

ORAL

**NO. 787 OF 2008**

**THE HON S E LINARES**

**MUSIC CENTRE (BFBS BUILDING)**

Can Government state whether the Music Centre at the old site of the BFBS building was given to the Trustees under a lease or licence and if not any of the two mentioned, under what condition was it given?

**ANSWER**

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

Answered together with Question Nos. 788 to 790 of 2008.

ORAL

**NO. 788 OF 2008**

**THE HON S E LINARES**

**MUSIC CENTRE (BFBS BUILDING)**

Can Government state when the building for the Music Centre was given to the Trustees?

**ANSWER**

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

Answered together with Question Nos. 787, 789 and 790 of 2008.

ORAL

NO. 789 OF 2008

THE HON S E LINARES

**MUSIC CENTRE (BFBS BUILDING)**

Can Government state what are the terms and conditions under which the Trustees run the Music Centre?

ANSWER

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

Answered together with Question Nos. 787, 788 and 790 of 2008.

**NO. 790 OF 2008**

**THE HON S E LINARES**

**MUSIC CENTRE (BFBS BUILDING)**

What are the terms of licence granted to the Music Centre or any other parties for the use of the old BFBS site?

**ANSWER**

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

I do not have the exact date of when the building was given to the Trust but related correspondence points to late in the year 2003.

As for the rest of the questions, the position remains as answered in Question No. 394 of 2008 and its supplementaries.

**SUPPLEMENTARY TO QUESTION NOS. 787 TO 790 OF 2008**

**HON S E LINARES:**

The Minister said he answered the questions, I have never asked any of these questions as in licence. For example, whether it is a lease or the licence, the building, I have never asked that question so I do not know what the Minister is referring to. He might have answered certain questions in relation to the Music Centre, but I have not asked these questions so can the Minister refresh my memory as to what was answered in Question No. 394?

**HON E J REYES:**

Question No. 394 of 2008 was tabled by the Leader of the Opposition quite recently and the question specifically referred to whether it was a lease or a licence, and there was a formal answer given and supplementaries relating to it, to which even the Chief Minister made a contribution.

**HON S E LINARES:**

Can the Minister state under what condition the lease or the licence was given?

**HON CHIEF MINISTER:**

Just on a Point of Order, can I just refer Mr Speaker to Standing Order 17(1)(v), since we are determined, are we not all, to ensure the Rules of the House are complied with, which says that a question shall not refer to any debate that has occurred, or answer that has been given within the preceding six months.

**MR SPEAKER:**

The question is when was Question No. 394 answered? Would it be within the last six months, do we know? I must confess I certainly do not have the resources to be able to check a question against all the questions put in the last six months, but if Question No. 394 was answered within the last six months, then Standing Order 17(1)(v) would apply, but I do not think it intones on this.

**HON S E LINARES:**

If I can remember correctly it was in April and we are well beyond the six months anyway.

**HON CHIEF MINISTER:**

It was six weeks ago, or was it five?

**MR SPEAKER:**

Question No. 394 would be in the September sitting.

**HON F R PICARDO:**

Why do we not stand the matter down for a moment and carry on with other questions and I will go behind and check the Hansards and see the date?

**MR SPEAKER:**

Thank you very much, but Question No. 394 strikes me, the numbering here, it is within the 400 mark so it would be the last sitting which began in September.

**HON S E LINARES:**

I could carry on with supplementaries but I would rather wait until we get a hold of Question No. 394 and we can come back.

**MR SPEAKER:**

He can carry on with supplementaries and I am sure Mr Picardo will come back with the answer very quickly.

**HON S E LINARES:**

Thank you, no problem. Can the Minister state who appoints the Trustees?

**HON E J REYES:**

I do not know exactly. What I do know was that I did reply to the Hon Steven Linares in Question No. 60 of 2007, so obviously that is more than six months ago, and I did say there that the Music Centre is a charitable trust, not one appointed by Government, run by its Trustees and it is up to the Trustees to decide how their business is managed. Government are therefore not answerable to this Parliament on most of the matters raised in the questions, both in Question Nos. 60 and 61 of 2007.

**HON S E LINARES:**

Can the Minister state whether any interested parties, who also use the facilities other than the building, that is the surrounding areas, do any other entities, or any other person, or any other corporate, use under a licence or as a concession or whatever around the area of the building?

**HON CHIEF MINISTER:**

That is a different question. If the question relates to the business of the Trust, then the Government either do not know or are not answerable, this is not a Government trust. If the question is about, and it would be a perfectly proper line of questioning, are the Government satisfied that public property is being put to proper use, they would be perfectly entitled to put questions of that sort to the Government, regardless of the business of the Trust. It is a wholly different question upon which we would need notice. The question that he now asks is not about the business of the Trust, it is about whether in that plot of land, the ex BFBS house and presumably he means its gardens and its driveway and all of that, whether there is any other authorised user of the land. Well, it is a perfectly proper question but the Government would need notice of that question so that we can obtain the information and we can provide him with as accurate an answer as we can.

**HON S E LINARES:**

I have asked the question and if the Chief Minister dares to look at Question No. 790 of 2008, it says, "what are the terms of licence granted to the Music Centre or any other parties?" So I am including the whole area, that is the area of the Music Centre and whether that includes another party as opposed to the Trustees of the Music Centre. So it is there, so I do not see why it cannot be answered. That is not a supplementary, it is on the Order Paper, and it specifically says the "old BFBS site" it does not say the building. So the site should be all the area that has been given by the Government, whether under licence, lease or whatever. We will have a look at it later in the questions.

**HON CHIEF MINISTER:**

Speaking from memory, but he will have to therefore allow for a possible degree of inaccuracy, I for example know that there are nearby residents that are allowed to use part of the area for parking their vehicles, I believe, in a very long-standing arrangement. I do not know if that is the sort of arrangement that he thinks is captured by Question No. 790, which are a series of questions about the Music Centre and about the Trustees of the Music Centre, and so no one has focussed on any other user. But if the hon Member is interested to know the nitty gritty of the use of all the site that used to be attached or part of the old BFBS site, we shall have to identify precisely what was the old BFBS site, not just the building, presumably he wants all the way to whatever may ever have been the parameters of its garden. That is a very different question of which we would need more specific notice. If that is what he intended to refer by "or any other parties for the use of the old BFBS site". The old BFBS site is the building. If he means the grounds then it is a different question. There are other users and I know that many, many years ago there were arrangements made with residents of nearby buildings, I cannot tell him now what those arrangements are but I know, somewhere in the back of my mind I remember there was some arrangement made, at least, well certainly more than four years ago.

**HON S E LINARES:**

Were the arrangements made directly with the Government or with the Trustees?

**HON CHIEF MINISTER:**

The arrangements to which I am referring, which he should not regard as exhaustive or accurately put to him, would be arrangements that were made directly by the Government. I do not know what the Trustees do or do not do. I am speaking for the Government in respect of a matter for which the Government are responsible and accountable to this House, which is what the Government do or how the Government oversee the use of public property, even, but not the business of the Trust in terms of the Music Centre.

-----  
**HON S E LINARES:**

We have now Question No. 394 which the Minister referred to and the Chief Minister is correct in that it was, we did not actually know but we can ascertain that it was September. I am just saying that it was in September, therefore, it is not the six months that we are talking about. But in answer to the question whether it was a lease or a licence there is no answer, the Chief Minister said, "I am almost certain there is no lease, and I think it is a licence but I will have that checked". So that is why I have posed the question in a different way and want the answer whether it is a lease or a licence and under what conditions, either lease or licence, have been given to the Trustees of the Music Centre. So the answer is still pending.

**HON CHIEF MINISTER:**

The answer is that the position remains the same, as answered in the question

**HON S E LINARES:**

So the answer is that he has still to check, is it? He has to go and check?

**MR SPEAKER:**

I think the answer is as the rules say, a question shall not refer to any debate that has occurred or answer that has been given within the preceding six months. So one can not even refer to it according to the rules. So, really, what the hon Member on this side should do is when a Minister says he will have it checked, write to him a week later asking if he has checked it. But with respect, according to the rules, again, it seems in my view unnecessarily restrictive but that is what the rules say. A question shall not refer to any debate that has occurred or any answer that has been given in the last six months.

**HON J J BOSSANO:**

If that were to be interpreted in that novel fashion, then Mr Speaker would have to remove 200 questions straight away, because every time we are told that they have not got the answer, or they need notice of a question, we have just been told that if we want that question answered we need to give notice. Now, if I give notice I will be referring to the answer that he has just given me.

**MR SPEAKER:**

I have expressed the view that it seems unnecessarily restrictive.

**HON CHIEF MINISTER:**

No, Mr Speaker, I do not think the hon Member is right. There is a difference between a question that is put down for oral answer and a supplementary asked. Where I have said that it is a different question and requires written notice..... First of all, it arises on a supplementary, secondly, I am thereby conceding that if he asks the question it cannot breach, in our opinion at least, the rule because it is precisely what I am saying it is a different question about which we need notice. So having said that it is a different question about which we need notice, it is hardly also possible that it should be the case that it has already been the subject matter of a question in the House. It says, "or question asked". "Question asked", it is up to the Speaker, of course, to interpret that but I would have thought that "question asked" means.....

**HON J J BOSSANO:**

The original.

**HON CHIEF MINISTER:**

But that is not for me to say.



**HON F R PICARDO:**

But is Mr Speaker not saying that the supplementaries amount to a debate and there has been a reference to it in a debate, and I think that is why we have reached the conclusion which we think, obviously as the Leader of the Opposition suggested, is unnecessarily restrictive.

**MR SPEAKER:**

The point I am making, I am quoting the wording of Standing Orders. It says, "a question shall not refer to any debate that has occurred or answer that has been given". So mere reference in a question to a debate or an answer in the last six months is prohibited. However, having said that, I do take the view it is unnecessarily restrictive and I have not in the past....

**HON F R PICARDO:**

With respect if I may? The question does not refer to the debate that has occurred or the answer that was given. The question stands on its own. It may be that the question standing on its own offends the rule that we say in shorthand is that one should not ask the same question in six months. But the question put by the hon Gentleman does not refer to the debate.

**MR SPEAKER:**

Well, it does not have to refer specifically to the debate or referring to the answer, the mere context of the question may refer and that could be taken as referral.

**HON F R PICARDO:**

I am sorry, but the rule says "a question shall not refer". Now the question does not refer to the debate. Therefore, the question must be parliamentary. Now, if the hon Gentleman says it is the same question that was asked six months ago, that I think should offend a different rule but not this rule.

**MR SPEAKER:**

As I say, I have not applied this very strictly in the past, I do take the view it is unduly restrictive but I shall keep careful thought on this. Without wishing to stifle the latitude allowed to the Opposition, questions will be allowed as far as possible.

**HON CHIEF MINISTER:**

Perhaps I could, at the risk of being accused of clarifying Mr Speaker's thoughts. Of course, the Leader of the Opposition does not describe as clarifying one's thoughts on those occasions where the Chair agrees with him. When the Chair happens to agree with me, then it is a clear cut case of my clarifying your thoughts. Never mind. The view on the Government side and expressed by me as Leader of the House, is that I think that Standing Order, when it refers to debate, means debate on a debate

on a motion. It may also be arguable that it is a breach of Standing Orders that we should convert every question into a debate. That is also true but that is not the issue we are discussing today. I think the Standing Order says, regardless of whether anybody thinks it is too restrictive or not, it is the Rule of the House and therefore should be adhered to, that whether it is in a debate or in questions, meaning answers to questions, not meaning debates that flow from a question. My interpretation of the word "debate" is that it refers to debates on motions. But look, I have not researched it, the Speaker has not had an opportunity to research it, the hon Member has not had an opportunity to research it, I think that these are matters upon which the Speaker may wish to make rulings in due course, if he feels it appropriate to. Certainly, from the Government's point of view, we certainly have the feeling, as I think many others do as well, that we constantly face the same subject matter, the same questions, time and time again and that on this occasion, because the Constitution now requires us to get three meetings of the House in, it happens to be within a very short period of each other. That is the only point but still, it is certainly not novel. I accept what the Speaker has said that in the past this rule, at least in the recent past, this rule used to be more strictly enforced when I was sitting on another side of the House. But still, I accept that in the last 13 years it has not been strictly enforced.

**HON S E LINARES:**

Therefore, if the question should be ruled as not being within the time limit that I have to ask, can I then sort of remove that question so that it goes retrospective to April so that when the next House comes I can then ask the question? What is going happen now is that it is going to be as if I have asked the question on December 3<sup>rd</sup>, and therefore I now have to wait well into July or August in order to pose the question again. Unfortunately, as far as I am concerned, the question has not quite been answered. Therefore, I would like a full answer to the question, if that is possible.

**MR SPEAKER:**

I do not think it is up to me to advise the hon Member how to conduct his parliamentary.....

**HON S E LINARES:**

No, what I am saying is, I am asking Mr Speaker whether this question will now be taken as if it was put today or is it a question that should not have been there, and therefore it is retrospective from when it was last asked.

**MR SPEAKER:**

Well, after much debate on the subject, I will rule that this question was not properly put and therefore never happened.

**HON S E LINARES:**

Okay, thank you Mr Speaker.

**HON E J REYES:**

I want for the purposes of those who may be listening, I want to make certain that no one starts to believe that I am trying to shy away from providing any type of answer whatsoever. I am referring to the original Question.....

**MR SPEAKER:**

There is a rule somewhere that if a question is disallowed, a Minister may not answer the question.

**HON E J REYES:**

Alright.

ORAL

**NO. 791 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 October 2008 giving a breakdown by grade, sex, nationality and department?

**ANSWER**

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

The information requested is contained in the written schedule that I now hand over to the hon Member, as indeed all Members of the Opposition.

**ANSWER TO QUESTION NO. 791 OF 2008**

**PERSONS EMPLOYED BY THE GIBRALTAR SPORTS AND LEISURE  
AUTHORITY  
AS AT END OCTOBER 2008-12-05**

<b>NO.</b>	<b>GRADE</b>	<b>SEX</b>	<b>NATIONALITY</b>
1	Chief Executive Officer – Gde 1	Male	British
1	Finance Manager – Gde 3	Male	British
1	Facilities Manager – Gde 3	Male	British
1	Administration and Resources Manager – Gde 3	Female	British
1	Sports Development and Training Officer – Gde 3	Male	British
1	Asst Sports Development and Training Officer – Gde 4	Male	British
5	Centre Managers – Gde 5	Male	British
1	Centre Manager – Gde 5	Female	British
2	Administrative / Clerical Officer – Gde 6	Female	British
2	Supervisory Groundsman – Gde 7	Male	1 British 1 Moroccan
22	Sports and Leisure Officers – Gde 8	Female	British
1	Sports and Leisure Officer – Gde 8	Female	British
1	Administrative & Secretarial Officer – Gde 9	Female	British
1	Support –Gde 11	Female	British

ORAL

NO. 792 OF 2008

THE HON G H LICUDI

**VICTORIA STADIUM**

Can Government state whether it will install floodlights to the small pitch at Victoria Stadium?

ANSWER

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

Answered together with Question No. 793 of 2008.

**NO. 793 OF 2008**

**THE HON G H LICUDI**

**VICTORIA STADIUM**

Can Government state when it will replace the defective floodlights at Victoria Stadium?

**ANSWER**

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

The required spares to replace the fused and/or any defective floodlights at the Victoria Stadium's either main pitch or pitch No. 2, have now been received. Earlier on in the week the Electricity Authority assured me that they will commence works as soon as the weather conditions permitted them, and I am glad to say that as of yesterday afternoon, it was confirmed that the Electricity Authority employees were actually at the Stadium carrying out the commencement of those repairs to change fused lights or any defective works that needed to be undertaken. In respect now specifically of Question No. 792, pitch No. 2, which we refer to as a training pitch, is lit up for training purposes from the floodlight installations installed at the main pitch.

**SUPPLEMENTARY TO QUESTION NOS. 792 AND 793 OF 2008**

**HON G H LICUDI:**

In relation to the main pitch and the answer that the Minister has given that the lights have now been received this week, clearly coincidental with the asking of the question last week, I am sure it is of no consequence, is our understanding correct that the system for replacing the lights requires the lowering of the actual floodlights where the lights actually are, and there is a problem with the lowering of at least one and that is why the floodlights have not been replaced in the past?

**HON E J REYES:**

I do not want to shy away from answering but, certainly, he is asking me a question that requires a little bit, at least, of technical knowledge on how the actual repair work is carried out. Unless I have notice, it will be misleading of me to even attempt to answer on what system is used.

**HON G H LICUDI:**

The question refers to defective floodlights, what I am asking is what is the nature of the defect which I would have expected, because it is not just a question of replacing bulbs, if the system itself is defective, as I have been led to believe and as the Minister knows I am not a technical man, I do not know for certain, but I have been led to believe there is a problem with the system itself of bringing it down and doing the replacement. What I am trying to find out is, is there that defect in place and if there is, how will it be remedied?

**HON CHIEF MINISTER:**

The Minister understood his question, it did not require repetition if it was perfectly clear the first time. The answer is, whatever may be the difficulties, whatever may be the problem, whatever may be the system, whatever colour of screwdriver the electrician intends to take up with him to change the bulb, the answer is that the Gibraltar Electricity Authority will be carrying out the necessary works whenever the weather conditions permit. So, clearly, there are no difficulties which are insuperable, because if there was a difficulty which was insuperable, assuming there is any difficulty at all, the Gibraltar Electricity Authority will not be in a position to carry out the necessary works whenever the weather conditions permit. Now, if he is particularly interested in the mechanics of how the floodlights system works, I am sure the Minister will have no difficulty in finding him the information. But it should not surprise him that the Minister is not personally familiar with the intricacies of the mechanics of a floodlighting pole.

**HON G H LICUDI:**

The Minister clearly misunderstands the nature of the question. The question is not about the mechanics and the actual changing of the bulbs. The question is about a defect and the question has not been answered in terms of is there a defect and will it be repaired? Specifically what I have said, is my understanding is a particular defect in the lowering system in order to carry out the replacement of the bulbs. Now I can understand that the Minister has not understood the question as meaning that and does not have the answer. He should simply say that rather than throw it back that they have perfectly understood the answer and they have given an answer to the question. They clearly have not. If the Minister does not have the answer perhaps he can check whether there is, in fact, that defect.

**MR SPEAKER:**

I think the Minister did say that he has no knowledge of how the system works, whether it is lowered or not lowered. He did say that in the first answer and then in response to further supplementaries when the Chief Minister stood up with his intervention, the first answer was to me very clear that he just did not know the system, he needs notice of the question.

**HON G H LICUDI:**

Yes, even though he has had notice of a question which refers to a defect and he now says he does not know whether there is a defect or not. But leaving that to one



side, the other question about the floodlights in the small pitch, the Minister has confirmed that those are floodlights that are used by the main pitch floodlights. Does the Minister acknowledge that there may be situations where the training pitch may be necessary but the main pitch is not being used, therefore the floodlights might not be in use. I do not know whether that in practice exists and does the Minister not also know, my understanding is that there used to be separate floodlights in the small pitch but when the fence towards the airport was replaced, those floodlights were lost and have not been replaced. That is why there is a specific question about specific floodlights in that pitch, which I understood and I do not want to mislead the House, but it is just my understanding that there used to be those floodlights and they are no longer in place and it simply relies on the floodlights to the main pitch, which are directed to the main pitch and are therefore inadequate. That is the purpose of the question.

**HON E J REYES:**

What used to be there or not I am afraid I do not know. With adequate notice I can always check up historically what was there. The question was when will the defective floodlights be replaced or fixed. What I can inform the hon Member is that when I have explained that from the main pitch, from one of the actual big pylons that hold floodlights, pitch No. 2 is illuminated from there even if there is no game going on in pitch No. 1 and that does not require to be lit up, it is possible to illuminate the training practice pitch, which is otherwise known as pitch No. 2. So it does not matter whether there is a game going on in the main pitch or not. That is to answer that specific part of the question.

**HON G H LICUDI:**

The question specifically asked whether it will install floodlights at the small pitch. As I understand the answer, the answer is no. Can the Minister clarify that they have no intention whatsoever of doing that?

**HON E J REYES:**

There are no current plans to install floodlights then.

-----  
**HON E J REYES:**

Yes, because the hon Member asked me a supplementary which I said that since I had not received notice I could not answer. But I have now been able to get the information that, I hope, will satisfy the hon Member and all sports lovers in Gibraltar equally. The Electricity Authority have returned to the Victoria Stadium this morning to continue with its necessary works in respect of the floodlights. It has been confirmed to me that yes, the pylons, the four pylons on the main pitch, or pitch No. 1, do slide down – that facilitates the repair. I was told that there is no defect in itself in that mechanism. What the workers commenced on yesterday, and the example given to me made it a bit more intelligible, in the same way that those of us who own a private vehicle, the vehicle is not defective but it does undergo its sort of maintenance service periodically, the same work is actually being done. So not only are they repairing and changing any fused lights, but this sort of service to the whole

mechanism that allows the lighting system to come down for easier changing of a fused light is taking place today. I think not only the hon Member but sports lovers in Gibraltar would like to know what is happening in that respect.

**HON G H LICUDI:**

I am extremely grateful to the Minister for the clarification given.

ORAL

**NO. 794 OF 2008**

**THE HON DR J J GARCIA**

**HERITAGE ACTION COMMITTEE**

How often and on what dates has the Heritage Action Committee met since 30 June 2008?

**ANSWER**

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

Answered together with Question Nos. 795 and 796 of 2008.

ORAL

NO. 795 OF 2008

THE HON DR J J GARCIA

**HERITAGE PROTECTION ACT**

Can Government say at what stage of preparation is the Heritage Protection Act?

ANSWER

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

Answered together with Question Nos. 794 and 796 of 2008.

**NO. 796 OF 2008**

**THE HON DR J J GARCIA**

**HERITAGE MANAGEMENT PLAN**

Can Government list the NGOs that it intends to consult “as and when it deems necessary” in relation to the Heritage Management Plan?

**ANSWER**

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

In answer to Question No. 794, the Heritage Action Committee met twice, that is, on 30<sup>th</sup> June and 20<sup>th</sup> September 2008.

As for Question No. 795, the Government continue to consider its policy options in respect of the new Heritage Act.

As for Question No. 796, it is premature to list which parties will be consulted and will be so until such time as the limits of the plan are established. I can say that, without doubt, the Gibraltar Heritage Trust will clearly be consulted in the process but there may be others also.

**SUPPLEMENTARY TO QUESTION NOS. 794 TO 796 OF 2008**

**HON DR J J GARCIA:**

In relation to the Heritage Protection Act, the Minister said the Government were considering the options. What options are they considering? Whether to proceed with the Heritage Protection Act or not? What are the options?

**HON E J REYES:**

I am referring to, let us xxxxxx this. In Question No. 392 of 2008, the Hon Dr Garcia asked at what stage of preparation is the Heritage Management Plan and so on. At the time, I answered that a Heritage Management Plan is presently being drafted by the Heritage Division and that pertinent Government Departments would be consulted as and when deemed necessary. That is the position.

**HON DR J J GARCIA:**

The Minister is answering Question No. 796, my supplementary was on Question No. 795.

**HON E J REYES:**

Sorry then. Then the Heritage Act is something that Government is drafting and, therefore, those are the options it has. It is in the drafting stage and its option is that whilst drafting I am also listening, taking advice, amending and then a Bill will be presented to this House as is required.

**HON DR J J GARCIA:**

The Minister is confusing the two. He said in relation to the Heritage Protection Act that the Government were considering their policy options. My question was what is the policy, whether to proceed with the Act or not to proceed with the Act. What are the other policy options?

**HON CHIEF MINISTER:**

The Government intend to publish a new Heritage Act. What the Government are not willing to do is to give a sort of month by month, or quarter by quarter account of how we are doing in developing our own policies. The question is, I think the one he has just referred to, is at what stage of the process. This is a matter of Government policy, it will emerge when the policy is complete and when the Government are ready, and in the meantime what we are not willing to say it is at this particular stage or that particular stage. I do not mind telling him that there is an early draft, or there is a draft of an Act which is very old, but which is not going to form the basis of the new legislation. The Government are still formulating their own views about what should be the system for heritage protection in Gibraltar. That, in due course, will be reflected in a consultation paper, which will be followed by a new piece of significant legislation which will provide a new piece of architecture on the planning of public administration in Gibraltar, in this case dealing with heritage. I do not mind telling him that that is what the Government's scheme is. What I cannot tell him is, from time to time or where it is in the process because Governments do not work in that way. Eventually all these pieces come together, ideas, and then the first public indication of what the Government are thinking of doing will come in the consultation paper. Until that date, it is an internal, private matter within the Government, which the Government ought really not to be asked to give a public account of how they are doing with our own internal thinking processes, because it is Government policy it is not a question of public administration as such. But nor should the hon Member either think that this is something that is being worked on as a matter of priority, it is not. It is going forward but I would not like to give the hon Member the false impression that this is somehow something which is imminent. I do not think it is imminent. I think when it emerges, in accordance with our manifesto commitment sometime during this term, it will be an important piece of legislation but it is not being worked on at the sort of rate and speed that would entitle the hon Member to think that it may be imminent. It is not.

**HON DR J J GARCIA:**

I am grateful for that information. The confusion arose because when the Minister said he was considering policy options, it was left open as to whether the Government were going to proceed with the Act as a matter of policy or not proceed. That was the confusion.

**HON CHIEF MINISTER:**

No, and this is something that we had intended to deal with sooner, it has just slipped down the list, a little bit, of priority. It is still an important priority but everything is relative, so, yes, if what he is interested to know is whether the Government are still working on this project as opposed to having abandoned it, because they may have decided that they do not want to change the heritage legislation, the answer is that that is not the case.

ORAL

**NO. 797 OF 2008**

**THE HON DR J J GARCIA**

**CALPE CONFERENCE**

Can Government say how many delegates registered for this year's Calpe Conference and how many of these were from Gibraltar?

**ANSWER**

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

Answered together with Question No. 798 of 2008.



**NO. 798 OF 2008**

**THE HON DR J J GARCIA**

**CALPE CONFERENCE**

What was the cost, with a breakdown, of this year's Calpe Conference?

**ANSWER**

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

For this year's Calpe Conference there were 120 registered delegates. These include speakers and organisational staff and of these 83 were actually from Gibraltar. I cannot at this stage give the details of the costs since invoices have still to come in and accounts have to be settled. I can, however, tell the hon Member that the total amount will not exceed the £40,000 approved by this Parliament under Head 2A subhead 3(3)(b).

**NO. 799 OF 2008**

**THE HON DR J J GARCIA**

**INSTITUTE OF GIBRALTARIAN STUDIES**

What are the terms of reference of the Institute of Gibraltarian Studies that was set up by the Ministry of Heritage last year and at what stage of development is this project?

**ANSWER**

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

The brief of the Institute is to research and compile as much available information on Gibraltarians, our social history, so as to create an archive of information for future generations. Specifically, the creation of a library of oral histories of living Gibraltarians is a major first task. The oral histories project has been started on a pilot basis and this is the first stage of the overall developments.

**SUPPLEMENTARY TO QUESTION NO. 799 OF 2008**

**HON DR J J GARCIA:**

Does the Institute have its own staff and its own premises?

**HON E J REYES:**

If I recall the wording I have said in addresses and in opening of conferences, it is that I have instructed Dr Geraldine Finlayson to head this. For the sake of the record, I would have to look further into what sort of other staff have been co-opted. There is no one exclusively and specifically working on this, but rather, those that come under the general umbrella of the Heritage Division have been assigned certain tasks, and the hon Member might even wish to write a note to me just to remind me and I will provide the information, because there is a lot of keenness behind it and I would certainly like to share the information because it is for the benefit of Gibraltarians.

**HON DR J J GARCIA:**

The Minister mentioned the oral database that is being compiled. How are persons being selected for this project?

**HON E J REYES:**

From what I know, it has been more of a personal contact at first, those that we know and those who sort of let us know that they are going to have some time available. Some may still be working and they say they have leave coming up so we fit them into the schedule. They are being selected as and when the persons that we wish to get the information from are available. They are what is known in the history world as a primary source of information. We have to adapt to their availability in order to record this. So they are being selected as and when they are available.

**HON DR J J GARCIA:**

Is there a particular profile of person that the Institute would be looking for? People who were evacuated, is there any particular profile?

**HON E J REYES;**

The best way to describe the profile is, anyone who has actual first hand living recollection of an event. That is what we are looking at. We are not just limiting ourselves to either talking to someone who may have been the president of a particular ..... Let us think about the Second World War. Someone who may have been the president of a particular association has a lot to offer, but certainly the rank and file members also have very valuable contributions to make. So the profile is, let us gather as much information from as many people as possible within time constraints, obviously, time consuming for the members of the Heritage Division who still have to carry on with their normal day to day work.

**HON DR J J GARCIA:**

Is there a certain age limit above which people would qualify to take part in this project because of their age or their experiences?

**HON E J REYES:**

No, I am referring to primary sources of information, certainly there is no age limit. A young person can still be a primary source of information.

**NO. 800 OF 2008**

**THE HON DR J J GARCIA**

**NEW YEAR'S EVE CELEBRATIONS**

Can Government say who was the successful tenderer for the organisation and staging of the New Year's Eve celebrations at Casemates Square, how many tenders were submitted and the amount of the successful bid?

**ANSWER**

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

Four tenders were submitted and the successful tender was awarded to Events Unlimited for the sum of £42,500.

**SUPPLEMENTARY TO QUESTION NO. 800 OF 2008**

**HON DR J J GARCIA:**

Can the Minister say whether this was in fact the lowest bid?

**HON E J REYES:**

From the information I have in front of me, no I cannot confirm or deny that. The question specifically did not refer to whether it was the lowest tender or not so I have not got that information with me.

ORAL

**NO. 801 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – BREAKDOWN OF FULL-TIME JOBS**

Can Government now state whether the information on the number of employees provided in answer to Question No. 401 of 2008 was in respect of the 836 employers or a lesser number and if the latter, provide a number?

**ANSWER**

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

The answer to Question No. 401 of 2008 was in respect of 533 employers.

ORAL

**NO. 802 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT – DETACHED WORKERS**

Can Government state as at the end of each month since 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**

Answered together with Question Nos. 803 to 805 of 2008.

ORAL

**NO. 803 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – DETACHED WORKERS**

Can Government now confirm whether all the 1,441 detached workers shown as working in October 2007, were excluded from the table of the October 2007 Employment Survey Report showing the number of full-time workers in the private sector?

**ANSWER**

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

Answered together with Question Nos. 802, 804 and 805 of 2008.

ORAL

**NO. 804 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT – DETACHED WORKERS**

Can Government state as at the end of October 2004, 2005, 2006, 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**

Answered together with Question Nos. 802, 803 and 805 of 2008.



**NO. 805 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – DETACHED WORKERS**

Can Government state in respect of the number of detached workers as at October 2007 given in answer to Question No. 40 of 2008, can Government now confirm whether any were included in the October 2007 Employment Survey Report, and if so, identify those included by number, nationality and industry group?

**ANSWER**

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

I regret to inform the hon Member that the figure of 1,441 provided in answer to Question No. 406 of 2008 is incorrect. Since providing that answer it has come to light that the programming formula used to calculate such a figure from the employment service database was flawed, inasmuch as the formula contained erroneous parameters. The correct figure has now been ascertained to be 386. An amended table will be made available with the other schedules. I would like to inform the hon Member opposite that the information requested in Question No. 802 of 2008 has already been made available to him as part of the employment related statistics that I pass to him each quarter. The Employment Service questionnaire does not pose a question that requires employers to identify detached workers. It is not, therefore, possible to know from the Employment Survey whether and if so how many detached workers may have been included or excluded by different employers. This would require a specific question to be included in the questionnaire, a matter to which consideration is being given. In the meantime, I will inform the hon Member that the figure quoted in respect of detached workers as of October 2007, are derived from the Employment Service records and not from the Employment Survey. The statistical information requested in relation to Question No. 802 and No. 804 is set out in the schedules that I now hand to him.

**ANSWER TO QUESTION 805****Amended Answer to Question 406 of 2008**

Breakdown of Detached Workers in employment as at the end of October 2007 by industry and nationality, (corrected answer to Question 406 of 2008):

**2007**

<b>INDUSTRY GROUP</b>	<b>Other British</b>	<b>Spanish</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Shipbuilding, etc.</b>			22	113	<b>135</b>
<b>Construction</b>	5	148	7	18	<b>178</b>
<b>Wholesale Trade</b>		4			<b>4</b>
<b>Retail Trade</b>	3	1			<b>4</b>
<b>Repair of Consumer Goods</b>					<b>0</b>
<b>Sea Transport and Related Services</b>					<b>0</b>
<b>Post &amp; Communication</b>				2	<b>2</b>
<b>Banking, Finance and Insurance</b>		3		2	<b>5</b>
<b>Other Services</b>		14	1	43	<b>58</b>
<b>Total</b>	<b>8</b>	<b>170</b>	<b>30</b>	<b>178</b>	<b>386</b>

**ANSWER TO QUESTION 805****Answer to Question 802**

The breakdown of Detached Workers in employment by industry and nationality since October 2007 is as follows:

<b>October 2007</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>				2	2
<b>Professional</b>	23		8	20	51
<b>Associate Professional</b>					
<b>Administrative</b>					
<b>Skilled Trades</b>	25	1	1	18	45
<b>Personal Services</b>					
<b>Sales &amp; Customer Svcs.</b>		29			29
<b>Plant Operators</b>					
<b>Elementary Occupations</b>					
<b>Totals</b>	<b>48</b>	<b>30</b>	<b>9</b>	<b>40</b>	<b>127</b>

<b>November 2007</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>				3	3
<b>Professional</b>	8		6	30	44
<b>Associate Professional</b>	1				1
<b>Administrative</b>					
<b>Skilled Trades</b>			2	11	13
<b>Personal Services</b>				4	4
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>					
<b>Elementary Occupations</b>	2				2
<b>Totals</b>	<b>11</b>		<b>8</b>	<b>48</b>	<b>67</b>

<b>December 2007</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>				18	18
<b>Professional</b>	1				1
<b>Associate Professional</b>					
<b>Administrative</b>					
<b>Skilled Trades</b>	17			6	23
<b>Personal Services</b>					
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>					
<b>Elementary Occupations</b>					
<b>Totals</b>	<b>18</b>			<b>24</b>	<b>42</b>

Contd.....

**CONTD ANSWER TO QUESTION 805**

**Contd Answer to Question 802**

<b>January 2008</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>	7				7
<b>Professional</b>	12		1	23	36
<b>Associate Professional</b>					
<b>Administrative</b>					
<b>Skilled Trades</b>	17	1	13	31	62
<b>Personal Services</b>					
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>					
<b>Elementary Occupations</b>	1				1
<b>Totals</b>	<b>37</b>	<b>1</b>	<b>14</b>	<b>54</b>	<b>106</b>

<b>February 2008</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>					
<b>Professional</b>	18		4	4	26
<b>Associate Professional</b>					
<b>Administrative</b>					
<b>Skilled Trades</b>					
<b>Personal Services</b>					
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>					
<b>Elementary Occupations</b>					
<b>Totals</b>	<b>18</b>		<b>4</b>	<b>4</b>	<b>26</b>

<b>March 2008</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>			16	2	18
<b>Professional</b>	56	10		40	106
<b>Associate Professional</b>		3		1	4
<b>Administrative</b>					
<b>Skilled Trades</b>	10		1	8	19
<b>Personal Services</b>					
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>					
<b>Elementary Occupations</b>					
<b>Totals</b>	<b>66</b>	<b>13</b>	<b>17</b>	<b>51</b>	<b>147</b>

Contd.....

**CONTD ANSWER TO QUESTION 805**

**Contd Answer to Question 802**

<b>April 2008</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>	65			1	<b>66</b>
<b>Professional</b>			8	72	<b>80</b>
<b>Associate Professional</b>					
<b>Administrative</b>					
<b>Skilled Trades</b>	18	1	4	10	<b>33</b>
<b>Personal Services</b>			1	1	<b>2</b>
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>				1	<b>1</b>
<b>Elementary Occupations</b>					
<b>Totals</b>	<b>83</b>	<b>1</b>	<b>13</b>	<b>85</b>	<b>182</b>

<b>May 2008</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>				25	<b>25</b>
<b>Professional</b>	159		2		<b>161</b>
<b>Associate Professional</b>					
<b>Administrative</b>					
<b>Skilled Trades</b>				21	<b>21</b>
<b>Personal Services</b>					
<b>Sales &amp; Customer Svcs.</b>	1				<b>1</b>
<b>Plant Operators</b>					
<b>Elementary Occupations</b>					
<b>Totals</b>	<b>160</b>		<b>2</b>	<b>46</b>	<b>208</b>

<b>June 2008</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>					
<b>Professional</b>	53	23		8	<b>84</b>
<b>Associate Professional</b>					
<b>Administrative</b>					
<b>Skilled Trades</b>				1	<b>1</b>
<b>Personal Services</b>					
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>					
<b>Elementary Occupations</b>					
<b>Totals</b>	<b>53</b>	<b>23</b>		<b>9</b>	<b>85</b>

Contd.....

**CONTD ANSWER TO QUESTION 805**

**Contd Answer to Question 802**

<b>July 2008</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>					
<b>Professional</b>	45	15	2	7	<b>69</b>
<b>Associate Professional</b>				1	<b>1</b>
<b>Administrative</b>					
<b>Skilled Trades</b>		6	1		<b>7</b>
<b>Personal Services</b>	1		1	1	<b>3</b>
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>					
<b>Elementary Occupations</b>					
<b>Totals</b>	<b>46</b>	<b>21</b>	<b>4</b>	<b>9</b>	<b>80</b>

<b>August 2008</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>				1	<b>1</b>
<b>Professional</b>	9	3			<b>12</b>
<b>Associate Professional</b>					
<b>Administrative</b>					
<b>Skilled Trades</b>	23	21		46	<b>90</b>
<b>Personal Services</b>					
<b>Sales &amp; Customer Svcs.</b>					
<b>Plant Operators</b>					
<b>Elementary Occupations</b>	3				<b>3</b>
<b>Totals</b>	<b>35</b>	<b>24</b>		<b>47</b>	<b>106</b>

<b>September 2008</b>	<b>Gibraltarian</b>	<b>Spanish</b>	<b>British</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Managerial</b>						
<b>Professional</b>						
<b>Associate Professional</b>					2	<b>2</b>
<b>Administrative</b>					1	<b>1</b>
<b>Skilled Trades</b>	2	10			11	<b>23</b>
<b>Personal Services</b>		3				<b>3</b>
<b>Sales &amp; Customer Svcs.</b>						
<b>Plant Operators</b>						
<b>Elementary Occupations</b>		24		1	1	<b>26</b>
<b>Totals</b>	<b>2</b>	<b>37</b>		<b>1</b>	<b>15</b>	<b>55</b>

Contd.....

**CONTD ANSWER TO QUESTION 805****Answer to Question 804**

Breakdown of Detached Workers in employment as at the end of October 2004, 2005  
and 2006 by industry and nationality:

**2004**

<b>INDUSTRY GROUP</b>	<b>Other British</b>	<b>Spanish</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
Shipbuilding, etc.	1	31	8	39	79
Construction	3	106		2	111
Wholesale Trade		31			31
Retail Trade		3		1	4
Repair of Consumer Goods	1	4			5
Sea Transport and Related Services					0
Post & Communication					0
Banking, Finance and Insurance		1		1	2
Other Services	3	5	10	27	45
<b>Total</b>	<b>8</b>	<b>181</b>	<b>18</b>	<b>70</b>	<b>277</b>

**2005**

<b>INDUSTRY GROUP</b>	<b>Other British</b>	<b>Spanish</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
Shipbuilding, etc.		23	2	60	85
Construction	7	96	7	7	117
Wholesale Trade					0
Retail Trade		7		1	8
Repair of Consumer Goods					0
Sea Transport and Related Services					0
Post & Communication				1	1
Banking, Finance and Insurance			2	2	4
Other Services		4	6	63	73
<b>Total</b>	<b>7</b>	<b>130</b>	<b>17</b>	<b>134</b>	<b>288</b>

Contd.....

**CONTD ANSWER TO QUESTION 805****Contd Answer to Question 804****2006**

<b>INDUSTRY GROUP</b>	<b>Other British</b>	<b>Spanish</b>	<b>Other EEC</b>	<b>Other Non-EEC</b>	<b>Total</b>
<b>Shipbuilding, etc.</b>	0	3	2	48	<b>53</b>
<b>Construction</b>	13	62	31		<b>106</b>
<b>Wholesale Trade</b>			5		<b>5</b>
<b>Retail Trade</b>		2			<b>2</b>
<b>Repair of Consumer Goods</b>					<b>0</b>
<b>Sea Transport and Related Services</b>	1	1	4		<b>6</b>
<b>Post &amp; Communication</b>				1	<b>1</b>
<b>Banking, Finance and Insurance</b>				2	<b>2</b>
<b>Other Services</b>		4	2	41	<b>47</b>
<b>Total</b>	<b>14</b>	<b>72</b>	<b>44</b>	<b>92</b>	<b>222</b>



## **SUPPLEMENTARY TO QUESTION NOS. 802 TO 805 OF 2008**

**HON J J BOSSANO:**

So, in fact, not only was the answer given the last time in terms of the numbers incorrect, but in fact, the supplementary to the answer that none were included, that is to say, it is not that the 1441 were not included, it is that they were not 1441, they were 386 and that we have no way of knowing whether the 386 are included or not included in the figures. That is the correct position?

**HON L MONTIEL:**

Well, is the hon Member referring to the Employment Survey or Employment Service information?

**HON J J BOSSANO:**

My original question in relation to the information provided was given that I saw such a high figure, obviously, which turns out to be wrong, whether in fact those 1441 were part of the Employment Survey. The answer that the Minister gave me was that by definition they could not be because detached workers were not employed in Gibraltar but somewhere else. That was the answer he gave me the last time. Now the answer he has given me this time, I think is, that whether they should be or should not be, he does not know whether they are. So, in fact, at the moment we have no way of knowing whether the 386 workers that were identified as detached workers in October 2007, formed part of the workforce in the Employment Survey Report or not. Is that the correct position?

**HON L MONTIEL:**

Yes, the Employment Survey does not make a provision for identifying who are detached workers. Therefore, the answer that I have been given is that they do not know. However, as far as the mistake is concerned, this arose when we tried to answer the question related to the information held by the Employment Service. Therefore we made the mistake in the parameters and it did not capture one month, it collected information from other months. Therefore, it made the figure totally erroneous.

**HON J J BOSSANO:**

I know that the figure is totally incorrect and I understand the mistake, or the flaw in the programme for the computer. My question is, the last time the Minister answered in this House, it is on the record, the detached workers cannot be in the Survey Report because by definition they are not employed in Gibraltar. Indeed, I said to him then, how does he know whether the employers have included it or not if the form that goes to the employer does not tell them do not include detached workers. We have a lengthy exchange of questions and answers on that question, where I referred to the figure that had been given the last time for construction workers which was that were 724 unidentified detached workers. Well, look, 724 would fill quite a large building site. So for all those reasons, when I have come back what I want the

Minister to give me is a straightforward yes or no answer. I know what he says that the form does not carry the caveat, he has told me that twice and, in any case, I told him that in the last House. My question is, does he accept that the answer that he has given me is that at this moment in time, he does not know, the Government do not know, none of us know, whether the 386 people that have been identified as being detached workers are included in the workforce in the report for October 2007 or excluded, there is no way of knowing, is that correct?

**HON L MONTIEL:**

That is precisely the answer. There is no way of knowing because the Employment Survey does not ask the question.

**HON J J BOSSANO:**

Is there still time to do anything about it this year or would it have to be left for next year, the Survey?

**HON L MONTIEL:**

I am afraid I am advised that the matter is being considered as to when to include it, presumably for the next time they do it.

**HON J J BOSSANO:**

It would be for the October 2009, then it is too late for the 2008?

**HON L MONTIEL:**

I presume so, but that would be the logical position to take.

**HON G H LICUDI:**

The Minister has referred to the calculation of these figures and suggested that they were wrong because certain parameters in the formula were incorrect. Does the Minister have any details of how that mistake came about? In particular what I am interested is whether that is a formula and parameters which affects only this particular calculation, in the figure of 1441 which was given and the figure of 386 which is now given, or it is of more general application and affects the other employment statistics which we get regularly? Can we rely safely on those employment statistics in the light of the information given today?

**HON L MONTIEL:**

Well, I would assume and the hon Member will agree that mistakes will be made from time to time. I cannot presume to think that my staff make systematic mistakes throughout. From time to time, I am sure there will be mistakes and we will correct them as they come. In this particular case, what happened was that because the

parameters were not right, we were collecting information from other months not related to the period in question.

**HON G H LICUDI:**

I am not chastising the Government or the staff for making mistakes. I am simply trying to ascertain whether this error only related to this particular calculation or is of a more wider application? I do not believe we have an answer to that yet.

**HON L MONTIEL:**

Well, having discussed this with my staff I am reassured that they do not think that there are any other problems that arise from this particular problem.

**HON J J BOSSANO:**

Before I proceed with the additional question, can I just point out that the answer to Question No. 802 in respect of the months from October 2007, provide a breakdown by trade and not by industry, which is an error as well. The question was for the breakdown to be by industry and nationality, and the answer is not by industry, the answer is by trade. When the question is by industry it says Shipbuilding Construction, Wholesale Trade, Retail Trade and so forth. That was the question answered the last time and that is the question I am asking for other months. But the answer that I have been given breaks the workforce into managerial, professional, associate professional, administrative, skilled, and therefore they could be in any industry. So, perhaps I can get the right answer without having to run the risk of putting the same question or one like it in another meeting of the House, because this is an answer with notice. Will the Minister be able to provide me with the right information?

**HON L MONTIEL:**

Of course, we will try and comply with the hon Member's request.

**HON J J BOSSANO:**

I think they pushed the wrong button on the computer and got xxxxxx

ORAL

**NO. 806 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – QUESTIONNAIRES**

Can Government state whether there are any new employers who have been sent questionnaires for the October 2008 Employment Survey who were not included in the October 2007 Employment Survey, and if so, how many?

**ANSWER**

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

Answered together with Question No. 807 of 2008.

**NO. 807 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – QUESTIONNAIRES**

Can Government say whether any of the employers included in the 2007 Employment Survey, had not been sent questionnaires in the October 2008 Employment Survey, and if so, how many?

**ANSWER**

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

A total of 323 new employers have been sent questionnaires in the October 2008 Employment Survey who were not included in the October 2007 Employment Survey. A total of 239 employers, who were included in the 2007 Employment Survey, have not been sent questionnaires in the October 2008 Employment Survey.

**SUPPLEMENTARY TO QUESTION NOS. 806 AND 807 OF 2008**

**HON J J BOSSANO:**

Does the Minister have information on whether the 300 that were not included last year were all employers that have actually started their activity in the intervening 12 months?

**HON L MONTIEL:**

No, I can tell him though that the reason why the 239 were not sent was either because they had ceased trading or had no intention, the employers, of employing anybody. Or indeed, there may have been a change of name. This is the logical explanation that I have been given as to why they have not been sent.

**HON J J BOSSANO:**

I was not asking about the ones that had not been sent, I was asking about the ones that have been sent but were not there a year ago.

**HON L MONTIEL:**

I do not know.

**HON J J BOSSANO:**

The question was, is it that these people who were not there were not trading a year ago and they have all started trading in the last 12 months? The answer to Question No. 806, which tells me the ones who are new this year and who were not included in 2007. What I am asking is, does the Minister know whether all those people are people who, in fact, started their business in the last 12 months?

**HON L MONTIEL:**

I really do not know but I can guess that that would be the case.

**HON J J BOSSANO:**

I see. Would he be able to ask those who prepare the answer for him whether they think they know or whether they are also missing?

**HON L MONTIEL:**

I will ask the question.

ORAL

**NO. 808 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – QUESTIONNAIRES**

Can Government provide a breakdown by industry of the employers, if any, included in the 2007 Employment Survey, who had not been sent questionnaires in the October 2008 Employment Survey?

**ANSWER**

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

Answered together with Question No. 809 of 2008.

ORAL

**NO. 809 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – BREAKDOWN BY INDUSTRY**

Can Government provide a breakdown by industry of the employers, if any, included in the October 2008 Employment Survey, who were not included in the October 2007 Employment Survey?

**ANSWER**

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

The information requested by the hon Member is set out in the schedules that I now hand to him. I think I have got the industries right here.



**Answer to Question 809 of 2008**

**Table of Companies by Industry Groups who had not been sent a questionnaire for the October 2008 Employment Survey**

<b>Industry Group</b>	<b>Number of Companies</b>
Shipbuilding	1
Other Manufacture	5
Construction	13
Wholesale and Retail Trade	42
Hotels and Restaurants	16
Transport and Communication	9
Financial Intermediation	35
Real Estate and Business Activities	35
Education	1
Health and Social Work	4
Other Services	13
Not Allocated*	65
<b>Grand Total</b>	<b>239</b>

\*65 employers have not been allocated an industry group because the questionnaires were nil returns.

**Contd. Answer to Question 809 of 2008**

**Table of New Companies in October 2008 by Industry Group not included in the Employment Survey of October 2007**

<b>Industry Group</b>	<b>Number of Companies</b>
Other Manufacture	2
Construction	11
Wholesale and Retail Trade	22
Hotels and Restaurants	16
Transport and Communication	7
Education	1
Financial Intermediation	21
Real Estate and Business Activities	34
Public Administration and Defence	1
Health and Social Work	3
Other Services	16
Not Allocated*	189
<b>Grand Total</b>	<b>323</b>

\*189 employers have not yet been allocated an industry group because the questionnaires have not been received to date.

**SUPPLEMENTARY TO QUESTION NOS. 808 AND 809 OF 2008**

**HON J J BOSSANO:**

In the light of the supplementary that I asked in relation to these same questions in the earlier part before the breakdown, perhaps the Minister, in going back to see if he can obtain further information, can look at the area of hotels and restaurants, where he will see there are 16 hotels and restaurants that were left out in 2008 that were included in 2007 and 16 that were included in 2008 and were not there in 2007. So, maybe that is an area where there has been a change of name, because it seems odd that 16 restaurants should have disappeared in 12 months and 16 new ones have appeared. Or maybe it has happened, I do not know, but if he focuses on one it might give him a clue as to the rest. If he will do that.

**NO. 810 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – EMPLOYERS WITH NIL RETURN**

Can Government state in the light of the answer provided to Question No. 419 of 2008 whether all the 541 employers which recorded a nil return of employees in October 2007 were sent a questionnaire in October 2006 and if not how many were?

**ANSWER**

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

A total of 430 employers out of the 541 employers who recorded a nil return of employees in October 2007, were sent a questionnaire in October 2006.

**SUPPLEMENTARY TO QUESTION NO. 810 OF 2008**

**HON J J BOSSANO:**

I think the answer that the Minister read out, where he hesitated, he is not saying that the 430 sent a nil return, it is the 541 that sent a nil return, is that correct?

**HON L MONTIEL:**

Yes, 541 sent a nil return. The difference is that 111 new employers who were sent a questionnaire in October 2007.

**HON J J BOSSANO:**

Yes, I understand that the 430 who sent a nil return out of the 541, 430 were there a year before and there were 111 new ones who, notwithstanding the fact that they were there for the first time, employed nobody.

ORAL

**NO. 811 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – RETURNS BY EMPLOYERS**

Can Government state what was the number of employers who were sent a questionnaire in October 2006 who were included in the 541, who made a return in October 2007, and of those employers in 2006, how many made a return showing employees, and how many employees were covered, how many made a nil return and how many failed to answer?

**ANSWER**

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

A total of 430 employers were sent a questionnaire in October 2006 who were included in the 541 employers who registered a nil return in October 2007. Of these 430 employers in 2006, 88 employers made a return registering 272 employees, 340 employers made a nil return and two employers failed to answer.

**NO. 812 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – RETURNS BY EMPLOYERS**

Can Government state the total number of persons employed in October 2007 by the 33 employers who had made a nil return and the 5 employers who had made no return in the October 2006 Employment Survey and how many of these employees were Gibraltarians?

**ANSWER**

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

The 33 employers who had made a nil return in October 2006 employed 116 employees in October 2007, of which 52 were Gibraltarian. The five employers who had made no return in October 2006, employed 12 employees in October 2007, of which one was Gibraltarian.

ORAL

**NO. 813 OF 2008**

**THE HON J J BOSSANO**

**UNEMPLOYED FEMALE GIBRALTARIANS**

Can Government provide a breakdown of the female Gibraltarians who registered as unemployed in each month since June, 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 information requested by the hon Member is set out in the schedule that I now hand to him.

Answer to Question 813 of 2008

Female Gibraltarians Registered showing if registered for the first time and those who were previously employed by occupation.

	First Registration	Managers and Senior Officials	Professional Occupations	Associate Professionals and Technical Occupations	Admin and Secretarial Occupations	Personal Service Occupations	Customer Service Occupations	Elementary Occupations	Total	Total Female Registered
Jun-2008	9				5	83	8		105	134
Jul-2008	2	1	2	2	12	16	13	7	55	56
Aug-2008	4		1	1	14	3	12	5	40	46
Sep-2008	7	1	1	2	9	4	10	8	42	58
<b>Total</b>	<b>13</b>	<b>2</b>	<b>4</b>	<b>5</b>	<b>35</b>	<b>23</b>	<b>35</b>	<b>20</b>	<b>137</b>	<b>294</b>



**SUPPLEMENTARY TO QUESTION NO. 813 OF 2008**

**HON J J BOSSANO:**

The figures since June appear to be much lower than the June figure. Was the June figure an exceptionally high figure for any particular reason that the Minister knows?

**HON L MONTIEL:**

Yes, there was a number of about 83 females from personal service occupations that terminated employment and then they were re-employed a few months later.

**HON J J BOSSANO:**

In the breakdown that shows the 83 personal service occupations, these are not domestics are they, or is that what they are?

**HON L MONTIEL:**

Yes, they are attendants, they are school attendants I believe and they decided to register for unemployment during the summer period.

**HON J J NETTO:**

Could I perhaps say very quickly, because I have a question within my own bundle of questions, which specifically relates as to the rise in unemployment and the answer we give is the answer the Leader of the Opposition is seeking. So, perhaps, if we could park it for now and then wait for my question to come up, then I can give him the answer to that.

**NO. 814 OF 2008**

**THE HON J J BOSSANO**

**UNEMPLOYED FEMALE GIBRALTARIANS**

Can Government provide the answer to Question No. 415 of 2008 as regards the number of women that entered the register of unemployed Gibraltarians during the course of the month of June 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 answer to this question remains as already stated in relation to Question No. 415 of 2008.

**SUPPLEMENTARY TO QUESTION NO. 814 OF 2008**

**HON J J BOSSANO:**

The last time in the supplementaries the answers were left on the basis that the answer that had been given could not be right. The Minister is saying that the answer was right? This is why my question now says, "can they now provide the information", because the last time the last answer I had was that the information could not be correct because it showed the 834 being registered for the first time, sorry, coming out of jobs. But I mean, is it that the information was correct even though it was thought not to be correct?

**HON L MONTIEL:**

Well, it appear so, I have no answer to the contrary. It appears that the answer we gave in Question No. 415 of 2008 seems to be the situation. What was required was more of an explanation as to why.

**HON J J BOSSANO:**

Well, I remember the last time the Minister gave by way of an explanation, which does not seem to be correct, that people were lapsed and then they came back. This

is not the case, these are people who were actually working and then stopped working.

**HON L MONTIEL:**

That is right. It seems to be..... well, it coincides with the previous question in that for that particular period there seems to be a great number of women that actually left employment.

ORAL

**NO. 815 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – BREAKDOWN OF LABOUR RECRUITMENT  
SUB-INDUSTRY**

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 Employment Surveys in the labour recruitment sub-industry?

**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 I now hand to him.

**Answer to Question No. 815 of 2008**

**Labour Recruitment Sub-Industry**

	<b><u>October 2006</u></b>			<b><u>October 2007</u></b>		
	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>
Gibraltarian	335	177	512	413	182	595
UK British	22	17	39	54	32	86
Moroccan	3	3	6	4	0	4
Spanish	9	6	15	52	6	58
Other EU	0	1	1	95	2	97
Other	1	1	2	1	1	2
<b>TOTAL</b>	<b>370</b>	<b>205</b>	<b>575</b>	<b>619</b>	<b>223</b>	<b>842</b>

**SUPPLEMENTARY TO QUESTION NO. 815 OF 2008**

**HON J J BOSSANO:**

If I may, I have just noticed that the answer to Question No. 813, like the previous answers, the Minister has provided the breakdown by occupation and, in fact, the one for Question No. 415 was provided by industry, so we have got different breakdowns. Perhaps he can also get for me the same one as the last time?

**HON L MONTIEL:**

Yes, xxxxxxxx systems.

ORAL

**NO. 816 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – RETURNS BY EMPLOYERS IN THE  
LABOUR RECRUITMENT SUB-INDUSTRY**

Can Government state the number of employers in the labour recruitment sub industry group who a) made no return b) made a return showing the number of employees in the Employment Surveys from October 1998 to 2007?

**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 I now hand to him.

**Answer to Question No. 816 of 2008**

Labour Recruitment Sub-Industry

		<u>Number of Employers</u>
<u>Made no Return:</u>	October 1998	n/a
	October 1999	2
	October 2000	3
	October 2001	3
	October 2002	4
	October 2003	3
	October 2004	2
	October 2005	3
	October 2006	2
	October 2007	2

	<u>Number of Employers</u>	<u>Number of Employees</u>
<u>Made a Return:</u>	October 1998	
	October 1999	397
	October 2000	386
	October 2001	418
	October 2002	342
	October 2003	493
	October 2004	477
	October 2005	499
	October 2006	575
	October 2007	842



**SUPPLEMENTARY TO QUESTION NO. 816 OF 2008**

**HON J J BOSSANO:**

Are these companies that are like employment agencies that supply temporary staff or are they something else? Is that what we are talking about? The industry group labour sub-contracting, the labour recruitment sub-industry group is something that appeared mentioned for the first time in 2007, we did not know such a group existed before that, that is why the information is taking us back. I am asking, are these entities people like the employment agencies that supply workers to other people, like temporary office staff and that kind of thing? Is that what this is?

**HON L MONTIEL:**

I am not sure but it sounds logical that this would be an area which has been growing and, presumably, is a new inclusion in it. I can only guess that that may be the case but I honestly do not know whether that sub-industry group is what he thinks it is.

**HON J J BOSSANO:**

Well, presumably in the industry classification coding system there must be a definition of who gets included in this group. Perhaps the Minister can obtain that.

**HON L MONTIEL:**

Yes, and I will look at my notes to see if I have got any information there. Yes, I will do that.

ORAL

**NO. 817 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – RETURNS BY EMPLOYERS IN THE  
LABOUR RECRUITMENT SUB-INDUSTRY**

Of the employers in the labour recruitment sub-industry group who made a return showing the number of employees, can Government provide the breakdown by gender and nationality in respect of the return for each Employment Survey Report from the year 1998 to 2007?

**ANSWER**

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

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

**Answer to Question No. 817 of 2008**

**Labour Recruitment Sub-Industry**

	<b><u>October 1998</u></b>			<b><u>October 1999</u></b>		
	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>
Gibraltar	339	2	341	365	9	374
UK British	15	2	17	11	5	16
Moroccan	1	0	1	5	0	5
Spanish	0	1	1	1	0	1
Other EU	4	3	7	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>359</b>	<b>8</b>	<b>367</b>	<b>382</b>	<b>14</b>	<b>396</b>

Contd.....

**Contd. Answer to Question No. 817 of 2008**

**Labour Recruitment Sub-Industry**

	<b><u>October 2000</u></b>			<b><u>October 2001</u></b>		
	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>
Gibraltarian	371	8	379	374	26	400
UK British	5	1	6	5	5	10
Moroccan	1	0	1	4	0	4
Spanish	0	0	0	2	1	3
Other EU	0	0	0	0	1	1
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>377</b>	<b>9</b>	<b>386</b>	<b>385</b>	<b>33</b>	<b>418</b>

Contd.....

**Contd. Answer to Question No. 817 of 2008**

**Labour Recruitment Sub-Industry**

	<b><u>October 2002</u></b>			<b><u>October 2003</u></b>		
	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>
Gibraltarian	317	11	328	281	186	467
UK British	3	4	7	3	11	14
Moroccan	3	0	3	4	2	6
Spanish	1	3	4	2	3	5
Other EU	0	0	0	0	1	1
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>324</b>	<b>18</b>	<b>342</b>	<b>290</b>	<b>203</b>	<b>493</b>

Contd.....

**Contd. Answer to Question No. 817 of 2008**

**Labour Recruitment Sub-Industry**

	<b><u>October 2004</u></b>			<b><u>October 2005</u></b>		
	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>
Gibraltarian	253	189	442	275	195	470
UK British	5	14	19	6	12	18
Moroccan	4	1	5	3	1	4
Spanish	2	8	10	2	5	7
Other EU	0	1	1	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>264</b>	<b>213</b>	<b>477</b>	<b>286</b>	<b>213</b>	<b>499</b>

Contd.....

**Contd. Answer to Question No. 817 of 2008**

**Labour Recruitment Sub-Industry**

	<b><u>October 2006</u></b>			<b><u>October 2007</u></b>		
	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>	<b><u>Male</u></b>	<b><u>Female</u></b>	<b><u>Total</u></b>
Gibraltarian	335	177	512	413	182	595
UK British	22	17	39	54	32	86
Moroccan	3	3	6	4	0	4
Spanish	9	6	15	52	6	58
Other EU	0	1	1	95	2	97
Other	1	1	2	1	1	2
<b>TOTAL</b>	<b>370</b>	<b>205</b>	<b>575</b>	<b>619</b>	<b>223</b>	<b>842</b>

ORAL

**NO. 818 OF 2008**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – LABOUR RECRUITMENT SUB-INDUSTRY**

Can Government state for each year from 1999 to 2007 whether there was a change in the composition of the employers in the labour recruitment sub-industry group, i.e. an addition or deletion of an employer in each year compared to the preceding year?

**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 I now hand to him.



**Answer to Question No. 818 of 2008:**

Labour Recruitment Sub-Industry

	<u>Additions</u>	<u>Deletions</u>	<u>Total Employers</u>
October 1998	n/a	n/a	4
October 1999	n/a	n/a	3
October 2000	1	2	2
October 2001	1	0	3
October 2002	1	1	3
October 2003	3	1	5
October 2004	1	0	6
October 2005	1	2	5
October 2006	2	0	7
October 2007	4	0	11

**NO. 819 OF 2008**

**THE HON J J BOSSANO**

**INDUSTRIAL TRIBUNAL – COMPLAINTS**

Can Government confirm which of the 9 complaints received by the Industrial Tribunal of discriminatory treatment on grounds of sex given in answer to Question No. 420 of 2008 involved a complaint of unfair dismissal?

**ANSWER**

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

I am informed by the Secretary to the Industrial Tribunal that all nine complaints received involved complaint of unfair dismissal.

**SUPPLEMENTARY TO QUESTION NO. 819 OF 2008**

**HON J J BOSSANO:**

So, therefore, the principal grounds for the complaints in all nine cases was that there was a dismissal deemed to be unfair, which could have been for reasons other than the complaint of discrimination, is that correct?

**HON L MONTIEL:**

That is my understanding. Lawyers tend afterwards to change the terms during the course of the Tribunal and sometimes it can even be sexual, that is my experience.

**HON J J BOSSANO:**

Well, only if they have very lenient chairmen.

**HON L MONTIEL:**

They get away with murder.

**HON J J BOSSANO:**

But, I mean, the reason why I am asking is because in answer to my original question in the previous meeting, I was asking about complaints arising out of newly created offences. I take it these are not arising out of newly created offences? These are simply, that even if there has been no question of harassment or discriminatory treatment, it would be a dismissal in its own right.

**NO. 820 OF 2008**

**THE HON J J BOSSANO**

**INDUSTRIAL TRIBUNAL – COMPLAINTS**

Since the coming into effect of the Equal Opportunities Act 2004 and its replacement the Equal Opportunities Act 2006, how many complaints have been presented to the Industrial Tribunal in respect of their new competence for alleged unlawful discrimination?

**ANSWER**

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

I am advised that five such complaints have been presented to the Industrial Tribunal.

**SUPPLEMENTARY TO QUESTION NO. 820 OF 2008**

**HON J J BOSSANO:**

Can the Minister say whether those five complaints, whether any of those were included in the nine that he previously gave me in the previous answer, and (b), if not, whether the five complaints also involved a claim for unfair dismissal or were complaints made in respect of people still in employment?

**HON L MONTIEL:**

I do not know, I will try to get that information but I could not get the right answer, so I will say that I do not know.

**HON J J BOSSANO:**

Does he know the dates of the complaints? Did they arise out of the 2004 or out of the amendments introduced in 2006?

**HON L MONTIEL:**

Well, these five complaints that I am referring to come as a result of the Equal Opportunities Act 2006.

**HON J J BOSSANO:**

I see, so they are all post-2006, none of them are between 2004 and 2006 is that right?

**HON L MONTIEL:**

That is my information.

**HON G H LICUDI:**

Can the Minister say whether any of these are on-going or whether they have all now concluded the determination by the Industrial Tribunal?

**HON L MONTIEL:**

I am not aware whether they are on-going or not. I know that there is a process which I do not follow very closely because they tend to work more independently rather than controlled by the Employment Service. Controlled by lawyers.

**HON G H LICUDI:**

Can the Minister say whether he is aware of what the findings may have been, whether the Industrial Tribunal in respect of any of these complaints have actually found that there was a lawful discrimination?

**HON L MONTIEL:**

I have not followed the results of each case, I do not follow those cases.

**HON G H LICUDI:**

Can the Minister then say what the nature of the alleged unlawful discrimination was in each of these complaints? Which type of discrimination is the Industrial Tribunal dealing with in these complaints?

**HON L MONTIEL:**

No, all I know is that they are unlawful discrimination.

**HON J J BOSSANO:**

Obviously the complainant might think it unlawful otherwise he cannot put a complaint. But, I mean, are we talking about discrimination on grounds of age, or race, or sex, which are listed in the legislation we have passed? The purpose of the exercise is to see the effect the legislation is having.

**HON L MONTIEL:**

I do not have the information but I do know that there are a number of scenarios in each of the complaints, where it is focussed in different ways, by sex discrimination or by unlawful discrimination. I believe there were some, about 14 cases in total, related with one thing or the other, sex discrimination, age discrimination, but since I have not looked at this particular question, I would rather not commit myself with a definite answer.

**HON J J BOSSANO:**

When he says 14 what is it? Is he adding these to the previous nine, is that what he is saying?

**HON L MONTIEL:**

Yes.

**HON J J BOSSANO:**

But the nine were before the legislation was passed.

**HON L MONTIEL:**

Right.

**HON J J BOSSANO:**

How could they then be? The Minister has told us that these five complaints have all come about after the House approved the 2006 Act. Therefore, they must be complaints alleging that somebody has been discriminated against in a manner which is unlawful because of the 2006 Act. But, of course, the other nine are all before that date, so how can they be.....?

**HON L MONTIEL:**

As I answered in the question, nine complaints received by the Industrial Tribunal of discriminatory treatment on grounds of sex that also involved unfair dismissal. So, yes, absolutely correct, these nine came before the Act.

**HON J J BOSSANO:**

Before the Act?

**HON L MONTIEL:**

Yes.

**HON J J BOSSANO:**

Right, but before the Act it could be that somebody went to a tribunal and complained of unfair dismissal by arguing, "I was not dismissed for redundancy because I was the last in, I was dismissed for redundancy because they decided to apply gender discrimination in the redundancy". Now that would be something that would have been available as an argument, even before the passing of the new law.

**HON L MONTIEL:**

Yes.

**HON J J BOSSANO:**

But in the new law, see, there we have got a situation where the principal ground of complaint is the dismissal. Then the other argument is used to say, "I was not dismissed for a permitted reason in a law that has been there since 1975". What I am trying to do is try and get some feedback on the effect of the new legislation that had been passed.

**HON L MONTIEL:**

All I know is that there are five complaints.

**HON J J BOSSANO:**

So it is five and not 14 then?

**HON L MONTIEL:**

That is right. Of the 14, five.

**HON G H LICUDI:**

The question certainly relates to the number of complaints, and it appears that what the Minister has done is simply limit himself to finding a number rather than obtaining any information about the nature of the complaint itself and the type of discrimination

that is alleged. Does the Minister not consider that it is important to investigate the nature of the discrimination alleged, and the effect that the Equal Opportunities Act 2006 is having? Particularly, if there is a trend shown by the nature of the unlawful discrimination alleged that it is of a particular type, it may require a policy decision to tackle that particular issue, if employers are regularly or systematically discriminating on a particular basis. Does the Minister not believe it is fundamental, not just to see, well these are the statistical analyses that we can make, we can point to certain numbers, but what lies behind the numbers is certainly much more important, does the Minister not agree?

**HON D A FEETHAM:**

Mr Speaker, if I may? If the question is so fundamental, in fact, the hon Gentleman or indeed his colleague, the Leader of the Opposition, could have given notice of the question and asked it. I would have thought if the question was so fundamental as the hon Member says that the question and the information is, he should have given notice to my Colleague and, no doubt, then my Colleague would have come to Parliament prepared to answer the question. He has answered, he has come prepared to answer the question that has been put on notice, which is the question which the Leader of the Opposition put, and he has answered it. If they want more detail or if the next time they want more detail, they should give notice of the question.

**HON J J BOSSANO:**

The Minister seems to expect us to have a crystal ball and know the answer to the question before we put the question. Surely the supplementary arises because we have now been told there have been five, and it is with great difficulty, given the complex way of giving answers that the Minister has, that we have been trying to establish whether there are five or 14, because he keeps on telling us they are five out of 14 but that the other nine were before the Act was passed. So, now that we know that there are five cases post-2006, now and only now as a result of that information can we ask, "well, look, do you not think it might be a good idea to try and see if there is a pattern to these five cases?" If we had been told there were 500, or if we had been told there were zero, then the suggestion would have been a different one. Clearly we could not put a question down for the Order Paper unless we put it, "can the Government tell us if it is 500 whether they think they should do this, and if it is zero whether they think they should do the other?" That would be seeking to pre-empt the answer to the question even before we put the question. In fact, the analysis of those five only arises now that we know that there are five.

**MR SPEAKER:**

I think both sides have a point. The question was put on the statistical information required. The statistical information required has been provided in a manner, whether it is comprehensible or not is neither here nor there, as far as I am concerned. So that is as far as the Minister can go and if he says he has no further information, that is where the answers must necessarily stop. I think the question put by the Hon Gilbert Licudi sought to take the matter a step further, and I think it is in that way the Hon Daniel Feetham says, "well we are going to take it a step further, the matter is a separate debate and should form the basis of either a separate motion or separate questions". Is it not accepted this should happen?



**HON G H LICUDI:**

Mr Speaker, ordinarily yes, but without seeking to suggest that.....

**MR SPEAKER:**

No, I am just trying to summarise the whole debate where both sides seem to be on the right track, except that it is only so far a question and answer can really go.

