

**NO. 1 OF 2009**

**THE HON F R PICARDO**

**AIRPORT TERMINAL BUILDING PROJECT – WORKERS**

How many of the workers at the airport works being carried out by Dragados are residents of Gibraltar?

**ANSWER**

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

It is not appropriate to discuss in Parliament matters appertaining to an individual employer. Quite apart from the fact that all EU workers have the same freedom to work in Gibraltar, Gibraltar has no pool of available workers with the required skills for construction projects. There is a local reluctance even to take labouring jobs in private sector construction companies.

**SUPPLEMENTARY TO QUESTION NO. 1 OF 2009**

**HON F R PICARDO:**

So is that none?

**HON L MONTIEL:**

The answer is what I have said, that is not to say that there will not be local people employed in the construction industry.

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**HON F R PICARDO:**

After that dose of apparent political prozac that the Chief Minister has attempted to give his side, can I quickly go back to the earlier question, because I think that the Minister may inadvertently, no doubt, have misled those listening and perhaps even the House with one aspect of his answer. I put it no higher than that, I say inadvertently. In answer to the following questions, if the Minister would like to make a note, 1161 of 2006, 977 of 2005, 780 of 2006, 803 of 2007, 716 of 2008, 418 of 2006, 326 of 2007 and 289 of 2008, his Department and he himself, and his predecessors in post, have provided answers giving a breakdown of nationality by employer. The Minister in his earlier answer has told me it is not appropriate to give

breakdowns by employer. That is a practice that has developed in this House, so I would be grateful if the Minister could look at that answer and perhaps come back to us later in the session, and if there has been an issue of the House being potentially misled, that he think about the possibility of correcting that.

**HON CHIEF MINISTER:**

Absolutely not, there is no prospect of the House having been misled, intentionally or otherwise. The hon Member answered in his question, my Colleague the Minister for Employment, that it is not appropriate to discuss in Parliament matters appertaining to an individual employer. That is the case. Therefore, the hon Member has not said "I will not give you figures", he has said, "I will not discuss the issues of an employer with you". Frankly, my view is that even giving individual figures of individual companies is also inappropriate, and frankly, what the hon Member calls as a practice in the past, would certainly not bind the Government and if the Government adopted the view at any given time that it had become inappropriate to do so, the fact that they have done so in the past does not constitute misleading the House. One can mislead the House when one gives false information. One does not mislead the House because one simply asserts, in the present tense, that it is not appropriate to discuss matters appertaining to an individual employer. So, whether it is discussion or whether it is individual statistics, and it is over an individual company, even giving figures about a whole sector broken down by players, for example, as we might give on gambling where there are 15 companies, or on banks, I do not know if we give it on insurance companies, is hardly the same as asking a question in Parliament specifically naming in the question one company, so that the answer relates specifically to one company and one company only. Frankly, it is completely out of order and inappropriate for the hon Member to even suggest that the Minister in those circumstances and making that distinction, may be intentionally or unintentionally misleading the House or anybody else.

**HON F R PICARDO:**

Obviously what the hon Member has done is try to salvage a situation that has gone bad for him, because he had not focused when he cleared the question for answer on the fact that these employer specific statistics have now been provided in this House for at least the past six years, if not longer. Will the hon Gentleman, well the hon Gentleman I hear him mutter under his inevitably malevolent breath that something I am saying is not true. But the answers are in Hansard and he can see them for himself if he so wishes.

**HON CHIEF MINISTER:**

No, no, as a Point of Order.....

**HON F R PICARDO:**

But I know that facts are not something that will restrain the hon Gentleman in his arguments.

**MR SPEAKER:**

We will listen to the Point of Order.

**HON CHIEF MINISTER:**

As a Point of Order, for the hon Member to sustain the statement that he has just made, he cannot point to answers that have given, collectively, statistics about companies in a sector. He has got to point to a question in which a question related to a specific and only company and the answer was given. Or has he forgotten all the exchanges in the past when they used to ask questions about Cammell Laird and the answers always were, "no we will not give you information about an individual company, Cammell Laird, but you can have information about the shipbuilding industry". So, even when he is making unpleasant accusations, he is incapable of being sufficiently imprecise to be accurate.

**MR SPEAKER:**

I was assuming the list of the questions the hon Member read out, numbers, related to a specific employer as opposed to sectors. I was assuming.

**HON F R PICARDO:**

The questions..... Sorry?

**MR SPEAKER:**

I was assuming that the numbers recited by the hon Member related to specific employers, as this question does.

**HON F R PICARDO:**

No, because what I am dealing with is the answer given by the hon Gentleman. In the answer which the hon Gentleman gave, he refused to give statistics about a particular employer. If the question is one that should have been phrased in respect of the airport works, if that is what the hon Gentleman is suggesting, if I had asked about the airport works I would have got the answer which would have related to that company, that is quite different to saying that it is inappropriate to discuss in Parliament the issues of a particular employer. Well, Mr Speaker, all I am asking for is exactly the same statistic that was provided in respect of the gaming industry, and which there is broken down by employer. It appears that the hon Gentlemen opposite do not want to provide even this statistic for this particular project. It is very clear to me why that is likely to be the case.

**MR SPEAKER:**

Surely the original question refers to a specific employer, so the hon Member now wishes to rephrase the question.

**HON F R PICARDO:**

I do not wish to rephrase the question, and Mr Speaker did not think that my question was out of order, because when he feels that my question is out of order.....

**MR SPEAKER:**

I assumed they related to specific employers in all those questions.

**HON F R PICARDO:**

No, when I first put the question, Mr Speaker had not thought it out of order because he has not ruled it out of order. Now, there is question about a particular project on-going in Gibraltar, we are told by the hon Gentleman it is a very important project. The Minister comes to this House and tells us that it is not appropriate to discuss particular employers, and therefore, not to provide the statistic of the nationality of the particular individuals employed. Now, when I bring to their attention that they do provide those statistics, the hon Gentleman does not say to me, "well look, it is very simple, just do the Cammell Laird operation, put the question a different way and I will provide it". He says that even though we have provided that information before in relation to other questions, we are not building up a practice of providing it and I am not going to provide it in the future.

**HON CHIEF MINISTER:**

No, with respect, the hon Member is guilty of the most outrageous obfuscation. We are on our feet, not discussing the original question, we are on our feet discussing a Point of Order tabled by me, on the basis that he has made the false accusation that the Minister is misleading the House by giving this answer to this question, because he is using, falsely, as evidence of having done this before in a number of questions which do not relate to this at all. This being asking questions specifically about one named employer and everything that he has just said is waffle. He has himself just admitted that he understands that the Government do not answer questions about specific employers. Well, if he knew that three minutes ago, why did five minutes ago he accuse the Minister of misleading the House intentionally or unintentionally for doing precisely the same thing? The fact of the matter remains that he gave a long list of dates, years and numbers of questions suggesting that they were all examples of what the Government are now refusing to do with this question, and that is a false use of that alleged evidence, to base a serious accusation against a member of this House, that is my Point of Order and nothing to do with the waffle that he has just given in reply.

**HON F R PICARDO:**

I just do not understand what it is that is wrong with the hon Gentleman. We come to this House to try and have a reasonable, mature debate on issues to try and get to the bottom of issues. He has in less than 45 minutes, in fact, given the fact that we were quite collectively pensive when we started, in less than 30 minutes, managed to accuse and abuse my hon Friend and myself on a number of occasions, calling us just about everything that it was possible to call us, within the Rules of this House. Probably falling outside every rule of good manners, and not addressing the fact that



I said to the hon Gentleman that I thought that perhaps he had been inadvertently misleading the House. I did not make any accusation that he had been trying to do so intentionally.

**HON CHIEF MINISTER:**

That statement is simply untrue.

**HON F R PICARDO:**

Oh, Mr Speaker, tell him to sit down and shut up.

**MR SPEAKER:**

Order, Order, Order.

**HON F R PICARDO:**

Mr Speaker, Hansard will show what I have said and it will show what the hon Gentleman has said.

**HON CHIEF MINISTER:**

Yes, and Hansard will show that you are lying in this House.

**MR SPEAKER:**

Order, Order, Order. The word "lying" is not parliamentary, the Chief Minister knows that. Now, the hon Member on this side did emphasize that he thought the Minister was inadvertently misleading the House. He made that point from the very outset.

**HON CHIEF MINISTER:**

No Mr Speaker, with the greatest of respect to you he did not. He said, "I would like to point this out to the hon Member, I do not know whether it was inadvertently or otherwise, but I leave it at that", those were his exact words, "but I will put it no stronger than that". That is not simply saying to somebody that you think they might have made a mistake, that is making the accusation without having the balls to make it plainly. That is what it is.

**MR SPEAKER:**

Order, Order.

**HON F R PICARDO:**

I am going to exercise what modicum of restraint nature has given me, in order not to address the last of the really quite inappropriate remarks made by the hon Gentleman, and tell him that this is not about spherical parts of the anatomy but about trying to get to the truth, to try and understand what it is that is happening at the airport. Something which I would have thought all of those listening are more interested in than whether his spherical bits are bigger than my spherical bits or otherwise. But the short issue is simply this, why cannot we have the statistic about the nationality of the people employed at the airport?

**HON CHIEF MINISTER:**

Well, first of all because that is not what he has asked, and secondly, because it is the position in this Parliament and, indeed, there might even be a Standing Order about it, I do not recall, you do not ask questions in Parliament about an individual citizen. It is as simple as that and it is not new. All this debate has initiated because the hon Member who accuses me of calling them everything under the sun, what he really means is that I do not let them get away with calling us everything under the sun without responding, and then when I respond to their accusations xxxxxx that they are making a serious accusation on the basis of untruths, and they have got no more arguments left, his last recourse is "Caruana is a very unpleasant man, it has only taken him 45 minutes to call me everything under the sun".

**MR SPEAKER:**

Order, Order, Order.

**HON CHIEF MINISTER:**

It is the hon Member opposite who has disturbed what they call the tranquil, complete mood with which the House session started by him, unlike his hon Friend who was quite capable of asking questions on difficult matters without getting abusive of anybody on this side of the House, but he is innately incapable of doing so. So it did not take him 30 seconds to formulate a supplementary around the allegation that the Hon Minister Montiel had intentionally or unintentionally, he would put it no more strongly than that, misled not just the House but others who might be listening to the House, and he thinks it is all right for him to accuse Ministers of that and when Ministers defend themselves by pointing out that he is practising false barrack room lawyer techniques of the worst kind, then it transpires that it is we who are the unpleasant ones, not him for making the serious allegation in the first place. Well, if that is his definition of unpleasantness then he has to get used to the fact to much more unpleasantness, because he is right in thinking that debate in this House should be mature. As I, in breach of the Rules of the House uttered from a sedentary position, and I now repeat in a vertical position, maturity requires honesty of debate, it requires debating around the truth, around the true facts and not around invented facts, invented unsubstantiated allegations, designed only to deliver political opportunism. That is what is the obstacle to mature debate in this House.

**HON F R PICARDO:**

All of that, again rather blustering set of remarks with further accusations that I am a barrack room lawyer et cetera, I wonder how a barrack room lawyer would have reacted to the jibe about the spherical bits, but never mind. It does not advance the cause of trying to get to the bottom of the question that we were seeking an answer to. It seems to me that the demeanour of the Government is not to wish to progress to answer any further, and I think I will very reluctantly leave it there, and people listening will know that the Government have failed to provide an answer, have chosen to pursue an argument about an argument rather than address the substance of the question. What a pity.

**MR SPEAKER:**

There was a Point of Order made, does anyone want a ruling on that Point of Order?

**HON F R PICARDO:**

Well, if I have to address the substance of the Point of Order, I did not think it was a Point of Order made with any level of seriousness other than to attempt to avoid the question. But the hon Gentleman says that I have said things falsely and that I have used evidence allegedly in support of my point. My answer to the Point of Order is very simple. I am trying to get to the bottom of why it is that I am not given an answer about a particular employer, I am not trying falsely to do anything. I think I have done everything in the light of this Parliament and referred him to the particular answers to the particular questions, and not just to the numbers, to the fact that it was the gaming question which is one answered regularly, so that the hon Gentleman opposite would know exactly what it is I was referring to. So, I do not think that there is any substantiation to the suggestion in the Point of Order, as it was, that I have made my supplementaries on grounds that are false and I would ask Mr Speaker to rule against the Point of Order.

**HON CHIEF MINISTER:**

I do not require a ruling but I want record to show that I do not agree with anything that the hon Member has just said. I think that that is not an accurate reflection of what he has done here this morning.

**HON F R PICARDO:**

If it is any consolation, I also do not require a ruling, I thought the hon Gentleman required a ruling, but I too would like it recorded that I do not agree with absolutely anything that the hon Gentleman has said this morning, and that it is very unlikely, unless on issues of common ground, that we will agree for the rest of the session, given the demeanour that he has brought here today.

**MR SPEAKER:**

Well, let me start off by ruling against my own conduct for a start. The Rules do not permit me to allow supplementaries to go back to earlier questions, but being the over-indulgent person that I am, I did allow the supplementary to go back to two questions. I think that was probably a mistake. If I had not allowed it we would not have gone down the next ten minutes of argument. But again, that is the price one pays for over-indulgence. Having allowed a supplementary I must confess the question which listed a lot of previous questions in the last three or four years, obviously the precise questions were not repeated but numbers were given, I got the impression that that list contained questions naming individuals so as to show that there was, in support of the suggestion.....

**HON F R PICARDO:**

The answers identified the individuals not the questions.

**MR SPEAKER:**

But the impression I got was that the information arising from those questions pertained to individual companies. It transpired that that was not the case. I am told that they translated to sectors.

**HON F R PICARDO:**

I do not know who Mr Speaker was told by.

**MR SPEAKER:**

That is the impression I get from both sides.

**HON F R PICARDO:**

The question relates to sectors, the answer relates to specific employers giving the breakdown per employer.

**MR SPEAKER:**

I see. I can understand both parties approached the matter on a different point of view. I can understand that but since there is no further call for any further ruling I would leave it at that.

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**HON F R PICARDO:**

In the same vein. I do not know how to seek Mr Speaker's consent to do this but the hon Gentleman obviously did. I would like to clarify something in relation to Question No. 1 of 2009.

**MR SPEAKER:**

Yes.

**HON F R PICARDO:**

That is the question which gave rise to a heated exchange between myself and the Chief Minister. I want to clarify, because I have the Minister for Employment as somebody who I personally, at a personal level, hold in very high esteem, I want to clarify that when I asked my supplementary in that question I did say, and Hansard does reflect and I am grateful to the Clerk for having organised the Hansard being prepared, this is a draft of Hansard subject to checking of course, "that the Minister may inadvertently" I said, "no doubt have misled those listening and perhaps even the House with one aspect of this matter. I put it no higher than that, I say inadvertently". Mr Speaker there was subsequently a very heated debate in which the Chief Minister repeated on a number of occasions that I had said that, "inadvertently or otherwise but I leave it at that", he said at one stage. Earlier he had said that I had suggested that something had been done, that misleading of the House had been done intentionally or unintentionally misleading the House. Mr Speaker, as Hansard shows and as I told him it would show, and the whole answer shows that Mr Speaker also reflected my words accurately, I did not for one moment suggest that the hon Member had intentionally misled Parliament, only inadvertently.

**MR SPEAKER:**

Thank you. I think the record stands correct.

ORAL

**NO. 2 OF 2009**

**THE HON G H LICUDI**

**HEALTH AND SAFETY INSPECTORATE – DEATH OF WORKER AT  
WATERPORT TERRACES**

Can Government state what measures it will take as a result of the recommendation of the jury hearing the inquest into the death of a worker at Waterport Terraces that the health and safety inspectorate be strengthened?

**ANSWER**

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

Answered together with Question No. 3 of 2009.

**NO. 3 OF 2009**

**THE HON G H LICUDI**

**HEALTH AND SAFETY INSPECTORATE – ADVERTISEMENT FOR HEALTH AND SAFETY OFFICER**

Can Government confirm that it now accepts that the decision to withdraw an advert published in August 2007 for a health and safety officer was a mistake?

**ANSWER**

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

As the House is aware from previous answers to questions, the Government expect to deploy a restructured and reformed health and safety capability. This is not yet decided. Nothing in the case of fatality of a worker at Waterport Terraces suggests that it was a mistake to withdraw the vacancy published in August 2007. This was not the cause of the accident, nor would the existence of one more inspector have prevented it, any more than the occurrence of one isolated crime suggests a shortage of policemen. The responsibility for the safety of employees rests with the employers and not with the Government. This site was attended by inspectors on inspections and other visits a total of 41 times from August 2005 to May 2007, the date of the fatal accident.

**SUPPLEMENTARY TO QUESTION NOS. 2 AND 3 OF 2009**

**HON G H LICUDI:**

As I understand the answer, it is that the Government have still not decided what to do in connection with the review that is currently underway, which was announced last year in respect of the health and safety inspectorate and the inference, if we are correct in our interpretation, is that the Government currently have no plans to implement any measures as a result of the specific recommendation of the jury in that inquest. Can the Minister confirm that that is indeed the Government's position?

**HON L MONTIEL:**

That is simply not the case. The Government have plans for the restructuring of the health and safety executive. The answer that I have been given is that employing one more enforcement officer, one policeman, is not the solution to the health and safety problems or structure that the Government are attempting to create.

**HON G H LICUDI:**

If the Minister says the Government have plans, can he tell us what those plans are?

**HON CHIEF MINISTER:**

The Minister did not say the Government have plans, the Minister said the Government had plans to restructure the health and safety....., which we have been telling the hon Member for several months now. We have also told him for several months now, and repeated again this morning, that those plans are not yet ready. But the Government do not have plans that they are able to implement today, even if it were appropriate to do so.

**HON G H LICUDI:**

What the Minister is saying is that the Government have plans to think about plans in the future, and at some future date they may or may not come up with concrete plans. Do the Government not accept that the state of affairs in the health and safety inspectorate is simply not acceptable, and it is simply not right for the Government to fail to listen to public concerns expressed by the Unions, to public concerns expressed by their own officers, who in evidence at that inquest the principal inspector told the inquest that his Government lacked adequate resources. That was in relation to an accident in May 2007. In August 2007 there was an advert placed for a health and safety officer and that advert was subsequently withdrawn. So the three officers that were in place and which were clearly inadequate, in the words of the principal health and safety inspector, the three officers that were in place in May 2007 became two in August 2007, that person has not been replaced and will the Government now confirm that having a health and safety inspectorate which simply does not have the numbers to do the jobs, as expressed by their own people, as expressed by this Opposition in this House on numerous occasions, and as expressed publicly by the Union, is simply a mistake and they need to take urgent measures to redress that.

**HON CHIEF MINISTER:**

The health and safety position is more or less as acceptable or not as acceptable as it has always been in Gibraltar. The Opposition Members appear to be having difficulty listening to or being interested in what they hear in answer to their questions. If the purpose of Question Time is for them to hear their question repeated as many times as possible, then that is one thing, but if the purpose of Question Time is to elicit information from the Government, and unless one says they do not believe it then accept it, then what the hon Member cannot do is ignore the answer that he is given and then simply repeat his question putting words in Ministers' mouths that they have not received. If the yardstick of whether the Government employed enough Civil Servants were to be the utterances of Civil Servants and Civil Servants' Unions themselves, one would have to answer.....  
[Interruption]

**MR SPEAKER:**

Order , Order.



**HON CHIEF MINISTER:**

I am sorry, the hon Member has asked his question and now he has to listen to the answer. He said that even the labour inspectors gave evidence to say that there was insufficient personnel. Well, during the eight years that the hon Members were in Government, Civil Servants in almost every Government department were complaining that there were insufficient personnel. It did not stop the Opposition Members from decimating the Civil Service and leaving it practically incapable of delivering public services to the people of Gibraltar. So neither their Government nor this Government put their ears to the ground, listen to how many employees their employees think ought to be employed in excess of the current number, and take that as the benchmark of what is required in order to deliver a safe service. Goodness help the taxpayer if the hon Member should ever find himself on the Government side of the House and deploys that principle to determine proper manning levels in the public service. The answer that the Minister has given him, in case he is interested in it, is that the problems in Gibraltar's administration of health and safety, particularly in work places, is much more profound than whether there are two or three inspectors. Because whether one has two, or three, or four, is not going to make a material difference to the output of health and safety, unless it is accompanied by restructuring of the legislative framework, of the mechanisms for administration and other resources and other inputs that will convert into effective improvement in the output. That is the answer to the question. It is taking the Government quite some time to re-evaluate and re-design what will be a complete, doing in a new and different way, all aspects, not just health and safety in the workplace, but health and safety in all its aspects and dimensions as it affects this community. If the hon Member wants to say that he thinks that that policy matter, which of course is not their policy but ours, is taking us too long to deploy, he is certainly free to make that value judgement if he wants. But until the policy emerges, it is the Government's policy not theirs, they do not have a policy to reform health and safety management in Gibraltar, their policy appears to be limited to recruiting one more inspector and we think that is wholly ineffectual to address what needs to be achieved.

**HON G H LICUDI:**

We are here to hold the Government to account and to understand, if we can, what the Government's policy is but sometimes we have great difficulty in doing that. The Chief Minister suggests that we have difficulty in listening to answers and we choose to ignore answers that are given. Does he not accept that the problem we have fundamentally is that quite often no answer is given, or no adequate answer is given at all? Because the information that has been given today is exactly the same as was given in April of last year, and in September of last year when I again raised the issue of the health and safety inspectorate, when it was suggested that the Government were undertaking a review, that there were two Ministers doing the thinking in a Committee of three, which included the Chief Minister, it appears that not much thinking has been going on and this is not just a question of repeating utterances of Civil Servants, it is raising a matter of public concern that has been raised by the Union, that has been raised by us in this House and now has been raised by a jury in an inquest. Do the Government not accept or do the Government consider it acceptable, now, today, to treat a recommendation of the jury with the contempt that they are treating it today?

**HON L MONTIEL:**

If I may add, it is my view that the hon Member has a fundamental problem with regards to understanding all issues of health and safety. His preoccupation and his concerns for health and safety stem from the fact that an advert was withdrawn, that is how the gentleman started his concern with regard to resources, and now jumps into the area of as a result of not having re-advertised that post somebody has died in the construction industry. The responsibility for health and safety lies with the employers under the provisions of the law. One more enforcement officer, a policeman, does not solve accidents because he is only there to police, he does not undertake risk assessments. Therefore, it is a fundamental problem that we have in the health and safety structure at the moment, which we intend to redress in due course. It is not by employing more enforcement officers that we are going to resolve the problems of the industry. What we need to do is to make sure that the employers comply with their legal obligations, and to do that we will need to have the restructure and the people that will ensure that that is done.

**HON G H LICUDI:**

Again reference is made to something happening in due course and this is, perhaps unfortunately, the sorry tale of Government answers in this House. The Minister suggests that we have, again, some difficulty in understanding this issue because our concern is simply about an advert being withdrawn. Well, what this Minister and what this Government cannot do is to shirk their responsibility, shirk their own duties and responsibilities to the public at large by saying this is a matter for individual employers to deal with. It is not just a question of an advert being withdrawn, it is a fact that an advert was withdrawn in August 2007. It is a fact that in January 2008 the Union came out publicly expressing serious concern about the numbers and the work of the health and safety inspectorate. Not in terms of the actual work that they do, but the resources that they have. It is a fact that we raised this matter in this House in April 2008 and we got no answer at all other than it will happen in due course. It is a fact that we also raised it in September 2008 and again got the answer it will happen in due course. It is a fact that only a few weeks ago a jury hearing an inquest has made a specific recommendation to this Government, and it is a fact that the Government are simply turning away from all those concerns that we have expressed and which the jury has now expressed. Can the Government confirm that that is what they consider to be an acceptable way for a Government to behave?

