no logic in preventing them from taking it because originally the provident scheme was tailor made to the tax laws. When the tax laws changed there was a rationale to say to people who have a pot of money with their name on it sitting in an account in the Treasury under the provident fund, no it cannot be taken, even though there is no xxxxxx. In the case of the civil service pension scheme, it is unfunded so just as now they can take 25 per cent or whatever it is by way of gratuity, if they were allowed to take 100 per cent then the costs would be huge in capital terms. Huge, the hon Member can work this out and that is the difference, that is what I said to him in the first answer, No Sir, provident fund pension arrangements are fully funded and have no cost implications. The Government civil service pension scheme is entirely unfunded and thus..... That is the reason why the Government will not consider changing the pension scheme terms for civil servants to allow 100 per cent commutation, even though there would be no impediment under the tax laws to that happening.

HON J J BOSSANO:

Fine, so then the "given" and all the rest of it is now irrelevant. I mean, it is quite obvious that the cost in a given year, if people chose to take that option, would be higher than it is at the moment in a given year. But it is possible, actuarially, to produce a present value lump sum which is the same as the stream of income over the future years.

HON CHIEF MINISTER:

It is not, and the hon Member must know that it is not. Look, if civil servants could commute 100 per cent of their pensions they would all do it because that way they avoid the risk that they will die soon and lose it all. Or why does he think that every civil servant commutes the maximum that they can, at least the 25 per cent, because what one commutes ceases to be at risk of one's death. What one does not commute is at risk of one's death. So allowing 100 per cent commutation is actuarially the equivalent of paying every civil servant a pension, regardless of how long it would have been paid for depending on how long they were going to live. That is the effect of allowing 100 per cent commutation and the cost, not just annually but over any period of time, is huge because the hon Member is depriving the taxpayer of the savings that it presently earns from the fact that civil servants drop in and out of the pension scheme, some reach pensionable age and other pensioners die. The net annual cost is the difference in the cost between those two. Well, of course, if we eliminate the cost falling out because everyone has commuted their pension 100 per cent, one does not have to be a mathematician or a brain surgeon to work out that the cost over any period of time to the taxpayer is massively higher.

ORAL

NO. 783 OF 2008

THE HON J J BOSSANO

CHIEF FIRE OFFICER POST

Can Government state what are the succession plans for the Chief Fire Officer post in the Fire Brigade?

ANSWER

THE HON THE CHIEF MINISTER

The vacancy will be filled in accordance with the long established practice for filling vacancies in the public sector.

SUPPLEMENTARY TO QUESTION NO. 783 OF 2008

HON J J BOSSANO:

So the Government propose to open the vacancy within the service then? This is the long established practice.

HON CHIEF MINISTER:

I understand that that is the long established practice for filling vacancies in the public sector.

ORAL

NO. 784 OF 2008

THE HON J J BOSSANO

CONSOLIDATED FUND FIGURES

Can Government state what are the latest updated figures for the forecast outcome in the Consolidated Fund for 2007/2008 in respect of (a) revenue; (b) expenditure; and (c) the Consolidated Fund balance?

ANSWER

THE HON THE CHIEF MINISTER

Revenue £231,885,000; Expenditure £216,223,000; and the Consolidated Fund balance £49,296,000.

NO. 785 OF 2008

THE HON DR J J GARCIA

SALE OF LOWER ELMS

Can Government say whether the Lower Elms has now been sold to the next highest bidder, indicating the amount and the name of the successful tenderer?

ANSWER

THE HON THE CHIEF MINISTER

Yes, just before I do so can I just offer the House an explanation as to why these two questions are tagged on to the end after the Leader of the Opposition. Unfortunately, they were omitted from the original workload and reinserting them in numerical order would have meant renumbering all the other questions with all the cross references to questions, that is too much work so we decided to add them at the end.

Yes, the sale of this property has recently been completed. The purchasers are Mr and Mrs M Casciaro in the sum of £303,500.

ORAL

NO. 786 OF 2008

THE HON DR J J GARCIA

AIR TERMINAL – COMMERCIAL UNITS WITHIN DEPARTURE LOUNGE

On how many occasions since May 1998 has the Government granted consent for the assignment of licences over retail commercial units within the departure lounge at Gibraltar Airport, giving (if possible) also a breakdown of the names of the assignee and assignor, identifying the date any such consents were granted and any premiums charged by the Government as landlord in respect of any such assignments?

ANSWER

THE HON THE CHIEF MINISTER

The Government's consent has, I understand, been sought only once since May 1998 and granted. The assignor was Sakata Duty Free Limited and the assignee was L Sacarello Duty Free Limited. The consent was sought on 22nd January 2008 and granted on 19th June 2008. In accordance with previous practice, no premium was charged given that what was assigned were personal rights under a licence and not a lease or tenancy of property.