**HON G H LICUDI:**

That is certainly helpful, but from our point of view, not having any information at all and trying to elicit the information, we cannot proceed on the basis of hypothesis or speculation. Therefore, we proceed on the basis of information being sought and on the basis of that information, as the Leader of the Opposition has explained, there may or there may not be supplementaries. If, in this particular case, a question is asked about complaints, and the question is about complaints alleging unlawful discrimination, one would have thought that what the Minister would have done would have been to sit down with his officials who prepared the answer for him, and said, "well what are the nature of the complaints because there may be supplementaries in relation to those complaints". It appears, this is the first time today, only today, the third time today, that we are being told that we need notice of supplementaries which we say follow naturally. But it appears that what Government Ministers limit themselves to doing, is coming to this House with a green piece of paper and reading what the official has prepared, without having any notion of what lies behind that. That, we suggest, is disgraceful treatment and improper preparation for the House.

**MR SPEAKER:**

With respect, I am sorry, I must draw the line there. A question is put, the Minister is under duty to answer the question, to the best of his ability, the answers have to stand for what they are. Then it is a matter of comment whether the answer is adequate or not. In terms of preparation, well, I have never had the pleasure or privilege of being prepared by my officials as to answers. Some people on the Opposition and many on the Government side have the privilege, I do not know where the shortcoming, if any, lies, but then one has to accept the answers. That is what Question Time is about, the answer is the answer.

**NO. 821 OF 2008**

**THE HON J J BOSSANO**

**UNEMPLOYED EU FRONTIER WORKERS**

Can Government confirm that EU frontier workers on becoming unemployed are permitted to register in order to seek employment and remain part of Gibraltar's labour market?

**ANSWER**

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

Just as before taking up employment, EU frontier workers are not registered as seeking employment. The same applies when they become unemployed. That is to say, they are not registered as unemployed and so, do not remain part of Gibraltar's labour market.

**SUPPLEMENTARY TO QUESTION NO. 821 OF 2008**

**HON J J BOSSANO:**

Well, the Minister has told me what happens and my question is not what happens, it is whether they are permitted. Is he saying that they are not permitted?

**HON L MONTIEL:**

That is correct.

**HON J J BOSSANO:**

Is the Minister satisfied that that is not in breach of EU law?

**HON L MONTIEL:**

Well, my understanding is that according to EU law, an unemployed person has to register in the nearest jurisdiction. If they are not local employees, presumably they would have to register in another jurisdiction, in Spain, in the place of residence.

**HON J J BOSSANO:**

The Minister for Labour is supposed to be conversant with the labour laws which he has to ensure are observed. I mean, is it not the case that a frontier worker is entitled under Community law to continue to seek employment in the Member State in which he has last worked?

**HON L MONTIEL:**

Yes, there is nothing prohibiting the unemployed person from a neighbour State seeking employment in Gibraltar, but he/she does not have necessarily, according to the information I have received, need to be registered in the Gibraltar unemployment register.

**HON J J BOSSANO:**

I see. So if an EEC worker that lives in Spain, in La Linea, of which there are several thousand, loses his job and goes to the Employment Agency to find out what jobs there are because he is seeking re-employment, what does he get told? That he cannot be told of the jobs that there are because he is not entitled to be registered?

**HON L MONTIEL:**

The Employment Service do not register that individual as unemployed.

**HON J J BOSSANO:**

I see, so he is entitled to seek re-employment but he is not entitled to use the services of the Employment Agency to seek that re-employment, and the Minister thinks that that is complying with EU law?

**HON L MONTIEL:**

Well, that is the practice.

**HON J J BOSSANO:**

But is it that the Minister does not know whether the practice is legal or illegal under EU law? Obviously I know, otherwise I would not be asking him.

**HON L MONTIEL:**

So far it has not been challenged.

**HON J J BOSSANO:**

I see.

**MR SPEAKER:**

Surely if the hon Member knows the answer he should not be asking the question.

**HON J J BOSSANO:**

I know the answers to all my questions, I just seek confirmation of what I already know. Is it that the Minister may be confusing the fact that they are entitled to receive unemployment benefit in their State of residence, with registration but not for the purpose of claiming benefit, but registration for the purpose of seeking employment. Will he look at that difference?

**HON L MONTIEL:**

Yes.

**NO. 822 OF 2008**

**THE HON DR J J GARCIA**

**COMPUTER HACKING**

Does Government have any plans to expressly outlaw computer hacking in and from Gibraltar and if so in what timescale?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

The term “computer hacking” is one used in everyday language rather than in legal terminology. As part of the criminal review project, Government will introduce various computer crimes which would be considered to be within the scope of computer hacking. The offences are in the nature of unauthorised access to and interception of any computer or computer material and services. We hope to have the new provisions in place within the next six months, as part of the computer misuse part of the Crimes Bill.

**NO. 823 OF 2008**

**THE HON S E LINARES**

**EDUCATION – SCHOOL ATTENDANCES**

Can Government state what the percentage attendance of school children is compared to total possible sessions offered in the academic year of 2007/2008 giving a breakdown by school and term?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

The statistical information requested is set out in the schedule which is being handed out right now.

**Answer to Question 823 of 2008**

<b>2007/2008</b>			
<b>School</b>	<b>Term</b>		
	<b>Autumn</b>	<b>Spring</b>	<b>Summer</b>
<b>Bayside</b>	91	88	88
<b>Westside</b>	85	89	82
<b>Sacred Heart</b>	92	91	88
<b>St Joseph's Middle</b>	94	92	91
<b>St Anne's Middle</b>	92	90	88
<b>Bishop Fitzgerald Middle</b>	94	91	90
<b>Hebrew Primary</b>	93	88	89
<b>St Mary's First</b>	88	89	93
<b>St Bernard's First</b>	90	86	87
<b>St Joseph's First</b>	89	86	86
<b>Governor's Meadow</b>	93	90	92
<b>St Paul's First</b>	94	90	91
<b>Notre Dame First</b>	91	91	90

**NO. 824 OF 2008**

**THE HON S E LINARES**

**EDUCATION – BEST**

Will the Minister of Education state how many pupils have been supported by the BEST (Behavioural and Educational Support Team) from May 2008 to the end of the academic year and from September 2008 to date giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

The number of pupils who have been supported by the BEST team from May 2008 to the end of the academic year and from September to date is as follows:

May	-	179
June	-	179
September	-	138
October	-	154
November	-	154

**SUPPLEMENTARY TO QUESTION NO. 824 OF 2008**

**HON S E LINARES:**

Just to get my list right, May 179, June 179, July was it July?

**HON C G BELTRAN:**

No, July is towards the end of the term, it is just a few days really. The children in question have been involved in all sorts of end of term activities and so on.

**HON S E LINARES:**

Okay.



ORAL

**NO. 825 OF 2008**

**THE HON S E LINARES**

**EDUCATION – ALTERNATIVE LEARNING CENTRE**

Can Government state how many pupils attended the Alternative Learning Centre in Bayside from May 08 to the end of the academic year and from September 2008 to date giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

Answered together with Question No. 826 of 2008.

**NO. 826 OF 2008**

**THE HON S E LINARES**

**EDUCATION – ALTERNATIVE LEARNING CENTRE**

Can Government state what the alternative is to an Alternative Learning Centre in Westside School?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

In respect of Question No. 825, the breakdown is as follows:

May	-	4 pupils
June	-	4 pupils
July	-	4 pupils
September	-	4 pupils
October	-	5 pupils
November	-	4 pupils

In respect of Question No. 826, Westside attends to the needs of disaffected pupils within its Special Needs provision.

ORAL

**NO. 827 OF 2008**

**THE HON S E LINARES**

**EDUCATION – 14-19 WORKING GROUP**

Can Government state how many times the 14-19 working group have met since April 2008?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

Answered together with Question Nos. 828 and 829 of 2008.

ORAL

**NO. 828 OF 2008**

**THE HON S E LINARES**

**EDUCATION – 14-19 WORKING GROUP**

Can Government state whether co-education was discussed in the 14-19 working group and whether any recommendation has been made?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

Answered together with Question Nos. 827 and 829 of 2008.

**NO. 829 OF 2008**

**THE HON S E LINARES**

**EDUCATION – 14-19 WORKING GROUP**

Can Government state what other issues were discussed by the 14-19 working group in the last meeting?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

In respect of Question No. 827, the 14-19 Working Group have met four times since April 2008.

In respect of Question No. 828, the 14-19 Working Group has made no proposals on co-education.

In respect of Question No. 829, the answer is that a range of issues are normally discussed at these meetings but the steering group meets with the aim of addressing the on-going operational needs of the three secondary sector institutions. Contact with the Minister arises in the case of this group broaching new initiatives that actually require Government approval, otherwise they get on with the work as they see from the point of view of a steering group or think tank.

**SUPPLEMENTARY TO QUESTION NOS. 827 TO 829 OF 2008**

**HON S E LINARES:**

Was not the original, because the remit of the 14-19 Working Group, as I understand it, and the previous Minister used to state, was widened to include things like co-education, and the previous Minister used to state that there were on-going discussions and they would put recommendations and a report would be done on co-education. Has any report been forwarded to Government in relation to this, because it is part of their remit? If it is not, does the Minister not think that there should be, within the 14-19 Working Group, because I think it is the right forum where the co-education should be discussed?

**HON C G BELTRAN:**

Well, I think that particular question was answered in reply and supplementaries to Question No. 417 of 2007, actually, and I think it made clear that the original group that existed to look into co-education was subsumed into the 14-19 Group. So, yes,

that is part of what may be discussed there, but nothing has emerged in terms of any report or any signs of co-education being alive and kicking, as it were, because it is not an issue that arises with any urgency or any need for change. This is what comes out of the 14-19 Group, there is no specific recommendation to Government. As I said, they get on with their work as a think tank on education and I do not believe that at this point in time they have seen it fit to look into the question of co-education with any urgency, or as an important issue to discuss at this moment in time. Single sex secondary schools work in Gibraltar at the moment, there is nothing, as I think I said yesterday in an interview which will probably appear on GBC this evening, there is nothing to show..... There is no evidence from many studies undertaken, the latest one I think by the Harvard School of Medicine, actually, that a co-education environment offers better prospects for young peoples' education, particularly in adolescence, compared to single sex schools. So, you know, if it is not broken why fix it? It is working well as it is. This is why there are no specific recommendations made from that forum to Government.

**NO. 830 OF 2008**

**THE HON S E LINARES**

**EDUCATION – ENTITLEMENT TO FREE STATE EDUCATION**

Can Government state what documents are needed by parents of children of school age to be entitled to free state education if they are:

- (a) British Nationals;
- (b) EU Nationals;
- (c) Non EU Nationals, respectively?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

In order to be entitled to free state education, a child must be ordinarily resident in Gibraltar and the following are accepted by the Department of Education and Training as evidence of residence:

In the case of British Nationals and EU Nationals, any one of the following:

- A Permit of Residence, or
- A Civilian Registration Card, or
- Any residence documentation issued by the Civilian Registration Office.

In the case of non-EU Nationals:

- A Permit of Residence issued by the Principal Immigration Officer, or
- A Civil Registration Card, and in some cases, both may be required.

In the case of non-EU Nationals who are family members of resident EU Nationals, any residency document issued by the Civilian Registration Office. This is the information that has been.....

**SUPPLEMENTARY TO QUESTION NO. 830 OF 2008**

**HON S E LINARES:**

In relation to the answer that a Permit of Work is one of them, which he said, resident and a permit of work.

**HON C G BELTRAN:**

No.

**HON S E LINARES:**

Could he clarify which one was the first one? Someone coughed there and I did not quite hear it.

**HON C G BELTRAN:**

Right, okay, I shall repeat the answer. In the case of British Nationals and EU Nationals any one of the following: a Permit of Residence, or a Civilian Registration Card, or any residence documentation issued by the Civilian Registration Office. In the case of non-EU Nationals, a permit of residence issued by the Principal Immigration Officer, or a Civil Registration Card. In some cases both may be required. I believe that this is because a Permit of Residence might not be for long enough to cover an academic year. In the case of non-EU nationals who are family members of resident EU Nationals, any residency document issued by the Civilian Registration Office.

**HON C A BRUZON:**

In the case of a single parent who is male, a single father, can a single father who produces evidence that the child is his son, is he entitled to have his son educated in Gibraltar as long as he is legally resident here?

**HON C G BELTRAN:**

The answer to that, I think, is yes. The law is based on residence and, obviously, there would have to be legal custody of a child to be able to represent that child as a parent or custodian of a child.



ORAL

**NO. 831 OF 2008**

**THE HON S E LINARES**

**EDUCATION – TEACHERS ON SUPPLY**

Can Government state how many teachers have been offered supply work for one term, two terms and one year respectively?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

Answered together with Question No. 832 of 2008.

**NO. 832 OF 2008**

**THE HON S E LINARES**

**EDUCATION – TEACHERS ON SUPPLY**

Can Government state how many teachers on supply have been on that status for one year, two years, three years, four years, five years or more than five years respectively?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

In answer to Question No. 831, the following have been offered supply work for one term, that is eight; two terms – 14 and one year – 24.

In answer to Question No. 832, the number of teachers who have been on the supply list for one year is 14; for two years is 15; three years is five and four years is three.

**SUPPLEMENTARY TO QUESTION NOS. 831 AND 832 OF 2008**

**HON S E LINARES:**

I presume there are none of five?

**HON C G BELTRAN:**

Yes

**NO. 833 OF 2008**

**THE HON S E LINARES**

**EDUCATION – TLR POSTS**

Can Government state how many of the TLR posts are yet to be awarded and when the whole process will end taking into consideration the domino effect of giving the posts to those who hold a different one already, et cetera?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION AND TRAINING**

A total of 49 TLR posts are still to be awarded. The process will be concluded by the end of December, I think I also quoted these dates at the last Question session. The process will be concluded by the end of December 2008, or perhaps January 2009.

**SUPPLEMENTARY TO QUESTION NO. 833 OF 2008**

**HON S E LINARES:**

Yes, he did say the end of December but I continued the question by asking about the domino effect, because as the Minister knows, somebody who gets a post somewhere else vacates the post and that is what I meant by it. I understand that there are still 49 TLRs to give but there could well be domino effect from those 49, and that is what I am trying to ascertain, the whole process as in when will every single teacher be settled in whatever job they get?

**HON C G BELTRAN:**

Well, that is very difficult to say. The Opposition Members sometimes cry out, almost in dismay, we do not have a crystal ball here to know exactly who is going to apply for what post. Since we are now talking about the last batch of posts, which are the 2D allowances, which are in the lower scale of allowances, the probability is that we will get the younger teachers in the system applying for these posts, who do not already have a post to give up when they apply for this. So the probability is that there will not be. The majority of the domino effect, as he calls it in the question, I think has already been taken care of but some more could arise. I do not expect a lot.

**HON S E LINARES:**

Okay.

**NO. 834 OF 2008**

**THE HON N F COSTA**

**SOCIAL SERVICES AGENCY – DR GIRALDI HOME**

Can Government list the entirety of the allegations that have been received by the management of the Social Services Agency concerning the welfare of service users since January 2005, stating the nature of the allegations, the date on which the allegations were made and the action, if any taken?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

No Sir. This question simply seeks to raise, yet again, information that has already been provided and debated, both in this House as late as September and outside of this House. The Government are not willing to facilitate by these means a continuation of a political campaign against the Social Services Agency, at the expense of staff morale, arising from the fact that the Leader of the Opposition represented a disgruntled member of staff in the Industrial Tribunal.

The Social Services Agency provides an infinitely better, safer, more professional and more extensive and better staffed and resourced service than was ever available under the GSLP Government between 1988 and 1996. The Social Services Agency provides a service to the Community of a high standard that Gibraltar has never enjoyed before. It has a dedicated, committed and hardworking staff.

Furthermore, as I have told this House and the public at large on various occasions already, when standards have fallen below the required level, all allegations have been fully and properly investigated (where appropriate by the Police) and, where indicated, appropriate remedial action taken. This will continue to be the case. Recently, I gave detailed explanations in relation to the list of cases, some of which were real cases and some were not, about which the hon Member asked me in an earlier Parliamentary Question. In fact, last September.

As Minister for Social Services, my door has been and will remain open to service users, family members responsible for them, members of staff, and indeed, Members of the Opposition with regard to any specific and specified concern relating to the quality of care now provided, either generally or in relation to a particular service user. But the Government being fully satisfied that there has been no cover-up of any past irregularity, it is now time to move on in the interests of the service users, staff and the Agency alike.

## **SUPPLEMENTARY TO QUESTION NO. 834 OF 2008**

**HON N F COSTA:**

First of all, I cannot accept this statement that this matter has been debated for the longest time. As the hon Members opposite are aware, there has been no admission whatsoever that there has been anything wrong with the Social Services Agency at all. It has only been after our specific list of questions that there was for the very first time an admission in relation to those incidents and never before. So there has never been debate, either outside or in this House. When the answers were given at the time, all that the hon Members could say was that the answers were given maybe from official records, maybe from memory. So there has been no debate in this House. I refute that point. Secondly, the accusation that there has been a political campaign, that is simply not the case. Standing Orders say..... We are simply quoting that back and forth across the floor of this House, is simply to elicit information. I have asked a question to elicit information specifically as to whether there have been allegations made to the Social Services Agency. I do not understand the reason why every time questions are asked they are objected to, when purely and simply all I am asking for is information which the Government Ministers should have and give to the Members of the Opposition. This question has not been prefaced with any political debate, with any political implication, with any innuendo. It has been simply to make a question and for the answer to be given.

**MR SPEAKER:**

I should ask the Member to get to the question now.

**HON N F COSTA:**

Yes, I was about to say that there was some.....

**MR SPEAKER:**

Order, Order. A question was put and a lengthy answer was given. That is correct. Order, Order. One may interpret the answer whichever way one chooses to but an answer was given and my powers as Speaker are only to allow an answer to be given. An answer has been given, the rules are very clear, questions must not be preceded by very lengthy prologues, I have allowed lengthy prologues, I have not curtailed the hon Member. All I have done is invite the hon Member to get to the next question.

**HON N F COSTA:**

Well Mr Speaker, I will proceed to the supplementary. It is simply to clarify that the answer that was given was that no, the information would not be provided. In respect of the first supplementary, is the Minister then aware whether there was a report submitted to the then Manager of the Dr Giraldi Home, to the then Chief Executive Officer on 17<sup>th</sup> June 2005, and if so, whether there was any investigation that arose as a result of that report? From a sedentary position the Hon the Minister for Justice seems to be making some remark.

**HON D A FEETHAM:**

Yes, Mr Speaker. What I was asking was whether, in fact, this relates to the question asked, whether it was a proper supplementary in all the circumstances or whether it is a question that he should have given notice of. I make this point, and I have made it on a number of occasions in the past, because it is the practice of Opposition Members to ask these barrages of supplementary questions without notice, which in the circumstances, the rules are there for a reason, in order to give an opportunity, a fair opportunity for Members of this bench to answer questions put. That appears to me to be a question in relation to which appropriate notice should have been given.

**MR SPEAKER:**

The rules are very clear, all supplementaries must refer to the subject of the original question and must arise from the answer given on the original question. However, it is the discretion of the Speaker to take a view and allow supplementaries. The view I have taken generally in the last four years I have been in this office, is to allow some latitude given the limited opportunities that this House enjoys in debating issues of general concern. I have generally allowed questions which are relevant to the subject matter without insisting that the supplementary must arise from a previous answer. So, I take the view that the question put by the Hon Mr Costa is relevant, in terms that it relates to the same subject matter. A clear question has been put and it is up to the Minister whether he feels able to answer it or not.

**HON J J NETTO:**

The fact remains that three months ago I did answer the supplementary question which right now, the Hon Member Mr Neil Costa is asking me for. So, if he wants that he will have to go and see Hansard.

**HON N F COSTA:**

They were not supplementaries, they were a list of specific questions.

**MR SPEAKER:**

If it was a specific question, then it ought not to be asked as a supplementary today. We have just established that earlier this morning, it happened in the last six months as a specific question, a substantive question, and it ought not to feature in a supplementary, or as a substantive question today.

**HON J J BOSSANO:**

The questions that have been put before have identified specific allegations which the Government had been choosing to ignore since they were made in 2005, and which in fact they decided for the first time on the last occasion to answer. The answer was given on the basis that they were asking the present staff, who were not necessarily there in 2005, whether certain things had been happening or not happening. When I asked the Minister who had provided the answer for him, he said the present Head of the Dr Giraldi Home says there has never been a punishment

room. Even though there are signed statements by people willing to say under oath that there was. If the Minister has asked the person who is there now what happened in 2005 when the allegation was first made, who did they ask? Is it or is it not a fact that a report submitted by the then Manager of the Dr Giraldi Home, according to the hon Member a disgruntled employee, a report was submitted which the CEO said was not being investigated. Is that a fact or is that not a fact?

**HON J J NETTO:**

Three months ago I made it very clear that when we receive questions from the Opposition, the normal established practice is that the information goes to the Head of Department, in this case the Chief Executive of the Social Services Agency. He looks at it, he determines what the function is, what quarter within the Agency it goes to, it then goes to the person who is heading, managing that particular function (in this case the Dr Giraldi Home), the current Manager of the Dr Giraldi Home looks at the question, collects the information that he has available to him either in written form or in the form of people who were there at the time, he then prepares a draft, sends it up to the Chief Executive who is working for me and then he passes it on to me. That is the information that we gave him three months ago. The fact of the matter is, as I have said in my substantive answer, this has got nothing to do about whether he is concerned about certain allegations or no allegations there. This is a manipulative, political campaign on his behalf to tarnish our record, our excellent record. This is a manipulative attempt by the Leader of the Opposition to tarnish our excellent record when it comes to defending the interests of vulnerable people, against his abominable record when he had the chance and he was Chief Minister. Given that this is just a smokescreen about concealing his dereliction of duty towards the most vulnerable members of our society, well I am going to remind him now. Do the Members want to know what he used to do when he was on this side? Well I am going to tell you now. Mr Speaker, if we draw a comparative analysis.....

**MR SPEAKER:**

I must ask the Hon Minister to direct his answer to the question rather than go into....., this is not a motion.

**HON J J BOSSANO:**

It is not a debate on a censure motion on the present Minister or on any previous one. I am asking whether the Minister is aware that the CEO at the time, when he was not there, said the matter would not be investigated. Is he aware of that or not? Now, he can call me all the names that he wants but it will not alter the fact that either he is not willing or he does not know. Which is it?

**MR SPEAKER:**

I think I should draw a line here, this is not a debate on a motion. Both sides have had ample opportunities to bring motions before this House, it is not a debate of a motion, we must really focus on the question asked, information is what it is all about.



**HON J J BOSSANO:**

My supplementary question is simple and straightforward. If he does not answer it, it is either because he does not know or because he knows but he does not want to say so. Is he aware that the report submitted by the person he claims was a disgruntled employee, which presumably, in his view, is the reason why she made the report, and I did not even know her then, incidentally. But I can tell him that Members on his side were then defending the same arguments then. Does he know that, in fact, the reply given was that the report of allegations was being disregarded? Does he know that?

**HON J J NETTO:**

It is not a question of it being disregarded. What the hon Member has to realise is that the disgruntled person that he defended in the Industrial Tribunal, the manner in which she went about collecting that information was totally inappropriate, both in a management form and it was surreptitious in the sense that she was trying to obtain information from people, who were not working during working hours but outside working hours at the time and not in accordance with the disciplinary procedures established by the Social Services Agency. So the answer to his question is, that when the then Chief Executive thought that the allegation was serious, an investigation actually did take place. When the suggestions of any allegations were anecdotal and not based on any credible evidence, obviously the Chief Executive might have thought that he would not get into a proper disciplinary procedure. But the point is, as I am told, that the then Chief Executive did investigate all the allegations.

**HON J J BOSSANO:**

The Minister is telling the House that notwithstanding the fact that in the letter dated 11<sup>th</sup> August 2005, the Chief Executive Officer said, "I have disregarded", she said what the hon Member says, that she did not think the information had been obtained appropriately, and then goes on to say, "I have as a result disregarded the content obtained". He said that notwithstanding the fact that she said that she had disregarded the content, she had not disregarded the content and that, in fact, she had investigated the content. Is that the position?

**HON J J NETTO:**

Yes, I am informed that she sent the Social Workers to investigate the incident.

**HON J J BOSSANO:**

I see, and presumably this is something of which the Agency has a record, because whatever the Minister thinks is going on with name calling, I can assure him this will not end until we get to the bottom of this. I can promise him that. So, is he saying that there is a record in the Agency of this having taken place, because the last time the Minister said that people were speaking from memory?

**HON J J NETTO:**

It is a question of both. It is a question that some people who were there at the time are speaking from memory, and it is also that there are records in the Agency with regard to this. So it is both.

**HON J J BOSSANO:**

There are records in the Agency then of the investigation having taken place?

**HON J J NETTO:**

Of course.

**HON J J BOSSANO:**

I am glad to hear that. Therefore, the Minister is satisfied that the requirement that there is in the Act for any allegation to be investigated without delay was actually complied with.

**HON J J NETTO:**

Yes, I am.

**HON J J BOSSANO:**

Can he say whether the same is true of the two reports by the psychologists that asked for an investigation? A report by the psychologists on 17<sup>th</sup> March 2005 and the other one in June?

**HON J J NETTO:**

I am not aware of any such report.

**HON J J BOSSANO:**

I see, but presumably the Minister can ask for that to be investigated in the sense of him being provided with the information as to what happened with those reports?

**HON J J NETTO:**

Well, as Minister responsible for the Agency I am interested in everything that anyone has to say.

**HON J J BOSSANO:**

The everyone does not include me, I take it? The Minister, I take it then, is not aware and I accept that. He may not be aware because he has not been there all that long and this happened before he was there. But in fact, is he saying then that he is not in a position to tell us at this point in time, whether the report by the psychologists employed by the Government, in fact, that there was some evidence of sexual abuse of residents and that an investigation should be conducted, which was submitted on 17<sup>th</sup> March and one that was submitted on 5<sup>th</sup> May, he is not in a position to say what action was taken on those reports, is that it?

**HON J J NETTO:**

I am not in a position to say what action was taken in relation to those reports, but I am in a position to say that those allegations were investigated by the Police and that the Police determined that there was no case for the Police to proceed.

**HON J J BOSSANO:**

So that was in relation to those two psychological reports?

**HON J J NETTO:**

I would need to look at that one.

**HON J J BOSSANO:**

The Minister is saying that, in fact, other than the report of June 2005, submitted according to the Chief Executive Officer in a manner that was not consonant with the rules, other than that report, there has not been any complaint made or any allegations made from January 2005 to date, that is the position, because that was the original question. Since January 2005 have any allegations been made and have they been investigated as the law requires?

**HON J J NETTO:**

Well, by the very, very nature of the work that the Social Services Agency does, and in particular looking after people with learning disabilities, in any institution in any part of the world, obviously there might not be necessarily allegations or wrongdoing, but perhaps there are incidents, perhaps a particular resident may be eating something he should not be eating and swallows a bit of a bone from a chop, of course that is an incident. So I do not know whether he is drawing a distinction between some sort of normal kind of day-to-day incident that may or may not happen, against some broad allegations of wrongdoing that he may be implying.

**HON J J BOSSANO:**

Well, the law requires that allegations are investigated without delay, that is in the Act. Therefore, presumably, a record is kept if an allegation is made so that there is

a record of the allegation, the action taken and the result. What I am trying to find out is, well, is he saying that has never happened since January 2005? The original question was that.

**HON J J NETTO:**

The answer to the question now, as I said it three months ago, is that every single allegation, every single complaint, as a matter of policy by the Agency is investigated.

**HON J J BOSSANO:**

I see. Then the Minister is not in a position to give us an answer to the original question which says how many there have been. Is it that there are so many or what?

**HON J J NETTO:**

What I am not prepared to do, as I said in my substantive original answer, is to play the political game that the Leader of the Opposition is trying to do in order to try and tarnish the good and excellent record of this Government in looking after the most vulnerable people in our society, for their own party political interests.

**HON J J BOSSANO:**

As he knows, the rules do not allow me to impute improper motives to him. They only allow him to impute them to me. But then, of course, his opinion of me does not matter, what matters is that I have got a job here to do for which I am paid, and he has got a job for which he is paid considerably more, which is to provide information. The information is what is the list of allegations, that is how many allegations, have there been since the 1<sup>st</sup> January? I do not see how that is designed to further any agenda, other than there may be a lot or there may be none. But his original answer said there were none. That is what he said in his substantive answer, no allegations in 2005.

**HON J J NETTO:**

No.

**HON J J BOSSANO:**

Then how many have there been?

**HON J J NETTO:**

I am sorry. I have not.

**HON J J BOSSANO:**

How many then?

**MR SPEAKER:**

I think the Minister made a lengthy statement for his refusal to provide the information, I do not think he provided the specific information asked. But that is the answer on the record and I think we have to really move from there, unless there is any specific question to be put. The answer was, no Sir, really in effect.

ORAL

**NO. 835 OF 2008**

**THE HON N F COSTA**

**BEREAVEMENT ALLOWANCE SCHEME**

Can the Government say whether the Bereavement allowance has now been reviewed and if so what have been the conclusions of the review?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

As stated in our manifesto, the Government are committed to introduce an appropriate Bereavement Allowance Scheme within this term of office. The matter is being considered but no decision has yet been taken as to when this allowance will be introduced.

**NO. 836 OF 2008**

**THE HON N F COSTA**

**“HALF-WAY” HOUSE TEMPORARY SITE**

Can Government say whether a site has been identified for the temporary “half-way” house for men and women who become homeless?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

Government are considering some sites for this purpose, but no final decision has yet been taken.

**SUPPLEMENTARY TO QUESTION NO. 836 OF 2008**

**HON N F COSTA:**

Can the Minister say the time frame in which the decision will be taken?

**HON J J NETTO:**

Not really, I mean, this obviously is a desire because it is one of our manifesto commitments. But there is not a time frame in which to bring this about. Obviously, there is a desire to bring it about within our term of office but I cannot be more specific than that, really.

**NO. 837 OF 2008**

**THE HON N F COSTA**

**PURPOSE BUILT FACILITY FOR THE ELDERLY**

Can Government say whether construction of the planned new purpose built facility for elderly patients has begun and if so on what date?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

No Sir, it has not.

**SUPPLEMENTARY TO QUESTION NO. 837 OF 2008**

**HON N F COSTA:**

Could the Minister tell us the reason for the delay, or the reason why this has not yet happened?

**HON J J NETTO:**

Well, this is a complex matter in the sense that when we are talking about building a facility for the elderly, an analysis has to be made first of all in terms of what are the greatest needs of the elderly, in terms of the nature of the purpose-built building in accordance with what are their priorities. There are some buildings around which we have looked at, they are not purpose-built buildings, some are in existence, they pose a number of technical construction problems in adjusting to what we think is the best service that we can provide for our elderly, and this is one of the reasons why we are still looking at this and not just in relation to existing buildings but also other sites where, perhaps, we can construct from the ground, and then we can adapt it more specifically to the needs that we want.

**HON N F COSTA:**

One of the related issues that arises as a result of the occupation of the elderly of beds in hospital once they have been discharged, and as always I ask questions about the number of elderly patients once they have been discharged, occupy beds and, of course, some of these elderly patients need to be taken care of. But of course, they cannot be moved out of the hospital simply because of the numbers in the Elderly Care Home at the moment and so on. Given that this is an issue that



arises year in and year out, would the Minister not agree with me that the matter is of some urgency? If he does so agree with me, why has this matter not been looked at before and with the urgency that it deserves?

**HON J J NETTO:**

Well, the hon Member opposite should bear in mind that only three years ago we doubled the bed occupancy in Mount Alvernia. If my memory serves me right, from 62 to 135. So we have given this urgency in terms of trying to provide different options for the elderly. In fact, we have Bishop Canilla House, which is one of the things that we did, which is another option for a certain number of other people and the elderly. We also have nearing completion the other building down at Waterport, to be called Albert Risso House. In fact, that particular building is even bigger than Bishop Canilla, I think it will provide something like 140 flats. I could not tell how soon this building is going to be completed but it is another option, and we are actively seeking how we develop this particular manifesto commitment, which is being referred to now. So, indeed, I can assure the hon Member opposite that we are definitely giving this the importance that we feel that this deserves, which is really one of the reasons why we have it as a manifesto commitment.

**NO. 838 OF 2008**

**THE HON N F COSTA**

**ELDERLY CARE – NEW MODEL**

Can Government give details of the new model being developed for elderly care, which combines and co-ordinates health care with social services?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

The Government will provide details of its plan when it is ready to do so.

**SUPPLEMENTARY TO QUESTION NO. 838 OF 2008**

**HON N F COSTA:**

Well, the manifesto commitment would have suggested that the model is currently being developed, and of course, it has been over a year now. So, at what stage is the process?

**HON J J NETTO:**

Well, I am not quite sure what the hon Member opposite is trying to get at in terms of this particular question and whether it is as a result of previous statements by me in relation to the new model that we wish to create in terms of amalgamating, merging together the Social Services Agency, Elderly Care Agency and Drug Rehabilitation. If that is where he is coming from and I have understood him correctly, then obviously my answer, as I have said, is that we are not ready to do so as yet, but certainly I am looking at this. But at the moment the Government are not even in a position to know what my ideas as to the model is going to be. I have to complete the model, be satisfied with what I think is in the best interests, both for the elderly and Social Services, and in fact, people from Drug Rehabilitation, and then submit the document for Government discussion. Then my Colleagues, obviously, will have contributions to make towards, what I believe, is the best model and then, obviously, once we do so we will announce it.

ORAL

**NO. 839 OF 2008**

**THE HON N F COSTA**

**UNEMPLOYMENT BENEFIT APPLICATIONS**

Can the Government explain the reason for the increase in the number of Unemployment Benefit applications received and approved in June?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

Answered together with Question No. 840 of 2008.

**NO. 840 OF 2008**

**THE HON N F COSTA**

**PATERNITY ALLOWANCE SCHEME**

Can the Government state at what stage are their plans to devise and implement a paternity allowance scheme?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

In regard to the answer to Question No. 839, and this is also related to a previous question in which the Leader of the Opposition was seeking information about the unemployment figures. The answer to that is as follows. The increase in the number of Unemployment Benefit applications received and approved in June, was due to the fact that a considerable number of lunchtime school attendants applied for this benefit in that month. It should be noted that prior to 1<sup>st</sup> April 2007, those employees who worked for less than 15 hours per week (including lunchtime school attendants) were only required to pay a reduced contribution, which did not provide cover for unemployment benefit.

Under the new earnings-related system of contribution, all employees in insurable employment are covered by the whole range of statutory social security benefits, regardless of the number of hours worked, even if they only paid a reduced contribution because of their small earnings. This is, of course, subject to satisfying the pertinent contribution conditions of the benefit claimed.

In relation to the answer to Question No. 840, no Sir.

**SUPPLEMENTARY TO QUESTION NOS. 839 AND 840 OF 2008**

**HON N F COSTA:**

In answer to Question No. 840, no refers to no they are not introducing a paternity allowance, or no they have not reached any stage because they have not yet begun?

**MR SPEAKER:**

No, the question is "can the Government state", and the answer is no the Government cannot state. That is what I understand from the answer.

**HON G H LICUDI:**

I am not sure that we have understood that. The question is certainly “can Government state at what stage are their plans?” and the answer is “No Sir” meaning that they cannot give any indication of their plans, rather than they have no policy decision on this matter.

**HON J J NETTO:**

It is the former and not the latter.

ORAL

**NO. 841 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 1<sup>st</sup> September 2008, from the 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. 842 and 843 of 2008.

ORAL

**NO. 842 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 September 2008, to date, giving a monthly breakdown of their age and sex?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

Answered together with Question Nos. 841 and 843 of 2008.

ORAL

**NO. 843 OF 2008**

**THE HON C A BRUZON**

**STATUTORY BENEFITS FUND**

Can Government state what was the monthly income, expenditure and balance of the Statutory Benefits Fund as from 1<sup>st</sup> September 2008?

**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. 843 OF 2008**

**Answer to Question No. 841**

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

	<b>Sep-08</b>	<b>Oct-08</b>
<b><i>Pre-1969 Spanish Pensioners</i></b>	284	285
<b><i>British Pensioners (Gib/UK Nat.)</i></b>	5347	5372
<b><i>Moroccan Pensioners</i></b>	1917	1920
<b><i>Other Nationalities</i></b>	572	574
<b><i>Total</i></b>	<b>8120</b>	<b>8151</b>

Contd.....

**CONTD ANSWER TO QUESTION NO. 843 OF 2008**

**Answer to Question NO. 842**

PERSONS RECEIVING DISABILITY ALLOWANCE UNDER THE SOCIAL ASSISTANCE ARRANGEMENTS AS FROM SEPTEMBER TO 27 NOVEMBER 2008 GIVING A MONTHLY BREAKDOWN OF THEIR AGE AND SEX

<b>2008</b>	<b>0-10</b>	<b>11-20</b>	<b>21-30</b>	<b>31-40</b>	<b>41-50</b>	<b>51-60</b>	<b>61-70</b>	<b>TOTAL</b>	<b>MALES</b>	<b>FEMALES</b>
<b>September</b>	25	31	22	21	17	11	4	131	92	39
<b>October</b>	25	30	23	21	17	11	4	131	92	39
<b>27 November</b>	24	31	23	20	18	11	4	131	92	39

Contd.....

**CONTD ANSWER TO QUESTION NO. 843 OF 2008**

**Answer to Question No. 843**

The monthly Income, Expenditure and Balance of the Statutory Benefits Fund as from September 2008 to end October 2008 is as per the following tentative statement:

(\*The approved Contribution from the Consolidated Fund is £10M for the year. The contributions have been calculated pro-rata hereunder, however the actual contribution is normally effected at the end of the financial year.)

**STATUTORY BENEFITS FUND**

	<b><u>30-Sep-08</u></b>	<b><u>31-Oct-08</u></b>
Fund Account – Opening Balance	£17,852,313.21	£17,831,960.83
<u>Add</u>		
*Contribution from the Consolidated Fund	£833,333.33	£833,333.33
Contributions collected in cash (Insurance contr.)	£1,214,746.89	£1,300,224.76
Misc Receipts	£52,364.61 £19,952,758.04	£33,780.58 £19,999,299.50
<u>Less</u>		
Payments	(£2,120,797.21)	(£2,064,139.66)
<b><u>Closing Balance</u></b>	<b><u>£17,831,960.83</u></b>	<b><u>£17,935,159.84</u></b>

ORAL

**NO. 844 OF 2008**

**THE HON C A BRUZON**

**SOCIAL ASSISTANCE**

Can Government state how many persons receiving social assistance, to date, as from September 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. 845 of 2008.

ORAL

**NO. 845 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 September 2008 giving a monthly breakdown by age and sex?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

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

**ANSWER TO QUESTION NO. 845/2008**

**Answer to Question No. 844**

**PERSONS IN RECEIPT OF SOCIAL ASSISTANCE FOR THE MONTHS OF SEPTEMBER TO OCTOBER 2008**

<b>2008</b>	<b>MALES</b>	<b>FEMALES</b>	<b>TOTAL</b>	<b>18/25</b>	<b>26/35</b>	<b>36/45</b>	<b>46/60</b>
<b>September</b>	155	295	450	61	132	110	147
<b>October</b>	153	289	442	57	129	110	146

**PERSONS EMPLOYED DURING THE MONTHS OF SEPTEMBER TO OCTOBER 2008**

<b>2008</b>	<b>MALES</b>	<b>FEMALES</b>	<b>TOTAL</b>	<b>18/25</b>	<b>26/35</b>	<b>36/45</b>	<b>46/60</b>
<b>September</b>	4	0	4	1	2	1	0
<b>October</b>	3	7	10	4	0	3	3

<b>AS AT</b>	<b>MALES</b>	<b>FEMALES</b>	<b>TOTAL</b>	<b>18/25</b>	<b>26/35</b>	<b>36/45</b>	<b>46/60</b>
<b>27 Nov 08</b>	158	295	453	58	134	114	147

Contd.....

**CONTD ANSWER TO QUESTION NO. 845/2008**

**Answer to Question No. 845**

**PERSONS RECEIVING SOCIAL ASSISTANCE FOR THE MONTHS OF SEPTEMBER TO  
27 NOVEMBER 2008 VY MONTH, SEX AND AGE.**

<b>2008</b>	<b>MALES</b>	<b>FEMALES</b>	<b>TOTAL</b>	<b>18/25</b>	<b>26/35</b>	<b>36/45</b>	<b>46/60</b>
<b>September</b>	155	295	450	61	132	110	147
<b>October</b>	153	289	442	57	129	110	146
<b>27 November</b>	158	295	453	58	134	114	147

**NO. 846 OF 2008**

**THE HON C A BRUZON**

**MOUNT ALVERNIA – AWNINGS**

In view of the answer given to Question No. 476 of 2008, concerning the placing of awnings in Mount Alvernia, can Government state when the process of renewing all balconies is likely to be completed?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

Technical Services Department have commissioned a consultant to undertake a structural condition survey of the existing balconies and parapets.

Additionally, they will option for any necessary repair or new construction to the balconies. Following this the Government will invite tenders for necessary works. It is not possible to say when the work will be completed.

**SUPPLEMENTARY TO QUESTION NO. 846 OF 2008**

**HON C A BRUZON:**

The placing of awnings is of great relevance to some of the elderly people there and it is a sad scenario when these people cannot be helped, at least in specific cases, and that the Minister should inform the House, which is the information that he has been given, obviously, that this from what I hear is going to take a very, very long time.

**HON J J NETTO:**

Well, the definition of a very, very long time may be something that may be in his mind but the definition that I am putting in front of the House here is that we have a process and we need to ascertain that in order to put the awnings, and to put the awnings, I should imagine, in a safe way, looking after the welfare of the elderly people there, we have to do a structural condition survey to be able to tell us where the awnings are going to be placed, whether there is the necessity to repair or to construct new balconies, because the balconies, given the number of years they have been there, perhaps they are spalling a little bit of concrete. I am not a construction person myself but it has to be done by technical people, and once this information has been fed in, the work will commence. But I am not in a position to tell him when the works will commence. All I can tell him is the procedure to get it going.



**HON C A BRUZON:**

There has been scaffolding there in Mount Alvernia for some time now, this is why I am expressing concern, because these things, unfortunately, they take time and they are urgent. Admittedly, the Minister did not say or imply that it would take a long time, but from experience of what happens with construction work, I think we all know that they do take a long time.

**HON G H LICUDI:**

The Minister has referred in his answer to a survey which is going to be undertaken. Can the Minister give some further information? Has that survey begun? Is it being commissioned? Is it being done by Government?

**HON J J NETTO:**

I think that in my answer I said that Technical Services Department have commissioned a consultant to undertake a structural condition survey. So my assumption would be that the consultant is in the process of doing it. Perhaps.

ORAL

**NO. 847 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 September to October 2008 arising from the insolvency of any employer?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

Answered together with Question Nos. 848 and 849 of 2008.

ORAL

**NO. 848 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 September to October 2008 in respect of employment injuries?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

Answered together with Question Nos. 847 and 849 of 2008.

ORAL

**NO. 849 OF 2008**

**THE HON G H LICUDI**

**STATUTORY BENEFITS FUND**

Can Government state what were the opening balances, the total value of receipts and payments and the closing balances of the Statutory Benefits Fund for each month from July to October 2008?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

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

Can I also say that in answer to Question No. 847, no payments arising from insolvency of any employer have been made from the Statutory Benefits Fund in September and October 2008.

**ANSWER TO QUESTION NO. 849/2008**

**Answer to Question 848**

Payments from the Statutory Benefits Fund for September and October 2008 in respect of employment injuries have been as follows:

**STATUTORY BENEFITS FUND – TENTATIVE STATEMENT**

	<b>Sept 2008</b>	<b>October 2008</b>
<b>Payments – employment injuries</b>	£52,411.87	£50,009.54

Contd.....

**Contd ANSWER TO QUESTION NO. 849/2008**

**Answer to Question 849**

The opening balances, the total value of receipts and payments and the closing balances of the Statutory Benefits Fund for each month from July to October 2008 is as per the following tentative statement:

(\*The approved Contribution from the Consolidated Fund is £10M for the year. The contributions have been calculated pro-rata hereunder, however the actual contribution is normally effected at the end of the financial year.)

**STATUTORY BENEFITS FUND**

	<b><u>31-Jul-08</u></b>	<b><u>31-Aug-08</u></b>	<b><u>30-Sep-08</u></b>	<b><u>31-Oct-08</u></b>
<b><u>Fund Account- Opening Balance</u></b>	£17,742,996.23	£17,901,026.68	£17,852,313.21	£17,831,960.83
<u>Add</u>				
*Contribution from the Consolidated Fund	£833,333.33	£833,333.33	£833,333.33	£833,333.33
Contributions collected in cash (Insurance contr.)	£1,432,207.86	£1,139,430.94	£1,214,746.89	£1,300,224.76
Misc Receipts	£14,323.55	£32,541.38	£52,364.61	£33,780.58
	£20,022,860.97	£19,906,332.33	£19,952,758.04	£19,999,299.50
<u>Less</u>				
Payments	(£2,121,834.29)	(£2,054,019.12)	(£2,120,797.21)	(£2,064,139.66)
<b><u>Closing Balance</u></b>	<b><u>£17,901,026.68</u></b>	<b><u>£17,852,313.21</u></b>	<b><u>£17,831,960.83</u></b>	<b><u>£17,935,159.84</u></b>

ORAL

**NO. 850 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 31<sup>st</sup> October 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 will now hand the hon Member a list giving the information requested.

**SSA Employees as at 31<sup>st</sup> October 2008**

**Answer to Question 850 of 2008**

Grade	Number of Employees	Civil Service/GoG Pension	Eligible to Gib Provident Fund PS No. 2	On Contract Terms (Non-Pensionable)
<b>EMPLOYEES on GOG Terms</b>				
<b>MAIN OFFICE</b>				
Team Leaders	2	2		
Counselling Psychologist	1	1		
Senior Social Workers	3	3		
Social Workers	11	11		
Administration Manager (HEO)	1	1		
Personnel Officer (EO)	1	1		
Administrative Officer	1	1		
Typist	1	1		
<b>ST. BERNADETTE'S O.T. CENTRE</b>				
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		
<b>EMPLOYEES on SSA Terms</b>				
Chief Executive	1			1
Occupational Therapist/Strategy Co-ord.	1		1	
Counsellor	1		1	
Social Workers (Out of Hrs)	2		2	
Community Service Officer	-		-	
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>	55	41	13	1

Cont....



**SSA Employees as at 31<sup>st</sup> October 2008** **Contd Answer to Question 850 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>	55	41	13	1
<b>DRUGS AWARENESS CAMPAIGN</b>				
Drug strategy Co-ordinator *	1	1		
Assistant to Drug Strategy Co-ordinator	1		1	
* GoG Officer on Secondment				
<b>DR. GIRALDI RESIDENTIAL</b>				
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)	27		27	
Social Care Workers (20hrs)	13		13	
Domestic Support Worker (22.5hrs)	1		1	
Domestic Support Workers (20hrs)	5		5	
Domestic Support Worker (15hrs)	1		1	
<b>CHILDREN RESIDENTIAL</b>				
Unit Managers (40hrs)	6		6	
Social Care Workers (37.5hrs)	34		34	
Social Care Workers (31hrs)	6		6	
<b>INDUSTRIAL STAFF</b>				
Cleaner - 37 hrs per week	2	2		
Cleaner - 25 hrs per week	1	1		
School Attendant/Driver	1	1		
<b>Total</b>	<b>176</b>	<b>46</b>	<b>129</b>	<b>1</b>

As at 31<sup>st</sup> October 2008 a further 5 non-industrial posts were vacant. For comparison with previous Answers to Parliament, it should be noted that, following reorganisation of hours worked, two further SCWs are now employed, within the total number of hours previously provided. This allows the provision of a greater number of staff at peak times, while reducing staff when looked after children are at school or adults are at the Day Centre. These changes have taken place when vacancies have arisen, or by agreement with staff in post.

**The SSA also uses supply / temporary workers for relief cover who are not pensionable.**

**SUPPLEMENTARY TO QUESTION NO. 850 OF 2008**

**HON J J BOSSANO:**

Can the Minister say whether the post of Chief Executive, which is shown here as being on contract terms, has actually been filled?

**HON J J NETTO:**

No, the Chief Executive is still on an acting basis.

**HON J J BOSSANO:**

So, if he is on acting basis and he happens to be employed in the Health Authority, is it that he has got a contract with the Health Authority and a contract with the Social Services Agency?

**HON J J NETTO:**

I understand that the contract is with the GHA but seconded to the Social Services Agency.

**HON J J BOSSANO:**

I see, so he is not in the employment of the Agency as such, he is actually on loan, as it were, from the Health Authority?

**HON J J NETTO:**

Yes, the only thing is that, in producing the figures for the Hon G H Licuid, I had to list him there, because he is working all the time there in the Social Services Agency. So, perhaps, yes, I suppose that he is an employee, technically speaking, of the GHA but, obviously, for all this period of time he has been seconded and is working permanently in the Social Services Agency.

**HON J J BOSSANO:**

So if he is working permanently in the Agency does it mean then that he no longer has a role in the Health Authority?

**HON J J NETTO:**

I think perhaps that my hon Colleague might agree with me that he still has some role in relation to his substantive position as Director of Human Resources, and he does provide some assistance, I do not know how, through the structure of the GHA, but he does provide some assistance on personnel and human resources.

**HON J J BOSSANO:**

Is it the Government's intention to continue with that system in place, or are they intending to open the vacancy and recruit somebody in the Agency to be the CEO?

**HON J J NETTO:**

Well, the question asks whether it is the intention to keep the situation as it is, I think that a fair answer to that question would be that things will have to be reviewed by Government, in the not too distant future, in relation to whether this situation remains or not. The Government have not yet made up their minds.

ORAL

**NO. 851 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 October 2008?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

I hand the hon member a list giving the information required.

Grade	Number of Employees	Female	Male	Gibraltarian	UK National	Spanish National	Other Nationality	Resident Gibraltar	Resident Spain
<b>EMPLOYEES on GOG Terms</b>									
<b>MAIN OFFICE</b>									
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	
<b>ST. BERNADETTE'S O.I. CENTRE</b>									
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	
<b>EMPLOYEES on SSA Terms</b>									
Chief Executive	1		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 Service Officer	-								
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	
<b>Sub-total c/f</b>	<b>55</b>	<b>48</b>	<b>7</b>	<b>45</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>48</b>	<b>7</b>

Grade	Number of Employees	Female	Male	Gibraltarian	UK National	Spanish National	Other Nationality	Resident Gibraltar	Resident Spain
<i>Sub-total b/f</i>	55	48	7	45	10	0	0	48	7
<b>DRUGS AWARENESS CAMPAIGN</b>									
Drug strategy Co-ordinator *	1		1	1				1	
Assistant to Drug Strategy Co-ordinator * GoG Officer on Secondment	1	1		1				1	
<b>DR. GIRALDI RESIDENTIAL</b>									
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)	27	21	6	5	16	5	1 Dutch	12	15
Social Care Workers (20hrs)	13	10	3	4	5	3	1 Danish	10	3
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	
<b>CHILDREN RESIDENTIAL</b>									
Unit Managers (40hrs)	6	6		5	1			5	1
Social Care Workers (37.5hrs)	34	27	7	24	4	6		25	9
Social Care Workers (31hrs)	6	5	1	6				6	
<b>INDUSTRIAL STAFF</b>									
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	
<b>Total: Permanent Staff</b>	176	141	35	116	44	14	2	135	41
<b>TEMPORARY STAFF</b>									
Social Worker	1		1	1				1	
Receptionist/Administrative Assistant	1	1		1				1	
<b>Total</b>	178	142	36	118	44	14	2	137	41

As at 31<sup>st</sup> October 2008 5 non-industrial posts were vacant. The SSA uses supply workers for relief cover who are not included here. For comparison with previous Answers to Parliament, it should be noted that, following reorganisation of hours worked, two further SCWs are now employed, within the total number of hours available provided.

## **SUPPLEMENTARY TO QUESTION NO. 851 OF 2008**

### **HON G H LICUDI:**

Just for clarification, under Dr Giraldi Residential can we have the same in relation to the previous answers? We have lists of Social Care Workers, some employed on a 40 hour week, one employed on a 39 hour week, others employed on a 37½ hour week, others on a part-time basis. But in terms of the full-time employees, do Government have any explanation for the difference in contractual terms, whereas one works one hour a week more than the other, why is there not a standardised basis for the contracts?

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

A simple answer to that question is how hours are determined. In fact, we can see a little footnote here that in a way deals with people being employed by hours, as opposed to looking at the establishment figures. It is that they are looking at the functions, the services that they have to provide and in some cases, for good operational reasons, they find that it is a better utilisation of resources to employ a particular person to work for 40 hours, 39 hours or 37 hours. In addition to that and in relation to previous questions in this House, what we find by voluntary agreement, or for example where new Social Care Worker vacancies arise, that we might wish for operational reasons to have two persons employed for 20 hours as opposed to one for 40 hours. This can happen because of some of the services and some of the functions at Dr Giraldi Home, where, perhaps, during the day service users have been in the mainstream Department of Education, or have been in the St Bernadette's Occupational Therapy Centre and then they are being provided with respite care at the Dr Giraldi Home. So, this does not always fit nicely in terms of having a standard, across the board situation, with everyone working certain hours. Management uses the opportunity when it can, to mould the number of hours of people working there, in accordance with the best operational needs, in order to provide the service. While at first glance it may look a little bit irrational, perhaps this is the reason why the hon Member is seeking further information, this is the best explanation I can give him based on what the managers tell me.

**NO. 852 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 1 October 2008 giving a breakdown by grade and nationality?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

The Social Services Agency had 63 supply workers as at 31<sup>st</sup> October 2008. There were no staff on casual contracts.

The following 56 are supply Social Care Workers:

- 29 Gibraltarians
- 14 UK Nationals
- 8 Spanish Nationals
- 2 German Nationals
- 2 Belgian Nationals
- 1 Italian National

There were five Classroom Aides (Special Needs) who are Gibraltarian. There was also one supply Receptionist/Administrative Assistant and one supply Social Worker at this point. These were appointed on a temporary basis. Both are Gibraltarian.



ORAL

NO. 853 OF 2008

THE HON J J BOSSANO

**MINIMUM INCOME GUARANTEE**

Can Government provide a breakdown of 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 October 2008?

ANSWER

THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS

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

**ANSWER TO QUESTION NO.853/2008**

**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 OCTOBER 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	27		0		27
FROM	£106.00	TO	£110.00	3		0		3
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	17		0		17
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		3		4
FROM	£51.00	TO	£55.00	17		2		19
FROM	£46.00	TO	£50.00	10		2		12
FROM	£41.00	TO	£45.00	14		1		15
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	243		2		245
FROM	£11.00	TO	£15.00	19		6		25
FROM	£6.00	TO	£10.00	21		8		29
FROM	£0.00	TO	£5.00	7		0		7
TOTAL				456		33		489

## **SUPPLEMENTARY TO QUESTION NO. 853 OF 2008**

**HON J J BOSSANO:**

Can the Minister say whether the amount which is the trigger for the entitlement to the Minimum Income Guarantee, which includes the pensions and the community care payment, can he confirm whether, in fact, the increase of this month of the community care payment of £16.00 for a single person and £24.00 for a married couple, will that result in a net deduction in the next payment or not? Will it be set off or not?

**HON J J NETTO:**

I am afraid I have not got the information available for me. If the hon Member wants to write to me I will definitely try to find the information, but I have not got that information in relation to the latest increase he is referring to.

**HON J J BOSSANO:**

Well, it is a question of policy not a question of mathematics. I mean, can he say whether the increase of a year ago was deducted in January?

**HON J J NETTO:**

I am informed that normally, from an administrative point of view, they do the assessment in December and if they are assessing the amount of money that they have to give back, they give it back in arrears subsequently. I suppose that really does not answer the question, which is what is the trigger point upon which any increment or any source makes an impact on whether the Minimum Income Guarantee goes down, in relation to the last payment to which the hon Member is referring to. I have not got the answer to that particular question. So, I can certainly look it up or if he wants to write to me.

**HON J J BOSSANO:**

But do the Government not know whether, I mean, my questions are to the Government not specifically to the Minister. Do the Government not know whether in January last year, in the quarter of January that there was an increase in December like there is every year in December, in household cost allowance, was the household cost allowance taken into account in 2008 when it happened in 2007? This thing happens every year, this is not something new. My question is, (a) did it happen last year simply because he is not able to tell me whether it will happen in January? So, I cannot ask him about January because he does not know if it is going to happen or not. But he ought to be able to tell me whether it happened in January 2008, in respect of the increase in household cost allowance of December 2007. That is already a year ago. If he does not know it, then presumably the person who was the Minister then should have known it.

**HON J J NETTO:**

I am informed that in previous years, when the household cost allowance has increased it was taken into account but then it was given the difference retrospectively between the two, in previous years. So, that seems to be the system that has prevailed years back, when I was not the Minister responsible, but in relation to 2007, I could not tell him right now off the top of my head.

**HON J J BOSSANO:**

I am afraid the explanation the Minister has given does not make a lot of sense, because if in arriving, for example, at whether a person gets paid £5 or gets paid £155, one decides first what is the income that is taken into account to arrive at the difference, presumably we agree that what the table indicates is that the most that a married couple can get is £155 a week, and that presumes that they have got no income which is deductible. They may have income but it is not deductible. For example, on the social security pension, as I understand it, the position is that the amount of the frozen pension is deductible but not the increases that have subsequently taken place. Therefore, even if there is an increase in pension, the amount of pension that one takes away every year to find out whether somebody should get £150 or £100 is always the same amount, because that amount never changes. My question is, does the amount of the household cost allowance operate the same as the amount of the social insurance pension, and therefore increases are disregarded or are they regarded? I do not see how he can see he takes it away from them in January and then he gives it back to them in February, because if that is what they are doing, I cannot understand why they are doing it.

**HON J J NETTO:**

I will look into this and I will answer the hon Member subsequently once I have had the opportunity to look into the matter.

**HON J J BOSSANO:**

I am assuming that I am right in what I have said about the social security pensions, because that is my understanding from previous questions. Perhaps he can confirm that to me as well, that it is the level of the frozen pension that is regarded and the increases are disregarded.

-----  
**HON J J NETTO:**

In Question No. 853 of 2008 the Leader of the Opposition was requesting supplementary information in relation to the household cost allowance, whether that would be taken into account in the revaluing of the entitlement of recipients under that. The answer to this is yes, it will be taken into account. The only thing I would add to that bit of information is that whilst in the past in previous years it has been done, I think in the month of December, now the revaluation will be done on 1<sup>st</sup> April to coincide with increases in the old age pension. So, basically, all of these amounts, if there are cases in which they are in receipt of a higher entitlement than they otherwise should be, that will not be taken or clawed back from their entitlement.

That will be a benefit that they will have until, obviously, the revaluation in each particular case. So the answer to the question is that it will be taken into account.

**HON J J BOSSANO:**

If I may, just to make sure I understood correctly? So what happens is that the first quarter, January, February, March will not be adjusted because of the December but the adjustment will happen on 1<sup>st</sup> April to coincide with the increase in the social security pension?

**HON J J NETTO:**

That is correct.

ORAL

**NO. 854 OF 2008**

**THE HON J J BOSSANO**

**CITIZENS ADVICE BUREAU**

Can Government state since the coming into effect of the Equal Opportunities Act 2004 and its replacement, the Equal Opportunities Act 2006, how many complaints per year has the Citizen's Advice Bureau received of alleged unlawful discrimination giving a breakdown of the complaint by the discriminatory treatment, e.g. sex, etc?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

The Citizen's Advice Bureau is not part of the Government and the Government are not accountable for its actions. However, the Government are willing to share the information they have available to themselves, which I now hand over to the hon Member.

**Answer to Question 854**

The Gibraltar Citizen's Advice Bureau has recorded a total of 68 cases between 1<sup>st</sup> October 2008 and 28<sup>th</sup> November 2008.

<b>Period</b>	<b>Race/Ethnic Origin</b>	<b>Gender</b>	<b>Total</b>
2004	7	9	16
2005	15	1	16
2006	11	8	19
2007	7	6	13
2008	1	3	4
<b>Total</b>	<b>41</b>	<b>27</b>	<b>68</b>

## **SUPPLEMENTARY TO QUESTION NO. 854 OF 2008**

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

Can I just say by way of comment on his opening remark, that even though the Citizen's Advice Bureau is not part of the Government, it is the body that the Government chose to entrust with this responsibility when they brought the Bill to the House and we passed it here. Therefore, I mean, is he saying that we should not be raising it in Parliament and that I should write to the Citizen's Advice Bureau instead. I will do that, but as far as I am concerned I am raising the matter here because I would assume that if we pass a law and give somebody responsibility for ensuring that cases, or conduct which are now unlawful and were not previously unlawful, we would want to know what is happening to see whether, in fact, the law is working well or not. Can he say what sort of action the Citizen's Advice Bureau has taken in respect of these cases, of which there are 41 in relation to discrimination related to race and ethnic origin and 27 in relation to gender? I take it that other grounds have had none. I am assuming from the answer that there have been no complaints related to discrimination on other grounds. For example, on religion, or anything else because it is not mentioned, is that correct?

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

In a way my comment at the beginning when I said that the Citizen's Advice Bureau is not part of the Government, is I suppose a qualification to this last point that the hon Leader of the Opposition is actually making. When I received the information and the table which he has got in front of him, my first reaction was along the lines of what the Hon Gilbert Licudi said this morning. Really, what we want to have is information which is meaningful in terms of being able to decipher whether having a proper system of coding and classification, so that it is actually meaningful to us to determine the sort of type of incident. I was not entirely satisfied but at the end of the day it is their system, they argue that their system is based on the UK model, in terms of programmes and the way they collect information and all we said to the Citizen's Advice Bureau, I think that perhaps given the small number of cases that we are talking about in the table, this perhaps could be presented in a more meaningful way because we are not talking about many cases. I mean, just to give an example, let us assume that there is a lady, that lady may be a black person, she may also be pregnant and she may be working in a restaurant. Hypothetically speaking, the employer may be able to determine that she does not want this particular lady because of the colour of her skin, or because she is pregnant, or it may simply be one or the other, so it could be race related, it could be discrimination because she was pregnant. I think that if I am going to stand here giving information to the Opposition, given that we are not talking about many cases in all, just four in the year 2008, I would suggest we try a dual system of collecting information. One which is in accordance with their own programme in the UK, so that it is all meaningful to them, but at the same time meaningful to us because all that it entails is getting a few files out and breaking it down into areas which mean something to us. Not that they are not doing it themselves, because in the next question in the Order Paper, the hon Member talks about training, and in part of the answer which I will be giving there, when I get to that particular point, he will be able to see that in a way the Citizen's Advice Bureau want to provide the training in relation to how employers and trade unions actually see discrimination in the labour market. So they are doing the training in accordance with what they see the problems are here in Gibraltar, but I think that we could do a much better job, actually, than what we are producing here.



I have told them that once this sitting of the House is over, I will get together with them to try and break down this information even further, so that then we know what particular issues are giving rise to problems in certain industries, or employers, in relation to these responsibilities. I mean, they are talking about incidents, sometimes, and the figures here could be in respect of more than one particular person.

**HON J J BOSSANO:**

The Minister seems to be talking as if this was limited to employment situations, that is not the case is it? I mean, if somebody is being discriminated against because a restaurant is not wanting to serve them, on the grounds of something that is now illegal, surely that would be a case of a complaint to the CAB as well, would it not? I mean, it does not have to be the employer doing it to the employee, it can be a provider doing it to a customer.

**HON J J NETTO:**

Providing a service as well.

**HON J J BOSSANO:**

As well, so there is no indication here what we are talking about at all.

**HON J J NETTO:**

Well, I have not said they have not got an indication of what they are talking about. I mean, they are very proud themselves of the manner in which they collect information, and this is the standard. I have a whole page here telling me this is the whole standard of having programmes they do it in the UK, they do not want to deviate from that particular programme. But what I am saying is, all that is fine, I have no problem with that, they keep to the standards in the UK in terms of collecting information, but it has to be meaningful to us here so we can debate it. I am saying I am not entirely happy with that.

**HON J J BOSSANO:**

I am not questioning the standard. The answer that he gave originally and the example that he gave, gave me the impression that he thought that these cases were cases about what is going on in different industries and in different places of employment. Now, can he tell me in fact which of these cases deal with complaints against employers and which cases deal with complaints against service providers?

**HON J J NETTO:**

Not from the information I have available to me.

**HON J J BOSSANO:**

But the CAB has that information, obviously.

**HON J J NETTO:**

I would say, certainly from their own files in relation to the complaints.

**HON J J BOSSANO:**

Right, so in fact, the only reason why he does not have it is because he does not ask unless I ask him. He has been given information which is information that is given to him because he has passed on to them the question that I passed on to him. That is simply to establish how many people had actually bothered to make use of the new protection in the law. That is all we have got at the moment but, presumably, if he were to ask for more detailed questions, or I were to ask him for more detailed questions, we would then be able to get a greater picture. I do not have that piece of paper that he waved at me saying how this works. This could just work by somebody sitting down at the desk and adding how many files they have got and giving the number four. It does not have to be computerised when there is only one complaint in 2008, what else can they do? The only thing is that if I ask him, well was the complaint that because somebody was discriminated because of his race at work or was it somebody that was discriminated because of his race, at least he thought it was discrimination against his race because he went to buy something, or eat somewhere, or get on a bus and they treated him in a discriminatory manner. We do not know which of the two it is. But if he were to ask that question then, presumably, he would get the answer. Or, I assume that since this is not a Government department, I would not have the difficulty I have when I ring up Government departments and I can actually get the answer from them.

**HON J J NETTO:**

Nevertheless, I think that we both share the same objective in terms of trying to get information which is meaningful to both of us, and based on local circumstances.

**HON J J BOSSANO:**

Absolutely. Does he know, even though I did not ask him the question, what follow-up action takes place as a result of a complaint being received?

**HON J J NETTO:**

Well, I think I gave a detailed explanation the last time that this question was raised. People will walk into the Citizen's Advice Bureau and they explain to the officer in charge the nature of the complaint, I am told that in most cases, more often than not, the particular officer of the Citizen's Advice Bureau, will immediately sort of mediate between the person making the complaint and the particular employer, if it is an employer, and try to resolve the dispute amicably. If that is not possible, for whatever reasons, the Citizen's Advice Bureau allows that particular person to have, I think it is, half an hour of free legal advice in order to determine whether the nature of the

complaint by the complainant has some kind of sound, legal basis to pursue the matter further. Then at that stage, the Citizen's Advice Bureau will move out of the equation and it will be a matter for that particular person, based on the free half hour legal advice, if he wants to pursue the matter further. But in terms of information, I am told that the Citizen's Advice Bureau does not get involved beyond that level.

**HON J J BOSSANO:**

But, in fact, in the United Kingdom what exists in the comparable law allows the independent commission to actually initiate legal action itself. This is not something that can be done here, is that right? That is, is it that the CAB does not have the power to do it or that it chooses not to do it? Or does not have the resources to do it?

**HON J J NETTO:**

I am not sure whether the local legislation provides the scope for that particular option that the Leader of the Opposition is referring to from the UK. I mean, I would need to check the legislation.

**HON J J BOSSANO:**

In terms of employment, is it not the case, as I asked him in the previous question, that it is now additional grounds for a complaint to the employment tribunal, to the Industrial Tribunal. So that in fact, in that case, an individual, if it is related to work of course, it cannot do this in another context but in relation to work, presumably, the matter can be taken to a tribunal by the individual alleging discrimination and that does not require the CAB to do anything. Presumably then it just follows a normal tribunal case, is that correct?

**HON J J NETTO:**

That is correct, yes.

**NO. 855 OF 2008**

**THE HON J J BOSSANO**

**CITIZENS ADVICE BUREAU**

Between the commencement of the Equal Opportunities Act 2004 and the Equal Opportunities Act 2006 and the Equal Opportunities Training Day in 2007 what action was taken by the Citizen's Advice Bureau to raise awareness and promote equal treatment as part of its obligations under section 51 of the 2004 Act?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

The Citizen's Advice Service is fair, accessible, inclusive and relevant, which stands for FAIR. As a holistic service open to all Gibraltar, the Citizen's Advice Bureau needs to reach out and work with all sectors of the community.

The Gibraltar Citizen's Advice Bureau has been doing that since its launch, but since GOG gave them heightened responsibility for equal opportunities, this has increased in all their services.

They recognise people have different backgrounds, attitudes, ideas and perceptions and these differences have been harnessed to make their services approachable by all. They have actively ensured that they have involved people from minority communities as volunteers in their outreaches and services.

Developed an "Anti-Bullying Alliance" in partnership with diverse communities such as Gay Rights, Disability Groups et cetera.

Encouraged mental health sufferers, people out of rehab or with disability, to work as volunteers for the Gibraltar Citizen's Advice Bureau.

Employed under the Vocational Training Scheme, young people with disabilities.

Have posters on display at the Gibraltar Citizen's Advice Bureau and in all their outreach about equal opportunities.

They are able to offer free legal advice by an independent lawyer on discrimination.

Have prepared statistics of discrimination and will be available for all in their Annual Report for 2008/2009.

Equal Opportunities and Training days 2009. These training days are being organised by the Gibraltar Citizen's Advice Bureau working in partnership with other

minority groups, Chamber of Commerce, Unions, GOG, private sector and other organisations. A questionnaire has been prepared for organisations to complete.

Training will be given by an independent lawyer of a small minority group. Once the questionnaire is filled in, the independent lawyer preparing the training will know what the specific groups needs are and base his training of the feedback received from the community. These trainings days will be in spring 2009, with the preliminary meeting schedule for 10<sup>th</sup> December 2008. The aim of this is to raise awareness of equal opportunities in the community they serve in Gibraltar.

They had placed optional "welcome screens" in various languages applicable to local citizens of small ethnic minority groups. This was available on clicking country flags displayed on the main page.

They have now updated the software to the latest version and, unfortunately, as yet, a language module for this version is not yet available, so they have had to skip the country flags/welcome screen.

They are currently finalising work on the Citizens Advice International (CAI) website. After the CAI website has been completed, they hope to design and create a flash animation which will basically provide changing welcome messages in different languages. I think it is worthy to mention that Gus Linares from the Gibraltar Citizen's Advice Bureau has been commissioned to set up the Citizens Advice International website and is, in fact, the webmaster.