**HON CHIEF MINISTER:**

No, see, the problem with the hon Member is that he denies that he ignores the answer and he denies that the version of facts that the Government give, simply for the purposes of justifying his own position. I will give him another example, he has done it again just now. In his previous supplementary, not this last one, he says "and you see the problem with the Government", this is in answer to my allegation, he said, "no the problem is with the Government that they do not give an answer. I asked them in April and I asked them again in September and they do not give an answer". No, the hon Member, given his profession, should be more precise. It is not that we do not give him an answer, it is that we give him the same answer. Well, repeating the same answer is not the same as giving no answer, and the answer that he has had is the same because that is the case. The Government are considering a root and branch reform which cannot, yes the hon Members do not know how long it should take to do root and branch reforms of things that have been done for 40 or 50

years, because they have never carried out one single iota of public sector reform in their lives. All they have ever done is destroy public sector services, they have never reformed any public sector services, so it is hardly surprising that they think that everything should take 15 minutes, particularly if it is momentarily convenient for them to so allege. The Government are not shirking their responsibility because the Government have identified the need to reform Gibraltar's health and safety before a jury. It is only the hon Member that needs a jury's verdict to wake him up like an alarm bell in the mornings, "ah, somebody in the community is complaining about this, I will now take it up". Yes, this is the long line of people that queue up outside the GSLP offices, they come with complaints and it is only then that the hon Members realise that the issue exists and take it up. Well look, the Government have identified the need for health and safety reform, which is a reform of the system that we inherited from them and that we ourselves did not prioritise in its reform, that is true too. That is the system that is being reformed. Is the hon Member saying, because of course, the jury did not say, as anyone listening to the Opposition Member might rush away with the false impression, the jury did not say, as the hon Member is doing for pure political exploitation without any justification, no, the jury did not say that this unfortunate young man died in Waterport Terraces because the dreadful Government withdrew the advertisement for one health and safety inspector in August 2007, or whenever it was. Or whenever it was that the advert was withdrawn. Yes, August 2007. What the jury said was that in its view, which the Government shares, more resources are needed. Not one more inspector, well, more resources are not necessarily just one inspector, there has got to be more resources refocused, restructured, retasked, to maximise the output of compliance with those whose basic responsibility it is to ensure the health and safety of employees, which is their workers, and that is not achieved by employing one or even five more inspectors. The Government are going to deliver more resources, but more resources of an effective type not more resources of the same type as has delivered an ineffective system in the past that needs reforming. Or does he think the Government are just going to build up a failed system, and that is his view of reform, and that is his view of complying with the jury's verdict of more resources. Well, I am very glad to announce, it is not the Government's view of how the jury's verdict, and the Government's policy, which coincide, are best delivered. Or is the hon Member for pure, political, opportunistic, headline of the worst type grabbing reasons, what is he trying to make people think? That the Government are responsible for the death of this worker at Waterport Terraces? Because, of course, having only inspected this building site 41 times, I suppose the hon Member is trying to make people believe that if there had been more, if one more inspector he might have gone a forty-second time and that forty-second time might have coincided with the precise moment of the accident. Is that what the hon Member is trying to get this House and everybody herein to believe? It is disingenuous and typical of the headline grabbing, of the unthinking and of the politically opportunistic style that the hon Members, so early in their political career, seem to have adopted.

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

The Chief Minister tries to launch an attack which is entirely unjustified. Not only is it unjustified, it is simply not borne out by the facts and the events that have occurred. The Chief Minister asks whether the jury say that this was the Government's fault that this accident happened, but let me.....

**HON CHIEF MINISTER:**

That is what he thinks not the jury. The jury does not think.....

**HON G H LICUDI:**

Well, what we think is what has been reported. I am sure the Chief Minister was not sitting in the inquest but has read reports of the inquest and of the verdict, as have we, and what the jury has concluded is that, I will read the report, “boosting these resources”, the resources of the health and safety inspectorate, “would allow for frequent inspections at building sites and reduce the risk of accidents by ensuring all contractors complied with regulations”. That is what the jury has concluded, and what this Chief Minister and this Government is doing, is not only failing to listen to the questions that we have asked, failing to listen to the concerns that have been expressed publicly, and failing to listen to the recommendations of the jury. The Opposition do not need a jury to tell it about concerns which are out there at large, because the Chief Minister knows that we have raised this matter in the past, and we are not jumping on any bandwagon for any opportunistic motive, the Chief Minister knows that this was raised publicly by the Union in January of last year. He also knows it was raised publicly by me in this House in April of last year and in September, and on repeated occasions. If the Chief Minister is saying that these reviews and these changes will happen in due course, can we have a little bit more specificity and can the Government, the hon Members, now tell us when they expect to be in a position to implement these reforms?

**HON CHIEF MINISTER:**

The hon Member has had a lot of specificity and as much as he is going to have. No, none at all. If the hon Member thinks that a restructure of, not a Government department or section, of the whole way of a community dealing with an issue in its midst, can somehow be produced out of a pocket more quickly than it could be the day before the verdict, simply because the day after the verdict, simply because the verdict has been given, the hon Member is just exploiting a situation that he knows does not work like that. So the answer to the hon questioner is no. He will have to wait until we reform the system. Of course, I have no doubt that when we reform the system, instead of saying to the Government “well done for reforming the system”, he will bend over backwards to find 56 things to criticise in it, as he does with everything that the Government do, because he cannot live with the fact that this is a reforming, progressive Government, that advances the interests of Gibraltar, has rescued Gibraltar from the dire straits in which they left public services and they cannot stomach it, and it is as simple as that.

**HON G H LICUDI:**

The Chief Minister says that they cannot produce out of the pocket these reforms. They can certainly produce a £50 million air terminal out of their pocket in a matter of a couple of months. Why is it that they take one and a half years to decide whether an advert, which was placed in August 2007, will be reinstated or not?

**HON CHIEF MINISTER:**

No, he should be grateful that this is not going to take as long as the airport. The airport first of all took four years. Well, first of all it took 13 years of camping in a firm but reasonable political position on dialogue with our neighbours. Then it took three years of excellent political negotiations to achieve a very good agreement for Gibraltar. Then it took three years of gestating the actual architectural project, and then it took six months, or eighteen months of design and gestation of the project. So, it has taken a very long time, much longer than it will take the Government since August 2007 to review this. But both will rank, I think, as worthwhile achievements by this Government, which I know the hon Member will not be politically big enough to recognise.

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**HON J J BOSSANO:**

I would be grateful for an opportunity to put a supplementary to Question No. 3, which is where we left it.

**MR SPEAKER:**

Then I should apologise to the hon Member for keeping him waiting so long.

**HON J J BOSSANO:**

Is it not the case that when the decision originally was taken not to proceed with filling the vacancy of inspector, it was on the premise that the Government calculated that they would be able to conduct this review in less time than it has turned out? And did the Government not give an indication that if, in fact, they found that it was going to take longer than they anticipated, they would reconsider the decision not to fill the post? I seem to remember the hon Member saying that.

**HON CHIEF MINISTER:**

I would not wish to say that that is true in every last respect, but what the hon Member has said is broadly true. This review has taken longer and is taking longer than we thought originally it would, because every strand that one pulls to see how much reform is required then itself exposes one to a different area where one has to give new thinking to. In other words, it is much more far reaching than we had originally assumed. Now, because part of what may transpire in the reform is the employment of people with different skills, and with different qualifications, and with different functions, not just inspection work, the view remains that it would be a pity to employ more of type 'a' if in the end what one wants is that same number of type 'a' and more type 'b's'. That is all, but it is true that what the hon Member has said in his supplementary was what the Government indicated at the time. We thought it would have been done by now and we did not think that we would have to delay whatever recruitment the reform indicated as long as this. That is certainly true but it is turning out to be slightly more complex, slightly more profound, not just in the recruitment and the resources sense but also in the statutory sense, in the penalties that are available sense, than we had imagined.

**HON J J BOSSANO:**

Given that the Government, for the reasons that have been explained by the hon Member in his last answer, cannot put a time scale to how long this is going to take, do they not think there would be some benefit in keeping three like they used to have before 2007? Since it has taken as long as it has taken. I think at the time I seem to remember him saying that they would review the decision not to fill the post if it turned out to be more complex than it was thought. I am speaking from memory but I am pretty sure that he said that.

**HON CHIEF MINISTER:**

Well, I mean it is not the Government's intention to reduce permanently the resources to the levels that they are, so the question then remains is for how long do the Government feel that it is acceptable to have the levels at the levels that presently exist, which is basically one short. But look, even when they were three, the staff thought that they were undermanned and that they needed more. If one talks about whatever area of the Civil Service, there is never enough enforcement mechanism. Look, the Government do not have enough enforcement mechanism, even for collecting its revenue, and for the delivery of health, and for the delivery..... So when is enough enough? One can always do better, one can always have more output for more input, it is a question of striking a balance between an acceptable and affordable level of output and the level of input required to achieve that output. I agree with the hon Member that two people administering this legislation and this system in Gibraltar is not in the long term enough. So, we are not going to end up with two people but we may end up with more people than three, which is all that we are being asked to have at the moment. We may end up with more people than three but they may be configured differently to the grades and functions and things that presently exist within the mechanisms. Now, of course, it is possible and the hon Member says would there be some gain. Of course there will be some gain by simply adding the third person to the existing system. Yes. There are two people, three people can do more inspections more frequently than two people. But one is then stuck with presumably a relatively young man in a position that one might want or not want. So the question for the Government is, how much longer would this need to take before the Government succumbs to saying, well all right, we tried not to recruit more people in the thought that we might not need them, but as it has taken so long, or so much longer than we envisaged, we have got to abandon that and go back. I do not think it is quite there yet but, look, I would be very surprised if sometime during this year one or other had not happened. Now, during the course of this year we will either have announced what our intentions are and started the implementation of it, and resources perhaps of a different type have been put in place, or we will have said we have got to accept that we have got to restore the thing. But we want to try and hold out for a little bit longer.

**HON G H LICUDI:**

The Leader of the Opposition has referred to a possible previous answer about short term measures being taken by the Government if this review is taking longer than was originally anticipated, and I understand the Chief Minister's point that whilst the review is taking place the Government do not want to be stuck with perhaps a young person that then they might need to redeploy somewhere else. May I remind the Chief Minister what he actually told the House in April 2008, which is, I quote, "the conduct of this review means that we do not want to employ somebody permanent

and pensionable, in case we employ people of the wrong sort with the wrong skills in the wrong place at the wrong grade. But of course, that does not mean that we can ignore the needs of health and safety in the meantime. If the shortage were shown to lead to a deficiency in cover, then we would have to find some other way other than filling the vacancy, of recruiting as much temporary resources as were necessary". Does the hon Member not agree that, particularly in the light of the verdict of the jury, and I do not want to re-open that debate, it has been shown that there are deficiencies in the Health and Safety Department, and some temporary measures ought to be put in place whilst the review is being conducted.

**HON CHIEF MINISTER:**

No, the verdict of the jury has shown what the Government already knew, and that is that a job that used to be done by three people was being done by two. Look, neither he nor I need the verdict of the jury to tell us that. What the jury did not say was that this accident had been caused by that fact. What the jury did say, which seems to me to be self-evident, is that the more inspectors one has the less risk, or rather, the greater chance of finding defects before they convert into an accident. Look, that is self-evidently true, but the Government knew that by reducing by one third the inspectorate capacity and less people worked to cover the deficiency, theoretically, assuming that all the inspectors are working to 100 per cent capacity, theoretically, they do one third less inspections. Now one third less inspections does not lead to one third more accidents, even ignoring the fact that the responsibility for preventing the accidents is not the inspectors'. The responsibility for preventing accidents at work belong to employers. A reputable frontline construction company should not need an inspector visiting more than 41 times in just under two years to know what he must do and what he must not do to prevent his workforce from falling into a void and killing themselves. The suggestion that by..... Let us say that we had had one more inspector and that increased the inspections from 41 to 60, which would be....., well look, theoretically the risk of finding things increases. But I do not think anybody suggests that this accident was either caused by that fact, or would have been avoided by the other. None of what I said to the hon Members earlier in answer to that question, or indeed to the Leader of the Opposition this morning when he reminded me of it and I had the same degree of recollection as he had, about what had been said..... No one is suggesting that that scenario has changed because a jury has pointed out that more resources reduces the risks of accidents. That is a self-evident reality. More resources increases the chance that policemen of health and safety will be able to find infringements, but infringements by those who are responsible. The person who finds the infringement is not responsible for health and safety. Just as policemen, if we double the number of policemen on our streets, presumably there will be an increased chance in exactly the same way of preventing crime and apprehending criminals. But nobody says every time there is a crime, you know, increased policemen will reduce the risk of crime. It is a self-evident reality but not one that is acted on in 24 hours, or 48 hours. That is the point that I am trying to make to the hon Member and not any....., it is the link that he makes between the jury's verdict and the reform process which is where we disagree. But I do not disagree with the fact that if we have 26 inspectors then they will catch more infringers of health and safety obligations than if there are two, or three, or four, or six. That is a self-evident reality which I acknowledge.

**HON G H LICUDI:**

We, and I assume the jury as well, are certainly not accusing this Government of having caused or contributed to this accident. The hon Member says that reputable employers should comply with the legislation, we actually do not need all these visits to make sure that reputable employers comply with the law. Well, reputable employers should not employ illegal labour and they do in Gibraltar, and that is why we need labour inspectors to police the situation and enforce the law. In the same way we need health and safety officers to make sure that the law is complied with. The point that I was making quite simply, and this is the link to the jury, is having regard to the words of the Chief Minister at the time, if the shortage were shown to lead to a deficiency in cover, do the Government not accept now that the shortage has been shown?

**HON CHIEF MINISTER:**

That is precisely what I xxxxxx

**HON G H LICUDI:**

I know that the Government do not accept this, but my point is, is it not self-evident that the matter has been now publicly aired to an extent that it has precisely shown that there is a deficiency in cover, and that temporary measures ought to be in place? What we cannot understand is why the Government simply resist that. I can understand that they are undergoing a review, I can understand that they are reviewing their policy and reforms will be in place in due course, but do this Government not understand that there is currently, today, a deficiency in cover and that some temporary measures ought to be in place? We are not being opportunistic, we are simply urging the Government to put measures in place to make sure that the law is complied with.

**HON CHIEF MINISTER:**

We do not accept that there is a deficiency in cover at the Waterport Terraces site.

**HON G H LICUDI:**

Anywhere else?

**HON CHIEF MINISTER:**

We are discussing the accident at Waterport Terraces. I mean, this is a site which has had visits and site meetings about health and safety issues et cetera, has been visited, I am told by the officials, 41 times between August 2005 and May 2007. Now, I do not know how many times there would have had to have been visits for the hon Member to agree with me that the existence of only two instead of three inspectors, did not result in a lack of coverage at Waterport Terraces, which is where the accident occurred and what the question relates to. Now, I do not know, is he suggesting that if they had visited 53 times as opposed to 41 that would have been enough? Is he saying that 41 visits to the site is not enough? The Government



accept that more resources equals more coverage, and that more coverage equals lower risks, and the same is true of tax cheats, and social security cheats and illegal labour cheats. But of course, this is more important because peoples lives are at stake and peoples health are at stake not just Government revenue. So the Government accept the mathematical formula that more resources equals lower risks, which is what the jury said. The Government accept and agree with what the jury said. What the Government do not accept is the use to which the hon Member is seeking to put the jury's findings, which is that their findings demonstrate, according to him, that there is insufficient coverage in the context of the Waterport Terraces coverage, and the Government simply do not believe that there is evidence to sustain that proposition, because of the number of visits that did take place. But the hon Member might wish to argue, well, if they visited Waterport Terraces 41 times it must be because there are other building sites that they have not visited 41 times. Well, I do not know whether that is true or not, I will have to see how often they visit other building sites. But on the basis of the information that we have available to us today, whilst accepting that more resources equals more output, we do not accept the central tenet of the hon Member's point, as opposed to the jury's point, that the jury's verdict demonstrates that there is insufficient coverage. We knew before the jury's verdict that there were only two inspectors where they had three. So, we know that is a fact, we have been debating it in this House since the hon Member has reminded us for a year or so. So, neither he nor I needed the jury's verdict to know that the resources had been shrunk by one third. That is what coverage means, amount of resources. So, with respect to his position as he is now articulating it, we just do not agree with him, which is not to say that we think that there are enough resources going forward into the future for the sort of focus on health and safety, not just in the workplace, but on highways and in relation to cliff faces, and in relation to rockfalls and in every respect that we think a modern 21<sup>st</sup> century Gibraltar should enjoy, and that is what we are working at and in the meantime this happens, which I understand gives the hon Member a politically useful opportunity to say to the Government, "I told you so". All right, so he said "I told you so", we do not agree that that is the message and that is the political debate between us.

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

I disagree entirely with that interpretation that we are using this as a political opportunity simply to say, "I told you so". I am certainly not in the business of coming to this House simply to point fingers, or wag fingers around here and say, "well we told you so, see, we were right and you were wrong". That is of no concern at all, certainly to me personally or to Opposition Members. What we are concerned is about legislation which is in place being adequately enforced, what we are concerned is adequate measures being in place to protect workers in Gibraltar. That is my responsibility as Shadow Minister for Employment and that is my sole concern, to the extent that there is any other improper motive asserted, or alleged, or insinuated, then I refute that. Can I, hopefully to end this matter, come back to the question of coverage and the hon Member suggests that I am linking the question of cover to the Waterport Terraces, and argues that there have been sufficient site visits in respect of Waterport Terraces. I am not linking the question of coverage specifically to Waterport Terraces, in the same way as the Chief Minister was not linking the words "deficiency of cover" to Waterport Terraces. What I am saying, is that the jury's verdict in relation to Waterport Terraces reinforces the fact that, generally, there are inadequate resources and there is a deficiency in cover. All we are saying is that that in fact confirms that the basic tenet for putting in temporary resources, which had been proposed, not by us but by the chief Minister himself, in April of last year, which was if it were shown that there was a deficiency in cover, and the question was

simply going back to that proposition which was based on that tenet, if it were shown, I am simply asking do the Government not accept that now it is shown that there is such deficiency in cover and that there is a need to put these temporary resources in place?

**HON L MONTIEL:**

Hopefully to end the argument, let me tell the hon Gentleman from experience, that 100 visits as opposed to 41 would have not necessarily addressed the issue, simply because labour enforcement officers are there to seek overall improvements to the system. It is up to the approved person with those employers who have the responsibility to implement the law as it affects safety. Therefore, a labour enforcement officer would not undertake a risk assessment. It means that the enforcement officer, once he says that we need to have this done in such a manner, is not the person who has to undertake the risk assessment. The enforcement officer could leave the site after having agreed all the improvements that need to be done, right, and if the person appointed by the contractor does not do the actual risk assessment to ensure that the matter is safe, there is no way that a labour inspectorate or 500 visits would save the life of a person.

**HON G H LICUDI:**

That is simply a quite extraordinary statement to hear from a Government and from a Government Minister, to say that no matter how many resources one puts into enforcing the law, if people are intent on avoiding the law, then that is what is actually going to happen and the Government are simply incapable of enforcing the law. That is something that we simply do not accept as a basic proposition, it is the Government's responsibility to ensure that the law enforced and if it is necessary to have more resources and more visits, the Government simply cannot wash their hands and say it is somebody else's responsibility.

**HON L MONTIEL:**

What is required, however, given that the enforcement section can not undertake all the work, is another element in the labour inspectorate that will ensure that the employers are brought up to scratch with their responsibilities. That is part of the overall review that is taking place, to ensure that what is not picked up by one side another side will pick it up, which is fundamentally that the actual employer has the responsibility of risk assessments, and the responsibilities in law. That is why I think, the hon Member, fundamentally, does not understand the full extent of what a labour inspectorate in a modern working environment is all about.

**MR SPEAKER:**

In the absence of any more questions we move to the next one.

**NO. 4 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT – DETACHED WORKERS**

Can Government state as at the end of each month since November 2008, how many detached workers were in employment and provide a breakdown by industry and nationality?

**ANSWER**

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

The information requested by the hon Member is set out in the schedule that I now hand to him. The information in respect of the period beyond December 2008 will be made available as at the end of the first quarter of 2009.

**Answer to Question 4/2009**

**Detached Workers in employment providing a breakdown by industry and Nationality**

**November 2008**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					3	123	126
Other Manufacture							0
Construction		4	245	4	5	19	277
Wholesale Trade			6				6
Retail Trade			1	1	1		3
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications						1	1
Banking, Finance and Insurance		7	4		1	3	15
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Service							0
Education							0
Medical and Health Services							0
Other Services		38	14		1	7	60
Total	0	49	270	5	11	153	488

**Contd.....**

# Answer to Question 4/2009

## Detached Workers in employment providing a breakdown by industry and Nationality

December 2008

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					3	150	153
Other Manufacture							0
Construction		3	227	4	4	17	255
Wholesale Trade			4				4
Retail Trade			6	1	1		8
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications						1	1
Banking, Finance and Insurance		7	4		1	3	15
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Service							0
Education							0
Medical and Health Services							0
Other Services		31	14		1	6	52
Total	0	41	255	5	10	177	488

#### **SUPPLEMENTARY TO QUESTION NO. 4 OF 2009**

**HON J J BOSSANO:**

Is there a particular reason why the Minister wants to provide the information at the end of the quarter instead of now?

**HON L MONTIEL:**

Well, this is what has been the established practice, we collect the information and then we give it as we have agreed in the past. It is not that we do not want to provide the information, it is that we are providing it in the manner in which we have always done it, by quarter.

**HON J J BOSSANO:**

But these are employment figures not unemployment figures. The practice on the quarterly was because the Government published quarterly unemployment figures and would give a breakdown of the numbers unemployed at the end of the quarter, when we have asked for figures about the people working as opposed to the people not working. The answer has been given when the question has been asked. He has given it to me for November and December but not for January and February. I do not know why, January and February, presumably he has got it in his office because there is no difference.

**HON L MONTIEL:**

The staff there are the same staff that have worked there for years and they have xxxxxx this system and they tell me that has been an acceptable system to produce in Parliament. I have no problems with offering information but then they complain afterwards that the information is not accurate enough. So I have got to abide by them to get me the best information that they can get me, in the manner that has been prescribed in the past.

**HON J J BOSSANO:**

No, when I have complained to the Minister, just to put the record straight, that it is not accurate enough it is because it has been totally inaccurate. In fact, he must remember that he gave me a lot of figures which when I asked subsequently in the last House in December, it turned out that all the previous figures that he had given me were all wrong and he corrected it. But I accept he does not calculate the information. He gives me the information that is calculated by others and I do not for one moment suggest that there has been any attempt to provide wrong information. It is just that people make mistakes when they make calculations and, therefore, I accept that. The only point that I am making to him is that the only argument I have heard in the House being used before in the provision of figures has been that they would not provide monthly unemployment figures, because the figures were published once a quarter when I have asked. This kind of question, in fact, about the detached workers, has only arisen in the last three meetings of the House because of new information being provided about detached workers, which happened to be

wrong and produced quite surprisingly high figures. Since the question on detached workers had been first put, they have always been given as a monthly figure, so I see no reason.....

**HON CHIEF MINISTER:**

I mean, I xxxxxx recall what the administrative system is for producing these figures, or how much work goes into ensuring that they have the minimum degree of accuracy needed to produce them in this House. As the Minister has said, he has not made a policy decision not to do it, they have applied to these figures the same criteria that they have applied..... If it transpires that it is not administratively too burdensome to do so, I have no doubt that the hon Member will be happy to provide them to him. If it is the same effort to provide them for November and December as for January and February, then they ought to be provided. Now, if for some reason unknown to me, because I do not know how these figures are collated, it transpires that in five days notice producing figures for the month just ended is administratively onerous, or insufficiently accurate, then there may be issues of that sort. But there is not a hard and fast rule that regardless of the ease with which it can be done, one cannot have the information except in relation to the last quarter. That is not the position. The rule about unemployment statistics was because there had to be an agreed method of administrative collation that was workable within the resources the department has. So, fine, quarterly, so quarterly it is. There was a time it was monthly and that was found to be too onerous. The same can be applied here. If it is no difference to them, they should provide the most up to date and recent information that they can. I can commit the Government to doing that.