#### **SUPPLEMENTARY TO QUESTION NO. 855 OF 2008**

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

I suppose it was the name that needed to be mentioned. I have no doubt he will do an excellent job because I know him personally and I know how committed and dedicated he is. But I am asking this question because the last time the only thing that the Minister mentioned in answer was the equal opportunities training day, and there is in fact an obligation in the Directive on active promotion and making people aware. Not so much it seems to me the kind of situation that he is describing. It is things that the Bureau was already doing, even ahead of this legislation, in terms of providing training to people, providing a situation where people would recognise the need to involve people with mental illness, or whatever. I know that that has been part of their role and that they have been doing an excellent job and that it is much appreciated in the community. That I am aware of. But there is a specific legal requirement in the EU Directive that was transposed. Therefore, there is, in my view, if we transpose a Directive in our law then I think it is legitimate to come back and ask to what extent are we actually doing what is required of us. It seems to me that wide ranging though the explanation has been, I am not sure that it is giving me the specific information that I am asking in terms of the obligations under section 51 of the Act, which is what the original question asked. That is, to make sure that people know that there is now a new law, which previously did not exist, which most people will not be aware of because most people do not take the trouble to read the laws, and probably if they read them they would not understand them, as we all know, it happens to us. Therefore, if we do not have a situation where people who may have been discriminated against when it was not unlawful, may not realise that there is now a level of protection that did not exist before. The question, as far as I am concerned, is more directed to making people aware of their new rights and their new

protection, rather than training people to make sure that they behave in a correct manner in terms of solidarity and respect for minorities and so forth. I think that is a very important thing to do but I am not sure, I think the obligation is more in making sure that the rights we have created are something that those who have got an entitlement to seek protection know that that machinery exists. That is the kind of raising awareness that I am talking about. Does he know specifically of that nature, which I think is what section 51 is all about, what is being done?

**HON J J NETTO:**

I think I have answered the question in the sense of what the Leader of the Opposition's concerns are. I think what basically the information is, that the whole outlook in terms of how the Citizen's Advice Bureau approach this matter, is that in every possible way in which they work and work towards providing people with a service, they are not only just in their offices but when they do campaigns outside, what they call outreaches, they are actually informing people of the kind of things that they were not aware of before, in relation to equal opportunities. In addition to that, they are also saying, look, we are aware that we have to provide training. We have been providing training, they have provided training in 2008, they are doing more training in terms of preparing the second wave of training to employers, to trade unions, et cetera, they are consulting the people out there, particularly the employers in relation of giving them a service and asking what are the issues that come up in relation to these equal opportunities. In relation to those particular circumstances that give rise in Gibraltar they are going to design the training programme for all the shop stewards in the trade unions, for all the employers in the Chamber of Commerce or whatever, in relation to the training. So I think that they are doing what he and I would like them to do, which is to get the word out there in terms of saying, look, we are doing this, this is happening, we are making more and more people aware. The question may arise, is it enough? But certainly, they are very conscious, they are very much aware of their responsibilities and I think that they are pro-actively working towards getting more and more people aware of these new rights that they have.

**HON J J BOSSANO:**

Does the Minister know whether, in fact, what has been done here is in line with what was done in the United Kingdom when the thing was transposed? He does not know.

**HON J J NETTO:**

I have not got that information with me, I do not know.

**HON J J BOSSANO:**

Well, does he know whether the CAB has looked to what the CABs do in the UK in bringing in this programme?

**HON J J NETTO:**

No.

**NO. 856 OF 2008**

**THE HON J J BOSSANO**

**SOCIAL SERVICES AGENCY – ADMISSIONS TO KGV HOSPITAL**

Can Government state how many young persons giving their age range, in the care of the Social Services Agency have been admitted to the KGV Hospital since the Agency was set up giving the numbers in each year?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

The Government can confirm that three young persons, with an age range of 10 to 18, have been admitted to the KGV Hospital on a total of six separate occasions while in the care of the Agency and since the Agency was set up. Out of these six separate admissions, one young person has been admitted on three separate occasions, one young person on two separate occasions and one young person once. The numbers in each year are as follows:

2006	1 young person
2007	3 young persons
2008	1 young person

**SUPPLEMENTARY TO QUESTION NO. 856 OF 2008**

**HON J J BOSSANO:**

Have the Government any explanation why this started in 2006? Is it that we are talking about young people who only were involved with the Agency from 2006 on, or are we talking about people who were there before, but who apparently never had to be sent to KGV Hospital?

**HON J J NETTO:**

The answer is that the people I am referring to having been in the care of the Agency.

**HON J J BOSSANO:**

Yes and my question is were they in the care of the Agency before 2006?



**HON J J NETTO:**

The problem with that is that it goes well beyond my period as Minister for the Social Services Agency and my mind will not be able to go back to then. Standing as I am on my feet it is not information that I would have available.

**HON J J BOSSANO:**

I accept that the Minister was doing something else before. But he has got to understand that my question is directed at the Government and not at him, as I told him earlier. It seems to me that if I were in his shoes and as a result of this question I found that children are being sent to KGV Hospital in 2006, 2007 and 2008, I would want to know what happened in 2006 to lead to this situation which was not happening before 2006? Especially since he tells me in other questions how wonderful the Agency has been since 2006.

**HON J J NETTO:**

What I can offer the Leader of the Opposition is the procedure in place once children are in the care of the Agency, and how situations arise when a child ends up in the KGV Hospital. But again, I am afraid I have not got the information as to what happened before 2006 in relation to a specific child. In other words, whether a specific child now referred to in 2006 was there in the care of the community prior to the Agency, when he was sent to the KGV Hospital. The information I have is that the three young persons I have referred to in my answer, have been in the Agency. Whether they were there before they arrived in the Agency I cannot tell him.

**HON J J BOSSANO:**

That was not my question. My question would be, if I give a hypothetical example, although it is not a hypothetical question. If a child comes in at a certain age in the Agency and is there for three or four years, then in the fifth year he is sent to the KGV Hospital, and if the Minister tells me that before 2006 no child had been sent to KGV Hospital, yes because I have asked since the Agency came into existence, and since the Agency came into existence the first case was in 2006, that is what he has told me. Since the Agency was set up, how many have been sent? He said that since the Agency was set up the first one was in 2006. Well, if I was in charge of the Agency and for the first time in its history it sent a child to KGV Hospital, which is totally unsuitable, I would want to know what was happening to make it necessary in 2006, and it was not necessary in 2005 and in 2004. So, I am not saying was that child in KGV Hospital before he went into the Agency. I am saying, was the child in the Agency and not sent to KGV Hospital? That is my question, because if he was in the Agency already and the Agency was able to cope with him before, what happened that in 2006 they were not able to cope with him?

**HON J J NETTO:**

No, that is not the manner upon which the Leader of the Opposition may assume it may have happened. Mental health problems can occur in a number of different ways to different people. Look, the Social Services Agency, I believe started in 2002 but the first case in which the Agency happened to be in the position to refer one of

the children who eventually ended up in the KGV Hospital, was in 2006. What happened between 2002 and 2006 does not necessarily mean that the children who were in the care of the Agency necessarily suffered any of the symptoms that other professionals in the field may have determined that a particular child should have been admitted to the KGV Hospital. I am answering his question which is how many people have been in the care of the Agency who find themselves in the KGV Hospital? The answer is three. So, if no one has gone from 2002, since the Agency was created, to 2006, my assumption is that the carers looking after the children in care, never found themselves in the position of having to refer those particular children to other professionals in mental health.

**HON J J BOSSANO:**

Yes, but is he saying that these young children..... Does he accept that KGV Hospital, which is an adult mental health institution, is not a suitable place to send young children to? Let us ask him that question.

**HON J J NETTO:**

It is not for me to decide that, it is the psychiatrist who decides that.

**HON J J BOSSANO:**

No, the psychiatrist may decide the state of health mentally, that does not make the place suitable or unsuitable. I mean, when somebody is committed to the KGV Hospital one is committing someone to an adult mental hospital, which would not be the case in the United Kingdom or anywhere else. That place is not suitable. He can ask the psychiatrist, they will tell him that. So, what I am saying is, is it the case or is it not the case that it was the nature of the conduct of the child? Regrettably some of these children that have got problems of autism and so on are not mentally ill but they are difficult to control. Is it not the case that the children that have been sent there have not been sent there on the basis that they have been diagnosed by a psychiatrist as having a mental illness, but because the carers could not cope with them in the Social Services Agency?

**HON J J NETTO:**

Well, ultimately it would be for the professionals in the Community Mental Health team in Coaling Island to make a first assessment, and through that assessment, whether they want to follow up the particular case in hand to the consultant psychiatrist, and it will be the consultant psychiatrist determining the circumstances of the person, which may not necessarily be of a psychiatric nature but could be a particular child self-harming himself, or posing a threat to himself, or very challenging behaviour, but it would be the psychiatrist to determine what options in the light of that particular child. Whether the KGV Hospital is suitable or not suitable, I think that the psychiatrist will look at all the options available in relation to the person and make the decision.

**HON J J BOSSANO:**

So is he saying that that is what has happened in these three cases?

**HON J J NETTO:**

No, nobody is saying that. I am giving him a generalised answer to his question.

**HON J J BOSSANO:**

Well, I wish he would give me specific answers to my questions instead of generalised ones. I am saying to him, given that he said it is the psychiatrist who has to diagnose the child, he has now told me that the procedure is that it is the Community Psychiatric Service initially that sees the child, and then the matter is referred to the consultant psychiatrist and it is the consultant psychiatrist who decides that what the child needs is to be put in KGV Hospital. That is what he is saying?

**HON J J NETTO:**

No, I never said that.

**HON J J BOSSANO:**

What is it then?

**HON J J NETTO:**

Whatever the option the psychiatrist decides. Whether it is to go to the KGV Hospital or any other care plan in relation to the person there.

**HON J J BOSSANO:**

He says that the first involvement is the Community Psychiatric Unit, that is what he has just told me. If I have not understood him right, perhaps he can re-read the bit that he read, but if I have understood him right that is what he told me.

**HON J J NETTO:**

Perfectly right.

**HON J J BOSSANO:**

Perfectly right. Then from there on, they are referred to the consultant psychiatrist whose decision it is to commit them to KGV Hospital. Presumably, are these children being sectioned?

**HON J J NETTO:**

Yes, not necessarily all of them but it may be. If he xxxxxx them I might be able to get the answer. In relation to the case in 2006, he was xxxxxx admitted initially on a voluntary basis as a result of self-harming behaviour, that person was then detained under section. So that is Child A in relation to 2006.

**HON J J NETTO:**

I am being told, and I think there is some logic to it, I am very concerned of giving too much detail because, ultimately, I do not want these particular vulnerable children to be identified in the community. So, in fact.....

**HON J J BOSSANO:**

If he thinks a child can be in KGV Hospital and the rest of the community is unaware that he is there, then *[Interruption]*

**HON J J NETTO:**

Well, I do not know whether the rest of the community may or may not know, but I have a responsibility to try and protect the identity of the child. In fact, in the last session of Parliament the Hon Neil Costa asked me a separate question which referred to a particular person and I gave the information to him privately, because you know, we are talking about children here. Children can be identified.

**HON J J BOSSANO:**

Well, if he is prepared to give me the information he was about to read out privately, I have no problem with that.

**HON J J NETTO:**

Okay.

**NO. 857 OF 2008**

**THE HON J J BOSSANO**

**SOCIAL SERVICES AGENCY – ADMISSIONS TO KGV HOSPITAL**

Can Government confirm that a child admitted to KGV Hospital twice in 2007, then 10 years old, who had been in the care of the Social Services Agency, on discharge was sent to UK to a social care facility and if so when did this take place, what has been the cost to date and how long is it expected to last?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

Government can confirm that a child who had been admitted to the KGV Hospital twice in 2007 was transferred to the UK on 14<sup>th</sup> September 2007, shortly after his discharge from the KGV Hospital to a social care facility. At the time he went to the UK, this child was eleven years old. The cost incurred in the financial year 2007/2008 was £83,269.20. Since 1<sup>st</sup> April 2008, the cost of this placement has been met by the Department of Education. It is envisaged that this child will remain in the UK until he has completed his secondary education.

**SUPPLEMENTARY TO QUESTION NO. 857 OF 2008**

**HON J J BOSSANO:**

Can the Minister confirm, in fact, that the child that was put in the KGV Hospital was originally sectioned and that, in fact, at the end of the period there existed no legal powers to retain that child against his will in the KGV Hospital, and there was great difficulty in getting the Social Services Agency to take him back?

**HON J J NETTO:**

What does he mean by going back? Going back to Social Services or the KGV Hospital?

**HON J J BOSSANO:**

It was the Social Services Agency that asked for the child to be put in the KGV Hospital because they said they could not control his challenging behaviour.

**HON J J NETTO:**

Well, I think that the Social Services Agency cannot take that decision. That decision has to be taken by the psychiatrists, again.

**HON J J BOSSANO:**

I am well aware of that, and I am saying, does he know that at the end of a 30 day period when they retained him there, there was no longer the legal power to retain him and the psychiatrist said there was absolutely no way that he could be sectioned, because there was nothing wrong with him in terms of mental illness and that they had enormous problems in releasing the child because the Social Services Agency resisted having him back. Is he aware of that?

**HON J J NETTO:**

Well, there is some truth in what the hon Member is saying from the note that I have. I mean, again, I do not want to get into too much of the details of this particular child, but this is a very difficult case. This particular child had been barred from attending school for the last two years of his residency here in Gibraltar. He regularly had been absconding and on one such occasion was the subject of a Giblock alert. He regularly verbally and physically attacked his carers, by kicking, punching, scratching, spitting at them and he regularly broke xxxxxx and glass and damaged furniture and fittings in his flat. So it was a very, very difficult case and at the end of the day, when cases of this nature arise, there are multi-disciplinary committees which assess what are in the best interests of a child of this nature and, obviously, they must have taken the decision that the best option for him was to transfer this particular child to the UK, which they did. Since being in the UK, from what I can read, he has made a good recovery, particularly in catching up with the years that he lost from schooling here in Gibraltar. It is the view of professionals, that he should remain in the UK, continue with the progress that has been seen since he has been in the UK, for the duration of his secondary education.

**HON J J BOSSANO:**

So then effectively, what the Minister is telling me is that the Social Services Agency here is incapable of dealing with a child in these circumstances here in Gibraltar? Is that what he is saying?

**HON J J NETTO:**

Well, we are talking about children who are so difficult to manage that they cannot be managed by their own parents, they cannot at this moment in time be managed by the Social Services Agency, because or partly because when a child of this nature goes to the UK, he goes to a specific team of carers who have a very advanced level of training with cases of this nature. Hon Members will know, for instance, that we have started a programme of training in terms of challenging behaviour and other things about caring, to NVQ Level 2, but this is the kind of chain that goes even beyond that and that kind of expertise, skills and qualifications, unfortunately today we have not got. So, given the fact that we have not got that resource here, the best

that we could do for this particular child is to send him to the UK, where he seems to be doing quite well.

**HON J J BOSSANO:**

How long was he in the care of the Agency before they came to this happy conclusion?

**HON J J NETTO:**

I think it might have been a few months.

**HON J J BOSSANO:**

Well, is he saying then that he was a month in the KGV Hospital and two months in the Agency? He was 30 days in the KGV Hospital.

**HON J J NETTO:**

Yes, it was a very short period indeed.

**HON J J BOSSANO:**

I see, and when he was admitted then, it was not that he was absconding from school for two years in the two months that he was admitted. So what he is saying is, that the child was absconding from school before he joined the Agency?

**HON J J NETTO:**

That is one of the reasons, yes.

**HON J J BOSSANO:**

Was it that the child had to be taken into care because he was not being given the proper care in his home environment?

**HON J J NETTO:**

That is a question I would not want to enter into. There are issues in relation to the home environment which I do not want to answer.

**HON J J BOSSANO:**

Well, is he aware of the environment he was exposed to in the 30 days in the KGV Hospital?

**HON J J NETTO:**

No.

**HON J J BOSSANO:**

No, I see. So, in fact, he does not know the concern that was expressed while the child was in the KGV Hospital, to the approaches that were being made to him by the people who were really mentally ill, which the child was not. When he was having his eleventh birthday.

**HON J J NETTO:**

I do not know what on earth the Leader of the Opposition is talking about. But look, it is not for me as Minister for Social Services to go every single day to see how the management of the KGV Hospital deal with the management of persons in their care. I am not the Minister for Health or mental health, even though there are some persons that have been in the care of the Social Services Agency, who refers persons to the KGV Hospital. I think it is absurd what the Leader of the Opposition has said.

**HON MRS Y DEL AGUA:**

Can I just add something to that?

**HON J J BOSSANO:**

Yes.

**HON MRS Y DEL AGUA:**

What the hon Member is insinuating to my mind is quite serious. He is only insinuating but it could lead whoever is listening to believe that terrible things happened to this child on his eleventh birthday whilst he was in the care of the KGV Hospital. I suggest that the person who passed that information onto him write to the Chief Executive of the Health Service and the allegations will be followed up.

**HON J J BOSSANO:**

Yes, but see, it is not my job to go round telling people to send allegations to ..... No, because all that she does with the allegations is she puts them in the bin and tells us that they are not true.

**HON MRS Y DEL AGUA:**

That is not correct.



**HON J J BOSSANO:**

Either they are disgruntled employees or some other reason, but it is never that there is anything wrong with this wonderful service that puts a ten year old child in a mental home, with adults, when there is written advice that the place is not suitable and that the child is being exposed, and the Minister has been included in that advice. So I do not see that I need to bring anything to your attention that you do not need xxxxxx

**HON J J NETTO:**

I do not know what on earth the Leader of the Opposition must have ate at lunchtime, but he seems to have gone absolutely bonkers in terms of the allegation.....

**MR SPEAKER:**

Order, Order. Would the Minister answer the question please.

**HON J J NETTO:**

All I was saying was I do not know what on earth has happened to the Leader of the Opposition while he went away for lunch today, but the reality is that he seems to be making.....

**HON J J BOSSANO:**

I think xxxxxx inviting him to call me bonkers again.

**HON J J NETTO:**

He seems to be making all sorts of wild allegations which are totally groundless, baseless and I just do not know for what particular reason.

**HON J J BOSSANO:**

So, although the Minister assures the House that, I do not know if what he is telling the House is that until I put this question, he did not even know that the Agency had put a ten year old child in a mental home, because he seems to be claiming that, which has never happened before and this Agency is supposed, we were told in earlier questions and in earlier meetings, to now be a wonderful place which we are criticising but there is nothing to criticise. Well, is he telling me that he does not know, and if he does not know will he ask his Chief Executive whether he knows the pressure that had to be put on the Agency because the child could not be retained illegally? Does he know that?

**HON J J NETTO:**

The Social Services Agency does not send people to the KGV Hospital, it is a psychiatrist.

**HON J J BOSSANO:**

Does the Minister know that the 30 day period expired and that the KGV Hospital was obliged by law to release the child, because a psychiatrist would not sign to retain him there against his will, on the basis that there was no legal power to do it and that they had to complain to Dr McCutcheon because the Agency was refusing to answer their calls, his Agency, does he know that?

**HON J J NETTO:**

The Agency has never refused to answer calls because it is the Agency working in partnership with other professionals in other Government departments, who are providing the best possible deal for this unfortunate child, who today, thanks to the Government funding of this case, is getting a good deal in terms of improving his behaviour and his education in the UK. So there has been no dereliction of duty as far as the Social Services Agency is concerned, what there has been is a concerted effort amongst many professionals, some of whom happen to work in the Social Services Agency, in putting the best possible plan for this particular child.

**HON J J BOSSANO:**

I see, so is he telling me that he knows all that because he has full information about this case, or is he saying that he has such great faith that even though I am telling him the opposite he does not believe me, which is it?

**HON J J NETTO:**

Whether I do believe the Leader of the Opposition or not I think is not a matter for me or in Parliament.

**HON C G BELTRAN:**

Can I just ask a point of clarification? Am I right in thinking that the Leader of the Opposition has on a number of occasions through this exchange said that never before this case has a child of the age of ten been sent, because that may be correct. I know that a slightly older child in the 1980's, I do not know whether it was during his time in Government or just before, spent some time in the KGV Hospital. I am not saying it was the right decision, I am not qualified to say that, but when he is saying that it has never happened before, he has clarified aged ten, because I know that it happened in the 1980's, in the case of a person aged maybe 14 or 13, and I remember because it happened to be a neighbour of mine, whose name I know and, of course, I will not make public.

**HON J J BOSSANO:**

I am being quite specific, a child of ten in the KGV Hospital, is putting a child with problems, before he went into the KGV Hospital, in an environment where his problems are aggravated, and everybody that I know that has got any knowledge in that area seems to be of that view, and that view, as far as I understand, was put very forcibly by the professionals in that area and the Agency did not want the child

back because the reason why they got rid of him in the first place was because they could not control his behaviour. Yes, they got rid of him by asking the psychiatrist to put him in the KGV Hospital, against their better judgement and against their instincts. Now, if the Minister does not know this background, fair enough, he does not know it, but if he is arguing that this is not the correct background, then I suggest he asks his CEO to confirm the accuracy of the description that I am giving.

**NO. 858 OF 2008**

**THE HON J J BOSSANO**

**BRUCE'S FARM – PSYCHIATRIC SUPPORT**

Has there been any problem in the provision of medical or psychiatric support to clients of Bruce's Farm?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

There have not been any problems in the provision of medical and/or psychiatric support to clients at Bruce's Farm. Psychiatric Clinics are held fortnightly on the premises by Dr Segovia, Consultant Psychiatrist.

When service-users get ill, carers escort them to the Primary Care Centre. The same with dental problems that often arise as a result of their addiction. This system works well and there are no complaints. In emergencies, the ambulance is called and the carer on duty escorts the client to St Bernard's Hospital. All of the above is coordinated directly with the Administrator of Bruce's Farm.

**SUPPLEMENTARY TO QUESTION NO. 858 OF 2008**

**HON J J BOSSANO:**

I see, so there has been no concern expressed by the person in charge of Bruce's Farm in respect of this?

**HON J J NETTO:**

That is correct.

**NO. 859 OF 2008**

**THE HON J J BOSSANO**

**SOCIAL SERVICES AGENCY – PURCHASE OF 11-SEATER VEHICLE**

Can Government confirm that an 11-seater vehicle has been purchased by the Social Services Agency and, if so, on what date and at what cost?

**ANSWER**

**THE HON THE MINISTER FOR FAMILY, YOUTH AND COMMUNITY AFFAIRS**

The Government can confirm that an 11-seater vehicle was purchased by the Social Services Agency for the Dr Giraldi Home on 24<sup>th</sup> July 2008, at a cost of £30,106.00.

**SUPPLEMENTARY TO QUESTION NO. 859 OF 2008**

**HON J J BOSSANO:**

Can the Government confirm whether there has been any problem following the purchase in making use of the vehicle?

**HON J J NETTO:**

I am not aware that there are any problems, specifically in the use of the vehicle.

**HON J J BOSSANO:**

Is he aware that there was nobody qualified to drive it after he bought it?

**HON J J NETTO:**

No, I am not aware.

**HON J J BOSSANO:**

Is he aware that the vehicle after being purchased had to be altered?

**HON J J NETTO:**

Well, the vehicle had to be altered. It had to be altered because there are two particular residents who are wheelchair bound, and therefore, the two front seats had to be taken off, and then ensure that all the health and safety gadgets had been introduced in order to ensure that it complied with health and safety.

**HON J J BOSSANO:**

I see, but when the decision was taken to purchase the vehicle, is it that they did not know what it was going to be used for and then they had to spend further money in altering it? Could they not buy a vehicle that was suitable for what was needed?

**HON J J NETTO:**

No, of course they knew what the purpose of the vehicle was going to be, and they also knew that the vehicle had to be altered in order to take into account the very specific nature of the residents that they have in Dr Giraldi Home.

**HON J J BOSSANO:**

I see. Is it not the case that the licensing requirements for an 11-seater vehicle is higher than it is for a vehicle with less seats, and that therefore it could not be driven with eleven seats?

**HON J J NETTO:**

Well, I take the Leader of the Opposition's word for that. But the information I have available to me, is that the vehicle does conform to all the requirements that it has to conform, in terms of health and safety, specifically taking into account the nature of the residents at Dr Giraldi Home.

**HON J J BOSSANO:**

Well, I will accept that the answer is on the basis of the information that has been given to him.

**HON J J NETTO:**

All information is based on information given to us, as happened to him when he was in government.

**HON J J BOSSANO:**

Well, he is not able to judge whether it did or did not. All I can tell the Minister is that, for example, if I had been in government and somebody had told me that there were 1,400 workers that were here in the month of October, I would have immediately known that that could not possibly be true. It is only as a result of asking a

supplementary much later that we discovered it is 300. So there is a difference in simply bringing the paper here and reading it out, and reading it yourself before you bring it to see if it makes sense.

**MR SPEAKER:**

There is no question there, we will move on to the next question.

**NO. 860 OF 2008**

**THE HON N F COSTA**

**GHA – NEW KITCHENS**

Can Government confirm whether the GHA have any plans to construct new kitchens adjacent to the hospital building in Europort?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The GHA have no such plans.

**SUPPLEMENTARY TO QUESTION NO. 860 OF 2008**

**HON N F COSTA:**

Do the GHA have any plans to build a new kitchen anywhere within the GHA premises?

**HON MRS Y DEL AGUA:**

No.

**HON N F COSTA:**

Are there any plans whatsoever on the part of the GHA to alter the catering plans for the hospital?

**HON MRS Y DEL AGUA:**

No.



**NO. 861 OF 2008**

**THE HON N F COSTA**

**GHA – NEW PURPOSE-BUILT MENTAL HEALTH FACILITY**

Can Government say when the new purpose-built mental health facility will be built and what site has been earmarked for the project?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

No, Sir.

**SUPPLEMENTARY TO QUESTION NO. 861 OF 2008**

**HON N F COSTA:**

Could the Government, at least, give an indication of whether any work has been put into earmarking a site of the project and when the construction for the new purpose-built mental health facility, which was a manifesto commitment, will begin?

**HON MRS Y DEL AGUA:**

Different sites are being considered but I am not in a position to give details at this moment in time.

ORAL

NO. 862 OF 2008

THE HON N F COSTA

**GHA – RESIDENTIAL UNIT FOR VICTIMS OF DEBILITATING DISEASES**

Can Government say whether they have located a site for the construction of the residential unit for victims of debilitating diseases who are under 60 and if so where is it?

ANSWER

THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION

Not yet.

**NO. 863 OF 2008**

**THE HON N F COSTA**

**GHA – PRIMARY CARE CENTRE - COST OF REPAINTING**

Can Government say what is the estimated cost of the repainting of the Primary Care Centre, which contractor is executing the works, their date of commencement and their estimated date of completion?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The estimated cost of the repair of the Primary Care Centre amounts to £23,712.00. The company contractor is Marr Company Limited and works commenced on 10<sup>th</sup> November 2008. It is envisaged that works will be completed during the current and next financial year.

ORAL

**NO. 864 OF 2008**

**THE HON N F COSTA**

**GHA – COMPLAINTS LODGED**

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

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

In September there were five formal complaints and 21 informal. In October there were seven formal and 17 informal.

**NO. 865 OF 2008**

**THE HON N F COSTA**

**GHA – ADDITIONAL RADIOLOGIST**

Can Government confirm whether the GHA intend to recruit an additional radiologist to facilitate the work of the anticipated structured mammography service?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

In answer to Question No. 440 of 2008, I already confirmed that this was the intention. In fact, I stated that the extra radiologist had already been recruited and that he was scheduled to commence in January of next year. However, as extra information, he has subsequently withdrawn his application and a new recruitment process is underway.

**SUPPLEMENTARY TO QUESTION NO. 865 OF 2008**

**HON N F COSTA:**

Yes, and I also remember that in answer to another question the Minister also said that the existing radiologist would be resigning with effect as from 1<sup>st</sup> January. So, in effect, if the existing radiologist leaves in January and the new one would have started on 1<sup>st</sup> January, we would have had exactly the same number of radiologists.

**HON MRS Y DEL AGUA:**

Well, as the hon Member rightly says, there is another question relating to another radiologist in the Order Paper, and when we come to it I can give him more information.

**NO. 866 OF 2008**

**THE HON N F COSTA**

**GHA – CONSULTANT RADIOLOGIST**

Can Government say whether the consultant radiologist who resigned has been required to pay the GHA the sum equal to one-half of his wages that he would have been entitled to had he continued in the service of the GHA?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The consultant's contract has a clause which allows for resignation of individuals, provided that adequate notice is given. It does not include the condition that the hon Member has described in his question. In any case, the consultant radiologist in question, has subsequently given an indication that he would be willing to remain in Gibraltar, and the question of his re-engagement is currently under discussion. In fact, after this question was drafted, I received news this morning that he has withdrawn his resignation. So he is staying.

ORAL

**NO. 867 OF 2008**

**THE HON N F COSTA**

**GHA – APPLICATIONS FOR GENERAL PRACTITIONERS**

Can Government say how many applications the GHA has received from qualified Gibraltarians for the position of GP in 2007 and 2008?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

There were no General Practitioner vacancies in 2007. The GHA has received applications from two qualified Gibraltarians for one vacant GP post in 2008.

ORAL

**NO. 868 OF 2008**

**THE HON N F COSTA**

**GHA – APPLICATIONS FOR CONSULTANT**

Can Government say how many applications the GHA has received from qualified Gibraltarians for the position of Consultant in 2007 and 2008?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

None.



ORAL

**NO. 869 OF 2008**

**THE HON N F COSTA**

**GHA – APPLICATIONS FOR NON-CONSULTANT HOSPITAL DOCTORS**

Can Government say how many applications the GHA has received from qualified Gibraltarians for the position of non-Consultant hospital doctors in 2007 and 2008?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

None.

ORAL

**NO. 870 OF 2008**

**THE HON N F COSTA**

**GHA – APPOINTMENT OF BREAST CARE NURSE**

Can Government say whether the breast care nurse now been appointed?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The Breast Care Nurse has been appointed and took up employment on 3<sup>rd</sup> November this year.

**NO. 871 OF 2008**

**THE HON N F COSTA**

**GHA – MAMMOGRAPHY SERVICE**

Has the GHA finalised the selection process in respect of the necessary equipment in order to offer patients the structured routine mammography service?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

Equipment manufacture specifications have been received and arrangements have been made for relevant clinicians to visit sites where systems identified are operational. These visits have been arranged for early next year. Following these visits, which are to evaluate the equipment to ensure its suitability for the programme, negotiations will take place with the supplier. The negotiations will cover specification, delivery, setup, training and maintenance support specifications. Following negotiations, a two month delivery time is expected.

**NO. 872 OF 2008**

**THE HON N F COSTA**

**GHA – MAMMOGRAPHY SERVICE**

Can the Government say when the structured routine mammography service will be implemented?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

Once all the resources necessary to commence the programme are in place, the commencement date will be announced.

**SUPPLEMENTARY TO QUESTION NO. 872 OF 2008**

**HON N F COSTA:**

Do the Government have a rough time frame?

**HON MRS Y DEL AGUA:**

Pending what I just described in relation to the equipment, which is going to take obviously four or five months to complete, on the human resources side we have already, as I mentioned, recruited the radiologist. Rather, the recruitment is underway, in progress, the Breast Care Nurse has been recruited, the extra mammographer has been recruited and an extra AO acquired. So, basically, it is finalising the equipment side of it and recruiting the extra radiologist.

**NO. 873 OF 2008**

**THE HON N F COSTA**

**GHA – EFFECTIVENESS OF OXYGEN THERAPY**

Further to Question No. 441 of 2008, can the Government say whether they have now completed the research of the effectiveness of the oxygen therapy being conducted and if so on what date and with what result?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The research on the effectiveness of oxygen therapy is being conducted by the GHA not by Government. The GHA has still not concluded the exercise.

**SUPPLEMENTARY TO QUESTION NO. 873 OF 2008**

**HON J J BOSSANO:**

How much time and resources has the GHA been using in this lengthy research?

**HON MRS Y DEL AGUA:**

Not much, the latest delay has occurred because further to the independent review that was carried out, in the interests of fairness and transparency, seeing the disparity of views that existed between the operator of the facility and the GHA, further to that we received the independent review which actually concluded that the outcome was very similar to the views, or the policy that the GHA already had on the funding of such treatment. But in the interests of fairness and transparency, the operator approached the GHA and asked that the Chief Executive make contact with a person that he had identified that could provide more information. More to do with whether NHS funded the treatment than on the effectiveness of the therapy itself. Since then, the GHA has, been trying unsuccessfully, to contact the person identified by the operator, and it has only been until very recently that they have entered into email correspondence. We are still trying to establish, and we still have not got any evidence, that this sort of treatment is funded by the NHS and that is what we are still seeking.

**HON J J BOSSANO:**

But the focus then has changed, in the sense that what they are looking at now is whether centres such as the one we have here, which nobody has ever suggested actually cure people but, certainly, make their life more liveable and comfortable, alleviate symptoms and may accelerate post-operative curative processes of the body, that this has been going for 20 years in the United Kingdom. If all that is required is some evidence that there has been NHS funding in the United Kingdom, I mean, surely that would not be a very lengthy exercise to establish one way or the other if it has happened or not. If that is the point that is now being focussed on.

**HON MRS Y DEL AGUA:**

Well, I would have thought that it should not have been a lengthy exercise. As soon as the operator identified this person, who supposedly would point us in the right direction of where to ask within the different Trusts, I would have thought that the information would have been forthcoming. But it still has not. The person that the operator identified has been very ambiguous in his reply and we are still trying to establish..... I think the line the GHA is now going to take is try to get a list of NHS Trusts and approach them ourselves. I want to be as transparent and fair on this matter, and if it is established that the majority of Trusts do fund treatment for some conditions, not for all, I will certainly have no objection to the GHA adopting it as a policy.

ORAL

**NO. 874 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 September 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**

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

**Answer to Question 874 of 2008**

	<b>Sept 08</b>	<b>Oct 08</b>	<b>Nov 08</b>	<b>TOTAL</b>
<b>Patients</b>	4	3	2	<b>9</b>
<b>Staff</b>	0	0	0	<b>0</b>

There was no fatality due to MRSA in this period.



**SUPPLEMENTARY TO QUESTION NO. 874 OF 2008**

**HON G H LICUDI:**

In relation to the cases identified in each month in this answer, does the Minister know whether these relate to any particular ward, or is there any pattern that has been detected? Is there a particular problem in a particular area of the hospital that gives rise to this problem? Has that been identified by the GHA?

**HON MRS Y DEL AGUA;**

It might have been identified by the GHA, and I assume it has but I have not got that information with me.

ORAL

**NO. 875 OF 2008**

**THE HON N F COSTA**

**GHA – CANCELLED OPERATIONS**

Can Government list the dates between September 2008 to date, 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**

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

**Answer to Question 875 of 2008**

**Cancellations September 2008**

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

Contd.....

**Continued Answer to Question 875 of 2008**

**Cancellations October 2008**

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

**NO. 876 OF 2008**

**THE HON N F COSTA**

**GHA – CANCELLED KEYHOLE SURGERY OPERATIONS**

Can Government say how many keyhole surgery operations have been cancelled this year on a monthly basis to date and the reasons for the cancellations?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

Six operations were cancelled in January this year and two were cancelled in October. On each occasion the cancellation was due to the unavailability of beds.

In November, up to the time when the answer to this question was prepared, two operations have been cancelled due to the unavailability of beds and three were cancelled because the necessary instrumentation had not arrived.

**NO. 877 OF 2008**

**THE HON N F COSTA**

**GHA – CANCELLED KEYHOLE SURGERY OPERATIONS**

In respect of keyhole surgery operation cancellations, can Government name the piece of equipment that is required, the cost and the date when it was ordered?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

Keyhole surgery operations are performed using a mixture of equipment, durable items such as the camera scopes, the monitor and the light source and disposable equipment, which are used for each procedure and then discarded.

The equipment which was not available for three booked procedures during the month of November was disposable trocars. These are regularly ordered in batches well in advance to avoid stock outs. The latest order was made in May of this year, whilst there was still equipment available in Theatre to last until the order arrived. Unfortunately, however, the supplier failed to deliver the equipment on time due to a stock out situation, and the equipment did not arrive until 11<sup>th</sup> November, shortly after the GHA's stock of disposable trocars run out. The GHA's back-up option to use reusable trocars proved unsuccessful due to a problem connecting to the essential suction device. Shortly after the receipt of the disposable trocars on 11<sup>th</sup> November, another essential piece of permanent equipment, the screen monitor on which the laparoscopic procedure is seen, became unserviceable and had to be sent to the supplier for repair. That piece of equipment arrived yesterday and new dates for the procedures are being given to the affected patients as we speak. Additionally, a back-up monitor has also been ordered. Due to this unfortunate set of unexpected circumstances, three procedures had to be cancelled in November.

**SUPPLEMENTARY TO QUESTION NO. 877 OF 2008**

**HON N F COSTA:**

Does the GHA deal with different suppliers or is there only one supplier that GHA deal with in requesting this equipment?

**HON MRS Y DEL AGUA:**

I am not 100 per cent certain, but in respect of this specific equipment, I believe it deals with one supplier and that is something the GHA is looking at to ensure that this does not happen again.

**HON N F COSTA:**

The Minister has just said that given the circumstances that have arisen, in terms of the failure to have the equipment delivered and so on, and the arrival of the monitor yesterday, the appointments will now be rescheduled. Given that, of course, the Minister is aware of the pressing need for the operations to happen as soon as possible, due to patients suffering, how long now will it take for those operations which have been cancelled to be rescheduled?

**HON MRS Y DEL AGUA:**

I did mention in my answer that they are being rescheduled as we speak. As we speak, obviously, meaning before the clerks left for home this afternoon.

**HON N F COSTA:**

My question related to the timeframe in which those operations will be rescheduled.

**HON MRS Y DEL AGUA:**

I believe I asked this question yesterday and I was told a week tomorrow. That is the answer that I got.

**NO. 878 OF 2008**

**THE HON N F COSTA**

**GHA – STEM CELL RETRIEVAL POLICY**

Can Government say what is the policy of the GHA in relation to stem cell retrieval for the placenta at birth?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The Government policy is to fund the retrieval and initial storage of stem cells where there is a known clinical indication to do so. Funding of continuing storage will depend on the suitability confirmed by the appropriate matching process.

With regard to people who wish to store stem cells and where there is no clinical indication to do so, the GHA will permit the retrieval and storage. All expenses related to the retrieval and storage are the responsibility of the parents. But I must add, by the way the GHA follows the UK policy in this regard, that following the recent bone marrow appeal, the GHA is attempting to set up a link with the Anthony Nolan Trust. This Trust is the charity which maintains the bone marrow registry in the UK, as I am sure hon Members are aware. The testing of individuals for bone marrow matches are conducted and funded by this Trust in the UK. The Trust also started very recently to collect umbilical cord blood from newborn babies. So far they have one collection centre, which is based in London. The GHA is proposing to look at the possibility of becoming the Trust's second collection centre. We would collect the umbilical cord blood stems from babies born in Gibraltar, naturally with the consent of the mothers, and the specimens would be couriered to the collection centre in London for testing and storing. The costs would be borne by the Trust. By establishing a universal stem cell collection system, we could build up a bank of stem cells of virtually all newborn Gibraltarians, which will certainly benefit our community in years to come. The GHA is also looking at the possibility of the Trust running a recruitment clinic in Gibraltar, just as we did at taxpayer's expense for the recent bone marrow appeal, and take the specimens and process them in their own lab at their own cost. These would be added to their register. May I add, that this proposal is still in its very early stages and further communication needs to take place with the Trust. If it is considered to be a viable option, it will be put to the GHA Board as a policy proposal.



**NO. 879 OF 2008**

**THE HON N F COSTA**

**GHA – SPONSORED PATIENTS’ PROGRAMME**

Can Government say whether it has now reviewed and reformed the Sponsored Patients’ Programme and if so, with what results?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

As the hon Member is aware, there has already been a significant reform of the Sponsored Patients Programme. Patients now have a choice between UK and Spain. There has been a 50 per cent increase in allowances and the elimination of the household income rule.

Subsequent to a meeting in my office with the Calpe House Trustees, a committee has been formed, composed of two Trustees and staff members of the Sponsored Patients Department of the GHA. This, I am confident, will serve to give the GHA a greater involvement in the access of our patients to Calpe House, and opens opportunities, in cooperation with the Trustees, to provide an even better service to patients through a series of reforms which will be agreed by both sides.

The GHA is also finalising further proposals for Government, which include a review of the fuel allowance for Spain, the accommodation and booking system and a variable accommodation assistance for London, the rest of the UK and Spain.

**NO. 880 OF 2008**

**THE HON N F COSTA**

**GHA – BREAKDOWN OF TYPES OF CANCER**

Can Government provide a breakdown of the type of cancers detected in patients attending the Hospital in 2007 and 2008?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

In order to provide the information that the hon Member is seeking, that is, a breakdown of the type of cancers detected in patients attending St Bernard's Hospital, it would require a very time-consuming analysis. I can provide the hon Member with data on the incidence of cancer deaths in general.

For reasons of confidentiality, however, and if the hon Member wants to receive the information that I have proffered, the GHA does not provide annual incidence data. It provides data in aggregate format. The aggregate mortality data for the past three years (2005-2007) is provided in the schedule which I now hand over to the hon Member.

**Answer to Question 880 of 2008**

**Cancer Deaths (2005-07)**

	<b>Females</b>	<b>Males</b>
Lung	9	25
Breast	17	0
Colon	6	6
Prostate		6
Cervix	1	
Ovary	5	
Uterus	2	
Pancreas	3	6
Oesophagus	1	3
Stomach	2	6
Brain	4	3
Malignant Melanoma	2	3
Leukaemia	1	2
Gallbladder	3	0
Other cancers	17	21
<b>Total</b>	<b>73</b>	<b>81</b>

**SUPPLEMENTARY TO QUESTION NO. 880 OF 2008**

**HON F R PICARDO:**

There has been reference to the GHA operating, or running, or keeping a cancer register. Now, is the register, if it exists, a register of cancer deaths from which this information is extracted, or a register of cancers detected or diagnosed?

**HON MRS Y DEL AGUA:**

I believe that the register that has been kept since 1999, the Cancer Death Register, goes by death certificate, which means people who have died of cancer in Gibraltar. It does not include, as far as I am aware, people who have been diagnosed, for example, in Spain.

**HON F R PICARDO:**

Sorry, it does not include?

**HON MRS Y DEL AGUA:**

A patient might have been diagnosed with some cancer who lives in Spain, although he is Gibraltarian, they have been diagnosed and treated in Spain and maybe come back to Gibraltar at some point and had some treatment in Gibraltar within the GHA. The information that I have is that, let me just make sure. Yes, the information is gathered from the death certificates rather than from clear pathology data which is provided by GHA generated data. Further analysis is required of the medical notes of each death to ensure a cancer did not contribute to the cause of death. I am not quite clear what that means, but the more specific answer that I got was, that we compile the register based on death certificates, where it states on the death certificate that the person died from cancer, or cancer related illness.

**HON F R PICARDO:**

Then the cancer register is really only an exercise in keeping a list of the people who have died of a particular type of cancer. Something which could be done, not just in relation for the period since 1999, but could be done backwards for every year simply by doing the very laborious exercise, I assume, of going through all the death certificates for any year. Are the GHA not keeping a list of cancers diagnosed by the GHA?

**HON MRS Y DEL AGUA:**

Yes, I beg his pardon, I left out of the equation and I should have included this in my answer that when I did mention the fact that what the hon Member..... That was the gist of his question, how many were detected in St. Bernard's Hospital, when I said that it would prove to be a very sort of time consuming analysis, I left out of the answer that it could be provided for the next session of Parliament. It was time consuming in the sense that we would not be able to provide it for this one.

**HON F R PICARDO:**

Then it is not a statistic that the GHA have kept, it is one that they can keep from the records that they have.

**HON MRS Y DEL AGUA:**

Yes, the statistics that I have offered today are the ones that are taken from the death certificates.

**HON F R PICARDO:**

Would the Minister agree with me that it is actually a statistic worth having, and that not just us in Parliament but also clinicians may be interested in that statistic in the future?

**HON MRS Y DEL AGUA:**

Yes, I would not disagree.

**HON J J BOSSANO:**

Is it not the case, in fact, that what the Minister is telling us today is that the system has not, in fact, changed at all. That is to say, in Gibraltar there was always available information on the number of deaths in the year and the cause of deaths in the year? What was supposed to be happening new was that we were going to find out the incidence of cancer, which may not lead to the person dying of it because the guy can get run over by a bus. So if somebody has got cancer and he gets caught in a traffic accident, then what appears on the death certificate is not cause of death cancer, but cause of death, run over by bus. Therefore, that was the argument before. The argument before was that simply by having a record of the death certificates it was not enough for us to be able to say there is more cancer here than there is somewhere else. I understood many years ago that the Government had acknowledged that this was a problem and that they were not going to simply carry on doing what had been done since time immemorial, which is apparently what is still being done, which is to say so many people have died each year, I mean, certainly it is possible to provide the information on a year basis and that has never been a problem before. The Abstract of Statistics gives us the number of people who die every year and the cause of death or the principal illnesses. So I do not understand why, it may be that it would not be as detailed a breakdown of the types of cancers, it would just say so many people die of cancer, and so many people die of heart attacks, and so many people die of something else. But of course, what kills a person does not necessarily mean that they were not as well, somebody who had developed cancer and developing the cancer is what is important for us to know. If there is any proof in what everybody seems to believe, which is that we have got a higher incidence of people contracting cancer here than in other parts of the world, because I think people relate it to the number of people we send to the UK for treatment, rather than to the number of people who do not get cured.

**HON MRS Y DEL AGUA:**

What was the question?

**HON J J BOSSANO:**

The question was that I thought that they were doing it already, and that the impression that had been given was, in fact, that the analysis that I have made was an analysis shared by the Government years ago and that this was, in fact, already taking place. I am astonished to discover that it is not. I mean, is this not what they were doing already? What I am saying should be done, my understanding was that this was already being done, maybe in the time of Mr Britto. But I remember having had this debate before when the Government said, this is why we are doing something which has not been done before, which is to keep a record of the number of people who develop cancer, whether they get cured or they die, because if one relies simply on the death certificate, well look, suppose somebody has cancer and in the course of the cancer he has a heart attack. Whether the statistics is one or the other depends on what the doctor puts down, but the important information that is required, if we are going to try and tackle this widespread belief, which may be accurate or may not be accurate, because we have got no data to back it up, that in Gibraltar there are too many people contracting cancer, unusually high for a population of our size. Now that has always been answered by saying, well look how many people die of cancer. Well, look it is answering the wrong question.

**HON MRS Y DEL AGUA:**

Well, I think I did mention subsequently that the premise of the hon Member's question was, the type of cancers detected, which is what the Leader of the Opposition wants to find out, the cancers detected as opposed to those who have died of it, or been cured or whatever. I did say that I would be able to provide that information at a subsequent session of the House. So it is being kept.

**HON J J BOSSANO:**

I think the point that I am making is that in terms, okay it may be important to have as detailed a breakdown as has been provided in terms of saying, well look, it is clear, if there was something that stuck out one would say, well look, if we are going to devote resources to combating something let us concentrate on the one that happens to a lot of people, as opposed to one that may happen perhaps once every ten years. But in any event, I think the simple statistic that was at one stage expected to emerge from the register was that, as opposed to the information that we already have, which is how many people have been certified as death caused by cancer, which has always been there, how many people have actually, year in, year out, contracted cancer, because a yearly figure would also be important to see whether the incidence is static, declining or increasing of the total, apart from the question of the breakdown. I had the impression that the Government had decided to do the register in order to establish this information, having come to the conclusion that the information from the death certificate was really not much use. So, I am surprised that she is saying that what is available is from death certificates as if that register was not providing extra detail, year in, year out.

**HON MRS Y DEL AGUA:**

No, I think I have explained that the Director of Public Health does keep the information that the hon Member has just described. It is just that collating the information to give us statistics is something that he has not done, I do not know why. I agree with the hon Member that if it is something that can be done for the next House, it is something that should be done regularly to make it available to whoever needs it. I will ensure, if that is possible, that it happens.

**HON F R PICARDO:**

Can I just deal with that point? The fact is that at the moment the situation that the Minister describes means that she can tell us that 25 males died of lung cancer between 2005 and 2007, but as I understand it, she would not be able to tell us immediately, although the data is obviously there but uncollated, how many males have lung cancer in Gibraltar at the moment. I think that is why all of us will agree that it is important to have the information. If I can just ask another supplementary in the same breath, can that information be provided in the same format as the death information so that we should be able to see how many die of lung cancer in a period, how many were diagnosed, what the people are living after diagnosis is, and how many actually survive lung cancer and be able to be xxxxxx behind? If we stick to the same method of collation as the answer given in respect of the incidences of death.

**HON MRS Y DEL AGUA:**

I will certainly ask the Director of Public Health to provide as near a format, or as intelligible a format as possible.

**HON J J BOSSANO:**

Did the Minister say there was a particular reason for giving a figure for three years as opposed to giving a figure for a year?

**HON MRS Y DEL AGUA:**

The reason I have been given is that, what was it? For reasons of confidentiality. Apparently, if we have this broken down in years the numbers are obviously less, as opposed to over three years, and the argument that is being used is we have, for example, cancer of the cervix, we have one death at the moment over three years. If we were to have it in a particular year people might identify who that person was. That is the argument that has been provided to me. I suppose there is some reasoning behind it.

**HON J J BOSSANO:**

Presumably, that argument would not apply to the total, no? That is, if there had been 81 males who had death by cancer without specifying which one it was, that would be okay on a yearly basis, would it?

**HON MRS Y DEL AGUA:**

I do not think so. It would be much more difficult to identify it if one man had died of prostate cancer than one woman who has died in the year 2000 of cervical cancer.

**HON J J BOSSANO:**

That is right, so what I am saying is, the problem of alleged risk of breaching confidentiality so that she would be able, presumably, to tell us each year how many cancer deaths there are. I think that has been included previously in answers. Whether 20 people die in a year of cancer or do not die in a year of cancer, without saying which type of cancer it is.....

**HON MRS Y DEL AGUA:**

Presumably, I will ask and provide whatever information is readily available to provide to the hon Members.

**HON LT-COL E M BRITTO:**

Can I just add something on a more general nature? Irrespective of all the points and questions and answers that have been made and answered, I think Opposition Members should be aware of the bigger picture. Even though the information is given in terms of numbers in respect of Gibraltar only, my understanding from the time that I had responsibility for this area of government, is that the Gibraltar statistics in themselves are insufficient in size to provide an accurate basis for calculation. That is why the Government have entered into a commitment. The Government are aware, as the hon Member has said twice, of this impression throughout Gibraltar that there is a bigger incidence of cancer in Gibraltar. I have heard it said more than once. I have never seen any scientific evidence to back up that impression, but then, neither have I seen scientific evidence to deny it. But that is why the Government have made a commitment last year, to enter into an epidemiological study which is in the process and has not been forgotten, is in the process of being established and it is only by bringing in, if that becomes possible because at the moment I understand there are still difficulties, but if it is possible to bring information that is wider ranging than Gibraltar, and that extends into the Campo area or even wider, that it will be possible to identify whether there are trends in this area, not just in Gibraltar as a pinpoint, but in this area which are different to similar control areas somewhere else. That, the epidemiological study, will establish when it is concluded, and if it is done on the basis of greater data than Gibraltar only. The Government have said that if Spain does not cooperate we will do it on the basis of Gibraltar data only, but from what I have said, it necessarily follows that the conclusions may not be as strong or as substantial as if they can be done on the basis of larger data.

**HON F R PICARDO:**

In fact, there is another question on the Order Paper, I think, that deals with that issue, but as I understand it, the process is already quite advanced in respect of the preparation of a Gibraltar only epidemiological study, because the cooperation has not previously been forthcoming. Is the Minister saying that that is not the case?



**HON LT-COL E M BRITTO:**

I am not answering that question it is being answered by somebody else. I think we should wait for the answer to that question and then discuss it. I do not have the information with me.

**HON F R PICARDO:**

Of course, I do not want to pre-empt the answer to that question. That question relates to progress in respect of that study, which is based on previous answers given in this House and previous public statements made by the Government, which stated that the Government were going ahead with a Gibraltar only epidemiological study, because they had not been able to secure the cooperation of the Campo Authorities. Now, the question that is on the Order Paper does not relate to this specific issue, it relates to what progress has been made in respect of that. Is the Minister telling us that the Government's position has changed and that we are once again waiting for the Campo in order to proceed?

**HON LT-COL E M BRITTO:**

No, I am not saying that. My understanding of it, and I repeat that I am not leading on this so it is better to wait for the answer to the question, but my understanding is that Gibraltar is moving on two parallel courses. One of trying to get cooperation on the Spanish data, but at the same time, prepared to move ahead on a Gibraltar basis only if that Spanish data is not forthcoming. When the hon Member says that we are very advanced, we are certainly very advanced in getting to the stage of starting. But the process, my understanding is, has not yet started.

**HON F R PICARDO:**

Just for the sake of clarification for those who might be listening, I did not mean very advanced in the process of carrying out the study, but very advanced in the process of preparing, as I understand it, or advancing the process of preparing the brief for the commencement of the study, rather than the actual study being on-going.

**HON LT-COL E M BRITTO:**

Correct.

ORAL

**NO. 881 OF 2008**

**THE HON N F COSTA**

**GHA – NEW CANCER SCREENING PROGRAMMES**

Can Government say whether it has taken a policy decision on whether to introduce new cancer screening programmes, including lung, prostate and colon cancers?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

Government have taken a policy decision, in principle, to introduce the new cancer screening programmes. They are awaiting recommendations from the GHA on the way forward for each programme.

**NO. 882 OF 2008**

**THE HON N F COSTA**

**GHA – MULTI-DISCIPLINARY TEAM FOR DIABETES**

Can Government say whether it has now established the multi-disciplinary team to deliver specialist care to adults and children with diabetes?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

To date, the GHA has recruited the Consultant Endocrinologist and vacancies have gone out for the Clinical Nurse Specialists for adults and children. That is what we are waiting for, the recruitment of the Nurse Specialists.

**SUPPLEMENTARY TO QUESTION NO. 882 OF 2008**

**HON N F COSTA:**

Does the Minister know whether there have been any applications in respect of those vacancies?

**HON MRS Y DEL AGUA:**

From memory, I think there have been five applications for the adult post and one for the paediatric post.

**NO. 883 OF 2008**

**THE HON N F COSTA**

**GHA – NEW CHIROPODY SERVICE**

Can Government say whether it has now introduced a new chiropody service and if so on what date?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The chiropody service has not yet been introduced.

**SUPPLEMENTARY TO QUESTION NO. 883 OF 2008**

**HON N F COSTA:**

Does the Minister have a time frame in which this service will begin?

**HON MRS Y DEL AGUA:**

Our aim is for the next financial year.

**HON N F COSTA:**

Will this involve the hiring of new staff?

**HON MRS Y DEL AGUA:**

It will involve the recruitment of a chiropodist.

**NO. 884 OF 2008**

**THE HON N F COSTA**

**GHA – PRIMARY CARE CENTRE - NEW SERVICES**

Can Government say whether the Primary Care strategy has now been developed to add psychology, counselling, clinical pharmacy and enhanced practitioner services and if not what are the target dates for these to be established?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

I am pleased to confirm that psychology, counselling and enhanced practitioner services have now been adopted within Primary Care, which include an additional psychologist, two additional counsellors and an enhanced nurse practitioner service. The clinical pharmacy service is the one that has not yet been added and a target date has not yet been set.

**SUPPLEMENTARY TO QUESTION NO. 884 OF 2008**

**HON N F COSTA:**

Would the Minister be able to say the reason for the delay in respect of the clinical pharmacy?

**HON MRS Y DEL AGUA:**

No particular delay, it is just the other areas have been given priority.

ORAL

**NO. 885 OF 2008**

**THE HON N F COSTA**

**GHA – CT SCANS**

Following the answer given to Written Question No. 45 of 2008 there were 2 CT scans undertaken in Spain in April 2008 and July 2008, can the Government explain the reasons why the scans were conducted in Spain on those occasions?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

Those scans undertaken in Spain during the months identified by the hon Member, were as a consequence of maintenance works and upgrades to the GHA system.

**NO. 886 OF 2008**

**THE HON N F COSTA**

**GHA – WAITING TIME FOR ADVANCE APPOINTMENTS**

Can Government state the average waiting time, on a monthly basis, for patients calling for advance appointments from January 2008 to date providing a breakdown in respect of the GP chosen?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The information requested is contained in the schedule that I now hand to the hon Member.

In addition to the slots, which he will see on the list, which are available for advanced bookings, GP's each have five slots a day for patients who attend the Centre on the day and who wish to make an appointment on that same day, which totals 80 slots per day for those who attend in the morning at the Health Centre.

**Answer to Question 886 of 2008**

Dr Cortes	-	6 Weeks
Dr Chichon	-	12 Weeks
Dr Ferrera	-	13 Weeks
Dr Fitzpatrick	-	9 Weeks
Dr Galloway	-	14 Weeks
Dr Gupta	-	9 Weeks
Dr Jones	-	14 Weeks
Dr Mena	-	14 Weeks
Dr Negrette	-	8 Weeks
Dr Nerney	-	13 Weeks
Dr Penrice	-	7 Weeks
Dr Pinto	-	10 Weeks
Dr Poyatos	-	10 Weeks
Dr Risso	-	7 Weeks
Dr Thoppil	-	6 Weeks



**SUPPLEMENTARY TO QUESTION NO. 886 OF 2008**

**HON N F COSTA:**

Some of these waiting times amount to 14 or 13 or 12 weeks, but it seems to average around eight or nine. Are there any plans to decongest the amount of waiting time?

**HON MRS Y DEL AGUA:**

Well, as the hon Member will realise, one of the measures that was taken to try and decongest was the recruitment of extra GP's, quite recently, in 2004 actually. He will find that some doctors have a reasonable waiting period, say six weeks, and others who I assume are more popular, have 14 weeks. But as I said before, there are always slots available for each doctor during the day if the person turns up and is lucky enough to get them.

**NO. 887 OF 2008**

**THE HON N F COSTA**

**GHA – LOG OF HOUSE CALLS/ HOUSE ATTENDANCES**

Given the answer to Written Question No. 39 of 2008 where the Government noted in its reply that the tables showed the calls logged from patients requesting house calls whilst the GP clinics were in session, can the Government confirm whether the information reflects the actual house attendances by doctors or simply the calls logged?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The information reflects the calls logged not the calls attended.

**SUPPLEMENTARY TO QUESTION NO. 887 OF 2008**

**HON N F COSTA:**

Will the Minister be able to provide us then with the information relating to the actual house attendances?

**HON MRS Y DEL AGUA:**

I am informed that a database of house calls attended is actually not kept, it is not clinically necessary.

**HON N F COSTA:**

In the event of calls when GHA is managing the number.....? In order to administer the system properly to ensure that there are sufficient GP's to be able to make house attendances, if there is not data reflecting the actual attendances made because the data is not deemed to be relevant to be kept, how do the GHA make that determination? If the only information that is recorded are the other calls logged.

**HON MRS Y DEL AGUA:**

I think that although they keep a record of the calls logged, it does not necessarily mean that some of those calls are left unattended. The calls are always answered by

the GP. What happens is that not all those calls logged are attended to physically by the GP going to the house call. There are times, I am told, when advice is given over the phone, or when they are asked whether they can bring the patient in and the patient volunteers to come in, that is why the number of calls logged do not always reflect the number of house calls attended.

**NO. 888 OF 2008**

**THE HON N F COSTA**

**GHA – NURSES PROVIDING MEDICATION OF PRESCRIBED DRUGS**

Can Government state what is the grade of nurse permitted to provide medication of prescribed drugs to patients?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The grades of nurses permitted to provide medication of prescribed drugs to patients are Nursing Auxiliaries (Green Belt level), Enrolled Nurses (Red Belt level) and Registered Nurses.

**SUPPLEMENTARY TO QUESTION NO. 888 OF 2008**

**HON J J BOSSANO:**

Can the Government say whether the same criteria that is used in the GHA, in terms of providing drugs to patients, is used when those patients are, in fact, being given the drugs as residents of the Social Services Agency?

**HON MRS Y DEL AGUA:**

The Social Services Agency does not come under the Gibraltar Health Authority, as the hon Member knows, this is GHA policy in relation to how their employees dispense drugs to the patients.

**HON J J BOSSANO:**

I am aware, but I am asking the Minister with responsibility for Social Services whether he uses the same policy in the health.

**HON MRS Y DEL AGUA:**

He is asking him?

**HON J J BOSSANO:**

I am asking the Government. She was there before, anyway, she ought to know.

**HON MRS Y DEL AGUA:**

Well, I do not, I cannot remember.

**HON J J BOSSANO:**

I see, well,

**HON J J NETTO:**

I was not aware that the Leader of the Opposition was waiting for information from me. In relation to social services where medication is administered, if it is going to be St Bernadette's Occupational Therapy Centre there are nurses there and the nurses actually do it in accordance with a protocol and they are trained. If it is a question of, perhaps, Dr Giraldi Home or Bruce's Farm, I understand that, again, they have a standard protocol but, I do not know whether it is the same as the GHA or UK practice. I know the medication is all encapsulated, it is all documented, all registered, so there are procedures for which all personnel are trained to observe and register and go in accordance with that procedure.

**HON J J BOSSANO:**

Is it that on this occasion the Minister says that he actually knows, not that he is being told this? I think it is the first time he has used the word "know" in all the answers he has given to date.

**HON J J NETTO:**

The Leader of the Opposition may wish to bring sarcasm into the debate here. If that is his style, well, perhaps it is something genuine to him but I am not going to take the bait.

**HON J J BOSSANO:**

Let me reassure the Minister that I am not being sarcastic. I just want to know whether he really knows or whether he thinks that that is what is happening, or whether that is what he has been told. On every other occasion that I have asked him, he tells me he is relying on information provided to questions that have been prepared beforehand. This one he was not prepared for so I am trying to ascertain whether he stands by the explanation that he has given because he has knowledge that that is the case.

**HON J J NETTO:**

He is not trying to ascertain anything, he is question is so petty that it does not deserve an answer.

**HON J J BOSSANO:**

I do not know if there is anything in Standing Orders that says that we have xxxxxx before we put questions in Parliament, pass it to the test of the Minister's subjective judgement of what is petty or not petty. My question is very simple, I want to know whether the Government can confirm to me that if the grade that is required in the Hospital to give a particular medication, a prescribed drug to the patient, is the same grade that has to be responsible in the Dr Giraldi Home for giving the same kind of drug to somebody who is there. It is as simple as that. The answer has to be yes or no.

**HON J J NETTO:**

I do not speak on behalf of the Government. I speak on behalf of the xxxxxx for which I am responsible, but if it is a policy that goes right across the whole Government, I do not speak on behalf of the entire Government.

**HON J J BOSSANO:**

I would not want for one minute to be responsible for getting the Minister into trouble with the absent Member from this meeting. The last thing I want is to suggest that he is making a bid for a coup to lead the Government. That is not in my mind at all, so let him rest. *[Interruption]* I have survived 32 years so I do not think I need to start worrying. My question is a serious one. I am asking if the Government think one has to be at least a green belt Nursing Auxilliary to be able to hand out a certain kind of medication, is it required that the same standard of training should be available in the Social Services Agency to give the same kind of medication? Yes or no or I do not know is one of the three possibilities, and he can say it is petty but I can only assume that if he thinks it is petty it is because he does not want to give me an answer or he is not sure what the answer is. But I think it is very simple, all I need is yes or no or I do not know.

**HON J J NETTO:**

On the xxxxx, he needs to give me notice of the question.

**HON J J BOSSANO:**

Without having had notice and without knowing, which clearly he does not know without notice, what he is saying is he has to go back and ask. Would the Minister not consider it reasonable that if he thinks, for example, that somebody that has not had at least the training of a Nursing Auxiliary should not be given the responsibility for handing out medicines, that the same should apply irrespective of whether the patient happens to be somebody with disability or somebody that is able to walk into the Out-patients and get prescriptions. Surely there should not be a difference.

Would he not agree that is a reasonable thing to expect of the Agency, that they should have the same standards?

**HON J J NETTO:**

We have to have, certainly, a certain standard that accords with the safe practice of how medicine is delivered. Whether it is delivered by one grade in the GHA and a different grade in Social Services, would depend on the standard and the training that goes with that particular person. What I said in my original answer was that in certain circumstances in the Agency, I do know, that in St Bernadette's Occupational Therapy Centre it is given by the nurse. In other circumstances, for instance, say in Bruce's Farm, I know it is given by the carers or the counsellors but they are trained and it is given in a manner with which they are familiar, and everything is recorded. So, obviously, they have their standards, they have been trained to those standards and those standards may not necessarily follow the same standards in the GHA.

**HON J J BOSSANO:**

I welcome the additional information on Bruce's Farm but I am not asking on Bruce's Farm because Bruce's Farm is an independent organisation, where the Government cannot be held responsible for what standards they have or do not have, because they exercise no control over them. It is a private charity. I am asking about the Agency. Now, in fact, can I ask in terms of the original answer, I was under the impression that it was, in fact, a requirement that at least it had to be an Enrolled Nurse. Is it that there has been a change or that Auxiliaries have always been allowed to dispense or to provide patients with medicines that are subject to prescription?

**HON MRS Y DEL AGUA:**

I believe that the Auxiliary can provide the medication but has to be supervised, whereas the other grades do not.

**HON J J BOSSANO:**

I see, so the Enrolled Nurse can do it on their own and the Auxiliary can only do it if there is a Staff Nurse or somebody on duty as well, is that the position?

**HON MRS Y DEL AGUA:**

Yes, because Enrolled Nurses are currently included in the definition of Registered Nurses and the Auxiliaries are not.

**HON J J BOSSANO:**

So then the answer is that if it is a Registered Nurse, that is, Enrolled or Staff Nurse, they are considered to be sufficiently qualified to be able to do it alone, and if it is an Auxiliary Nurse they can only do it if a Registered Nurse is also available. Is that correct?

**HON MRS Y DEL AGUA:**

Not necessarily beside them. I am informed that there has to be an Enrolled or Registered Nurse in the ward. It depends on the competence of the Nursing Auxiliary in question. On competence and instruction are the words they use. So basically, whilst there is a Registered Nurse in the ward, at medication time, they might instruct a competent Nursing Auxiliary to deliver, or competently or adequately trained Nursing Auxiliary to deliver the medication.



**NO. 889 OF 2008**

**THE HON J J BOSSANO**

**GHA – SPONSORED PATIENTS REFERRED TO XANIT HOSPITAL**

Can Government state how many sponsored patients were referred to the Xanit Hospital at Benalmadena in 2007/2008 and at what cost?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

A total of 229 patients were referred to Xanit Hospital in 2007/2008 at a cost of £814,725.75.

**SUPPLEMENTARY TO QUESTION NO. 889 OF 2008**

**HON J J BOSSANO:**

Is the use of this facility more expensive than other alternatives in Spain, or is it the kind of average cost to what it costs wherever they are sent?

**HON MRS Y DEL AGUA:**

The use of this facility, the determination of using this facility is not whether it is, of course it is a factor that is considered, more expensive or not. The reason why the GHA has been using Xanit increasingly over the past two years is because the majority of these patients have cardiac related problems. Since patients were given the choice of being treated either in the UK or Spain, increasingly more are asking or opting to be treated in Spain for cardiac related problems, in Cadiz namely. Now, recently Cadiz was undergoing, and is still, I believe, undergoing a major upgrading of its cardiac lab. Compounding matters even further, obviously the upgrading of the cardiac lab meant that there were serious delays in accepting our patients in their hospital, compounded by the fact that Cadiz is giving more and more priority now, naturally I suppose, to their own Spanish nationals, whereas before we were sort of included in the batch of whatever patients were referred to them, because they are a tertiary care centre. It is affecting us and it is affecting Ceuta, I believe, although, obviously, Ceuta, having said that are Spanish nationals, so these two scenarios together meant that we were having a serious backlog of people with cardiac related problems not getting sufficiently quick access to either the angiogram or the subsequent treatment. So the GHA negotiated with Xanit a cost per case which was the same or lower than sending the patient to the UK.

**HON J J BOSSANO:**

Therefore, the figure that the Minister has given me for the 229 is roughly what it would have cost the GHA if they had gone to the UK as sponsored patients?

**HON MRS Y DEL AGUA:**

Or less but not more.

**HON J J BOSSANO:**

In doing that comparative exercise are we talking about the payment to the institution or the cost including the travel and the stay?

**HON MRS Y DEL AGUA:**

I believe it is an average of the cost of the patient in accommodation, travel and all that. But I am not 100 per cent sure.

**HON J J BOSSANO:**

I see. Well, if we are talking about £3,500 per patient, which I am told is what this works out, perhaps the Minister would look at whether, it seems to me that figure of £3,500 is likely to include the accommodation and the travel, I would have thought. I understand that this institution, in fact, is a private hospital so what are the arrangements for paying them in their case? Do the GHA get billed every month or everything? In the United Kingdom we have a different kind of arrangement, have we not?

**HON MRS Y DEL AGUA:**

Yes.

**HON J J BOSSANO:**

What is the arrangement with this hospital, which I believe is a private hospital?

**HON MRS Y DEL AGUA:**

I think we are invoiced per patient and we pay for them. We have quite a good relationship with Xanit. I believe they invoice us, I do not know whether it is on a patient basis or on a monthly basis, depending on how many patients. I could not really answer, I will try and provide the information to the hon Member if he is interested in knowing.

**HON J J BOSSANO:**

In terms of when we were using the Spanish state health service, like Cadiz, was the arrangement the same or were the arrangements of paying done in a different way?

**HON MRS Y DEL AGUA:**

I think the arrangements with Cadiz is under the SAS, so I think it falls within whatever arrangement, within this reciprocal agreement, if I am not mistaken. I am not exactly sure of all the details, but it is certainly not as if it were a private clinic.

**HON J J BOSSANO:**

So, in fact, the reason why we get billed is because it is private, that is really what I am trying to establish, is that the case?

**HON MRS Y DEL AGUA:**

Yes, that is correct.

**HON J J BOSSANO:**

In the case when we were using Cadiz before it was done through the EU reciprocal health care agreements?

**HON MRS Y DEL AGUA:**

I believe that is the case but I would need to have that confirmed for him. Yes, my predecessor has confirmed that that is the case.

**NO. 890 OF 2008**

**THE HON J J BOSSANO**

**GHA – PRIVATE PSYCHIATRIC TREATMENT IN SPAIN**

Can Government confirm whether any GHA patient is receiving private psychiatric treatment in Spain at GHA expense and if so for how long and at what cost?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

One patient is receiving private psychiatric treatment in Spain at GHA expense.

The patient is seeing a psychiatrist who specialises in the tertiary problem that the patient is suffering from. Referral to a similar service in the UK would have proved much more costly. In addition, an essential part of the patient's therapy was that the patient could undergo outpatient treatment whilst still residing in the home environment. The patient's condition will probably require long-term therapy. It is difficult to quantify, due to the patient's age, how much longer the treatment will be required. The cost to date, that is, over a period of two years and eight months, is 4,500 Euros.

**SUPPLEMENTARY TO QUESTION NO. 890 OF 2008**

**HON J J BOSSANO:**

The explanation for having to use a private psychiatrist in Spain is that we do not have people in Gibraltar that are capable of giving that kind of psychiatric help, is that the case?

**HON MRS Y DEL AGUA:**

Not for this type of patient.