**HON L MONTIEL:**

Well I hope the hon Gentleman will not hold me to this, but I suspect that one of the reasons why they want more time is because sometimes the employers do not issue terminations in due course and that creates problems in collating the information, accurate information. Accurate information is dependant upon the employers facilitating the work by providing terminations in due course, otherwise we end up with more people registered than there should be, which is one of the problems that we have of inflated figures. That is because employers find ways of delaying the terminations, or some of them are just leaving and not providing any terminations at all. Those are practical problems that, I understand, do exist.

**HON J J BOSSANO:**

I am taking it for granted that the figures that have been provided, that show the numbers of detached workers by industry and nationality, are on the basis that the terminations have not been notified at that date. But the Minister seems to forget, and I reminded him the last time, that in the case of detached workers there is actually a fee that has to be paid per detached worker. I would remind the Minister that this started because he told me for the first time some months ago, that the detached workers were not included in the Employment Survey because they did not form part of the Gibraltar workforce. Therefore, I have asked for the information separately precisely for that reason. Since detached workers are something that cost the employers money, because there is a fee that has to be paid, because they pay insurance in their country of origin and not in Gibraltar, therefore they do not have the normal registration process, I doubt that employers will want to keep on paying for

longer than they need to. So I imagine that the concern about the termination that happens with employers in the domestic market employing resident and frontier workers, who are fully integrated as part of Gibraltar's workforce, I do not think this necessarily applies in this case. I, honestly, believe that all they need to do is push a button on the computer.



**NO. 5 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT – SPANISH FRONTIER WORKERS**

Can Government confirm that its estimate of the number of Spanish frontier workers in January 2009 is almost 4,000?

**ANSWER**

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

As the hon Member should now be aware, questions relating to employment statistics are only answered in respect of a previous quarter. The quarter that includes January has not yet elapsed. Nevertheless, as a figure is being quoted and without this serving as a precedent, I can inform the hon Member that according to the Employment Service records the figure of registered Spanish frontier workers stands at just over 4,000. Once again, I must point out that this figure, in line with Employment Service records for employment registrations, can be somewhat inflated on account of reasons already explained. Namely, the non notification of corresponding terminations.

**SUPPLEMENTARY TO QUESTION NO. 5 OF 2009**

**HON J J BOSSANO:**

Well, I think if the Chief Minister tells people in the Campo area that the figure in January is 4,000, then perhaps he ought to limit the figures that he quotes to quarterly figures so that we are all in the same position. I am seeking verification of a figure that has been put in the public domain by the Government in a statement on the other side, that is the only reason why that is there. Can I ask him, did he say that it was in the October 2008 Survey or the October 2007 Survey? The 2008 Survey has not yet come out.

**HON L MONTIEL:**

The figure for Spanish workers in Gibraltar according to the Employment Survey for October 2007 is 2,988. I do not xxxxxxxx

**HON J J BOSSANO:**

That is right. So that is the figure that is published in October 2007. I assume that this figure of 4,000 was not based on the Survey at all but was based, presumably, on open contracts.

**HON L MONTIEL:**

On our contracts in the Employment Service.

**HON J J BOSSANO:**

Is he saying that he cannot confirm that that is what the source of the information is, the open contracts in January?

**HON L MONTIEL:**

Yes, the 4,000 is the information that we hold in the Employment Service.

**HON J J BOSSANO:**

But not from the Survey.

**HON L MONTIEL:**

No, no, these are our own figures. I have got the October 2007.

**HON J J BOSSANO:**

The figure that he gave, perhaps I did not hear the information correctly, was he telling me that the 4,000 was related to the Employment Service or to the Employment Survey?

**HON L MONTIEL:**

No, Service.

**HON J J BOSSANO:**

I see.

**HON CHIEF MINISTER:**

Of course, if I could just add, that this is, I mean, I think there are more than 4,000 frontier workers who work in Gibraltar, this is 4,000 registered. I think it is impossible to calculate how much unregistered labour there may be, but I would be very

surprised if it was not significant. So, I believe that the employment opportunity contributions that Gibraltar's economy is making to the economy of the region is more significant even than this.

**HON J J BOSSANO:**

Well, I mean, I take it that the figure of 4,000 Spanish nationals, the figure of frontier workers is of course higher than this but it includes other nationalities.

**HON CHIEF MINISTER:**

Well, yes.

**HON J J BOSSANO:**

But, in fact, the figure of 4,000 therefore is not comparable to the last published Employment Survey figure because they are from two different sources, is that correct?

ORAL

**NO. 6 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – BREAKDOWN BY INDUSTRY**

Can Government provide the breakdown by industry of the questionnaires a) sent; and b) returned in respect of the 2008 Employment Survey?

**ANSWER**

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

Answered together with Question No. 7 of 2009.

**NO. 7 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – RETURNS BY EMPLOYERS**

Can Government state how many of the questionnaires returned to date in respect of the 2008 Employment Survey showed a nil return and give a breakdown by industry?

**ANSWER**

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

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

I am advised that the figures are currently provisional as the Survey has recently been closed and there could be some reclassification, particularly with respect to new employers.

## **ANSWER TO QUESTION 7**

### **Answer to Question 6**

#### **Questionnaires Sent/Returned by Industry Groups**

<b>Industry Group</b>	<b>Questionnaires</b>	
	<b>Sent</b>	<b>Returned</b>
Shipbuilding	8	8
Other Manufacture	39	29
Electricity and Water Supply	5	5
Construction	152	113
Wholesale and Retail Trade	420	346
Hotels and Restaurants	148	125
Transport and Communication	121	98
Financial Intermediation	239	186
Real Estate and Business Activities	296	235
Public Administration and Defence	5	5
Education	15	15
Health and Social Work	31	28
Other Services	230	196
Not Allocated*	269	-
<b>TOTAL</b>	<b>1,978</b>	<b>1,389</b>

- It is not possible to allocate an industry classification to a large number of employers who have either not submitted completed questionnaires or sent nil returns.

## **CONTD ANSWER TO QUESTION 7**

### **Nil Returns by Industry Groups**

#### **Industry Group**

Shipbuilding	-
Other Manufacture	9
Electricity and Water Supply	-
Construction	30
Wholesale and Retail Trade	64
Hotels and Restaurants	21
Transport and Communication	20
Financial Intermediation	51
Real Estate and Business Activities	56
Public Administration and Defence	-
Education	-
Health and Social Work	3
Other Services	33
Not Allocated*	261
<b>TOTAL</b>	<b>548</b>

- It is not possible to allocate an industry classification to a large number of employers who have submitted nil returns.

**NO. 8 OF 2009**

**THE HON J J BOSSANO**

**EU FRONTIER WORKERS**

Can the Minister for Employment now say whether it is the case that although EU frontier workers are required to register in their state of residence to obtain unemployment benefits, they can register in the state of their last employment for the purpose of seeking continued employment?

**ANSWER**

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

The hon Member is presumably referring to my answer to Question No. 821 of 2008, which I hasten to add I reiterate. EU frontier workers, that is EU workers that do not reside in Gibraltar, have never registered in Gibraltar for the purpose of seeking employment. They have not registered before taking up employment and they have not registered after termination of that employment for the purpose of seeking continued employment. This has been the case since the Employment Service employment registration records exist.

**SUPPLEMENTARY TO QUESTION NO. 8 OF 2009**

**HON J J BOSSANO:**

Well, I do not know whether the Minister has difficulty in reading the question. The question is because the last time he gave me that answer, he finished up with saying that he would go and check whether, in fact, they could register here because the required registration was for obtaining unemployment benefit. But he ended the answers to my questions in the supplementaries saying he would check this particular point. Since he has not come back to me since then, that is why I put a question to find out whether he has now checked it out. What he has done now is to give me the original answer to the original question I put to him in September, not to the supplementary that we ended with.

**HON L MONTIEL:**

Well, if I have misunderstood the hon Member's question I certainly do not remember having decided to come back on the question. If I did, I certainly cannot remember. However, I think that at least this answer is clear cut.



**HON CHIEF MINISTER:**

Is the hon Member asking for confirmation now which he says he asked for at the end of the last supplementary? Whether they are entitled to register here, not whether they do or they do not as a matter of our system, but whether the European Union law entitles them to do so.

**HON J J BOSSANO:**

That is correct, because the question was answered on the basis that they were required to register in their state of residence. The point that I made in December was that my understanding was that they could not register here to claim unemployment benefit, but under EU law they had the option of registering here to continue looking for work, notwithstanding the fact that they could not claim unemployment benefit, and that they had to register in their state of residence to obtain the unemployment benefit there. I asked the hon Member whether he would check that that was the case and his answer was yes. That was the final thing he said. I am now asking him whether he has checked it and can give me the answer.

**HON CHIEF MINISTER:**

I mean, technically he is asking for an opinion on a matter of law, which is not strictly speaking what questions should be used for, but I am sure the answer is more readily available to the department and to lawyers on the Opposition benches. I am sure that the hon Member can find that out. I am sure the Director of Employment must know this, whether there is a legal entitlement. We now know that it does not tend to happen and that our system is not geared up for it to happen, and that in fact, it does not happen but that is not forensic about whether they have got the right to do so if they choose to do so.

**HON J J BOSSANO:**

Right. It is not so much a question of whether the lawyers on this side are able to provide me with the answer or not. The thing is that the original answer was that they were not entitled. So, in fact, the original answer was that they were not entitled and I thought possibly the answer that I had been given in the House, that they were not entitled, is not that the Minister was inadvertently or otherwise trying to mislead me. But that, in fact, possibly, when he had the answer drafted, whoever drafted the answer thought that if they cannot claim the unemployment benefit here, they probably cannot register here at all.

**HON CHIEF MINISTER:**

We will check.

**HON J J BOSSANO:**

I think the Minister said, "of course we will try and comply with the hon Member's request". That was his last answer the last time.

**HON L MONTIEL:**

I must say that I have looked at the law myself and I have found no evidence to suggest that they have the right to register in both. The idea that that should be accepted, can you imagine how many Spaniards would register in Gibraltar? We would have as many unemployed in our list here as they would have in the Campo area, if they could register. Presumably, they will want to register in both jurisdictions. So, without committing myself or giving the hon Member legal advice on the matter, my opinion is that they are not entitled to, from what I have read.

**HON CHIEF MINISTER:**

That relates to people who have been working here and lose their jobs. So the question does not relate, obviously, to all the unemployed in Spain. Just to the ones who lose their jobs here, whether they can immediately register for a replacement job.

**HON J J BOSSANO:**

To look for another job.

**HON CHIEF MINISTER:**

I will find the answer for the hon Member.

**NO. 9 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – QUESTIONNAIRES**

Can Government state when the October 2008 Employment Survey closed and provide what was the final figure for the number of questionnaires sent and returned?

**ANSWER**

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

The October 2008 Employment Survey closed on 27<sup>th</sup> February 2009. A total of 1,978 questionnaires were sent, of which 41 were not returned.

**SUPPLEMENTARY TO QUESTION NO. 9 OF 2009**

**HON J J BOSSANO:**

I think, perhaps, in the answer to Question No. 6 possibly the way the answer has been provided is that they have put the nil returns as questionnaires not returned. Therefore that does not seem to be accurate.

**HON L MONTIEL:**

There were 548 nil returns and 41 not returned at all.

**HON J J BOSSANO:**

Right. So in fact, the answer to Question No. 6 which says returned 1389 is incorrect, because the returns would have to be 41 less than the 1978.

**HON L MONTIEL:**

Well, I have got the figures here. A total of 1389 returned, 548 nil returns and 41 not returned, making it 1978 sent.

**HON J J BOSSANO:**

I accept that. I am aware. What I am saying to him is that, in fact, the returned questionnaires given in answer to Question No. 6 cannot include the 548.

**HON CHIEF MINISTER:**

Cannot include the zero returns.

**HON J J BOSSANO:**

Right, correct.

**NO. 10 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT – QUESTIONNAIRES**

Can Government confirm whether the October 2008 questionnaires for the Employment Survey explains that employers should exclude detached workers?

**ANSWER**

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

No. Employers have not been asked for specific information regarding detached workers in connection with the October 2008 Employment Survey. The questionnaires were already available in print and prepared to be sent out to employers, as indeed they were on 14<sup>th</sup> October 2008, shortly after the matter was raised in September in Question No. 405 of 2008. Employers will be advised on how to address detached workers with regard to the Employment Survey questionnaire for October 2009.

**SUPPLEMENTARY TO QUESTION NO. 10 OF 2009**

**HON J J BOSSANO:**

Well, I am not sure whether the change in terminology in the answer indicates anything different from what I have been told before, because the Minister is saying they will be told how to deal with them and what he told me when I raised the question was that how they should deal with them was to leave them out. Is he saying that they are supposed to leave them out or are going to be told something else?

**HON L MONTIEL:**

What I am saying is that a policy will be made in October 2009.

**HON J J BOSSANO:**

What is the policy now?

**HON L MONTIEL:**

The policy now, I think it is that it should be included, the information should be included. However, at the moment the Employment Service is considering how to address the matter for the October 2009 Survey.

**HON J J BOSSANO:**

That was not the policy in September.

**HON L MONTIEL:**

No, I think it has been changed since.

**HON J J BOSSANO:**

Oh, I see. So if the Minister announces the policy here in September, does he not think it would be helpful to be told today that he has abandoned that policy, when he was adamant that they could not be included in the Survey, because they did not form part of Gibraltar's workforce?

**HON CHIEF MINISTER:**

This is not a matter of policy, this is a question of how employers interpret the form when they receive it. The form at the moment does not seek or distinguish between detached workers and, therefore, the figures which we believe, as the form is now drafted, should not include detached workers, because they are technically not employees in Gibraltar, but we cannot be certain that there are not some employers who are including them, on the basis of their own interpretation of what an employee is for the purposes of the form. What the hon Member has tried to explain is that we are now ....., as a result of the question which the Leader of the Opposition asked, it seemed to us sensible to flag this distinction up in the Employment Survey form, so that either we got the information separately, although we know how many detached workers there are from other sources, but to make sure that either all employers were including them or no employers were including them. So that the element of uncertainty about different treatment, some employers including them, other employers not, was remedied. In other words, we all knew to what extent the figures were tainted or not tainted by detached workers. It was too late to do so for the 2008 Survey because the forms had already been printed and did not have an asterisk saying not to include detached workers, or include detached workers. That is going to be done for 2009. What I think the hon Member has meant to say is that there has not yet been a decision about whether employers will be guided to include them or to exclude them. But I think the more correct, legalistic approach, if the legalistic approach is to be taken and preferred, is that they should not be included because they are not technically in employment in Gibraltar. Now, it may be that there is a case to be made and somebody may make it to the Minister for the non legalistic approach. In other words, you know, at the end of the day these statistics are not for legalistic use, they are because we are all interested in knowing how many jobs actually exist, how many economic opportunities actually exist for employment. For that purpose, detached workers are as important as the others but we can always get that from another source. If somebody wants to know what is the overall number

then one can get the jobs in Gibraltar, add them to the detached workers on the total and the total is really the total number of job opportunities, for want of a better phrase, available. So although the matter has not yet been fully resolved, my own personal view, which has not yet been reflected, I understand, in any formal policy, is that it is best to stick to definitions that reflect the legal meaning of the word "employed" in Gibraltar. At the end of the day we will have to see what the technicians say in the Employment Survey.

**HON J J BOSSANO:**

Well, I understand all that and that is how I understood it until the Minister for Employment tried to explain what the Chief Minister has now explained, but explained it in a way which seemed to be saying something different. Therefore, it is not that I am attributing the policy to the Government, it is that he actually used the word that a new policy had been adopted since September. Can I say that, in fact, I agree with the Chief Minister that the way that it has been deemed to be happening until now, which is we have assumed until now that the surveys only included workers employed by Gibraltar employers, and that we have got a source, independent of that, which is not the survey but the fact that people that bring in detached workers and register them as detached workers, have to pay for each detached worker. So, therefore, if anything, this is even more accurate than the survey because they would not put people in there and pay for them if they did not exist. They might leave some people out and not pay but that would then put them in the category of unregistered workers, of which the detached workers are not the only ones. So, I take it then that if there is a change from what our understanding is, we will get to know that the change has taken place.

**HON CHIEF MINISTER:**

I do not think that is what the Minister was alluding to when he said that there had been a change of policy since September and things like that. I think what he meant was, I mean, what I understood him to mean was that there had not been a final decision taken and that there might be different views about how the matter is going to be dealt with in the 2009 Survey. In other words, are people going to be told in the survey form, in the questionnaire form, in answering the question ignore detached workers? Or are people going to be told, in answering the question include detached workers but highlight them separately? Now the hon Member, I think, has made the correct point that we actually already have a probably reliable source of detached workers, because no one is going to mis-state the figure if, to boot, it has a cost implication to them. So, we understand that and I expressed my personal view, which I will feed in to be considered alongside others that might have, in the department. At the end of the day, the Director will put up a suggestion to the Minister. My preferred personal view, without having been briefed by the department on the question, is that I think it too should be left to employed in accordance with the statutory definition of employed in Gibraltar, and that we should provide the statistics, rely on other sources not the survey for employment. But I would like to reserve my position a little bit on that because there may be aspects to the question that I am not factoring for lack of briefing.

**HON J J BOSSANO:**

In fact, by definition, I take it the Chief Minister can confirm this, that the people who provide this are not firms in Gibraltar because the employers of these detached workers are outside Gibraltar.

**HON CHIEF MINISTER:**

Well, my hon Colleague may have more accurate advice than I can provide on that question. I think this is probably a grey area too, because of course, well, because these detached workers are in a layman's sense, although not in a legal sense, working for a Gibraltar company in the sense that they are delivering output for. So we have now got to make sure, establish, whether for example, construction company ABC, or even Cammell Laird, whether Cammell Laird regards these people as sub-contractor's employees or whether they regard them as their employees, not in the legal sense, sort of delivered onto their job site by somebody else. Like the old lump labour companies in the UK in the construction industry. Of course, one of the things that we need to do in clarifying the position, is making sure, finding out whether there are employers who are not only, the difference there may be just mixed practice and whether some employers include them and others do not, but whether they are including them as their employees when actually they are not their employees. So there are various levels at which we have just got to make sure that the reporters, the answerers of those questionnaires, have got their notions clear and are consistent for all the dealings with the public administration in relation to the treatment of detached workers.

**HON G H LICUDI:**

The Chief Minister has alluded to possible uncertainty which may arise from the returns of these questionnaires, given that some employers might take the view that these should be included and others might take the view that they should not be included. That might lead to the case whereby the results of the Employment Survey have that element of uncertainty and therefore might not totally reflect the reality or the accuracy of the employment figures that we would like to derive from the Employment Survey. My question really is, what was the Government's intention in seeking the information in October 2008 when they sent out these questionnaires? Whilst I note that the hon Member says that there is still a view to be taken, at the time that these questionnaires were sent out in October 2008, what information were the Government actually seeking? Were the Government seeking information that included or did not include the detached workers?

**HON CHIEF MINISTER:**

The Government was seeking the same information as the architects of the system who sit on that side of the House thought they were seeking when they drafted the questionnaire and sought it themselves. Exactly the same information. Whatever degree of uncertainty that exists today has existed since detached workers legislation.....



**HON J J BOSSANO:**

Since the frontier opened.

**HON CHIEF MINISTER:**

Yes, since the frontier opened. So, I mean, the answer to the question is that I do not know. I do not know whether the Government back then, and we since we have continued with the same system, I do not know whether we had in mind or, indeed, whether anybody had alighted on the question of whether we thought we were asking. Now, the moment one asks a lawyer, they will say, "no you must have thought you were asking minus, without detached workers, because the Government is never going to suggest to ABC Company Limited in Gibraltar that these detached workers might be their employees in Gibraltar". So if there are detached workers working at Cammell Laird, it cannot be the Government's witting, conscious intention to suggest to Cammell Laird that detached workers that are engaged in the shipyard are Cammell Laird's legal employees in Gibraltar. So the moment one stops to think the legal analysis of it, one is forced to the conclusion, no, no, the Government does not intend that it should include it. Now, I am not going to be disingenuous, I am not going to tell you just as the Leader of the Opposition would not either, say that this is a conscious thing that we had clear in our minds at the time. I do not think anybody had focus on the question. Of course, I do not necessarily agree with what the hon Member says about the distortion on the possible reliability of the employment statistics. If all detached workers are included in the Employment Survey, there are two options, no there are three options, they are all included, they are all excluded or some are included and some are excluded. Right, the worse case scenario, as the hon Member would view it, is that all detached workers had been included in the Survey, and the hon Member would then say, "ah, then the number of jobs in Gibraltar are overstated by the number of detached workers". If all the detached workers were included in the Survey by their employer, that would mean that the Survey is inaccurate, the public statistic is inaccurate as to the number of employees in Gibraltar of Gibraltar employers. But it would still be an accurate statement of the number of job posts that there are in the economy. It depends what one is measuring. If one wants to take the employment statistic, whatever the figure now is, 20,000, I do not know what the last published figure is, 19,000 and something, if we want to take that as the number of job posts available in Gibraltar, that is accurate whether or not the figure that we publish includes detached workers. But if one wants to treat it as a purist, as the number of job posts available qua employees employed in Gibraltar by Gibraltar employers, then to the extent that one includes any detached worker, the figure for that purpose would be distorted. The important thing is that we should know whether they do or whether they do not. Once we know whether they do or whether they do not, and the important thing is that they should all be in or all be out, because then we know whether the figure published is a figure of job posts available, or whether it is a figure of employees employed in Gibraltar by Gibraltar employers.

**HON G H LICUDI:**

Is that not precisely the problem, that we do not know, and it is not as black or white, whether they are all included and therefore we have an overall picture of the number of job posts, or they are all excluded and therefore we have an accurate picture of the number of employed workers? Given that we just do not know, we do not know whether these figures.....

**HON CHIEF MINISTER:**

With respect to the hon Member, the Leader of the Opposition and I have just for 25 minutes debated and discussed and agreed that that is precisely the situation, and when we have both sat down he stands up to ask but is it the point that we do not know. Of course, the point is that we do not know, that has been what we have been debating for the last 25 minutes.

**HON G H LICUDI:**

No, that was not my point at all. My point in standing up was to find out what the Government's intention was and that was my supplementary.

**HON CHIEF MINISTER:**

Xxxxxx

**HON G H LICUDI:**

No, then the Chief Minister is wrong in saying that after I have listened to the debate for 25 minutes, I get up and ask exactly the same as the point that has been debated and agreed between the Chief Minister and the Leader of the Opposition. That is simply not the case, because my question was, what was the Government's intention?

**HON CHIEF MINISTER:**

That was two questions ago. Not the last question.

**HON G H LICUDI:**

No, that was my first supplementary. I got up simply to ask what was the Government's intention when it xxxxxx, and the answer that has been given is well, the Government do not know what their intention was. But the matter has to be reviewed. The answer that was given previously was, well, this matter could not be clarified because the forms had already been printed when the issue was raised in September 2008. Well, if that was the extent of the logistical problem that there was, it could simply have been cured by the Government taking a decision as to their intention prior to sending out the form, and sending out a cover letter with the form saying, "include or do not include detached workers". Do the Government not accept that that would have been a simple way forward?

**HON CHIEF MINISTER:**

No, the Government accept that even when there is an honest and mature debate, which identifies a problem, the hon Member is determined to make it controversial. That is what the hon Member accepts. The hon Member, I mean I understand that when one feels the need to stand up and summarise in précis form, the debate that has taken place for 25 minutes between the Leader of the Opposition and the Chief

Minister, on matters with which the new Member may be less familiar, I understand that it is not possible to be entirely accurate in the summary of discussion. But with respect to him, the summary that he has just made for the purposes of prefixing his question, of the debate that has taken place during the last 25 minutes in the last minute, is too inaccurate to be allowed to persist. First of all, the Government have not said that we did not know what our intentions were. He walked straight into the political trap of asking me that question, which gave me the opportunity to say that the Government's intention is precisely the intention of the Government before us since this situation arose, and we have had a debate about the need for clarity of the figure because we need to make sure that employers, some employers are not including it and others excluding it. We have agreed on that, on the basis of the Leader of the Opposition's suggestion, I do not know if he made it but on the basis of the fact that he flagged up the possible problem, that the Minister took the decision to make sure that future questionnaires did not lend themselves to this lack of uncertainty that resulted in us not having to have this debate. Well, fine, and he was not in time to do it for the 2008 questionnaire, which remember, I think it is a statutory questionnaire form. Certainly, as I understand the latest supplementary, not content with leaving the matter on a consensual point, and then they say that they look for consensus, well, here we have a very constructive consensus and, of course, the hon Member was not content to leave it at that, he had to ask, "but could they not have covered it in a covering letter?" See, it is still the Government's fault that we have this lack of xxxxx Well, yes, there could have been any number of things done. We could have written one covering letter, or three covering letters. The Minister could have telephoned, I suppose, each employer and said, "please, although the form does not say", there are any number of things that could have been done. But when a system has operated for 26 years, and somebody in year 26 makes a suggestion which is a valid one and the Government recognise the Leader of the Opposition's suggestion, or highlighting of problem as valid and the Government say "I will fix it at the earliest opportunity" and the earliest opportunity is not quite this year because the forms are already printed, and the hon Member now wants to make an issue of whether we are going to do it this year or next year, when we are fixing something which is twenty odd years old, I think that that is just looking for political polemic where he claims it is in his nature to try and avoid. I think he has missed an opportunity to allow at least one question, we are only on Question No. 10. I think he has missed an opportunity for at least one question to pass by, ending in some sort of harmony and consensus. I think he should reflect on that. The answer to his supplementary is yes, of course it would have been possible to take parallel administrative steps to try and encourage, inform or educate employers in time for the 2008 Survey. But then we still have the doubt of whether people have read the covering letter, because just people just pick up the form, they are used to seeing the form, there is some employee..... We are still left with the uncertainty. The uncertainty will not be eliminated until the health warning is written into the questionnaire form itself.

**MR SPEAKER:**

There has to be a question not a rebuttal. A question.

**HON G H LICUDI:**

Yes, there is a question. What I certainly do not accept, is that I have tried to use this opportunity to come up with controversy or political polemic. Simply asking the Government what their intentions were in October of last year, does not amount to an

invitation to political controversy or polemic, notwithstanding that there may have been consensus before. Given that there has to be a question, do the Government not accept that it is desirable to resolve this before October of this year?

**HON CHIEF MINISTER:**

I fear that the hon Member would not make a good counsel for the prosecution. He appears to think that unless one gets the last word one cannot win a debate. He just stands up, so long as he has the last word it does not matter what it is and what it is not. The answer is the one that I have given the hon Member and there is no point in just standing up to repeat the last few supplementaries. The hon Member, if he wants the last word on this, he can have it. If he wants to stand up after me and ask something else, look, we have got to get on. I think I have made the Government's position very clear, I have expressed its views on the questions that he had asked, if he wants to leave this matter asking the last question, as if to suggest either that he is right and we are wrong, or worse still, because that would not be terribly objectionable. What would be more objectionable is to frame the last question in a way which, in my view, distorts the Government's position and the debate and the concessions that the Government have made in this discussion and this debate, fine, he is welcome to the last word because I do not believe that anybody in this House, or anybody listening to this debate, is going to be swayed by the last word that they hear on the subject.

ORAL

**NO. 11 OF 2009**

**THE HON S E LINARES**

**FORMER BFBS BUILDING**

Can Government state whether the former BFBS building at South Barrack Road is currently 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. 12 and 13 of 2009.

ORAL

**NO. 12 OF 2009**

**THE HON S E LINARES**

**FORMER BFBS BUILDING**

Can Government state what are the terms and conditions of the agreement it made with the Trustees for the use of the former BFBS building at South Barrack Road?

**ANSWER**

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

Answered together with Question Nos. 11 and 13 of 2009.

**NO. 13 OF 2009**

**THE HON S E LINARES**

**FORMER BFBS BUILDING**

Can Government state whether the out houses, garden and the areas from the entrance gate of the property of the former BFBS building at South Barrack Road have been leased or licensed to individuals, trusts or companies?

**ANSWER**

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

In answer to Question No. 13, the only areas that have been leased or licensed within the property of the former BFBS building at South Barrack Road are as follows:-

1. On 26<sup>th</sup> October 1992 Mr and Mrs Michael Feetham were granted an additional plot of land for use as a patio/garden, as an annexe to their property at 9/3 South Barrack Road by way of a Deed of Variation, adding the plot to their existing residential lease which originally was for a term of 99 years with effect from 1<sup>st</sup> November 1984.
2. On 5<sup>th</sup> November 1999 Mr Adrian Ochello and Miss Jeanette Feetham were granted a lease over a plot of land and passageway for the purposes of building a house, by way of a Deed of Lease for a term of 150 years with effect from 1<sup>st</sup> October 1999.
3. On 22<sup>nd</sup> March 2005, Mr and Mrs Joe Beriro were granted a plot of land for use as a patio/garden, as an annexe to their property at 9/1 South Barrack Road by way of a supplemental lease, adding the plot to their existing residential lease which is for a term of 150 years with effect from 1<sup>st</sup> January 2003.

No other areas, outhouses or gardens have been leased or licensed to any other individuals, trusts or companies.

In answer to Question Nos. 11 and 12, there are no records of lease, licence or conditions of use. However, I can inform the hon Member that on 15<sup>th</sup> December last the premises were handed back to the Government of Gibraltar by the Music Centre Trust.

**NO. 14 OF 2009**

**THE HON S E LINARES**

**RETREAT CENTRE – LATHBURY BARRACKS**

Can Government state how much has been spent in the Retreat Centre at Lathbury Barracks in the years 2004, 2005, 2006, 2007, 2008 and 2009 to date giving a breakdown by item including wages of employee if any, contracted entities or any other?

**ANSWER**

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

Answered together with Question No. 15 of 2009.



**NO. 15 OF 2009**

**THE HON S E LINARES**

**RETREAT CENTRE – LATHBURY BARRACKS**

Can Government state what groups, institutions, organisations, companies, individuals or others, have made use of the Retreat Centre at Lathbury Barracks in the years 2004, 2005, 2006, 2007, 2008 and 2009 to date giving the dates and duration and what it was used for?

**ANSWER**

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

The position has not changed from the answer given to him in reply to Question No. 25 of 2008. That is, that the Retreat Centre is not operated by the Government and the hon Member should therefore address his enquiries to the Trustees or Management of the Retreat Centre.

What I can inform the hon Member is that the grants made by Government to the Trust are as follows:-

<b><u>Financial Year</u></b>	<b><u>Amount</u></b>
2004/2005	£107,000
2005/2006	£ 57,000
2006/2007	£ 48,000
2007/2008	£ 90,000
2008/2009	£ 90,000

**SUPPLEMENTARY TO QUESTION NOS. 14 AND 15 OF 2009**

**HON S E LINARES:**

Are these trustees Government appointed trustees or are they like the Music Centre Trustees where they are completely independent from Government?

**HON E J REYES:**

I am sorry I cannot provide an answer for that. If the hon Member would like to write to me I can then investigate it, but I do not want to run the risk of offering anything that I am not 100 per cent certain of.

**HON S E LINARES:**

Can the Minister state to whom these monies are given?

**HON E J REYES:**

Am I right in assuming, to whom was the cheque made payable xxxxxxxxxxxx? I suppose it was made payable to the Board of Trustees.

**HON S E LINARES:**

Can the Minister state the name of the Trust?

**HON E J REYES:**

No, I would not attempt to answer anything that could later on, even if we use the word "inadvertently", lead to any type of misleading. I think it is best if the hon Member writes to me and then I will give him the answer.

**HON S E LINARES:**

Does the Minister have any idea of the names of the trustees or how many are in the Trust?

**HON E J REYES:**

Yes, I do have some of the names, one of them happens to be sitting in this Chamber today. I think it is better if the hon Member writes to me so that I can give him a complete and full answer and not just haphazard.

**MR SPEAKER:**

If the Minister does have the name of the trustees?

**HON E J REYES:**

I do. I do happen to know a couple, two or three trustees. The hon Mr Speaker, in his capacity as an individual citizen, is a trustee. To my knowledge Mr Robert Goldwin is currently the treasurer or something like that. I know he is the one who sort of makes enquiries in my Ministry about financial things. I believe Mr Christopher Pitaluga is the Chairman and there must be others. Sorry, I forgot. His Lordship the Bishop of Gibraltar as well, yes he does occasionally talk to me in sort of very general terms about things up there.

**HON S E LINARES:**

Sorry, who was that? Ah the Bishop.

**MR SPEAKER:**

I would love to provide the answers but I ought not to. I have all the answers.

**HON S E LINARES:**

Mr Speaker, maybe I can direct the questions to you?

**MR SPEAKER:**

That would be out of order, I am afraid.

**HON S E LINARES:**

I would probably have more answers to those questions than from the Minister. I will write to the Minister in order to seek all this information. But, just to state that it is rather strange that the Minister who gives these monies annually under his Head, which is a cultural head, does not know the running and how it actually operates. But nonetheless, I will write to him to seek all these answers. Thank you.

**NO. 16 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT GRANTS FOR PUBLICATION OF BOOKS**

What grants have the Government given for the publication of any book (either factual (on any subject) or fictional) in the past 5 years?

**ANSWER**

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

The details I have are as follows:-

The book with the title "The Rock I Love", author Mrs M Bensusan was given a grant of £1,000. The book with the title "General Sir George Don and the dawn of Gibraltarian Identity", the author being Dr S Benady, received an amount of £2,000. The book entitled "Cabbages and Kings", the author Mrs M Chiappe, received a grant of £250. The book entitled "Memoirs of our Cultural Past, co-written by Mr J Morello and Mr C Bossano, received a grant of £4,400. The book entitled "A Woman's Place. Memoirs of a Gibraltarian Woman – A 'Llanita'", written by Mrs M Summerfield received a grant of £6,159.34. A book entitled "The Night Gibraltar Disappeared and Other Stories", written by Mr F Oliva, received a grant of £3,000. The book entitled "My Nature Diary", written by Mrs C Fagan, received a grant of £5,000. The book carrying the title "The Four Walls", written by Dr C Montegriffo has a grant of £1,700. The book entitled "Wings Around Gibraltar" by Mr J May, has a grant of £4,806.90. The book entitled "Jewish Heritage in Gibraltar" by Dr S Kadish has a grant of £1,000, and the book "Twin Rocks. The Malta Gibraltar Connection" by Mr D Arrigo, had a grant of £6,300.

The grand total has amounted to £35,616.24.

**NO. 17 OF 2009**

**THE HON G H LICUDI**

**KING'S BASTION LEISURE CENTRE**

Can Government state the dates during December 2008 and since then that the disco at the King's Bastion Leisure Centre has not been open giving the reasons for this?

**ANSWER**

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

The disco at King's Bastion Leisure Centre has been opening on Fridays for youth discos as has been the case since the Centre opened. The only day on which it was decided to close, and this was based on the advice of the Gibraltar Youth Service, was on Friday 26<sup>th</sup> December last, that is, Boxing Day.

**SUPPLEMENTARY TO QUESTION NO. 17 OF 2009**

**HON G H LICUDI:**

Can the Minister state the reason why that was? That is part of the question, he simply said on the advice of the Gibraltar Youth Service. The question asked for the reason why it had not opened.

**HON E J REYES:**

The advice was based in that the Gibraltar Youth Service predicted that not many youngsters would be interested in attending that day. It was a Bank Holiday, it was the day immediately after Christmas Day and their perception was that there would be very few attendees, and they felt it best to give a break on that day.

**HON G H LICUDI:**

The answer the Minister gave first refers to youth discos, is there not any other disco facility within the Leisure Centre?

**HON E J REYES:**

Yes, there are other disco facilities. For example, the Boyd's Wine Bar, which has been opening during normal working hours of the King's Bastion Leisure Centre. This is run by a private operator and, therefore, it is their commercial decision whether to open for any special events and whether to open for extended hours.

**HON G H LICUDI:**

Are the Government aware of any issue or problem concerning drink or drugs at the Leisure Centre, which has led to one or more persons being hospitalised, as a result of which the decision was taken to close one of the discos down?

**HON E J REYES:**

Sorry, I am not entirely clear. A problem relating to which part of the King's Bastion Leisure Centre?

**HON G H LICUDI:**

Drink or drugs at a disco at the King's Bastion Leisure Centre.

**HON E J REYES:**

Is the questioner referring to the Youth section that I responded before, or to the, for example, Boyd's Wine Bar that sometimes take a commercial decision to run a disco? I do not know which area he is referring to?

**HON G H LICUDI:**

The question is simply, "are the Government aware of any problem with drink or drugs at a disco at the King's Bastion Leisure Centre which has required hospital treatment for one or more persons?" It is a simple, straightforward question. The answer is, are the Government aware or are they not aware?

**HON E J REYES:**

I think it is my duty to answer in Parliament areas that pertain to my Ministry as such, and Government's overall responsibility. If what we are looking for is statistics of possible investigations, arrests and so on in respect of possible offences, like for example, supposedly under-aged drinking or being in a state of drunkenness, or being in possession of illegal drugs, those questions are best answered by someone like the Commissioner of Police or the Police Authority.

**HON G H LICUDI:**

I really cannot understand the apparent reluctance by a Minister, who has responsibility for leisure, to answer to Parliament a simple and straightforward

question, and simply to try and wash their hands and say either commercial operators or the Police should answer for this. Well, neither the commercial operators nor the Police are in this House and accountable to the Opposition in the same way as the Ministers are, and they have a duty to be publicly accountable for their decisions. I am not accusing the Government of anything, I am simply asking the Government whether they are aware of any particular problem which has resulted in hospital treatment. Do the Government not accept that quite apart from any police responsibility there might be, or any responsibility by a commercial operator that there might be, the Government are the overall owners of the Leisure Centre, they grant concessions and, therefore, they are entitled to be concerned and aware of what is going on and to take steps if anything untoward happens. I am simply trying to discover where anything such as that has happened to the Government's knowledge. Are the Government aware? For the fourth time, are the Government aware of any particular problem with drink or drugs which has necessitated a disco being closed or somebody requiring hospital treatment?

**HON E J REYES:**

The information being requested from me now, I think, is a big stretch away from what the original question was and I would need to have due notice in order to be able to answer properly.

**HON G H LICUDI:**

The question, supplementary, arises specifically from the question, because the question that has been tabled for answer in this Parliament is quite simply, what dates have a disco at the King's Bastion Leisure Centre not been open, and that is based on information available to the Opposition, that a disco at the King's Bastion Leisure Centre was closed. According to our information, and I am simply trying to verify whether it is correct or not, it may not be correct, but I do not want to start making allegations, accusations which are unfounded, that is why I seek answer. The information we have is that a disco was closed on the instructions of the owner of the Leisure Centre. That is the Government, because there was such a problem and somebody, or at least one person, required hospital treatment after a problem with drugs being inserted in a drink. I am not making any specific accusations against Government, I am simply trying to elicit information. Are the Government aware of that having occurred as a result of which the disco was closed?

**MR SPEAKER:**

With respect, the hon Member asked one question four times, xxxxxx himself but there is no mention in that question of the disco being closed because of hospitalisation. This is a new element now. Is it not?

**HON G H LICUDI:**

It is.

**MR SPEAKER:**

But it was not in the four times repeated question, about a disco having been closed because of hospitalisation.

**HON G H LICUDI:**

Well, as I understand it, that is the xxxxxx

**MR SPEAKER:**

In the hon Member's mind, but in the question I heard four time there is no mention of a disco having to be closed because of a hospitalisation.

**HON G H LICUDI:**

Yes, as I understand it the first supplementary was, "was the Government aware?"

**MR SPEAKER:**

Yes, but not about the disco being closed.

**HON G H LICUDI:**

Of a problem.

**MR SPEAKER:**

But not a disco being closed because of hospitalisation.

**HON G H LICUDI:**

We might be splitting hairs or dealing with semantics. What we are trying to do, is have a responsible debate and argument with the Government and simply to elicit information.

**XXXXXX:**

Within the rules.

**MR SPEAKER:**

Order, order.



**HON C G BELTRAN:**

Rule 16(5)(ii).

**HON G H LICUDI:**

Is this a Point of Order?

**HON C G BELTRAN:**

Yes, Rule 16(5)(ii) says “a supplementary question must not introduce matters not included in the original question”. I think that is what is being referred to.

**HON G H LICUDI:**

The supplementary relates specifically to the closure of a disco, and what I am asking is are the Government aware of that, as a result of a problem with drink or drugs requiring hospitalisation of a person.

**MR SPEAKER:**

I understand that now, but I hope the hon Member will accept that the question which he repeated four times made no mention of a disco having been closed as a result of hospitalisation. It refers to, “is the Minister aware of a problem relating to drink or drugs which resulted in hospitalisation?” That is completely different in my way of thinking to a disco having had to be closed for that purpose.

**HON G H LICUDI:**

I naturally accept Mr Speaker's recollection of the way the question was made. If Hansard is there I do not dispute it at all, to the extent that the question, the supplementary needs to relate, and the hon Member has clearly set out the rules and I am very conscious of the rules, that it relates to the question. I have explained why it relates to the original question if it was not clear, but we are still no wiser as to whether the Government have any awareness or consciousness of this particular issue, of the disco having been closed as a result of this particular problem. All we are asking is, do the Government know of that? Did they take steps to close the disco as a result of that particular problem? Or did they not? If the answer is no, then the answer is no. If the answer is that there has been no problem at all in December or since then in relation to this, or they are not aware of any such problem, well, let them tell us.

**HON E J REYES:**

I feel I have already answered the question.

**HON G H LICUDI:**

The Minister says he feels he has already answered. Is the answer that the Government are not aware of any of this?

**HON E J REYES:**

My answer, because he seems to have a short memory, is that the disco at King's Bastion Leisure Centre has been open on Fridays for youth discos, as has been the case since the Centre opened. The only day on which it was decided to close, based on the advice of the Gibraltar Youth Service, was on Friday 26<sup>th</sup> December, that is, Boxing Day.

**HON G H LICUDI:**

Simply repeating the answer to the first question, which relates to a youth disco and not other disco facilities which are in the Leisure Centre, does not give an answer to the supplementary. At the risk of incurring Mr Speaker's wrath, without a question, let me just place on record that it is quite extraordinary that the Government simply should not tell the House and the public whether they are aware of a particular problem at a leisure centre. If there is not any such problem, well let them say so and let everybody go in peace to the disco and enjoy it as they should be.

**NO. 18 OF 2009**

**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 during the months of November 2008 to February 2009?

**ANSWER**

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

Answered together with Question No. 19 of 2009.

**NO. 19 OF 2009**

**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 the months of November 2008 to February 2009?

**ANSWER**

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

Two accidents requiring treatment have been recorded and 10,700 persons have used the ice-skating rink during the period referred to in the question.

**SUPPLEMENTARY TO QUESTION NOS. 18 AND 19 OF 2009**

**HON G H LICUDI:**

Does the Minister have a breakdown by month?

**HON E J REYES:**

Yes I do. One adult suffered an injury in January 2009, if the hon Member wants to know the type of injury he injured his right arm, his knee and he grazed his forehead. One child had an injury in February 2009, the nature of which is that he injured his right eyebrow.

**HON G H LICUDI:**

Although I was not specific, I was in fact referring to the breakdown of the months in relation to Question No. 19.

**HON E J REYES:**

The breakdown of users by months – in the month of November 2,300; in the month of December 2,300; in the month of January 3,200; and in the month of February 2,900.

**NO. 20 OF 2009**

**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 February 2009 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.

**ANSWER TO QUESTION NO. 20/2009**

**PERSONS EMPLOYED BY THE GIBRALTAR SPORTS AND LEISURE  
AUTHORITY AS AT END FEBRUARY 2009-03-23**

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

**SUPPLEMENTARY TO QUESTION NO. 20 OF 2009**

**HON G H LICUDI:**

The last item refers to “Support – Grade 11” is that a clerical grade?

**HON E J REYES:**

It has always appeared with that title. Support, it is a support member of staff and he is paid at grade 11. I think it is a very generic type of class of individual. I think it is very, very minor duties in respect of administration, more as support a helping hand to Centre Managers who have to undertake certain tasks, assist a groundsman in doing something. From what I see when I visit them during their working hours, that is what they do, they support the Sports and Leisure Officers who are carrying out duties as instructed on a case by case issue by Centre Managers.

**HON G H LICUDI:**

The question also asks that the breakdown be given by department. Is there any particular reason for the omission of the departmental breakdown?

**HON E J REYES:**

No, they all belong to the Gibraltar Sports and Leisure Authority. If what the question is whether they are based at the stadium or whether they are based, for example, within the areas operated by the Gibraltar Sports and Leisure Authority elsewhere, like the King's Bastion Leisure Centre, it is not possible to do that because they are all, most of them, sorry not all of them, are shift workers and week one could be at Bayside Sports Centre, week two could be at the King's Bastion Leisure Centre, they are interchangeable, they could go out and carry out some duties in respect of some areas for which the Gibraltar Sports and Leisure Authority assumes responsibility, like community use of premises that would normally come under my hon Colleague, the Minister for Education and Training. Certain premises are his but in a very good working understanding, after for example 6.00 pm in the evening the outside playing areas in Westside School are used for a lot of football training, and my Sports and Leisure Officers may have to go there in respect of some duties. So they are not assigned on a permanent basis to any particular department but interchangeable.

ORAL

**NO. 21 OF 2009**

**THE HON DR J J GARCIA**

**HERITAGE ACTION COMMITTEE**

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

**ANSWER**

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

I am pleased to say that the Heritage Action Committee has met on three occasions, the dates being on 30<sup>th</sup> September 2008, on 9<sup>th</sup> December 2008 and the last meeting was held on 24<sup>th</sup> February 2009.



**NO. 22 OF 2009**

**THE HON DR J J GARCIA**

**NEW YEAR'S EVE CELEBRATIONS TENDER**

Can Government confirm whether the tender for the organisation and staging of the New Year's Eve celebrations at Casemates Square to Events Unlimited for £42,500 was the lowest bid received?

**ANSWER**

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

It was not the lowest bid by £300.

**SUPPLEMENTARY TO QUESTION NO. 22 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say why the tender did not go to the lowest bidder in this particular case?

**HON E J REYES:**

Yes, the adjudicating panel considered the offers submitted and the one submitted by Events Unlimited was the most economically advantageous offer available, after not only considering the cost element but also when considering other features, such as the variety of the entertainment offered, the appeal to the widest audience possible and the length of the fireworks display.

**NO. 23 OF 2009**

**THE HON F R PICARDO**

**LEGAL ASSISTANCE RECOVERED**

Are the sums for Legal Assistance recovered given in answer to Written Question No 143 of 2008 monies recovered from the defendants to those proceedings or from the claimants?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

The sums for Legal Assistance were recovered by legally assisted claimants from defendants to those proceedings.

ORAL

**NO. 24 OF 2009**

**THE HON F R PICARDO**

**LAW DRAFTING OUTSOURCED**

Which law firms, if any, are presently engaged by the Government to provide services in respect of legal drafting outsourced to private sector practitioners?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

The only law firm presently engaged by the Government to provide services in respect of legal drafting is Benzaquen and Associates.