ORAL

**NO. 891 OF 2008**

**THE HON J J BOSSANO**

**GHA – PSYCHIATRIC TREATMENT IN THE UK**

Can Government state whether any KGV hospital patients have been sent to UK for in-patient treatment in any kind of psychiatric unit since 1<sup>st</sup> April 2005 and if so give a breakdown by financial year showing the dates sent and the cost per patient and financial year to date or until the date of the patient's return to Gibraltar as the case may be?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

Since April 2005, five patients have been sent to psychiatric units for in-patient treatment.

The details requested by the hon Member are contained in the schedule which I have handed over to him.

**Answer to Question 891 of 2008**

Five Patients were sent to psychiatric units for inpatient treatment in UK since April 2005.

<b>Financial year 01.04.05 till 31.03.06</b>	<b>Dates in UK</b>	<b>Medical Cost £</b>
Patient 1	26.05.05 till 31.03.06	£9,051.43
Patient 2	10.01.06 till 09.02.06	£18,693.22
Patient 3	27.09.05 till 20.10.05	£21,630.00
	23.11.05 till 06.12.05	£7,210.00
<b>Financial year 01.04.06 till 31.03.07</b>		
Patient 1	01.04.06 till 15.05.06	£12,960
Patient 4	26.09.06 till 31.03.07	£97,077
Patient 5	06.11.06 till 31.03.07	£71,563
<b>Financial year 01.04.07 till 31.03.08</b>		
Patient 4	01.04.07 till 31.03.08	£233,478
Patient 5	01.04.07 till 31.03.08	£233,478
<b>Financial year 01.04.08 till 31.03.09</b>		
Patient 4	01.04.08 till 12.08.08	£86,196
Patient 5	01.04.08 till 25.09.08	£115,581

## **SUPPLEMENTARY TO QUESTION NO. 891 OF 2008**

**HON J J BOSSANO:**

We are talking about a situation where since December 2006 one particular patient has cost the Health Authority over £500,000, no, £400,000, is that the case? Patient 5 has got £71,500 for one year, £233,478 for the next year and £115,581 to date, to the end of September. These seem very large sums. What is special about the treatment of this patient that required these kind of sums to be spent?

**HON MRS Y DEL AGUA:**

Without wishing to go, and I am quite willing to give this information to the hon Member on a confidential basis, but without wishing to go into a lot of detail, these two particular patients could be referred as "forensic psychiatry", which is a sub-specialised area of psychiatry that deals with those who are a risk to other individuals. They were referred, as well as the other three who do not fall within this category, they were assessed by their attending psychiatrists and referred to tertiary specialist centres in the UK for in-patient treatment, as a necessity.

**HON J J BOSSANO:**

We have got a situation where, for example, patient 5 was there from 6<sup>th</sup> November 2006 to 25<sup>th</sup> September 2008, what is it has he come back cured and he is no longer a danger to anybody?

**HON MRS Y DEL AGUA:**

Well, I suppose there has been significant progress in his rehabilitation, or else he would not have been discharged from the tertiary centre to which he was referred in the first place.

**HON J J BOSSANO:**

I see, but are we then saying we have got a situation now, even though we have got more psychiatrists than ever before, there was a stage when we only had one person there and, as far as I can remember, he seemed to be able to cope with all the branches of psychiatry, when Dr Montegriffo was running the show. But are we saying then that, for example, if we send somebody there and they think he is not able to be discharged, we then have an open-ended commitment that we pay hundreds of thousands of pounds, is that the position?

**HON MRS Y DEL AGUA:**

I suppose that in these things there is always a time frame involved. Before the patient is referred, I suppose that the psychiatrist who made the assessment was in communication with whatever centre they were referred to, and there is a time limit. I also suppose that if there is a person who is mentally ill, who is a danger to society

and who does not belong in prison but belongs in a special facility which is not available in Gibraltar, should be housed at whatever expense away from Gibraltar.

**HON J J BOSSANO:**

I am astonished that that is the Minister's view. Perhaps she will not need to build a new KGV Hospital after all, if that is what she thinks. Look, one sectioned people if they are a danger and put them in the KGV Hospital and deprive them of their liberty, precisely because they are a danger to themselves or to others. We have got that institution, which needs a lot of improvement, but the purpose of having them there surely is because we do not just simply send people off to the United Kingdom because they are mentally ill?

**HON MRS Y DEL AGUA:**

When a person is a danger to others and is sectioned off to the KGV Hospital, one cannot just lock them up and throw away the key, as the hon Member is suggesting. They need treatment and if this Government spends nearly or more than £6 million in referring people, because we have plenty more doctors here as well in the General Hospital, not only at the psychiatry unit, yet we still spend £6 million in referring them to tertiary centres in the UK for treatment. Why should people with mental illness problems not be entitled to the same treatment and to spend as much money on them?

**HON J J BOSSANO:**

But it seems that we are having problems with children having to be put in KGV Hospital and KGV Hospital patients having to be sent to the United Kingdom, which we have not had in the past. I have not said they should be put in a room and throw away the key. I do not know whether she is saying that that is what they were doing before 2005 and that they stopped doing it in 2005, or that the punishment room, which they say did not exist, which had padlocks on the door, was for that purpose.

**HON MRS Y DEL AGUA:**

According to his information, which is completely erroneous.

**HON J J BOSSANO:**

Well, information that people were prepared to give under oath in a tribunal until they spent £250,000 stopping it. If it is not true why were they so scared of the truth coming out?

**HON MRS Y DEL AGUA:**

We were not scared of any truth coming out and he knows it.



**HON J J BOSSANO:**

Then, perhaps, the Minister can enlighten this House how they justify spending public money, arguing all the way to the appeal court that a year has 53 weeks, which is not an argument that has been used in 32 years?

**MR SPEAKER:**

Order, order. That last question is not a proper supplementary on the subject we are talking.

**HON J J BOSSANO:**

No, I accept that it is just that I am demonstrating that if being scared was not the reason for spending the money, then perhaps she can enlighten me with what the reason was. So, the Minister is saying then that the Government consider that the way to handle the needs of these patients is to spend maybe £100,000, £200,000 or £300,000 on each one, send them to a special unit in the UK and then bring them back here and that the result of that is that when they get back here, whatever it was in their illness that caused them to be a danger has been cured by the period that they have been in the UK, and that is the justification for what is being adopted, that is the position is it?

**HON MRS Y DEL AGUA:**

That is what I have been informed has happened in these two cases. They were sent off as a necessity because they needed to be referred to tertiary centres in the UK, the same as people with physical illnesses need to be referred somewhere else. They have recovered to an extent where they can now come back to Gibraltar and they have been brought back to Gibraltar.

**HON J J BOSSANO:**

I see. I mean, is one of these patients not a patient that has been, in fact, a patient for almost the whole of his life and, therefore, this problem appears only to have been a recent development with changes.....? Perhaps it reflects an approach from psychiatrists that we have got today which was not the approach of the ones we had before, we have had a lot of changes. These are not people who have been suddenly affected by illness, they are people that have been in and out, when they get better they get released and when they get worse they have to go back in for treatment, is that not the case?

**HON MRS Y DEL AGUA:**

I am not aware of whether these two patients have been institutionalised, rather, residing in the KGV Hospital for a number of years. But even if they had, people's illnesses can get aggravated. I might have a kidney stone lodged in my kidney which is manageable for ten years and all of a sudden it flares up and I need to be referred somewhere else. I mean, it is the same scenario. If a person needs tertiary care in

the UK, this Government do not look at whether it is a mental illness or a physical illness. We spend whatever it takes to make them better.

**HON J J BOSSANO:**

The enthusiasm the Government displays for things over which they have so little knowledge amazes me. Therefore, this is a policy that has been going on for how long? I put the date of 2005, given that I have only heard of recent incidents. Is the Minister saying that this has been going on since 1996?

**HON MRS Y DEL AGUA:**

I do not know whether the psychiatrist employed by the GHA considered it necessary before 2005 to send anybody over. The question refers to 2005 onwards and that is the answer that I have supplied. Maybe in the next session he can go back to 1996.

ORAL

NO. 892 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

There has not been a meeting of the Tribunal during the period covered by the question.

**NO. 893 OF 2008**

**THE HON F R PICARDO**

**GHA – TRAVEL BY SPONSORED PATIENTS - BOOKING FEES**

What amounts have been paid by the GHA as “booking fees” in respect of travel by sponsored patients in the past two calendar years?

**ANSWER**

**THE HON THE MINISTER FOR HEALTH AND CIVIL PROTECTION**

The GHA cannot provide me with this information as the flight invoices do not come with that kind of breakdown, I am told.

**SUPPLEMENTARY TO QUESTION NO. 893 OF 2008**

**HON F R PICARDO:**

I believe that the Minister has been improperly informed of what a flight ticket actually shows in each invoice. Each of the invoices that I am provided with certainly show the cost of the booking fee, and if they do not, it is possible to see the cost of the booking fee, if it is an electronic ticket on the electronic ticket itself, if it is a paper ticket at the bottom left of the ticket issued in IATA format. Would the Minister undertake to review the answer that she has been provided, given that it is my understanding that the booking fees charged to the GHA are in some cases even larger than the cost of the ticket itself.

**HON MRS Y DEL AGUA:**

The answer that the GHA has provided me with is that they cannot provide that information. Now, he is disputing what the staff of the GHA are saying to me, I believe there is another similar question on the Order Paper to be answered by the Chief Minister, I suggest that he waits for that answer. If it is the same as mine, then not only the GHA has a problem but whoever has supplied the information to the Chief Minister as well.

**HON F R PICARDO:**

I do not see why it is that the Minister is seeking to defend that answer. I think that we both part from the premise, or we should at least both part from the premise, that the GHA is funded from a vote in this House, if there is any abuse going on in respect

of the use of that money, if there is any abuse going on of the GHA, in other words, if the GHA itself is being abused by the people who are selling it tickets, then she and I must both agree that it is something that we need to get to the bottom of. Now, I think she will know, from her own travel it is possible to see.....

**HON MRS Y DEL AGUA:**

I have only travelled once in my entire time as Minister.

**HON F R PICARDO:**

I do not mean necessarily in her capacity as Minister, just as an ordinary citizen. Perhaps she could take it from me.

**HON MRS Y DEL AGUA:**

I do not want to travel by aeroplane anyway.

**HON F R PICARDO:**

Then she should take it from me and, I am sure, from some of her other colleagues that any ticket issued for air travel shows on the ticket itself the booking fee charged by the travel agent, or at least shows the cost of the ticket. Then an individual can work out from the cost of the ticket and the cost that he or she has paid, what booking fee has been charged to him or to her. Will she not agree with me that it is something that needs to be looked into in greater detail and will she undertake to ask those at the GHA who have provided her with the answer, to bring her at least a sample of some of those invoices so that she can see for herself whether it is possible to see what the booking fees are, and perhaps determine exactly what those fees are herself?

**HON MRS Y DEL AGUA:**

On the basis that the concern that the hon Member is expressing is that there is a possibility that there is some sort of abuse against the funds of the GHA, on that basis and taking that at face value I will certainly carry out a further investigation and have further talks with the Sponsored Patients Department.

**HON F R PICARDO:**

I am very much obliged for that, and will she agree to write to me with the results of her further investigation?

**HON MRS Y DEL AGUA:**

I do not mind, if I obtain that information during the course of either today or as long as this session lasts, I do not mind getting up and orally giving him the explanation, if there is any.

**HON F R PICARDO:**

I am obliged.

ORAL

**NO. 894 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 September 2008, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 895 to 898 of 2008.

ORAL

**NO. 895 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 September 2008, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 894 and 896 to 898 of 2008.



ORAL

**NO. 896 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 September 2008, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 894, 895, 897 and 898 of 2008.

ORAL

**NO. 897 OF 2008**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have received rent relief, to date, as from September 2008, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 894 to 896 and 898 of 2008.

ORAL

NO. 898 OF 2008

THE HON C A BRUZON

**HOUSING – RENT RELIEF**

Can Government state how many households have applied for rent relief, to date, since September 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 898 of 2008**

#### **Answer to Question 894**

The number of households, on Rent Relief, that have had this benefit terminated, to date, as from September 2008, is as follows:

September (as from 13/9/08)	-	7
October 2008	-	8
November (Up to 26/11/08)	-	10

#### **Answer to Question 895**

The number of households that have had the level of Rent Relief reduced, to date, as from September 2008, is as follows:

September (as from 13/9/08)	-	18
October 2008	-	16
November (Up to 26/11/08)	-	19

#### **Answer to Question 896**

The number of households that were on full Rent Relief, to date, as from September 2008, is as follows:

September (as from 13/9/08)	-	48
October 2008	-	46
November (Up to 26/11/08)	-	42

#### **Answer to Question 897**

The number of households that have received Rent Relief, to date, as from September 2008, is as follows:

September (as from 13/9/08)	-	671
October 2008	-	674
November (Up to 26/11/08)	-	649

#### **Answer to Question 898**

The number of households that have applied for Rent Relief, to date, as from September (12/9/08), is as follows:

September (as from 13/9/08)	-	4 (2 active)
October 2008	-	5 (1 active)
November (Up to 26/11/08)	-	1 (1 active)

ORAL

**NO. 899 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 Nos. 900, 910 and 911 of 2008.

ORAL

**NO. 900 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**

Answered together with Question Nos. 899, 910 and 911 of 2008.

ORAL

**NO. 901 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 September 2008 giving a monthly breakdown, and what is the total of arrears covered by such agreements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A schedule containing the information requested has been passed on to the hon Member.

**Answer to Question 901 of 2008**

**Total number of agreements as from September 2008 – 31**

	<b>Total Agreements</b>	<b>Total Amount</b>
September 2008	19	£ 89,704.35
October 2008	5	£ 19,454.50
November 2008	7	£ 28,035.38
	<b>Total</b>	<b><u>£137,194.23</u></b>



**NO. 902 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. 549 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Two flats have been repossessed.

**SUPPLEMENTARY TO QUESTION NO. 902 OF 2008**

**HON C A BRUZON:**

What were the reasons? Are there any reasons the Minister can offer as to why they were repossessed?

**HON F J VINET:**

Not specifically, the umbrella really is that there has been inadequate use of the property. I also add that the fact that there have been two flats repossessed does not necessarily mean that there have not been a further number of flats that have been recovered prior to reaching the court hearing. So, really, the number is greater than two, I do not have the overall total here, but two have been repossessed following legal course of action.

ORAL

**NO. 903 OF 2008**

**THE HON C A BRUZON**

**HOUSING – SOCIAL CATEGORY ‘A’ LIST**

With reference to the answer given to Question No. 550 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. 904, 905 and 917 of 2008.

ORAL

**NO. 904 OF 2008**

**THE HON C A BRUZON**

**HOUSING – SOCIAL CATEGORY ‘A’ LIST**

Since the answer given to Question No. 551 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. 903, 905 and 917 of 2008.

ORAL

**NO. 905 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. 903, 904 and 917 of 2008.

ORAL

**NO. 906 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 912 of 2008.

ORAL

**NO. 907 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. 554 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 908 and 909 of 2008.

ORAL

**NO. 908 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 September 2008 providing a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 907 and 909 of 2008.

ORAL

**NO. 909 OF 2008**

**THE HON C A BRUZON**

**HOUSING – ALLOCATION OF HOMES**

Can Government state how many Government homes have been allocated to applicants other than by the Housing Allocation Committee since the implementation of the new Housing Act 2007?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I hand over a schedule containing the information requested.



**Answer to Question 909 of 2008**

**Answer to Question 907**

To date, since the answer given to Question No. 554 of 2008, two pre-war housing units have been allocated.

**Answer to Question 908**

No post-war housing units have been allocated to social cases since September 2008.

**Answer to Question 909**

Three Government homes have been allocated to applicants other than by the Housing Allocation Committee since the implementation of the new Housing Act.

**SUPPLEMENTARY TO QUESTION NOS. 907 TO 909 OF 2008**

**HON C A BRUZON:**

I thank the Minister for the information provided. Reference Question No. 909, the answer says that three Government homes have been allocated to applicants other than by the Housing Allocation Committee since the new Housing Act. Who allocated these three homes?

**HON F J VINET:**

I believe a couple were allocated by myself and one by the Chief Minister.

**HON F R PICARDO:**

What made the circumstances of those allocations special so that they had to be done by the Minister?

**HON F J VINET:**

First of all let me say that the Housing Allocation Committee is an advisory committee and the Government do not necessarily have to follow its advice, although I always aim to do so. But if the Government, whether myself or a colleague, are made aware of particular circumstances which are so exceptional, whether from a social and/or medical perspective, that they need to be prioritised, then I think I certainly make no apology for that. In fact, I think I have a duty to act on those cases and, in fact, as I think I may have mentioned last time, I regularly receive correspondence from the Hon Mr Bruzon, also from the Ombudsman and Action for Housing, asking me precisely to intervene in that manner.

**HON F R PICARDO:**

I appreciate everything that the Minister has said and I do not dispute any of it, but what were the circumstances in these cases which led him to believe that he should activate his ministerial role in that capacity to allocate?

**HON F J VINET:**

I would not like to divulge the information over the floor of the House, I am perfectly happy to provide that information in private and in confidence, in particular, one of the persons involved, I think, if I were to give the information would be easy to identify. What I can perhaps say is that of those three, two of them were on a medical basis as it were and one of them had social issues attached to the application.

**HON F R PICARDO:**

I appreciate that and am grateful for the offer to provide the information privately, which I will take up. But how does he reconcile his remarks now with his remark a

moment ago when he told me that, of course, it was preferable for the doctors to make decisions in respect of medical cases and not Ministers?

**HON F J VINET:**

It is one thing for myself to overrule a decision taken by the Housing Allocation Committee, which I will not do, that is what the Housing Tribunal is there for and it is quite another for even a lay person like myself, to be very aware, as I think anyone would be, of the particular issues raised by these individuals.

**HON F R PICARDO:**

Again, without wanting to tread into the area of what he will tell me privately, were these therefore cases that had not even got to the Housing Allocation Committee, that were dealt with before they could get to the Committee?

**HON F J VINET:**

I think in two of those cases that is certainly the case. On the remaining one I am not absolutely certain but I will confirm that to him.

**HON F R PICARDO:**

If he is not certain it is therefore possible that the Housing Allocation Committee may have done one thing and the Minister may have gone against that, or it may have been the ministerial position because it may not necessarily be him, a ministerial decision which has gone contrary to the decision of the Housing Allocation Committee. That is also possible, not just in this case but generally.

**HON F J VINET:**

It may but not necessarily because, for example, what may happen is that a person's situation is assessed by the Housing Allocation Committee, who may decide to categorise that application as meriting inclusion on the social list, so that person forms part of the social waiting list but developments may occur thereafter which aggravate the circumstances experienced by this individual, and I would be very hesitant indeed to act over and above the views expressed by the Housing Allocation Committee, if there are not additional circumstances involved which may merit a more direct intervention.

**HON F R PICARDO:**

How is this emergency list or emergency procedure engaged? Do individuals write to the Minister or are the circumstances brought to the attention of the Minister by his officials because individuals have turned up in the office and explained the circumstances?

**HON F J VINET:**

It really does vary from case to case, there is no established practice or procedure. The information may come to me or a colleague via a variety of means.

ORAL

**NO. 910 OF 2008**

**THE HON C A BRUZON**

**HOUSING – MEDICAL LISTS**

Since the answer given to Question No. 557 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 Nos. 899, 900 and 911 of 2008.

ORAL

**NO. 911 OF 2008**

**THE HON C A BRUZON**

**HOUSING – MEDICAL LISTS**

With reference to the answer given to Question No. 558 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**

Schedules containing the information requested are just being passed over.

**Answer to Question 911 of 2008**

**Answer to Question 899**

There are 55 applicants on the Housing Waiting List, to date, who are medically recommended as follows:

Medical A+	-	4
Medical A	-	13
Medical B	-	19
Medical C	-	19

**Answer to Question 900**

There are 196 persons, to date, who are medically recommended, apart from those who are described as applicants on the Housing Waiting List, as follows:

Medical A+	-	26
Medical A	-	59
Medical B	-	47
Medical C	-	64

**Answer to Question 910**

A total of four applicants have been placed on the various Medical Housing Lists since Question No. 557 of 2008, as follows:

Date	A+	A	B	C
September (since 13/9/08)	-	-	-	-
October	2	1	-	-
November (up to 26/11/08)	1	-	-	-

**Answer to Question 911**

A total of six applicants have been removed from the various Medical Housing Lists since the answer given to Question No. 558 of 2008 because a suitable dwelling has been found for them as follows:

Date	A+	A	B	C
September (since 13/9/08)	-	-	-	-
October	2	3	-	1*
November (up to 26/11/08)	-	-	-	-

\*Also on Waiting List

**SUPPLEMENTARY TO QUESTION NOS. 899, 900, 910 AND 911 OF 2008**

**HON N F COSTA:**

Could the Minister say in respect, for instance, of the applicants on the Medical 'A' Class list, for how long those people have been on the list?

**HON F J VINET:**

Not at this date. There have been occasions in the past when that specific question has been asked and a table has been provided. I do not have the information before me, it does vary from case to case.

**HON C A BRUZON:**

Concerning people with a medical category who have refused a home that has been offered to them, as I think the Minister referred to in the past, in the last Session in September, I cannot find my notes but I remember that a reference was made that there were people who had refused accommodation, even though for medical reasons the home was suitable. Now, can the Minister please tell me whether or not a doctor was involved in this decision? Did the doctor visit this place to decide? On what was the decision based? Surely, if one uses the reference that it should be acceptable on medical grounds, there has to be an explanation to that question, I think.

**HON F J VINET:**

Well, there are two aspects to that. First of all, what happens is that in order for a person to be categorised as benefitting for inclusion in the medical list, the Housing Allocation Committee, which includes a medical representative, would assess the ailment in question and, in fact, the criteria is not simply that the applicant, or the prospective applicant, suffers a certain illness. But rather, whether their home where they are presently living at actually is detrimental to that particular ailment. Therefore, there is a note made as to what that ailment is, what the needs are and the property that is offered to a particular applicant who reaches the top of the medical list, actually is in accordance with those specific needs. So, for example, if there happens to be a person who is on the medical list because he or she has problems in terms of mobility and requires a flat either on a ground floor or one that has access to a lift, then of course, that person would be offered a flat that meets that criteria. Having said all that and the reason why I was quite keen last time to qualify my reply by explaining that one should not simply look at the number of flats that have been accepted, but rather the total number of offers made. In fact, the reasons why some of these individuals declined the offer of a flat had nothing whatsoever to do with the flat not being adequate in terms of the particular person's medical needs, but rather, because, perhaps, they wished to be housed in a particular housing estate, close to family members. I know one particular case, for example, where the person wishes to wait until a flat with good views of the Bay becomes available. So, the information I have before me is that the declining of offers of flats has not been due to lack of adequate medical facilities at the homes.



**HON F R PICARDO:**

What happens when the medical condition which it is suggested should put somebody on the medical list is not a medical condition in which the medical practitioner on the Board is an expert? How does the Housing Allocation Committee then decide whether it is something which is exacerbated by the present housing needs or circumstances of the individual?

**HON F J VINET:**

Well, the practice is and has been for some time that the Housing Allocation Committee assesses these applications, the medical expert is a General Practitioner, thus all applicants, whether those applying for medical categorisation, social categorisation or otherwise, if they are unhappy or have a grievance with the decision taken by the Allocation Committee, can always appeal the matter to the recently appointed Housing Tribunal. But there is not a specific ..... it would be, I think, unrealistic to expect a particular expert in a particular field to be present dealing with the very specific ailments. There is a Housing Allocation Committee in place, which is advertised in the Gazette, and that includes a General Practitioner.

**HON F R PICARDO:**

I appreciate that and I do not mean that there should be an expert on broken legs and an expert on broken arms, but when a practitioner in psychiatric medicine says that somebody is suffering from depression and that depression is related to their present housing circumstances, of course, that could be opening the floodgates for everybody to say that they are depressed and where they live. But in particular circumstances, not just related to their present housing circumstances, but other housing related circumstances which are clearly exacerbating the individual's position, and there is a General Practitioner on the Board of the Housing Allocation Committee, then those are two very distinct practices – psychiatric practice and the general medical practice. What happens in those circumstances? Are the Government satisfied that the General Practitioner is able to determine whether or not that psychiatric circumstance is such that it should give rise to somebody being on the medical list or not? Without, obviously, opening the floodgates to everybody simply having a certificate that they are depressed and where they live.

**HON F J VINET:**

I will answer simply by saying that the Government are satisfied by the decision taken by the Housing Allocating Committee, simply because we have not been informed otherwise, as far as I am aware. There has not been an appeal of the sort alleged by the Hon Mr Picardo.

**HON F R PICARDO:**

Well, an appeal to the Housing Appeal Tribunal which has just been set up it may be that there has not been, but I am sure the Minister is aware of circumstances or cases where there have been complaints, if not appeals, that this type of problem has not been recognised by the Housing Allocation Committee, although there is no

psychiatric expert on the Housing Allocation Committee. Is the Minister not aware of any such circumstances, perhaps even quite recently?

**HON F J VINET:**

No, I have not been made aware of such circumstances.

**HON F R PICARDO:**

Would he agree with me that if there are such circumstances they might be identifying a problem in the composition of the Committee, or a problem in the way in which the Committee assesses medical cases such that the medical remit of the Committee is not adequately provided for if there is not somebody who is able to assess the psychiatric needs of individuals who may be seeking categorisation on the medical list?

**HON F J VINET:**

The actual procedure when an individual chooses or wishes to be categorised for inclusion in the medical list is that he or she would provide the Allocation Committee with a medical letter, and it is on the basis of that medical letter, presumably from an expert in that particular field, that the decision is taken.

**HON F R PICARDO:**

I appreciate that. How do the Government reconcile the fact that the general medical practitioner who is on the Housing Allocation Committee Board is, as I understand it, one of the doctors in the Group Practice Medical Scheme, and the party recommending that the person should be put on the medical list for housing is also a practitioner on the Government General Practice Scheme? Therefore, if the recommendation of the doctor saying, or the practitioner saying "this individual should be on the medical list", is not accepted, there are really two doctors in the GHA going against each other. The one, being a specialist in the particular field, the other, the one who declines, not being a specialist in that particular field. How do Government feel about that?

**HON F J VINET:**

I am hesitant to comment further without perhaps knowing what the particular facts of a particular case are. It would not be the first time in the past that, perhaps, prior to the setting up of the tribunal, a person who is aggrieved with the decision taken by the Housing Allocation Committee has made his or her circumstances known to me. That has not been the case up to now. My information is that the system works generally well, I certainly have not received representations to the effects that Mr Picardo is now alleging. As I say, it is simply not feasible to have an expert on every single medical field present in the Housing Allocation Committee, and I suppose a similar analogy could be used in all other committees in Government, where necessarily the members of a particular committee, whether medical or to do with development appeals or whatever, may not necessarily agree with the views expressed by some other experts.

**HON F R PICARDO:**

I appreciate that. But I understand this case has been brought to his attention, it may be that I have been misinformed. Let me give him a little bit more of the flavour of the issues that arise, trying to stick to generalities in order not to identify the parties involved. If a GHA psychologist or psychiatrist, I am always lost at the difference between the two, recommends in writing on GHA letterhead paper, that this individual needs to be re-housed and it is urgent on a medical basis, because this individual is genuinely suffering from depression because of the housing circumstances that she is presently under, relating to both the housing composition and the house in question. How can the Government be comfortable that subsequently the person on the Board who is responsible for helping the Committee assess the medical aspects of it, is a GHA general practitioner who has not got either the psychiatric or psychological expertise to certify that, then says, "as far as I am concerned, this is not a case where we should be considering putting the individual on the medical list". Is that not clearly something which is not satisfactory, and it does not involve having an expert in every sort of medicine available, but it involves one general practitioner not accepting the advice of a specialist practitioner in the same organisation?

**HON F J VINET:**

I cannot add anything further to what I have already said. What would have been even less acceptable, perhaps, would have been for a Minister to personally decide whether a particular ailment merits inclusion in the medical list or otherwise. I am not for one minute saying that the present system is absolutely perfect. There may, perhaps at some point, be a need to tweak the composition of the Housing Allocation Committee. In fact, there have been recent changes to the membership, just two or three months ago, but I re-stress and hope I have not given the impression that I am somehow misleading the House. I have certainly not been informed of that particular case, but if the hon Member wishes we can have a private word afterwards.

**HON F R PICARDO:**

I am grateful to the Minister and I will take up his offer of giving him more of the personal details outside this Chamber. I do not want him to think for one moment that my questions were suggesting that he should have become involved and somehow overridden even the General Practitioner, who is much more of an expert than he or me in any type of medicine, let alone psychiatric medicine. But I think that this genuinely raises a potential difficulty with the referral to the Housing Allocation Committee of issues which are not within the purview of a general medical practitioner. Perhaps it is something to look at, in any event, and perhaps he might agree to do that?

**HON C A BRUZON:**

I do not for a moment question the genuineness of the Minister's answers but may I remind him that I wrote to him about a month ago, about a specific case which he may be kind enough to ask his secretary about, and maybe when he reads my letter he will understand the case in question.

ORAL

NO. 912 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

A schedule containing the information requested is being handed over to the hon Member.

**Answer to Question 912 of 2008**

**Answer to Question 906**

There are currently 439 applicants on the pre-list. The breakdown of their flat requirement is as follows:

1RKB	-	304
2RKB	-	16
3RKB	-	79
4RKB	-	37
5RKB	-	3

**Answer to Question 912**

There are 765 applicants on the Housing Waiting List. The breakdown of their flat requirement is as follows:

1RKB	-	362
2RKB	-	54
3RKB	-	210
4RKB	-	126
5RKB	-	13

**SUPPLEMENTARY TO QUESTION NOS. 906 AND 912 OF 2008**

**HON C A BRUZON:**

I see that there is an upward trend, obviously regrettably, since I asked this question not only in September but also in April, does the Minister not acknowledge that the upward trend could be due to the Government's mistaken policy on housing over the years, in not providing adequate housing so that the waiting lists go down and not up?

**HON F J VINET:**

Well, I do not accept that and, of course, I think the premise to the question is misinformed, because the hon Member will see that the pre-list, which in effect is part of the overall waiting list, has in fact decreased slightly since the question was last asked in September.

**HON C A BRUZON:**

The total now is 1,204 as distinct from 1,188 in September, I am looking at the two lists together.

**HON F J VINET:**

There are the same number of flats available in the rental stock today than there were when the question was last asked in September. It is simply a question of more people having decided to become applicants than may have been the case months ago. I am sure the situation will be addressed to a great extent following the completion of the magnificent, new rental estate which will commence soon.

**HON J J BOSSANO:**

Can I ask? The people who were sent letters are included in these numbers and they have already been given a promise of allocation, is that not the case?

**HON F J VINET:**

Yes.

**HON J J BOSSANO:**

And they have got the option when existing accommodation becomes available, like repossessions, to change. Has the Minister any information whether some people have now been removed from the list? Presumably, the ones that were sent the letters are in the list but once they pick another house they come off the list. Does he have any information on how many have come off that list as a result?

**HON F J VINET:**

Yes, in fact, there is a there is another question on the Order Paper precisely on that matter.

ORAL

**NO. 913 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. 560 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. 914 of 2008.



**NO. 914 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. 561 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**

**Answer to Question 913**

None.

**Answer to Question 914**

None.

ORAL

**NO. 915 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 home owners who had chosen to sell their homes, giving a breakdown by month, since the answer to Question No. 562 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 916 of 2008.

ORAL

**NO. 916 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 to Question No. 563 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 915**

None, that is to say, no rejections.

**Answer to Question 916**

Two applicants have been accepted, both of them in October.

ORAL

NO. 917 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

I will now hand the hon Member a schedule containing the information requested.

**Answer to Question 917 of 2008**

**Answer to Question 903**

Since the answer to Question No. 550 of 2008, two applicants have been removed from the Housing Social Category "A" List because a suitable dwelling has been found for them. Both allocations were made in October 2008.

**Answer to Question 904**

Since the answer to Question No. 551 of 2008, three applicants have been placed on the Social Category "A" List. The three categorisations were made in October 2008.

**Answer to Question 905**

There are currently 74 persons on the Housing Social Category "A" List.

**Answer to Question 917**

Thirty-four applications for housing from homeless persons are currently being dealt with by the Ministry for Housing.

Perhaps I could qualify or add, in particular, to the answer to Question No. 903 similarly as I did in the last session of Parliament in relation to medical cases, that although the hon Member will see that there have been two applicants removed from the Housing Social Category List because a suitable dwelling has been found for them, in fact, there have been three further offers made to applicants which have been refused. So in total there could have been five applicants removed from the list, but in reality there are two.

**NO. 918 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 telephone calls have been received;
- (b) in how many cases was the information received correct,

and provide a breakdown as from September 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A total of 146 telephone calls have been received and of these 81 were found to be correct. The breakdown as from September 2008, that is to say, since 13<sup>th</sup> September this year is that there have been two calls in September, both of which were found to be incorrect. One call in October which was found to be correct and no calls up to 26<sup>th</sup> November, which is when the information was collected.

ORAL

**NO. 919 OF 2008**

**THE HON C A BRUZON**

**HOUSING – WAITING LISTS (REINSTATEMENTS)**

With reference to the answer given to Question No. 566 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's home ownership schemes?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 920 of 2008.

**NO. 920 OF 2008**

**THE HON C A BRUZON**

**HOUSING – NEW GOVERNMENT RENTAL ESTATE**

With reference to the answer given to Question No. 567 of 2008, 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**

**Answer to Question 919**

Three housing applicants have been re-instated on the Housing Waiting List.

**Answer to Question 920**

Nine applicants have been offered an existing Government flat in the period prescribed in the question. Four of these have accepted.

-----  
**HON J J BOSSANO:**

I would like to return to Question No. 920, the one we have just done, because it was something I was intending to follow up earlier when the Minister pointed me to this question that was on the Order Paper. To make sure that I understand the nature of the mechanism, is it that for example, there were five offers that nobody in the 490 group accepted and, therefore, it gets offered to somebody who is outside the 490 group, is that how it functions? I mean, if there had been nine and there are 490, obviously depending on the composition of what is available and the composition of the requirement, but is it that in the group that have had the letters one goes down the priority of that group and keep on offering it to everybody until it has been turned down by everybody, is that how it works?

**HON F J VINET:**

The offers made are in relation to people on the waiting lists, who may or may not be one of those 490. Logic would dictate that, especially towards the higher end of the waiting list, all those people who are currently towards the higher end of the waiting



list are those who received offers of accommodation. But if it were to then trickle down towards the lower reaches of the list, there may be cases where someone who has been made an offer now finds himself or herself with a more recent applicant jumping above their place. But, certainly, as I have said, there have been nine offers made to people who were offered flats in the new estate. I am not sure whether that clarifies the question.

**HON J J BOSSANO:**

Not entirely. Given that I am taking it for granted that the 490 people who got the offers in 2007 were the 490 based on their pointage on the list, then presumably, let us say we have got a situation where there is a two bedroom house available which is an existing post-war house, as I understood the nature of the explanation that was given, the people who were told they had a two bedroom house in the course of being built would then be offered this two bedroom house that would become vacant and, presumably, that list would have an order to it and it would then have to be offered to everyone in the 490 who was in the category of the two bedrooms, and if it was rejected by all of them then it presumably goes to people who were not in the 490. Or does it work in some other way?

**HON F J VINET:**

No, it works in the way I have described. The offers are made to those people on the waiting list.....

**HON J J BOSSANO:**

As it stands today.

**HON F J VINET:**

As it stands today.

**HON J J BOSSANO:**

Irrespective of whether they were in the 490 or not.

**HON F J VINET:**

Yes that is what I have explained.

**HON J J BOSSANO:**

I see, so in fact, the priority when the 490 received offers is no longer the priority today? That is to say, the person at the top of the list in any one of these lists is not necessarily somebody who had the letter before, is that what the Minister is saying?

**HON F J VINET:**

What I am saying is that those 490 persons who were on the waiting list at the time when the offer letters were sent out, can benefit in effect of the time they have been on the waiting list by being given the choice of either waiting for the new estate to be built, or accepting whichever existing flat becomes available. That is not a factor that would be taken into account with the other members of the waiting list who are not part of those 490.

**HON J J BOSSANO:**

I am fully aware, perhaps I have not put my question in a way which the Minister can understand. I think if I can give him an example, there are nine flats that have become available, what I am saying is, well look, when the first flat becomes available if it is a two bedroom, presumably the logical, normal process would be, I am not sure if it still is, but the Housing Allocation Committee will simply go to the person with the highest pointage on the two bedroom list. Now, that person ought to be one of the 490, therefore, if there are 200 on that list, 150 might be in the 490 and then 50 would not be. One would have to go first to the 150 that were in the 490 list before going to the 451 who might say yes, whilst all the others might say no because they prefer to hang on to the original letter. Is that the correct interpretation?

**HON F J VINET:**

That is correct.

**HON J J BOSSANO:**

So that means, in fact, that the nine that were offered were in turn offered to people in the 490 and the five that were rejected means they could not find one single person on the waiting list that actually said yes instead of accepting it. I mean, I think if we had an idea maybe of the composition of the nine and of the people who said yes and no, we would be able to relate it to the numbers we have been given. But I was trying to make sure that then it might well mean, if somebody comes tomorrow and says, how is it that number 50 on the list got the allocation, well the answer could well be because the other 49 chose to wait.

**HON F J VINET:**

That is a possibility and we should not necessarily assume that the people who have turned down the offer of a flat have done so necessarily because they wish to wait for the new estate, they may have other reasons for not accepting that particular place.

ORAL

**NO. 921 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. 922 to 924 of 2008.

ORAL

**NO. 922 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. 921, 923 and 924 of 2008.

ORAL

**NO. 923 OF 2008**

**THE HON C A BRUZON**

**HOUSING – JOBS REQUIRING THE ATTENTION OF BUILDINGS AND WORKS**

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. 921, 922 and 924 of 2008.

ORAL

**NO. 924 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 will now hand the hon Member a schedule containing the information requested.

**Answer to Question 924 of 2008**

**Answer to Question 921**

There are currently 22 dwellings requiring refurbishment which are with Buildings and Works.

**Answer to Question 922**

There are currently 47 empty dwellings with no works being done in them at present.

**Answer to Question 923**

The number of jobs currently requiring the attention of Buildings and Works is 4,343.

**Answer to Question 924**

The number of tenants requiring works to be done to their dwellings is 1,042.

## **SUPPLEMENTARY TO QUESTION NOS. 921 TO 924 OF 2008**

### **HON C A BRUZON:**

I notice that in answer to Question No. 569 there are still 47 empty dwellings with no work being done in them at present, that was the answer given in September. Can the Minister say why this is the case?

### **HON F J VINET:**

Yes, I believe that detailed information on this was given by me in answer to Question No. 115 of 2008. The fact that the figure is exactly the same, 47 as was then, simply because those 47 flats are, I am advised, in a state that are beyond economical repair. They are all pre-war properties, which I am told would cost upwards of £2 million to refurbish and repair and we think it represents far more better value for money to spend that money elsewhere. For example, building new rental properties. Without wishing to pre-empt, I would I think assume that if and when that question is asked again in the future, a very similar reply will continue to be forthcoming.

### **HON C A BRUZON:**

There is an upward trend with regard to the jobs requiring attention from Buildings and Works and also there is an upward trend concerning the number of tenants requiring work to be done. Is there any specific reason for this or is it just that that is the way things are? The Minister a few months ago, maybe a year ago, expressed delight that there was a downward trend, now there seems to be an upward trend.

### **HON F J VINET:**

I did qualify that delight at the time by saying that the figures do fluctuate and are seasonal in nature. But I am advised, in particular what I would classify as a slight increase from the number of outstanding jobs and tenants requiring works when the question was last asked in September, is essentially down to the severe storms, recent storms which have meant that there has been water ingress and other issues that had to be dealt with by Buildings and Works.



ORAL

NO. 925 OF 2008

THE HON C A BRUZON

**HOUSING – FLATS VACATED BY WATERPORT TERRACES PURCHASERS**

Can Government state how many Government flats will become empty when Waterport Terraces purchasers, who are currently occupying a Government flat, move into their new homes?

ANSWER

THE HON THE MINISTER FOR HOUSING

A total of 50 flats will become empty.

**NO. 926 OF 2008**

**THE HON C A BRUZON**

**HOUSING – ANTI-SOCIAL BEHAVIOUR**

Can Government state what procedures are currently in place to handle complaints from Government tenants of anti-social behaviour?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Currently a Housing Inspector will visit the site, investigate and assess the cause of the alleged complaint. If the matter can be resolved firsthand, then the Housing Inspector will attempt to tackle the source of complaint. In the event that this should fail, then the next stage will involve the intervention of the Housing Manager who will separately seek to communicate directly with both those alleging the complaint, and the source of the alleged anti-social behaviour. Should this equally fail to resolve the anti-social behaviour, then the Housing Manager will directly write to the source of complaint highlighting the breach in the tenancy agreement. I am advised that this more often than not resolves the matter and that is the end of the matter effectively. However, in the event that this also fails, then the Principal Housing Officer will intervene and may, if necessary, initiate legal proceedings.

**SUPPLEMENTARY TO QUESTION NO. 926 OF 2008**

**HON G H LICUDI:**

Is the Minister aware of the sort of figures or numbers involved in which this arises? I am particularly interested in the procedure that has been described, to what extent does it work before reaching that last stage and is the Minister aware of any such legal proceedings which have been instituted as a result, specifically, of a complaint of anti-social behaviour?

**HON F J VINET:**

I have not been provided with numbers. I know that there have been occasions when there has had to be recourse to legal proceedings, but I am not aware of the specifics of those cases, nor indeed, of numbers involved. Perhaps if a question to that effect is put to me next time I will be happy to provide the information.

**HON G H LICUDI:**

Is the Minister aware of what the nature of those legal proceedings are? Is it for a breach of the tenancy? Is it for removal of the Government tenancy or is it for any sort of restraining order? What is the nature of the powers that the Principal Housing Officer seeks to apply?

**HON F J VINET:**

It varies from case to case, depending on what the nature of the alleged anti-social behaviour is. But certainly, it is not the policy of Government to pursue the eviction of a tenant because potentially we are, in effect, giving ourselves the same problem again because that person then becomes homeless and would then have to enter, presumably, the social list. So, eviction is not the course of action pursued by the Principal Housing Officer.

**HON G H LICUDI:**

So if that is not a remedy, is the Minister aware what actually can be the benefit of the legal proceedings?

**HON F J VINET:**

The normal sort of remedies that may be sought, injunctions would quickly spring to mind. But the precise nature or extent of what has been achieved through the courts is not information that I have before me. I ought to perhaps add that I think the system in place can be improved upon, and that is precisely why the new Housing Act provides the groundwork, the framework for anti-social behaviour regulations which are currently being considered by Government, and which I hope once implemented will help eradicate, or at least reduce, the number of anti-social behaviour allegations.

ORAL

**NO. 927 OF 2008**

**THE HON C A BRUZON**

**HOUSING ALLOCATION COMMITTEE**

Can Government state how many times the new Housing Allocation Committee has met since the implementation of the Housing Action 2007?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The new Housing Allocation Committee has met five times, the last of which was just this last Monday 1<sup>st</sup> December 2008.

**NO. 928 OF 2008**

**THE HON C A BRUZON**

**HOUSING TRIBUNAL**

Can Government state how many cases the new Housing Tribunal:

- (a) Has dealt with and completed,
- (b) Is currently dealing with,

since the implementation of the Housing Act 2007?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I am informed by the Secretary of the Housing Tribunal, of course the Housing Tribunal is completely separate to the Housing Department, that since the implementation of the Housing Act 2007, they have:

- (a) dealt with 30 cases of which nine have been completed; and
- (b) they are currently dealing with 21 cases.

**SUPPLEMENTARY TO QUESTION NO. 928 OF 2008**

**HON C A BRUZON:**

Can the Minister say whether any of these involve the question of anti-social behaviour?

**HON F J VINET:**

No, I cannot precisely because of the nature of the appeals and who they may be appealing against. I do not wish to concern myself with those appeals and I let the process follow its due course.

**HON F R PICARDO:**

Does the Minister know and is he able to tell us in how many instances the complaint, or the matter referred to the Tribunal has been upheld by the Tribunal, to use the language of appeal?

**HON F J VINET:**

No, but I am perfectly happy to seek that information from the Secretary of the Tribunal. I will try to do so before the end of this sitting of Parliament.

**HON C A BRUZON:**

At the risk of repeating my friend's question but, how binding are the decisions of the Housing Tribunal?

**HON F J VINET:**

Completely binding, that is precisely the nature of arguments we had several months ago when the hon Member lamented the fact that the Ombudsman no longer was able to deal with the case. Of course, the difference is that the Ombudsman when he investigated complaints, simply came out with the report which was then provided to the Housing Department, but he had no executive powers which the Tribunal has. The Housing Tribunal is able to override and overturn each and every decision taken by the Housing Allocation Committee, by the Ministry for Housing, by the Minister for Housing. So complete power in terms of amending the decision taken before it reaches that stage.

**HON F R PICARDO:**

The Minister may be entitled to tell me that this is information that is publicly available, but is the composition of the Tribunal also Gazetted? I cannot recall having seen the composition.

**HON F J VINET:**

Yes, I am happy to provide the names because it is public knowledge. Would he wish me to?

**HON F R PICARDO:**

xxxxxx

**HON C A BRUZON:**

Can the Minister confirm that the appointment is made directly by the Chief Minister, the appointments to the Tribunal?

**HON F J VINET:**

Absolutely, and in direct contrast with the membership of the Housing Allocation Committee, membership of which are appointed by myself, I had no dealings whatsoever, in fact, I was not even consulted and I think rightly so because of the very nature of the appeals process. So I was not involved at all, it is the Chief Minister who under the Housing Act is directed to appoint the members of the Tribunal.

**HON F R PICARDO:**

Are the appointments to the Tribunal remunerated?

**HON F J VINET:**

No.

**HON F R PICARDO:**

For how long is the period of appointment?

**HON F J VINET:**

I would be guessing, as I say, I have not been privy to the appointment process. I know, for example, in the case of the Housing Allocation Committee it is for two years. I would assume that it is for a similar period but I would simply be guessing. I assume that information is contained in the notice in the Gazette, which I believe appeared in June this year.

**HON F R PICARDO:**

On 1<sup>st</sup> July as I understand it. The notice does not appear to state the period of appointment.

**HON F J VINET:**

I would therefore assume that the prescribed period appears in the Act itself. I am hesitant to provide more information because I have not been involved at all in that process.

**HON C A BRUZON:**

In the actual Housing Act which was passed with Government majority, under the heading "Housing Tribunal" it says "that the Minister may make regulations under the heading (b) prescribing the fees to be charged in respect of any proceedings before the Tribunal". Is the Minister saying that an average man in the street who has a housing problem and goes to the Tribunal will have to pay for this? Am I completely misinterpreting what it says here?

**HON F J VINET:**

No, but I would assume that clause in the Act is there to safeguard any possible eventuality in the future but that is certainly not the case at present, nor do I reasonably foresee that happening in the normal course of events.

-----

**HON F J VINET:**

In answer to Question No. 928, which related to the Housing Tribunal and specifically on how many cases had been completed so far and how many were currently being dealt with, I replied that nine cases had been completed and I recall that it may have been the Leader of the Opposition, I believe, who asked me to explain what the outcome of those nine cases had been, or Mr Picardo, I apologise. I am informed by the Secretary of the Housing Tribunal that of those nine cases that had been completed, on one occasion the original decision of the Housing Allocation Committee was upheld and the remaining eight have been found not to have been covered by the new Housing Act. That is to say, they related to old decisions taken by the previous Housing Allocation Committee, and, therefore, not within the jurisdiction of the Tribunal and had been referred back to Government. I remind the House that there are currently 21 other cases that continue to be dealt with by the Tribunal.

**HON F R PICARDO:**

The eight cases who had been told that the Tribunal had no jurisdiction, have they been invited to take their matter to the Ombudsman, who would retain jurisdiction, in my view, in respect of those matters?

**HON F J VINET:**

I have not been informed that is the case, I just had a phone call early this morning, I have not received any reply in writing. What I have been told is that those eight matters have been referred back to Government. I would presume that there is a way round for applicants who may have been dissatisfied with decisions taken by the Housing Allocation Committee prior to the commencement of the new Housing Act. They are perfectly entitled to re-submit applications to the new Housing Allocation Committee, which may or may not take a similar or different view, and if they continue to be unhappy with the decision then they can appeal to the Tribunal. But I am not aware of any specific reference to the Ombudsman.

**HON F R PICARDO:**

Is that alternative available? Can somebody who has had the Housing Allocation Committee tell them no, simply go again to the Housing Allocation Committee on exactly the same issue, simply because it is a new committee?



**HON F J VINET:**

Yes, I know, in fact there have been occasions, even irrespective of the commencement of the new Act and the new Housing Tribunal, where prospective applicants have decided to re-submit an application to the Housing Allocation Committee. I would assume, in fact I know that on most occasions, unless there has been a change in circumstances, they will reach the same conclusion. But that is up to the new committee to decide.

**HON F R PICARDO:**

Does the Minister agree with me though that somebody who had their application turned down by the old Housing Allocation Committee, would have been able and perhaps could still be able to go through the old, one might call it loosely, appeal procedure, which was to go to the Ombudsman and have the Ombudsman look at the issues that concerned that individual about the manner in which the decision had been reached?

**HON F J VINET:**

I certainly have not been advised to the contrary.

**NO. 929 OF 2008**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government confirm whether it is now in a position to state when it expects Dudley Ward Tunnel to open for vehicular traffic?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The situation remains as given in answer to Question No. 505 of 2008 when the same question was asked.

**SUPPLEMENTARY TO QUESTION NO. 929 OF 2008**

**HON G H LICUDI:**

The difference is, of course, that this relates to now being December and whether the position has, in fact, changed and whether the Government have taken any steps further to the answer to the previous question, when it was clear that no such steps had been taken. Can the Government state why now in December the position is still the same and there has been no advance after all these months, despite commitments again and again that this matter was being looked at urgently and needed to be resolved?

**HON LT-COL E M BRITTO:**

The Government have not said there has been no progress. The Government have said that the position remains the same. In answer to the question when it expects Dudley Ward Way to open for vehicular traffic, the answer that was given is that it was expected to be opened to vehicular traffic one and a half years after the works commence on the site. That situation remains the same.

**HON G H LICUDI:**

But that still begs the question one and a half years from an unknown date could be the year 2050. That still begs the question, when realistically the Government expect those works to commence, and therefore, when one a half years hence is expected to be? The public are entitled to know, this is a matter that has been going on for years and years and the Government have made public commitments and it is

entitled to know what the Government's expectations are as to the time scale? Why is it that the Minister is reluctant to give that expectation?

**HON LT-COL E M BRITTO:**

The Minister is not reluctant, he is giving the expectation, one and a half years after the works start. Until we know the start date we will not be able to say what the end date is. That is his answer when he first asked the question and it remains the answer.

**MR SPEAKER:**

I think I should call a pause or halt to this line of questioning. We discussed yesterday the matter of questions being asked within six months. This question was Question No. 505 of 2008 which would have been at the September sitting. I have allowed the hon Member principal substantive questions plus two supplementaries, I think I would be failing my duty if I allowed this debate to carry on much further.

**HON G H LICUDI:**

I accept that of course, but I have said that where an insufficient answer or insufficient clarity is given in a previous answer, then as things move on two or three months hence, it is important for the Opposition and for the public to find out whether there have been developments. I note that the answer is that there have been no developments and the Minister still does not know. There will be issues, and I give notice of this now, which relate to the opening of the Dudley Ward Tunnel in relation to a separate question, where I have a separate question later on talking about arrangements where the road is closed and essentially the East Side is isolated, so I may come back to the importance of the Dudley Ward Tunnel opening in the context of that other question.

**MR SPEAKER:**

As long as the supplementaries do not border upon this line of questioning it would be fair.

**HON G H LICUDI:**

No, it will relate to the opening of the tunnel but in the context of a different question. So I will be happy to.....

**MR SPEAKER:**

I am sure you will find a way of getting to it.

**HON LT-COL E M BRITTO:**

May I suggest to the hon Member that if he wants an answer to the sort of questions he has not been asking but has been talking about in leading up to this question, then he should ask the question in a different way. If he is asking when is it going to be open to vehicular traffic he has been given the answer, but he is now saying he wants to know other things, then he should ask.....

**MR SPEAKER:**

I am sure the hon Member will..... you can be sure of that.

**NO. 930 OF 2008**

**THE HON G H LICUDI**

**ABANDONED MOTOR VEHICLE G82908**

Can Government state why it abandoned motor vehicle G82908 at Devil's Tower Road?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Government did not abandon motor vehicle G82908 at Devil's Tower Road. This motor vehicle was removed from Devil's Tower Road by the Royal Gibraltar Police as a result of contravening a temporary No Parking sign that had been placed in the vicinity due to the frontier queues. The vehicle was released by the Traffic Management Division and collected by the Government Department concerned shortly after being impounded. However, due to an administrative oversight and in error, this motor vehicle appeared in a list of motor vehicles that were gazetted for disposal. This error was corrected and the motor vehicle concerned has continued being used as a Government fleet vehicle without interruption.

**SUPPLEMENTARY TO QUESTION NO. 930 OF 2008**

**HON G H LICUDI:**

Does the Minister have the dates when the vehicle was removed and subsequently released?

**HON LT-COL E M BRITTO:**

No, I do not have the date but it was a matter of hours. It was impounded and released on the same day within a matter of hours, as short as maybe one hour. As soon as it reached the vehicle compound and the Traffic Management Division realised that it was a Government vehicle, they contacted the Department concerned and the vehicle was collected within hours.

**HON G H LICUDI:**

The Minister has talked about an administrative error, it is quite extraordinary and perhaps the Minister can explain further how that comes about, because it was not just a question of an official not realising that the vehicle had been removed,

particularly when it was a question of a matter of hours. In fact, on 22<sup>nd</sup> September of this year the Government published an Official Notice. It says, "Government of Gibraltar Official Notice The Abandoned Vehicles Removal Regulations 2004 First Notice", and the Notice says, "a vehicle listed in this Notice is deemed to have been abandoned" and it requires the reclamation by the registered owner within 14 days. It lists all the vehicles and it has G82908, registered owner Government of Gibraltar, signed Government of Gibraltar. So the Government of Gibraltar were saying, we have abandoned a vehicle and unless the registered owner, that is us, reclaim it within 14 days it will be disposed of. Is this a simple administrative error?

**HON LT-COL E M BRITTO:**

I have heard nothing from the hon Member that changes anything that I have said before.

**NO. 931 OF 2008**

**THE HON F R PICARDO**

**OESCO – SOUND ATTENUATION**

How are the works in respect of the “sound attenuation” of the building at Europa Business Park which is presently occupied by OESCO progressing and is the completion date of March 2009 still expected to be met?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The contract to provide sound attenuation to the building housing the OESCO power station was awarded in early 2008 and works started on site on 14<sup>th</sup> April 2008. Despite the difficulties surrounding the need to work around a live electricity generation operation, progress continues to be steady and no delays are anticipated to the programmed March 2009 completion date.

**NO. 932 OF 2008**

**THE HON F R PICARDO**

**WIND TURBINE BED OFF EUROPA POINT**

Has any progress been made in the assessment of the possibility of the introduction of a wind turbine “bed” off Europa Point?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The situation remains as given in answer to Question No. 512 of 2008 and the Government will make an announcement when ready to do so.

**SUPPLEMENTARY TO QUESTION NO. 932 OF 2008**

**HON F R PICARDO:**

As the House will be aware, Question No. 512 of 2008 was in different terms and it was in the answer to that question that the Minister told me that this was not a question of determining progress of the setting up of such a bed, but the assessment of the possibility of such a bed being introduced. So having told me that it was not a question of progressing to its installation but a question of now being involved in assessing the possibility, what I have asked him now is has he progressed at all the assessment of the possibility. How can the position be the same?

**HON LT-COL E M BRITTO:**

The situation remains as given in answer to Question No. 512 of 2008.

**HON F R PICARDO:**

The situation in answer to Question No. 512 was that they were assessing the possibility. Have the Government made no progress at all in the process of that assessment? Have they done nothing between September and now?



**HON LT-COL E M BRITTO:**

The answer to Question No. 512 of 2008 was, the project which is still in the assessment stage, in other words, by technical people, has not as yet been considered by Ministers. The question of progress in the introduction does not arise and the situation remains the same.

**HON F R PICARDO:**

It remains with the technical people, more advanced towards allowing Ministers to make a decision or not advanced in allowing Ministers to make a decision?

**HON LT-COL E M BRITTO:**

The degree of advancement is irrelevant, it has not reached Ministers yet.

**HON F R PICARDO:**

Has the Minister asked his technical people how goes the assessment?

**HON LT-COL E M BRITTO:**

The technical people report to the Minister on a regular basis and it is not yet at a stage for evaluation by Ministers. The hon Member must remember, as he well knows, that this is frontier science. This is not established generation of electricity and, therefore, the technical assessments are still being made.

**HON F R PICARDO:**

Well, does he have a date from his technical people as to when he might expect to have a report to consider?

**HON LT-COL E M BRITTO:**

No.

**HON F R PICARDO:**

Will he seek one?

**HON LT-COL E M BRITTO:**

Entirely unnecessary.

**MR SPEAKER:**

I think I have allowed enough supplementaries, the hon Member must know that Question Time is not a forensic examination as one would conduct in the trial of a matter, to pinpoint every last detail. The purpose of Question Time is to elicit information and does not have to go into that forensic detail.

**HON F R PICARDO:**

Sometimes, unfortunately with this Government, we find that we have to go into forensic detail to get to anything that might subsequently be reliable. But of course, Mr Speaker's ruling is his ruling.

**HON LT-COL E M BRITTO:**

I cannot allow that statement to go unchallenged. Having sat on the Opposition benches when questions were not answered to Opposition Members, the hon Member has the cheek to xxxxx this Government which is completely open in its answers. I excuse him because he was not here at the time.

**MR SPEAKER:**

Order, order, both sides have had their say on the matter.

**NO. 933 OF 2008**

**THE HON F R PICARDO**

**OPEN RUBBISH DUMPS AT TANKERVILLE AND TANK RAMP**

What progress has been made in the consideration by Government of new locations identified by the Environmental Monitoring Unit in respect of the open rubbish dumps in the area of Tankerville and Tank Ramp and the “technical difficulties” that have been identified in this respect?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The first two locations that were considered were Tankerville House front patio and the horseshoe area at the bottom of MacMillan House. Both areas presented bin access via the same steep ramp, causing problems because the undercarriage of the refuse vehicle touched the ground and therefore neither of these areas was found suitable. Two further alternatives were then explored, one of which was discarded as presenting access difficulties by the public. The fourth location has been identified within Tarik Passage car park and this is the preferred option, given its proximity to the present site and good accessibility by the public and the refuse truck. The spacious nature of the site will not interrupt vehicle traffic flow. Plans are currently being prepared for a covered refuse collection facility at this site.

**SUPPLEMENTARY TO QUESTION NO. 933 OF 2008**

**HON F R PICARDO:**

Does the Minister know when those plans will be ready for implementation?

**HON LT-COL E M BRITTO:**

No, they will be presented to me when they are ready.

**HON F R PICARDO:**

Can I urge the Minister to ensure that that happens quickly? I do not know whether he has visited the area recently and, perhaps, if he is going to visit the area to understand the problems that arise, he should visit it on a Sunday afternoon, when he will find that most of Tank Ramp is strewn, literally strewn with litter full of disused household items, disused food, apes that are called to the area as a result of that

rubbish, and if he is concerned about public health, and I take it from his public statements recently that he is, he should understand that if any child were to fall using a bicycle, tricycle or just playing around in that area, he would be surely worse off if he fell in that area now, given the amount of rubbish strewn in the area. So could he as a result of what I have told him and as a result of visiting soon, I hope, to see what it is like, ensure that this is done sooner rather than later?

**HON LT-COL E M BRITTO:**

The hon Member covered all this under his supplementaries to Question No. 521 of 2008 when he offered photographs of the area and Mr Speaker ruled that we were not allowed to see photographs, so I am well aware of the information that he is giving. It is unfortunate that the public continue to deposit rubbish on a Saturday and during a Sunday when there is no collection on a Sunday. But I am aware of the circumstances and as I undertook to do in answer to Question No. 521 of 2008, to deal with this matter as a matter of priority, I am dealing with it as he can see from the answer to the question today.

ORAL

**NO. 934 OF 2008**

**THE HON F R PICARDO**

**APES**

How did the actions of the International Primate Protection League fail to meet the “Government’s expectations of goodwill and co-operation”?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 935 to 937 of 2008.

ORAL

**NO. 935 OF 2008**

**THE HON F R PICARDO**

**APES**

Given the content of the Government press release from the Ministry of the Environment of Tuesday 25th November, confirming that it will "continue" to cull apes, will Government now confirm how many apes have been culled in the current calendar year?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 934, 936 and 937 of 2008.

ORAL

**NO. 936 OF 2008**

**THE HON F R PICARDO**

**APES**

What are the aspects of the proposal by the International Primate Protection League for the exportation of Barbary Macaques (instead of their killing under licences granted by the Minister for Environment) which are “tantamount to a contract containing terms which Government cannot accept as preconditions to such exportation taking place”?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 934, 935 and 937 of 2008.

**NO. 937 OF 2008**

**THE HON F R PICARDO**

**APES**

Given that there has been a proposal by the International Primate Protection League for the exportation of Barbary Macaques (whatever its terms), will the Government now accept that it is pursuing a policy of killing apes not “as a last resort” but as a matter of choice?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The Government welcomed the offer of assistance made last April by the IPPL to help to arrange exportation of Barbary Macaques from Gibraltar. This offer was made during a meeting between the Minister for the Environment and the IPPL representatives. Also present at this meeting were representatives from GONHS and the Gibraltar Veterinary Clinic who are contracted to the Government to manage the rock apes and to provide veterinary expertise respectively.

The subsequent actions of the IPPL that failed to meet the Government's expectations of goodwill and cooperation were twofold. Firstly, the publication on the IPPL's website of an international petition containing a description or history which is one sided, completely ignores Gibraltar's position and policy as explained to the IPPL during that meeting and contains emotive and inaccurate statements. This petition, which is clearly an embarrassment to Gibraltar and not in Gibraltar's best interests, has received worldwide attention and provoked many letters to the Government, some of which appear to be coordinated by a single source in respect of their content. Secondly, the IPPL sent GONHS as the Government's contractor for macaque management, a proposal for the exportation of 20 monkeys to the Netherlands, which unlike previous occasions when Gibraltar has exported macaques, contains preconditions.

The Government's in principle objection is on the basis that it is not prepared to allow the IPPL or any other entity to set preconditions before cooperating in the exportation of macaques, when these preconditions are in effect an interference with the autonomy of the Government and thus of Gibraltar.

The contents of this proposal were communicated verbally by GONS to the Government. Because of the GONHS explanation to Government of the contents, the proposal was not formally received by Government or considered by Government, and GONHS were asked to go back to the IPPL and ask them to revise their proposal, principally by removing the preconditions. This has not happened, this meaning the removal of the preconditions, and there has been no direct contact



between the IPPL and the Government on this proposal, and no discussions or negotiations have taken place between the Government and the IPPL.

By agreeing to the preconditions in the proposal, the Government would be allowing IPPL to dictate the acceptance by Gibraltar of contractual liability in respect of the following:

- 1) Government policy priorities being decided by the IPPL;
- 2) The allocation of Government funds, employment of personnel and creation of new jobs;
- 3) Giving instructions to the Gibraltar Police Authority in respect of the contents of their Annual Policing Plan;
- 4) The introduction of on-the-spot fines;
- 5) Giving instructions to the Royal Gibraltar Police in respect of the execution of their duties;
- 6) The creation of new Upper Rock facilities;
- 7) The introduction of educational literature in local schools.

The situation in respect of Question No. 935 remains as given in answer to Question No. 520 of 2008.

The IPPL proposal is tantamount to a contract precisely because it is drafted as a contract, requiring the signature of agreement by four parties. Namely, the Government of Gibraltar, the Gibraltar Ornithological and Natural History Society, the International Primate Protection League and the AAP Foundation of the Netherlands.

The Government do not accept the premise of Question No. 937 and reiterate that contrary to the allegation being made by the Opposition Member in asking this question, the Government's macaque population management policy, which has been made public on more than one occasion and which is based on the advice received from those contracted to carry out this policy, that is, GONHS and the Gibraltar Veterinary Clinic, is as follows:

- (a) An on-going programme of contraception of female monkeys to control population growth;
- (b) The relocation to the Upper Rock Nature Reserve of monkeys that take up permanent resident in or near built up areas of human population;
- (c) Exportation, financed by the Government and on conditions acceptable to it, to a suitable destination and a willing recipient;
- (d) As a last resort, euthanizing selected animals within the management selection programme.

The Government reiterate that such euthanizing is, indeed, a last resort when the other three aspects of the policy, that is, contraception, relocation and exportation, are either unsuccessful or not possible. Given that the proposal made by the IPPL is not acceptable to the Government because of the preconditions it contains, then exportation on the basis of this proposal is not possible. Therefore, it follows that culling becomes the last resort.

**NO. 938 OF 2008**

**THE HON F R PICARDO**

**NATURE CONSERVANCY COUNCIL**

On how many occasions in this calendar year has the Minister for the Environment or any other member of the Government consulted the Nature Conservancy Council and what has been the result of that consultation?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The Nature Conservancy Council has been consulted in accordance with the requirements of the Nature Protection Act 1991 on the following matters during the period 2008. Some of these consultations were initiated in 2007 and followed through during this calendar year. In no particular order they are:

- 1) Government engaged consultants in respect of the Environmental Impact Assessment (EIA) for the proposed new power station at Lathbury Barracks. The Ministry for the Environment instructed the consultants in question to consult the Nature Conservancy Council (NCC). The views of the NCC have been incorporated into the scope of the EIA and the appropriate assessment required under the Habitats Directive.
- 2) The NCC has been consulted by the Ministry for the Environment whenever there has been a need for a licence under that Act for the capture of birds for scientific purposes, such as ringing or the culling of yellow legged gulls or Barbary Macaques. Some of these consultations have occurred prior to 2008 but all the licences which have been issued for these purposes since the Nature Protection Act was enacted in 1991, have always been issued after consultation with and never against the advice of the NCC.
- 3) The NCC was consulted by the Ministry for the Environment on behalf of the Ministry for Enterprise, Development and Technology and on behalf of the Development and Planning Commission (DPC), in respect of two separate planning applications regarding six detached houses at the site opposite Both Worlds on Sir Herbert Miles Road. The DPC has conditioned both applications with the requirement to mitigate any possible effects of the aforementioned developments on the local environment, based on representations from the NCC.

**SUPPLEMENTARY TO QUESTION NO. 938 OF 2008**

**HON F R PICARDO:**

How many of the licences referred to in the second limb of the Minister's answer have been issued?

**HON LT-COL E M BRITTO:**

They are issued on a regular basis, so he can work the mathematics out for himself since 1991. I understand that bird ringing licences are issued every three years and the seagulls and Macaque licences are issued on a yearly basis.

**HON F R PICARDO:**

Do the licences which are issued on a yearly basis set out how many animals can be killed in respect of each licence or is it a blanket licence?

**HON LT-COL E M BRITTO:**

It specifies the number.

**HON F R PICARDO:**

How many seagulls are specified in the seagull licence?

**HON LT-COL E M BRITTO:**

I have no idea.

**HON F R PICARDO:**

Macaques?

**HON LT-COL E M BRITTO:**

I know but I am not going to disclose that information.

**HON F R PICARDO:**

The information that we are asking for in respect of this question does not go to national security. It may go to issues which the Minister may or may not be comfortable with, but it certainly does not go to national security. Now how could it be that the Minister refuses to answer a question in this House that does not go to national security?

**HON LT-COL E M BRITTO:**

The Government's position has been made very clear in answer to Question No. 520 of 2008, that they do not consider this subject to be in Gibraltar's best interests for it to be discussed publicly, and that includes the question he is asking now. The Government's position is not going to change, however many times he raises the question.

**HON F R PICARDO:**

That is obviously not true and I will tell the Minister why.

**HON LT-COL E M BRITTO:**

On a point of Order, is that not tantamount to calling me a liar?

**HON F R PICARDO:**

I withdraw that shorthand and I will put it this way. Anybody who listens to the Minister's statement will be misled, he is misleading the public by saying that for the following reason. He answered a question in this House to me at the beginning of this year in the first session, where he told me that it was the Government's policy to continue the process of killing apes. He told me that 20 were going to be killed. In the last House he decided it was no longer in the national interest to tell me how many apes had been killed. Now, surely, the Government have changed their position, it is not true to say the Government will not change their position. The Government have changed their position. He told me in April that he was going to licence, or procure a licence, or authorise under the Act, the killing of 20 apes. That was not in the national interest to be kept quiet, it was not an issue that went to national security. Now he is telling me he will not tell me whether the 20 have been killed, whether less than the 20 have been killed, whether more than the 20 have been killed. What has changed? The fact that the Government have seen that their policy is unpopular? That is not a reason for not answering further questions, that is a party political reason for not wanting to be held accountable for his actions in this House.

**MR SPEAKER:**

Was there a question over there?

**HON F R PICARDO:**

Yes, what has changed?

**HON LT-COL E M BRITTO:**

I will tell him what has changed. When the matter was first raised in the House, the Government gave the answer as he has explained. But this has provoked, aided and abetted by the Opposition Member who has been fanning the flames, aided and

abetted by the hon Member who has persistently fanned the flames by deliberately using provocative language like “killing” and “assassination” and emotive words like that.....

**MR SPEAKER:**

Order, order.

**HON LT-COL E M BRITTO:**

Precisely because it has provoked letters at an international level, precisely because of the reaction that there has been, and not because the Government's policy is unpopular. I would suggest to the hon Member that he checks on the veracity of the statement that he has just made, that the Government's policy is unpopular, because I do not think it is, but that is a different issue altogether. Precisely because of the harm that is being done to Gibraltar by the IPPL, and I do not know whether he is, well I will not pursue that line of thought, by the IPPL and the hon Member acting separately, a lot of harm has been caused to Gibraltar by the adverse publicity, much of it untrue, because the publicity seems to say that hundreds of monkeys are being killed and that is not true. Precisely because of that publicity that has been generated, the Government have changed their policy, of course they have. I make no bones about that. Is there anything wrong in the Government changing their policy? I mean, if the Government decide to buy this brand of bottled water today and tomorrow they decide to buy a different brand, that is a policy decision and they can do that without having to give explanations to it. I, nevertheless, am telling the hon Member why there was information given in the first question and since then the Government have changed their position. They have not changed their policy, they have made it very clear that the policy continues when they are advised that this is a last resort, but what the Government are refusing to do, and will continue to refuse to do, is to go down the line of giving information that provides further bad publicity, with the consequences that could arise, as was said in a public statement by the Government yesterday, the consequences that could arise. Therefore, the Government are not prepared to give information that will help that bad publicity to be further generated.