**NO. 25 OF 2009**

**THE HON F R PICARDO**

**LAW DRAFTING OUTSOURCED**

What amount, if any, has been spent by the Government to date this financial year in respect of legal drafting outsourced to private sector practitioners?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

The total amount spent by the Government this financial year in respect of legal drafting outsourced to private sector practitioners is £254,838.20.

**SUPPLEMENTARY TO QUESTION NO. 25 OF 2009**

**HON F R PICARDO:**

Can the Minister give a breakdown of that figure per firm?

**HON D A FEETHAM:**

Yes, Benzaquen and Associates £46,528.20; Dennis Figueras £12,500; John Wilson £23,600; Michael Llamas £172,210.

**NO. 26 OF 2009**

**THE HON J J BOSSANO**

**LAW DRAFTING OUTSOURCED**

Can Government confirm that work on law drafting has been contracted out and, if so, from what date?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

The Government have always contracted out some law drafting work.

**SUPPLEMENTARY TO QUESTION NO. 26 OF 2009**

**HON J J BOSSANO:**

So the position then is that the bulk of it is still retained within the Government and done by Government employees, is it?

**HON D A FEETHAM:**

Yes, the bulk is still retained by Government.

**NO. 27 OF 2009**

**THE HON N F COSTA**

**MOUNT ALVERNIA – WAITING LIST**

Can Government state how many elderly citizens are waiting for a place at Mount Alvernia, and how many of these are occupying a bed at St Bernard's Hospital between November 2008 to date, giving a breakdown of sex and age?

**ANSWER**

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

Answered together with Question Nos. 28 and 29 of 2009.

ORAL

**NO. 28 OF 2009**

**THE HON N F COSTA**

**MOUNT ALVERNIA – WAITING LIST**

How does the Government intend to reduce the waiting list of elderly citizens waiting for a place at Mount Alvernia?

**ANSWER**

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

Answered together with Question Nos. 27 and 29 of 2009.

**NO. 29 OF 2009**

**THE HON N F COSTA**

**OLD ST BERNARD'S HOSPITAL – FACILITY FOR THE ELDERLY**

Is it still the policy of the Government to construct the planned new purpose built facility for elderly patients at the old St Bernard's Hospital?

**ANSWER**

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

The number of people in the waiting list for Mount Alvernia is 298, of which 43 are occupying a bed in St Bernard's Hospital. Of these, ten are men and 33 are women.

Government's general policy for reducing the waiting list for Mount Alvernia is by providing another property building that will provide further opportunities to the elderly, whilst also providing a combination of domiciliary care and elderly day centres in the community.

**SUPPLEMENTARY TO QUESTION NOS. 27 TO 29 OF 2009**

**HON N F COSTA:**

So, is it then the policy of the Government to construct the planned new purpose built facility at the old St Bernard's Hospital? Was that a yes or a no?

**HON J J NETTO:**

Well, that remains a possibility but it is not a definite decision yet from the Government.

**HON N F COSTA:**

Do the Government have an idea of when the construction of the new purpose built hospital will start?

**HON J J NETTO:**

No definite idea but certainly within this term of office.



**HON N F COSTA:**

Given that there are 298 elderly citizens waiting for a place, would the Minister not agree with me that this is a matter of urgency and that this should have been done, or, at least, a site definitely earmarked before?

**HON J J NETTO:**

No, the Government do not agree.

**HON N F COSTA:**

Perhaps not, it is not a matter of urgency.

**HON J J NETTO:**

Well, if the hon Member at least allows me to answer the question. I believe that this Government have provided a lot of resources for elderly care that were not there before, with an urgency and in a manner....., but of course, at the end of the day there is a need to do more, which is why we have a manifesto commitment to do more, and I am sure we will.

**NO. 30 OF 2009**

**THE HON N F COSTA**

**SOCIAL SERVICES AGENCY – EMPLOYEES**

In answer to Written Question No. 71 of 2008, the hon Minister provided the number of persons the Social Services Agency employed on the basis of location and grade. In respect of location, can the Minister provide the job descriptions of each employee?

**ANSWER**

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

The Government do not consider that it would be appropriate to provide the requested job descriptions and, therefore, will not do so.

**SUPPLEMENTARY TO QUESTION NO. 30 OF 2009**

**HON N F COSTA:**

If that is the answer provided, how then are the Opposition meant to consider whether the services provided by the Social Services are effective and indeed what the population does need?

**HON J J NETTO:**

Well, job descriptions are certainly evaluated and determined by the Social Services Agency as, indeed, is done by every Government department as and when they feel there is a need for evaluation. But the Government have never in the past, probably not even when the GSLP were in government, actually produced job descriptions to the Opposition. It is just a matter which is not done.

**HON N F COSTA:**

I certainly do not understand the reason why the Minister cannot give me the job descriptions requested. Perhaps if I were to call it something else, a job title, would that do?

**HON J J NETTO:**

Job title and job description are two different things. I can provide job titles of people that are employed. In fact, part of the question in the Order Paper does provide for the job titles and grades that we have in Social Services. But what he has asked is a different thing, he has asked for job descriptions as per the job titles. The Government are not prepared to do so.

**NO. 31 OF 2009**

**THE HON N F COSTA**

**PATERNITY ALLOWANCE SCHEME**

Can the Government now say what their plans are, if any, to devise and implement a paternity allowance scheme?

**ANSWER**

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

No Sir.

**SUPPLEMENTARY TO QUESTION NO. 31 OF 2009**

**HON N F COSTA:**

Is this the same Government that said, “we will introduce an appropriate paternity allowance scheme” at the last General Election?

**HON J J NETTO:**

Yes, it is the same Government who actually said that and it is the same Government that has an excellent track record in fulfilling most of its manifesto commitments. I am sure that, as it has such a good record, they will do their best to deliver this one as well.

**HON N F COSTA:**

Xxxxxxxxxxxxx extending his comments to those people who are still waiting for affordable housing. In respect of this question, does the Minister agree or not that a paternity allowance scheme certainly would now be beneficial, given that there is an increasing number of men who decide to stay at home, because there is now an increasing number of women who are the main wage earners?

**HON J J NETTO:**

Yes indeed, the Government do feel it would be beneficial to men to get this allowance and this is the reason why we have it as a manifesto commitment.

**HON N F COSTA:**

It is wonderful to have statements of intention on manifesto commitments and then do nothing about it. Does the Minister have a set date when it is going to be done?

**HON J J NETTO:**

Manifesto commitments are there to be done during the term of office.

**HON N F COSTA:**

Wonderful, can we have a date?

**HON J J NETTO:**

No.

**NO. 32 OF 2009**

**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, since the answer to Question No. 841 of 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. 33 to 36 of 2009.

**NO. 33 OF 2009**

**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 to date, since the answer given to Question No. 842 of 2008, 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. 32 and 34 to 36 of 2009.

ORAL

**NO. 34 OF 2009**

**THE HON C A BRUZON**

**STATUTORY BENEFITS FUND**

Can Government state what was the monthly income, expenditure and balance of the Statutory Benefits Fund since the answer to Question No. 843 of 2008?

**ANSWER**

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

Answered together with question Nos. 32, 33, 35 and 36 of 2009.



**NO. 35 OF 2009**

**THE HON C A BRUZON**

**SOCIAL ASSISTANCE**

Can Government state how many persons receiving Social Assistance, to date, since the answer given to Question No. 844 of 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 Nos. 32 to 34 and 36 of 2009.

ORAL

**NO. 36 OF 2009**

**THE HON C A BRUZON**

**SOCIAL ASSISTANCE**

Can Government state what was the number of persons receiving Social Assistance, to date, since the answer to Question No.845 of 2008, giving a monthly breakdown by age and sex?

**ANSWER**

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

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

**ANSWER TO QUESTION 36 OF 2009****Answer to Question 32**

The following pensioners were being paid or with entitlement to payment from the Statutory Benefits Fund for the months of November 2008 to February 2009.

	<b>Nov-08</b>	<b>Dec-08</b>	<b>Jan-09</b>	<b>Feb-09</b>
<b><i>Pre-1969 Spanish Pensioners</i></b>	289	289	291	291
<b><i>British Pensioners (Gib/UK Nat)</i></b>	5373	5373	5379	5371
<b><i>Moroccan Pensioners</i></b>	1922	1924	1955	1969
<b><i>Other Nationalities</i></b>	575	576	577	575
<b><i>Total</i></b>	<b>8159</b>	<b>8162</b>	<b>8202</b>	<b>8206</b>

Contd.....

**Contd ANSWER TO QUESTION 36 OF 2009**

**Answer to Question 33**

PERSONS RECEIVING DISABILITY ALLOWANCE UNDER THE SOCIAL ASSISTANCE ARRANGEMENTS AS FROM DECEMBER 2008 TO FEBRUARY 2009 GIVING A MONTHLY BREAKDOWN OF THEIR AGE AND SEX.

	0-10	11-20	21-30	31-40	41-50	51-60	61-70	TOTAL	MALES	FEMALES
<b>December 2008</b>	25	31	23	20	18	12	4	133	93	40
<b>January 2009</b>	25	31	23	20	18	12	4	133	93	40
<b>February 2009</b>	25	30	24	20	17	13	4	133	93	40

Contd.....

## **Contd ANSWER TO QUESTION 36 OF 2009**

### **Answer to Question 34**

The monthly Income, Expenditure and Balance of the Statutory Benefits Fund as from Nov 2008 to end of February 2009 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-Nov-08</u></b>	<b><u>31-Dec-08</u></b>	<b><u>31-Jan-09</u></b>	<b><u>28-Feb-09</u></b>
<b><u>Fund Account –</u></b>				
<b><u>Opening Balance</u></b>	£20,440,879.77	£20,436,619.74	£20,115,025.89	£20,487,361.20
<b><u>Add</u></b>				
*Contribution from the Consolidated Fund	£833,333.33	£833,333.33	£833,333.33	£833,333.33
Contributions collected in cash (Insurance contr.)	£1,131,963.59	£1,072,004.55	£1,326,210.97	£1,372,004.40
Misc. Receipts	£76,502.01	£68,494.58	£45,272.92	£0.00
	<u>£22,482,678.70</u>	<u>£22,410,452.20</u>	<u>£22,319,843.11</u>	<u>£22,692,698.93</u>
<b><u>Less</u></b>				
Payments	<u>(£2,046,058.96)</u>	<u>(£2,295,426.31)</u>	<u>(£1,832,481.91)</u>	<u>(£1,948,549.31)</u>
<b><u>Closing Balance</u></b>	<u>£20,436,619.74</u>	<u>£20,115,025.89</u>	<u>£20,487,361.20</u>	<u>£20,744,149.62</u>

Contd.....

**Contd ANSWER TO QUESTION 36 OF 2009**

**Answer to Question 35**

**PERSONS IN RECEIPT OF SOCIAL ASSISTANCE FOR THE MONTHS OF DECEMBER 2008 TO FEBRUARY 2009**

	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
December 2008	163	298	461	60	136	115	150
January 2009	157	301	458	64	134	114	146
February 2009	167	304	471	68	142	117	144

**PERSONS EMPLOYED DURING THE MONTHS OF DECEMBER 2008 TO FEBRUARY 2009**

	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
December 2008	0	3	3	0	1	0	2
January 2009	6	1	7	2	3	0	2
February 2009	1	2	3	1	0	1	1

AS AT	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
11 March 2009	168	308	476	74	140	119	143

Contd.....

**Contd ANSWER TO QUESTION 36 OF 2009**

**Answer to Question 36**

**PERSONS RECEIVING SOCIAL ASSISTANCE FOR THE MONTHS OF DECEMBER 2008  
TO FEBRUARY 2009 BY MONTH, SEX AND AGE**

	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
<b>December 2008</b>	163	298	461	60	136	115	150
<b>January 2009</b>	157	301	458	64	134	114	146
<b>February 2009</b>	167	304	471	68	142	117	144

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**SUPPLEMENTARY TO QUESTION NO. 35 OF 2009**

**HON J J BOSSANO:**

Before I put Question No. 44, could I ask for some clarification on the answer on Question No. 35, since I have been looking at the table in the meantime?

**MR SPEAKER:**

Yes.

**HON J J BOSSANO:**

Question No. 35 is the one that asked about the numbers of persons that were receiving Social Assistance since the answer given last December who have been employed since. Now, is the table that says as at 11<sup>th</sup> March and shows a figure of 476, is that the answer to that question?

**HON J J NETTO:**

Let me see if I can understand the hon Member correctly from the information. We have three different tables and the middle one actually is people employed in the months of December, January and February. Is he quoting that table or the table at the bottom?

**HON J J BOSSANO:**

The bottom.

**HON J J NETTO:**

The bottom one. What is it exactly that he wants to know?

**HON J J BOSSANO:**

Well, it says here "as at 11<sup>th</sup> March 2009" and it gives a total of 476 made up of 168 males and 308 females. That comes under the heading at the top which says "Numbers of persons employed". Surely, this cannot be the numbers of persons employed. Is this, in fact, the figure that follows from the previous table, the 471, which would seem to be more logical?

**HON J J NETTO:**

Well it seems to be that it would be more logical indeed. But, obviously, if the numbers there are added up the 37 and take it off from the beginning. So, I would



have thought that that would have been the logical xxxxxx, deduct the middle table from the top table and then one comes to the bottom one, but it does not square up. So, I will just have to clarify it with the staff and then get back to the hon Member. Or if there is indeed some other reason of which I am not at the moment aware of.

**HON J J BOSSANO:**

It may just be that it has been put in the wrong place, but the way that it is there does not fit in with the xxxxxx

**HON J J NETTO:**

No, it does not.

ORAL

**NO. 37 OF 2009**

**THE HON C A BRUZON**

**PROPERTY FOR “HALF-WAY” HOUSE OR SHELTER**

Can Government confirm if they have identified a property which could be used as a half-way house or shelter for homeless persons?

**ANSWER**

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

Answered together with Question No. 38 of 2009.

**NO. 38 OF 2009**

**THE HON N F COSTA**

**“HALF-WAY” HOUSE TEMPORARY SITE WORKS**

Does the Government have a target date for the commencement of works for the temporary “half-way” house for men and women who become homeless?

**ANSWER**

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

The Government have identified one property at the old stone block at the top of Devil's Gap, which is intended to be used as a homeless half-way house for women.

Both the Trust and Government are continuing to look for other properties for homeless men.

**SUPPLEMENTARY TO QUESTION NOS. 37 AND 38 OF 2009**

**HON C A BRUZON:**

Given the fact that there is urgency, there are in fact about 34 people that the Housing Department is dealing with that are requesting homes, and these people are technically, or actually physically homeless. Do the Government not consider that greater urgency be attached to this matter? I think the answer the Minister has given me, of course, is the information that he has been given but I consider this to be an extremely urgent matter, in view of the fact that there are at least, there were 34 cases of homeless individuals who require help from the Housing Department.

**HON J J NETTO:**

Well, indeed, we believe that urgency should be applied to this case. This is why we are partly in the process of solving one of the two components, which is for the homeless women. So, indeed, I agree with the sentiments being referred to by my hon Friend on the opposite side, and we shall continue to work to try and locate another building for the other component, which is for the homeless men.

**NO. 39 OF 2009**

**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 November 2008 to February 2009 arising from the insolvency of any employer?

**ANSWER**

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

Answered together with Question No. 40 of 2009.

ORAL

**NO. 40 OF 2009**

**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 November 2008 to February 2009 in respect of employment injuries?

**ANSWER**

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

I now hand the hon Member the information requested.

## **ANSWER TO QUESTON 40 OF 2009**

### **Answer to Question 39**

Payments arising from the insolvency of any employer from the Statutory Benefits Fund from November 2008 to February 2009 have been as follows:

#### **STATUTORY BENEFITS FUND – TENTATIVE STATEMENT**

	<b>Nov 2008</b>	<b>Dec 2008</b>
<b>Payments - Insolvency</b>	£0.00	£6,275.96

#### **STATUTORY BENEFITS FUND – TENTATIVE STATEMENT**

	<b>Jan 2009</b>	<b>Feb 2009</b>
<b>Payments - Insolvency</b>	£0.00	£0.00

Contd.....

**Contd ANSWER TO QUESTION 40 OF 2009**

**Answer to Question 40**

Payments from the Statutory Benefits Fund from November 2008 to February 2009 in respect of employment injuries have been as follows:

**STATUTORY BENEFITS FUND – TENTATIVE STATEMENT**

	<b>Nov 2008</b>	<b>Dec 2008</b>
<b>Payments – employment injuries</b>	£39,456.75	£52,036.52

**STATUTORY BENEFITS FUND – TENTATIVE STATEMENT**

	<b>Jan 2009</b>	<b>Feb 2009</b>
<b>Payments – employment injuries</b>	£45,349.90	£54,018.79

**SUPPLEMENTARY TO QUESTION NOS. 39 AND 40 OF 2009**

**HON G H LICUDI:**

The information is described as “tentative”, is there any particular reason, is it likely to change or is this fairly reliable?

**HON J J NETTO:**

My understanding when they use the word “tentative” in this context, is basically because yes, it could have some small variation as a result of some details that are being processed along the way and may fall in one particular month or the other, and it is used just within the admin staff both in the Social Security and the Treasury Department. Hence the caveat of tentative.



**NO. 41 OF 2009**

**THE HON G H LICUDI**

**SOCIAL SERVICES AGENCY – EMPLOYEES**

Can Government state of the employees at the Social Services Agency as at 28<sup>th</sup> February 2009, 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**

Answered together with Question Nos. 42 and 43 of 2009.

**NO. 42 OF 2009**

**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 February 2008?

**ANSWER**

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

Answered together with Question Nos. 41 and 43 of 2009.

**NO. 43 OF 2009**

**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 28<sup>th</sup> February 2009 giving a breakdown by grade and nationality?

**ANSWER**

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

Reference to Question No. 41, I will hand the hon Member a list giving the information requested.

In relation to Question No. 42, I believe the hon Member when drafting the question intended to request information up to the end of February 2009 and not at the end of 2008 as stated. With this in mind, I now hand the hon Member a list of information requested as at the end of February 2009.

In answer to Question No. 43, the Social Services Agency had 69 supply workers as at the 28<sup>th</sup> February 2009. There were no staff on casual contracts. The following 62 are supply Social Care Workers:

- 31 Gibraltarians
- 15 UK nationals
- 11 Spanish nationals
- 2 German nationals
- 2 Belgian nationals
- 1 Italian national

There were five Classroom Aides 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.

**ANSWER TO QUESTION 43 OF 2009**      **Answer to Question 41 SSA Employees as at 28 February 2009**

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	12	11		1
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	1	
Social Workers (Out of Hrs)	2		2	
Community Service Officer	1		1	
Finance Officer	1		1	
Administrative Officers	4		4	
Personal Assistant (AO)	1		1	
Day Centre Co-ordinator	1		1	
Shop Mobility Attendant	1		1	
Handyman/driver	1		1	
<i>Sub-total c/f</i>	<b>57</b>	<b>41</b>	<b>14</b>	<b>2</b>

Cont...

CONTD ANSWER TO QUESTION 43 OF 2009 Cont'd Answer to Question 41 SSA Employees as at 28 Feb 2009

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>	57	41	14	2
<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)	12		12	
Social Care Workers (39hrs)	1		1	
Social Care Workers (37.5hrs)	25		25	
Social Care Workers (20hrs)	12		12	
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)	32		32	
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		
<i>Total</i>	172	46	124	2

As at 28<sup>th</sup> February 2009 a further 9 non-industrial posts were vacant.

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

CONT'D ANSWER TO QUESTION 43 OF 2009 Answer to Question 42 of 2009 SSA Employees as at 28 Feb 2009

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	12	10	2	7	5			10	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.T. 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	1		1		1				1
Finance Officer	1	1		1				1	
Administrative Officers	4	3	1	4				4	
Personal Assistant (AO)	1	1		1				1	
Day Centre Co-ordinator	1	1			1			1	
Shop Mobility Attendant	1		1	1				1	
Handyman/driver	1		1	1				1	
<i>Sub-total c/f</i>	57	49	8	45	12	0	0	49	8

Cont...

**CONT'D ANSWER TO QUESTION 43 OF 2009**      **Cont'd Answer to Question 42 of 2009 SSA Employees as at 28 Feb 2009**

Grade	Number of Employees	Female	Male	Gibraltarian	UK National	Spanish National	Other Nationality	Resident Gibraltar	Resident Spain
<i>Sub-total b/f</i>	57	49	8	45	12	0	0	49	8
<b>DRUGS AWARENESS CAMPAIGN</b>									
Drug strategy Co-ordinator *	1		1	1				1	
Assistant to Drug Strategy Co-ordinator	1	1		1				1	
* GoG Officer on Secondment									
<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)	12	10	2	10	2			10	2
Social Care Workers (39hrs)	1		1	1				1	
Social Care Workers (37.5hrs)	25	20	5	4	15	5	1 Dutch	10	15
Social Care Workers (20hrs)	12	9	3	4	4	3	1 Danish	10	2
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)	32	25	7	24	2	6		25	7
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	
<i>Total: Permanent Staff</i>	172	138	34	115	41	14	2	134	38
<b>TEMPORARY STAFF</b>									
Social Worker	1		1	1				1	
Receptionist/Administrative Assistant	1	1		1				1	
<i>Total</i>	174	139	35	117	41	14	2	136	38

As at 28<sup>th</sup> February 2009, nine non-industrial posts were vacant.      The SSA uses supply workers for relief cover who are not included here.

**SUPPLEMENTARY TO QUESTION NOS. 41 TO 43 OF 2009**

**HON G H LICUDI:**

Was the first figure given 69 persons on supply?

**HON J J NETTO:**

That is correct, yes.

**HON G H LICUDI:**

Is that because there is no permanent post available, or simply that the Government choose to fill permanent posts with supply workers?

**HON J J NETTO:**

It is the former rather than the latter. It is because there is no permanent post available, but obviously, because of the nature of the work the Social Services Agency does, there is always an element of work referred to supply workers to meet the demands of the Social Services Agency. As indeed is probably the case with other agencies and other Government departments.



ORAL

**NO. 44 OF 2009**

**THE HON J J BOSSANO**

**MINIMUM INCOME GUARANTEE**

What adjustment is intended to be made to the threshold income for eligibility to the Minimum Income Guarantee following the April increase in social security Old Age Pensions?

**ANSWER**

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

Answered together with Question No. 45 of 2009.

**NO. 45 OF 2009**

**THE HON J J BOSSANO**

**MINIMUM INCOME GUARANTEE**

Can Government provide a breakdown for the number of pensioners in receipt of the Minimum Income Guarantee showing the number receiving the single and married rates in bands of £5 up to the full amount as at end of February 2009?

**ANSWER**

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

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

In relation to Question No. 44, I am not in a position to announce what adjustment is intended to be made to the threshold income for eligibility to the Minimum Income Guarantee following the April increase in Old Age Pensions. However, I can confirm that the April increase in Old Age Pensions will be compensated by an increase in the Minimum Income Guarantee level. I can also confirm that no adjustments will be made in respect of the April increase in Old Age Pensions until such time as the increase in the Minimum Income Guarantee level is made public.

# **ANSWER TO QUESTION 45 OF 2009**

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 FEBRUARY 2009

				<b>SINGLES</b>		<b>COUPLES</b>		<b>TOTAL</b>
				<b>No</b>		<b>No</b>		<b>No</b>
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	28		0		28
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	16		0		16
FROM	£66.00	TO	£70.00	1		0		1
FROM	£61.00	TO	£65.00	2		0		2
FROM	£56.00	TO	£60.00	2		5		7
FROM	£51.00	TO	£55.00	17		1		18
FROM	£46.00	TO	£50.00	11		2		13
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	239		3		242
FROM	£11.00	TO	£15.00	18		6		24
FROM	£6.00	TO	£10.00	21		7		28
FROM	£0.00	TO	£5.00	7		0		7
<b>TOTAL</b>				<b>453</b>		<b>34</b>		<b>487</b>

## **SUPPLEMENTARY TO QUESTION NOS. 44 AND 45 OF 2009**

**HON J J BOSSANO:**

The question is, of course, because the Minister will remember that I asked him if there was any adjustment being made to the increase in Community Care payments, and he told me that there was not but that they would be made in April. So, that is to say, there will be an increase in the Minimum Income Guarantee at the same time as the increase in pensions. Is that the case?