**HON F R PICARDO:**

There are a number of issues that arise from that and a number of supplementaries, I think, it is important to take. First of all, I want to paraphrase something that was said in another House yesterday, when another Member faced with an onslaught much graver than the one the Minister levels at me, said that an MP acting to affect the national security would be a disgrace, but an MP who is acting to bring the Government to account is actually doing his job. Therefore, I say to the Minister, does he not accept that if he orders killings and the Opposition refer to the fact that he has ordered those killings and that they are going on, the person who is creating a problem for the national interest is the person who is ordering the killing, not the person who says the Minister has told him that he has ordered these killings and I think it is wrong.

**HON LT-COL E M BRITTO:**

Once again, the hon Member uses provocative language and, further, that is not correct. The Minister does not order anything. The Minister for the Environment, as previous Ministers before him, as used to happen in the time of the MOD, the Minister is doing what Opposition Members did not do when they were in Government. It is following the advice of the experts in the field, and the advice of the experts in the field, which has not started this year, has been on-going since the Act came into force, certainly since this Government came into power in 1996, the advice is there. It is clear and is on the website of the GONHS and that is, that under certain circumstances there has to be management of the population of Macaques in Gibraltar. That is very different from the accusations being made by the hon Member of killing or stronger language that he uses in his public statements and in this House. The Minister orders nothing. The Minister follows the advice, when he accepts it, and he is given the advice, he does not order it. The Minister issues a licence permitting those who have the responsibility under contract to manage the population of apes, for them to decide which monkey is selected, for whatever reason, and in many cases, which is something the IPPL and the hon Member completely ignore, in many cases it is for reasons of the welfare of the monkeys themselves. It is for reasons of health of the monkeys. If a monkey has a broken leg or a broken arm, for example, or is injured in any other way, then that monkey needs to be put down, like animals are put down everywhere in the world under those circumstances. That is part of the management plan. So the Minister does not order it, what the Minister does is at the request of those who are contracted to manage the monkey population, he issues the licence for them to carry out whatever measures they need to carry out, at the time that they decide and after choosing a particular monkey that they decide. The Minister has no say in which monkey is selected or for what reason the monkey is selected. So, therefore, it is incorrect to say that the Minister orders anything.

**HON F R PICARDO:**

The Minister during the course of his intervention changed his tack. Rightly, because as he knows, until the General Laws (Amendment) Act of 2007 last year, it was the Governor that issued the licences, since then it is the Minister with responsibility for the Environment who issues the permits. So it has been actually just since 2007 that a Minister has issued the licences. But I think what is becoming very clear is that the Minister is at least having the courage to stand by the fact that his Government is ordering, or permitting if he prefers, the killing of Barbary Macaques. Before I carry on to the question which follows that, I would just say that those who are against the death penalty in the United States say that they are against the state killing of prisoners. Those who are in favour of it believe that the death penalty involves the euthanizing of those who have been convicted of capital punishment. So, I will stick to killing, he can stick to culling and euthanizing. If he sticks to the fact that he is signing these licences, permitting these killings, would it not be better for the publicity that he says he is so concerned about, to be informed by the numbers that are being killed and if it is 20 it is 20, and in that way deal with the point that he says has been put to him, that hundreds have been killed. Whilst he does not give us the information, those who wish to give Gibraltar bad publicity, if it were the case that that is so, would be able to say, "we do not know how many have been killed because the Minister now refuses to say in Parliament"?

**HON LT-COL E M BRITTO:**

I have already answered that question. Whatever the hon Member says, the Government policy will not be changed. What I will add in answer is that it would appear that whatever is said in this House or publicly, those who are determined to pursue their own line will continue to do so, because when I answered the question on numbers at the beginning of the year, that did not stop the IPPL putting a statement on their website, which did not mention the number, made no attempt to explain why the Government's decision had been made but just said blatantly, I cannot remember the exact wording, I can look it up if the hon Member wants me to, but just said blatantly something like, "the Gibraltar Government is embarked on a policy of killing the Rock apes". That set off a train of letters from concerned people thinking that the intention was to eliminate all the monkeys in Gibraltar, which is obviously not true. So.....

**HON F R PICARDO:**

Does the Minister know when he will stop? Has he got a figure in his head?

**HON LT-COL E M BRITTO:**

I am sorry I did not understand the question.

**HON F R PICARDO:**

The Minister said that of course it is not the policy of the Government to eliminate the Rock apes, something which of course I accept. But he will not tell us how many he has permitted the killing of. He tells us he will not permit the killing of all of them, how many will be enough?

**HON LT-COL E M BRITTO:**

Maybe I ought to draw his attention to what his friends in the IPPL think, where they mention on their website, a plan proposed by Professor Robert Martin in 1997. Professor Robert Martin said that the explosion in the population that had been allowed under the previous Government was not good, either for the health of the monkeys or for Gibraltar, and he in his plan proposed a reduction, he Professor Martin, not the Gibraltar Government, proposed a reduction to 180. How he expected the reduction to take place is a different issue altogether.

**HON F R PICARDO:**

So, given that we were told, I believe in April and recently in a Government press release, that the number of apes now ascends to over 280, I think is the number that I saw quoted in his press release, and that he appears to be going by that advice to get them down to about 100, is he in fact telling the House that he would consider the killing of about 180 animals to be the right amount of animals killed?

**HON LT-COL E M BRITTO:**

No, I have said nothing of the kind.

**HON F R PICARDO:**

So, what is in the Minister's mind the right figure at which to stop?

**HON LT-COL E M BRITTO:**

Firstly, to correct something the hon Member said, the figure of 280 was not the figure of the current population, it was the figure to which the monkey population had been allowed to grow in 1988 by Opposition Members, not the current figure. Secondly, the plan by Professor Martin, or the proposed plan to reduce the figure to 180, that same figure is reflected in the contract between GONHS and the Government, which goes back to 1999.

**HON F R PICARDO:**

So does the Minister care to tell us what the ape population is today?

**HON LT-COL E M BRITTO:**

I do not know what it is exactly today, it was 206 at the beginning of the year, at the beginning of 2008. To that figure has to be added of the order of 20 or 30 monkeys born during the year. But the actual population is not established as firm until some time round about now. I do not know exactly what month it is that they decide to do it, so as to allow the newborn apes to either survive or not survive, because many of them do not survive. So, we get the starting figure at the beginning of the year, we know how many births there have been but we do not say the population now is so much until near the end of the year. That figure may already be established but I am not aware what it is.

**HON F R PICARDO:**

In that case, it seems pretty clear to me and I would be grateful if the Minister would confirm it, that if the target has been, I will go from 1999 which is when the Minister has referred to that agreement, not back to 1997 when he referred to Professor Martin's advice, is a target population of about 180, the population is usually about 206 or 210, he told us when he was answering questions on this issue, that there were in the order of 20 killings a year in order to keep the population more or less at that level and 20 or 30 births a year. In fact, it would not be unfair to say that in the process of nine years, it is a fairly easy calculation to do, 180 apes have been killed. It is in the hundreds.

**HON LT-COL E M BRITTO:**

It is not a question.



**HON F R PICARDO:**

Yes, I asked whether he would confirm. I started by saying, “would the Minister confirm”.

**HON LT-COL E M BRITTO:**

I have made the Government’s position very clear. I am not prepared to discuss the actual management of the population of apes in the detail of numbers, that the hon Member persists in posing us questions, because I do not think it is in the interests of Gibraltar. I have told them what the target figure suggested from outside Gibraltar, which he is so fond of asking us to do. I have told him that that target figure is reflected in the contract with GONHS. He should also be aware that that target figure is being pursued by the first three aspects of the Government’s policy which I read out earlier. The first one of these is birth control or contraception of female monkeys, and exportation, which unfortunately has not been possible, although we are still pursuing a number of areas. Generally speaking, the last resort process of euthanizing has not been used for management of the population size, other than in circumstances, which the hon Member is well aware, when they take up residence in an area close to human habitation, as happened in Catalan Bay, and that is the purpose for which it was done and not for control of the population.

**MR SPEAKER:**

I think we ought to move to another question, unless there is something different in the supplementaries.

**HON F R PICARDO:**

Well, yes, the Minister knows and I think he accepts, that across the floor of the House we have a general agreement about what are the things that are in the national interest, and that if we agree that things are in the national interest he can count on the Opposition to tell us things in confidence and to keep that confidence. Sorry, the Minister for Education finds it amusing but he will know and his colleagues will be able to tell him, he has never been entrusted with a sensitive portfolio that has that type of information, that he can trust the Opposition with sensitive information on issues of confidential importance. This is an issue where there is a serious policy difference between the Government and the Opposition. The Minister must not think that we do not consider the national interests of Gibraltar are necessary. Can I ask him before I sit down, to reconsider seriously, not just on the grounds that we are on our feet and we are doing battle, and there is an element of one-upmanship which is normal in an adversarial, political process, but can I ask him to consider carefully, away from this House, the fact that actually first of all the national interests of Gibraltar may not be best served by a Government that does not answer questions on this issue, and to reflect which other governments might take this type of line on an issue like this, which involves the killing of sentient animals? I think he will find that he cannot find any government in the western democratic system that might take the same line. I urge him, because of the bad publicity that Gibraltar is getting, and I understand that that is the case, I understand we are getting bad publicity, I think it is because he is authorising the killing of apes. He thinks it is because I am referring to it, that we reconsider and reflect on this issue and to see how we can move forward from the impasse that we have reached.

**MR SPEAKER:**

There was no question aimed at the Minister for Education, just a remark across the floor of the House so I really do not know whether I should allow the Minister to reply.

**HON C G BELTRAN:**

The hon Member on a very serious subject feels that I find it amusing. The Minister for Education does not find this exchange amusing, he finds it appalling that the national interest of Gibraltar is something that we cannot really entrust the Opposition Members with. That is all I want to say.

**HON F R PICARDO:**

That is an absolutely ridiculous comeback from somebody who obviously has not appreciated what it is that we have been talking about for the past ten minutes. Perhaps the Minister for Education should go back to school to pay more attention.

**MR SPEAKER:**

I think we are now degenerating into the unnecessary. Order then. The last word on this subject by the Minister to reply to the last point.

**HON LT-COL E M BRITTO:**

The hon Member asked me to go away and think again. A lot of thought has been given to this already, so even if I do go back and think again it is unlikely that there will be a change in Government policy. What I will say to him very sincerely in view of his last statement ending with a question, is that I ask myself what is the hon Member really asking for? Because if all he wants to know is the number concerned, then that information was offered to him in answer to a previous question on a confidential basis, and he refused to accept it. So, therefore, if he does not want to know the answer on a confidential basis, then it means that he does not want to know the answer. What he wants is to be able to use the answer to score party political points and to give the Government a bad name and to make others aware so that others can attack the Government. So, he cannot have it both ways, if he wants the information it is available on a confidential basis. He indicated the last time he was not prepared to accept it on a confidential basis that he would use it, so I withdrew the offer and the offer remains withdrawn.

**HON F R PICARDO:**

I accept Mr Speaker's view that that was the last point. I simply want to say this, the only reason why we would not accept the information on a confidential basis is because we think this is an issue where information should not be passing on a confidential basis, whether it is the killing of a sentient mammal, when we talk about the numbers of killings of sentient mammals, we do not think that is an issue that should be confidential. If we are talking about the revenue from bunkering, or the revenue from another commodity et cetera, those are things where the national interest we agree means that we get the figure on a confidential basis. But the killing

of sentient mammals is not something simply because we might, as the Minister characterises it and I do not accept, use it to hit the Government with, there are plenty of things to hit the Government with. This is a number that I do not think should be a number that is kept secret, for the issues that we have discussed, and I welcome the fact that towards the end of our exchange we have become much more conciliatory about the issues and that the Minister may reflect further on what we have discussed.

**HON LT-COL E M BRITTO:**

I have to make the point again, as will have been seen from the very long answer, which is not typical of my answers I tend to keep my answers short, but the very long answer that I have given to this question and the fact that I have been on my feet now for I do not know how long answering supplementaries on this particular issue, it is clear that the Government are not shying away from providing information on this subject. What the Government perceive to be harmful is this constant bandying about of figures, and if the Opposition Members do not agree that it is against Gibraltar's best interests, well that is their decision and that is their problem. I can tell Opposition Members that I am in a better position to make that judgement, and so are the Government, because I have seen the letters that have come in, I have seen what the letters say and some of the things that are being generated are against the economic interests of Gibraltar, against tourism, against visitors coming to Gibraltar and against Gibraltar's good name. If that is not in Gibraltar's best interests, I do not know what is. It is no good for Opposition Members to say "stop it!". It is all very well for people without having the responsibility for the public health aspects of it and for the other aspects of management of the apes, to make statements like that and say "stop it!" Opposition Members should realise, that this is not a new policy invented by the Government this year, that the first recorded incidence of culling of apes goes back to the nineteenth century, it first happened in the 1890's, the first recorded incidence of it. Indeed, it has happened since then. I would be delighted if the hon Member instead of trying to give publicity to it, were to use his contacts within the IPPL, his contacts are exactly the same as mine, we both met the lady who came, we appeared on the television programme together and we had an informal drink afterwards. So, he will have her visiting card like I do and her phone number. So, if he is genuinely interested in stopping the culling of apes, for purposes when it becomes necessary, and I say again that it is rarely done purely, not that I am aware, for the controlling of numbers, it has been done when other reasons are needed, if he is genuinely interested in that then he should be using his time and his efforts to convince the IPPL to remove those preconditions, of which let me say to the Opposition Members, some of those preconditions are not necessarily bad. They are bad when they become preconditions in a contract, when people say in ignorance of the fact that the Government cannot do it, tell the Police Authority to do this and that, or tell the Police to do this and that, right, but some of those aspects of it are things that the Government are exploring and that the Government are not necessarily against. But what the Government cannot accept is to be asked to sign a contract as preconditions to the exportation of 20 apes.

**HON F R PICARDO:**

The Minister has told us before that he has not explored the possibility with the IPPL of those conditions, perhaps, not being conditions and being, for example, joint desires in an agreement between the IPPL and the Government, why does he not do what he is suggesting that I do? Pick up the phone to Helen, who he met and knows

as well as I do and as little as I do and say, “well look Helen, for reasons of normal ways that governments do business the world over, we cannot adapt to something that requires us to give conditional warranties in an agreement that we will not do this or that we will do this, can we not come to an agreement that these become joint expressions of desire of what the Government and IPPL want to happen and then we can move on with the exportation?” For example.

**HON LT-COL E M BRITTO:**

The Government have done exactly that, other than the Minister picking up the phone, which I do not think it is appropriate for me to do. The Minister has said to GONHS exactly what the hon Member is suggesting. I said to GONHS to go back and tell IPPL that these are not acceptable, that if they remove the preconditions we can discuss how to do it. For example, if the suggestions come from GONHS instead of the IPPL it becomes a different issue altogether. But not as preconditions. What has been the answer? The answer has been the issue of a public statement by the IPPL, by this same lady, after being told to remove the conditions, they said “oh no, we are not going to remove the conditions, what do the Government think? The Government have to give an assurance that this will not happen again”. That seems to be the attitude of the IPPI and it is up to them to return not to us.

**HON F R PICARDO:**

The Minister will accept from what he has told us that he does not know what GONHS told her or how it was communicated. I only impute to GONHS the best efforts and their good offices in trying to bring about an agreement between the Government and the IPPL, but perhaps if the Minister were to pick up the phone. I know that he is a Minister who is not shy of picking up the phone to get things done when it is appropriate. Perhaps if he had done that, then the killing might have been really a last resort in his lexicon, and perhaps even in ours even though we might not agree with it. But at the moment, whilst there is still a phone call that can be made, does he not see why I think that it is proper to think that the killing is not a last resort? Because if there is still a phone call to be made that might bring about an agreement, that might bring about an exportation, that might avoid the killing, it cannot be a last resort.

**NO. 939 OF 2008**

**THE HON F R PICARDO**

**TENDER FOR TRANSPORTATION OF RUBBISH TO LOS BARRIOS**

When will the contracts for the transportation of rubbish to the landfill site in Los Barrios be subject to a re-tender?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The Government currently have no plans to put the contract out to tender.

**SUPPLEMENTARY TO QUESTION NO. 939 OF 2008**

**HON F R PICARDO:**

For how long is that contract to continue? Is it an indefinite contract?

**HON LT-COL E M BRITTO:**

Presumably until the Government decide that they have plans to put it out to contract. I thought he was going to ask me for how long the contract has been going on for, I think it started in the year 2000 when the incinerator was closed down. In any case, it is not envisaged to carry on indefinitely because once the new energy from waste plant is constructed, there will no longer be any need to take rubbish to Los Barrios.

**HON F R PICARDO:**

In the last House, the Minister told us that the waste to energy plant was still at the design stage, or they were still at the stage of going out to get a turnkey contract when it would be designed et cetera, so we are still some years away from that. It may be possible for there to be savings if the contract goes out to tender and others are able to tender for it, and even perhaps the contractor that is carrying it out now is required to tender for it. Why would the Government not want to maximise value for the taxpayer by going out to tender?

**HON LT-COL E M BRITTO:**

Because the Government feel that that value to the taxpayer is already being maximised. Let me tell the hon Member, firstly, that the climate for changing arrangements on anything to do with refuse is not a good one because there have been changes at Mancomunidad level, which any changes could be difficult to achieve. More importantly, since this contract has started, there has been no increase in the fees charged by the contractor other than to pass on to the Government the increases brought in by Los Barrios themselves. But the fees to the Government from the contractor have remained the same since the contract started. The service that is being provided is good and, therefore, the Government sees no reason to make any changes to this position.

ORAL

**NO. 940 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**

Answered together with Question Nos. 941, 942, 945 and 947 of 2008.

ORAL

**NO. 941 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 the information supplied at the last Question Time in this Parliament?

- (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**

Answered together with Question Nos. 940, 942, 945 and 947 of 2008.



ORAL

**NO. 942 OF 2008**

**THE HON DR J J GARCIA**

**GTB – COST OF ATTENDANCE AT WORLD TRAVEL MARKET**

What was the cost, with a breakdown, of Gibraltar's participation in the World Travel Market in November 2008?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 940,941, 945 and 947 of 2008.

ORAL

**NO. 943 OF 2008**

**THE HON DR J J GARCIA**

**GTB – GIBRALTAR DELEGATION TO WORLD TRAVEL MARKET**

How many persons made up the official Gibraltar delegation to the World Travel Market in November 2008 and what posts do they hold?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 944 of 2008.

**NO. 944 OF 2008**

**THE HON DR J J GARCIA**

**GTB – GIBRALTAR STAND AT WORLD TRAVEL MARKET**

Can Government list the industry participants that exhibited in the Gibraltar stand during the World Travel Market in London showing what contribution, if any, each of them made to the costs involved?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

It was not clear to me what the hon Member meant by the official delegation, so I have answered the question in this way. Two persons made up the official delegation to the World Travel Market, the Minister for the Environment and Tourism and the Chief Executive of the Gibraltar Tourist Board.

In answer to Question No. 944, the Gibraltar Tourist Board offers a package for the two largest exhibitions it attends, namely, the World Travel Market in London and FITUR in Madrid.

The offer is as follows:

Exhibiting at the World Travel Market only	£1,000.00
Exhibiting at FITUR only	£ 750.00
Exhibiting at both the WTM & FITUR	£1,500.00

Three tourism industry entities participated in the World Travel Market and will also be present at FITUR. Therefore, each contributed £1,500.00. They are the M H Bland Group, The O'Callaghan Elliot Hotel and Parodytur/Parody Holidays.

**SUPPLEMENTARY TO QUESTION NOS. 943 AND 944 OF 2008**

**HON DR J J GARCIA:**

In respect of Question No. 943 relating to the official delegation, normally the question has been tabled in that way for many years and normally the list that I get is everybody who has gone. That is to say, five people from the Gibraltar Office in London, the whole lot.

**HON LT-COL E M BRITTO:**

I am sorry, if he writes to me I can give him the information. But that to me, the people who are there are working. Let me put it this way, from Gibraltar the only persons who travelled to the World Travel Market were the Chief Executive of the Tourist Board and myself. Everybody else who was on the stand, and I do not have a list of names, the stand was managed by staff of the Gibraltar Office in London, led by the Director of the Office, Albert Poggio, and they rotated, some were there one day others on different days. That is why I said I was not sure what he meant by the official delegation. To me those are people who are working on the stand they are not part of a delegation official or otherwise. But if the hon Member wants to know who was on the stand and on what days, I presume there is a record of it somewhere and I am quite happy, if he asks me, to give him the information.

**HON DR J J GARCIA:**

What I want to know is exactly the same information that I have sought when the question has been asked and answered in the past, nothing different.

**HON LT-COL E M BRITTO:**

Well, obviously he asked it to a different Minister, I did not go back and check what the previous answer had been in this particular case. I read official delegation and I said what does he mean by official delegation? Presumably he means those who went there, other than to be on the stand actually working. I do not consider myself as part of an official delegation, anyway, but I thought that that was what he meant so I provided that information. What I will do if the hon Member wants is go back to the previous question and write to him and give him the details that were there. But I would suggest, for the avoidance of doubt in the future, he asks the question in a different way and asks me exactly what he wants. I have no difficulty in giving him the information but I need to understand what is the information that he is seeking.

**HON J J HOLLIDAY:**

The question had been answered correctly and has been answered in the way in which I used to answer the questions. So there is no real need to go into this further.

**HON DR J J GARCIA:**

I do remember references being made to staff from the London Office, which the Minister mentioned in his reply, as being included in the answer in the past.

**HON J J HOLLIDAY:**

Yes, but there were times for example, when the Director of the London Office was actually accompanying me to a particular function or particular area, and there were times when he actually formed part of the working team at the stand for a particular event. So, therefore, there were differences as to whether he formed part of the Minister's attendance or whether he did not. Therefore, they were answered depending on the actual event and what actually happened.

-----

**HON LT-COL E M BRITTO:**

In relation to Question No. 943 of 2008, the Hon Dr Garcia was asking me about what he calls “the delegation” and I was saying that I was not quite sure what he meant. I am now handing over to him a list of the members of the London Office staff who attended the World Travel Market and who were on a roster basis manning the stand.

**HON DR J J GARCIA:**

I am grateful to the Minister. The reason why I use the words “official delegation” was because there were other people attending belonging to companies, Parodytur and whatever, and that is why I wanted to distinguish between the two. Thank you.

**HON LT-COL E M BRITTO:**

But I would suggest, in order to avoid confusion in the future, if he words the question a bit more clearly, distinguishing between visitors like myself and staff manning the stand, then I will be able to provide a clearer answer.

**Gibraltar Tourist Board London Office Staff, World Travel Market 2008**

In relation to Question 943

**London Office**

Ian Leyde – Sales Manager

Claire Lerner – Sales & Marketing Executive

Tracey Poggio – Marketing & Public Relations

Dan Lerner – Tourist Information Officer

These members of staff of the London Office managed the stand over the four days of the exhibition on a roster basis.

ORAL

**NO. 945 OF 2008**

**THE HON DR J J GARCIA**

**GTB – COST OF UKGTA MEETING**

What was the cost with a breakdown of the UKGTA meeting that took place in Gibraltar on Tuesday 16 September?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 940 to 942 and 947 of 2008.

ORAL

**NO. 946 OF 2008**

**THE HON DR J J GARCIA**

**GTB – TOURISM ADVISORY COUNCIL**

How many meetings of the Tourism Advisory Council have taken place since the information supplied in the last Question Time in this Parliament and on what dates?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

One meeting has been held on 6<sup>th</sup> November and another is scheduled shortly, towards the middle of this month.



ORAL

**NO. 947 OF 2008**

**THE HON DR J J GARCIA**

**GTB – INTERVIEWS CONDUCTED**

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 statistical information requested by the hon Member is contained in the schedules which I now hand to him.

**Answer to Question 947 of 2008**

**Answer to Question 940 of 2008**

<b>DATES</b>	<b>EVENT/FUNCTION</b>	<b>VENUE</b>	<b>CITY</b>	<b>COUNTRY</b>
19/10/08 To 22/10/08	Gibraltar Day London & Meeting London Office	The Traveller's Club, The Guildhall And The Gibraltar Government Office	London	UK
9/11/08 To 12/11/08	World Travel Market And Marketin Budget Meeting London Office	Excel Exhibition Cetnre London Docklands And The Gibraltar Government Office	London	UK

**Answer to Question 947 of 2008**

**Answer to Question 941 of 2008**

<b>MONTH</b>	<b>UPPER ROCK</b>	<b>COACH PARK</b>	<b>MUSEUM</b>
April 2008	£283,838.11	£7,570.00	£1,592.00
May 2008	£309,088.20	£7,530.00	£2,164.60
June 2008	£270,826.06	£6,970.00	£1,103.08
July 2008	£358,329.50	£8,566.52	£1,364.42
August 2008	£401,751.56	£5,740.00	£2,452.40
September 2008	£344,132.11	£9,406.77	Not yet available
October 2008	£311,146.06	£7,473.33	Not yet available
<b>TOTAL</b>	<b>£2,279,111.60</b>	<b>£53,256.62</b>	<b>£8,676.50</b>

**Answer to Question 947 of 2008**

**Answer to Question 942 of 2008**

HOTEL & SUBSISTENCE	£2,034.58
TRAVEL EXPENSES	£911.00
REFRESHMENTS & HOSPITALITY STAND	£1,269.80
STAND COSTS	£21,974.70
FLOOR SPACE COSTS	£19,386.78
<b>GRAND TOTAL</b>	<b>£45,576.86</b>

**Answer to Question 947 of 2008**

**Answer to Question 945 of 2008**

TRAVEL EXPENSES		£1,233.83
STAFF EXPENSES		£99.29
LUNCH		£93.00
<b>GRAND TOTAL</b>		<b>£1,426.12</b>

**Answer to Question 947 of 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
Aug 2008	1679	19	19	5.6	-	-	-	-
Sept 2008	1099	8	7	6.1	1	2	-	-

**b) Not stayed at Hotel**

	Total Interviews Not Stayed at Hotel	Airport	Port	Frontier	Waterport	Marina	Coach Park
Aug 2008	1660	86	130	1354	1	14	75
Sept 2008	1091	37	2	1051	-	-	1

\* The information in respect of September is incomplete.

ORAL

**NO. 948 OF 2008**

**THE HON J J BOSSANO**

**EASTSIDE RECLAMATION – REMOVAL OF RUBBLE**

Can Government state what was the quantity of rubble removed from the East Side reclamation area in 2007/2008, at what cost and out of which head of expenditure was the cost met?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 949 and 950 of 2008

ORAL

**NO. 949 OF 2008**

**THE HON J J BOSSANO**

**EASTSIDE RECLAMATION – REMOVAL OF RUBBLE**

Can Government confirm whether any rubble has been removed from the East Side in the current financial year and if so how much and at what cost and where has the cost been charged?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 948 and 950 of 2008.



**NO. 950 OF 2008**

**THE HON J J BOSSANO**

**EASTSIDE RECLAMATION – REMOVAL OF RUBBLE**

Can Government provide an estimate of the amount of rubble it proposes to remove from the East Side reclamation in future and over what period of time and what is the anticipated cost?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

In respect of Question No. 948, it is not clear whether this question refers to the calendar years 2007 and 2008 or to the financial year 2007/2008. For the avoidance of doubt, the Government can confirm that no rubble was removed from the East Side Reclamation area either in the calendar year 2007 or in the financial year 2007/2008.

Government can also confirm that approximately 3,400 cubic metres of rubble were removed from the East Side in the current financial year during the major storm experienced in October 2008. The breach of the revetment along Harbour View Promenade led to a situation where action was necessary to prevent continuing erosion of the land behind it. The importation and placement of fill material at the site was the measure adopted in the circumstances, and this was resourced from the East Side, being the only source available at the time. The cost of the removal, transportation and placement at Harbour Views Promenade was £46,000 and has been charged to the Improvement and Development Fund, Head 101 Subhead 5(b) – Rock Safety, Coastal Protection and Retaining Walls.

The Government have no plans to remove any rubble in the future from the East Side reclamation.

**SUPPLEMENTARY TO QUESTION NOS. 948 TO 950 OF 2008**

**HON J J BOSSANO:**

So the Government are not under an obligation to remove the rubble there in relation to the development of the East Side project?

**HON LT-COL E M BRITTO:**

No.

**HON J J BOSSANO:**

Therefore, presumably the rubble will have to be removed for the East Side project, is it then the responsibility of the developer to do that?

**HON LT-COL E M BRITTO:**

That is my understanding.

**NO. 951 OF 2008**

**THE HON F R PICARDO**

**FEDRA**

When does the Government now anticipate that the removal of the hull of the vessel FEDRA will commence and be completed?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT**

The Government are currently unable to confirm the commencement or completion of the removal of the vessel FEDRA, even though various preparatory works have been on-going since the incident occurred. The Government are presently working with all parties involved to finalise the plan for the removal of both sections.

**NO. 952 OF 2008****THE HON G H LICUDI****GIBRALTAR BUS COMPANY – PAYING PASSENGERS TRANSPORTED**

Can Government state the number of paying passengers that were transported and the value of fares from these passengers by Gibraltar Bus Company Limited in the months of September to October 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 September to October 2008 was as follows:

	<b><u>Passengers</u></b>	<b><u>Fares</u></b>
September 2008	178,909	£75,366
October 2008	191,055	£80,234

**SUPPLEMENTARY TO QUESTION NO. 952 OF 2008****HON G H LICUDI:**

Can the Government say whether these fares collected in each month are sufficient for the company to meet its on-going costs, or whether the Government is called upon on a regular basis to top up the amounts necessary in order to meet the business costs?

**HON J J HOLLIDAY:**

No, the income derived from bus fares is not sufficient to keep the company going. But I think, as statements have been made in this House previously, the Government consider the bus service part of their obligation to provide a transport system in Gibraltar, which needs to have Government financial input in order to make it viable, in the sense of a commercial entity. But it is more of a service that the Government wish to provide than an interest in making the company profitable.

**HON G H LICUDI:**

I understand that that is the position and the intention of the Government, what I am trying to ascertain is how it actually happens, are the Government called upon on a monthly basis to top up the amount necessary? Or do the Government decide on a quarterly basis, or a yearly basis, let us subsidise and does it happen after the event, or funds provided in advance? How is the question of the management of funds.....?

**HON J J HOLLIDAY:**

My understanding is that the Government actually provide, or have provided in the past, funds to get the company going and then this is topped up as and when required. This is a function that is undertaken by the Treasury. Obviously, monthly accounts are provided by the company, in order to justify its requirement and the company is topped up financially as and when the requirement is needed.

**HON G H LICUDI:**

The topping up of the funds that are needed, is that a question of on-going recurrent cost or do the Government provide periodically lump sums for capital payments?

**HON J J HOLLIDAY:**

It is a recurrent cost.

**NO. 953 OF 2008**

**THE HON G H LICUDI**

**BUS SHELTERS**

Can Government state when it expects the repair or replacement of existing bus shelters or the installation of bus shelters at bus stops where there is no bus shelter to take place?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government are currently in the process of purchasing bus shelters. The Government will replace existing bus shelters and install new shelters where appropriate.

**SUPPLEMENTARY TO QUESTION NO. 953 OF 2008**

**HON G H LICUDI:**

Does that mean that there will be no repair or maintenance to the bus shelters that are currently in a very bad state until that process is completed?

**HON J J HOLLIDAY:**

The Government are currently assessing the time it will take to get these bus shelters in place. Once that is known we will take a decision on the ones that currently exist as to whether they are going to be repaired or not. It depends on whether it is going to take months or longer, as to whether we are going to repair. So we are in the middle of taking that decision and the information should be made available very shortly.

**HON G H LICUDI:**

I am not sure if I understood from the original answer correctly or not. This is a question of new bus shelters rather than replacement. Are the Government looking at where there are no bus shelters at the moment but where there could be?

**HON J J HOLLIDAY:**

Yes, the whole programme will include replacing all existing bus shelters and also putting in place a number of bus shelters which are needed in certain places where none exist today.

**HON G H LICUDI:**

Will the process involve the redesigning or replacement of the bus shelter on the wrong side of the road at Market Place?

**HON J J HOLLIDAY:**

Well, I do not accept that they are on the wrong side of the road or the wrong way round, but we are looking at it. This is why the process is taking slightly longer because we are looking at a model that will fit the requirements of Gibraltar in a better way than the existing ones have done.

ORAL

**NO. 954 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 September 2008 to October 2008 giving the reason why each application was turned down?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No application for a weight exemption certificate has been turned down during the period September 2008 to October 2008.



**NO. 955 OF 2008**

**THE HON G H LICUDI**

**WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many weight exemption certificates were granted during the period September 2008 to October 2008 giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

The monthly breakdown of the weight and dimensions exemption certificates that were granted during the period September to October 2008 is as follows:

<b>2008</b>	<b>Cranes</b>	<b>Goods Vehicles (Lorries and Trucks)</b>	<b>Motor vehicle designed for excavation or shovelling work</b>	<b>Total</b>
September	8	37	1	46
October	13	40	5	58

**SUPPLEMENTARY TO QUESTION NO. 955 OF 2008**

**HON G H LICUDI:**

From the answer to Question Nos. 954 and 955 it appears that in September there were 46 applications and all were granted, none of them were turned down and 58 were applied for in October and none of them were turned down. In the past when these questions have arisen, there has been some indication given of the numbers turned down and the reasons why those applications have been turned down. Is it the case that none of the reasons why applications would normally be turned down have arisen in respect of these hundred odd applications, or has there been a change in policy by the Government simply allowing all applications to go forward?

**HON J J HOLLIDAY:**

No, there has not been any change of criteria or policy. It is just that all those who applied met the criteria and were given permission.

**NO. 956 OF 2008**

**THE HON G H LICUDI**

**CATALAN BAY ROAD – BLACK SPOT**

Can Government confirm whether it will now install sleeping policemen in the area of the black spot at Catalan Bay Road?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government have no current plans to do so.

**SUPPLEMENTARY TO QUESTION NO. 956 OF 2008**

**HON G H LICUDI:**

Are the Government not aware that this is an area which raises concern on a regular basis? I know there was a recent incident and I do not want to go into that incident because that is a matter for....., I understand it is in the hands of the Police. But do the Government not know that this, historically, has been a notorious spot and that something needs to be done before somebody is killed?

**HON J J HOLLIDAY:**

Well, issues such as this are constantly under review. For many decades, including the eight years when the GSLP were in government, it was considered that putting sleeping policemen in the area of the black spot, as the hon Member calls it, was not actually a suitable response to these accidents. However, I can say that this Government have actually tried to improve the situation, not necessarily by sleeping policemen but, on the advice of experts, by re-aligning the road to make it safer and, in fact, five or six years ago, five rumble strips were actually placed as well. I remember at the time, when I had responsibility for transport, that the possibility of sleeping policemen was looked into, and the Government was advised that they should move away from the sleeping policemen situation towards the rumble strips and these rumble strips were put in place at that time. I think this must have been about five or six years ago.

**HON G H LICUDI:**

Do the Government not accept that this strip does nothing at all other than alert somebody who may otherwise be asleep that they are on the road and there is a bend coming, and anybody who is a prudent driver looking at the road and looking at the bend knows that already. Do the Government not accept that that has been totally ineffective and could they say what their policy is, generally, given that they refuse to install sleeping policemen in this area, which has notoriously been an area of accidents? Particularly having regard to the fact that the new pedestrianised area near the Convent, near Convent Place, actually has one sleeping policeman leading up, from the southern side moving north, to Convent Place. Now that is not an area where, I understand, has been notorious in terms of accidents or speeding or any particular problem, yet the Government have seen fit to place one sleeping policeman there in Main Street and not in a place where accidents occur. Why not?

**HON J J HOLLIDAY:**

These decisions and advice come from the experts in this particular field. The hon Member has pointed out No. 6, but just a few hundred metres away from the black spot, I think near where he lives along Catalan Bay Road, there are sleeping policemen there as well. I think it is to do with the actual characteristics of the road and whether it is felt that sleeping policemen are actually going to help in any way or can be a danger in themselves. As I said, these are things that are constantly under review. For many years those who have been advising the Government, not just this Government but the previous Government, have not felt it necessary for this to happen and thus it has not happened. It may change in the future and, if it does, obviously the Government will give consideration to that advice. But up till now that has not been the case.

**HON G H LICUDI:**

The Minister has mentioned the installation of sleeping policemen a few hundred yards down the road, and those are in fact the subject of the next two questions, so I do not necessarily want to go into that. But given that the Minister has mentioned it in his answer, does he not accept that in respect of those sleeping policemen we had exactly the same attitude and the same answers from Government? That it was not appropriate, that they were being advised that it should not be done. For years there was a campaign for those to be installed, there was lobbying, there was protest, there were people on the streets in Catalan Bay because of the number of accidents that were occurring. Does the Minister not accept that eventually the Government had to change their minds and accept what was always common sense, and that in fact it has worked?

**HON J J HOLLIDAY:**

The Government in that particular case, and the hon Member is possibly pre-empting some supplementaries on the two questions to come, but I am quite happy to deal with them at this particular moment. Yes, in this particular case along Catalan Bay Road, there has been a reduction in the number of accidents in the area. But having said that, the experts over a period of time came round to the idea that the placing of sleeping policemen was something that was feasible in that area. There may have been lobbying, there may have been all sorts of campaigns in order to do that, but

the experts in this particular field came round to thinking that sleeping policemen was then an option. Therefore, the Government accepted that recommendation and went ahead and did it.

**HON G H LICUDI:**

Are these the same experts that for years told the Government that it was not appropriate at that place, that subsequently changed their minds and advised the Government that it was appropriate, and who are now advising the Government that it is not appropriate at the black spot?

**HON J J HOLLIDAY:**

Considering the time involved, I would have thought that some of these experts would have changed over time. I am sure, I actually do remember some of the original advisers who then subsequently were no longer advisers later, because they had retired and moved on. But, yes, some of them were obviously different people concerned.

**HON G H LICUDI:**

We have been speaking today specifically about sleeping policemen, do the Government not accept that this is a serious issue? I do not raise this issue to make political capital at all but because it is a serious matter, and I am surprised that we have certain comments from the Minister for Justice, who does not seem to think that this is a matter that ought to be taken seriously.

**HON D A FEETHAM:**

On the contrary, I just said perish the thought that is all.

**HON G H LICUDI:**

I do hope that the Government accept that this is a serious matter. If the Government are not currently thinking of installing sleeping policemen, can we have at least a commitment that they will keep this very actively under review, that they will reconsider, that they will ask their experts to review the situation and see whether it is possible to do something? If sleeping policemen are not the answer because it might make the situation worse, for example, and I am not an expert, there must be other solutions which can be brought to bear in order to make the road safe. Do the Government not accept that at the moment it simply is not safe?

**HON J J HOLLIDAY:**

I can assure the hon Member that this issue will be and is under constant review, but I can also give the hon Member some hope. This particular area is being looked at yet again when the new Devil's Tower Road thoroughfare is built and the new roundabout that is going in quite near that particular area, and that might have an

impact on the overall area and traffic management in the area. So, definitely, worth considering.

ORAL

**NO. 957 OF 2008**

**THE HON G H LICUDI**

**TRAFFIC ACCIDENTS RECORDED – SIR HERBERT MILES ROAD**

Can Government state how many traffic accidents were recorded in the stretch of road from La Mamela Restaurant to the Caleta Hotel since the installation of sleeping policemen on that road?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 958 of 2008.

**NO. 958 OF 2008**

**THE HON G H LICUDI**

**TRAFFIC ACCIDENTS RECORDED – SIR HERBERT MILES ROAD**

Can Government state how many traffic accidents were recorded in the stretch of road from La Mamela Restaurant to the Caleta Hotel in the two years before the installation of sleeping policemen on that road?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The installation of the table top speed reduction ramps, commonly referred to as sleeping policemen, along the above mentioned stretch of road were commenced in August 2007 and completed on 13<sup>th</sup> September 2007. Since the completion of the installation of the table top speed reduction ramps on 13<sup>th</sup> September 2007, there have been a total of eight accidents recorded by the RGP Crime Management Unit.

Since the two years prior to the installation of these ramps at Sir Herbert Miles Road there were 23 traffic accidents recorded. The above mentioned traffic accidents are recorded as having occurred along the stretch of road known as Sir Herbert Miles Road, which stretches from La Mamela to Both Worlds and not limited to the stretch of road referred to in the question, as information on that particular section is not available.

**SUPPLEMENTARY TO QUESTION NOS. 957 AND 958 OF 2008**

**HON G H LICUDI:**

The supplementaries that arise were pre-empted in the previous questions.

**NO. 959 OF 2008**

**THE HON G H LICUDI**

**ACCESS TO THE EAST SIDE**

Can Government state what arrangements are in place to ensure constant access to or from the Eastside whenever an accident occurs on Devil's Tower Road or Catalan Bay Road?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The stretch of road from the junction of Eastern Beach to the top of Catalan Bay (La Mamela) is Catalan Bay Road. The stretch of road from the top of Catalan Bay to Both Worlds complex is Sir Herbert Miles Road.

The Dudley Ward Tunnel leading from Sir Herbert Miles Road to Europa Point is at present closed to vehicular traffic following a fatal accident in February 2002.

In the event of an accident or rock fall within the above mentioned stretch of road, access to the East Side area for pedestrians and vehicular traffic will be afforded by police and other emergency services, depending on the complexity and seriousness of the incident and its exact location.

There are areas available to the emergency services to afford access to pedestrians and vehicular traffic and for diversions to be put into place, that is, car parks, lay-bys, waste grounds, et cetera.

However, the safety of the public and the preservation of the scene of the serious accident are of paramount importance. On occasions, this may cause some delay in affording alternative vehicular and pedestrian access for residents.

**SUPPLEMENTARY TO QUESTION NO. 959 OF 2008**

**HON G H LICUDI:**

This is the question that refers back to Dudley Ward Tunnel having been closed. In the light of the fact that for six and a half years there has only been one access road to the East Side, to Catalan Bay and the Both Worlds area and the recognition that there may be circumstances where, either rock fall or accidents occur and that stretch of road is closed, do the Government not accept that that is in fact a non



acceptable situation, for there to be situations which arise and which have arisen and which lead to the isolation of one part of Gibraltar?

**HON J J HOLLIDAY:**

There have been instances, like a recent serious traffic accident in the area, where I know residents were....., in fact, I was at the Caleta Hotel attending the Liberal Conference and on leaving that I was actually stuck there for a good number of minutes, awaiting the possibility of being able to make my way along Devil's Tower Road. There are occasions when this is the case and, obviously, Dudley Ward Tunnel would assist in this particular case. But one thing that needs to be borne in mind is the fact that when there are traffic accidents, serious ones such as the one that I have just mentioned, I think the police has to take the lead in being able to assist, where possible, and there may be circumstances like there was on that particular night, when the preservation of the scene of the accident was paramount, and therefore, the movement of vehicles et cetera that were in the middle of the road and not being able to allow the flow of traffic, was of paramount importance as a priority. In a best case scenario, having Dudley Ward Tunnel open would have assisted in these circumstances but, as we know, this is a project which will hopefully soon be seeing the light of day and this will problem will be alleviated as a result.

**HON G H LICUDI:**

As the Minister knows, we are no wiser today than we were three months ago or six months ago as to when that project is actually going to see the light of day, as a result of the continuing, what we would suggest, is inaction. Certainly the perception is inaction, although I am sure that some work is being done. Does the Minister not accept in the light of his comments, I am not suggesting that the police should not be able to do their work, there may be circumstances when it will be absolutely necessary, but the practical consequences will be that isolation, in the circumstances, is it not recognised by the Government that there is an absolute urgent need for this to be looked at? Particularly since it has been dormant, not dormant but left for six and a half years and we certainly do not detect and the perception seems to be that there is a lack of urgency? Do the Government not accept that in the light of, again this incident which has led to the isolation of part of the community, that there is that real urgency? Do the Government not further accept that in the light of reports that certain tourists staying at the Caleta Hotel were also caught up in this incident and were not able to make their flights, where tourists missed their flights because of an area of Gibraltar being isolated, do the Government not accept that that is not good for the good name and reputation of Gibraltar as a tourist destination?

**HON J J HOLLIDAY:**

Yes, in an ideal world I agree with the comments he has made.

**HON G H LICUDI:**

Perhaps an ideal world will be one where the government changes and we are in government.

**NO. 960 OF 2008**

**THE HON G H LICUDI**

**PROPOSED PARKING ARRANGEMENTS – RED SANDS ROAD/ROSIA ROAD**

Can Government state whether it is having second thoughts over the proposed parking arrangements at Red Sands Road and Rosia Road?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No Sir.

**SUPPLEMENTARY TO QUESTION NO. 960 OF 2008**

**HON G H LICUDI:**

Is there any reason why the signs which were erected in respect of the new parking arrangements, and people were informed about the new parking permit system, those are still covered and the arrangements have still not come into place?

**HON J J HOLLIDAY:**

Well, the notice in the Gazette in order to bring about the legality of the new system should actually be published today. Some of the delay has been as a result of the fact that when the Government demarcated the areas that were going to be allocated, the committee or the leaders of the committee of the Alameda Estate Association came up with some suggestions for changing some of these, especially along Rosia Road for practical reasons, and we agreed that their suggestions made more sense to those that live in that area, so it was a matter of going back to the drawing board in terms of creating new sketch maps et cetera, in order to be able to Gazette the whole thing again. As I said, my understanding, because this is a matter I have been following up with the Legislation/Gazette publication, is that this would be Gazetted today.

**HON G H LICUDI:**

In the light of that answer it does appear that the Government have been having second thoughts, not necessarily as regards their general policy, but second thoughts as regards the implementation and how it actually works.

**HON J J HOLLIDAY:**

There have been no second thoughts at all. I mean, the scheme was decided upon, the Alameda Estate Association had various meetings with me to put the scheme together, the Ministry for Housing who actually administer the permits et cetera, put all the systems in place, the Highway Engineers put in place all the signage that was relevant, but in order to make all this legal it needed to be Gazetted in order to bring about the relevant regulation for the system to be valid. When everything was ready for publication, the tenants came back saying that rather than have the public parking at this end of Rosia Road, could they have it at the other end because the steps leading up to the estate actually are at the north end of the estate and the bus stop is also at this end, so really for the Government it was irrelevant whether the public parking was at the north or the south end, and given that it made practical sense why this thing should change, it was accepted and we had to go back and do the whole exercise again. So there have not been any second thoughts about it.

**HON G H LICUDI:**

Can the Minister explain why it was necessary to do the whole thing again? If the Government had had their ears to the ground, if the Government had consulted with the right people at the right time, there would not have been any necessity to do the whole thing again. Can I remind the Minister that the last time that I raised the issue of these parking arrangements, the answer was given by the Minister for Housing who apparently was not aware that concerns had been raised by the tenants association, apparently was not aware that the tenants association leaders had come out publicly saying this will not work, and it was clear that there had not been that consultation. Why is it that this Government do things backwards? Why do they not consult the people, the right people at the right time and get it right the first time as they should? Rather than waste taxpayer's money.

**HON F J VINET:**

If I can clarify. Those alleged concerns that were raised by the hon Member last time do not in any way relate to the specific demarcated areas that are currently part of the public highway and will become part, essentially, of the estate. Those concerns, if there have been any, related to the actual arrangements in place. For example, there are two possibilities which were made available to the tenants association, not only the Alameda Association but also Laguna, Glacis and other estates. The possibility of granting one parking permit per household or one parking permit per authorised tenant who happens to have a vehicle. Those were the two options and that is where there may have been divergence of opinions expressed within the tenants associations. But the option that Government went for was the one the majority of tenants actually preferred. There was no notion whatsoever of any concerns expressed as to where those parking bays ought to be located.

**HON J J HOLLIDAY:**

I would just like to add to that. On the accusation of lack of consultation, I can say that I met the Alameda Estate Association on a number of occasions, they have had full input into the scheme, and so much so that at the eleventh hour they came back with another suggestion, which meant further delays, as a result of having their input and having consulted them. If I had not consulted them then there would not have

been the need, the system would have been up and running to the Government's estimation long before.

**HON G H LICUDI:**

That is certainly not the perception that we have had when people come out in public and say that this will not work, it does not give the impression that this is being done by agreement and in consultation with them.

**HON J J HOLLIDAY:**

The Opposition cannot always believe everything everybody tells them by the look of things.....

**MR SPEAKER:**

I will not comment on that but, with respect, there should be questions rather than a final statement.

**NO. 961 OF 2008**

**THE HON G H LICUDI**

**CAR PARKING – SPACES LOST AT WILLIS’S ROAD**

Can Government state how many parking spaces have been lost on the public highway as a result of the construction of the new car park at Willis’s Road?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

A total of nine spaces have been lost from the public highway along the stretch of Willis’s Road from Hayes Level down to the junction with the new road, arising from the need to maintain a two way traffic flow and provide access to the new car park. However, it must be pointed out that due to the implementation of the new one-way system down Willis’s Road, a total of 20 parking spaces have in fact been gained from the junction from Tank Ramp to Arengo’s Palace junction. This, therefore, represents a net gain of eleven parking spaces on the public highway in this area.

**SUPPLEMENTARY TO QUESTION NO. 961 OF 2008**

**HON G H LICUDI:**

As I understand the position, those additional parking spaces that the Minister refers to have not actually become available, they are still marked as no parking. In other words, the gain, that gain, has not been implemented whereby the loss has in fact been lost, even though there is a new car park with additional parking spaces. Can the Minister confirm that?

**HON J J HOLLIDAY:**

Is the hon Member referring to the Willis’s Road section? I will have to look into that. I was under the impression that if there are any road markings that should not be there, these should have been removed but I will have to get back to the Highways Section and point that out to them.

ORAL

**NO. 962 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.

## SCHEDULE TO QUESTION 962

### MANDATORY OCCURRENCE REPORTS

Gibraltar on 1<sup>st</sup> September 2008 to 25<sup>th</sup> November 2008.

Compiled by Air Safety Support International, 26<sup>th</sup> November 2008.

<b>Date</b>	<b>Airline/Aircraft</b>	<b>Brief Description</b>
26 <sup>th</sup> September 2008	IBERIA/A319	Aircraft taxied onto runway without clearance
16 <sup>th</sup> October 2008	Military	Airport vehicle enters runway shoulder without clearance
19 <sup>th</sup> October 2008	EASYJET/A320	Executed go-around, airport vehicle broken down on manoeuvring area
4 <sup>th</sup> October 2008	EASYJET/BA/NETJETS A320/B733/F2TH	Departures delayed due to 'kite surfer' activity
4 <sup>th</sup> October 2008	NETJETS/H25A	Aircraft delayed due to 'breakthrough' of Talkdown RT frequency onto Tower RT frequency
6 <sup>th</sup> November 2008	MONARCH/A320	Runway 'worker' on taxiway without clearance
19 <sup>th</sup> November 2008	EASYJET/A320	Interference between RT frequencies created ATC coordination confusion and almost caused failure to pass flight safety message

**NO. 963 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**

The monthly cost of operating the Gibraltar Airport shuttle bus to and from La Linea is as follows:-

August 2008	£2,750
September 2008	£2,200



**NO. 964 OF 2008**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – SHUTTLE BUS SERVICE**

Can Government say why the shuttle bus service at the airport run £24,750 over budget as per statement of reallocation No. 4 of 2007/2008?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

As this was a new service that was being provided, it was not possible to give an exact figure as to how much this service would cost. Therefore, a token provision of £100,000 was put into the estimates to cover the cost of this service.

The quoted statement of reallocation No. 4 of 2007/2008 of £24,750 refers to the actual outturn of the particular subhead after savings from other subheads were vired to cover the deficit.

**NO. 965 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 (British Airways);
- (b) London Gatwick (Easyjet);
- (c) London Luton;
- (d) Madrid (September 2008);
- (e) Manchester,

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 965**

			<b>SEPT</b>	<b>OCT</b>	<b>NOV*</b>
a)	London Gatwick (BA)	TIMETABLED	30	31	24
		CANCELLED	0	1	0
b)	London Gatwick (EZY)	TIMETABLED	67	61	42
		CANCELLED	0	0	0
c)	London Luton	TIMETABLED	29	30	23
		CANCELLED	0	0	0
d)	Madrid	TIMETABLED	8	-	-
		CANCELLED	1	-	-
e)	Manchester	TIMETABLED	7	14	10
		CANCELLED	0	0	0

\* Up to 24<sup>th</sup> November 2008

**NO. 966 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 (British Airways);
- (b) London Gatwick (Easyjet);
- (c) London Luton;
- (d) Madrid (September 2008);
- (e) Manchester,

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. 973 of 2008.

**NO. 967 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 in September 2008, 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**

A total of 561 passengers arrived in Gibraltar by air from Madrid in September 2008. A total of 112 stayed in Gibraltar. The remaining 449 were in transit through Gibraltar.

ORAL

NO. 968 OF 2008

THE HON DR J J GARCIA

**GIBRALTAR AIRPORT – BUS FROM LA LINEA FOR DEPARTING PASSENGERS TO MADRID**

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 in September 2008?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT

A total of seven departing passengers on the flight from Gibraltar to Madrid arrived at the air terminal on the bus from La Linea in September 2008.

ORAL

NO. 969 OF 2008

THE HON DR J J GARCIA

**GIBRALTAR AIRPORT – BUS TO LA LINEA FOR ARRIVING PASSENGERS  
FROM MADRID**

Can Government say how many arriving passengers on the flight from Madrid to Gibraltar boarded the bus to La Linea after landing here in September 2008?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT

A total of 18 arriving passengers on the flight from Madrid to Gibraltar boarded the bus to La Linea after landing here in September 2008.

ORAL

NO. 970 OF 2008

THE HON DR J J GARCIA

**GIBRALTAR AIRPORT – PASSENGERS CARRIED BY AIRLINES ON  
GIBRALTAR/MADRID ROUTE**

What was the total number of passengers carried by airlines on the Gibraltar-Madrid route, showing inward and outward bound, in September 2008?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT

The total number of passengers carried by airlines on the Gibraltar-Madrid route in September 2008 were:-

Inbound	561
Outbound	515



ORAL

NO. 971 OF 2008

THE HON DR J J GARCIA

**MARITIME/AIR LINKS WITH MOROCCO**

Can Government say whether they have received any expressions of interest from any ferry operator or any airline interested in reopening maritime or air links between Gibraltar and Morocco?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT

No Sir.

**NO. 972 OF 2008**

**THE HON DR J J GARCIA**

**AIRLINES INTERESTED IN FLYING TO GIBRALTAR**

Can Government say with how many airlines interested in flying to and from Gibraltar it is currently in discussion?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Government continue with their contacts and discussions with a number of airlines. It is not possible to provide any further information at present.

**SUPPLEMENTARY TO QUESTION NO. 972 OF 2008**

**HON DR J J GARCIA:**

Can the Minister say why exactly it is not possible to provide a number which has been provided in the past?

**HON J J HOLLIDAY:**

If I provide a number then all sorts of expectations are created. I can tell him that in the last say, few months, we have had contact, correspondence and exchanges with 24 different airlines. If that helps him, but I do not think that I want to go any further than that at this stage.

**HON DR J J GARCIA:**

Can he say, I think there is a difference between, perhaps, an enquiry or actual serious negotiations are now being conducted because they are considering flying here. Is it possible to differentiate between the two? Can he differentiate between the two, between sort of general enquiries and serious negotiations?

**HON J J HOLLIDAY:**

As a rough figure, I do not want to go through the list now and start analysing whether it is a serious one or not, but I think serious we are probably talking ten.

Others were at an early stage where we have still not had any personal meetings. Others are at the end of our discussions, in the sense that the contacts still continue but, as we know, airlines take time to take decisions and in the current world economic scenario they may want to sort of delay decisions for another six months or whatever. So there are different stages under which the contact or the negotiations, or discussions are with the different airlines. But there are 24 active files open.

**HON DR J J GARCIA:**

Would it be possible for the Minister to say whether any of these airlines will open new routes which are not presently served, to new countries which are not presently served?

**HON J J HOLLIDAY:**

Absolutely, 90 per cent of them are non-UK, 90 per cent or even over that.

ORAL

**NO. 973 OF 2008**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – DELAYED FLIGHTS**

Can Government provide a breakdown between airlines of the figures supplied to this Parliament in relation to flights between Gibraltar and London Gatwick which were delayed by more than half an hour as from the date when Easyjet and British Airways commenced on the route earlier this year?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

I am now handing the hon Member a schedule with the information requested.

**ANSWER TO QUESTION NO. 973**

**SCHEDULE TO QUESTION NO. 966**

			<b>SEPT</b>	<b>OCT</b>	<b>NOV*</b>
a)	London Gatwick (BA)	TIMETABLED	7	4	0
b)	London Gatwick (EZY)	TIMETABLED	13	4	0
c)	London Luton	TIMETABLED	7	2	1
d)	Madrid	TIMETABLED	4	-	-
e)	Manchester	TIMETABLED	2	0	0

\* Up to 24<sup>th</sup> November 2008

**SCHEDULE TO QUESTION 973**

	<b>EASYJET</b>	<b>BRITISH AIRWAYS</b>
<b>March</b>	1	0
<b>April</b>	3	2
<b>May</b>	10	7
<b>June</b>	20	4
<b>July</b>	15	9
<b>August</b>	15	10

**NO. 974 OF 2008**

**THE HON DR J J GARCIA**

**DIRECTOR OF CIVIL AVIATION – SALARY**

Can Government confirm what is the salary of the Director of Civil Aviation and on what date was it first paid?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

A Director of Civil Aviation has not yet been appointed since the Civil Aviation Act 2008 has not yet been enacted by Parliament. The post of Director of Civil Aviation will attract a salary of £82,500 per annum paid monthly in arrears. The Government have employed a person as Director of Civil Aviation designate since September 2008.

**SUPPLEMENTARY TO QUESTION NO. 974 OF 2008**

**HON DR J J GARCIA:**

Is it possible for the Minister to say whether there is any perk attached to salary, in terms of tax concessions, or in terms of residential premises or anything of that nature?

**HON J J HOLLIDAY:**

No, I am not aware of any perks.

**NO. 975 OF 2008**

**THE HON DR J J GARCIA**

**FEDRA**

Can Government say whether the investigation by the Gibraltar Maritime Administration into the Fedra accident has now concluded and if so with what results?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The investigation into the FEDRA incident is on-going and the results will not be known for some time.

**SUPPLEMENTARY TO QUESTION NO. 975 OF 2008**

**HON DR J J GARCIA:**

On the same subject, in relation to the New Flame investigation, can the Minister say how that one is proceeding?

**HON J J HOLLIDAY:**

Yes, the New Flame investigation is almost at its conclusion. However, for the sake of those who may not be aware, these investigations do take time. It is not a matter of writing out a simple report. There have to be interviews carried out with personnel of one vessel, or in the case of the New Flame the two vessels involved. There has to be communications with the flag ships of the different vessels themselves, and these things do take time. So, we are talking maybe not a year but definitely close to a year for any of these investigations to actually be concluded.

**HON DR J J GARCIA:**

Once they are concluded will the same procedure be used in making them available as has been used in the past with other investigations?

**HON J J HOLLIDAY:**

Absolutely, the procedure is to post them. We need to report them to the MCA and various international organisations and they are actually posted on our website as well, as has been the practice in the past.



**NO. 976 OF 2008**

**THE HON DR J J GARCIA**

**STORM DAMAGE TO THE CRUISE TERMINAL**

Can Government say what was the estimated cost of the damage to the Cruise Terminal, the pilot's mess and the port authority rest area during the storms in October?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The true estimate of costs of the damage to the Cruise Terminal, pilots' mess and port authority buildings cannot be given at this time. A full structural assessment and an estimate for replacement costs for buildings have not yet been completed, and old for new replacement costs have to be established. Having said that and for the sake of the public, the buildings are considered safe. At least the Cruise Terminal has been assessed and is considered safe. However, the costs expended to date are in the region of about £300,000, but that is excluding any structural remedial works which we can see will have to be done in certain parts, not necessarily the Cruise Terminal building but definitely in some of the other buildings in the area.

ORAL

**NO. 977 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.

**SCHEDULE TO QUESTION NO. 977**

**SHIP CALLS SINCE SEPTEMBER 2008 INCLUSIVE**

	<b>September</b>	<b>October</b>
(a) Bunkering	516	560
(b) Cargo	16	21
(c) Repairs	13	18

**BUNKERS SOLD (TONNES)**

<b>September</b>	<b>October</b>
360,618	348,403

ORAL

NO. 978 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 House?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT

No new bunkering licences have been issued nor has there been any application for such a licence since the last Question Time in this House.

**NO. 979 OF 2008**

**THE HON DR J J GARCIA**

**CONFERENCES SPONSORED OR CO-SPONSORED BY GOVERNMENT**

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**

The EUCARIS conference that took place in Gibraltar from 30 September to 2 October was sponsored by the Government and was hosted by the Department of Transport. The cost of this conference was £14,052.93.

ORAL

**NO. 980 OF 2008**

**THE HON DR J J GARCIA**

**ADVISORY COUNCIL MEETINGS**

How often and what dates have the following met since the information supplied at the last Question Time in this Parliament:

- (a) the Port Advisory Council;
- (b) the Business and Commerce Advisory Council;
- (c) the E-Business Advisory Council?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Port Advisory Council, Business and Commerce Advisory Council and E-Business Advisory Council have met once on the 9<sup>th</sup> October 2008 since the information supplied at the last Question Time in this Parliament. In fact, they were due to have another meeting of all these things today, but it has had to be postponed as a result of the House.

**NO. 981 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 hand over to the hon Member a table containing the information requested.

**SCHEDULE TO QUESTION NO. 981****ERDF C&EO 2007-2013 PROGRAMME**

<b>Project No.</b>	<b>Sponsor</b>	<b>Status</b>	<b>ERDF</b>	<b>GOG</b>	<b>Purpose of Grant</b>
2	Computer Repairs	Active	£9,510-00 (15%)	£9,510-00 (15%)	Renovation Works.
3	Mons Calpe Suite Renovation	Active	£74,351-68 (13%)	£74,351-68 (13%)	Building & Renovation Works.
4	Atlantic Fitness Club	Active	£73,620-86 (15%)	£73,620.85 (15%)	Building Works, Purchase of Equipment, Marketing & Website.
5	Health & Safety Services	Active	£26,772-25 (15%)	£26,772-25 (15%)	Renovation Works, Purchase of Equipment, Import Duty & Freight Charges.
6	Photo Finishing	Active	£2,070-39 (15%)	£2,070-39 (15%)	Equipment, Software, Advertising & Import Duty.

**ESF C&EO 2007-2013 PROGRAMME**

<b>Project No.</b>	<b>Sponsor</b>	<b>Status</b>	<b>ESF</b>	<b>GOG</b>	<b>Purpose of Grant</b>
5	CTC Intake 13	Active	£41,577 (50%)	£41,577 (50%)	Training
6	CTC Intake 14	Active	£72,351 (50%)	£72,352 (50%)	Training
7	EmpAssist	Active	£10,400 (50%)	£10,400 (50%)	Technical Assistance for Employment Agency



**SUPPLEMENTARY TO QUESTION NO. 981 OF 2008**

**HON DR J J GARCIA:**

In relation to Question No. 981, the answer has been given, it says Sponsor and then there are various items like computer repairs, Mons Calpe Suite Renovation, are those the names of companies? Where is the name of the company that received the EU funding?

**HON J J HOLLIDAY:**

I am afraid he is right, the names of the companies are not shown, but I can give them to him because I have them here because I asked for a copy of all the relevant programmes application summary. Project 2 is Newton Systems Limited which is in respect of computer repairs. Project 3, which is the Mons Calpe Suite Renovation, is MH Bland. Project 4 is Atlantic Suites Health Club, which is Atlantic Fitness Club. Project 5 is HSE Consulting Limited and Project 6 is actually Photofinish Limited. My apologies for that.

ORAL

**NO. 982 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 in the last Question Time in this Parliament and on what dates?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Development and Planning Commission has met on three occasions since the last Question Time. The dates are, on 29<sup>th</sup> September, on 8<sup>th</sup> October and 5<sup>th</sup> November.

**NO. 983 OF 2008**

**THE HON DR J J GARCIA**

**MINISTER'S RECUSAL FROM PLANNING PERMISSION APPLICATIONS**

Can Government say on how many occasions in 2006, 2005, 2004 and 2003 the Hon Minister with responsibility for planning and development recused himself (or declared an interest and not participated in discussions or voted) from the consideration of any application for planning permission?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

As Chairman of the Development and Planning Commission, I have recused myself (or declared an interest and not participated in discussions or voted) as follows:-

2003	-	none
2004	-	1
2005	-	2
2006	-	none
2007	-	4
2008	-	7

I would just like to point one thing out for the sake of accuracy, that is that in respect of 2007/2008 all the minutes are in a database and, therefore, one can easily pinpoint by the name if I have declared an interest or not. In respect of 2003, 2004 and 2005 we actually had somebody, in trying to provide an answer, going through all the minutes and all the records of DPC to see. So they may not be 100 per cent reliable in that we are depending on the sort of exercise of having a person physically going through all the minutes. So I am giving this in good faith rather than say it is an insurmountable task to give the information. But that is what was produced.

**HON DR J J GARCIA:**

I am grateful to the Minister.

**HON J J HOLLIDAY:**

In case you come out later and say ah you told me two but really there were three.

ORAL

**NO. 984 OF 2008**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – 45 ENGINEER LANE**

Can Government say how many representations have been received by the DPC in respect of the application for planning permission by Crestfield Properties Ltd for 45 Engineer Lane?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Four representations have been received in respect of properties by Crestfield Properties Limited of 45 Engineer Lane.

ORAL

**NO. 985 OF 2008**

**THE HON DR J J GARCIA**

**MINISTER'S RECUSAL FROM PLANNING PERMISSION APPLICATIONS**

Given his answer to Question No. 624 of 2008, how many different applications were involved in the 11 occasions since 2007 that the Hon Minister with responsibility for planning and development did not participate in discussions or vote in the DPC?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 986 of 2008.

**NO. 986 OF 2008**

**THE HON DR J J GARCIA**

**MINISTER'S RECUSAL FROM PLANNING PERMISSION APPLICATIONS**

How many of the different applications which related to the 11 occasions since 2007 referred to in answer to Question No. 624 of 2008 that the Hon Minister with responsibility for planning and development did not participate in discussions or vote, were approved, denied or are still pending?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

There were 11 different applications. All 11 applications have been approved by the Development and Planning Commission, obviously not necessarily straightforward, but maybe with conditions and caveats to them.

**SUPPLEMENTARY TO QUESTION NOS. 985 AND 986 OF 2008**

**HON DR J J GARCIA:**

Could he list the 11 applications, does he have that information available?

**HON J J HOLLIDAY:**

It is from extracts of minutes. The 11 were....., what sort of details does the hon Member want? The building application number and who they were in respect of?

**HON DR J J GARCIA:**

Yes.

**HON J J HOLLIDAY:**

BA 10612 – 12 Admiral's Place, which happens to be my sister's residence.  
BA 10561 – 20 Line Wall Road , this is in respect of some scheme in Capurro's garage, who happens to be my brother-in-law.  
BA 10717 – 57 Devil's Tower Road, I think it is a plot of land associated with my brother-in-law as well.

BA 10778 – 20 Line Wall Road, another brother-in-law. Unfortunately, I have got five sisters, so.

BA 10840 – 1B Tuckey's Lane, that is my brother, without the law.

BA 10058 is actually Gibtelecom, where as Chairman, I have for some time always declared an interest. Although it is not strictly speaking the case, but I have declared an interest as Chairman of Gibtelecom.

BA 10862 is Mount Pleasant, again, Gibtelecom.

BA 10860 – 16 Windmill Hill Flats, Lathbury, that is Gibtelecom again.

BA 10872 – Mount Pleasant, Gibtelecom.

BA 10816 – Lathbury Barracks, GibElec Authority, again, I am the Chairman of the Gibraltar Electricity Authority.

BA 10880 – Mount Pleasant, South Barracks Road.

ORAL

**NO. 987 OF 2008**

**THE HON DR J J GARCIA**

**MOUNT BARBARY – BA 10941 (PARTIAL DEMOLITION)**

Can Government describe what part of Mount Barbary in Mount Road the present owners were authorised to demolish by the DPC in relation to application number 10941?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Under BA 10941 in respect of Mount Barbary in Mount Road, the partial demolition of the property was approved by DPC on 7<sup>th</sup> August 2008. However, a Demolition Permit has not been issued since some of the technical matters associated with the application had not been completed. Since then the application has been withdrawn by the applicant who has submitted a new application for the full demolition of the building. This new application has not yet been considered by DPC.



ORAL

**NO. 988 OF 2008**

**THE HON DR J J GARCIA**

**PLANNING APPLICATION – AKS ARCHITECTS - 47 LINE WALL ROAD**

Can Government say with respect to the planning application by AKS Architects to construct a new office development at 47 Line Wall Road:

- (a) how many representations have been received by the DPC;
- (b) whether planning permission has been granted and if so on what date?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

A total of six representations have been received, one of which was on behalf of ten persons. This project is currently going through the planning process and so planning permission is still under consideration.

ORAL

**NO. 989 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 list of applications received between 18<sup>th</sup> September and 25<sup>th</sup> November. For each application the decision, applicant's name, description and site address is given.

**SCHEDULE TO QUESTION 989**

***APPLICATIONS RECEIVED BETWEEN: 18/09/08 AND 25/11/08***

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
10988	Duncan Quigley	Internal alterations and alterations to façade.	Pending	81 Cloister Building Irish Town
10989	Mr R J Labrador	Proposed car port.	Pending	35 John Snow House Europa Road
10990	Breckland Trading Co. Ltd	Proposed internal alterations to convert existing residential maisonettes into offices to include minor demolitions and minor structural additions.	Approved	7/9 Cornwallis Lane
10991	Mr & Mrs A. Cortes	Proposed construction of a pool.	Pending	5/1 Naval Hospital Hill
10992	Gibtelecom Ltd (Fixed Network	Proposed manhole and ducting works.	Approved	Post Office Sort Depot Car Park Mons Calpe Road
10993	Monaco Ocean Village Ltd	Proposed office fit out.	Pending	Suite D 2nd Floor Leisure Island Ocean Village
10994	Princess Prop. Ltd, Plaza	Proposed conversion of existing wash-house into a bed-sitter.	Pending	8/8 Crutchett's Ramp
10995	Matthias Wennich	Proposed office refurbishment.	Approved	751 Europort
10996	Mr Peter Cabezuto	Proposed building and extension to B.P. Petrol Station/Yacht terminal.	Pending	1B Waterport
10997	Mr Sean Johnson	Proposed refurbishment and minor structural alterations including a new terrace and mezzanine floor.	Pending	Cable car top station Signal Station Road
10998	Mr & Mrs M & S Morello	Proposed fitting new window in place of glass blocks.	Approved	24/1 Scout Hill
10999	Sue West	New lift and side door entrance for disabled access	Pending	The Convent Main Street
11000	Crestfield Properties Ltd	Conversion of 3 houses, extended to create 8 apartments with 4 additional garages and storage.	Pending	45 Engineer Lane
11001	Jamin Ltd	Canopy cover, roller shutter for side and roof cover for front terrace	Pending	19 The Sails Ocean Village Promenade Ocean Village
11002	Colin Vaughan	Existing garage refurbishment	Pending	Garages Red Sands Road
11003	Mr & Mrs Damian Conroy	Proposed conversion to combine two flats into one.	Pending	83/84 Rosta Dale

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11004	D J Mosquera Riba	Proposed fit out of newly constructed office accommodation.	Pending	4/1, 4/2 & 4/3 Waterport Place North Mole Road
11005	John Licudi Consulting Ltd	Proposed demolition and construction of new Magistrates Building, Supreme Court Rooms and external and internal refurbishment of existing Law Courts Building.	Pending	Law Courts Town Range
11006	Dragados S.A	Proposed construction of new air terminal.	Pending	Airport terminal Winston Churchill Avenue
11007	J J De La Paz Consulting	Construction of swimming pool and small retaining wall in back garden.	Pending	37 Lancashire House Europa Road
11008	Government of Gibraltar	Construction of telecom masts and associated building.	Pending	British Lines Road
11009	Diana Bray	Internal alterations and glazing to balcony facade opening.	Approved	18 Britannia House Marina Bay
11010	The President	Proposed extension to clubhouse.	Pending	6 Calpe Rowing Club Europort Road
11011	Mr Peter Oton	Residential extension.	Pending	4 Lower Bruces Farm Upper Rock
11012	Elderly Care Agency	Proposed clinical waste area	Pending	34 Line Wall Road
11013	John O'Reilly	Proposed glazed extension for sunroom to west facing terrace, lightweight glazed facade with bi-fold doors.	Pending	505 Neptune House Marina Bay
11014	Min.of Enterprise	Proposed minor office alterations.	Pending	Suite 771 Europort Road Europort
11015	Gibunco Group	Proposed internal office alterations.	Pending	721 Europort Building Europort Road Europort
11016	Ms S Traverso	Proposed conversion of flat into a maisonette	Pending	23/4 Cumberland Road
11017	Rafael Benaim Esq	Proposed fit out of existing vault for use as retail premises.	Pending	Unit 2 West Place Of Arms
11018	Mrs Kamini Bhambhwan	Proposed roller shutter to door and replacement sign.	Pending	284 Main Street
11019	Gibraltar Land Reclamation	Proposed housing project	Pending	Mid Harbour Housing Project Europort Road
11020	Mr Owen Adamberry	Proposed replacement of balcony railings.	Pending	17 Blackwood Tower Brympton
11021	Mr Anthony Adamberry	Proposed replacement of balcony railings.	Pending	18 Blackwood Tower Brympton
11022	M E Bellio & Partners	Demolition of outbuildings.	Pending	24/28 Lancaster Road

26 November 2008

Page 2 of 3

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11023	Monaco Ocean Village Ltd	Erection of Royal Marine memorial.	Pending	Leisure Island Ocean Village
11024	LC Groundworks Ltd	Proposed change of use of from filling station to sub-contractors office.	Pending	Rock Hotel car park
11025	M Wegold	demolition of building	Pending	Mount Barbary Mount Road
11026	Janet Waterfield	Proposed removal of central piers to 2 no windows to create enlarged window openings.	Pending	503 Neptune House Marina Bay
11027	Essardas Jewels	Refurbishment of shop premises.	Pending	15 Main Street
11028	Andrews Kent and Stone	Modification to existing shop front	Pending	159 Main Street
11029	Entertaining Party	Fit out for office use including: 1) electrical installation, 2) Data Cabling and 3) Partitions	Pending	Suite 2B Waterport Place
11030	Hubert Caetano	Minor works fit out of café bar.	Pending	No 2 Electra Flats Scud Hill
11031	Essardas Property Holdings	Refurbishment of shop premises.	Pending	60 Main Street
11032	Talent Trading Ltd	Proposed enclosure of external terrace area.	Pending	Unit 17 Ocean Village Promenade Ocean Village

**NO. 990 OF 2008**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION**

Can Government say whether planning permission has now been granted in respect of the applications which were listed as pending in answer to Question No. 626 of 2008:

- (a) Stan James, Marina Bay, one storey extension;
- (b) 1,3,5 Crutchett's Ramp and Unit FP 18 Casemates Square for a retail and office development;
- (c) Desmond Walsh, 1a Cumberland Road, residential and offices?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Planning permission in respect of the Stan James, Marina Bay one storey extension, and 1, 3, 5 Crutchett's Ramp and Unit FP 18 Casemates Square for a retail and office development are under consideration by DPC. Desmond Walsh, 1a Cumberland Road, residential and offices has been refused by DPC. However, the refusal notice has not yet been issued, but I have made it public because the applicant is aware of the fact that it has been refused already.

**NO. 991 OF 2008**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – EXTENSION TO SUNRISE MOTEL**

Can Government say whether it is their policy to support the construction of an extension to the Sunrise Motel in Devil's Tower Road and confirm whether planning permission has now been granted to this project?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Outline planning permission has already been granted to the Sunrise Motel, Devil's Tower Road. However, at the last meeting of DPC, the Commission considered the full planning application and was dissatisfied with the architectural character proposed. DPC is now waiting for a revised submission following discussion with the applicant.

**NO. 992 OF 2008**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – OCEAN VILLAGE WATERSIDE VILLAS**

Can Government say whether and if so on what date, planning permission has been granted to Ocean Village Waterside Villas for the proposed construction of 72 waterside villas and apartments with associated berthing at Marina Bay (application 10723)?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Planning permission has not been granted in respect of BA 10723 for the construction of 72 waterside villas.

**SUPPLEMENTARY TO QUESTION NO. 992 OF 2008**

**HON DR J J GARCIA:**

There is a project of villas and apartments in that area that is being marketed already. Does that refer to this project or something else?

**HON J J HOLLIDAY:**

That is correct, the Development and Planning Commission are aware that this project exists. In fact, I can say that the Secretary of the Planning Commission actually wrote to the developers of this project which was being marketed, putting them on notice the fact that they did not have planning permission for the project to proceed. Even though the developer is perfectly entitled to market a project which may not have any planning permission under the law, we wanted to bring it to the attention of the developers to ensure that the developers later on did not use the pretext of saying, "please allow us to proceed because we have x number of purchasers interested in buying", and putting the DPC under any form of pressure. I can say that the developers of this particular project have actually confirmed to DPC that they were aware of the situation, but that they were only trying to see what sort of reaction there was in the market considering the current world economic situation, to see whether it was worth pursuing or not. As a test sort of thing, and that is the position.



**HON DR J J GARCIA:**

Is it possible for the Minister to say, obviously in general terms, this application has been there for a long time, I remember asking questions about it, is the issue the size of the project, or the scale of the project or is it another issue of policy?

**HON J J HOLLIDAY:**

No, I am not sure how much detail I could really be airing across the floor of the House, but I am happy to give him further information, if he wishes, after what I tell him. There was an initial submission made to DPC over the overall area, including the berthing and other sort of general overall planning, and the DPC was minded to allow the project to proceed on that basis. However, when they came to actually submitting the project for full planning, they actually came up with a project which had increased quite substantially in massification, they had included garages, they had included a thoroughfare along the old Marina Bay and that had tremendous implications to the overall area. So, therefore, they were told to go back to the drawing board and come up with an alternative. They have not done so yet, so therefore when we heard and, in fact, a close relative of mine actually received a letter being offered the scheme, it was immediately brought to my attention. We sort of wrote to them saying, "do not think that you are going to put us under pressure", which is what I said before, and they acknowledged that that was the fact, but they wanted to test the market. They are perfectly legally entitled to do that, but we wanted to put them on notice that they were not going to put the DPC under unnecessary pressure on the matter.

**HON DR J J GARCIA:**

Was it a letter which said that many of them had been allocated to different people and there had been great interest in the different villas and apartments, is that the letter?

**HON J J HOLLIDAY:**

Well, both relatives of mine received a letter from an estate agent, saying this is the project that is going to be marketed, please confirm if you are interested in listing. Of course, the person concerned said to me, "have you seen this?" I said "what?" and said "what the hell is going on?". So I then took the action of bringing it to the notice. In fact, the letter was discussed at the last meeting of the DPC as was the reply so that all members were conversant with the proposed action, and I wanted to make sure all members of the DPC were in agreement with my initiative in getting the secretary to write that letter. I did so because I felt that time was of the essence and the matter could not really wait until the next meeting, as maybe by that time all the villas would have all been sold if it had been successful.

ORAL

**NO. 993 OF 2008**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – 45 ENGINEER LANE**

Can Government say whether planning permission has been granted to Crestfield Properties Ltd to convert the property at 45 Engineer Lane into 6 apartments by adding two floors and reconfiguring the existing layout?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Application BA 11000 – 45 Engineer Lane, has been through the public participation process and shall be tabled for consideration at the next meeting of the Development and Planning Commission which is scheduled now for 11<sup>th</sup> December, if we do not adjourn to that date, because every time I set a date something happens in the last couple of weeks. But it is scheduled now for the 11<sup>th</sup> December.

ORAL

**NO. 994 OF 2008**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID ADVISORY COMMITTEE MEETINGS**

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**

There have been no meetings of the Development Aid Advisory Committee since the information supplied at the last Question Time in this Parliament.

**NO. 995 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 July 2008 was as follows:-

	Value of Computers (£ thousands)
July 2008	914
August 2008	1,686

**NO. 996 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**

The number and value of goods vehicles imported by individuals and licensed dealers on a monthly basis since July 2008 was as follows:

	<u>Goods Vehicles Imported by Individuals</u>		<u>Goods Vehicles Imported by Licensed Dealers</u>	
	<u>Number</u>	<u>Value (£ thousands)</u>	<u>Number</u>	<u>Value (£ thousands)</u>
July 2008	-	-	39	555
August 2008	-	-	5	40

**NO. 997 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**

The number and value of private motor vehicles imported by individuals and licensed dealers on a monthly basis since July 2008 was as follows:-

	<u>Private Motor Vehicles Imported by Individuals</u>		<u>Private Motor Vehicles Imported by Licensed Dealers</u>	
	<u>Number</u>	<u>Value (£ thousands)</u>	<u>Number</u>	<u>Value (£ thousands)</u>
July 2008	21	66	619	8.0
August 2008	23	96	521	7.0

ORAL

**NO. 998 OF 2008**

**THE HON DR J J GARCIA**

**PAYMENTS MADE BY THE DEVELOPER OF OCEAN VILLAGE – WATERSIDE VILLAS AND APARTMENTS**

Can Government list the payments that have been made by the developer of Ocean Village in respect of the project for waterside villas and apartments in the Marina Bay area indicating the amount of the payment, the date on which it was made and what it was in respect of?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

The developer of Ocean Village Investments Limited made a payment of £1.4 million for development rights, in an area of water partly within the Marina Bay leased area and partly to the west of both Sheppard's Marina and Marina Bay leases, for a residential development with ancillary berths. The payment was made on 27<sup>th</sup> March 2007.

**NO. 999 OF 2008**

**THE HON DR J J GARCIA**

**INVEST GIBRALTAR OFFICE – ASSISTANCE TO START-UP COMPANIES**

How many start-up companies were assisted to commence trading in Gibraltar by the Invest Gibraltar office in 2008 to date and what form did this assistance take?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The role of the Invest Gibraltar Office is to assist an interested party to start up, expand or diversify business interests in Gibraltar. The Office has conducted 95 face-to-face meetings with prospective entrepreneurs since 1<sup>st</sup> January 2008 to 27<sup>th</sup> November 2008. During that period it has successfully assisted to start up 17 businesses.



**NO. 1000 OF 2008**

**THE HON DR J J GARCIA**

**DRAFT DEVELOPMENT PLAN**

When does the Government envisage that the changes that have been proposed to the Draft Development Plan will be exhibited?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

It is envisaged that the proposed changes to the Draft Development Plan will be exhibited early next year.

**SUPPLEMENTARY TO QUESTION NO. 1000 OF 2008**

**HON DR J J GARCIA:**

Have the meetings which were supposed to take place with the different people who made submissions to the DPC over the Development Plan now all happened and have they all been notified of the results?

**HON J J HOLLIDAY:**

Well, we definitely met everybody that had to be met. I do not think that they are notified of the results, I am not 100 per cent sure if they are actually notified at this stage, or whether they are actually notified before the appropriation assessment, or the screening of opinion in respect of the appropriation assessment has been concluded by the development of the environment. Obviously, the changes may have to be assessed and may not be valid after all. So I think when that exercise is finished is when they are notified. That exercise, I am told, should probably be ready next week. But I have asked that the exhibition with the changes should not actually happen till the new year. There is a statutory time frame under which the exhibition has to be done and it would really happen during the Christmas period when people are not really focussed on issues such as this. I would rather leave it till January to enable the public to have a second bite at the cherry if they require.

**HON DR J J GARCIA:**

Who did he say was carrying out the assessment of the changes, I did not catch that?

**HON J J HOLLIDAY:**

Well, the screening opinion in respect of the need for an appropriation assessment is done by the Department of the Environment. It is done internally by experts within that department.

**NO. 1001 OF 2008**

**THE HON DR J J GARCIA**

**DIALOGUE WITH CHAMBER OF COMMERCE**

Can Government say whether and if so on what date the dialogue between them and the Chamber of Commerce to see what they might be able to do to assist those businesses in the retail and wholesale sector that are going through difficult times has commenced?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government have not yet held discussions on this matter with the Chamber of Commerce.

**SUPPLEMENTARY TO QUESTION NO. 1001 OF 2008**

**HON DR J J GARCIA:**

Is this something they intend to start? What kind of time scale do they envisage is going to elapse before these discussions take place?

**HON J J HOLLIDAY:**

There is a meeting scheduled, which I think was scheduled this week and as a result of Parliament we have had to reschedule now for early January, but I assume that this will be one of the main issues to be discussed at that meeting. I do not think that this is an issue, in any case, that was going to be discussed in one particular meeting. I think we will need a process of various exchanges before we can come up with something which is feasible and which the Government can work with.

**HON DR J J GARCIA:**

Would they be looking at assistance for specific sectors of the retail and wholesale trade, or just something which they tend to do across the board?

**HON J J HOLLIDAY:**

Well, I think I would be pre-empting what they intend to discuss, but being a businessman myself in my previous life and part of this life, I think that there is probably the need for assistance in certain sectors only. I think that there are sectors of the economy that are doing very well but others may need help. Therefore, I think, we will focus on certain areas on not a general broad brush approach. But we will have to listen to those who are actively in trade today to hear what they have to say.

**HON DR J J GARCIA:**

Do Government already have a policy in terms of what form the assistance is going to take, or are they open to being persuaded by the trade?

**HON J J HOLLIDAY:**

No, we are open-minded about this. There are certain issues that have been raised, not in the context of this, and I think that the question has probably come about as a result of a statement made by the Chief Minister during the Budget session. I think it was probably picked up from that. In the past there have been suggestions made by the Chamber that have not been acceptable to the Government. But, obviously, we remain open and, obviously, we also need to take into account the current world economic situation, which may affect certain sectors of the economy in Gibraltar. It remains to be seen.

**HON DR J J GARCIA:**

Do they intend to repeat the exercise with the Federation of Small Businesses as well or not?

**HON J J HOLLIDAY:**

Well, the Gibraltar Federation of Small Businesses have not asked for that to be done. The Chamber has, so therefore, I remain open. I have had meetings with the Federation in the past as its Chairman so elegantly said during his speech at the annual general meeting, but never raised an issue such as this in focus. But my door remains open for them to be able to approach the subject if they so wish. I am not going to go around asking who wants cheques because everyone is bound to put their hands up.

**NO. 1002 OF 2008**

**THE HON DR J J GARCIA**

**PORT DEPARTMENT – VTS SYSTEM**

Can Government say whether the review of the VTS system at the Port Department has now been completed and if so with what result?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

A review of the VTS system has nearly been completed. However, the timescale remains the same as previously answered in this House. The equipment should be operational by mid 2009, allowing for a bedding in period in order to meet EU compliance by the end of 2009.

ORAL

NO. 1003 OF 2008

THE HON DR J J GARCIA

QUESTION WITHDRAWN

**NO. 1004 OF 2008**

**THE HON J J BOSSANO**

**LANDING FEES COLLECTED**

Can Government state how much has been collected in Landing Fees to date and does Government still expect to receive the estimated amount of £600k in the current financial year?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Up till Thursday 26<sup>th</sup> November 2008, the total of £301,584.94 was collected in Landing Fees. The Government expect to achieve the estimated amount of £600,000 in the current financial year.

ORAL

NO. 1005 OF 2008

THE HON N F COSTA

**GIBRALTAR CAR PARKS LIMITED – STAFFING**

Can the Minister say whether Gibraltar Car Parks Limited has now been appropriately staffed?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT

The company has one employee taken from the MOD/ISP Safety Net company, and also the ex KIJY Parking staff. The Government are currently assessing what further arrangements may be required for the operational management and direction of the company.



ORAL

**NO. 1006 OF 2008**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can the Minister for Health say whether the new arrangements for hospital users to park at Europlaza will be operational before Christmas as she told this Parliament in answer to Question No. 442 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 1007 and 1008 of 2008.

**ORAL**

**NO. 1007 OF 2008**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can Government say how many parking spaces will be made available in Europlaza for users, staff and visitors to the hospital?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 1006 and 1008 of 2008.

**NO. 1008 OF 2008**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can the Minister for Health say what the new arrangements for hospital users to park at Europlaza will be: whether the car park will be available for use by hospital patients and/or staff and/or visitors and whether or not at cost to all users or some users?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

This car park will be managed by Gibraltar Car Parks Limited. It is not yet clear whether it will be operational by Christmas. The car park's use will primarily be in relation to the hospital. The pre-use regime has yet to be finalised.

**SUPPLEMENTARY TO QUESTION NOS. 1006 TO 1008 OF 2008**

**HON N F COSTA:**

If I recall correctly on the last occasion, I believe it was the Hon the Chief Minister confirming what the Hon Lt-Col E M Britto said, that the car park would be operational by Christmas. Is it now the case then that it will not be operational by Christmas?

**HON J J HOLLIDAY:**

I have said it is not quite clear yet. We have had meetings laid on during the course of this week. These have now had to be postponed to about ten days or a week or two from now, and so therefore, we do not know whether the decisions that we take there will be implemented before Christmas or not. So it is not quite clear until we have the meetings concerned.

**HON N F COSTA:**

Could the Minister say, of course the reason why I asked the question is because of people who try to access the hospital and find that they cannot park anywhere near or conveniently to the hospital, and one of the concerns that arise is, will the car park first of all be made available to members of the public who are going to be visitors to

the hospital, and do they foresee that those people, that is, visitors, will be charged or is the policy thinking that they will not be charged?

**HON J J HOLLIDAY:**

I would be pre-empting the policy decision that is due to take place. So, therefore, definitely the options are going to be given consideration but I would not want to give any false expectations until the policy has been agreed.

ORAL

**NO. 1009 OF 2008**

**THE HON C A BRUZON**

**HOUSING – TENANCIES AT RIALTO BUILDING**

Can Government confirm that the tenancies at the Rialto building, Turnbull's Lane, continue to be protected, subject to rent control under the new Housing Act 2007, as they were under the previous legislation?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 1010 of 2008.

**NO. 1010 OF 2008**

**THE HON C A BRUZON**

**HOUSING – TENANCIES AT RIALTO BUILDING**

Can Government state why the Minister for Housing has not answered my letters concerning the tenancies at the Rialto building?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Certainly, two letters from the hon Member dated 10<sup>th</sup> July and 1<sup>st</sup> September, were duly acknowledged immediately upon receipt. A substantive reply has not yet been forthcoming, although in fact, a draft reply was prepared by me back in September. The reason why a reply has not been forthcoming is because the Rialto building has for some time now been the subject of legal proceedings, and it was not felt appropriate to comment on aspects of these to a third party. As an aside, however, and given the hon Member's apparent concern or interest in the matter, I think he will be pleased to know that I have been in direct communication with, and have in fact met and assisted a number of tenants of the Rialto building.

As far as Question No. 1009 is concerned, which is the more substantive part of the questions, it is not for Government to provide legal advice to the hon Member across the floor of this Parliament, and it would certainly be wrong to do so in a particular case affecting a private individual.

**SUPPLEMENTARY TO QUESTION NOS. 1009 AND 1010 OF 2008**

**HON C A BRUZON:**

I am just asking as a politician, I am asking the Minister as a politician, who should be able to offer advice, not advice but answer questions in Parliament so that I can go back to my constituents with a reply.

**MR SPEAKER:**

I think I should rule that question as out of order because Erskine May provides that it is not proper to seek an expression of opinion on a question of law. It would be totally improper for the Minister to advise on a question of law. It is definitely inadmissible as a question. Erskine May, page 349, paragraph 8.

**HON F J VINET:**

Once I return to practise I will be very happy to provide that information to him.

**HON F R PICARDO:**

Another way of formulating the question to the extent that it would not require the expression of an opinion but would provide the hon Gentleman with the information that he requests, is whether the Minister can tell us the age of the Rialto building, which would then enable the hon Member to assess for himself by looking at the legislation, whether that is a building that falls within the legislation or not.

**MR SPEAKER:**

Is that a matter for Ministerial responsibility, the age of a building and private enterprise? I would have thought not.

**HON F J VINET:**

I do not have the information before me in any case.

**HON F R PICARDO:**

I would have thought that all property in Gibraltar comes from the Crown, this would have a Crown property number, there will be a building erected upon it as a result of it being a Crown property subject to a licence from the Crown, the Minister as a Minister of the Crown should be able to tell us.

**MR SPEAKER:**

We can all do searches at Crown lands and get the information ourselves. The question is still inadmissible.

**HON F R PICARDO:**

As I am sure Mr Speaker knows, it is sometimes very difficult for individuals to determine a Crown property number and sometimes it is not possible to search without a Crown property number. Whilst for the Minister it would be very easy to simply say, I will find out and tell him tomorrow. If we were interested in providing information to enable the hon Gentleman to determine whether or not it is. But if we were interested simply in sticking to the letter in the rules then.....

**MR SPEAKER:**

The rules, as I am sure the hon Member will agree, prohibit asking questions which elicit an expression of opinion on a question of law. That is very clear, there is no doubt about that. But if any Member wishes to formulate a question along the lines

which the Hon Mr Picardo suggested, a perfectly valid question, then the Minister may or may not know the answer.

**HON F R PICARDO:**

I have asked the Minister and he says he does not have the answer. I am grateful for Mr Speaker's general ruling because perhaps next time it could come with notice and a Minister, perhaps not necessarily the Housing Minister if it is not a Government property, may be able to provide the answer from Government records.

**MR SPEAKER:**

The Minister is just sitting very quiet.

**HON F R PICARDO:**

I suppose it is actually the Minister with responsibility for Crown Lands, who I think is the one that is missing or has been missing for most of the afternoon.

**HON F J VINET:**

Yes, I would be more than happy to provide the information requested if due notice is given, but certainly not if it were to go against the direction given by Mr Speaker.

**HON F R PICARDO:**

I agree and that is why, I think, the question as I propose it should be formulated, would not contradict the ruling as Mr Speaker has indicated.

**HON C A BRUZON:**

Then again, I think the Minister has said that he is preparing a substantial reply to my letter.

**HON F J VINET:**

No, I actually said that the letter is drafted, if someone were to trespass into my office he or she would be able to access the information, it is on my desk. But I am not able at this moment in time to send the letter to the hon Member.

**HON G H LICUDI:**

We will resist the temptation to carry out burglary at the Minister's office at his invitation, unless of course, he leaves the door open in which case it might not be forced entry and it would not be burglary. The Minister has given the reason why he is not able to reply to my hon Colleague and he has referred to litigation. Without wanting to get into the details, and it may be that he gave the answer before I am not



sure, is this litigation that the Government are involved in in respect of these particular buildings?

**HON F J VINET:**

No, but without wishing to go into the detail and if I were to then there would be no point in my previous answer, there is an overlap in the information being sought and the legal proceedings currently in place.

ORAL

**NO. 1011 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. 1012 to 1014 of 2008.

ORAL

**NO. 1012 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. 1011, 1013 and 1014 of 2008.

ORAL

**NO. 1013 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**

Answered together with Question Nos. 1011, 1012 and 1014 of 2008.

ORAL

**NO. 1014 OF 2008**

**THE HON C A BRUZON**

**HOUSING – SALE OF 50% SHARE IN CO-OWNERSHIP HOMES**

Can Government state if there has been any sale of the Government 50% share of co-ownership homes as from September 2008, providing a breakdown by month and estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule with all the information that he asks for.

**ANSWER TO QUESTION 1014**

**Answer to Questions 1011 to 1013**

**Breakdown of sales details at Nelson's View, Bayview Terraces and Cumberland Terraces by purchaser share**

	50%	55%	60%	65%	70%	Purchaser share				85%	88%	100%	Total
						75%	78%	80%	82%				
<b>Development</b>													
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	27	76
Cumberland Terraces	46	0	26	0	22	3	0	5	1	1	1	24	129
<b>Total</b>	<b>70</b>	<b>2</b>	<b>44</b>	<b>2</b>	<b>71</b>	<b>11</b>	<b>1</b>	<b>14</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>104</b>	<b>323</b>

Cont....

**CONT ANSWER TO QUESTION 1014**

**Answer to Question 1014**

	SWJG	Montagu Gardens	West View Park	Harbour Views	Montagu Crescent	Totals
Sep-08 Monies Received		£29,450.76				£29,450.76
Oct-08 Monies Received	£79,103.10					£79,103.10
Totals	£79,103.10	£29,450.76	£0.00	£0.00	£0.00	£108,553.86

ORAL

**NO. 1015 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. 1016 to 1019 of 2008.



ORAL

**NO. 1016 OF 2008**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES**

Can Government state what are the current estimated dates for the completion in connection with the various phases of Waterport Terraces?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1015 and 1017 to 1019 of 2008.

ORAL

**NO. 1017 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. 1015, 1016, 1018 and 1019 of 2008.

ORAL

**NO. 1018 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. 1015 to 1017 and 1019 of 2008.

**NO. 1019 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**

In a recent public statement the hon Member said that the Government had distorted the truth by promising completion dates to the purchasers of Waterport Terraces and then breaking their promise again and again. If the hon Member is interested in the truth, as he repeatedly professes, then he will wish to know that the Government, in fact, has never made any promise, nor even a commitment, to any purchaser about any completion date.

The Waterport Terraces contractor's commitment is currently to complete all of the phases by the end of this year. This, in the Government's view, is unlikely to be met. The Government believe that completion is more likely to take place during the first quarter of next year. The snagging programme is expected to be completed in February 2009, with completions of the earlier blocks continuing in parallel. Practical completion of three blocks has already been achieved, with completion of a further two blocks estimated to take place in early December. Albert Risso House, which is a Government rental scheme, continues to be expected to be completed in the second quarter of next year. These are the best indications that the Government are able to give and the hon Member should not convert them into a broken promise in his next public statement.

Based on the advice of the Government's consultants and the current rate of progress in all the three south district developments, the best estimated completion dates that the Government are able to indicate are as follows:-

Cumberland Terraces	May 2009
Nelson's View	June 2009
Bayview Terraces	July 2009

These, since we appear to have different definitions of what the word "promise" means, these are not promises.

**SUPPLEMENTARY TO QUESTION NOS. 1015 TO 1019 OF 2008**

**HON C A BRUZON:**

Who decides the order in which the various phases or blocks within the Waterport Terraces area are to be constructed and completed?

**HON CHIEF MINISTER:**

There is a works programme, which I imagine the hon Member must know is how build construction projects are carried out. There is a works programme where such work is scheduled in a particular order.

**HON C A BRUZON:**

Are the Government involved in contributing to these work schedules? Are the Government involved in any way in the decision making as to which blocks within the work schedule that he has referred to, should be started first and completed last? I am particularly interested about the Albert Risso building for the elderly.

**HON CHIEF MINISTER:**

Well, clearly the Government at the outset of the programme signed a contract which contained a particular schedule of programming of works, and therefore, in that sense, then of course the Government agreed to the work programme that is reflected in that contract, yes. The hon Member should also recall that we have had discussions here in the past about a reversal of phases, for a particular reason, in respect of some of the blocks in the Waterport Terraces scheme.

**HON C A BRUZON:**

Then I am right in saying that Government have a say, they must have a say because not only is GRP Investments owned by Government but Government signed a contract with Brues and Fernandez to do the work. So, is the Chief Minister implying that he is completely free from any element of responsibility concerning the order in which the various phases are constructed? I am particularly interested in the fact that Albert Risso House is the last.

**HON CHIEF MINISTER:**

The hon Member can be concerned by whatever he pleases but his supplementary question is nonsensical in the light of the answer that I gave his previous supplementary question, which is the opposite of what he pretends in his supplementary question.

**HON G H LICUDI:**

The hon Member has referred to certain work schedules which are agreed at the outset, can the Government confirm whether there are any penalties for which the contractors are liable, in respect of not meeting the dates given on those work schedules which were agreed at the outset of the development?

**HON CHIEF MINISTER:**

I can only assume that the hon Member either does not hear what is going on in the House around him, or does not bother to read the Hansard of exchanges of questions conducted in his presence. He has heard me say in this House in the recent past, and indeed he should know because he is a lawyer, that the form of JCT contract contains penalty clauses and that the account is taken at the end of the contract, and that we have had a debate about this in his presence recently. I really do not understand the question or the need for it. He knows what the answer to it is because I have given that answer in the House recently.

**HON G H LICUDI:**

Can the Government state what penalties the Government expect to recover specifically from those JCT contracts?

**HON CHIEF MINISTER:**

No, the Government cannot give that answer because as he should know, even though I have already explained it, in case he is not a lawyer versed in building matters, but I have already explained in the past around this precise issue. The problem with the hon Members is that not only do they ask the same questions repeatedly meeting after meeting of the House, but they actually ignore the answers that they have been given to the same questions earlier. The hon Member should know that I have already said to them on this matter, that against the Government's or the employer's claim for delay, there is usually a contractor's claim for additional costs, and that then there is either a negotiation and/or litigation, which results in a net payment by one to the other, depending on who has merit on their side. But he must know this, every lawyer knows this.

**HON G H LICUDI:**

We certainly reject the allegation that we are supposed to know everything that is in the mind of the Government. The position today is what I am asking for, not the position three months ago, or the position 18 months ago, or whenever the contract was signed. I am asking for the position today and the Government's expectation today, and it is true, does the Chief Minister not accept, that the goal posts have been changing? Whether or not the Government choose to call it promises or not, the goal posts have been changing, and as regards the goal posts which we are being given today for the first time, the answer given to the previous question by the hon Member, the Hon Charles Bruzon, with regard to the answer given as regards estimates to that question, can the Chief Minister now say, today, whether they expect in the light of those completion dates, those expected completion dates, whether any penalties are expected to be recovered?

**HON CHIEF MINISTER:**

The Government do not accept that any goal posts have changed, and his supplementary is no different to his previous one, and therefore my answer remains the same.

ORAL

**NO. 1020 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**

The question is not “can Government now identify another site?” but “have Government now identified another site?”, to which the answer is no.



ORAL

**NO. 1021 OF 2008**

**THE HON C A BRUZON**

**HOUSING – NEW GOVERNMENT RENTAL ESTATE**

In view of the answer given to Question No. 672 of 2008 can Government confirm that the contract has now been signed for the construction of the new Government rental estate which would signal the commencement of work?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1022 of 2008.

**NO. 1022 OF 2008**

**THE HON C A BRUZON**

**HOUSING – NEW GOVERNMENT RENTAL ESTATE**

Can Government now list the names of the five companies who submitted a tender for the construction of their proposed new rental estate opposite Rooke?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As the Government have said publicly, the contract for the new Government rental estate has been signed. The names of the companies that submitted a tender were Haymills – Ferrovia – Agroman (Joint Venture); PCG Overseas Group and Brues y Fernandez (Gibraltar) SA.

**SUPPLEMENTARY TO QUESTION NOS. 1021 AND 1022 OF 2008**

**HON C A BRUZON:**

Was the contract for the construction of the rental estate signed in September, as was suggested in the previous meeting of the House?

**HON CHIEF MINISTER:**

Well, if it was suggested in the previous meeting of the House, I do not know whether the hon Member is asking whether the previous suggestion was inaccurate. The previous suggestion was not inaccurate, and since he knows what was suggested, and I am telling him that it is not inaccurate, that is the answer to his question.

ORAL

NO. 1023 OF 2008

THE HON S E LINARES

**THEATRE ROYAL**

Have Government now decided on the sort of consultation that will take place in relation to the Theatre Royal?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 1024 of 2008.

**NO. 1024 OF 2008**

**THE HON S E LINARES**

**THEATRE ROYAL**

Have the Government now decided whether they prefer to proceed with the Theatre Royal project in its original site or to do this project elsewhere?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No decision has been made yet.

**SUPPLEMENTARY TO QUESTION NOS. 1023 AND 1024 OF 2008**

**HON S E LINARES:**

Can the Chief Minister state, no decision on what, the site, consultation or on which site it will be built? What is he saying no to exactly?

**HON CHIEF MINISTER:**

He has asked two questions, the answer to both is no decision has been made yet, therefore I would have thought the answer clearly applies to both the issues that he has raised in his questions.

**HON S E LINARES:**

Have the Government started any sort of consultation in relation to the Theatre Royal?

**HON CHIEF MINISTER:**

I do not see how the Government can have started any consultation process if I have just told him that no decision has yet been made on the nature of the consultation process that we will carry out.

**HON S E LINARES:**

Why is it then that the Minister for Culture has stated that he has made some sort of consultation? Is the Chief Minister aware of that some sort of consultation?

**HON CHIEF MINISTER:**

No, that is not the consultation to which the question refers, we have moved beyond that point as he well knows. If that were the consultation to which the hon Member's questions were referring, then the question would make even less sense, because he would be asking me whether the Government have made a decision on the nature of consultation process to be carried out, when he by his own admission now knows that one has already taken place. So his question would be nonsensical unless he was talking to the different types of consultation process which the Minister informed him would be carried out in due course.

ORAL

**NO. 1025 OF 2008**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT REVIEW**

Can Government state whether there has been any progress on the review of the Customs Department and whether any of the recommendations made by the team commissioned by Government on the issue have been implemented?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1026 of 2008.

**NO. 1026 OF 2008**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT REVIEW**

Can Government state when the review of the Customs Department will be completed and whether meetings by the Chief Minister with the staff side representatives have taken place in the last year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Negotiations are on-going. Government cannot say when the review will be completed, and yes, I have met in the last year with staff side.

**SUPPLEMENTARY TO QUESTION NOS. 1025 AND 1026 OF 2008**

**HON S E LINARES:**

Are the Government going to publish the report that was commissioned to Customs and Excise experts?

**HON CHIEF MINISTER:**

It was not that sort of report, it was a report to inform the Government on the position that they might take in a review, and it is not presently the Government's intention to publish the report now.

**HON F R PICARDO:**

Is that suggestion that the report has not been shared with the staff side?

**HON CHIEF MINISTER:**

I cannot say whether the staff side have seen it, my recollection, to which I would urge him please not to hold me, is that I think they have seen it.

ORAL

**NO. 1027 OF 2008**

**THE HON S E LINARES**

**RESIDENCY CRITERIA**

Can Government state what documents are needed by:

- (a) British Nationals;
- (b) EU Nationals;
- (c) Non-EU Nationals,

respectively to obtain residency?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1028 of 2008.



**NO. 1028 OF 2008**

**THE HON S E LINARES**

**BRITISH CITIZENSHIP CRITERIA**

Can Government state what criteria have to be met for a citizen resident locally to be able to obtain British citizenship in Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Under the provisions of the Immigration Act, a British national who is also an EU national must be treated as any other EU national for the purposes of the Act.

In order to be entitled to reside in Gibraltar, an EU national must, under the Act, satisfy prescribed criteria to qualify as either a job seeker, a worker, a self-employed person, a self-sufficient person, or a student. The documents which must be produced as evidence that the requirements are satisfied will vary depending on the circumstances of each individual. However, in all cases, passports or identify cards, civil status documents and evidence of accommodation in Gibraltar must be produced. In the case of workers, for example, evidence of employment and registration with the Ministry of Employment is also required.

A non-EU national who is not the spouse or partner of a person who is entitled to reside in Gibraltar, is normally only permitted to reside in Gibraltar if he is in legal employment here. Such an individual must produce his passport, civil status documents and evidence of accommodation, in addition to the work permit issued by the Ministry of Employment.

British Citizenship cannot be granted in Gibraltar. It can only be granted by the Home Secretary on application made to him.

ORAL

NO. 1029 OF 2008

THE HON F R PICARDO

**WASTE-TO-ENERGY PLANT – PFI CONTRACT**

Have any terms been agreed in respect of the PFI Contract for the new proposed “Waste-to-Energy Plant”?

ANSWER

THE HON THE CHIEF MINISTER

Discussion with potential PFI contractors for the plant have not yet commenced and are not likely to start for some time yet.

**NO. 1030 OF 2008**

**THE HON F R PICARDO**

**GBC REVIEW**

Can Government confirm that it has received the report of Mr Alan King into the GBC and that it will agree to publish the said report?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have received a draft of the report. This is being considered with a view to deciding whether the scope of the report extends to all matters upon which the Government would like Mr King's views. The Government will not make a decision about when or whether they will publish the report, until they have had an opportunity to consider the final report and made policy decisions as necessary.

**SUPPLEMENTARY TO QUESTION NO. 1030 OF 2008**

**HON F R PICARDO:**

How quickly do the Government expect to decide whether or not the report is sufficient in its ambit and its scope, or whether they will require Mr King or seek that Mr King expand the remit of his report?

**HON CHIEF MINISTER:**

I cannot give the hon Member dates but if the purpose of his question is to elicit whether the Government intend to use this as an opportunity to play it long, the answer is no. It is just a question of being able to engage with Mr King, either on his next visit to Gibraltar or arrange a meeting in London, or a conference call, it is just a question of finding the opportunity.

ORAL

**NO. 1031 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S BODYGUARDS**

Why did the Chief Minister travel with bodyguards when he visited the Gibraltar Regiment in Marrakesh on 14<sup>th</sup> to 16<sup>th</sup> October, and what was the cost to the taxpayer (in terms of their overtime etc) of the bodyguards travelling and remaining with the Chief Minister?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1032 of 2008.

**NO. 1032 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S BODYGUARDS**

Did the Chief Minister travel with bodyguards on vacation this summer to Ibiza and what was the cost to the taxpayer (in terms of their overtime etc) of the bodyguards travelling and remaining with the Chief Minister?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is the long established practice, which I think is entirely appropriate and correct, that personal protection officers accompany Chief Ministers when they visit Spain or Morocco. The cost on the two occasions that he has chosen to ask about was £5,874.46. The practice will continue.

**SUPPLEMENTARY TO QUESTION NOS. 1031 AND 1032 OF 2008**

**HON F R PICARDO:**

What was it about his trip to Morocco, where he was going to be surrounded by the Royal Gibraltar Regiment, that made anybody think that he needed extra protection?

**HON CHIEF MINISTER:**

First of all, the decisions about the degree of protection that Chief Ministers have required since the office has existed, is not the judgement of the Chief Minister, it is the judgement of the Royal Gibraltar Police. Secondly, I have not been surrounded, pleasant as it was whilst I was surrounded by them, I was not surrounded by the Royal Gibraltar Regiment all the time, because in the evening they would park me in a very nice hotel that they put me up in and at that stage I was alone and not surrounded by an armed battalion of soldiers.

**HON F R PICARDO:**

I am delighted to see that the Chief Minister was not slumming it with the boys whilst the photographs that he brought back might have suggested the contrary. Is the figure of £5,000 odd provided for both of those or each of those?

**HON CHIEF MINISTER:**

Well, there is no doubt that I do not enjoy slumming it and I certainly do enjoy comfortable hotel accommodation. I am sure the hon Member is not suggesting that the Chief Minister of Gibraltar should not be accommodated in comfortable accommodation of a certain quality. I am sure at some point he will draw a distinction between his persistent attempts to denigrate me as the current incumbent of the office, and the damage that he does to the office and to Gibraltar at large by the mechanisms to which he resorts to do so. That said, this was overtime costs, we were transported by helicopter at a huge saving in cost to the taxpayer, by the Ministry of Defence, and I believe the Royal Gibraltar Regiment hosted us in the hotel but I cannot be entirely certain. I think that is almost certainly the case, yes.

**HON F R PICARDO:**

I know that the Chief Minister must obviously consider that anybody who does any job in opposition in any Western parliamentary democracy is obviously guilty of sedition, except of course, whilst he was Leader of the Opposition and he could get away with saying all sorts of things, all of which were in the interests of Gibraltar because he said them and they are now in the interests of Gibraltar when he says them as Chief Minister. So be it, that is the character of the man. My question was whether the figure provided was for each of the trips or whether it was just for one of the trips?

**HON CHIEF MINISTER:**

It is not just the character of this man that leads him to form the view of the hon Member's political style. The editor of Gibraltar's leading newspaper, recently had occasion to accuse him of embarking on "a character assassination campaign" of the Chief Minister. I suppose he can say that both the character of the Chief Minister and the character of the editor of Gibraltar's leading newspaper are suspect, and that only his particularly immature and aggressive style of politics is worthy of being judged to be correct. But I do not think that there is anybody in Gibraltar who now doubts that the hon Member has lost all sight of objectivity in his quest, in his obsessive quest to simply tarnish and denigrate the Government in general and me in particular. Something which, frankly, I really do not mind because all it does is serve to highlight to the people of Gibraltar just how unready he is to exercise the judgements and responsibilities that are required of government.

**HON F R PICARDO:**

I see that the Chief Minister will continue in his usual attempted obfuscation by throwing insults and not answering a very simple question. In fact, I want to deal with the issue that the Chief Minister has dealt with, and ask him whether in fact he did not recognise in that particular editorial, that he is now obviously going to be so fond of reminding me of.....

**MR SPEAKER:**

That question is out of order, it does not relate to the subject matter.

**HON F R PICARDO:**

Fantastic, I have not even made it yet.....

**MR SPEAKER:**

You referred to a newspaper article which is not the subject of this question.

**HON F R PICARDO:**

I am so sorry.

**MR SPEAKER:**

The Hon Charles Bruzon.

**HON F R PICARDO:**

Mr Speaker.

**MR SPEAKER:**

The Hon Charles Bruzon.

**HON F R PICARDO:**

Mr Speaker.

**MR SPEAKER:**

The Hon Charles Bruzon.

**HON C A BRUZON:**

With Mr Speaker's permission, and I know that this comment does not directly concern the question, but the Chief Minister has accused the Opposition of saying certain things and of trying to tarnish his particular way or his particular character. Does the Chief Minister really think that I personally am an unprincipled political opportunist, because that is what he has accused me of in a number of press releases?

**HON CHIEF MINISTER:**

I think that the hon Member is amongst the worst of the Opposition Members because he pretends to be otherwise, whilst actually being exactly as I have just

described. Look, it is only yesterday or the day before, that they were describing me as the leader of a pack of apes, and then the hon Member thinks that I am insulting him by simply observing that he is continually denigrating and insulting the Government. I do not have to go back more than 24 hours for the last example of the hon Member's simply abusive political style. The answer to the supplementary, which I overlooked in answering, was that it was the figure for both. I am obliged.

**HON F R PICARDO:**

Is the Chief Minister aware that the editorial in question that he referred to in the course of his supplementary, referred to my use of a phrase once in a press release which he has often used in this House in respect of me on a number of occasions, and which had not prompted anyone to suggest that he was in the process of assassinating my character?

**HON CHIEF MINISTER:**

No, I do not accept that. What I accept is that the hon Member made one statement which caused a particular newspaper to conclude that that, coupled with previous statements, amounted to a campaign of character assassination. No one was suggesting, at least I did not read the article to mean, that the suggestion was that one statement by the hon Member amounted to a campaign of character assassination. Indeed, one article cannot constitute a campaign, since by necessity a campaign has to be over an extended period of time. The fact of the matter is, and it is not just the editor of the newspaper, most objectively minded people, ignoring people that are unconditionally GSLP supporters, and ignoring also people that are unconditionally GSD supporters, most non political people in Gibraltar, whether they are more inclined to support them politically or us politically is neither here nor there, most people in Gibraltar believe that the Opposition in general and the hon Member in particular, is engaged on a specific campaign, not being pursued by the way by the Leader of the Opposition, who is the person with the primary responsibility to conduct political battle against his opposite number who is the Chief Minister, not being conducted by the Leader of the Opposition but being conducted by the hon Member in the nature that I have described. But it is fine, it is just a style of politics, I am not saying it is wrong. It is perfectly permissible a style of politics but he cannot do it and then complain that people simply observe that that is what he is doing. He is free to carry on doing it and, personally, my hope is that he continues to carry on doing so.

**MR SPEAKER:**

Can we get down to bodyguards please?

**HON F R PICARDO:**

What is it that, despite the fact that he walks the streets surrounded by bodyguards, enables the Chief Minister to suggest that he speaks for most people in Gibraltar who are objective and who do not blindly follow him or blindly follow us? How is it that he is now able to speak from the populus chair of St Peter on all issues relating to the objective citizens of Gibraltar?



**HON CHIEF MINISTER:**

I think that is q.e.d. about all that he has said about insult and abuse and his political style and his maturity and everything else. But, it is not possible to be Chief Minister of Gibraltar for 13 years without having some sense of feeling of what the people in Gibraltar are thinking and value. Indeed, I think it is perhaps because we have been better over the last 13 years at doing that, that probably our ability to judge people's moods and people's views in Gibraltar are probably more attuned to theirs, because were it different, they would not have lost four elections in a row.

**NO. 1033 OF 2008**

**THE HON F R PICARDO**

**JUDGEMENT IN LEGAL PROCEEDINGS**

Have Government made any enquiry and does Government as a result or otherwise now have any date for the delivery of the judgement 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 judgement will be forthcoming? The House will know that a public statement from the Government was issued after this question had been filed.

**ANSWER**

**THE HON THE CHIEF MINISTER**

Not only does the House now know but the House and Gibraltar at large now knows the suspicion harboured by the hon Member that I was somehow able to produce the date as a consequence of the fact that he had asked the question. Look, as he asks the question every time that there is a meeting of the House, it is inevitable that the publication of the date would follow his asking of a question, but I can assure him that the Government have not been sitting on the date. I think the date was published by the Government a day after it had been brought to my attention. Now, the answer to this question is that the Government have not made, and did not make any enquiries. The information was just proffered by the Court to the Government and, as the hon Member now himself has acknowledged, the date is now in the public domain as the 18<sup>th</sup> December.

**SUPPLEMENTARY TO QUESTION NO. 1033 OF 2008**

**HON F R PICARDO:**

Is the Chief Minister aware that the website of the EU Court, which lists all judgements that are to be delivered, still does not list the Judgement in the Court of First Instance case involving the Government and the Commission as being down for delivery on the 18<sup>th</sup>?

**HON CHIEF MINISTER:**

I am not the webmaster of the European Court of First Instance website.

ORAL

NO. 1034 OF 2008

THE HON F R PICARDO

**GIBRALTAR LAWS**

Does Government expect to publish a second bill to make general amendments to Gibraltar legislation, as envisaged in the debate on the bill for the Gibraltar Laws (General Amendment) (No. 1) Act 2007?

ANSWER

THE HON THE CHIEF MINISTER

That remains a possibility. Some Acts are being changed, as and when the need arises, for other purposes but it is likely that another general amendment Act might be needed.

**NO. 1035 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S PRIVATE SECRETARIES AND ASSISTANTS**

What are the specific responsibilities of each of the 9 of the Chief Minister's private secretaries and personal assistants?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Principal Private Secretary carries out the functions of principal private secretary, which amount in the main to heading the Chief Minister's private office, and in addition he provides assistance to the Chief Minister in general matters as required. He also deals with any human resources issues that reach the Chief Minister's office.

The Private Secretary (Legal), as the name would suggest, assists the Chief Minister on legal matters that reach the Chief Minister's office.

The Chief Minister's Private Secretary (Project, commercial and land issues) as the name suggests, assists the Chief Minister in relation to Government projects and commercial and land issues that reach the Chief Minister's office.

The Private Secretary (Finance), as the name suggests, assists the Chief Minister in matters of a financial nature or a Finance Centre nature that reach the Chief Minister's office.

The Personal Assistant manages the Chief Minister's diary, organises his attendances at official functions and Government business engagements.

There are three Executive Officers, at least that was the case when the question was put and answered, one of whom actually has now recently been promoted to HEO, who provide administrative support to the Chief Minister's office, as well as cover for the Personal Assistant to the Chief Minister on a roster basis, given the very long hours that the Chief Minister puts in. They also deal with matters raised with the Chief Minister by individual citizens.

The Senior Personal Secretary provides secretarial support to the Chief Minister's office.

ORAL

**NO. 1036 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S VISITS OVERSEAS – LABOUR PARTY CONFERENCE**

What was the cost of having a car available for the Chief Minister to take him to the Labour Party Conference in each year since 2004, remain available to him throughout the conference and to take him to his next destination?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1037 of 2008.

**NO. 1037 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S VISITS OVERSEAS – CONSERVATIVE PARTY CONFERENCE**

What was the cost of having a car available for the Chief Minister to take him to the Conservative Party Conference in each year since 2004, remain available to him throughout the conference and to take him to his next destination?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am advised that the costs were as follows:

In respect of the Labour Party Conference car travel costs:-

In 2004	£413.70
In 2005	no costs
In 2006	£110.45
In 2007	no costs
In 2008	£110.45

Other people, of course, may have travelled in the car as well as me but I am not splitting the cost between them, given that they are all paid for by the Government.

In respect of the Conservative Party Conference car travel costs:-

In 2004	no costs because the Chief Minister did not attend
In 2005	£61.69
In 2006	£950.00, which I understand reflects the fact that we actually drove up from London to the Conference venue
In 2007	the Chief Minister did not attend
In 2008	£850.00 and, again, it was the cost to drive up from London

I cannot remember which one of them was to Manchester, the other to Birmingham.

ORAL

**NO. 1038 OF 2008**

**THE HON F R PICARDO**

**GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS**

What is the total amount paid by the Government as advertising to the publication "7 Days", giving a breakdown by month, since October 2007?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This question has actually been asked twice, once for oral hearing and once for written answer. I assume that the hon Member prefers to have it answered orally and, therefore, I now hand the hon Member a written schedule with the information requested.

**ANSWER TO QUESTION 1038**

	<b>7 Days</b>
<b>Oct-07</b>	£4,244.00
<b>Nov-07</b>	£1,512.00
<b>Dec-07</b>	£3,358.00
<b>Jan-08</b>	£1,690.00
<b>Feb-08</b>	£1,481.00
<b>Mar-08</b>	£3,874.00
<b>Apr-08</b>	£2,087.00
<b>May-08</b>	£2,992.00
<b>Jun-08</b>	£2,258.00
<b>Jul-08</b>	£3,850.00
<b>Aug-08</b>	£3,358.00
<b>Sep-08</b>	£4,550.00
<b>Oct-08</b>	£1,732.00
<b>Nov-08</b>	£2,172.00



**SUPPLEMENTARY TO QUESTION NO. 1038 OF 2008**

**HON F R PICARDO:**

I would be grateful if the Chief Minister could refer me to which written question he says is the same one?

**HON CHIEF MINISTER:**

I have not yet been provided with the written answers which I will table at the end of today, so I cannot help him on that. But, certainly, I have seen this question in both piles.

**HON F R PICARDO:**

I am afraid on that issue the Chief Minister may want to review what he has told the House because I think it is wrong. If he is referring to Question Nos. 124 and 125, which are both written questions about this newspaper, I think he will find it is a different question. I am quite happy to let him have my copy of the Order Paper so that he can see that and so that the House is not misled by his suggestion that I have asked the question twice, which is not the case.

**HON CHIEF MINISTER:**

I am sure the House is not worried about being misled about whether he may have asked the question both in writing and orally. The matter is quite trivial and I am perfectly happy to go with his version, regardless of whether he is right or wrong, frankly the matter is so trivial.

**HON F R PICARDO:**

It was not so trivial a moment ago that you wanted everyone to be aware of it.

**HON CHIEF MINISTER:**

The reason for mentioning it was not to tell everybody in Gibraltar what an incompetent oaf I think the hon Member is for asking questions twice, but rather simply to say to him, we think you have asked this question twice, we presume you prefer to opt for the oral answer and, therefore, I am giving you the oral answer which provides the information to you sooner, namely now, rather than later at the end of this Question Time. That was the purpose of making the point.

**HON F R PICARDO:**

It is a sign of your immaturity that you raise it.

**NO. 1039 OF 2008**

**THE HON F R PICARDO**

**EPIDEMIOLOGICAL STUDY**

Has the briefing paper to consultants in respect of the epidemiological study now received final approval?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Employer's Requirement document for the epidemiological study has indeed been finalised and approved, and will very shortly be released to the consultants that confirmed their interest with Government to submit a proposal.

**SUPPLEMENTARY TO QUESTION NO. 1039 OF 2008**

**HON F R PICARDO:**

I assume, although I am not technical in these matters, that that is a fairly technical document, but is it something that will also be public so that those who understand these things will understand the remit of it?

**HON CHIEF MINISTER:**

I do not know how technical it is. What I know is that the Chief Technical Officer and the Ministry of the Environment have carried out quite an extensive consultation process with interested groups, the environmental groups, about it. I doubt very much that there is any prospect of it being published until such time as one of the consultants is engaged pursuant to it, which is not to say that it will be published thereafter. It is just that I do not want to give an answer here which is either yes or no, without understanding whether there is any reason why it should be yes or no. I personally cannot think of any reason why it should not be published but I think others, at a more technical level, should have the opportunity to advise the Government whether it is safe to publish it or not.

**HON F R PICARDO:**

Would the Chief Minister agree to provide a copy to the Opposition so that, at least, we are aware of the remit of the study ourselves?

**HON CHIEF MINISTER:**

Well, I am not going to agree to publish anything here in this House today until a consultant has been engaged. At the moment it is just a terms of reference to consultants that have expressed an interest and now, one of them has got to say yes okay I am willing to do it and we have got to agree terms. When that has happened, my political concern about putting it in the public domain or giving it to the Opposition will no longer exist. There may still be technical concerns, about which the Minister can certainly consult, but certainly as far as we are politically concerned, once the commission has been converted into an engagement, it can be in the public domain.

**NO. 1040 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S SALARY**

What is the present total rate of the remuneration received by the Chief Minister by way of salary, inclusive of any allowances or any other sum whatsoever paid to him in his capacity as a member of the Parliament and in respect of his office?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I think the Chief Minister's salary represents excellent value for money for the taxpayers of Gibraltar. All Members of the House receive a Member's salary of £26,042 per annum. In addition, some Members receive a further salary as follows:-

The Leader of the Opposition receives an additional £17,794 per annum. Ministers receive an additional £48,399 per annum. The Chief Minister receives an additional £71,179 per annum, and Mr Speaker receives an additional sum of £12,102 per annum.

ORAL

**NO. 1041 OF 2008**

**THE HON F R PICARDO**

**CLUB CLASS AIR FARES TO LONDON – COST TO GOVERNMENT**

Has the Government been able to determine whether it is being overcharged for club class air fares to London, given previous questions and answers in this Parliament in which it has been confirmed that rates in excess of £1,000 have been charged to Government for club class air travel to London?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There is no evidence that the Government are being charged more than other customers from among the general public.

**NO. 1042 OF 2008**

**THE HON F R PICARDO**

**FREQUENT FLIER SCHEMES**

Can Government state whether it has made any progress in reviewing the potential for Government to become a corporate member of frequent flier schemes operated by airlines?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No Sir, this is not currently a priority, so the hon Member should not expect the review any time soon. Nor is it the Government's intention to report work in progress. Should the Government decide to change the current practice, Government will so announce. In the meantime, in the absence of an announcement, he should assume that the situation will continue as it is.

**SUPPLEMENTARY TO QUESTION NO. 1042 OF 2008**

**HON F R PICARDO:**

Is the Chief Minister telling the House he is going to do nothing about it?

**HON CHIEF MINISTER:**

The hon Member is telling the House what he has just told the House.

**HON F R PICARDO:**

Does that not, in fact, come round to a statement that the Government are going to do nothing about it, even if it could amount to a saving of taxpayer's money?

**HON CHIEF MINISTER:**

It is not my job in this House to interpret clear words that I have given. Nor is it his job in this House to reformulate the Government's position by converting them from my words into his words. The Government's position is as I have given in my answer, everything else is his inaccurate interpretation of what I have said.

**HON F R PICARDO:**

What is he going to do about it?

**HON CHIEF MINISTER:**

I have given the answer, I have told him it is not a priority and that the review should not be expected any time soon.

ORAL

**NO. 1043 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S VISITS OVERSEAS**

Can Government provide a breakdown of the figure of £5,101.78 provided in answer to Written Question No. 58 of 2008 in respect of "Subsistence & other costs" in relation to travel on the dates between 17.06.08 to 24.06.08 (UN Committee of 24, Pre-Trilateral, Meeting with Lawyers – CJ Tribunal)?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Ah yes, the CJ Tribunal. Well yes, but I will answer this with Question Nos. 1044 to 1046 of 2008.



ORAL

**NO. 1044 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S VISITS OVERSEAS**

Can Government provide a breakdown of the figure of £2,326.26 provided in answer to Written Question No. 58 of 2008 in respect of "Subsistence & other costs" in relation to travel on the dates between 1.07.08 to 3.07.08 (Trilateral Talks)?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1043, 1045 and 1046 of 2008.

ORAL

**NO. 1045 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S VISITS OVERSEAS**

Can Government provide a breakdown of the figure of £2,075.65 provided in answer to Written Question No. 58 of 2008 in respect of "Subsistence & other costs" in relation to travel on the dates between 08.07.08 to 09.07.08 (Board of Deputies of British Jews)?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1043, 1044 and 1046 of 2008.

**NO. 1046 OF 2008**

**THE HON F R PICARDO**

**CHIEF MINISTER'S VISITS OVERSEAS**

Can Government provide a breakdown of the figure of £1,351.04 provided in answer to Written Question No. 58 of 2008 in respect of "Accommodation" in relation to travel on the dates between 07.05.08 to 10.05.08 (Various Meetings with FCO)?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Sorry, the "ah yes" I accept was a rather mischievous, on my part, recollection of a letter that he and his colleague Mr Licudi wrote during the tribunal expressing their full confidence in the Chief Justice. But I accept this is not the time.....

**SUPPLEMENTARY TO QUESTION NOS. 1043 TO 1046 OF 2008**

**HON F R PICARDO:**

I think neither my hon Colleague nor I can recall such a letter. I do not think it is relevant to the proceedings in this House, but I think the Chief Minister should give us more detail of that letter because I do not think either of us have a recollection of it.

**HON G H LICUDI:**

Given that a particular accusation has been made, which I believe is a serious and possibly a mischievous one, but I will not attribute mischief..... The position quite simply, for the record, is that in the hypothetical case that was postulated to me of the tribunal clearing the Chief Justice and the Chief Justice coming back to serve as a judge, would I as a practising lawyer be able to appear before the Chief Justice and I, like every other practising lawyer in Gibraltar, I assume, like the Chief Minister if he was practising, would have appeared before a court in Gibraltar where a clearance of the name is..... That is all that the Chief Minister can be referring to, nothing else.

**MR SPEAKER:**

May I say, I think we ought not to delve into the issue of the Chief Justice's tribunal, it is not relevant anyway. Both sides have said what they wanted to say on the matter, let us answer the question please.

**HON CHIEF MINISTER:**

Another time then.

**HON F R PICARDO:**

Bring a motion?

**HON CHIEF MINISTER:**

Yes, or perhaps the hon Members would be happy for me to publish the document to which I have referred. But anyway, xxxxxx exactly so, that is the problem, is what he is willing to put his name to, that is the issue. I now hand the hon Member a schedule with the information that he requests in his original question which I accept, and I apologise to Mr Speaker, has nothing to do with the findings of the Chief Justice's tribunal.

**ANSWER TO QUESTION 1046****ANSWER TO QUESTION 1043**

Transport (UK)	£1,955.00
VIP Suite (Gatwick)	£1,586.26
VIP Suite (Heathrow)	£ 846.00
Meal	£ 50.00
Transport (US)	£ 664.52
	<u>£5,101.78</u>

**ANSWER TO QUESTION 1044**

Transport	£ 700.00
VIP Suite (Gatwick)	£1,586.26
Meal	£ 40.00
	<u>£2,326.26</u>

**ANSWER TO QUESTION 1045**

The figure £2,075.65 inadvertently included £139.39 attributable to accommodation costs. The true figure should have been £1,936.26 broken down as follows:-

Transport	£ 350.00
VIP Suite (Gatwick)	£1,586.26
	<u>£1,936.26</u>

**ANSWER TO QUESTION 1046**

Waldorf Hilton	£1,234.71
Sofitel Gatwick	£ 116.33
	<u>£1,351.04</u>

**SUPPLEMENTARY TO QUESTION NOS. 1043 TO 1046 OF 2008**

**HON F R PICARDO:**

What is this VIP Suite (Gatwick) and VIP Suite (Heathrow) cost that has appeared in the figures?

**HON CHIEF MINISTER:**

It is the cost for the use of the VIP Suites at those airports which recently started to be commercially operated and, therefore, charged for, which was never historically the case.

**HON F R PICARDO:**

Did the Chief Minister use the suites before they were commercially available?

**HON CHIEF MINISTER:**

Yes, on and off, not on every trip but yes. It used to be a service that used to be available free to us and it is no longer available.

ORAL

**NO. 1047 OF 2008**

**THE HON F R PICARDO**

**INSURANCE COVER PROVIDED BY ARGUS INSURANCE COMPANY (EUROPE) LTD**

Can Government list all and any insurance cover or other service provided to the Government or any other statutory authority or public body by Argus Insurance Company (Europe) Ltd (or any related company)?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a table giving him the information and whilst he gets the paper I just noticed that in the case of this question about Argus Insurance, he did not feel it necessary in brackets to identify the name of their shareholders.

**ANSWER TO QUESTION 1047**

<b><u>INSURANCE COVER</u></b>	<b><u>GOVT/AGENCY/AUTHORITIES/GOVT OWNED CO.</u></b>	<b><u>EXPIRY DATE OF COVER</u></b>	<b><u>ANNUAL PREMIUM</u></b>
Marine Surveyors Business Travel	Government	31st January 09	£19,116
Port & Terminal Operators Liability Ins.	Gibraltar Port Authority	31st August 09	£47,745
Medical Indemnity	Elderly Care Agency	31st March 09	£10,183
Business Combined Policy	Gib Regulatory Authority	30th April 09	£1,449
Business Combined Policy	Kings Bastion Leisure Centre Ltd	21st February 09	£23,975
Contractors All Risk Policy	Gib. Joinery & Building Serv. Ltd	31st January 09	£31,275
Business Combined Policy	Gib. Joinery & Building Serv. Ltd	31st January 09	£31,490
Group Personal Accident	Gib. Joinery & Building Serv. Ltd	31st January 09	£7,205
Motor Vehicle Fleet	Gib. Joinery & Building Serv. Ltd	31st January 09	£18,989
Business Combined Policy	Gib Bus Co. Ltd	25th March 09	£755
Motor Vehicle Fleet	Gib Bus Co. Ltd	18th March 09	£44,481



**ANSWER TO QUESTION 1047**

<b><u>INSURANCE COVER</u></b>	<b><u>GOVT/AGENCY/AUTHORITIES/GOVT OWNED CO.</u></b>	<b><u>EXPIRY DATE OF COVER</u></b>	<b><u>ANNUAL PREMIUM</u></b>
Marine Surveyors Business Travel	Government	31st January 09	£19,116
Port & Terminal Operators Liability Ins.	Gibraltar Port Authority	31st August 09	£47,745
Medical Indemnity	Elderly Care Agency	31st March 09	£10,183
Business Combined Policy	Gib Regulatory Authority	30th April 09	£1,449
Business Combined Policy	Kings Bastion Leisure Centre Ltd	21st February 09	£23,975
Contractors All Risk Policy	Gib. Joinery & Building Serv. Ltd	31st January 09	£31,275
Business Combined Policy	Gib. Joinery & Building Serv. Ltd	31st January 09	£31,490
Group Personal Accident	Gib. Joinery & Building Serv. Ltd	31st January 09	£7,205
Motor Vehicle Fleet	Gib. Joinery & Building Serv. Ltd	31st January 09	£18,989
Business Combined Policy	Gib Bus Co. Ltd	25th March 09	£755
Motor Vehicle Fleet	Gib Bus Co. Ltd	18th March 09	£44,481

**SUPPLEMENTARY TO QUESTION NO. 1047 OF 2008**

**HON F R PICARDO:**

No, because of course, he did not answer this question fully this time giving the names of the shareholders, whilst he did answer the question in respect of which he is making a sly, allegorical reference giving the names of those shareholders, and that is why there is not such a reference. But I thank him for the information provided.

**NO. 1048 OF 2008**

**THE HON F R PICARDO**

**PROJECTS FUNDED BY PFI MODEL**

Has the Government determined which if any of the following projects will be funded through some model of the Public Finance Initiative ("PFI") (and which model of PFI is being considered for each), namely:

- (i) the airport and frontier access roads and tunnel;
- (ii) the new air terminal;
- (iii) the various MOD airfield facilities relocations;
- (iv) the mid harbour reclamation works;
- (v) the Government rental housing project;
- (vi) new boat sheds for the Mediterranean Rowing Club, Calpe Rowing Club and also the RGYC relocation;
- (vii) the relocation of JATU which is the MOD joint training unit at No. 4 Dock;
- (viii) Gibraltar Boat Squadron relocation;
- (ix) relocation of Police and Customs marine units, and also relocating the sea scouts;
- (x) Gibraltar infrastructure review and sewage upgrade project;
- (xi) the new power station and distribution network;
- (xii) the new waste water treatment plant;
- (xiii) new energy from waste facility;
- (xiv) simple approach lighting for the airfield and the park and ride car park at Devil's Tower Road; and
- (xv) the air terminal car park in Winston Churchill Avenue?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No Sir, no decision has yet been made as to whether any of them, and if so which, will be funded by a PFI model, although discussions are in progress in respect of some of them.

**SUPPLEMENTARY TO QUESTION NO. 1048 OF 2008**

**HON F R PICARDO:**

Are those discussions internal to the Government or with financiers?

**HON CHIEF MINISTER:**

With financiers.

**HON F R PICARDO:**

Which financiers are the Government discussing these things with?

**HON CHIEF MINISTER:**

The Government are not willing to report on work in progress. When there is a commercial outcome to what is a commercial negotiation, we will report to the House if the information is sought from us.

ORAL

**NO. 1049 OF 2008**

**THE HON F R PICARDO**

**INFRACTION PROCEEDINGS**

How many infraction proceedings are opened against the UK in respect of Gibraltar's failure to transpose directives or transposition which is or is alleged by the Commission to be defective?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1050 of 2008.

**NO. 1050 OF 2008**

**THE HON DR J J GARCIA**

**NON-IMPLEMENTATION OF EU DIRECTIVES**

Can Government list the EU Directives for which the United Kingdom is currently before the European Court of Justice for their non-implementation in Gibraltar and indicate what the reason is for their non-implementation in each case?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There are currently eleven infraction proceedings against the United Kingdom due to Gibraltar's failure to transpose, or due to alleged inaccurate transposition.

There are currently 13 infraction proceedings against the UK due to both the UK's and Gibraltar's failure to transpose, or due to alleged inaccurate transposition.

The Government are querying the applicability of three of the eleven infraction proceedings that are open only in relation to Gibraltar.

I now hand the hon Member a schedule containing the other information that they have requested.

**Answer to Question 1050**

<p><b>Directives before the European Court of Justice</b></p>	<p><b>Reason for non-implementation</b></p>
<p>Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora</p>	<p>The Commission took issue with the UK's and Gibraltar's transposition. Bill and Regulations were published on 20<sup>th</sup> November 2008. This has been a very complex transposition as a result to its link to Directive 2005/36/EC.</p>
<p>Directive 2006/100/EC adapting certain directives in the field of free movement of persons by reason of the accession of Bulgaria and Romania.</p>	<p>Legislation transposing 2006/100 is now complete and will be published shortly. <b>(Alternative language for CM to note: This Directive will be transposed on Thursday 4<sup>th</sup> December 2008).</b> Backlog.</p>
<p>Directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage.</p>	<p>The Commission took issue with the UK's and Gibraltar's transposition. Draft legislation is complete and currently under final quality review. <b>(Alternative language for CM to note: Transposition expected before the end of 2008).</b> Backlog.</p>
<p>Directive 2005/14/EC relating to insurance against civil liability in respect of the use of motor vehicles.</p>	<p>Draft legislation is complete and currently under final quality review. <b>(Alternative language for CM to note: Transposition expected before the end of 2008).</b></p>

**SUPPLEMENTARY TO QUESTION NOS. 1049 AND 1050 OF 2008**

**HON F R PICARDO:**

Which should we take as definitive, the bits not in brackets or the bits in brackets, which suggested alternative language for the CM to note?

**HON CHIEF MINISTER:**

Both reflect the position, it just depends on what degree of accuracy and what degree of detail I want to give beyond the information that is sought in the question. So, one is an indication of what the target date is for transposition, expected before the end of and the hon Member is willing to share with me all the information that I have. That is it.

-----

**HON DR J J GARCIA:**

Can I say, in relation to Question No. 1050, the question asked for a list of EU Directives which were not implemented or which were before the Court, the Chief Minister said eleven, in my list I have only got four, is there another piece of paper missing?

**HON CHIEF MINISTER:**

No, the hon Member needs to distinguish between infraction proceedings and matters that are before the European Court of Justice. In other words, I think the schedule that has been given are those Directives which are actually before the court. In other words, that it has reached the stage of the proceedings. All infractions are issued in the context of ECJ proceedings but they do not get to the court until one has gone through the letter, the Advocate General's opinion and that. I think that is the distinction being made between the statistics on the list.



**NO. 1051 OF 2008**

**THE HON F R PICARDO**

**GOVERNMENT DEBENTURES**

Has the Government given any consideration to issuing a debenture at a fixed interest rate of 4 to 5% over a period of between 3 to 5 years, matching what banks and building societies are currently offering, given that interest rates are already at a record low (and are predicted to fall further), thereby significantly reducing interest income to Government debenture holders who may migrate their investment elsewhere? I think the House will note that since the question was put, the rate yesterday from the Bank of England went down to 2 per cent and I note that the Government issued a statement last night suggesting they were going to be making an announcement today in respect of such matters.

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are, indeed, currently considering the restructuring of the Government borrowing on terms that will benefit both the purchasers of Government debentures and the Government itself. The proposals do not include, certainly not at this stage, and unless there was overwhelming demand for the type of instrument that the hon Member describes in his question, because people in Gibraltar historically have not been keen on locking up their money for five years, and giving them a five year bond which they can break at will, really adds nothing to the Government's situation. So, the restructuring that we are considering is something slightly different to the question of a three to five year bond with a fixed term, with a fixed interest rate. But the Government would have no objection in principle to issuing such a bond if there was sufficient demand from it, which historically has not been the case. Therefore, we are pursuing a slightly different course at this stage.

**SUPPLEMENTARY TO QUESTION NO. 1051 OF 2008**

**HON F R PICARDO:**

Are the Government expecting to make a statement on that today?

**HON CHIEF MINISTER:**

I do not know if the statement will be today or Monday, the details are being put together for a statement. I suppose it depends on how long I am tied up for in the House today and that sort of thing. If it is not today it will be on Monday.