**HON J J NETTO:**

My understanding is that the increase will be made by the Chief Minister at Budget time, and not coinciding with 1<sup>st</sup> April.

**HON J J BOSSANO:**

I see. So then the answer given the last time cannot be right because the Minister said the last time that there would be an adjustment in April, and what he is telling me now is there will not be an adjustment in April, because the April increase will be announced in June and then backdated to April, is that it?

**HON J J NETTO:**

I believe what the Leader of the Opposition wants to know is whether the adjustment is going to be made retrospectively. Is that what he wants to know?

**HON J J BOSSANO:**

I have been assuming, on the basis of the answer given last Question Time, that there would be an increase in social security pensions in April and that that increase could result, or would result on the threshold which provides the difference between the Minimum Income Guarantee and the amount that people receive as a result of the increase in pensions, because that is what the Minister told me the last time. Now, in today's answer he has told me that there is going to be an increase in the Minimum Income Guarantee as well as an increase in the social insurance pension. But now with the last answer the Minister has given me, that whereas the social insurance pension increase gets announced in April, the Minimum Income Guarantee does not get announced until the Budget, which could be in June. So my question then is, if he said the adjustment would come in April but the increase is not going to come in April, is it that the announcement in June will be in respect of an increase backdated to April?

**HON J J NETTO:**

When the increase in the Minimum Income Guarantee gets announced in the Budget which could be in June, whether it will be made retrospective to 1<sup>st</sup> April in relation to the increases in Old Age pension, whether it will be backdated in terms of the threshold, I am not quite sure. My understanding is that it will be taken into account,

the increases of the 1<sup>st</sup> April, but I am not 100 per cent sure of it. I can certainly seek clarification and let him know.

**HON J J BOSSANO:**

I mean, is it the policy to increase the Minimum Income Guarantee in April or not? Irrespective of when it is announced.

**HON J J NETTO:**

Not on 1<sup>st</sup> April.

**HON J J BOSSANO:**

So the Minimum Income Guarantee will not be increased on 1<sup>st</sup> April, it will be increased in the month that it is announced, is that correct?

**HON J J NETTO:**

Yes, that is my understanding.

**HON J J BOSSANO:**

I am just seeking information, no more than that. It is just that the information does not seem to square with the information we got the last time. Perhaps he can find out and confirm whether the increase in the Minimum Income Guarantee is due in April or due in June, because it seems fairly obvious that if any adjustment is going to be made when the increase takes place, then the adjustment cannot take place in April unless the increase also takes place in April. That is self-evident. So, presumably, on the basis of the information he has provided previously, the timing of any adjustment is coincidental with the timing of the increase. Presumably so that the adjustment does not actually result in a cut, but perhaps in a smaller increase. As I have understood it.

**HON J J NETTO:**

I will seek to get the information and provide it to the Leader of the Opposition.

**NO. 46 OF 2009**

**THE HON N F COSTA**

**GHA – SPONSORED PATIENTS**

Can Government state the amounts paid to all categories of sponsored patients referred to the UK and to Spain, as out-patients and in-patients?

**ANSWER**

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

Answered together with Question No. 47 of 2009.

**NO. 47 OF 2009**

**THE HON N F COSTA**

**GHA – SPONSORED PATIENTS ALLOWANCE REFORMS**

Can the Government say what progress, if any, the GHA has made in considering the fuel allowance and variable accommodation assistance reforms relating to the sponsored patients' programme?

**ANSWER**

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

The information requested in Question No. 46 is set out in the schedule that I will hand to him.

No further progress has been made on the planned reform to the sponsored patients programme.

**Answer to Question 47 of 2009**

**Answer to Question 46 of 2009**

The amounts which are paid to all categories of sponsored patients referred to the UK and to Spain, as out-patients and in-patients are set out in the tables below.

The amounts stated in the table for out-patients are the maximum allowances payable. The amount actually payable is established following a means test.

<b>Country</b>	<b>Out-patient Maximum Allowance Payable per week</b>
UK Rented accommodation	£400
UK Calpe House/friends and family	£147
Spain rented	£266
Spain friends and family	£98

<b>Country</b>	<b>In-patient Allowance per week</b>
UK	£52.50
Spain	£35



**SUPPLEMENTARY TO QUESTION NOS. 46 AND 47 OF 2009**

**HON N F COSTA:**

Yes, in respect of Question No. 47, can the Minister say whether there have been any meetings, in particular in respect of these two items, or has this been something that has not been considered since I last asked in a meeting of this House?

**HON MRS Y DEL AGUA:**

I believe that the proposals are more or less ready, it is just a question of Government getting together in Council of Ministers to consider them.

**HON G H LICUDI:**

Although the question does not specifically deal with this, I would simply ask for clarification. The allowances given in respect of Question No. 46 to sponsored patients, are the allowances the same in respect of the accompanying person, or is there a distinction between the allowances of the patient itself and the person who accompanies?

**HON MRS Y DEL AGUA:**

It depends on whether the escort is part of the household of the sponsored patient or not. There are different ways of means testing the sponsored patient and the escort. I believe that if the sponsored patient is accompanied by, for example, a spouse, according to the level of means testing and what they are entitled to, they would each get the sum that is quoted in the answer.

**NO. 48 OF 2009**

**THE HON N F COSTA**

**GHA – SPANISH AMBULANCES**

Can Government say whether it is GHA policy for Spanish ambulances to drive sponsored patients referred to Spain to and from Gibraltar?

**ANSWER**

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

Answered together with Question Nos. 49 to 51 of 2009.

**NO. 49 OF 2009**

**THE HON N F COSTA**

**GHA – SPANISH AMBULANCES**

Can the Government give the cost to the GHA when Spanish ambulances are used to transfer patients to and from Gibraltar?

**ANSWER**

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

Answered together with Question Nos. 48, 50 and 51 of 2009.

**NO. 50 OF 2009**

**THE HON N F COSTA**

**GHA – SPANISH AMBULANCES**

What is the cost of using Spanish ambulances to transfer patients to and from Gibraltar, on a monthly basis, for each month of 2008 and 2009 to date?

**ANSWER**

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

Answered together with Question Nos. 48, 49 and 51 of 2009.

**NO. 51 OF 2009**

**THE HON N F COSTA**

**GHA – SPANISH AMBULANCES**

On how many occasions have Spanish ambulances been used to transfer patients to and from Gibraltar, on a monthly basis, for each month of 2008 to 2009 to date?

**ANSWER**

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

The conveyance of sponsored patients referred to Spain is normally carried out by the patient transport service. The Authority engages Spanish ambulances when the demand peaks to such an extent that it cannot be met internally. The cost of Spanish ambulances depends on various factors. This includes whether the ambulance is an emergency or a patient transfer, the distance of a destination and the waiting time.

The information requested in Question Nos. 50 and 51 is contained in the schedule that I now hand to him.

## **ANSWER TO QUESTION 51**

### **Answer to Question 50 of 2009**

Payments made in respect of the use of Spanish ambulances during the period in question is as follows:-

<b>January 2008</b>	£5,215.45
<b>February 2008</b>	-
<b>March 2008</b>	-
<b>April 2008</b>	-
<b>May 2008</b>	£920.71
<b>June 2008</b>	£920.00
<b>July 2008</b>	£4,105.28
<b>August 2008</b>	-
<b>September 2008</b>	-
<b>October 2008</b>	£3,903.30
<b>November 2008</b>	£3,644.64
<b>December 2008</b>	-
<b>January 2009</b>	£3,012.39
<b>February 2009</b>	£4,669.23

### **Answer to Question 51 of 2009**

The occasions when Spanish ambulances have been used to transfer patients to and from Gibraltar, on a monthly basis for each month of 2008 and 2009 to date are summaries in the following table:

<b>Month</b>	<b>Occasions when Spanish Ambulances have been used</b>
January 2008	5
February 2008	6
March 2008	8
April 2008	5
May 2008	9
June 2008	14
July 2008	22
August 2008	6
September 2008	15
October 2008	15
November 2008	27
December 2008	12
January 2009	25
February 2009	20

**SUPPLEMENTARY TO QUESTION NOS. 48 TO 51 OF 2009**

**HON N F COSTA:**

Is the Minister able to give an explanation as to, for example, why in July 2008 and November 2008 there seems to have been peak occasions where Spanish ambulances were used , 22 and 27 respectively? Is there any particular reason or reasons for this?

**HON MRS Y DEL AGUA:**

No particular reason, the only logical explanation I can give is that there was more demand for patients to be transferred.

**HON N F COSTA:**

Perhaps the Minister may not be able to give an answer and I will just pass this question now, but how does this cost compare with the cost of having used Gibraltar ambulances? I appreciate that this will require some comparisons and I may need to ask that in a separate question at a separate time.

**HON MRS Y DEL AGUA:**

I think that would be almost impossible to calculate. I have got a complement of staff who are specifically employed for these sort of duties, to transfer patients to and from Gibraltar when required. This is composed of, I believe, eight members of staff who man four ambulances. But if we were to break down the cost per trip I think it would be basically an impossibility.

**HON N F COSTA:**

The point I am trying to get to is that it would appear to me that the use of Spanish ambulances could be, I mean, I cannot say this without having the figures to hand, the cost of using Spanish ambulances could be more costly than, maybe perhaps, hiring more staff here locally and purchasing another ambulance here in Gibraltar. Would the Minister agree with that or is the use of Spanish ambulances economically viable?

**HON MRS Y DEL AGUA:**

No, I appreciate that the hon Member has not got the total cost in front of him and I assume that he has not added them up from January 2008 to February to date, nearly 15 months. The cost is £21,000, I think it is logical to assume that with £21,000 it would not be possible to staff, probably a fifth and a sixth ambulance, which would be required to meet the current demand that exists for transfers to Spain. The cost would be much more prohibitive than that.

**ORAL**

**NO. 52 OF 2009**

**THE HON N F COSTA**

On Behalf of the Hon F R Picardo

**GHA – BOOKING FEES IN RESPECT OF SPONSORED PATIENTS**

Are the Government now in a position to provide any further information in respect of the matters raised in supplementary questions to Question No. 893 of 2008 relating to the booking fees paid by the GHA in respect of sponsored patients?

**ANSWER**

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

The GHA has no evidence to suggest that, and I quote, “it is being abused by the people who are selling it tickets”, as the hon Member claimed could be the case during the last Parliamentary session, and when I refer to the hon Member I refer to the Hon Mr Picardo and not to the Hon Mr Costa.



**NO. 53 OF 2009**

**THE HON N F COSTA**

**GHA – CANCER SCREENING PROGRAMMES**

Can Government say whether the GHA has finalised its recommendations to Government to introduce new cancer screening programmes, including lung, prostate and colon cancers?

**ANSWER**

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

No Sir.

**SUPPLEMENTARY TO QUESTION NO. 53 OF 2009**

**HON N F COSTA:**

Are the Government able to give a rough timeframe in which such recommendations will be put to the Government for its consideration? Is it being actively considered or is this something that has not yet been put?

**HON MRS Y DEL AGUA:**

No, it is being actively considered. The team that has been tasked with looking at this and making recommendations to the Government has to very carefully consider the effectiveness of such programmes and prepare the costed recommendations for Government. This has to be done properly and cannot be rushed. In fact, it is important to note that the UK are still researching the effectiveness of these programmes. For example, there is currently a debate in the UK as to the method of screening for lung cancer, for example chest x-rays as opposed to CT scans, and whether the whole population, for example only those most at risk, should be screened. For example, smokers and those occupationally exposed to cancer agents. Therefore, it is something that cannot be rushed into, it is being actively considered and recommendations will be made to Government and will be considered as and when the time comes.

**HON G H LICUDI:**

Can Government state whether, quite apart from the specific recommendations which may be made, it has reached a policy decision as to whether it is desirable to introduce screening programmes in respect of these cancers?

**HON MRS Y DEL AGUA:**

In principle, the Government have, that is why they have included it as a manifesto commitment. Although in quoting from our manifesto, what we said was, Government committed itself to considering these programmes. Considering based on the recommendations that are made by the GHA. It might well turn out to be the case that the GHA recommends, for example, that prostate screening has not been proven to be effective and, therefore, is not recommended.

**NO. 54 OF 2009**

**THE HON N F COSTA**

**GHA – CANCER DIAGNOSIS AND DEATH STATISTICS**

Is Government now in a position to present the more detailed statistics on cancer diagnosis and deaths which the Minister for Health said could be made available for this session of Parliament in answer to supplementary questions to Question No. 880 of 2008?

**ANSWER**

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

The total aggregated number of new cancer incidences from 1999 to 2006 were 625. 408 in women and 211 in men. The detailed breakdown of cancer locations by male and female is set out in the schedule that I now hand to the hon Member.

**Answer to Question 54 of 2009**

The following table provides a breakdown of cancers recorded as new incidences by the Gibraltar Cancer Registry aggregated over the period 1999 to 2006.

Skin cancers (other than melanoma) have been excluded from the table.

	<b>Females</b>	<b>Males</b>	<b>Total</b>
Breast	121	3	124
Cervix	120		120
Bladder	14	57	71
Colon	19	22	41
Uterus	35		35
Lymph nodes	18	10	28
Stomach	7	16	23
Prostate		23	23
Mouth & palate	9	12	21
Rectum & Anus	12	6	18
Larynx	2	11	13
Ovary	10		10
Pleura	4	5	9
Blood & Marrow	4	5	9
Peritoneum	4	4	8
Lung	2	4	6
Connective tissues	2	4	6
Oesophagus	1	5	6
Female External Genitals	6		6
Pharynx & Larynx		6	6
Testis		6	6
Liver & Biliary system	4	2	6
Bones	2	3	5
Thyroid	3	1	4
Others	11	10	21
<b>TOTAL</b>	<b>410</b>	<b>215</b>	<b>625</b>

**NO. 55 OF 2009**

**THE HON N F COSTA**

**GHA – REPEAT PRESCRIPTIONS**

Is the Government considering any changes to the existing system in place for the issue of repeat prescriptions at the Primary Care Centre?

**ANSWER**

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

In the area of repeat prescribing, the GHA has to balance the clinical requirements of the patient against the potential medical risk, abuse and wastage that can result from over-prescribing.

Whilst taking these very important factors into account, repeat prescriptions are now being issued by GP's to patients with certain chronic and stable conditions for a period of up to six months. So we have already reduced to a great extent the regularity with which some patients need to seek an appointment just to obtain a repeat prescription. A significant majority, however, require a medical review in order to monitor the situation.

The GHA is current considering options to facilitate even further the issue of repeat prescribing for some patients.

**SUPPLEMENTARY TO QUESTION NO. 55 OF 2009**

**HON N F COSTA:**

Yes, I would be interested to learn of those options that have been considered by the Government.

**HON MRS Y DEL AGUA:**

The GHA is currently looking into models being used at present in the United Kingdom and other places, identifying their applicability and establishing the requirements and implications of such a service in Gibraltar.

**NO. 56 OF 2009**

**THE HON N F COSTA**

**GHA – CLINICAL NURSE SPECIALISTS**

Can Government say whether the GHA has filled the posts of Clinical Nurse Specialists for adults and children in respect of the specialist care to adults and children with diabetes?

**ANSWER**

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

The interviews for the recruitment to these two posts took place yesterday.

ORAL

**NO. 57 OF 2009**

**THE HON N F COSTA**

**GHA – CLINICAL PHARMACY SERVICE**

Can Government now say whether the GHA has a target date for the Clinical Pharmacy Service?

**ANSWER**

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

No Sir.

**NO. 58 OF 2009**

**THE HON N F COSTA**

**GHA – DIALYSIS MACHINES**

Can the Government say how many dialysis machines are in place at St Bernard's Hospital?

**ANSWER**

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

Answered together with Question No. 59 of 2009.



**NO. 59 OF 2009**

**THE HON N F COSTA**

**GHA – DIALYSIS MACHINES**

Can the Government say how many dialysis machines at St Bernard's Hospital are operational?

**ANSWER**

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

There are eight dialysis machines in place and operational in St Bernard's Hospital, of which six are in regular use.

**SUPPLEMENTARY TO QUESTION NOS. 58 AND 59 OF 2009**

**HON N F COSTA:**

Has it always been the case that only six are in regular use and two are not, or is it that the two that are not being used now is for any defect?

**HON MRS Y DEL AGUA:**

No, the unit was designed to cater for six dialysis machines. The reason for having eight is to have two to cater for anything that might arise, any breakdown or whatever.

**NO. 60 OF 2009**

**THE HON N F COSTA**

**GHA – AIR CONDITIONING IN THE ITU**

Can Government say whether the air conditioning in the ITU at St Bernard's Hospital can be controlled from the ITU itself?

**ANSWER**

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

All of the air conditioning system at St Bernard's Hospital, including the ITU, is managed centrally by a computerised Building Management System (BMS). Specialist areas requiring localised air temperature control for clinical reasons are provided with room controls for staff use. These areas, such as the Burns Unit within the ITU, is individually controlled by the ITU staff itself.

The system is designed to continuously monitor and automatically adjust room temperatures to ensure a steady and comfortable environment for patients and staff, at approximately 21 to 22 degrees centigrade.

Should there be a request, based on clinical requirements, for close temperature control at a local department or room level, the Hospital's BMS system can accommodate these requests.

**NO. 61 OF 2009**

**THE HON N F COSTA**

**GHA – NOLAN TRUST COLLECTION CENTRE**

Can Government say whether any progress has been made in connection with making Gibraltar the Nolan Trust's second collection centre of stem cells?

**ANSWER**

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

Yes, progress has been made. The Department of Pathology is working with the Department of Paediatrics and the Nolan Trust to formulate an efficient and effective organisational and logistical structure for the initiation and continuation of a stem cell collection centre in the GHA.

However, the complexity of this task, including technical aspects such as sample collection, storage and dispatch and necessary compliance with the rigorous requirements of the Nolan Trust, mean that all processes have to be carefully studied before implementation.

The hon Member can rest assured that as and when the GHA is ready to proceed with this wonderful initiative, it will give me great pleasure to make a public announcement.

**SUPPLEMENTARY TO QUESTION NO. 61 OF 2009**

**HON N F COSTA:**

In fact, I would agree with the Minister that, if this is established in Gibraltar, it would indeed be a great step forward for the Gibraltar community as a whole. In respect of the current policy as it stands now, is it then the policy that for stem cell retrieval, unless there is a medical need the patient would have to privately pay for the stem cell retrieval?

**HON MRS Y DEL AGUA:**

That is correct, as I explained to the hon Member in the last session of the House.

**NO. 62 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION**

Can the Government say, in respect of the consultation carried out as to visiting hours, the question or questions asked?

**ANSWER**

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

Answered together with Question Nos. 63 to 69 of 2009.

**NO. 63 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION**

Can the Government say, in respect of the consultation carried out as to visiting hours, who asked the questions and, if carried out by an external agency, at what cost?

**ANSWER**

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

Answered together with Question Nos. 62 and 64 to 69 of 2009.

ORAL

**NO. 64 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION**

Can the Government say, in respect of the consultation exercise carried out as to visiting hours at St Bernard's Hospital, the reason or reasons leading to the GHA deciding to carry out the exercise?

**ANSWER**

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

Answered together with Question Nos. 62, 63 and 65 to 69 of 2009.

**NO. 65 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION**

Can the Government say, in respect of the consultation exercise carried out as to visiting hours at St Bernard's Hospital, how did the GHA come to the conclusion that the visiting hours were not in the interests of patients after nearly 4 years of implementation?

**ANSWER**

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

Answered together with Question Nos. 62 to 64 and 66 to 69 of 2009.

**NO. 66 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION**

On what date and over what period did the Government carry out the consultation exercise to change the visiting hours at St Bernard's Hospital?

**ANSWER**

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

Answered together with Question Nos. 62 to 65 and 67 to 69 of 2009.



**NO. 67 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION**

How many patients, members of staff and visitors did the GHA consult as to the proposed changes in visiting hours?

**ANSWER**

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

Answered together with Question Nos. 62 to 66, 68 and 69 of 2009.

ORAL

**NO. 68 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION**

What methodology did the GHA employ in carrying out the survey as to the proposed change in visiting hours?

**ANSWER**

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

Answered together with Question Nos. 62 to 67 and 69 of 2009.

**NO. 69 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION**

Can the Government say the results of the questions asked in respect of the survey as to the proposed changes in visiting hours broken down by the category of persons questioned?

**ANSWER**

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

The GHA introduced the new extended visiting hours after the move to the new hospital, with a view to allowing visitors a wider choice and more flexible visiting times. From the outset, however, the intention was to review the new arrangements at some point. This internal review, and therefore at no cost to the taxpayer, was carried out initially over a period of three months about two years after the move to the new hospital. Through confidential interviews and questionnaires, the views of three sample groups, nursing staff, patients and visitors, were sought. The questions centred around the adequacy of visiting hours and whether these served the best interests of patients. On the back of the results of this study, together with subsequent engagement with professionals, patients and visitors alike on a more informal basis over a further period, a final decision was taken to change the visiting hours to the current regime.

**SUPPLEMENTARY TO QUESTION NOS. 62 TO 69 OF 2009**

**HON N F COSTA:**

Yes, well first of all, my first question would relate to how does the Minister describe having conducted the survey after the first two years after the move on a more information footing. How is that different to the more formal basis? I am not entirely sure what questions are asked et cetera.

**HON MRS Y DEL AGUA:**

Well, the more formal review, as I have explained, entailed the three sample groups filling in confidential questionnaires and staff interviewing them. Subsequent to that, there was more..... By informal I mean that the staff themselves, the nursing staff, the medical profession, sort of put forward further recommendations after the situation had been monitored for, I think it was a period of another 12 months,

additionally they talked to visitors, a different set of visitors, different set of patients and the conclusion that was arrived at was that it was in the best interests of patients to change visiting hours to what currently exists now.

**HON DR J J GARCIA:**

Can the Minister say how many persons were actually questioned in each of the categories, which is actually one of the questions on the Order Paper?

**HON MRS Y DEL AGUA:**

The formal review, if we may call it that, from memory, I think there were 144 questionnaires returned. What I cannot give him is a breakdown of which were returned, rather, how many were returned by the nursing staff..... But I believe from memory that the majority view, especially amongst the nursing staff, was that in the best interests of patients the visiting hours should be changed to what currently exists.

**HON N F COSTA:**

The Minister said that 144 questionnaires were returned, how many were actually sent?

**HON MRS Y DEL AGUA:**

I cannot recall but the percentage of returns was quite high. If I am not mistaken, it was about 97 per cent of those interviewed.

**HON S E LINARES:**

When the Minister said "on a confidential basis" is it that one did not have to include ones name on the questionnaire? The questionnaire, when given to persons, did they have to put their name or they just handed it in without the name?

**HON MRS Y DEL AGUA:**

If they gave it in without the name it would not require confidentiality, I assume. The answer that has been drafted for me, because I was not the Minister at the time that the formal review took place, was that it was confidential precisely because names were provided.

**HON N F COSTA:**

The Minister has usefully answered some of my questions. In respect of the methodology, what I am interested to know is who or what persons decided the control group, the type of questions that would be asked, how they would be asked, who went about deciding all of those issues, in answer to Question No. 68?

**HON MRS Y DEL AGUA:**

I believe that a team of professionals were put together precisely to carry out this task and to formulate the methodology and the questions that needed to be asked to obtain the answers that were required.

**HON N F COSTA:**

I am grateful to the Minister. She says a team, a team of doctors, nurses?

**HON MRS Y DEL AGUA:**

Of nursing and medical staff.