**NO. 1052 OF 2008**

**THE HON F R PICARDO**

**HEDGING CONTRACTS**

What are the total amounts of the hedging contracts the Government has entered into in respect of the Sterling/Euro exchange rate and what banks have provided the relevant contracts?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have entered into a Euro hedging contract with the Royal Bank of Scotland for a total of £52 million worth of euros to purchase £2.6 million of euros per month over a twenty month period.

This contract provides the Government with the flexibility of purchasing euros at the spot rate over the period of twenty months, whilst offering protection should sterling fall below the rate of Euro 1.19. In other words, it is a floor hedge, it buys protection against sterling falling below the floor.

ORAL

**NO. 1053 OF 2008**

**THE HON F R PICARDO**

**SURRENDER OF LICENCES IN RESPECT OF TRUSTS AND/OR COMPANY  
MANAGEMENT FIRMS**

Have any licensed trust and/or company management firms or companies given notice of their intention to surrender their licences to carry out this business in or from Gibraltar in the past 12 months?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There has been one notification to surrender and three actual licences surrendered in the past twelve months in respect of licensed trusts and/or company management firms.

ORAL

**NO. 1054 OF 2008**

**THE HON F R PICARDO**

**CONSULTANCY/SERVICES PROVIDED TO GOVERNMENT BY MR PARDO**

What contracts, other than those identified in answer to Question No. 687 of 2008 have been previously awarded to Mr Nigel Pardo (or any company legally or beneficially owned by him (including, but not limited to, Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited), by the Government or any Government owned company for the provision of consultancy or other services and provide a list of the services provided in respect of any such contract and the remuneration (or remuneration formula) payable in respect of each?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1055 to 1060 of 2008.

ORAL

**NO. 1055 OF 2008**

**THE HON F R PICARDO**

**CONSULTANCY/SERVICES PROVIDED TO GOVERNMENT BY MR PARDO**

Has any contract been awarded to Mr Nigel Pardo (or any company legally or beneficially owned by him (including, but not limited to, Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited), by the Government or any Government owned company for the provision of consultancy or other services since answer to Question No. 687 of 2008 in this Parliament and provide a list of the services provided in respect of any such contract and the remuneration (or remuneration formula) payable in respect of each?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1054 and 1056 to 1060 of 2008.

ORAL

**NO. 1056 OF 2008**

**THE HON F R PICARDO**

**CONSULTANCY/SERVICES PROVIDED TO GOVERNMENT BY MR PARDO**

What is the “on account formula” referred to in answer to Question No. 687 of 2008 in respect of the professional services contracted by Gibraltar Investment Holdings Limited from Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1054, 1055 and 1057 to 1060 of 2008.

**NO. 1057 OF 2008**

**THE HON F R PICARDO**

**CONSULTANCY/SERVICES PROVIDED TO GOVERNMENT BY MR PARDO**

What salary or fee has been paid to date by Gibraltar Investment Holdings Limited on the basis of the "on account formula" (referred to in answer to Question No. 687 of 2008) to Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited, in respect of the project in relation to each of the following contracts individually:

- (i) the airport and frontier access roads and tunnel;
- (ii) the new air terminal;
- (iii) the various MOD airfield facilities relocations;
- (iv) the mid harbour reclamation works;
- (v) the Government rental housing project;
- (vi) new boat sheds for the Mediterranean Rowing Club, Calpe Rowing Club and also the RGYC relocation;
- (vii) the relocation of JATU which is the MOD joint training unit at No. 4 Dock;
- (viii) Gibraltar Boat Squadron relocation;
- (ix) relocation of Police and Customs marine units, and also relocating the sea scouts;
- (x) Gibraltar infrastructure review and sewage upgrade project;
- (xi) the new power station and distribution network;
- (xii) the new waste water treatment plant;
- (xiii) new energy from waste facility;
- (xiv) simple approach lighting for the airfield and the park and ride car park at Devil's Tower Road; and
- (xv) the air terminal car park in Winston Churchill Avenue?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1054 to 1056 and 1058 to 1060 of 2008.

**NO. 1058 OF 2008**

**THE HON F R PICARDO**

**CONSULTANCY/SERVICES PROVIDED TO GOVERNMENT BY MR PARDO**

What is the total amount payable by Gibraltar Investment Holdings Limited to Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited, in respect of that part of the composite fee referred to answer to Question No. 687 of 2008 which comprises 20% of the costs of the services to be provided by all project design consultants and the 1% of the agreed project value in respect of each of the following contracts individually:

- (i) the airport and frontier access roads and tunnel;
- (ii) the new air terminal;
- (iii) the various MOD airfield facilities relocations;
- (iv) the mid harbour reclamation works;
- (v) the Government rental housing project;
- (vi) new boat sheds for the Mediterranean Rowing Club, Calpe Rowing Club and also the RGYC relocation;
- (vii) the relocation of JATU which is the MOD joint training unit at No. 4 Dock;
- (viii) Gibraltar Boat Squadron relocation;
- (ix) relocation of Police and Customs marine units, and also relocating the sea scouts;
- (x) Gibraltar infrastructure review and sewage upgrade project;
- (xi) the new power station and distribution network;
- (xii) the new waste water treatment plant;
- (xiii) new energy from waste facility;
- (xiv) simple approach lighting for the airfield and the park and ride car park at Devil's Tower Road; and
- (xv) the air terminal car park in Winston Churchill Avenue?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1054 to 1057, 1059 and 1060 of 2008.



**NO. 1059 OF 2008**

**THE HON F R PICARDO**

**CONSULTANCY/SERVICES PROVIDED TO GOVERNMENT BY MR PARDO**

From what Government fund or from which Government company is the amount payable by Gibraltar Investment Holdings Limited to Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited, in respect of each of the following contracts individually:

- (i) the airport and frontier access roads and tunnel;
- (ii) the new air terminal;
- (iii) the various MOD airfield facilities relocations;
- (iv) the mid harbour reclamation works;
- (v) the Government rental housing project;
- (vi) new boat sheds for the Mediterranean Rowing Club, Calpe Rowing Club and also the RGYC relocation;
- (vii) the relocation of JATU which is the MOD joint training unit at No. 4 Dock;
- (viii) Gibraltar Boat Squadron relocation;
- (ix) relocation of Police and Customs marine units, and also relocating the sea scouts;
- (x) Gibraltar infrastructure review and sewage upgrade project;
- (xi) the new power station and distribution network;
- (xii) the new waste water treatment plant;
- (xiii) new energy from waste facility;
- (xiv) simple approach lighting for the airfield and the park and ride car park at Devil's Tower Road; and
- (xv) the air terminal car park in Winston Churchill Avenue?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1054 to 1058 and 1060 of 2008.

**NO. 1060 OF 2008**

**THE HON F R PICARDO**

**CONSULTANCY/SERVICES PROVIDED TO GOVERNMENT BY MR PARDO**

Can Government provide the total contract price for each of the following contracts referred to in answer to Question No. 687 of 2008 in respect of the professional services contracted by Gibraltar Investment Holdings Limited from Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited, namely:

- (i) the airport and frontier access roads and tunnel;
- (ii) the new air terminal;
- (iii) the various MOD airfield facilities relocations;
- (iv) the mid harbour reclamation works;
- (v) the Government rental housing project;
- (vi) new boat sheds for the Mediterranean Rowing Club, Calpe Rowing Club and also the RGYC relocation;
- (vii) the relocation of JATU which is the MOD joint training unit at No. 4 Dock;
- (viii) Gibraltar Boat Squadron relocation;
- (ix) relocation of Police and Customs marine units, and also relocating the sea scouts;
- (x) Gibraltar infrastructure review and sewage upgrade project;
- (xi) the new power station and distribution network;
- (xii) the new waste water treatment plant;
- (xiii) new energy from waste facility;
- (xiv) simple approach lighting for the airfield and the park and ride car park at Devil's Tower Road; and
- (xv) the air terminal car park in Winston Churchill Avenue?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I must say, it is a matter of huge pleasure and satisfaction to the Government just to be reminded so frequently of what a wonderful array of excellent projects for Gibraltar they are currently engaged in. Yes, I am happy to answer the hon Member's question.

The contracts that have been previously awarded by Government, as he asks in Question No. 1054, the contracts that have been previously awarded by Government and/or any Government owned company to Mr Nigel Pardo, or any company legally or beneficially owned by him, including but not limited to Gibraltar Land Reclamation Company Limited and Land Projects Consultants Limited, are as follows:-

- (1) By the previous GSLP Government between 1988 and 1996:

Contracts awarded to Gibraltar Land Reclamation Company Limited for the Project Management (including in many cases the design and project direction) of the following Government projects:

- (1) The 1989 Westside Reclamation;
- (2) The North Mole Reclamation;
- (3) The Coaling Island Reclamation;
- (4) The MoD Finger Pier and MoD Premises at Coaling Island;
- (5) The infrastructure works (including provision of roads and utilities) in Queensway and the new reclamation areas;
- (6) The New Harbours warehousing and office complex;
- (7) The resurfacing of Victoria Stadium;
- (8) The Eastern Beach groynes;
- (9) Western Beach breakwater for Camber re-provision.

In addition to all the above, granted to those companies by the GSLP Government, between 1988 and 1996, the GSLP Government between these dates also made arrangements with companies connected with Mr Pardo which enabled those companies to build houses at Sunrise Court in Catalan Bay, Europa Mews, Montagu Gardens, Harbour Views and Montagu Crescent.

We have not, in the time available, been able to obtain the requested details of the remuneration payable by the GSLP Government to these companies connected to Mr Pardo, but I am informed that the formula in percentage terms is more or less the same as under the contracts subsequently awarded by the GSD Government.

- (2) Other contracts awarded by the GSD Government, as opposed to the GSLP Government, since May 1996:-
  - (1) The reclamation at the Bayside Sports Complex, for which the fee was about 4 per cent amounting to £83,801;
  - (2) Project management of the proposed Western Beach Reclamation, for which the professional fees amounted to £220,000;
  - (3) Project and contract negotiation and management in relation to the Government's interests in the Eastside project between February 2005 and December 2007 at 2.7 per cent, amounting to £840,000;
  - (4) Eastern Beach and Catalan Bay breakwaters and beach widening scheme, at 2.8 per cent amounting to £251,940.

No new contracts have been awarded since the answer to Question No. 687 of 2008.

The "on account" formula is that a fixed sum is paid to the companies on account on a monthly basis. At present, this monthly sum is £132,000. A total of £1.3 million has so far been paid pursuant to this "on account" formula.

It is not possible at this stage to provide the total amount payable in respect of that part of the composite fee which comprises 20 per cent of the costs of the service to be provided by all project design consultants and the one per cent of the agreed project value in respect of the projects listed in Question No. 1058 of 2008, as this depends on the outturn of the projects and cost containment performance. But the formula is designed to produce a fee of just under two per cent of the project's cost.

The sums payable by the Gibraltar Investment Holdings Limited are currently being taken from its own funds or funds held by its subsidiaries.

In relation to the question about the contract price of each of the projects, the contract price of those of the contracts that have already been awarded has been publicly announced by the Government. It would not make commercial sense to publish those that have not yet been put out to tender. Some of the work, however, is being done by GJBS and is thus not put out to tender. However, the total contract prices of those are not yet known.

**NO. 1061 OF 2008**

**THE HON G H LICUDI**

**COST OF WORKS TO DEVIL'S TOWER ROAD AND NEW CAR PARK**

Can Government state the estimated cost of the works to Devil's Tower Road including the new car parks?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not recommended that these estimates be made public as this might prejudice fair tendering and offers from contractors.

**SUPPLEMENTARY TO QUESTION NO. 1061 OF 2008**

**HON G H LICUDI:**

Do the Government not accept that what they are essentially doing to the public is drip feeding information on costs in relation to all these projects? First we had the £50 million announced in relation to the airport, then we had £30 million announced in relation to the tunnel and the approach road, why is it that an overall cost of the estimate that the Government propose to spend of public money cannot be given? At the end of the day the overall cost may be £80 million, £90 million, £100 million, £110 million, £120 million. Do the Government not recognise that in the interests of transparency, the public in Gibraltar is entitled to know how much public money the Government intend to spend of their own money, before the Government become committed to paying that money by entering into a contractual commitment? This drip feeding of information and of cost is certainly not conducive to transparency and good governance.

**HON CHIEF MINISTER:**

No, the Government do not accept that they are drip feeding any more than they accused the previous Government of drip feeding when they took the same position. The hon Member, hopefully, does not earn his living as a commercial lawyer, since I hope that his clients do not announce to the world how much they think they will have to pay for a project before they go out to tender, thereby making sure that no bidder bids less than the amount that the Government spouts publicly. I have yet to meet anyone who thinks that it is in the public interest to arm bidders with the information of what the Government expect to pay for things, thereby eliminating all possibility that the taxpayer might save money against that figure. If that is the quality of the

advice that he gives his clients in his professional practice, then he should not be surprised that the Government do not take such advice from him.

**HON G H LICUDI:**

I very much regret that the Chief Minister does not confine his comments to matters of a political nature. I am in this House as a politician and not as a private lawyer. Certainly, I have clients and interests outside this House, but to bring professional matters and private matters into this House is uncalled for. I have no difficulty in engaging the Chief Minister, or anybody else, in political debate in relation to political matters but it is totally uncalled for to bring in matters of a professional nature. As he did earlier on and as he has done now. Getting back to the question, certainly one recognises that in relation to a particular project, and I understand that this question relates to a particular project or a range of projects, because I do not know how many tenders there will be *(Interruption)* As I said, we do not know how many tenders there will be in relation to this particular project, and I can understand commercial sensitivities in relation to one project, but when the Government have plans for overall expenditure of the nature that we have seen, including the airport, including the approach road, including the tunnel, including Devil's Tower Road, including car parks, why is the public not entitled to know the overall amount that this Government intend to spend of its money?

**HON CHIEF MINISTER:**

For several reasons. One, because that is not the question that he has asked. He has asked questions about specific projects. Two, because the Government have already given publicly a ballpark figure of the value of some of these projects in their aggregate. So everything that the hon Member has just said is simply wrong. Now, the hon Member in his opening to this supplementary question has just put his finger on yet another reason why he might think the party of which he is a member needs a new leader. In fact, the view that he has expressed is not shared by his current leader, who spent three or four years whilst I was the Leader of the Opposition, constantly hammering me with the fact that I was a partner of Triay and Triay, the firm that was acting for the Spanish pensioners in their challenge to Community Care. Now, what is sauce for the goose has got to be sauce for the gander, and the goose is not well placed to lecture the gander of what is acceptable sauce and what is not. That is the reason. The hon Member is going to stand up in the House and make political statements which a lawyer should know are not justified. I believe it is entirely proper for the Government to say that they are surprised that a lawyer should be making those points. Not least when he then stands up to say that they understand, as he has just done, that he understands the commercial sensitivities. Well, if he understands the commercial sensitivities, which I do not think he does, or if he does he does not care about them, why has he asked me whether the Government can give the estimated cost of the Devil's Tower Road and the new car parks? In Devil's Tower Road there is one car park.

**HON G H LICUDI:**

For the simple reason that I explained, that we do not know, we are not privy to information which is in the hands of the Government and we do not know whether the Government will be issuing one tender, two tenders or three tenders in respect of these works. Therefore, as we said, the public is entitled to know overall costs rather

than being drip fed information. But I take it from the Chief Minister that he simply does not want to give that information to the public.

**HON CHIEF MINISTER:**

No, he can take it from the Chief Minister that this Government, like all previous Governments, have taken the view that it would be an act of stupidity in their custody of the interests of those people to which he thinks I do not want to give information, to answer his question, because the public's desire to know how much these things are going to cost is not greater than their desire to save millions of pounds from the costs of doing so. That is only his motive so that he can then go and do political battle against the Government on a partisan basis as he does. So he should distinguish between the convenience of him having the information for political purpose and the public interest. The public interest is served now, as it has always been served by previous Governments, by not flagging up information prematurely, which is of value to people with whom the Government then have to negotiate a contract on the cost of that very thing. Let the hon Member not sit in this House, whilst he remains a member of the GSLP, lecturing us about our willingness to provide information to the people of Gibraltar. The people of Gibraltar now have at least ten times more information about their affairs than they ever had when their party was last in Government.

**HON G H LICUDI:**

The Chief Minister has sought to draw a distinction between the public interest and the interest of the Opposition for political purposes, of receiving information to be used for political purposes. Does the Chief Minister not accept that it is the role of the Opposition to question the Government, to seek information from the Government, to hold the Government politically accountable and that the public interest of Gibraltar is best served by the Opposition getting the fullest possible information, so that they can do their job properly. Does the Chief Minister not accept that? As regards the comments that he made "for as long as he remains a member of the GSLP", I am not sure exactly what the Chief Minister is referring to, but I certainly have no intention of changing parties.

**HON CHIEF MINISTER:**

Long may that continue to be the case. It is not that I want him to change parties, it is that one hears so much about leadership challenges on the Opposition side of the House, and one hears so many views expressed by the younger, newer members of that party which are so out of sync with the demonstrable, demonstrated practice and declared views of their leader, that one wonders what they have in common politically with him.

**HON F R PICARDO:**

We do not like him.

**HON CHIEF MINISTER:**

Exactly, exactly so, the only thing that they have in common is their dislike for me, precisely for that, and now the cat is out of the bag. Exactly so, that is what most people already believe, he is doing no more than confirming what most people believe. The Government do not think or agree with what the hon Member has just said. Information can only properly be put into the public domain at the appropriate time and if the hon Member thinks that the exercise of the Opposition's duty requires the Government to give them the totality of Government information at whatever time they choose to ask for it, regardless of the public interest issues at stake, the answer is that I do not agree with him and no sensible, democratic politician would agree with him. But in any case, the judgement of what is in the public interest is a call and a matter for the Government, not for the Opposition. The Government are elected precisely to make judgements about what the public interest is and how it can be saved, and not people that have been rejected four times in a row by the electorate.



**NO. 1062 OF 2008**

**THE HON G H LICUDI**

**CLOSURE OF GOVERNMENT OFFICES DURING CHRISTMAS**

Can Government state why it has changed its policy this year with regard to the leave entitlement of civil servants affected by the closure of Government offices during the Christmas period?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have not changed their policy. Previous practice was not a matter of policy.

**SUPPLEMENTARY TO QUESTION NO. 1062 OF 2008**

**HON G H LICUDI:**

The Chief Minister may draw nice distinctions between whether it is a matter of policy or not. The fact remains and the purpose of the question is quite clear, that there was a position taken by the Government last year which has changed this year. Can Government now state why they changed their position as regards last year?

**HON CHIEF MINISTER:**

No, the Government can say why they have not repeated the practice that they have incurred once. That is very different even though the hon Member thinks it is a nice distinction, from suggesting that there has been a policy or that it has been changed. So he may think, it is not my job to second guess what he meant by his question, my job is to read a question which he formulates in a language that we both understand, and answer the question that he has formulated with the words that he and not I has chosen. He has asked whether there has been a change of policy, to which the Government's answer is that they have not changed their policy. That remains the position. There was a concession made last year, with a statement by the Government that it could not be repeated, and it has not been repeated and until there has been an agreement negotiated between the Government and the Unions about a formal standing practice, there is ad hocism. But what the Government are not able to do is give away three extra days leave every year, as opposed to what they did in 2002, in 2004 and again this year, which is to give away one day when Friday is the only working day between New Year and the weekend that follows it. That is why we have given away the extra day. That is a practice for which there is

now a three year precedent, albeit not successive years, because that does not happen as a matter of calendar every year, obviously.

**HON G H LICUDI:**

The Chief Minister refers to a policy and not having changed his policy, as if to give the impression that what is being implemented this year is a matter of policy which has applied on previous years. Can the Chief Minister not confirm that in previous years, before last year, there was not a policy of closing the Government offices during the Christmas period, except on the odd occasion where one day has been closed, but certainly not a policy of closing for a whole week, and that was introduced, whether as a matter of policy, as a matter of practice or as a matter of concession, that was introduced for the first time last year, in which Civil Servants were not required to take compulsory leave, yet they are required to take compulsory leave this year which is what the Government have announced and made clear in their statement. So what is the policy that the Chief Minister is referring to when this has not been the practice in previous years?

**HON CHIEF MINISTER:**

The Chief Minister is not referring to a policy, I am not referring to the policy, precisely what I am telling him is that it is not a matter of policy, and the hon Member clearly does not know the facts of what he is talking about. He obviously does not know what has happened in the past. Mind you, if he had wanted to show support for the Civil Servants he might have gone to their Christmas party. But I will tell the hon Member what has happened so that he can judge for himself. At least so that he knows the facts and then he can draw his distinctions about whether his questions are sensible. But of course, if he does not listen, even when I am giving him the information, he will continue to ask ignorant questions.

**HON G H LICUDI:**

Mr Speaker, on a Point of Order. That really is not parliamentary language, it is not the usual type of language that I usually engage in and I would ask the Chief Minister to show the same sort of respect.

**MR SPEAKER:**

He referred to ignorant questions, he did not accuse anyone of being ignorant. Ignorant questions.

**HON CHIEF MINISTER:**

Nor must the hon Member think that he is the benchmark of the language that the rest of us in this House have to adopt. If I adopted the language that he adopts, I would be as politically unsuccessful as he is being. His questions are ignorant. It is self-evident, as I am about to demonstrate to him, if only he would just sit whilst he gets the information that he clearly does not know, it is self-evident that his questions are ignorant. It may also be that he is ignorant himself but that is not what I said. But he has accused me of saying that he is ignorant. I did not say that.

**HON J J BOSSANO:**

The questions then.

**HON CHIEF MINISTER:**

Yes, that is what I said.

**HON J J BOSSANO:**

Xxxxxxxx

**HON CHIEF MINISTER:**

Well, the Hon Leader of the Opposition can formulate his written and oral language as he chooses. I am not bound by his style either.

**HON J J BOSSANO:**

Or anybody else by his.

**HON CHIEF MINISTER:**

But I have not complained, they are the ones who have complained. The 27<sup>th</sup> December 2002 fell on a Friday and the only working day between the Christmas period and the weekend was Friday 27<sup>th</sup> December and, therefore, the Government gave that day away, because it was the only working day wedged between periods of non working days on either side of it. The same happened in 2004 with the 2<sup>nd</sup> January, so the Government gave it away. That is to say, the 2<sup>nd</sup> January fell on a Friday and it was the only working day between New Year and the weekend that followed it. So the Government gave it away. In 2007 that was not the case and the Government, nevertheless, gave away extra days. This year, what the Government have done is go back to what they did in 2002 and 2004, which is to give away, that is to say, without requiring them to be taken as leave, to give away the day which is, I think it is Friday 28<sup>th</sup>, but one of those three days anyway falls into the same category as the other two years. None of them are a matter of policy, but in the case of giving away as an extra day the day that wedges as the only working day, wedged between two blocks of non working days, there are now three years worth of precedent, which the hon Member is willing to describe as a policy if he wishes. The Government do not regard it as a matter of policy. As to the closing down of Government over an extended period, and whether those days when they are more than the one wedged day, should be given away as a matter of extra annual leave entitlement, or should be taken by the staff as a matter of annual leave, an issue upon which there appears to be a significant division of opinion between Government employees, that is a matter for negotiations which have not taken place, since the Government made clear to the Unions that it would not happen again after it first happened in 2007. But it is not impossible that during the course of the next year, before next Christmas, the Government and the Unions may, if the Unions want to invite the Government to conduct such a negotiation with them, have come to some sort of negotiation. But absent an agreement, the Government cannot just signal that Civil Servants in effect

are getting an extra two or three days annual leave entitlement a year. That is the factual position. The hon Member can now use those facts to whatever factual or political purpose he wishes, but at least let it be those facts and none other.

**HON G H LICUDI:**

I am obliged for that information, which in fact, he gave in answer to the earlier question so there is nothing new in what he has just said in his oratory which lasted a few minutes. Given that last year Government decided to close its offices, and this year Government have decided to close its offices, is that a matter of policy, regardless of whether leave is compulsory or not and is a matter for negotiation with the Union? Is it now a matter of Government policy that every year Government offices will be closed?

**HON CHIEF MINISTER:**

No it is not. The Government's view is that if the staff on terms acceptable to the Government, ask the Government to close their offices, the Government are not opposed to doing so. But it has to be on terms that the Government feel are defensible and that the Government feel are fair to the taxpayer, who Civil Servants are employed to deliver a public service to. On those terms, the Government are willing because the Government recognise the value to family life of allowing Civil Servants to spend an extended period of time over Christmas with their families. But it is not the policy of the Government, as we have made clear in a public statement, or in a bulletin, the Government have no requirement to close over the Christmas period and the Government have not initiated the closure over the Christmas period. The Government have been asked by the staff side representatives whether they would close over Christmas, and the Government have said yes provided it can be done on terms that the Government feel are fair to all the parties concerned. That is the position.

ORAL

**NO. 1063 OF 2008**

**THE HON G H LICUDI**

**KING'S BASTION LEISURE CENTRE**

On what date did the Government complete all and any of its negotiations with the operator of the bowling alley at the King's Bastion Leisure Centre on the terms on which it would be allowed to operate that concession, the amounts it would be allowed to charge clients and what amount the Government guaranteed the operator as income?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1064 and 1065 of 2008.

ORAL

**NO. 1064 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 September to October 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1063 and 1065 of 2008.

**NO. 1065 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 September to October 2008 giving a breakdown by month?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The agreement with the bowling operator of the King's Bastion Leisure Centre was signed on 8<sup>th</sup> February 2008.

A total of 2,307 people used the ice-skating rink in September, and 2,544 people used it in October.

There was one accident requiring treatment in the ice-skating rink in each of those two months.

ORAL

NO. 1066 OF 2008

THE HON G H LICUDI

**NEW HARBOURS CAR PARK**

Can Government state how many applicants there were for car parking spaces at the New harbours car park?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1067 and 1068 of 2008.



ORAL

NO. 1067 OF 2008

THE HON G H LICUDI

**SANDPITS CAR PARK**

Can Government state how many applicants there were for car parking spaces at the Sandpits car park?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1066 and 1068 of 2008.

**NO. 1068 OF 2008**

**THE HON G H LICUDI**

**WILLIS'S ROAD CAR PARK/ GARAGES**

Can Government state how many applicants there were for car parking spaces/garages at the Willis's Road car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Most of the applications were not limited to one specific car park. There were 692 applications received for the following spaces. So the numbers that I will now give him will exceed 692 because some of the applications in the 692 applied to more than one car park.

Willis's Garages	207
Covered parking spaces at Willis's	213
Stores	236
Sandpits	260
New Harbours	312

**SUPPLEMENTARY TO QUESTION NOS. 1066 TO 1068 OF 2008**

**HON G H LICUDI:**

The fact that these figures add up to more than the total number of applications, is as the Chief Minister has suggested, explained by the fact that one application, and I assume that one application may have included more than one car park in its own application.

**HON CHIEF MINISTER:**

He does not have to assume it, that is what I have told him.

**HON G H LICUDI:**

Yes. I will have questions on criteria, I will wait for the answers on the other questions and then I will ask supplementaries on criteria.

ORAL

**NO. 1069 OF 2008**

**THE HON G H LICUDI**

**NEW HARBOURS CAR PARK**

Can Government state how many of the applicants for car parking spaces at the New Harbours car park live in the area of the car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1070 to 1074 of 2008.

ORAL

**NO. 1070 OF 2008**

**THE HON G H LICUDI**

**SANDPITS CAR PARK**

Can Government state how many of the applicants for car parking spaces at the Sandpits car park live in the area of the car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1069 and 1071 to 1074 of 2008.

ORAL

**NO. 1071 OF 2008**

**THE HON G H LICUDI**

**WILLIS'S ROAD CAR PARK/GARAGES**

Can Government state how many of the applicants for car parking spaces/garages at the Willis's Road car park live in the area of the car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1069, 1070 and 1072 to 1074 of 2008.

ORAL

**NO. 1072 OF 2008**

**THE HON G H LICUDI**

**NEW HARBOURS CAR PARK**

Can Government state how many of the successful applicants for car parking spaces at the New Harbours car park live in the area of the car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1069 to 1071, 1073 and 1074 of 2008.

ORAL

NO. 1073 OF 2008

THE HON G H LICUDI

**SANDPITS CAR PARK**

Can Government state how many of the successful applicants for car parking spaces at the Sandpits car park live in the area of the car park?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1069 to 1072 and 1074 of 2008.

**NO. 1074 OF 2008**

**THE HON G H LICUDI**

**WILLIS'S ROAD CAR PARK/GARAGES**

Can Government state how many of the successful applicants for car parking spaces/garages at the Willis's Road car park live in the area of the car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

These questions cannot be answered because it is not possible for the Government to know what the hon Member understands by "the area of" each of the car parks.

However, the hon Member may wish to know that a breakdown of successful applicants by places of residence will shortly be made public. People will form their own views as to which of the successful applicants live "in the area", depending on how narrowly or widely they choose to define the term "area".

**SUPPLEMENTARY TO QUESTION NOS. 1069 TO 1074 OF 2008**

**HON G H LICUDI:**

I find it difficult to comprehend that answer and that the Chief Minister does not understand what is meant by living in the area of the car park, because those words are taken precisely from the conditions that were attached to the applications, which conditions were produced by the Government. The conditions, condition 3 says, "when allocating these parking spaces, garages and stores, preference will be given to residents in area". I suppose it means residents in the area. One would imagine, that whoever was the author, presumably with the assistance of the Chief Minister, would have had in mind some sort of catchment area when they defined this as saying, "preference will be given to people in the area", and giving a common sense, as we can only do, giving a common sense analysis of what residence in the area means, it can only mean residence in the immediate area. It certainly cannot mean residents in the area of Gibraltar, or residents in the Campo area, so what did the Government have in mind when they defined what preferences would be given to applicants for the car park, when they themselves defined it by reference to "area" as I myself have done in these questions?



**HON CHIEF MINISTER:**

No, that is precisely the point, he has not done that. I am none the wiser of what he means by “area” than what he means by “immediate area”. The Government know what they understand by “area”, which is how the draws were conducted, which is an answer to a subsequent question under the criteria. The hon Member has not asked the Government how they defined the area for the purposes of the criteria, or rather, he has done by asking the Government what the criteria were for the draws. But because he has asked that in another question, here he must be asking what he means by “area”, unless he thinks he has asked the same question twice in two different questions. The Government obviously know what area they have divided into, and he is about to find out when I answer his questions about the criteria. The question that he has asked is, “can the Government state how many of the successful applicants for car parking spaces/garages at the Willis’s Road car park live in the area?” He did not say “the area that the Government had chosen to define”, in which case, the answer would obviously have been all of them. If he is intending to ask what the Government’s definition of “area” is, then unless he thinks we have departed from our definition, the answer must necessarily be “all of them”. So, he wants to know the clusterings in some other context, and if he wants to know the clusterings in some other context, he has got to formulate a question that seeks that information. He need not worry, the information is going to be published on a street by street basis, because as there are many people in Gibraltar who appear not to agree with the Government’s definition of “area”, mainly those that have not won a car park in the draw, all the ones that won agree with the Government definition, and all the ones that have not won do not agree. But as there are clearly in Gibraltar more than one view of how the Government should have defined “area”, obviously thinking that the Government should have defined it differently to the way they did, the Government are going to do what they can do no better than. That is, to publish the statistics of all the successful people in the draw, clustering them by streets in which they live and then people can form an informed view of whether they think that the Government made a mistake in defining the areas as we defined them. So, in fact, the information that I am giving in the public as soon as it can be collated and put together, is much more detailed information than the hon Member is seeking, because it does not depend on a presumption of what different people mean by the words “area of”.

**HON G H LICUDI:**

The Chief Minister is simply trying very hard to be and to come across as a clever lawyer rather than a good politician, by drawing these nice distinctions between what we mean by “area” and what they mean by “area”. The fact is that they defined applications and conditions by references to area, and I have set out a question by reference to the area by adopting the very same language that the Government have adopted. When the Chief Minister says that he does not understand what we mean by “area”, what one would have expected, rather than the speech that we just received, and simply a refusal to answer the questions, well, whilst we do not know exactly what the hon Member is suggesting, we can say that we defined these conditions by reference to “area”, and our understanding to “area” means this, and on the basis of that understanding and the conditions that were set out, the answer to the question as to the number of successful applicants, and the answers to the questions as to the number of applicants per area as defined by Government, could and should have been given. Yet it has not been given. Do the Government not accept that that is a reasonable expectation from the Opposition, when the Opposition use exactly the same language in their terminology that the Government

have used in their publication. As regards the question that everybody who is aggrieved by this is obviously someone who has failed, let me tell the Chief Minister that that is not, in fact, the case. We have received representations and would he not accept that representations have been made to us by people who have been successful, but who have been so thoroughly disgusted by the manner in which the Government have conducted this exercise, that they had to get this off their chest and they had to lodge some further complaints.

**HON CHIEF MINISTER:**

No, the Government do not accept any of that. But look, if the Opposition Members think that the Government have perpetrated an injustice on the people of Gibraltar in this respect, they could start by giving up the car parks that they have won in the draw. Frankly, the Government do not agree with anything that he has said either. It is not the Government's job to draft his questions in a factually or politically meaningful or accurate way. He has got to draft the questions that he wants answered. He has asked one question in which he refers to the "area". He has asked another question in which he has asked for the criteria for eligibility, in which clearly the question of the area is one of the eligibility criteria. So in the other question where he talks about area, he cannot have been referring to the area as defined by the Government, because the area as defined by the Government is the subject matter of a separate question by him. But if he now is asking, really absurdly, whether everyone that has won in the draw is within the area as the Government have defined it, well obviously, it is a silly question because the answer is yes. Unless what he is asking is, have in any case the Government departed from their definition of the area and allowed a successful person in the draw to keep his car park, even though he does not live in the area. That is the question that he would, in effect, be asking on the basis of the explanation that he now pulls from his hat. The answer is no. The allocations, allowing people successful in the draw to keep their car parks, is conditional on satisfying the Government that they do indeed live in the area. Not just own a house in the area, live in the area. So, if there is anybody out there who may have a house up there but is not actually living there, then they may not be allowed to keep their car park. That is why the Government have put the successful people out of the draw to the proof of demonstrating that they actually live in the area.

**HON G H LICUDI:**

Are those not matters that the Government should have been satisfied about with regard to the documentation that was required to be submitted, before the car park was allocated? Or are the Government now saying that having allocated car parks to different people who complied with the criteria set out by them, and who complied with the conditions including the necessary documentation, that they now face the prospect of having their car parking spaces removed. Is that what the Government are saying?

**HON CHIEF MINISTER:**

The hon Member really shows the most extraordinary degree of incapacity to understand how public affairs ought to be carried out. No, but does he not entertain the possibility, clearly he does not, his intellectual attention to this matter does not extend to even contemplating the possibility that people's personal circumstances

may have changed from the date in which they submitted the application, were allowed to participate in the draw, and the actual carrying out of the draw? Does he not entertain that possibility? Why do these obvious things not cross the hon Member's mind, even, before launching into a tirade against the Government, based on the assumption that there must be some act of incompetence on the part of the Government, when the act of incompetence is in his assessment of the issues that arise for the Government to make sure that nobody from outside of the area gets in as a result of change of circumstances.

**HON G H LICUDI:**

Are the Government saying the change of circumstances between one date and another will deprive someone of a car parking space that has been allocated? Are the Government then saying, by extension and by analogy, that whoever is actually given a licence to use that car park and then has a change of circumstances, that they will lose that licence?

**HON CHIEF MINISTER:**

Absolutely, the Government are saying precisely that.

**HON J J BOSSANO:**

Given the fact that the purpose of the exercise, that is, the Government for example decided that they should do car parks in Willis's Road as opposed to doing it somewhere else, because there was a site that could be used and because there was a problem of traffic in that area, would it not have made more sense that in defining the area of the applicants the Government should want to give priority to the people who were already living there? Otherwise we are going to have people who are living somewhere else, now taking their car in that place, where they would not have travelled there previously. I mean, this is not an attempt to do anything I neither have a car and have never had one. It is just that it seems to me that they have frustrated their own intentions of solving the congestion in that area. If, as I understand it, they are going to have now people travelling to park the car in a place where they do not live. We all know that in Gibraltar if people could park their car in their bedroom they would. So, if we are going to have somebody living in Humphrey's and going all the way to Willis's Road to park their car, it does not seem to me to be improving the problem that existed. Therefore, the purpose of the exercise of the car park seems to have been frustrated. Have the Government thought of that?

**HON CHIEF MINISTER:**

The point that the hon Member makes just raises in a different form the question, "what is the right area for the Government to have chosen?" When he says, "live somewhere else", how is he defining that term somewhere else? I mean, we start from Willis's Road where the car park is located and at least one member of the Opposition live, so no one is going to doubt that Willis's Road is in the area, obviously. Then, how far does one have to get away from Willis's Road before one is no longer thought to be in the area. Well, there are as many views on that question as there are degrees of distance away from Willis's Road, believe in me at least on

that point. Of course, somebody might live in Engineer Lane, which as the crow flies is 250 yards away from Willis's Road, but there are people who live in Calpe who think that that is not in the area. What they mean is that it is further away than me and, therefore, I should have had the car park before him. That is what they mean. Otherwise, one has got to define what one means by "the area". In due course all of these things will sort themselves out. Why? Because the Government are building car parks in most of the areas. So, eventually, people will want, even if they have got a car park a bit further away from where they live at the moment, people will want to have their cars parked in the multi-storey car park nearest to their house, I suppose. But when all these multi-storey car parks have been built, in accordance with the Government's commitment to make parking the issue of this fourth term, then people will have choices and will all spread themselves out. But until all the others can be built, the resources that are made available have got to be made on a wider definition of "area", that is the Government's decision, rather than a narrower definition of "area", to make sure that as many taxpayers as possible have the chance to benefit. Remember all that has happened is that they have been eligible to go into the draw, they have not been given a car park, as possible with the investments as and when they are made, and as and when they are ready. I am trying to answer all these supplementaries without giving away the answer to the next question about criteria, in which the Government will say how the Government define the area for these purposes. Now, parking is not just relieved, which I think was the essence of his supplementary, parking is not just relieved by allowing people to park in a garage as opposed to in the street, as I think I said recently. Every person that is given a space in a garage relieves the pressure on street parking. So there is relief in parking terms for everybody who lives in the area, because if there were, I do not remember how many there were in Willis's, but if there are x hundred parking spaces in Willis's, most of those are cars that used to be, that belong and indeed he will see when the statistics are published, that the overwhelming majority of successful people live in a very narrow footprint of the vicinity of the car park. When he sees that, anyway, he will realise that all of these people were previously parking their cars on the street and are no longer going to be doing so. So all of those car parkings in the street are now available to relieve the parking pressure of those people in the area that have not, on this occasion, been successful in winning a car parking space. So, the hon Member can say that he believes that when the Government spend £3 million or £4 million in building a car park in Willis's Road, that it should give them out to people not by draw but in order of applicants by the number of metres that they live away from the front entrance of the garage. In other words, the first space is for the man who lives in the house with the window.....

**HON J J BOSSANO:**

I have not said such thing.

**HON CHIEF MINISTER:**

No, I know he has not, I know, but there are many people who have expressed that view to the Government. That is the narrow definition, those are the people who believe that the Government should have defined "area" very narrowly. Well, I am not saying it is necessarily a wrong view. It is a view which could have been chosen. It is not the view that the Government chose, because the Government for the reasons that I have just explained to him, chose a wider definition of "area", which he will know if he does not already when I answer the next question.

**HON G H LICUDI:**

Do the Government not accept that even when they do something that is good and intended to be good for the community, they get it so disastrously wrong that there are still many complaints by people out there? As regards the question of area, in the light of the comment by the Hon the Chief Minister that area for the Government has this wider definition, I am sure we will be wiser in a few minute's time of what that wider definition is, do the Government not accept that the ordinary man in the street who would have obtained this application and these conditions, and have seen that preference will be given to residents in the area, that those people would have been misled because they would not know that the Government was thinking of a wide definition of area, and how wide is wide? So do the Government not accept that they have misled applicants by these conditions? Do the Government not further accept that this definition is either deliberately vague, or incompetently vague, which is it?

**HON CHIEF MINISTER:**

It is not either because the Government do not accept what the hon Member says. The Government accept that there are some people who choosing to define the word "area" as they personally choose to define it, may in consequence have felt misled. But that is very different from the Government misleading them because the Government have not defined the question of area. The Government do not accept that they get their xxxxxx around their elbows when they do projects of this sort. The hon Member, if he should ever find himself on the Government side of the House, will soon discover that in Gibraltar, as in almost every other democratically governed country in the world, it is not possible for governments to do things pleasing everybody all of the time. So, if that is his definition of competence, then as I say, should he ever find himself on this side of the House, he will soon be greeted by a very rude awakening. On this, at least, he might like to consult his leader. It is not possible to devise a system with which everybody will feel that they have nothing or no desire to grumble about. Therefore, I do not accept what he has said, it is just another example..... It is all very well for the hon Members who when they were in government built no multi-storey car parks at taxpayer's expense, to now try to make political capital about the way the Government choose to define the criteria for the allocation of spaces in those three that the Government have already built. It is the usual form of political nit picking. Instead of telling the people of Gibraltar why we are incompetent in the way that we have allocated these parking spaces, why does he not explain to the people of Gibraltar why the GSLP thought there was not a need for any parking spaces, regardless of how they might have been allocated? That is what he should be explaining to the people of Gibraltar.

**MR SPEAKER:**

I am dying to find out about the criteria, can we move on to the next question?

ORAL

**NO. 1075 OF 2008**

**THE HON G H LICUDI**

**NEW HARBOURS CAR PARK**

Can Government state what criteria was used for the selection of successful applicants for car parking spaces at the New Harbours car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1076 to 1080 of 2008.

ORAL

**NO. 1076 OF 2008**

**THE HON G H LICUDI**

**WILLIS'S ROAD CAR PARK/GARAGES**

Can Government state what criteria was used for the selection of successful applicants for car parking spaces/garages at the Willis's Road car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1075 and 1077 to 1080 of 2008.

ORAL

**NO. 1077 OF 2008**

**THE HON G H LICUDI**

**SANDPITS CAR PARK**

Can Government state what criteria was used for the selection of successful applicants for car parking spaces at the Sandpits car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1075, 1076 and 1078 to 1080 of 2008.



ORAL

**NO. 1078 OF 2008**

**THE HON G H LICUDI**

**NEW HARBOURS CAR PARK**

Can Government state whether there was a change of criteria at any time between the invitation for applications for car parking spaces at the New Harbours car park and the selection of successful applicants?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1075 to 1077, 1079 and 1080 of 2008.

ORAL

**NO. 1079 OF 2008**

**THE HON G H LICUDI**

**SANDPITS CAR PARK**

Can Government state whether there was a change of criteria at any time between the invitation for applications for car parking spaces at the Sandpits car park and the selection of successful applicants?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1075 to 1078 and 1080 of 2008.

**NO. 1080 OF 2008**

**THE HON G H LICUDI**

**WILLIS'S ROAD CAR PARK/GARAGES**

Can Government state whether there was a change of criteria at any time between the invitation for applications for car parking spaces/garages at the Willis's Road car park and the selection of successful applicants?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have not selected the successful applicants, they selected themselves in a public draw. However, if he asks me the right question, I can give him what the qualifications, what the criteria were for eligibility to participate in the draw.

**SUPPLEMENTARY TO QUESTION NOS. 1075 TO 1080 OF 2008**

**HON G H LICUDI:**

I am completely at a loss as to what the Chief Minister is referring to. The applicants selected themselves, was this not a public draw conducted, organised by the Government and, therefore, it was essentially the Government that conducted this public draw and therefore selected applicants by public draw or otherwise? But it was the Government that organised and conducted this, is that not the case?

**HON CHIEF MINISTER:**

Not only does the hon Member appear to be permanently in the dark, but even when light is shone upon him he still chooses to pretend that he is living in the dark. The hon Member has asked, "can the Government state what criteria was used for the selection of successful applicants?" and I am telling him that the Government have not selected successful applicants, and therefore, there is no criteria for the Government's selection of successful applicants. Successful applicants won their success, not by Government selection but by winning the draw. Therefore, what the Government criteria attaches to is not the selection of the successful applicant, rather but deciding who could go into the *bombo* so that they would have the chance of their name being drawn out. Is that sufficiently clear for the hon Member? Well, I am sorry, I cannot think of an easier or simpler way to explain it to him.

**HON G H LICUDI:**

Well, either we are all living in the dark or the Chief Minister simply having an off day. He clearly knows what the question is intended to mean. He has told us on countless occasions in the last half an hour, that he will give the criteria when we get to these questions, and now he seems to be playing games, playing these political games of catch me if you can and playing with words. Well, the public out there want a better performance from a Chief Minister than that. The public out there want answers to simple questions, and I have not asked what criteria the Government use. I have simply asked for the Government to state what criteria was used, by whoever conducted the selection, and it is clear that there was a selection of successful applicants, and it is clear that there was a criteria used as to who could be successful and who could not be successful. Clearly, that criteria pre-supposed that one had to comply with certain conditions before being put in the *bombo* as the Chief Minister has described. Can the Chief Minister shed a little bit of light, given that we all seem to be living in the dark ages except for him? Can the Chief Minister shed a bit of light as to what criteria was in fact used?

**HON CHIEF MINISTER:**

I do not see who he defines as everybody else living in the dark except him. So far, he and I are the only two who have spoken on this matter. It is clear from the hon Member's answer that he understands neither the question that he has formulated, nor the answer that I have given to him, and he can try and conceal that situation by repeating the completely irrelevant assessment that he is making in his supplementary. People want the Government to answer the question that is asked, however simple it might be. He has, indeed, asked a simple question and I have answered the simple question that he has asked. He has asked, "can Government state what criteria was used for the selection of successful applicants?" Successful applicants are people who are now very happy that they have a car parking space. Those people have not been selected by anybody. The only thing that the Government have done is that we have selected the criteria to see who is eligible to participate in the draw. Therefore, there are no criteria by which the Government, or anybody else, have selected the successful applicants. I have told him, if he wants to carry on defending his question he can continue to do so and not get the information that he wants, but I started by telling him that if he asks in supplementary what criteria the Government used for the purposes for which they had criteria, namely, not the selection of successful applicants as his question asks, but rather, to decide who was eligible to participate in the draw, which is a very long way from being a successful applicant, I will give him the information. But I will not give him the information in answer to a question which has been formulated in a way that suggests that the Government have chosen successful applicants. Is it now clear to him?

**HON G H LICUDI:**

Absolutely not, and I have not asked as I have said previously, that the question is about the selection. What is clear is that what I cannot ask is about selection of unsuccessful applicants. If the question is about selection, the question has to be about selection of those people who have been successful.

**HON CHIEF MINISTER:**

In that case, the answer is as I have given it to him.

**HON G H LICUDI:**

Is it possible, for once, that we can get away from a headmaster or school mentality? We are not in school here. We are performing public duties, for which we are paid and for which the Opposition, and I would expect the Government side, take their responsibilities very seriously. Having regard to that, can we not simply decide to disagree on the semantics of the wording? Can we not decide simply to move on and to give the information that is clearly sought? There was, clearly, criteria by which people were entitled to participate in the draw.

**HON CHIEF MINISTER:**

Well, that is a different question not the one that he put. So he has understood the answers that I have given. That is a very different question to the one.....

**MR SPEAKER:**

Order, Order.

**HON G H LICUDI:**

I am happy to give way to the Chief Minister if he wishes to answer my question.

**MR SPEAKER:**

No, please proceed.

**HON G H LICUDI:**

Will the Chief Minister now answer? If he wants to pat himself on the back and say that he has scored five political points, well, ten points for the Chief Minister for what he has done this morning. But no points for being publicly accountable by answering questions which are sensible and which the public are entitled to. So, would the Chief Minister now say what criteria the Government adopted to enable people to participate in the draw, which is the question which the Chief Minister wants asked and appears not to want to answer?

**HON CHIEF MINISTER:**

No, if he puts his supplementary like that I will not answer the question, because it is not a question of the hon Member now answering, as if he had asked me a million times before. He has never asked me that question before, which is a very different question to the one that he has asked and has spent fifteen minutes defending, even though it is indefensible, and I will only answer the questions that he asks. It is not

part of my job to earn part of his salary by drafting the questions for him. My duty is to answer the question that he asks. If he wants to know what criteria the Government have used to decide which applicants could participate in the draw, he has to ask that question without suggesting that that is the question that he has asked and which I have stubbornly, or opaquely refused so far to answer. If he asks the question in that way, I will happily provide the answer to him. If he continues to choose language in formulating his question which suggests that the question that he has on the Order Paper seeks the information that he is now asking for in his supplementary, I will not provide it to him.

**MR SPEAKER:**

Before the hon Member rises, I have no powers to control the text of a question as long as it meets with Standing Orders, nor do I have any powers to control the answers provided. I am sure Members on both sides do know that. Both sides seem firmly entrenched in their respective positions on this. If the hon Member is willing to rephrase the question, otherwise we are probably wasting time.

**HON G H LICUDI:**

I agree entirely with Mr Speaker's comments that it would be a waste of time simply to continue with this line of questions and answers, and that is certainly not what we are paid for, to waste anybody's time. I have no difficulty whatsoever in formulating a question in a manner that elicits from the Government the information that we are actually seeking. We have difficulties in being told by the Chief Minister the precise wording that we have to use in our questions before he will answer.

**HON CHIEF MINISTER:**

That is not what I have asked.

**MR SPEAKER:**

Order, Order. Before we get carried away, may I prevail upon the hon Member to put the question without prologue.

**HON G H LICUDI:**

Can the Chief Minister tell us what criteria was used by Government to allow applicants to proceed to the draw which resulted in selection of successful applicants for car parking spaces at the three car parks which I identified in the question?

**HON CHIEF MINISTER:**

Yes, provided the hon Member understands that it did not result in selection by anybody. It resulted in selection by process of the draw. So even when he is trying to formulate the question uncontroversially, he has to slip into the very territory that he knows gives me difficulty in answering the question. Let us be clear, there has been no selection by Government or anybody else of successful applicants. There is

no criteria, therefore, for the selection of successful applicants because the people who now enjoy, or are about to start to enjoy their parking spaces, have not been selected by anybody. They have won their happiness by having been drawn out of a hat, or a *bombo* in a draw. That is the premise of the question, and if I could just make one more point? The hon Member is right, of course, in saying that we are not at school, but I am told when I arrived here this morning that that did not prevent one of the Opposition Members from thinking that the Minister for Education should go back to school. So, I do not know what the distinction is between being at school or being.....

**HON F R PICARDO:**

If the Chief Minister would give way?

**HON CHIEF MINISTER:**

No, I will not give way. Does he have a Point of Order?

**MR SPEAKER:**

It is not usual to give way during questions.

**HON F R PICARDO:**

Well, I gave way to the hon Gentleman yesterday and he gave way to me. If the Chief Minister wants to make comments about things that happen when he is not in this House, maybe he should spend more time in this House. We only meet three times a year.

**MR SPEAKER:**

Order.

**HON CHIEF MINISTER:**

Q.e.d. again. Mr Speaker, the criteria used by the Government to decide who should be eligible to participate in the draw, are as follows:-

In respect of the Willis's Road stores, so not car parks at all, store rooms, there were no residence criteria. In other words, it was open to applicants irrespective of their address.

In respect of the garages and car parking spaces at Willis's Road, the applicants who were allowed to go into the draw were those with addresses within the City walls to the west, and within King Charles V Wall on the south. In other words, those areas commonly referred to as "the old town area".

In respect of Sandpits and New Harbours car parks, the applications that were allowed to go through into the draw, were those with addresses south of King

Charles V Wall. That is, residents of the area commonly known as “the south district”.

**HON J J BOSSANO:**

Is it not the case that the Calpe Tenants Association for a number of years were making representations to the Housing Department in their regular meetings, for the provision of car parking facilities in that area and by their definition, and a definition shared with the Ministry in those meetings, the area meant the area where the people in the Calpe Tenants Association lived, not anything else? Is that not the case?

**HON CHIEF MINISTER:**

I do not know if the tenants of the Calpe Estate Association either have that view or expressed it, or indeed think that that is what the Government should have done. But that is not the view that informed the Government’s project, nor that informed the Government’s decision in the allocation. I do not know, they may have expressed that view, I do not know. But their expression of the view, which is logical that they should hold, because it maximises their chances of getting a space, is not what the Government chose to do.

**HON J J BOSSANO:**

I accept that it is not what the Government chose to do, but are the Government aware that, in fact, it is what they were told was going to happen in those meetings and that it is recorded in minutes?

**HON CHIEF MINISTER:**

Well, I would need notice of that question, certainly not to me.

**HON J J BOSSANO:**

I am not asking the Chief Minister, I am saying are the Government aware?

**HON CHIEF MINISTER:**

Well, no, we are not all going to stand up one at a time as if doing a poll. If the hon Member is interested in knowing what the answer is to the question that he has just asked, if he writes to me I will certainly get the public administration to express a view as to whether that was ever said by anybody in the Government to the Tenants Association of Calpe.

**HON J J BOSSANO:**

Well, in reaching the decision on how the area should be defined, given that the Calpe Tenants Association had for years, even before the decision was taken to build



this particular car park with this particular capacity, been in discussion with the Housing Department who were telling them that the technical department responsible for car parking was fully aware that the members of the Association would be given the necessary parking facilities that they needed. That is to say, the people in the Calpe Tenants Association were not making representations to the Government about car parking in Gibraltar generally, but car parking for their specific members. Therefore, when they were told in minutes over a number of years that they would be provided with parking for their members in the area, would the Chief Minister not agree that it was a reasonable deduction on their part that the area that was being talked about was an area adjacent to where they live? As if it was being done in Varyl Begg, or Laguna, or anywhere else.

**HON CHIEF MINISTER:**

No, because I do not know they were being told that. Therefore, everything else is hypothetical. I do not know they were told that, and it depends who they were told by and whether the person that they were told by is at a sufficiently senior level of Government to know what the Government policy is, and indeed, to contribute to the making of Government policy. The question is hypothetical. I am telling him that I do not know whether the premise of his question is correct or incorrect. I just do not know what they were being told. But even if they were told that, which I do not know if they were or were not, it certainly does not bind the Government and it still leaves the question of the definition of "area".

**HON J J BOSSANO:**

If there are, I am told by the Tenants Association, 70 tenants of which seven were successful in this draw, then clearly the promises over the years made in meetings of which.....

**HON CHIEF MINISTER:**

He is assuming that there have been promises over the years. He can say that he has been told they were promised.

**HON J J BOSSANO:**

And that I have seen the minutes I can say as well, and that the meetings were attended by Ministers. I can also say that. Now, will the Chief Minister look into it and see if there is not, in the only case which I am familiar with, some legitimacy in the argument that if it goes back to 2006, then presumably in 2006 when they were being told that parking was going to be provided for them, for the Association and their members in that area, it was well before the decision was taken on the criteria for inclusion in the draw. Maybe the people who took the decision for inclusion in the draw were not familiar with what had been discussed previously in a different context. So at the very least, will the Chief Minister ask to be given a copy of those minutes?

**HON CHIEF MINISTER:**

I will answer the hon Member's question. If he will write to me I will do precisely as he is inviting me to do. What I no longer do, I do not know if he has noticed in the last few meetings of the House, because I tend to forget and then I do not do as I say I am going to do, is accept commissions across the floor of the House because I do not have anybody here in support. If he will write to me asking me to look into the very things that he has just described, of course I will.

**HON G H LICUDI:**

Three of the questions that the Chief Minister answered earlier were to do with the change of criteria, and the Chief Minister has stated that there was no change of criteria. That, of course, by definition means that when these conditions were published and given to applicants, whether they were successful or not, the Government's intention as to what "area" meant was precisely the same definition that later was applied in deciding who went into the hat. Given that the Chief Minister has said that this definition was neither deliberately vague nor incompetently vague, can the Chief Minister explain in the light of the fact that this definition has led to people having wrong or misconceptions as to what applied, why it is that the Government were not precise in their definition at the time when they published the conditions? Otherwise, it gives rise to the suspicion that there has been a change of criteria.

**HON CHIEF MINISTER:**

The answer is as I have already given it to him. There has been no change of criteria, there is no need for precise criteria, except by those who are interested in excluding other fellow citizens from the possibility of winning what has been built at taxpayer's expense, and there are now hundreds of citizens of Gibraltar who enjoy car parks, provided at taxpayer's expense, who would not have done so if the party opposite had won the election in 2003.

**NO. 1081 OF 2008**

**THE HON G H LICUDI**

**WILLIS'S ROAD, SANDPITS, NEW HARBOURS – CAR PARK/GARAGES**

Can Government state whether in respect of the allocation of car parking spaces/garages at the Willis's Road, Sandpits and New Harbours car parks, more than one car parking space/garage was allocated to any household?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As I have already told him, the Government have made no allocation and no allocation, as such, has been made by anybody. But I am informed that in the draw applications were limited to one per household.

**SUPPLEMENTARY TO QUESTION NO. 1081 OF 2008**

**HON G H LICUDI:**

So the Chief Minister is perhaps answering a different question to what I have asked. What the Chief Minister has said is that one application per household was allowed. Is it not correct that one application per household was allowed in respect of each of the car parks, and therefore, where one particular household may have been entitled to apply under the criteria for more than one car park, either New Harbours or Sandpits, as the case may be, there may have been those applications, and can he say whether more than one car parking space, not necessarily in the same car park, but whether more than one car parking space has been allocated to any household? As I say, not necessarily in the same car park.

**HON CHIEF MINISTER:**

No, I cannot tell him that but what I can tell him is that the premise of his supplementary is correct. In other words, that the answer applied to each car park. But I cannot tell him the answer to the second part of it. In other words, when I say that not more than one application per household was allowed in the draw, I mean the draw per car park.

**HON G H LICUDI:**

Yes, I understand that one application was allowed per household. But the question specifically refers to the allocation, not to permission to apply.

**HON CHIEF MINISTER:**

I am telling him that I do not know whether in separate draws, for separate garages, people from the same household have, in fact, won car parks, not in the same garage but in different garages.

**HON G H LICUDI:**

Does he know?

**HON CHIEF MINISTER:**

I have told him that I do not know the answer to that.

ORAL

**NO. 1082 OF 2008**

**THE HON G H LICUDI**

**NEW HARBOURS CAR PARK**

Can Government state how many of the successful applicants for car parking spaces at the New Harbours car park already owned or had the use of a garage or car parking space?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1083 and 1084 of 2008.

ORAL

**NO. 1083 OF 2008**

**THE HON G H LICUDI**

**SANDPITS CAR PARK**

Can Government state how many of the successful applicants for car parking spaces at the Sandpits car park already owned or had the use of a garage or car parking space?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1082 and 1084 of 2008.

**NO. 1084 OF 2008**

**THE HON G H LICUDI**

**WILLIS'S ROAD CAR PARK/GARAGES**

Can Government state how many of the successful applicants for car parking spaces/garages at the Willis's Road car park already owned or had the use of a garage or car parking space?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government cannot know whether a person has the use of a garage or parking space. The number of persons who were successful in the draw and who the Government believe own a car parking space, which can be established from Government records, will be published with the rest of the information which I have just indicated to the hon Member is being put together in a statement form and published. But I can confirm to him that there are a number of people with a member of the household that owned a car park, as opposed to the use of. In other words, we have no way of knowing who has the use of as opposed to owning a car park.

**SUPPLEMENTARY TO QUESTION NOS. 1082 TO 1084 OF 2008**

**HON G H LICUDI:**

Was it not part of the criteria for being allowed to participate in the draw, that an applicant would not be entitled to participate if that applicant owned a car parking space or garage already? In other words, was it not the purpose of the allocation of these car parking spaces, was it not intended to benefit those people who already did not either have the use of, and I understand the difficulty in ascertaining that, but particularly owned a parking facility already. Is that not what the intention of this draw was?

**HON CHIEF MINISTER:**

No, the hon Member knows from the published criteria in the advertisements that there was no such criteria.

**HON G H LICUDI:**

Do Government not recognise that in the application form itself, the applicant had to declare either that they did or they did not own a garage? I do not know whether by garage the Government also included car parking space in that criteria. But, certainly, it is part of the application form.

**HON CHIEF MINISTER:**

Well, yes, much information was requested, which is not to say that all the information that is requested constitutes part of the criteria for eligibility to practise. Certainly, the information was requested.

**HON G H LICUDI:**

So what the Government are saying is that the intention behind this application form is simply to find out whether somebody already has a garage, but rather than because a decision had been taken to exclude people who had garages from the draw. Is that the Government's position?

**HON CHIEF MINISTER:**

Well, if the Government had not asked the question, I would not now be able to answer him the questions that he is now asking me. It is only because we asked for the information that we are able to know, when the information is cobbled together, how many of what he calls the successful applicants and I call the happy winners of the draw, already have a car park or, at least, that some member of their family already has ownership of a car park.



**NO. 1085 OF 2008**

**THE HON G H LICUDI**

**WILLIS'S ROAD, SANDPITS, NEW HARBOURS – CAR PARK/GARAGES**

Can Government state when the successful applicants for car parking spaces/garages at the Willis's Road, Sandpits and New Harbours car parks will have the use of the parking spaces/garages allocated to them?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The process which followed the draws was completed last week, which basically involved people coming in, in the order in which they had won to choose the space they wanted. Contracts have begun to be signed this week, in order to finalise the arrangements and provide them with the use of their parking space and/or garage space as soon as they come in to sign the contract. So, that is the very process that is taking place, and as soon as they do it I believe it is open.

**SUPPLEMENTARY TO QUESTION NO. 1085 OF 2008**

**HON G H LICUDI:**

Are the Government satisfied that sufficient resources are being allocated to this? The concern that has been expressed to us is that only one person is doing that, and that is leading to unnecessary delay.

**HON CHIEF MINISTER:**

Well, I do not know whether there are sufficient. Obviously, if there were a hundred people it would be done a hundred times faster than if there is only one person. People are getting car parks, which I repeat, they would not have had, had this party not been elected into office. In those circumstances, to now worry about whether they are waiting one more or two more days to get their car park seems to me very churlish. They are all very happy that they elected into office a Government committed to building car parks, so that the people of Gibraltar's historical problems with parking, once and for all is being addressed, by this Government for the first time ever.

**NO. 1086 OF 2008**

**THE HON DR J J GARCIA**

**GTB – UPPER ROCK TOURIST SITES**

Can Government say whether they have received any proposals or approaches from private entities to take over the running of the upper rock tourist sites, and if so who are the individuals behind the proposals/approach?

**ANSWER**

**THE HON THE CHIEF MINISTER**

General proposals have been received from a variety of parties over the last few years. None will be considered until the Government have made a policy decision about a new structure for the holistic management of the Upper Rock in the future, in a way that better integrates and coordinates all activities and conflicting objectives in the Upper Rock. Rumours mysteriously circulating in town to the effect that the Government are about to hand the Upper Rock to a private sector company, are wholly without foundation and truth.

**NO. 1087 OF 2008**

**THE HON DR J J GARCIA**

**FLIGHTS BETWEEN GIBRALTAR/MADRID**

Can Government say whether their claim that there would “soon” be flights re-established between Gibraltar and Madrid, and established to Barcelona and Valencia is a result of the specific negotiations that they have been holding with different airlines?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not appropriate to provide details of the basis of the Government’s expressed view that flights to and from Spain would soon be re-established. Clearly, this view is held on the basis of discussions.

**SUPPLEMENTARY TO QUESTION NO. 1087 OF 2008**

**HON DR J J GARCIA:**

What I meant to establish was whether these discussions were part of the general discussions on airlines which the Minister responsible holds, ten or 24 as we established yesterday, whether these are separate negotiations or discussions which the Chief Minister is conducting himself?

**HON CHIEF MINISTER:**

In part, both.

**NO. 1088 OF 2008**

**THE HON DR J J GARCIA**

**VISAS – NON-EU NATIONALS**

Can Government confirm that a non-EU national who requires a visa to visit Gibraltar and wishes to travel here through Schengen territory only requires a Schengen visa and a visa to enter Gibraltar, and does not require in addition a UK visa for which the person would have no use?

**ANSWER**

**THE HON THE CHIEF MINISTER**

A non-EU national who requires a visa to enter Gibraltar only requires a Gibraltar visa in order to do so. However, a visa requiring national who seeks to visit Gibraltar intending to depart to Spain and has no other means of leaving Gibraltar, is expected to hold a Schengen visa or residence permit to guarantee his returnability.

**SUPPLEMENTARY TO QUESTION NO. 1088 OF 2008**

**HON DR J J GARCIA:**

So if anybody has been told that they need a UK visa as well, then that is not the case?

**HON CHIEF MINISTER:**

No, it is not the case. They may have been told something differently, they might have been told that with a UK visa one can come to Gibraltar, but the reverse is never true. In other words, one does not need a UK visa to come to Gibraltar, and if they have been told that, as opposed to them misunderstanding the other thing that I have just speculated, then certainly they have been misinformed.

ORAL

NO. 1089 OF 2008

THE HON DR J J GARCIA

**ROCK HOTEL SITE**

Given the policy of the Government that the site of the Rock Hotel should continue to provide Gibraltar with a quality hotel, is it also the policy of the Government that part of the site can be used for residential purposes and another part for the quality hotel?

ANSWER

THE HON THE CHIEF MINISTER

The Government have no policy on this matter. Should the owners of the Rock Hotel seek to do any such thing, then the Government will have to form a view on whatever may be proposed.

ORAL

**NO. 1090 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**

Answered together with Question Nos. 1091 and 1092 of 2008.

ORAL

**NO. 1091 OF 2008**

**THE HON DR J J GARCIA**

**MANSION (GIBRALTAR) LTD – REDUNDANCIES**

Can Government say whether they have been advised by Mansion (Gibraltar) Ltd of a state of collective redundancy in the company, and if so on what date and how many people are affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1090 and 1092 of 2008.

**NO. 1092 OF 2008**

**THE HON DR J J GARCIA**

**PARTYGAMING – REDUNDANCIES**

Has Government now been notified by Partygaming of the exact number of people that they propose to make redundant and if so what is the number involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There has been no further update of the figures since the information provided in answer to Question No. 716 of 2008.

The Government are not aware that there is a collective state of redundancy at Mansion, nor indeed, can we find any evidence that there has been any notification of that to the Government.

The Government have not been informed by Partygaming of the precise number of employees that they intend to make redundant. Partygaming is a valuable and valued part of Gibraltar's economy, and will remain one of the largest employers in the gambling sector, even after it makes the redundancies that it intends to make.

**SUPPLEMENTARY TO QUESTION NOS. 1090 TO 1092 OF 2008**

**HON J J BOSSANO:**

In respect of the answer to Question No. 1092 and Partygaming, is the Chief Minister saying that they have not yet notified the Government? Surely they have to notify the ETB if they are making people redundant?

**HON CHIEF MINISTER:**

I think the position is as has already been said publicly, that they have notified a ballpark figure, which I think was 105 or something like that, but that they did not know exactly what it would end up as. In other words, they thought that that was a maximum, I think they said at the time, but that they had not yet sort of fixed, the fixing of the number would only be decided after the process of consultation.



ORAL

**NO. 1093 OF 2008**

**THE HON DR J J GARCIA**

**ENERGY CHARTER TREATY 2007**

Can Government say why they took the policy decision to first publish a Bill for the Energy Charter Treaty in 2007 and then they decided not to proceed with the Bill and asked the UK on 9 April 2008 to extend the Energy Charter Treaty to Gibraltar instead?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1094 of 2008.

**NO. 1094 OF 2008**

**THE HON DR J J GARCIA**

**ENERGY CHARTER TREATY 2007/GENEVA CONVENTIONS ACT 2007**

Can Government say whether they intend to proceed with the following Bills that were published in 2007 and if not indicate the reason why:

- (a) a Bill for the Energy Charter Treaty 2007;
- (b) a Bill for the Geneva Conventions Act 2007?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government decided not to proceed with the Bill following advice from the United Kingdom that it was unnecessary for the Treaty to be extended to Gibraltar. We were advised that it was sufficient that the Treaty is listed as a Community Treaty by virtue of the EC Act. Under the provisions of that Act, any Treaty listed by the UK as a Community Treaty, automatically achieves the same status in Gibraltar.

In subsequent correspondence, the UK have revised their advice. They have informed us that the Treaty actually has been amended by something called the Trade Amendments, and that such amendments cannot have effect in Gibraltar by virtue of the European Communities Act. The Trade Amendments are a matter of community competence, only in respect of the UK and not Gibraltar, because of Gibraltar's status outside the Customs Territory and the Common Commercial Policy, and that the Trade Amendments fall into that body of EU acquis from which Gibraltar is excluded, in terms of the Trade Amendments as opposed to the principal Treaty.

The Government are currently considering, I am told, the steps that need to be taken to give effect to the provisions of the Energy Charter Treaty as amended by those provisions in the Trade Amendments that fall outside the scope of community competence in respect of Gibraltar. Of course, there is nothing to stop us legislating the Trade Amendments as a matter of domestic policy and have it extended to us by the UK, even though they do not apply to us directly by virtue of the EU acquis.

The Government do not intend to proceed with the Bill for the Energy Charter Treaty 2007, therefore, for the reasons given just now.

**SUPPLEMENTARY TO QUESTION NOS. 1093 AND 1094 OF 2008**

**HON DR J J GARCIA:**

There was also a (b), the Geneva Conventions Act 2007, in Question No. 1094.

**HON CHIEF MINISTER:**

There was an issue there in respect of that Bill, there was a disagreement and I do not know, it has not been revisited with me since March 2007 so I do not know if the facts remain as they were at that time. There was an issue about whether the Bill could proceed as published in the context of the existence of an Order-in-Council in the UK, relating to the use of the Red Cross emblem and whether it was one of these Governor or Government points. I think the Bill says "Government" and somebody in the UK took the view that the Gibraltar Government could not be trusted, or at least could not in relation to a conflicting Order-in-Council, which I am not familiar with, and I think it got stuck there. I do not know if there has been any movement on this and, certainly, I have not been involved in any follow up to that. So, I honestly cannot tell him why it is still stuck and if there is still a reason for it to continue to be stuck. I do not know.

**NO. 1095 OF 2008**

**THE HON DR J J GARCIA**

**POST-BOXING BY COMPETENT AUTHORITIES OF GIBRALTAR AND SPAIN**

Can Government list the end result of each of the requests made or received by the competent authorities of Gibraltar and those of Spain through the UK post-box for the period 2000-2008 given in answer to Question No. 719 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No Sir. This requires a disproportionate degree of administrative effort and would also involve, in some cases, the placing in the public domain of information not intended to be in the public domain. I mean, I think as I have understood the question, he has asked me for all the instances in the past in which the post box was used, I have given him a list and now he wants to know the outcome of the business that generated that communication, and that would be exposing hundreds, I do not remember how many cases there were.

**SUPPLEMENTARY TO QUESTION NO. 1095 OF 2008**

**HON DR J J GARCIA:**

Perhaps if I rephrased it. What I want to know, actually, is whether there were any instances where the information requested was not supplied, either by Gibraltar or by Spain?