**HON DR J J GARCIA:**

Of the 144 returned formal questionnaires, how many were in favour of changing the visiting hours and how many were against, can the Minister say?

**HON MRS Y DEL AGUA:**

The majority. As I said before, I cannot give a breakdown of how many from visitors sampled returned questionnaires. But I can safely say that the majority of the nursing staff, in fact nearly 100 per cent of them, were in favour of the change. There was some disparity of opinion between patients and visitors themselves. Yet, after they were questioned more informally, in the subsequent exercise that took place, some of them who had answered maybe that they were not in favour of changing the visiting hours, because one of the questions that was asked was whether they felt, the visitors, that patients were tired after visiting time, just to give an example, said that in that moment in time they felt obliged to give one answer when really they felt that the answer should be a different one. But the majority of the staff were in favour of the change.

**HON N F COSTA:**

I am grateful again to the Minister and I think we are finally getting to all the questions. Can the Minister say, given that she cites the great majority of the nursing staff, almost 100 per cent, were in favour of the changes, the reasons why they were in favour of such changes?

**HON MRS Y DEL AGUA:**

Solely and exclusively because they felt it was in the best interests of patients.

**HON N F COSTA:**

Yes, I am grateful to the Minister for that, I did understand that from her issued reply. How is it in the best interests of patients? That is the question.

**HON MRS Y DEL AGUA:**

Well, because I think I explained at length in the press release that I issued, I am sure the hon Members followed, that the reason for extending the visiting hours in the first place was actually following and adopting the model that is used in different hospitals in the UK, to give patients a wider choice and flexibility. Now, we all know what happens in Gibraltar and we are all guilty of the same sin, basically, and this was the feedback that I personally, when I do my rounds of the hospital on a regular basis, obtained from many of the patients and visitors themselves. That they felt obliged to accompany the patients for the five hours duration of the visit. Now, the nursing staff believed, and I think rightly so, as do the medical staff, that this was not in the interests of the patients for various reasons, because it did not allow them to recuperate properly. One might have a bed with an acutely ill patient and beside them a person who is really not ill. For example, a long-stay elderly patient, who might be accompanied on a regular basis by a number of relatives, and it was just not conducive to the good recuperation of patients and it did not allow them to rest. As well as the fact that nurses felt that they could not carry out their duties as well as they should being surrounded by so many visitors.

**HON DR J J GARCIA:**

When the Minister says that she does not have the information available as to the breakdown between the different categories of people that were questioned, is that information not available at all or she does not have it here in this House?

**HON MRS Y DEL AGUA:**

The information is available in the results of the confidential study that was done. I do not think it is appropriate to come here with all the details to this House and give answers which might lead people to conclude very easily what each sample group said in the actual questionnaires and in the private interviews that were conducted. I think I have given a lot of information on the original answers that were asked. If the hon Member wants to be more specific and tell me what it is exactly that they are trying to get to, because at the end of the day I have not had any negative feedback on the change of visiting hours, either from nurses, patients or visitors. So, if the hon Members want to be more specific and simply point out what they are trying to get to, I will give as much information as I can.

**HON DR J J GARCIA:**

The thing is there are specific questions on the Order Paper. What we are looking at is for a more specific answer, there is no ulterior motive, we are just trying to get the information. There is a question, Question No. 67, which actually asks how many patients, members of staff and visitors did the GHA consult as to the proposed changes in visiting hours? Given that that information has not been specifically answered, it is why I am asking whether the information is available to the Minister, or simply not available here in this House?

**HON MRS Y DEL AGUA:**

The hon Member's question is how many of the 144, which from memory I have quoted as the number of questionnaires returned, broken down by different sample groups. Is that what he is after? How many patients replied, how many visitors replied and how many nurses replied. Well, I have not got that information with me, I am afraid, but I can certainly pass it on to the hon Member.

**HON DR J J GARCIA:**

In relation to the actual question on the Order Paper, which is how many were consulted in each category, that is a question on the Order Paper, does the Minister have that information here?

**HON MRS Y DEL AGUA:**

No, but I will provide it to him. Should I provide the information to the questioner or the Hon Dr Garcia?

**NO. 70 OF 2009**

**THE HON N F COSTA**

**GHA – COMPLAINTS LODGED**

Can the Minister for Health give Parliament the number of informal and formal complaints against the GHA lodged since November 2008 to date on a monthly basis?

**ANSWER**

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

Yes, the information requested by the hon Member is as follows:-

<b>MONTH</b>	<b>INFORMAL</b>	<b>FORMAL</b>
November 2008	10	5
December 2008	9	1
January 2009	13	2
February 2009	13	5



**NO. 71 OF 2009**

**THE HON N F COSTA**

**GHA – INDEPENDENT COMPLAINTS REVIEW PANEL**

Can the Government say whether the GHA Independent Complaints' Review Panel is appointed by the Minister or by the Ombudsman?

**ANSWER**

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

The Gibraltar Health Authority (Complaints Review Panel) Act 2004 states, under Part II Section 3 (s) that the Minister may, from time to time, by notice in the Gazette appoint such number of persons as he considers appropriate to constitute the panel. The responsibility of the Ombudsman is to select panellists from the persons whose names have been published in the Gazette.

**HON N F COSTA:**

It would then be fair to say, would it not, that the Complaints Review Panel is not truly independent from the political process? Given that the Minister, who I can see shaking her head as I asked the question, is making appointments to the panel.

**HON MRS Y DEL AGUA:**

Absolutely not, the fact that the panellists are appointed by the Minister and selected by the Ombudsman does in no way indicate that it is not truly independent. Or is the hon Member questioning the independence of the people who serve on the panel just because they have been appointed by the Minister?

**HON N F COSTA:**

Not at all, I am simply saying that if the Government are going to say that the process is truly independent, then for it to be truly independent it can not form part and parcel of the political process. The Minister, as an elected politician, has the say as to whom will form part of that panel. Subsequently, the Ombudsman will choose the three representatives that sit on that. But the fact is that the Minister does decide who is on that list. So, I ask the question, would it not be fair to say and for her to concede, that the fact that she makes the initial appointment to the panel does not make the process completely and truly independent? Would that not be a fair concession to make?

**HON MRS Y DEL AGUA:**

No, it would not, because again the fact that the Minister has appointed the panellists, someone has to choose the people who are forming part of the Independent Review Panel. Once these people are chosen, the fact that they are chosen by the Minister does not give them more or less creditability in their independence. Once they are chosen, there is absolutely no interference by the Minister, or Government, in the process. So the mere fact that the panellists, or names, are provided by the Minister, in consultation with the Ombudsman, by the way, may I add, is neither here nor there. It does not give or take from the credibility and independence that these panellists have. What the hon Member is actually doing, is questioning the integrity and the independence of these panellists, just because they have been appointed by the Minister.

**HON N F COSTA:**

No, I refute that. That is what the Minister wants to say that I am insinuating, and in fact, I am not at all for a second saying or suggesting ....., and the Minister for Education always laughs and cackles in the background. I am glad he does because the more they cackle the more they show that we are getting somewhere in respect of our questions. I take what the Minister says that she only makes appointments to the panel, but would she not agree with me that in order to make sure that the process is purely independent, the Ombudsman simply appoints the panel and chooses who goes on it? If the Ombudsman were to be able to select the people that are on the panel, there could be no argument whatsoever that the process is truly independent. But the moment that the Minister selects who goes on the panel, irrespective of whether there is anything afterwards, like she says of interference, which I am not for a second suggesting that she does once she appoints them, but if they want to remove any allegation, and it does not just come from us, it comes from other quarters of our society who have been making the call for another ombudsman. Once again, the Minister for Education interferes, I love the fact that he keeps doing that. Thank you very much for interfering. Would the Minister not agree with me that in order to avoid any further argument in this area, in order to make the process purely independent, purely independent from the political establishment, the Ombudsman should be responsible for the appointment and selection of the panel members?

**HON MRS Y DEL AGUA:**

Well, I am very surprised that the hon Member feels so strongly about this point. When the Opposition had the opportunity to object to this very principle, when the Bill was passed in 2004, they chose to abstain on the petty basis that this was a recommendation from the Health Review team. So, on that basis purely and simply, they did not even have the decency to look at the Bill, to study the principles and, therefore, abstained on that basis. It is too late now in the day, to object just because it is very convenient now to jump on the bandwagon of the Pensioners Association.

**HON N F COSTA:**

First of all I was not here in 2004. Second of all, deflect, deflect, deflect, the motor of the GSD. I have asked a simple question, let her answer it. Does the Minister not agree with me that the fact that she makes the appointments to the panel.....

**HON MRS Y DEL AGUA:**

I have already said, I do not agree with him.

**HON N F COSTA:**

Do not agree.

**NO. 72 OF 2009**

**THE HON N F COSTA**

**GHA – GP’S FOR CHILDREN AT PRIMARY CARE CENTRE**

What is the Government’s policy of recruiting and employing General Practitioners at the Primary Care Centre to attend solely to children?

**ANSWER**

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

The Government’s policy is to recruit General Practitioners with a wide experience in all aspects of general practice. This is carefully assessed at the time of interview and appropriate consideration is given to skills in this area.

**NO. 73 OF 2009**

**THE HON N F COSTA**

**GHA – HEARING AIDS**

Is it the policy of the Government to supply a temporary hearing aid to patients whose original hearing aid has been sent to the United Kingdom for repair?

**ANSWER**

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

No, Sir.

**SUPPLEMENTARY TO QUESTION NO. 73 OF 2009**

**HON N F COSTA:**

May I ask then what elderly citizens are meant to do if, having been given a hearing aid, which becomes defective and is then sent to the UK for repair, what interim measure is available to them from the GHA?

**HON MRS Y DEL AGUA:**

Well, none, in the same way that no interim measure is available to anybody who wears spectacles and they get broken, or a person who has a prosthesis on his leg which needs to be sent off for repair. If we were to adopt that policy, then we would have to offer a spare to everybody who uses a prosthetic device.

**NO. 74 OF 2009**

**THE HON N F COSTA**

**GHA – MAMMOGRAPHY EQUIPMENT**

Can the Government say when the mammography equipment currently used in the one-stop breast clinic at St Bernard's Hospital was purchased, the make, the model and the cost?

**ANSWER**

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

Answered together with Question No. 75 of 2009.

**NO. 75 OF 2009**

**THE HON N F COSTA**

**GHA – MAMMOGRAPHY SERVICE**

Can the Government say in respect of the implementation of the routine mammography service, whether the clinicians have now conducted their investigations to evaluate suitable equipment?

**ANSWER**

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

The mammography equipment currently in use was purchased in November 2004. The details requested are as follows:

Make:	Philips
Model:	6607894
Cost:	£50,784

I can confirm that the equipment has been evaluated and a recommendation has been made to the Medical Director.

**NO. 76 OF 2009**

**THE HON N F COSTA**

**GHA – OXYGEN THERAPY TREATMENT**

Further to Question No. 873 of 2008, can the Government now say whether they have been able to establish whether NHS Trusts, or a majority of NHS Trusts, fund treatment for the oxygen therapy available in Gibraltar, and if so, has the GHA now adopted a policy on this matter?

**ANSWER**

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

The GHA will be communicating its policy decision to the operator of the centre very soon. It would not be appropriate, therefore, to release this information publicly at this stage.

**SUPPLEMENTARY TO QUESTION NO. 76 OF 2009**

**HON N F COSTA:**

I am grateful for that, but can the Minister answer whether they were able to establish whether the NHS Trusts had funded treatment for the oxygen therapy available in Gibraltar?

**HON MRS Y DEL AGUA:**

Based on what we have discovered is how we arrived at a policy decision, which I believe, in the interests of fairness, should be communicated to the operator before it is made public in this House.



**NO. 77 OF 2009**

**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 December 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 have handed to him.

**Answer to Question 77 of 2009**

	<b>Dec 08</b>	<b>Jan 09</b>	<b>Feb 09</b>	<b>TOTAL</b>
Patients	2	3	2	<b>7</b>
Staff	0	0	0	<b>0</b>
<b>Total</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>7</b>

There was no fatality due to MRSA during this period.

**NO. 78 OF 2009**

**THE HON N F COSTA**

**GHA – CANCELLED OPERATIONS**

Can Government list the dates between November 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 now hand to him.

The information for the month of February is not yet available and will be provided to him in due course.

Answer to Question 78 of 2009

Cancellations November 2008

Reason for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/ Minor	Oral Surgery	Pain Relief
Medical	2	1	1	1	2 (1)		2
No show			1		(1)	1	3
Per patient			2	1	1		2
No Longer Required							
Surgeon sick				2		5	
No Records					(1)		
No instruments					3		
Bed Availability							
( ) minor ops							

Contd.....

Cancellations December 2008

Reason for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/ Minor	Oral Surgery	Pain Relief
Medical	-	1	2	6	3	-	-
No show	-	-	-	1	-	-	-
Per patient	-	-	1	-	1	-	-
No Longer Required							
Surgeon sick	-	-	-	1	-	-	-
No equipment	-	-	-	2	2	-	-
Bed availability	-	-	-	-	4	-	-
No Records							

( ) minor ops

Contd.....

**Answer to Question 78 of 2009**

**Cancellations January 2009**

Reason for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/ Minor	Oral Surgery	Pain Relief
Medical	2	3	-	1	1 (1)	1	2
No show	-	-	5	1	(3)	-	1
Per patient	-	-	1	-	-	3	2
Surgeon sick	-	-	-	3	-	-	-
No longer required	1	-	1	-	(1)	-	-
No Instruments							
Bed availability	2	3	-	2	3	-	-

( ) minor ops

**NO. 79 OF 2009**

**THE HON N F COSTA**

**GHA – CANCELLED KEYHOLE SURGERY OPERATIONS**

Can Government say how many keyhole surgery operations have been cancelled between November 2008 on a monthly basis to date and the reasons for the cancellations?

**ANSWER**

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

Apart from the two that were cancelled in February, with which information I provided him at the last session, none.

**NO. 80 OF 2009**

**THE HON N F COSTA**

**GHA – SUPPLIERS OF TROCARS**

In respect of disposable trocars used for key-hole surgery operations, can Government say whether they have now identified a second supplier?

**ANSWER**

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

Yes, Sir.

**SUPPLEMENTARY TO QUESTION NO. 80 OF 2009**

**HON N F COSTA:**

Does that mean to say that they have now entered into contract with the second supplier and they will also be providing equipment, or have they just identified a second possible supplier?

**HON MRS Y DEL AGUA:**

I do not know whether we are using the second supplier or not but I can certainly say that they are there to be used if we need them.



**NO. 81 OF 2009**

**THE HON N F COSTA**

**GHA – PLUMBING WORKS**

Can Government say whether there are currently any wards, or parts of any wards at St Bernard's Hospital, which are non-operational due to plumbing works being undertaken?

**ANSWER**

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

None of the wards at St Bernard's Hospital are presently non-operational due to plumbing works.

**NO. 82 OF 2009**

**THE HON N F COSTA**

**GHA – NUMBER OF BEDS AT ST BERNARD’S HOSPITAL**

Can Government say what plans they have, if any, to increase the number of beds at St Bernard’s Hospital?

**ANSWER**

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

St Bernard’s Hospital has a sufficient number of acute beds and, therefore, there are no plans to increase these. The problem that the GHA encounters, is that access to at least 46 of these acute beds is restricted because they are being occupied by elderly long-stay persons, who have been medically discharged, some of whom could be at home with some help from their relatives, and others who need long-term care in a residential facility. Government are considering different options in order to accommodate, in the short-term, those elderly persons who are occupying acute beds in hospital. We are looking at a short-term solution pending the provision of beds in the new residential facility. Government hope to be in a position to make an announcement in this regard within the next fortnight.

**NO. 83 OF 2009**

**THE HON N F COSTA**

**GHA – DIVISION OF PATIENTS IN WARDS**

What is the policy of the Government, if any, as to dividing patients in hospital wards and ward rooms on the basis of sex?

**ANSWER**

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

That it is done as far as it is possible. Patients are allocated to hospital beds as follows:-

- Firstly, their clinical needs are assessed and the type of ward is defined. For example, whether they need to go into paediatrics, maternity or medical and surgical wards.
- Then patients are allocated to either medical or surgical wards.
- Once the ward is identified then the patient's needs are further examined as to whether they need a single room, for example, for reasons of infection control or palliative care. Then if allocated to the ward, best efforts are made to allocate patients to the same gender rooms.
- Should bed availability on a specific clinical need prevent same gender allocation, then the matter of gender is remedied as soon as possible.

I know it is a very lengthy answer that has been provided, but basically, it is that we try and accommodate that as far as possible.

ORAL

**NO. 84 OF 2009**

**THE HON N F COSTA**

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

Can the Government now provide a target date for the commencement of works of the new mental health facility?

**ANSWER**

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

Answered together with Question No. 85 of 2009.

**NO. 85 OF 2009**

**THE HON N F COSTA**

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

Can the Government say which sites are being considered for the new purpose-built mental health facility?

**ANSWER**

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

It is not yet possible to give an indication of possible works commencement date. A number of sites are under active consideration, but no decision has yet been made. Government hope to make an announcement in this regard during the course of this year.

**SUPPLEMENTARY TO QUESTION NOS. 84 AND 85 OF 2009**

**HON N F COSTA:**

Does that mean to say that there will be other sites other than the aerial farm site being considered?

**HON MRS Y DEL AGUA:**

That is correct.

**NO. 86 OF 2009**

**THE HON S E LINARES**

**FIRE BRIGADE – HEALTH AND SAFETY AUDIT**

Can Government state whether it has conducted a health and safety audit on the Fire Brigade station and if so what recommendations have been made, who conducted it and what was the cost?

**ANSWER**

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

Management of the City Fire Brigade, and not Government, commissioned a health and safety audit in December 2007. The audit was carried out by an operational officer of the Brigade who is qualified in health and safety, and who holds a Masters in health and safety management and NEBOSH qualifications.

The report was presented to Management in May 2008. It contained 33 recommendations, 17 have been implemented and the remaining ones are currently being addressed.

Since the audit was done in-house, there was no cost to the taxpayer.

**SUPPLEMENTARY TO QUESTION NO. 86 OF 2009**

**HON S E LINARES:**

Just one issue. Management of the Fire Brigade is surely Government, part of a Government Department? That is the only issue I have, the rest fine, but to say that it was not Government and it was management.

**HON MRS Y DEL AGUA:**

If the hon Member wants to be petty he can do so. The question was whether Government had conducted a health and safety audit, and I have just qualified it by saying that it was not Government who conducted the audit, it was Management of the City Fire Brigade.

**HON S E LINARES:**

Okay, so be it. Can the Minister state what were the recommendations?

**HON MRS Y DEL AGUA:**

I know there were 33 recommendations but nothing major. I can tell him that.

**HON S E LINARES:**

It is part of the question what recommendations were made, so is there a list, a report? Is the report available or is it all in-house?

**HON MRS Y DEL AGUA:**

I do not think it is appropriate to make internal reports, conducted or commissioned by Management of different Departments, public. I have gone far enough in telling him that there were 33 recommendations, 17 of which have been implemented. The remaining ones are currently being addressed, I believe with a view to implementing them as well.

**NO. 87 OF 2009**

**THE HON G H LICUDI**

On behalf of the Hon F R Picardo

**GHA – SPECIAL LEAVE FOR PROFESSIONALS**

On how many occasions has the GHA since 1996 allowed “special leave” for a period of a year or more for professionals in the service of that Authority?

**ANSWER**

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

It is not possible to answer this question since it would require a disproportionate amount of administrative time.

**SUPPLEMENTARY TO QUESTION NO. 87 OF 2009**

**HON G H LICUDI:**

Is that the case given that the question simply seeks to elicit just the number of occasions, not the reasons for special leave, the circumstances, the time, the professionals involved? Simply on how many occasions has special leave been granted? Has it been granted on one occasion, on more than ten occasions? It is simply one figure that is being sought. Simply to ask whether this is something that is generally available to practitioners or is a very rare occurrence.

**HON MRS Y DEL AGUA:**

Well, if the question had been formulated in the manner that he has just described, which is rather a global question as opposed to specific instances, then it would have been easier to provide. But.....

**HON G H LICUDI:**

On a Point of Order, the question states precisely that, on how many occasions, so what I have described is simply what the question states. I am simply trying to find out why it is administratively not convenient to provide a simple, global figure which is what the question seeks to elicit.



**HON MRS Y DEL AGUA:**

Well, because to provide a simple, global figure the human resources department would have to trawl through every single individual's files, both in respect of those who are currently employed in the GHA and those who have retired since 1996. As the hon Member will understand, going through approximately 1,500 files is an administrative nightmare. If the hon Member can be more specific in what it is that he is after, or what he is seeking, I will do my best to provide the information.

**HON G H LICUDI:**

Hon Members on the Opposition side have to be as specific as the rules allow them to be. If a question simply asked for information, then that is what is being sought and that is what the Government ought to answer. If the Government are simply not able, for whatever reasons, to give that answer, then that is fair enough. But the onus should not be on us to have to explain in every single question what lies behind the question. That would certainly be onerous.

**HON MRS Y DEL AGUA:**

If he chooses to ask the questions in the manner that he has asked this one, the answer will be the same, that we cannot provide him with the answer.

**MR SPEAKER:**

I think the question was very clear and the answer was equally clear. "How many occasions", that requires a number and the Minister says it would take a disproportionate amount of time to reach that number. I think the question and the answer are both equally clear, I do not know why we are going down the road.

**HON G H LICUDI:**

Only because there seemed to be some misunderstanding as to what the question asked and that is why.....

**MR SPEAKER:**

Well, the answer which I have recorded here says nothing of a misunderstanding. It says, "it is not possible to answer this question as it would require a disproportionate amount of administrative time". The answer to me is very clear, as clear as the question is.

**NO. 88 OF 2009**

**THE HON G H LICUDI**

**HEALTH AND SAFETY REVIEW**

Can Government state at what stage is the review on health and safety which it announced in April 2008? Before the answer is given, this relates to Question Nos. 2 and 3, on which we spent about three quarters of an hour this morning. Well, I am not sure I understand why it is in this part of the Order Paper, but given that the question was asked, perhaps the answer should be given for the sake of formality and Hansard.

**ANSWER**

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

As the hon Member has just said, this matter was extensively debated this morning. All I can say is that the Government will make an announcement when they are ready to do so.

ORAL

**NO. 89 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

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

**ANSWER**

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

Answered together with Question No. 90 of 2009.

**NO. 90 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

On what date was the last meeting of the Development Appeals Tribunal and how many cases are currently pending its consideration?

**ANSWER**

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

The Development Appeals Tribunal last met on 12 April 2007.

There are seven cases pending consideration. Of these seven cases, five are dormant; that is to say, a response is awaited from the appellants. In view of the number of years that have elapsed since the request for information was made, it appears that the appeals have been abandoned by the appellants.

The Tribunal is awaiting information from the Town Planner and the Development and Planning Commission in respect of the other two active cases.

**NO. 91 OF 2009**

**THE HON C A BRUZON**

**HOUSING – ALBERT RISSO HOUSE PARKING FACILITIES**

With reference to Albert Risso House for the elderly, can Government state what parking facilities are being offered to the residents and their visitors?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Albert Risso House will be Government housing. There is no entitlement to exclusive use of a particular parking space upon allocation of a house, but there will be parking available in the immediate vicinity.

**SUPPLEMENTARY TO QUESTION NO. 91 OF 2009**

**HON C A BRUZON:**

I did not hear the last part of the answer. So there will be parking available? Does the Minister have any idea as to how many parking facilities in the vicinity there will be?

**HON F J VINET:**

Yes, I do not think numbers are, well, they are subject to change perhaps one way or the other. In the region of 30 spaces for residents and an additional 65 other spaces for use by residents and the general public.

**HON C A BRUZON:**

Thirty for residents and about 50 did he say, about 50 for visitors?