**HON CHIEF MINISTER:**

Can he help me further by telling me whether Question No. 719, which I do not have in front of me, related only to the judicial requests sent to the post box or whether it was all the business that had gone through the post box?

**HON DR J J GARCIA:**

It related to all the requests, including environmental ones which are the first ones and it continued in to several pages.

**HON CHIEF MINISTER:**

Well, then it is the answer that I have given because these are not just necessarily requests for information, many of these things are notifications, regulatory notifications, the Environmental Agency sending through the post box a request for a permit to export waste into Spain, the Financial Services Commissioner sending a notification to his counterpart in Spain, they are not necessarily requests for information. I do not have the list in front of me that I gave him. Some of them may be requests for information, but normally they are not, the bulk of them are not requests for information, they are just notifications and transmission of administrative applications. It is the main use to which the post box is put.

**HON DR J J GARCIA:**

It might be possible to make a distinction between those that are requests and those that are mere transmissions or notifications, because really what we want to know is whether in terms of the requests that have been made for information on either side, whether any have been refused or have not happened for .....

**HON CHIEF MINISTER:**

Perhaps I can answer it generically. If he wants a specific answer to whether we can answer formally, he would have to give me the list of the ones he thinks constitute requests and if there are not too many of them, then the disproportionate administrative effort answer would not apply. If there is just a few it is possible to look at the files to sort of follow through. If they are too many, the same answer will apply about disproportionate....., but I can say that I am not aware of any case which has involved the request of information which we have sent to Spain, if indeed there has been any, which has been refused and the policy of the Government on requests for information from Spain is clear. That when the requests, particularly judicial, law enforcement, police cooperation requests are addressed to the Government properly, in other words, are addressed to the Gibraltar competent authority, not necessarily the Government, it could be some other Gibraltar authority, then they are routinely attended to positively, provided that they do fall within the scope of cooperation provided for by Gibraltar statute. But equally, when they are not properly addressed, there are still some people in Spain that address it to the courts of the United Kingdom, in pursuit of political objectives, those are routinely not responded to but they are told why.

**HON DR J J GARCIA:**

Is it possible to say whether this list actually includes those that fell into either category?

**HON CHIEF MINISTER:**

I cannot say now from speaking, if they have been addressed to the post box, more likely than not they were properly addressed. But it is sometimes the case that the correct post box cover is applied to an enclosed request from the original source that is itself improperly addressed, and the post box cover does not correct the defect. So, for example, if a judge in some part of Spain were to address the request to the

United Kingdom's judicial authorities for Gibraltar, even if they sent that under cover properly through the post box, that would not be accommodated because there is no United Kingdom judicial authority for Gibraltar.

**NO. 1096 OF 2008**

**THE HON DR J J GARCIA**

**NEW HARBOURS INDUSTRIAL PARK**

Is it the policy of the Government to sell the leases to the 30 out of 82 tenants of New Harbours who are interested in making the purchase?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes Sir.

**SUPPLEMENTARY TO QUESTION NO. 1096 OF 2008**

**HON DR J J GARCIA:**

Is it still the position that these transactions have to be completed by the end of the year?

**HON CHIEF MINISTER:**

That is what the Government said to them originally. Whether that deadline is slipping in the cases that are advancing, I do not know. Certainly in the cases of people that have not committed, the deadline will finish in December because that, amongst other things, gives the Government..... In other words, the main point about the deadline is the holding of price that people cannot keep a price quotation open indefinitely and come back in three year's time and say, "I now want to buy at the price that you offered me in 2007 or 2008".

**HON DR J J GARCIA:**

I do not know whether the Chief Minister will need notice of this question, but would he have information available relating as to how much revenue this is expected to generate for the Government?

**HON CHIEF MINISTER:**

I have had the figure quoted to me but I do not remember. I think that if all 30 of the tenants that have expressed interest proceed to purchase, it is several millions of

pounds. I do not know if it is five, six, seven or eight. It is a significant sum of money in the millions, if they all go through with it.



ORAL

**NO. 1097 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. 1098 of 2008.

**NO. 1098 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 non-commercial gate:

September 2008	£13,823.29
October 2008	£15,456.29

In respect of building materials:

September 2008	£108,871.29
October 2008	£172,039.54

The November figures are not yet available.

ORAL

**NO. 1099 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**

Answered together with Question Nos. 1100 and 1101 of 2008.

ORAL

NO. 1100 OF 2008

THE HON F R PICARDO

**TRAVEL AGENTS USED BY MINISTERS**

What travel agents have Ministers used to arrange travel in the past two years?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1099 and 1101 of 2008.

ORAL

**NO. 1101 OF 2008**

**THE HON F R PICARDO**

**BOOKING FEES PAID BY MINISTERS IN RESPECT OF OFFICIAL TRAVEL**

What amounts have been paid by Ministers as “booking fees” in respect of official travel in the past two calendar years?

**ANSWER**

**THE HON THE CHIEF MINISTER**

On the basis that the Member understands that Ministers neither make bookings nor arrange their travel, nor pay anything, understanding the question to mean travel in respect of Ministers, the answer is as follows. I hand the hon Member a schedule with the information that he requests in Question No. 1099.

In the past two years, travel agents used in respect of ministerial travel include Blands and Tourafrica.

The amount of booking fees relating to ministerial travel, if any, is not separately identified and is included in the cost of the ticket invoiced to and paid by the Government. The information being sought is therefore not available to the Government.

**ANSWER TO QUESTION 1101****ANSWER TO QUESTION 1099****CHIEF MINISTER'S AIR TRAVEL**

<b>Destination</b>	<b>Dates</b>	<b>Amount</b>	<b>Airline</b>	<b>Seat Category</b>	<b>Travel Agent</b>
Manchester	21.09.08 – 22.09.08	£524.50	Monarch	-	Blands
New York - London	29.09.08 – 08.10.08	£5,052.40	British Airways / Monarch	Club Class	Blands
Marrakesh	14.10.08 – 16.10.08	-	-	-	-
London	19.10.08 – 22.10.08	£986.80	British Airways	Club Class	Blands
London	06.11.08 – 09.11.08	£946.80	British Airways	Club Class	Blands

**MINISTER'S AIR TRAVEL**

<b>Minister</b>	<b>Destination</b>	<b>Dates</b>	<b>Amount</b>	<b>Airline</b>	<b>Seat Category</b>	<b>Travel Agent</b>
Minister Holliday	London	06-08 Nov 08	£824.50	British Airways / Easyjet	Business / standard	Blands
Minister Britto	London	19-22 Oct 08	£986.80	British Airways	Business	Blands
	London	09-12 Nov 08	£408.00	British Airways	Business	Blands

**SUPPLEMENTARY TO QUESTION NOS. 1099 TO 1101 OF 2008**

**HON F R PICARDO:**

Did the hon Gentleman have an opportunity of following that part of Question Time, in respect of booking fees for the GHA?

**HON CHIEF MINISTER:**

No, I am answering for the Government.

**HON F R PICARDO:**

I know he is answering for the Government but we had a very similar question on what is now colloquially referred to as the Paper Order, which dealt with this question in respect of the GHA, and we had an exchange about the GHA and I was asking whether he had been able to follow it?

**HON CHIEF MINISTER:**

No, I am not aware of what has been answered in that respect.

**HON F R PICARDO:**

In that discussion, what I said to the hon Lady and she agreed to go back and look was that it had come to my attention that it is possible that in some instances the booking fees being charged to the Government, in particular in respect of sponsored patients in the GHA, were far in excess of those being charged commercially to other entities, either individuals travelling on their own account or other commercial entities. Will he, as a result of that, seek a breakdown of the booking fees charged to Government, say perhaps in the past six months, to try and determine whether that is correct or not?

**HON CHIEF MINISTER:**

If he has already persuaded the Minister for Health to do it, I do not see why he wants me to do it too. I do not know what he means by a "booking fee", does he mean the agent's commission? The agent's commission is a matter of arrangement between the airline and the agent, presumably. But if he thinks that the Government are being charged more for its tickets than everybody else, because the element in the ticket price that reflects what he calls the booking fee is higher in the case of Government-paid travel than it is for another member of the public, then, first of all it would not be consistent with what I have been told in respect of the question that he asked at the beginning of today, about the cost of Club Class tickets and there being no evidence that the Government are being charged more than members of the public. But if he will write to me with whatever he believes is happening, with some indication, he does not have to identify the source but some description of the credibility of the source, and whether it is general or just a particular airline, they cannot all be doing it, presumably, I will certainly look into it. It would, certainly, not

be an acceptable practice that the taxpayer should be discriminated against and made to pay more than everybody else for the cost of travel. That would not be acceptable. So if he will write to me on that I will certainly have it investigated.

**HON F R PICARDO:**

I am grateful, I will. The Chief Minister will know that I am unable to obtain that information, it is only the Government that will be able to seek that information, once I have identified to him where it should seek it from, or where I am told it should seek it from, otherwise I would have done the exercise myself. But I will certainly write to him and set that position out.



ORAL

NO. 1102 OF 2008

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

What was the total cost, with a breakdown, of each of the events that took place during Gibraltar Day in London?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a schedule with the information that he has requested.

**ANSWER TO QUESTION 1102**

**GUILDHALL EVENING RECEPTION**

Hire of Guildhall & lighting of venue	9,664.38
Invitations, written material & PR	14,572.07
Event Management	4,010.00
Catering	36,558.88
First Aid	141.00
Transport	2,896.19
	<u>67,842.52</u>

**TOURISM**

Room hire at the Travellers Club Reception	685.50
Catering	1,240.25
Invitations	446.63
	<u>2,372.38</u>

**FINANCE**

Room hire at the R.A.C. Club Lunch	2,453.46
Catering	15,623.95
	<u>18,077.41</u>

ORAL

NO. 1103 OF 2008

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

How many persons from Gibraltar were invited to the tourism event and to the finance centre event held as part of Gibraltar Day in London and what was the total attendance at each event?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1104 and 1105 of 2008.

ORAL

**NO. 1104 OF 2008**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many persons from Gibraltar did the Government invite to Gibraltar Day in London, how many attended and what was the cost involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1103 and 1105 of 2008.

ORAL

NO. 1105 OF 2008

THE HON F R PICARDO

**GIBRALTAR DAY IN LONDON**

How many attendees at the Gibraltar Day Finance Centre Lunch at the RAC were Gibraltarian or Gibraltar based?

ANSWER

THE HON THE CHIEF MINISTER

Five persons from Gibraltar were invited to the tourism event and a total of 80 attended. A total of 80 persons from Gibraltar were invited to the Finance Centre lunch, where a total of 205 attended.

A total of 115 persons from Gibraltar were invited to Gibraltar Day in London, of which 95 attended. Of the 95 who attended, the Gibraltar Government paid travel and accommodation expenses for 15 at a cost of £8,648.25.

A total of 80 persons who attended the Finance Centre lunch were Gibraltarian or Gibraltar based.

ORAL

NO. 1106 OF 2008

THE HON DR J J GARCIA

**LORD MAYOR'S SHOW IN LONDON**

What was the cost, with a breakdown, of Gibraltar's participation in the Lord Mayor's Show in London in November?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1107 and 1108 of 2008.

ORAL

NO. 1107 OF 2008

THE HON DR J J GARCIA

**LORD MAYOR'S SHOW IN LONDON**

Can Government say what procedure was used to select the students who took part in the Gibraltar float during the Lord Mayor's show in London in November?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1106 and 1108 of 2008.

**NO. 1108 OF 2008**

**THE HON F R PICARDO**

**LORD MAYOR'S SHOW IN LONDON**

What was the cost to the taxpayer of paying the costs of individuals to dress up as apes for the Lord Mayor's Parade in London?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The total cost of Gibraltar's participation in the Lord Mayor's Parade was £32,202.77, which breaks down as follows:-

- (1) A participation charge of £4,817 payable to the Corporation of London.
- (2) The cost of the production of the float was £23,121.99.
- (3) The cost of, and this is the bit that particularly interests the Hon Mr Picardo, the cost of hiring the two ape costumes was £150.00.
- (4) There was a cash allowance to participating students, of which there were 32 around the float, at £50 per head amounting to £1,600. Two of such students volunteered to dress up as apes.
- (5) Cost of overnight hotel and rail fares to London for participating students, on which a total of £2,513.78 were spent.

The procedure for recruiting students was volunteers following contact by the Director of the Gibraltar Government office in London, with past participants, students who regularly register themselves with the London Office to assist in Gibraltar events in the UK and contact also with the Gibraltar Students Association.



**NO. 1109 OF 2008**

**THE HON DR J J GARCIA**

**WATERPORT TERRACES – COMMERCIAL UNITS**

Can Government say whether those who purchase the lease for commercial units at Waterport Terraces will also have to pay a rent and if so what is it in respect of each unit?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This is a commercial matter which it is not appropriate to say at this stage. However, the usual practice when a long lease is sold is that the lessee then pays only ground rent to the landlord.

**SUPPLEMENTARY TO QUESTION NO. 1109 OF 2008**

**HON DR J J GARCIA:**

The commercial matter is what, the amount of rent that each is going to pay, but they will pay a rent or not pay any rent at all?

**HON CHIEF MINISTER:**

No, the commercial matter is that I am not, the Government are only just selecting the bids and all of that, and that there is now a need for a commercial..... So I do not know, there is not yet a document that I have seen that settles the point. Therefore, I have done the next best thing, which is to tell him what the usual practice is. When one buys a lease for a premium, if the premium is the full market value then one does not pay rent as well. One then pays ground rent. There are hybrids, there are cases where one pays less than market value for the premium because one is paying some rent. But this is not such a case.

ORAL

**NO. 1110 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 been allocated and if so to whom and in what amount?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have selected bidders. They are in the process of being informed. The Government will publish this information when the allocations are taken up by the bidder. There is a possibility that when they are told they can have it, they may say they do not want it any more.

**NO. 1111 OF 2008**

**THE HON DR J J GARCIA**

**FORMER MOD PROPERTY NEXT TO DEPARTMENT OF EDUCATION**

Can Government say what use they intend to put the former MOD property next to the new Department of Education premises in Queensway part of which used to house a bowling alley at one point?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This area, which I know loosely as the ex MoD bowling alley, will be used to relocate a nursery which is currently located in the ex NAAFI site, or thereabouts, in between the old Navy No. 1 and Navy No. 2 football pitches.

**SUPPLEMENTARY TO QUESTION NO. 1111 OF 2008**

**HON DR J J GARCIA:**

This is for the whole area, is that correct? The whole of the building?

**HON CHIEF MINISTER:**

Well, assuming that he is describing the whole area on the right of the footpath that goes up into town, which is not already incorporated into the car park. In other words, what used to be the club house area and forecourt, garden, of the old tennis club. The tennis courts having been converted into the car park. Yes, assuming that that is the area that he has in mind, the answer is yes. I think so.

ORAL

NO. 1112 OF 2008

THE HON J J BOSSANO

**BUNKERING**

Has Government taken a policy decision to end ship-to-ship bunkering and only permit land based bunkering supplies?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1113 and 1114 of 2008.

ORAL

NO. 1113 OF 2008

THE HON C A BRUZON

**BUNKERING**

Can Government state whether it is considering requiring bunkering of ships to take place alongside as opposed to ship-to-ship or whether it is only looking at storing fuel ashore as opposed to in supply tankers anchored in the Bay of Gibraltar?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1112 and 1114 of 2008.

**NO. 1114 OF 2008**

**THE HON J J BOSSANO**

**BUNKERING**

Can Government identify which EU Directives, if any, are currently not being complied with in the sea based ship-to-ship bunkering operations?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have no intention of discontinuing the bunkering of ships at anchorage, and thus no intention of requiring bunkering of ships to take place alongside.

There are no EU Directives not being complied with.

The Government have a medium term objective to bring bunker storage on shore to the greatest possible degree. This requires very significant investment, but the Government want Gibraltar to be ready in the event that the EU, or other international entity, moves in the future towards a prohibition of floating storage. Also, there can be no doubt that floating storage, or rather, that storage ashore, represents less potential risk to the environment than storage afloat.

**SUPPLEMENTARY TO QUESTION NOS. 1112 TO 1114 OF 2008**

**HON J J BOSSANO:**

So in fact, the statements then attributed to him were misquoting him, when he was quoted as saying that there was a policy to move bunkering ashore without, in fact, being clear if he was talking about the storage or the ship to ship?

**HON CHIEF MINISTER:**

No, I have never seen any such quotation. But it would not be a question of misquoting, it would be a question of simply inventing a story to put out. I have never said anything capable of being misunderstood to mean that we are going to require ships that take on petrol or bunkers to actually moor alongside the harbour. What we have only ever said was, that "la gasolinera flotante" as they call it, in other words, that the storage, that the Government had a medium term objective to bring that ashore, not the act of bunkering. Bunkering will still be done, a barge will come

ashore alongside to fill up from a shore facility, and then take the bunkers to the ship afloat as happens in every other port in the world.

ORAL

**NO. 1115 OF 2008**

**THE HON J J BOSSANO**

**OPEN LONG-TERM BENEFITS FUND RECEIPTS**

Can Government state how much of the receipts of the Open Long-Term Benefit Fund for the months of April, May & June 2008, were payments from the Consolidated Fund and how much were contributions from insured persons?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1116 of 2008.



ORAL

NO. 1116 OF 2008

THE HON J J BOSSANO

**STATUTORY BENEFITS FUND RECEIPTS**

Can Government state how much of the receipts of the Statutory Benefits Fund for each month since 1 July 2008, were payments from the Consolidated Fund and how much were contributions from insured persons?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a statement setting out the information he requests.

## **ANSWER TO QUESTION 1116 OF 2008**

### **Answer to Question 1115/2008**

The receipts of the Open Long-Term Benefits Fund for the months of April, May and June 2008 from the Consolidated Fund and contributions from insured persons, are as per the following tentative statement:

#### **OPEN LONG-TERM BENEFITS FUND**

	<b><u>April 08</u></b>	<b><u>May 08</u></b>	<b><u>June 08</u></b>
<b><u>Receipts</u></b>			
*Contribution from the Consolidated Fund	£833,333.33	£833,333.33	£833,333.33
Contributions collected in cash (insured persons)	£849,603.69	£1,245,188.90	£1,097,552.56

### **Answer to Question 1116/2008**

Receipts of the Statutory Benefits Fund for each month since 1 July 2008 from the Consolidated Fund and contributions from insured persons, are as per the following tentative statement:

#### **STATUTORY BENEFITS FUND**

	<b><u>July 08</u></b>	<b><u>August 08</u></b>	<b><u>September 08</u></b>	<b><u>October 08</u></b>
<b><u>Receipts</u></b>				
*Contribution from the Consolidated Fund	£833,333.33	£833,333.33	£833,333.33	£833,333.33
Contributions collected in cash (insured persons)	£1,432,207.86	£1,139,430.94	£1,214,746.89	£1,300,224.76

\*The approved Contribution from the Consolidated Fund is £10m for the year. The contributions have been calculated pro-rata, however the actual contribution is normally effected at the end of the financial year.

ORAL

NO. 1117 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.772 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 1118 of 2008.

ORAL

NO. 1118 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. 773 of 2008, and if so, show the grade and department?

ANSWER

THE HON THE CHIEF MINISTER

The information requested by the hon Member is in the schedules that are now being handed to him.

**ANSWER TO QUESTION 1118**

**ANSWER TO QUESTION 1117**

The posts filled are as follows:-

<b><u>DEPARTMENT</u></b>	<b><u>GRADE</u></b>	<b><u>NO. OF POSTS FILLED</u></b>
Audit	Audit Clerk	1
Buildings & Work	Labourer	1
Customs	Executive Officer	1
Environment	Senior Officer	1
	Senior Environment Officer (SPTO)	1
	Energy Conservation Officer (HPTO)	1
Gibraltar Health Authority	Administrative Officer	1
Housing	Senior Executive Officer	1
Social Services Agency	Social Worker	1
Police	Executive Officer	2
	Inspector	2
	Sergeant	2
Treasury	Senior Executive Officer	1
	Higher Executive Officer	2
	Administrative Officer	1
Technical Services	Executive Officer	1
	Administrative Officer	1
	Cleaner	1
	Civil Engineer (HPTO)	1
	Highways Engineer (SPTO)	1
Youth Service	Youth & Community Worker	1

Contd.....

**CONTD ANSWER TO QUESTION 1118**

**ANSWER TO QUESTION 1118**

<b><u>DEPARTMENT</u></b>	<b><u>GRADE</u></b>	<b><u>NO. OF POSTS FILLED</u></b>
Gibraltar Health Authority	Administrative Officer	1
Housing	Higher Executive Officer	1
	T.G. 1	1
Legislation Support Unit	Law Drafter	1
Maritime Administration	Marine Surveyor	1
No. 6 Convent Place	Administrative Officer	1
Police	Executive Officer	3
	Police Constable	7
Port Authority	Port Officer	2
Treasury	Administrative Officer	2
Technical Services	Executive Officer	1
	Administrative Officer	1
Youth Service	Youth & Community Worker	1

**NO. 1119 OF 2008**

**THE HON J J BOSSANO**

**GIBRALTAR SERVICES POLICE**

Since the answer to Question No. 744 of 2008, have any discussions taken place with the MOD as to which GSP service transfers the GOG would be willing to consider?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Following my meeting with the GSP Staff Association a preliminary discussion has taken place with the MoD.

**SUPPLEMENTARY TO QUESTION NO. 1119 OF 2008**

**HON J J BOSSANO:**

Has that preliminary discussion gone far enough as to identify possible services, or is it not anywhere near that stage?

**HON CHIEF MINISTER:**

The formal preliminary discussion was at the end of a meeting that related to other matters, electricity, and it was just a question of my saying, "I have now met with the GSP, I have honoured my commitment to them not to start until they were on board, so I am now able to start." That was the nature of the formal exchange so far. Informally and outside of the negotiation process, I had occasion to indicate to the Commander British Forces what the Government's position is, and it is the same as he heard me explain in the GSP Christmas party the other day.

ORAL

NO. 1120 OF 2008

THE HON J J BOSSANO

**INPUT/OUTPUT STUDY**

Can Government state when it will be able to provide, on a confidential basis, the updated model of the Input/Output Study?

ANSWER

THE HON THE CHIEF MINISTER

Yes, later today as we leave for lunch.

SUPPLEMENTARY TO QUESTION NO. 1120 OF 2008

**HON J J BOSSANO:**

Should I say Hallelujah?

**HON CHIEF MINISTER:**

On this occasion he could.



ORAL

NO. 1121 OF 2008

THE HON J J BOSSANO

**SOCIAL INSURANCE FUND – ACTUARIAL REPORT**

Can Government say when it will be able to provide, on a confidential basis, the Actuarial Report of the Social Insurance Fund of 30 March 2007?

ANSWER

THE HON THE CHIEF MINISTER

Yes, later today as we leave the House for lunch. It is Christmas come early for him.

ORAL

NO. 1122 OF 2008

THE HON J J BOSSANO

**CORPORATION TAX – AMOUNTS COLLECTED**

What was the amount of Company Tax collected in each month since August 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1123 and 1124 of 2008.

ORAL

**NO. 1123 OF 2008**

**THE HON J J BOSSANO**

**CORPORATION TAX – TOP TAX PAYERS**

Can Government state whether the top 25 corporate tax payers who contributed 60% of tax on profits in the six years 2000/2001 to 2006/2007 were the same ones throughout, and if not, what changes took place from year to year in the intervening six years?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1122 and 1124 of 2008.

ORAL

**NO. 1124 OF 2008**

**THE HON J J BOSSANO**

**CORPORATION TAX – TOP TAX PAYERS**

Can Government state a) what has been the tax payable in 2007/2008 by the top 25 corporate tax payers b) whether there have been changes in the composition of the 25 compared to 2006/2007 and c) whether the amount represented 60% of the tax payable on 1 year's profits?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule containing the information that he has requested in illustrative and highly graphic form.

**ANSWER TO QUESTION 1124**

**Answer to Question 1122**

The Corporation Tax collected (net of refunds) in the months of September and October 2008 is:

	<b>£M</b>
September 2008	0.51
October 2008	0.53

**Answer to Question 1123**

The schedule provided shows the table of the top 25 corporate taxpayers in each of the financial years from 2000/2001 to 2007/2008. Those taxpayers comprising the top 25 in each financial year are ticked accordingly.

Taxpayer	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
1		√	√					
2							√	
3				√		√	√	√
4	√		√	√	√	√	√	√
5								√
6	√		√	√	√	√	√	
7		√						
8	√	√	√	√		√	√	√
9			√	√	√	√	√	√
10				√	√	√		
11	√	√	√	√	√	√	√	√
12			√					
13	√							
14				√				
15				√	√	√	√	√
16								√
17	√	√		√	√	√	√	√
18						√		
19	√	√	√	√	√	√		√
20			√	√		√	√	

Contd.....

**CONTD ANSWER TO QUESTION 1124**

**Answer to Question**

Taxpayer	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
21	√	√	√	√	√	√	√	√
22							√	√
23				√			√	
24					√			
25		√						
26	√	√	√	√				
27		√	√					
28	√			√	√			
29	√		√	√	√	√		√
30	√		√			√		
31	√	√	√	√	√	√	√	√
32							√	
33	√	√	√		√			
34								√
35								√
36	√			√				√
37	√	√		√	√	√		
38		√						
39								√
40	√							
41	√	√						
42			√					
43	√			√	√	√	√	
44					√	√	√	√
45						√		
46			√				√	
47			√					
48	√	√	√		√	√	√	√
49					√			
50		√			√			
51						√		
52			√					
53								√
54				√				
55			√					
56							√	
57	√	√						
58	√	√	√	√				
59	√	√	√		√		√	√

Contd.....

**CONTD ANSWER TO QUESTION 1124**

**Answer to Question 1123**

<b>Taxpayer</b>	<b>2000/01</b>	<b>2001/02</b>	<b>2002/03</b>	<b>2003/04</b>	<b>2004/05</b>	<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>
60	√	√		√	√	√	√	
61		√			√			
62					√			√
63		√						
64		√						
65	√	√		√				
66			√		√			
67							√	
68						√		
69							√	√
70						√	√	√

**Answer to Question 1124**

The tax payable in the financial year 2007/2008 by the top 25 corporate taxpayers was £17.8 M, representing 73.3% of the total tax paid by all corporate taxpayers. Out of the top 25 corporate taxpayers, 11 paid in respect of multiple years of assessment.

The tax payable in the financial year 2007/2008 by the top 25 corporate taxpayers in respect of one year's profit was £15.7M, representing 64.8% of the total tax paid by all corporate taxpayers.

The changes in the composition of the 25 top corporate taxpayers as compared to 2006/2007 are shown in the table provided in answer to Question No. 1123 of 2008.

ORAL

**NO. 1125 OF 2008**

**THE HON J J BOSSANO**

**PAYE – OUTSTANDING ANNUAL RETURN OF DEDUCTIONS**

Can Government state, as at the end of October 2008, how many employers had failed to submit an annual return of PAYE deduction for employees for the tax year 2007/2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1126 and 1127 of 2008.



ORAL

NO. 1126 OF 2008

THE HON J J BOSSANO

**PAYE – ANNUAL RETURN OF DEDUCTIONS/TAX PAYABLE**

Can Government state, as at the end of October 2008, how many employers had submitted an annual return of PAYE deduction for employees for the tax year 2007/2008 and what was the total amount of tax payable and paid in respect of these submissions?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1125 and 1127 of 2008.

ORAL

**NO. 1127 OF 2008**

**THE HON J J BOSSANO**

**PAYE – AMOUNTS COLLECTED**

How much was collected in PAYE each month since August 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The answer that I am about to give to him is also contained in a schedule but I do not think it should have been a schedule because it is not that much statistics. So I will read it out, but as I have got the schedule I am handing it to him too.

**ANSWER TO QUESTION 1127**

**Answer to Question 1125**

As at 26 November 2008, 372 employers had not yet returned their 2007/2008 Employers' Declaration and PAYE Certificates.

**Answer to Question 1126**

As at 26 November 2008, 1843 employers had submitted their 2007/2008 Employers' Declaration and PAYE Certificates and the total amount of tax payable and paid in respect of these submissions was £84.4M and £83.8M respectively.

**Answer to Question 1127**

The PAYE Tax collected (net of refunds) in the months of September and October 2008 is:

	<b>£M</b>
September 2008	7,24
October 2008	7.86

The figures for November 2008 are not yet available.

ORAL

**NO. 1128 OF 2008**

**THE HON J J BOSSANO**

**DUAL TAX OPTION**

Can Government state how many of the over 3,000 tax payers who elected to be taxed under the dual tax option mentioned at Budget time, were Gibraltar residents?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1129 to 1131 of 2008.

ORAL

NO. 1129 OF 2008

THE HON J J BOSSANO

**DUAL TAX OPTION**

Can Government state how many additional tax payers subsequent to the 3,000 mentioned at Budget time elected to be taxed under the dual tax option and of these how many were Gibraltar residents?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1128, 1130 and 1131 of 2008.

ORAL

NO. 1130 OF 2008

THE HON J J BOSSANO

**DUAL TAX OPTION**

Can Government state the total amount of tax paid in the tax year 2007/08 by those tax payers who elected to pay tax under the dual tax system?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1128, 1129 and 1131 of 2008.

**NO. 1131 OF 2008**

**THE HON J J BOSSANO**

**DUAL TAX OPTION**

Can Government state how many tax payers were placed by the Commissioner of Income Tax under the dual tax option without having requested it because it was more favourable in the tax year 2007/08 and of these how many were Gibraltar residents?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at 30 June 2008, 1,741 taxpayers resident in Gibraltar had elected to be taxed under the Gross Income Based system.

As at 26 November 2008, an additional 461 taxpayers had elected to be taxed under the Gross Income Based system, of which 293 were resident in Gibraltar.

The Annual PAYE Returns submitted by employers for the tax year ended 30 June 2008, are presently being inputted into the Income Tax database, and it is therefore not possible at this moment in time to provide a figure for the total tax paid for the year 2007/2008 by taxpayers who elected to pay tax under the Gross Income Based system.

As at 26 November 2008, 103 taxpayers of whom 80 were resident in Gibraltar, were placed by the Commissioner of Income Tax under the Gross Income Based system for the tax year 2007/2008, on the basis that that system was more favourable to them.

ORAL

NO. 1132 OF 2008

THE HON J J BOSSANO

**WATERPORT DEVELOPMENT – PAYMENTS TO CONTRACTORS**

Can Government state what further payments, if any, have been made to the contractors or other parties in respect of Waterport Development since the answer to Question No. 760 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

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



**ANSWER TO QUESTION 1132**

<u>Date Paid</u>	<u>Contractors</u>	<u>Quantity Surveyors</u>	<u>Engineers</u>	<u>Architects</u>	<u>Other Parties</u>
30/09/2008	£1,779,762.11	-	-	-	-
02/10/2008	-	-	-	£17,682.39	-
02/10/2008	-	-	-	£17,682.39	-
02/10/2008	-	-	-	£17,682.39	-
02/10/2008	-	-	-	£17,682.39	-
02/10/2008	-	-	-	£17,682.39	-
03/10/2008	-	-	£5,086.42	-	-
03/10/2008	-	-	£5,086.42	-	-
13/10/2008	-	-	-	-	£3,821.00
27/10/2008	-	-	-	£35,549.52	-
31/10/2008	£1,758,766.98	-	-	-	-
	£3,538,529.09	£0.00	£10,172.84	£123,961.47	£3,821.00

**SUPPLEMENTARY TO QUESTION NO. 1132 OF 2008**

**HON J J BOSSANO:**

Can the Chief Minister say whether the architect's fees would now be something that is all paid, given that one would expect those to come quite early in the project? I notice that there is a payment in October, but I am just wondering whether this means that now.....

**HON CHIEF MINISTER:**

I do not know the answer to that. I think not, I do not know if there is a fee in each certificate, or whether there is a fee..... I do not think it is the case that the architects have received everything that they are due, because the services have not yet been delivered. But nor am I familiar with that particular contract. But, certainly, the hon Member should not assume that that figure is the end of the architect's fees.

ORAL

NO. 1133 OF 2008

THE HON J J BOSSANO

**KING'S BASTION LEISURE CENTRE – CONTRIBUTION BY MID TOWN DEVELOPMENTS**

Can Government state whether and if so when the contribution towards the cost of the Leisure Centre was made by Mid Town Development and how much was it?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 1134 of 2008.

**NO. 1134 OF 2008**

**THE HON J J BOSSANO**

**MID TOWN DEVELOPMENTS**

Can Government state how and when Mid Town Developments has to pay for the balance of the contribution it has to make in respect of the land that it was allocated in order to carry out the Mid Town Development and which was the original basis of the allocation in 2004?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Mid Town Developments Limited paid a total of £5,764,678.84. This was not a lump sum payment but was paid against contractors certificates during the construction period. I am now relying on memory, but I think eventually the deal was that the Government would pay their share first, so this was the tail end of the contractual period. I am almost certain that that is the case, but I reserve the position on that.

Commercial Mid Town Developments Limited, through its parent company, will also have to pay 50 per cent of the total construction, design, project management and finance cost of the park, the public park on the Government side, the southern side of Navy No. whatever it is, and 50 per cent of the total construction, design, project management and finance cost of the new school, after the first £2 million of that has been paid by the Government. So basically, the Government pay the first £2 million of that and then it is 50/50 thereafter.

**SUPPLEMENTARY TO QUESTION NOS. 1133 AND 1134 OF 2008**

**HON J J BOSSANO:**

Of the school?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

Or the school and the park?

**HON CHIEF MINISTER:**

I think it is of the school. I may be able to, yes, of the school.

**HON J J BOSSANO:**

And there is no.....

**HON CHIEF MINISTER:**

Can I finish the answer? Sorry, there is just one more sentence that I could read out for him if he wanted.

There is a provision for Commercial Development Investments Limited to pay an additional £290 per square metre of premium for any additional area over and above the density that has been agreed, for which they are able to obtain planning permission. So in other words, there is also a formula to regulate any additional premium for more than the density that is accommodated in the deal struck so far.

**HON J J BOSSANO:**

And there is no date by when these payments should be made, which was part of the original answer, when?

**HON CHIEF MINISTER:**

There is a procedure, in other words, the school is when the Government designate the site for the school, and things of that sort. But in recognition of the fact that there has been some time lapse in vacating some of these sites. xxxxxx, the Government are not about to rush xxxxxx

**NO. 1135 OF 2008**

**THE HON J J BOSSANO**

**BREAKDOWN OF CAPITAL INVESTMENTS IN PRIVATE DEVELOPMENTS**

Can Government provide a breakdown of the estimated £116m capital investment in private developments which took place in 2007?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I have to say that I personally was not able to identify where the hon Member had plucked the figure of £116m, although it must have been said by somebody somewhere. But in any case, the figure for capital investment relates to the value, I am told, of building applications in respect of private developments submitted in 2007. I hope the answer makes more sense to him than the question does to me. The figure needs to be seen within context. Namely, that not all of the investments would have been incurred in 2007 as projects may take longer to complete, or indeed start. The investment is an indicative amount until the project is complete.

The largest private development applications submitted for 2007 were the following:-

- £2m for 60 Devil's Tower Road, which is not started
- £7.4m for Bayview Terraces
- £3.2m for St Peter's Close, which is in Catalan Bay
- £50m for the Mid Town Project, which is not actually started in terms of the private sector element of it
- £14m for Royal Ocean Business Plaza, which is not yet started
- £25m for Boat Homes Ocean Village which is not started, and indeed may not. I understand that that has not yet received planning permission
- £2m for Leisure Island, Ocean Village
- £2m for 117 Main Street, which is not yet started
- £1.3m for Mount Barbary, which I understand is not yet started either
- £1m for the refurbishment of the Natwest building in Line Wall Road.

Then all that adds up to about £108m. There were then 241 smaller projects under £1m and it would be too difficult to provide a breakdown with the value of those.

**NO. 1136 OF 2008**

**THE HON J J BOSSANO**

**WATERPORT TERRACES – CONTROL BY GRPI**

Can Government explain what controls GRPI, as developer, exercises over the use of subcontractors in the Waterport Terraces home ownership scheme?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Under the JCT form of construction contract, the contractor does not have to obtain approval from the developer to employ subcontractors. The answer, therefore, is none. Nevertheless, any works carried out by any subcontractor not found to be of the right standard, enables the architect to ask for the removal of that particular subcontractor from the site. In other words, my understanding is that the architect, the contract administrator, can reject particular subcontractors on the basis that they are not producing work of the right quality or standard, but that there is no right to prohibit a contractor from employing subcontractors.

**SUPPLEMENTARY TO QUESTION NO. 1136 OF 2008**

**HON J J BOSSANO:**

But independent of the question of the quality of the work that they produce, given that this project is one that is being conducted by a Government owned company which is paid from public funds, is there in place anything to ensure that the labour that is used on the site is properly regulated and registered and that kind of thing?

**HON CHIEF MINISTER:**

Well, nothing beyond the administrative machinery that exists for that purpose economy-wide. At the time that the contract is signed there is no subcontractor and there is no labour, because the contract is signed long before any activity actually begins on the site. The Government do not make specific law enforcement provisions for those workers working on contracts for the Government, no they do not. The use of subcontractors is prevalent throughout the construction industry and not just by Spanish subcontractors. I mean, very few companies now do not use them, even JBS now resorts to subcontracting, because usually construction contracts are outside the capacity of any company, given the way construction companies now tend to be structured and now tend to be resourced.

**HON J J BOSSANO:**

I accept all that and I accept that there is one law for the whole of Gibraltar for everybody, but surely, the Chief Minister must accept that it does not give a very good example to private sector employers if in public sector contracts, paid for by the taxpayers, illegal labour is used, and that therefore, not as a matter of the enforcement by the labour inspectors but as a matter of a requirement by the client, that the client should require the person that is given the contract, presumably, to have his workforce properly registered.

**HON CHIEF MINISTER:**

As a requirement.

**HON J J BOSSANO:**

Yes.

**HON CHIEF MINISTER:**

Of course the Government requires them.

**HON J J BOSSANO:**

Right. So, therefore, is GRPI in a position to demand that the employer guarantees that any subcontractor will also be complying with the laws on registering labour, paying social insurance and so forth?

**HON CHIEF MINISTER:**

Well, the Government require that all citizens comply with the law, including companies doing work for it or for a company owned by it. So, the Government certainly expect and have the power, through law enforcement mechanisms, to ensure or to require the laws to be complied with. Now, I do not know whether the contract, from memory, it is a long time since I was familiar with JCT forms of contract, I have a feeling that there is a requirement there for the laws of Gibraltar to be complied with in the execution of the contract. But that is given. The question is not whether there is a right to do it, of course there is a right to do it. The question is what mechanisms exist to police compliance, that is where if the allegations made by the trade unions are accurate, and I have not....., but if they are accurate there appears to be a significant problem of failure to comply with the law by these companies. But that is on the assumption and to the extent that the statements made by the unions are, in fact, accurate.

**HON J J BOSSANO:**

But what I am suggesting to the Government that independent of the machinery that exists for the whole of Gibraltar, which are probably quite stretched anyway from the results that we get, because it is quite obvious that the numbers that come in and the



numbers that appear officially are not the same numbers, and everybody knows it. I am saying that, particularly, it seems to me particularly bad that there should be people who are not paying their taxes and that they are employed and paid out of the taxes of those people who are paying their taxes. Therefore.....

**HON CHIEF MINISTER:**

It is worse than that. Yes, I agree with the hon Member that there should be efforts made in that direction. Not least, because as we have often discussed, it is not just for the reasons that he has described. It is also because, as we have often described in this House, as we have often expressed to each other in this House the view that when xxxxxx the real cost of publicly funded projects to the taxpayer, one can really net off the revenue that is going to come back to the Government in tax. But, of course, if that revenue does not come back to the Government in tax, because it is illegal labour, then the Government are forfeiting the opportunity for a reduced net cost of the project itself. So, I agree that GRP Investments and the Government, other than just as general law enforcer, does have a financial interest in ensuring that its contractor does not allow illegal labour to be paid for from the contract monies being provided by the Government, for that reason as well, yes.

ORAL

**NO. 1137 OF 2008**

**THE HON J J BOSSANO**

**AIRPORT TERMINAL BUILDING PROJECT – EXPENDITURE**

Can Government state what has been the expenditure to date charged to the I&D fund at Head 103(6)(g) of the Approved Estimates of Expenditure 2008/2009 in respect of the airport terminal building project?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The expenditure charged to date to the Improvement and Development Fund Head 103(6)(g) for the airport project is £128,683.60.

ORAL

**NO. 1138 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. 762 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, £8.5 million for each of the two banks in September, totalling £17 million between them. Then £3.5 million for each of the two banks in October and November, totalling £7 million per month. So, in other words, there was a £10 million reduction equally shared between them after September.

ORAL

NO. 1139 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. 768 of 2008?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1140 and 1141 of 2008.

ORAL

**NO. 1140 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 its sale in each month since the answer to Question No. 771 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1139 and 1141 of 2008.

**NO. 1141 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. 770 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Stamp Duty collected in September was £319,314; in October £225,467.

Properties qualifying for Zero Stamp Duty on sales since September, well it cannot be since September because I am about to give him the figure for September, so it must be from September, is: September 19; October 12.

The revenue yield in respect of the 1.6 per cent duty in each month from September is: September £42,320; October £39,840.

The November figures are not yet available.

ORAL

NO. 1142 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. 769 of 2008 from the £10 Stamp Duty on share issues?

ANSWER

THE HON THE CHIEF MINISTER

Yes, September £1,740; October £1,190.

**NO. 1143 OF 2008****THE HON J J BOSSANO****GIBRALTAR SAVINGS BANK – DEBENTURES**

Can Government state what sales of debentures have been made by the Gibraltar Savings Bank in each month since the 1 April 2008?

**ANSWER****THE HON THE CHIEF MINISTER**

Yes, this answer has been prepared for oral answer even though it has got a long list of figures that the hon Member is going to struggle to take down. I have not got multiple copies. Perhaps he would just accept a green copy. I have got the numbers but there are there two columns broken down by month, one column for the Pensioners' Monthly Income Debentures totalling £10,851,700; and the other one is for the Monthly Income Debentures totalling £9,952,900, and those totals are split up into monthly figures there for him.

<b>Date</b>	<b>Pensioners' Monthly Income Debentures</b>	<b>Monthly Income Debentures</b>
Apr 08	£1,796,900	£1,491,700
May 08	£1,712,400	£1,063,300
Jun 08	£825,900	£868,600
Jul 08	£1,383,800	£794,500
Aug 08	£1,556,500	£864,600
Sep 08	£1,897,600	£2,003,700
Oct 08	£1,678,600	£2,866,500
	<hr/> £10,851,700	<hr/> £9,952,900

**SUPPLEMENTARY TO QUESTION NO. 1143 OF 2008****HON J J BOSSANO:**

These are not net of redemptions are they, these are the gross figures of sales?

**HON CHIEF MINISTER:**

Yes.



ORAL

**NO. 1144 OF 2008**

**THE HON J J BOSSANO**

**GIBRALTAR SAVINGS BANK – INTEREST RATES**

In the light of recent reductions in interest rates, can Government state what is the most recent estimate for (a) interest on investments (b) interest paid to depositors for the current financial year in the Savings Bank Fund?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1145 of 2008.

**NO. 1145 OF 2008**

**THE HON J J BOSSANO**

**GIBRALTAR SAVINGS BANK – DEPOSITS**

Can Government state what was the level of (a) non-Government deposits and (b) Government deposits, in the Savings Bank Fund as at the end of November 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not possible to estimate in a meaningful way the outturn for the year represented by the difference between interest paid to depositors and interest received on the bank's investments. The reason for this is the current volatility in LIBOR rates and in the differential between Base Rate and LIBOR. Many of the investments are LIBOR linked, which is currently artificially very high, whilst deposit interest is paid by reference to Base Rates. Now that gap is narrowing rapidly now. So, for example, when LIBOR was 6 per cent, Base Rate was 4.5 per cent. Or rather, when Base Rate was 4.5 per cent, LIBOR was 6 per cent. When Base Rate was 3 per cent, LIBOR was 4 per cent, and I do not know what LIBOR has fallen to following yesterday's further reduction in Base Rate.

At the end of November, the level of Savings Bank deposits was as follows:-

Non-government deposits around £175.4 million  
Government deposits around £12.6 million

I use the word "around" because these are tentative figures, I am told here.

ORAL

NO. 1146 OF 2008

THE HON J J BOSSANO

**GIBRALTAR SAVINGS BANK – BONDS/DEBENTURES**

Can Government state what sales of Government bonds or debentures to the public have taken place in the months of September, October and November 2008?

ANSWER

THE HON THE CHIEF MINISTER

Yes, none in September. In respect of October, Pensioners' Monthly Income Debentures £1,138,300 and Monthly Income Debentures £4,511,800. In respect of November, £822,000 for Pensioners' Monthly Income Debentures and in respect of Monthly Income Debentures, £999,700.

ORAL

NO. 1147 OF 2008

THE HON J J BOSSANO

**PUBLIC DEBT – GIBRALTAR COMMUNITY CARE LIMITED**

Has there been any change in the level of public debt held by Gibraltar Community Care Limited estimated at £4.8 million in March 2008, since that date?

ANSWER

THE HON THE CHIEF MINISTER

It currently holds £15,346,500 in Gibraltar Government debentures.

ORAL

NO. 1148 OF 2008

THE HON J J BOSSANO

**HEAD 15 SUPPLEMENTARY EXPENDITURE**

Can Government state what was the sum included in Head 15 Supplementary Expenditure as a result of the policy decision taken this year to remove relief cover from departmental heads and give a breakdown by the departments affected?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1149 and 1150 of 2008.

ORAL

**NO. 1149 OF 2008**

**THE HON J J BOSSANO**

**FUNDING OF RELIEF COVER EXPENDITURE REQUIREMENTS**

Can Government state what have been the requirements by each of the departments affected of funds to meet relief cover in the current financial year to date?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1148 and 1150 of 2008.

**NO. 1150 OF 2008**

**THE HON J J BOSSANO**

**FUNDING OF RELIEF COVER EXPENDITURE REQUIREMENTS**

Can Government state in respect of the provision of funds to the departments affected to meet the cost of relief cover whether in the case of each department this cost has been met by virement from other departmental heads or by reallocation from Head 15 Supplementary Funding and whether any such departmental request has been refused and, if so, provide the details and the sums involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The sum provided for Relief Cover under Head 15 – Supplementary Provision is £2 million. Expenditure to date is £1.49 million, made up as follows:

GHA	£0.78 million
Education	£0.44 million
Social Services Agency	£0.27 million

The funding to meet the Relief Cover expenditure requirements of the above entities during the year will actually be provided from this supplementary provision head, and if necessary, from any savings that may be identified in their respective expenditure items. The funding provision breakdown will be finalised at the end of the financial year. In other words, we do not yet know whether the £2 million is going to be enough, and if so, where the shortfall will be met from.

**SUPPLEMENTARY TO QUESTION NOS. 1148 TO 1150 OF 2008**

**HON J J BOSSANO:**

So then the answer really is that it has been provided to date by virement, the £1.49 million has not been transferred from the £2 million, has it?

**HON CHIEF MINISTER:**

No, I think it has been provided from the supplementary provision but that.... What I do not know is whether it has been done already or whether as a matter of accounting it is just booked to the supplementary provision at the end of the year. I do not know whether there have been any statements filed by me of this since April that suggests that it..... I do not know whether it has already been taken or

whether they are presently using their payroll costs, which I doubt, and they will be provided. I do not think that that is what they do, I think it comes from here as a matter of cash flow, but I cannot be certain about that. I think it comes from here as they spend it, rather than from their own funds until they run out and then from here.

**HON J J BOSSANO:**

Well, I think that was the impression given originally when the Chief Minister explained the policy at Budget time. I put the question to try and establish.

**HON CHIEF MINISTER:**

Xxxxxxx should be able to control it by seeing it as it happens.

**HON J J BOSSANO:**

In the original question I asked, in fact, how the sum that had been provided in the supplementary appropriation vote, how that reflected the cover in each of the departments. That is to say, in my original question I asked how the £2 million was broken down as to so much that would otherwise have been in education, or so much that would otherwise have been in the GHA.

**HON CHIEF MINISTER:**

I do not know the answer to that. I think that the provision of £2 million more or less covers what they have done in the past, and the purpose of transferring it is to try and hold it from increasing in the future, because it is actually quite scientific by chance that we are about three quarters of the way through the financial year, and they have used about three quarters of the funds available. That cannot be a coincidence.

**HON J J BOSSANO:**

Well, it cannot be a coincidence if it is supposed to be something that is so unpredictable.

**HON CHIEF MINISTER:**

Exactly, so it suggests to me that they are replicating the previous years' practices and are not inflating previous years' demands, which is what this was designed to try and achieve.

**HON J J BOSSANO:**

But in the final sentence of Question No. 1148, where I asked for a breakdown by the departments affected, what the Chief Minister is saying is that I should look at last year's estimates to find that information, yes? He has not given it in the answer. Question No. 1148 says, "what was the sum included as a result of the policy



decision and give a breakdown by the departments affected?" and that has not been right. Is he saying if I look at last.....

**HON CHIEF MINISTER:**

It would xxxxxx have been removed from the estimates, it would have been removed from their bids.

**HON J J BOSSANO:**

Oh I see, so then I do not know.

**HON CHIEF MINISTER:**

He has not got sight of it. He will be able to find the figure in the forecast outturn column for the previous year, but by virtue of it having been included in the supplementary funding vote, he will not find the figure for the estimate in this year's departmental estimate. They would have been departmental bids, which were converted into this figure. I do not know whether the aggregate of the departmental bids exceeds £2 million, or whether the share out of the aggregate of the departmental bids coincides with this. I am happy to provide him with that information if he asks the question or writes to me.

**HON J J BOSSANO:**

Well, I did ask the question that is the whole point I am making. I have asked the question, "give a breakdown by the departments affected" are the last seven words of Question No. 1148.

**HON CHIEF MINISTER:**

Well, I do not think Question No. 1148 helps him, does it?

**HON J J BOSSANO:**

Well I said, "what was the sum included in Supplementary Head 15 as a result of the policy decision and give a breakdown by the departments affected" having already said that relief cover had been removed from the departmental heads.

**HON CHIEF MINISTER:**

Yes, the answer is that there is a sum of £2 million in Head 15 and Head 15 does not have a breakdown, which is what he then goes on to ask. I do not think Question No. 1148 asks for the information that he is now asking me for, which is, well, he wants to be able to compare it with what would have been under each departmental head.....

**HON J J BOSSANO:**

If the policy had not been there.

**HON CHIEF MINISTER:**

If the policy had not been changed. I do not think that that says that, but I am very happy to provide him with the information if he will just drop me a line, or telephone, or an email, or something. I will try and remember.

Answer to Question 1050

Directives before the European Court of Justice	Reason for non-implementation
Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora	The Commission took issue with the UK's and Gibraltar's transposition.
Directive 2006/100/EC adapting certain directives in the field of free movement of persons by reason of the accession of Bulgaria and Romania.	<p>Bill and Regulations were published on 20<sup>th</sup> November 2008. This has been a very complex transposition as a result to its link to Directive 2005/36/EC.</p> <p>Legislation transposing 2006/100 is now complete and will be published shortly.</p> <p><b>(Alternative language for CM to note: This Directive will be transposed on Thursday 4<sup>th</sup> December 2008).</b></p> <p>Backlog.</p>
Directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage.	<p>The Commission took issue with the UK's and Gibraltar's transposition.</p> <p>Draft legislation is complete and currently under final quality review.</p> <p><b>(Alternative language for CM to note: Transposition expected before the end of 2008).</b></p> <p>Backlog.</p>
Directive 2005/14/EC relating to insurance against civil liability in respect of the use of motor vehicles.	<p>Draft legislation is complete and currently under final quality review.</p> <p><b>(Alternative language for CM to note: Transposition expected before the end of 2008).</b></p>

ORAL

**NO. 1151 OF 2008**

**THE HON J J BOSSANO**

**LAND AND PROPERTY SALES**

Can Government state what further land or property sales, if any, there have been in the current financial year resulting in receipts to a Gibraltar Government company and if so to which company have the proceeds of such sales been credited?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1152, 1153 and 1154 of 2008.

ORAL

**NO. 1152 OF 2008**

**THE HON J J BOSSANO**

**LAND AND PROPERTY SALES**

Can Government state what property or land sales, if any, there have been in the current financial year resulting in receipts to the Improvement and Development Fund since the answer to Question No. 749 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1151, 1153 and 1154 of 2008.

ORAL

**NO. 1153 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**

Answered together with Question Nos. 1151, 1152 and 1154 of 2008.

ORAL

**NO. 1154 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**

I now hand the hon Member a schedule with the information they have requested.

**ANSWER TO QUESTION 1154**

**Answer to Question 1151**

**Breakdown Of Receipts To Government Companies In Respect Of Land And Property Sales For  
The Period 1st April 2008 To 31st October 2008**

**Gibraltar Co-ownership Company Limited**

Sep-08 40% Sale of 16 Walnut Lodge	£29,450.76
	<u>£29,450.76</u>

**Gibraltar Residential Property Investments Company Limited**

Sep-08 Balance iro Flat 10 Sandpits	£246,500.00
Balance iro Flat 12 Sandpits	£246,500.00
Oct-08 Balance iro Flat 5 Sandpits	£246,500.00
50% Sale of 5:01:15 Apricot Court, SWJG	£47,940.00
100% Sale of 2:05:01 Rosemary Court, SWJG	£31,163.10
	<u>£818,603.10</u>

**Answer to Question 1152**

**Detailed Breakdown Of Receipts To The Improvement And Development Fund For The  
Period 1st September to 31st October 2008**

Sep-08 Part Payment iro 51 Line Wall Road	£1,964.00
Premium iro lease for 29 Devil's Tower Road	£800,000.00
Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 12/9/08)	£30.00
Sale of 27 Rosia Road	£22,700.00
Premium iro ext of lease of 22 Trafalgar House	£3,590.66
Sale of 1A Engineer Road	£103,400.00
Release of old London office building	£1,190,267.88
Oct-08 Part Payment iro 51 Line Wall Road	£982.00
Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 14/10/08)	£30.00
	<u>£2,122,964.54</u>

Contd...



CONTD ANSWER TO QUESTION 1154

Answer to Question 1153

Residential Property Sales From 1 September 2008 To 31 October 2008 (Improvement And Development Fund)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Sep-08	B Alvares	Part payment of GOG share with 4E Rulander	£30.00
Sep-08	L Borrell	Sale of 27 Rosia Road	£22,700.00
Sep-08	R & E Worrall	Premium iro ext of Lease for 22 Trafalgar House	£3,590.66
Sep-08	E Victory	Sale of 1A Engineer Road	£103,400.00
Oct-08	B Alvares	Part payment of GOG share with 4E Rulander	£30.00
			<u>£129,750.66</u>

Residential Property Sales From 1 September 2008 To 31 October 2008 (Government-Owned Companies)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Sep-08	K Budhrani & T Gracia	Balance iro Flat 10 & Garage 10, Sandpits	£246,500.00
Sep-08	M & J Rodriguez	Balance iro Flat 12 & Garage 12, Sandpits	£246,500.00
Oct-08	J & A M Russo	Balance iro Flat 5 & Garage 5, Sandpits	£246,500.00
Oct-08	Baglietto	50% Sale of 5:01:05 Apricot Court, SWJG	£47,940.00
Oct-08	Mr & Mrs Birkinshaw	Sale of Previous Option C Flat 2:05:01 Rosemary Court, SWJG	£31,163.10
			<u>£818,603.10</u>

Contd...

**CONTD ANSWER TO QUESTION 1154**

**Contd Answer to Question 1153**

**Commerical Property Sales From 1 September 2008 To 31 October 2008 (Improvement And Development Fund)**

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Sep-08	Casino Calpe	Part payment of 51 Line Wall Road	£1,964.00
Sep-08	Taylor Woodrow	Premium icro lease for 29 Devil's Tower Road	£800,000.00
Oct-08	Gibraltar Strand Property Co. Ltd	Release of old London office building	£1,190,267.88
Oct-08	Casino Calpe	Part Payment icro 51 Line Wall Road	£982.00
			<u>£1,993,213.88</u>

**Contd...**

**CONTD ANSWER TO QUESTION 1154**

**Answer to Question 1154**

There have been no Residential Tenders awarded since the information supplied at the last question-time in this Parliament.

**SUPPLEMENTARY TO QUESTION NOS. 1151 TO 1154 OF 2008**

**HON J J BOSSANO:**

In respect of the income in September from the release of the old London office building, which went into the Improvement and Development Fund, is the new office building charged to the Improvement and Development Fund or not? There is a payment of £1.19 million which was presumably the value of the unexpired portion of the lease of the Strand building and that has gone into the I&D. Now, has anything been charged to the I&D in respect of the new building?

**HON CHIEF MINISTER:**

I think not, I think the company that owns the building, Strand Properties Limited or whatever, I think that it funded itself from a mortgage, from a bank loan, whether that covered the whole of the difference I do not know. But even if it was the whole of the difference, if this has gone to the I&D Fund and has been used to part finance, it must have come out. So I think the answer is probably yes. The answer is probably yes, because certainly, I do not think the mortgage was for 100 per cent finance, so if that sum that was going to be used to set off the costs has gone in here, then it has to come out of here to be re-used for.

**HON J J BOSSANO:**

So, I mean, is the company that has been used for the property is it part of Gibraltar Investment Holdings? Is it a subsidiary of Gibraltar Investment Holdings or has it been capitalised directly from the I&D Fund?

**HON CHIEF MINISTER:**

I think it is a subsidiary of Gibraltar Commercial Properties Limited, but it is certainly under Gibraltar Investment Holdings, which is the top. I do not think it is held directly by the Government.

ORAL

NO. 1155 OF 2008

THE HON J J BOSSANO

**CONSOLIDATED FUND – EXPENDITURE**

Can Government provide the total estimated Consolidated Fund expenditure for this financial year to 30 September 2008, giving a breakdown by head of expenditure?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1156 to 1170 of 2008.

ORAL

**NO. 1156 OF 2008**

**THE HON J J BOSSANO**

**CONSOLIDATED FUND – REVENUE**

Can Government provide the total estimated Consolidated Fund revenue for this financial year to 30 September 2008, giving a breakdown by head of revenue?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 and 1157 to 1170 of 2008.

ORAL

NO. 1157 OF 2008

THE HON J J BOSSANO

**I & D FUND – EXPENDITURE**

Can Government provide the total estimated Improvement and Development Fund expenditure for this financial year to 30 September 2008 giving a breakdown by head of expenditure?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1155, 1156 and 1158 to 1170 of 2008.

ORAL

NO. 1158 OF 2008

THE HON J J BOSSANO

**I & D FUND – REVENUE**

Can Government provide the total estimated Improvement and Development Fund revenue for this financial year to 30 September 2008 giving a breakdown by head of revenue?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1155 to 1157 and 1159 to 1170 of 2008.



ORAL

**NO. 1159 OF 2008**

**THE HON J J BOSSANO**

**GDC – REVENUE**

Can Government provide the estimated total Gibraltar Development Corporation revenue for this financial year to 30 September 2008 giving a breakdown as follows:

- (a) Training Levy;
- (b) ESF;
- (c) Consolidated Fund Head 1B;
- (d) Miscellaneous;
- (e) Other Receipts?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 to 1158 and 1160 to 1170 of 2008.

ORAL

**NO. 1160 OF 2008**

**THE HON J J BOSSANO**

**GDC – EXPENDITURE**

Can Government provide the total estimated Gibraltar Development Corporation expenditure for this financial year to 30 September 2008 giving a breakdown as between Employment and Training and other divisions?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 to 1159 and 1161 to 1170 of 2008.

ORAL

**NO. 1161 OF 2008**

**THE HON J J BOSSANO**

**ECA – PAYMENTS**

Can Government state what have been the payments made by the Elderly Care Agency for this financial year to 30 September giving a breakdown for personal emoluments, industrial wages, other personnel and employer contributions and other recurrent expenditure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 to 1160 and 1162 to 1170 of 2008.

ORAL

NO. 1162 OF 2008

THE HON J J BOSSANO

**ECA – RECEIPTS**

Can Government state what have been the receipts of the Elderly Care Agency for this financial year to 30 September?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1155 to 1161 and 1163 to 1170 of 2008.

ORAL

**NO. 1163 OF 2008**

**THE HON J J BOSSANO**

**GHA – RECEIPTS**

Can Government state what have been the receipts of the Gibraltar Health Authority for this financial year to 30 September with a breakdown by Social Assistance Fund, GPMS, Consolidated Fund and other receipts?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 to 1162 and 1164 to 1170 of 2008.

ORAL

NO. 1164 OF 2008

THE HON J J BOSSANO

**GHA – PAYMENTS**

Can Government state what have been the payments made by the Gibraltar Health Authority for this financial year to 30 September with breakdown by personal emoluments, industrial wages, other personnel and other recurrent expenditure?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1155 to 1163 and 1165 to 1170 of 2008.

ORAL

**NO. 1165 OF 2008**

**THE HON J J BOSSANO**

**GEA – EXPENDITURE**

Can Government state what has been the operating expenditure of the Gibraltar Electricity Authority for this financial year to 30 September 2008, giving a breakdown of personal emoluments, employment costs and other recurrent expenditure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 to 1164 and 1166 to 1170 of 2008.

ORAL

**NO. 1166 OF 2008**

**THE HON J J BOSSANO**

**GEA – REVENUE**

Can Government state what has been the operating revenue of the Gibraltar Electricity Authority for this financial year to 30 September 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 to 1165 and 1167 to 1170 of 2008.



ORAL

**NO. 1167 OF 2008**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – RECEIPTS**

Can Government state what have been the receipts of the Sports and Leisure Authority for this financial year to 30 September 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 to 1166 and 1168 to 1170 of 2008.

ORAL

**NO. 1168 OF 2008**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – EXPENDITURE**

Can Government state what have been the recurrent expenditure of the Sports and Leisure Authority for this financial year to 30 September 2008 giving a breakdown of personal emoluments and other recurrent expenditure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1155 to 1167, 1169 and 1170 of 2008.

ORAL

NO. 1169 OF 2008

THE HON J J BOSSANO

**SOCIAL SERVICES AGENCY – RECEIPTS**

Can Government state what have been the receipts of the Social Services Agency for this financial year to 30 September?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 1155 to 1168 and 1170 of 2008.

ORAL

**NO. 1170 OF 2008**

**THE HON J J BOSSANO**

**SOCIAL SERVICES AGENCY – PAYMENTS**

Can Government state what have been the payments made by the Social Services Agency for this financial year to 30 September with a breakdown for personal emoluments, industrial wages, other personnel and employer contributions and other recurrent expenditure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member statements based on Treasury records as they stand. However, figures do not include Treasury adjustments, for example, contributions from the Consolidated Fund, Social Assistance Fund to the Agencies, Authorities, Corporation and Social Insurance Fund, which are normally effected by the Treasury at the end of the financial year.

**ANSWER TO QUESTION 1170**

**Answer to Question 1155**

**CONSOLIDATED FUND EXPENDITURE**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>HEAD</u></b>	<b><u>EXPENDITURE</u></b>
1A Education	£11,259,918.00
1B Training	£256,060.81
2A Heritage and Culture	£1,055,946.97
2B Sport and Leisure	£47,783.56
3A Housing - Administration	£1,054,557.84
3B Housing - Buildings and Works	£3,420,433.27
4A Environment	£7,450,495.09
4B Technical Services	£2,526,687.63
4C Tourism	£1,293,804.62
5A Family and Community Affairs	£3,076,843.94
5B Youth	£192,402.53
6A Enterprise	£1,248,410.78
6B Transport - Port and Shipping	£1,561,144.55
6C Transport - Airport	£1,527,319.82
6D Transport, Vehicle, Traffic and Public Transport	£630,450.21
6E Postal Services	£1,192,742.32
6F Broadcasting	£976,912.50
6G Utilities	£4,500,236.52
7A Health	£0.00
7B Civil Contingency	£5,450.73
7C Fire Service	£1,710,835.20
8A No. 6 Convent Place	£2,641,526.70
8B Human Resources	£329,961.70
9A Ministry	£188,922.52
9B Treasury	£2,016,456.55
9C Customs	£2,173,870.31
9D Income Tax	£932,833.70
9E Finance Centre	£664,314.63
10 Employment, Labour and Industrial Relations	£252,605.77
11A Justice Ministry	£1,928,944.96
11B Supreme Court	£385,823.14
11C Magistrates' and Coroner's Court	£225,216.38
11D Attorney General's Chambers	£327,445.30
11E Prison	£557,241.87
11F Policing	£5,018,759.72
12 Immigration and Civil Status	£1,157,439.62
13 Parliament	£677,070.30
14 Gibraltar Audit Office	£282,665.41
15 Supplementary Provision	£0.00
16 Consolidated Fund Contributions	£0.00
	<u>£64,749,535.47</u>

Contd...

**CONTD ANSWER TO QUESTION 1170**

**Contd Answer to Question 1155**

**CONSOLIDATED FUND CHARGES**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>HEAD</u></b>	<b><u>EXPENDITURE</u></b>
01 Statutory Offices	£240,216.43
02 Judicature	£382,603.15
03 Pensions	£10,454,993.53
04 Employer's Contributions	£1,529,599.42
05 Public Debt Charges	£2,659,168.16
06 Public Services Ombudsman	£99,665.55
07 Revenue Repayment	£15,817.01
08 Public Debt Repayment	£0.00
	<u>£15,382,063.25</u>

**Answer to Question 1156**

**CONSOLIDATED FUND REVENUE**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>HEAD</u></b>	<b><u>REVENUE</u></b>
1 Income Taxes	£54,897,041.40
2 Duties, Taxes and Other Receipts	£24,604,153.27
3 Gambling Fees, Taxes and Lottery	£3,583,325.53
4 Rates and Rents	£5,335,209.05
5 Departmental Fees and Receipts	£6,999,134.97
6 Government Earnings	£4,328,632.73
7 Exceptional Item	£0.00
	<u>£99,747,496.95</u>

Contd...

**CONTD ANSWER TO QUESTION 1170**

**Answer to Question 1157**

**IMPROVEMENT AND DEVELOPMENT FUND – EXPENDITURE**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>HEAD</u></b>	<b><u>EXPENDITURE</u></b>
101 Departmental	£4,426,213.38
102 Central Public Administration and Essential Services	£428,709.71
103 Projects	£3,629,466.03
	<u>£8,484,389.12</u>

**Answer to Question 1158**

**IMPROVEMENT AND DEVELOPMENT FUND - REVENUE**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>HEAD</u></b>	<b><u>REVENUE</u></b>
101 Contributions and Loans	£7,000,000.00
102 Sale of Government Properties and Other Premia	£3,234,667.44
103 Grants	£731,009.76
104 Reimbursements	£53,752.49
	<u>£11,019,429.69</u>

Contd...

**CONTD ANSWER TO QUESTION 1170**

**Answer to Question 1159**

**GIBRALTAR DEVELOPMENT CORPORATION – REVENUE**  
**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT**  
**27 NOVEMBER 2008**

**EMPLOYMENT AND TRAINING**

**Revenue**

Training Levy	£721,287.25
Contribution by European Social Fund ESF	£84,827.00
Contribution from Consolidated Fund - Head 1B	£0.00
Miscellaneous	£104,919.34
	<u>£911,033.59</u>

**OTHER DIVISIONS**

**Revenue**

Other Receipts	<u>£2,002,912.48</u>
----------------	----------------------

**Answer to Question 1160**

**GIBRALTAR DEVELOPMENT CORPORATION – EXPENDITURE**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT**  
**27 NOVEMBER 2008**

**EMPLOYMENT AND TRAINING**

**Expenditure**

Employment	£248,175.73
Training	£967,253.98
	<u>£1,215,429.71</u>

**OTHER DIVISIONS**

**Expenditure**

Other Divisions	<u>£2,002,912.48</u>
-----------------	----------------------

Contd...



**CONTD ANSWER TO QUESTION 1170**

**Answer to Question 1161**

**ELDERLY CARE AGENCY – PAYMENTS**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

**PAYMENTS**

Personal Emoluments	£2,004,953.01
Industrial Wages	£606,614.34
Other Personnel	£14,624.62
Employer's Contributions	£313,371.18
Other Recurrent Expenditure	£679,109.25
	<u>£3,618,672.40</u>

**Answer to Question 1162**

**ELDERLY CARE AGENCY – RECEIPTS**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

**RECEIPTS**

£311,401.81

Contd...

**CONTD ANSWER TO QUESTION 1170**

**Answer to Question 1163**

**GIBRALTAR HEALTH AUTHORITY – RECEIPTS**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

**RECEIPTS**

Social Assistance Fund	£0.00
GPMS	£15,974,507.31
Consolidated Fund	£0.00
Other Receipts	£112,833.23
	<u>£16,087,340.54</u>

**Answer to Question 1164**

**GIBRALTAR HEALTH AUTHORITY – PAYMENTS**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

**PAYMENTS**

Personal Emoluments	£13,184,174.50
Industrial Wages	£1,265,506.95
Other Personnel	£1,791,816.04
Other Recurrent Expenditure	£14,703,090.69
	<u>£30,944,588.18</u>

Contd...

**CONTD ANSWER TO QUESTION 1170**

**Answer to Question 1165**

**GIBRALTAR ELECTRICITY AUTHORITY – OPERATING EXPENDITURE**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

**EXPENDITURE**

Personal Emoluments	£3,299,740.12
Employer's Contributions	£213,978.29
Other Recurrent Expenditure	<u>£14,394,160.90</u>
	<u>£17,907,879.31</u>

**Answer to Question 1166**

**GIBRALTAR ELECTRICITY AUTHORITY – OPERATING REVENUE**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>REVENUE</u></b>	<u>£9,466,494.60</u>
-----------------------	----------------------

Contd...

**CONTD ANSWER TO QUESTION 1170**

**Answer to Question 1167**

**SPORTS AND LEISURE AUTHORITY – RECEIPTS**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>RECEIPTS</u></b>	<b><u>£5,502.50</u></b>
------------------------	-------------------------

**Answer to Question 1168**

**SPORTS AND LEISURE AUTHORITY – EXPENDITURE**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>EXPENDITURE</u></b>	
Personal Emoluments	£755,156.41
Other Recurrent Expenditure	<u>£397,337.94</u>
	<u>£1,152,494.35</u>

Contd...

**CONTD ANSWER TO QUESTION 1170**

**Answer to Question 1169**

**SOCIAL SERVICES AGENCY – RECEIPTS**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

<b><u>RECEIPTS</u></b>	<b><u>£512.00</u></b>
------------------------	-----------------------

**Answer to Question 1170**

**SOCIAL SERVICES AGENCY – PAYMENTS**

**1 APRIL 2008 TO 30 SEPTEMBER 2008 – TENTATIVE FIGURES AS AT  
27 NOVEMBER 2008**

**EXPENDITURE**

Personal Emoluments	£1,690,982.95
Industrial Wages	£198,419.02
Other Personnel	£238,240.96
Employer's Contributions	£202,914.09
Other Recurrent Expenditure	<u>£230,994.31</u>
	<b><u>£2,561,551.33</u></b>