**HON F J VINET:**

Sixty-five.

**HON C A BRUZON:**

Sixty-five.

**NO. 92 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES PARKING SPACES**

Can Government state how many parking spaces are being made available to purchasers at Waterport Terraces?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

One per house.

**SUPPLEMENTARY TO QUESTION NO. 92 OF 2009**

**HON C A BRUZON:**

Does the Minister have any information concerning purchasers of commercial units as well? Are parking spaces being provided for them?

**HON F J VINET:**

I actually asked that same question when I was provided with the answer I have just passed on. I am told that at present there are no plans for that to occur. I have also been told that there may well be some surplus parking spaces once the whole project is complete, but I am unaware as to what exactly will happen to those. Whether they may be assigned to commercial entities or they may be drawn amongst the residents. At the moment, there are no plans for commercial tenants having parking spaces.

**NO. 93 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have applied for rent relief, to date, since the answer to Question No. 898 of 2008, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 94 to 97 of 2009.



ORAL

**NO. 94 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have received rent relief, to date, since the answer to Question No. 897 of 2008, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 93 and 95 to 97 of 2009.

**ORAL**

**NO. 95 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households were on full rent relief, to date, since the answer to Question No. 896 of 2008, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 93, 94, 96 and 97 of 2009.

**ORAL**

**NO. 96 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households on rent relief have had this benefit terminated, to date, since the answer to Question No. 894 of 2008, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 93 to 95 and 97 of 2009.

ORAL

**NO. 97 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have had the level of rent relief reduced, to date, since the answer to Question No. 895 of 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 97**

#### **Answer to Question 93**

The number of households that have applied for Rent Relief, to date, since the answer to Question No. 898 of 2008, is as follows:

DECEMBER (as from 27/11/08)	-	0
JANUARY	-	0
FEBRUARY	-	9 (8 ACTIVE)
MARCH (up to 10/3/09)	-	0

#### **Answer to Question 94**

The number of households that have received Rent Relief, to date, since the answer to Question No. 897 of 2008, is as follows:

DECEMBER (as from 27/11/08)	-	652
JANUARY	-	670
FEBRUARY	-	622
MARCH (up to 10/3/09)	-	911

#### **Answer to Question 95**

The number of households that were on full Rent Relief, to date, since the answer given to Question No. 896 of 2008, is as follows:

DECEMBER (as from 27/11/08)	-	40
JANUARY	-	31
FEBRUARY	-	27
MARCH (up to 10/3/09)	-	66

#### **Answer to Question 96**

The number of households, on Rent Relief, that have had this benefit terminated, to date, since the answer to Question No. 894 of 2008, is as follows:

DECEMBER (as from 27/11/08)	-	18
JANUARY	-	12
FEBRUARY	-	6
MARCH (up to 10/3/09)	-	10

#### **Answer to Question 97**

The number of households that have had the level of Rent Relief reduced, to date, since the answer to Question No. 895 of 2008, is as follows:

DECEMBER (as from 27/11/08)	-	3
JANUARY	-	3
FEBRUARY	-	3
MARCH (up to 10/3/09)	-	0

ORAL

**NO. 98 OF 2009**

**THE HON C A BRUZON**

**HOUSING – MEDICALLY RECOMMENDED APPLICANTS ON THE HOUSING WAITING LIST**

Can Government state how many applicants on the Housing Waiting List, to date, are medically recommended, giving a breakdown of their medical category?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 99 of 2009.

**NO. 99 OF 2009**

**THE HON C A BRUZON**

**HOUSING – MEDICALLY RECOMMENDED APPLICANTS**

Can Government state how many applicants, to date, are medically recommended, apart from those who are described as applicants on the Housing Waiting List, giving a breakdown of their medical category?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 99**

**Answer to Question 98**

There are 58 applicants on the Housing Waiting List, to date, who are medically recommended as follows:

Medical A+	-	4
Medical A	-	14
Medical B	-	19
Medical C	-	21

**Answer to Question 99**

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+	-	25
Medical A	-	62
Medical B	-	49
Medical C	-	60



ORAL

**NO. 100 OF 2009**

**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, since the answer to Question No. 901 of 2008 giving a monthly breakdown, and what is the total of arrears covered by such agreements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 100**

The total number of tenants that have entered into agreements to pay arrears of rent is 58.

The monthly breakdown and total of arrears covered by such agreements is as follows:

	<b>Total agreements</b>	<b>Amount</b>
December 2008 (as from 25/11/08)	11	£61,767.30
January 2009	17	£60,344.56
February 2009	24	£62,165.34
March 2009 (up to 10/3/09)	6	£33,913.78
		<hr/>
		£218,190.98

ORAL

**NO. 101 OF 2009**

**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. 902 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

One flat has been repossessed in the relevant period.

**NO. 102 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS REMOVED FROM SOCIAL CATEGORY ‘A’ LIST**

With reference to the answer given to Question No. 903 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. 103 and 104 of 2009.

ORAL

**NO. 103 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS PLACED ON SOCIAL CATEGORY ‘A’ LIST**

Since the answer given to Question No. 904 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. 102 and 104 of 2009.

ORAL

**NO. 104 OF 2009**

**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**

I now hand the hon Member a schedule containing the information requested.

#### **Answer to Question 104**

#### **Answer to Question 102**

A total of 12 applicants have been removed from the Social List because a suitable dwelling has been found for them, since Question No. 903 of 2008, as follows:

December 2008	-	5
January 2009	-	5
February 2009	-	Nil
March 2009	-	2

#### **Answer to Question 103**

Since the answer to Question No. 904 of 2008, a total of 15 applicants have been placed on the Social "A" List as follows:

December 2008	-	11
January 2009	-	1
February 2009	-	1
March 2009	-	2

#### **Answer to Question 104**

A total of 95 persons are currently on the Housing Social Category "A" List.

**SUPPLEMENTARY TO QUESTION NOS. 102 TO 104 OF 2009**

**HON C A BRUZON:**

I notice that there are a total of 95 persons who are currently on the Housing Social Category "A" List. Would this by any chance include the people who would be described as "homeless" in answer to a further question?

**HON F J VINET:**

Yes.

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**MR SPEAKER:**

The Hon the Minister for Housing has asked for permission to clarify or rectify a response. His answer to Question No. 104.

**HON F J VINET:**

Just to correct, as I said, the answer to that question which related to the number of people on the Housing Social Category "A" list. I have been subsequently advised that the print out used in order to calculate that number had tagged onto the number of individuals who do not form part of the list. I gave the answer yesterday as 95 and, in fact, the true answer ought to have been 79.



ORAL

**NO. 105 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS ON PRE-LIST**

Can Government state how many applicants are currently on the pre-list for Housing giving a breakdown of their flat requirements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 111 of 2009.

**NO. 106 OF 2009**

**THE HON C A BRUZON**

**HOUSING – PRE-WAR HOUSING UNITS ALLOCATED**

Can Government state how many pre-war housing units have been allocated, to date, since the answer given to Question No. 907 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 107 of 2009.

ORAL

**NO. 107 OF 2009**

**THE HON C A BRUZON**

**HOUSING – POST-WAR HOUSING UNITS ALLOCATED**

Can Government state how many post war housing units have been allocated to social cases since the answer given to Question No. 908 of 2008, providing 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 107**

**Answer to Question 106**

A total of seven pre-war housing units have been allocated to date, since the answer given to Question No. 907 of 2008.

**Answer to Question 107**

A total of seven post-war units have been allocated to social cases since the answer given to Question No. 908 of 2008 as follows:

December 2008	-	2
January 2009	-	5
February 2009	-	Nil
March 2009	-	Nil

**NO. 108 OF 2009**

**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 answer to Question No. 909 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Two homes.

**SUPPLEMENTARY TO QUESTION NO. 108 OF 2009**

**HON C A BRUZON:**

Will these have been by the Minister for Housing or the Chief Minister?

**HON F J VINET:**

By myself.

ORAL

**NO. 109 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS PLACED ON MEDICAL LISTS**

Since the answer given to Question No. 910 of 2008, can Government state how many applicants have been placed on the various medical housing lists “A+”, “A”, “B” and “C”, and give the dates?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 110 of 2009.

**NO. 110 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS REMOVED FROM MEDICAL LISTS**

With reference to the answer given to Question No. 911 of 2008, can Government state how many applicants, since that date, have been removed from the various medical housing lists “A+”, “A”, “B” and “C” because a suitable dwelling has been found for them and give the dates?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

Perhaps I ought to add for the sake of completeness, the hon Member will see from the answer to Question No. 110, that there have been a total of three applicants removed from the various medical lists. Just to provide some additional information, had this question been asked in a day or two, perhaps, that answer would be seven or eight, rather than three because there have been a further four offers made, which in fact have been accepted. But the tenancy agreements have not yet been signed and until that happens the applicants remain on the waiting list itself.

**Answer to Question 110****Answer to Question 109**

A total of five applicants have been placed on the various medical housing lists, as follows:

<b>Date</b>	<b>A+</b>	<b>A</b>	<b>B</b>	<b>C</b>
November 2008 (as from 27/11/08)	-	-	-	-
December 2008	-	-	-	-
January 2009	-	-	-	-
February 2009	-	1	1	1
March (up to 11/3/09)	1	-	1	-

**Answer to Question 110**

A total of three applicants have been removed from the various Medical Lists, since the answer given to Question No. 911 of 2008, because a suitable dwelling has been found for them, as follows:

December 2008	-	1	-	Medical 'A'
January 2009	-	2	-	1 Medical 'A+' and 1 Medical 'A'



ORAL

**NO. 111 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WAITING LISTS**

Can Government state how many applicants are currently on the Housing Waiting Lists giving a breakdown of their flat requirements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 111**

**Answer to Question 105**

There are currently 442 applicants on the pre-list, as follows:

1RKB	-	294
2RKB	-	22
3RKB	-	85
4RKB	-	37
5RKB	-	4

**Answer to Question 111**

There are currently 841 applicants on the Housing Waiting Lists, as follows:

1RKB	-	393
2RKB	-	61
3RKB	-	236
4RKB	-	136
5RKB	-	15

**NO. 112 OF 2009**

**THE HON C A BRUZON**

**HOUSING – OVERCROWDING POINTS DISALLOWED**

Can Government state, in respect of applicants already on the Housing List, for each category of list and for each month since Question No. 913 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 Nos. 113 to 115 of 2009.

ORAL

**NO. 113 OF 2009**

**THE HON C A BRUZON**

**HOUSING – OVERCROWDING POINTS ALLOWED**

Can Government state, in respect of applicants already on the Housing List, for each category of list and for each month since Question No. 914 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**

Answered together with Question Nos. 112, 114 and 115 of 2009

**NO. 114 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS 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. 915 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 112, 113 and 115 of 2009

**ORAL**

**NO. 115 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS 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. 916 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 115**

**Answer to Question 112**

None.

**Answer to Question 113**

None.

**Answer to Question 114**

One applicant for housing has been rejected.

**Answer to Question 115**

Seven applicants have been accepted, as follows:

December 2008	-	1
January 2009	-	2
February 2009	-	1
March 2009	-	3

**NO. 116 OF 2009**

**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**

Given the fact that the hon Member informed the media that he would be raising the plight of the homeless in Parliament, I am sure he will be very pleased to learn that the number has come down and there are twenty-six applicants for housing from persons officially classified as homeless, currently being dealt with by the Ministry for Housing.

**SUPPLEMENTARY TO QUESTION NO. 116 OF 2009**

**HON C A BRUZON:**

Does the Minister have any information regarding the length of time that the balance of 26 homeless people have been waiting for a solution to their homelessness?

**HON F J VINET:**

No, because as was explained previously, persons officially classified as homeless enter the Social List, together with all other persons who are classified as so-called social cases. I do not have any details as to particular waiting times for individuals.



**NO. 117 OF 2009**

**THE HON C A BRUZON**

**HOUSING – ANONYMOUS PHONE CALLS**

Can Government state, since they introduced the policy of inviting anonymous phone calls on the non use of Government rented dwellings:

- (a) how many phone calls have been received;
- (b) in how many cases was the information received correct,

and provide a breakdown since the answer to Question No. 918 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A total of 157 phone calls have been received, and of these, 84 were found to be correct.

The breakdown as from 27<sup>th</sup> November 2009 is as follows:

One call in November on 27<sup>th</sup> November, which was found to be incorrect. No calls in December. Four calls in January, one correct, two incorrect, and one currently pending further investigation. Five calls in February, one correct, three incorrect, one pending further investigation. One call in March, up to 10<sup>th</sup> March, which was found to be correct.

**NO. 118 OF 2009**

**THE HON C A BRUZON**

**HOUSING – REINSTATEMENTS INTO HOUSING LISTS**

With reference to the answer given to Question No. 919 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**

Four.

**NO. 119 OF 2009**

**THE HON C A BRUZON**

**HOUSING – NEW GOVERNMENT RENTAL ESTATE**

With reference to the answer given to Question No. 920 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**

Fifteen applicants have been offered an existing Government flat since the answer given to Question No. 920 of 2008. Eleven of these have accepted.

ORAL

**NO. 120 OF 2009**

**THE HON C A BRUZON**

**HOUSING – DWELLINGS FOR REFURBISHMENT**

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. 121 to 123 of 2009.

**NO. 121 OF 2009**

**THE HON C A BRUZON**

**HOUSING – UNOCCUPIED DWELLINGS**

Can Government state what their intentions are in connection with the unoccupied 47 dwellings with no work being done in them at present as stated in answer to Question No. 922 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 120, 122 and 123 of 2009.

ORAL

**NO. 122 OF 2009**

**THE HON C A BRUZON**

**HOUSING – JOBS REQUIRING 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. 120, 121 and 123 of 2009.

**NO. 123 OF 2009**

**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 now hand the hon Member a schedule containing the information requested.

**Answer to Question 123**

**Answer to Question 120**

The number of flats currently with Buildings and Works requiring refurbishment is 14.

**Answer to Question 121**

No decision has been taken.

**Answer to Question 122**

The number of jobs currently requiring the attention of Buildings and Works is 4,066.

**Answer to Question 123**

The number of tenants awaiting works/repairs by the Housing Department is 1,118.



**SUPPLEMENTARY TO QUESTION NOS. 120 TO 123 OF 2009**

**HON C A BRUZON:**

I notice that in answer to Question No. 121, in connection with the 47 dwellings which for a number of years now have had no works done in them, the answer the Government give is that no decision has been taken. Would that also be the answer given throughout this term in office, or is there likely to be a decision before the remainder of the two and a half years that they have left? Will there be an answer forthcoming, in other words?

**HON F J VINET:**

I am afraid I cannot pre-empt what decision, if any, may be taken during the course of the next two and a half years. These properties, as I think has been explained on more than one previous occasion, are all pre-war properties beyond economical repair. I am told the last estimate in order to refurbish them would cost upwards of £2 million and the Government take the view that that is money better spent elsewhere. I would not like to pre-empt. I know, for example, there have been other properties in the past that may have been put out to tender, that I suppose is a possibility in the future, but I would be entirely pre-empting what exactly happens to those properties.

**HON C A BRUZON:**

Without mentioning any names of Government tenants, of course, because that would not be proper, but there are a number of complaints that come to us concerning dampness in Varyl Begg, no salt water for two weeks in Alert House, Bado's Building being in a disgraceful state of affairs, do the Government have any answer for the people who live in these Government properties and are these outstanding jobs that are listed here, do these buildings form part, do these problems form part of those works that still remain to be done?

**HON F J VINET:**

Yes, the answer that I would give to those tenants that are awaiting works is that, thankfully, we now have a Government that takes the refurbishment of Government public housing far more seriously than used to be the case in the past. Far more money being spent on them and, if the hon Member is genuinely concerned at the rate of repairs to dwellings, he will be happy if I point out that the number of outstanding jobs currently requiring the attention of Buildings and Works has decreased, and is now at the lowest it has been since approximately one year ago.

**HON C A BRUZON:**

It has decreased slightly, it has gone down from 4,343 to 4,066 in one answer, and it has gone up from 1,042 to 1,118 in another answer. I mean, I admit that the Minister is not the man who goes with a helmet to fix these problems, but there has to be, in my opinion, a much more efficient and faster system in place because people are still having a rough time. Government tenants are having a rough time and I think

Government should take this seriously. Okay, let me not provoke an unnecessary discussion. This is an appeal from the Opposition benches, for Government to be more proactive in terms of how they solve these problems.

**HON F J VINET:**

Well, I suppose it is a matter of how one defines a slight decrease. The fact is that when I last answered this question, the hon Member lamented the fact that there had been a very slight increase of just 100 outstanding jobs. That number has now decreased by 300, which I suppose is slightly less in number than the last time.

**HON C A BRUZON:**

Taking into account the comment that the Minister has made, which I accept, one cannot argue with mathematics, figures are figures. But what troubles me, is that within those remaining numbers there are some very, very serious problems. One can have 100 outstanding jobs that are small and one can have ten that are really major. What I would urge the Government to do is to address the problems which are really major quickly, before serious accidents happen.

**HON F J VINET:**

I mean, in an ideal world there would be no outstanding jobs whatsoever, because there would be no defects to properties. But of course, that is not an ideal world. This Government devote far more resources than has ever been a case, and regrettably, there will always be a waiting list of outstanding jobs, but of course, I would prefer there not to be a waiting list at all. But that is the reality.

ORAL

**NO. 124 OF 2009**

**THE HON C A BRUZON**

**HOUSING ALLOCATION COMMITTEE**

Can Government state how many times the Housing Allocation Committee has met since the answer to Question No. 927 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The Housing Allocation Committee has met six times, the last time being just yesterday, Monday 16<sup>th</sup> March.

**NO. 125 OF 2009**

**THE HON C A BRUZON**

**HOUSING ALLOCATION COMMITTEE**

Can Government confirm whether there are any circumstances in which a housing applicant is invited to address the Housing Allocation Committee?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

No, Sir.

**SUPPLEMENTARY TO QUESTION NO. 125 OF 2009**

**HON C A BRUZON:**

Do any of the Government Ministers have any knowledge, in the past, of somebody who has spent time in Her Majesty's Prison, who has been unable to go through the procedures that a normal applicant has, to be given an opportunity to explain his or her situation, after he or she has paid their debt to society, to actually go to the Housing Allocation Committee and appeal to them for a solution to their housing problem?

**HON F J VINET:**

No, as I have just explained, applicants do not have a right of audience to the Housing Allocation Committee and, I suppose, even those individuals who are currently serving at Her Majesty's pleasure are able to write, just as those who are not.

**NO. 126 OF 2009**

**THE HON C A BRUZON**

**HOUSING TRIBUNAL**

Can Government state how many cases the Housing Tribunal:

- (a) has dealt with and completed;
- (b) is currently dealing with,

since the answer to Question No. 928 of 2008?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I am informed by the Secretary of the Housing Tribunal that since the answer to Question No. 928 of 2008, the Tribunal has dealt with and completed 15 cases and it is currently dealing with 38 cases.

ORAL

**NO. 127 OF 2009**

**THE HON C A BRUZON**

**HOUSING – UPKEEP OF TOWER BLOCKS**

Can Government state who is responsible for the upkeep, in terms of cleaning, painting etc, of the entrance areas and stairways of the two tower blocks at Glacis Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 128 and 129 of 2009.

ORAL

**NO. 128 OF 2009**

**THE HON C A BRUZON**

**HOUSING – MAINTENANCE OF LIFTS IN GLACIS ESTATE**

Can Government state what company, if any, has been contracted to carry out the maintenance of the lifts in Glacis Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 127 and 129 of 2009.

**NO. 129 OF 2009**

**THE HON C A BRUZON**

**HOUSING – LIFTS AT TOWER BLOCKS**

Can Government state what plans are in place to enable the lifts at Constitution House and Referendum House, Glacis Estate, to stop at all the floors instead of alternate floors?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

With respect to cleaning, as in all other estates and as per the tenancy agreement, this is ordinarily undertaken by the resident tenants. Buildings and Works are responsible for other tasks, such as painting.

OTIS is carrying out the maintenance of the lifts at George Jeger, Brother O'Brien, Ironside and Archbishop Amigo House. In addition, the Electricity Authority is maintaining the existing lifts at Constitution and Referendum House.

There are current plans to fit new lifts at both Constitution and Referendum House, and for these to stop at all floors, which is not currently the case, and this is part of the contract currently being executed.

**SUPPLEMENTARY TO QUESTION NOS. 127 TO 129 OF 2009**

**HON C A BRUZON:**

If I have understood the Minister correctly, the aspects of cleaning and painting of the entrance and stairways of the two tower blocks then is down to the residents themselves, is that correct? I am not talking about the area just outside their flat.

**HON F J VINET:**

Well, as I have said, the tenancy agreement, which does not differ whether one happens to live in the tower blocks or elsewhere, includes a condition that any passage, and I am quoting from the tenancy agreement, "any passage and staircase used in common with other tenants, has to be swept and maintained in a clean and free manner". So it is the responsibility of the tenants. I am aware that there have been some occasions when, perhaps, the nature of what needs to be cleaned has been such that a particular request has been made from the contractor, namely



Master Services, and when that has happened we have requested Master Services to intervene. But ordinarily, it is the responsibility of the tenants.

**HON C A BRUZON:**

Does the Minister not consider that as landlords, especially when there are many, many tenants living in the tower blocks, in the bigger buildings, that it is unreasonable to expect the tenants to take responsibility for the entrance and the stairways? Should not the Government as landlords, maybe take responsibility to do these things themselves or instruct a company to do it, rather than make it the responsibility of the tenants who may well be obliged or advised to ensure that the areas outside their own doors are kept in good condition, clean and well painted, but not necessarily the entrance and the stairways?

**HON F J VINET:**

No, there has been no change whatsoever to the established practice for many, many years, save that on occasions, now, Master Services are employed to clean when that did not use to be the case in the past.

**HON C A BRUZON:**

Now, in connection with the lifts of the tower blocks, it seems to me that the progress is extremely slow. Not because I get complaints only, but because I have seen it for myself. I have been there a couple of times since the new year and I have noticed that all the doors of one of the lifts is boarded up and the other lift is broken. So there is a situation sometimes when the lift that is being made to stop on all floors, whilst work is being done in them, obviously cannot be used and when the other lift breaks down, then there is a situation where, and particularly in the tower blocks, this is a real problem for elderly people and young mothers with buggies and babies, do the Government not consider that more speed and more urgency should be applied to the carrying out of this work? And that any repairs that have to be done, be done as quickly as possible.

**HON F J VINET:**

My understanding is that any repairs that need to be carried out are, indeed, carried out as soon as possible and the information I have before me is that one lift per block will always be in operation for the use of tenants. Which does not mean to say that they may break down for whatever reason sometime, and if and when that happens, the lift in question is repaired as soon as possible. Perhaps, in order to answer the allegation that the works are apparently too slow for the hon Member's liking, perhaps I can give some explanation as to the nature of the works. At present there are two lifts, both in Constitution House and Referendum House. Each of them stop at alternate levels, one stops at even levels, the other at odd levels. What is being carried out, is the complete replacement, not just new lifts, the complete replacement of the lift installation, inclusive of rails and other ancillary items, and, perhaps more importantly, the formation of new lift door openings in order to allow access to the lifts to every floor level. The progress so far, well, at Constitution House the formation of the opening at every floor level to one lift shaft has already been completed, and the removal of the existing lift has been accomplished and OTIS is currently, as we

speaking, installing the new lift. At Referendum House, the formation of new openings at every floor level to one of the lift shafts is now being carried out. So, the works are progressing as quickly as possible but these are the nature of the works. It is not simply a case of instructing the contractors to work more quickly. They are doing the work that needs to be done at the pace it requires to be done.

**NO. 130 OF 2009**

**THE HON S E LINARES**

**EDUCATION – CHILDREN SUSPENDED FROM SCHOOL**

Can Government state how many children were suspended in the current academic year giving a breakdown by school?

**ANSWER**

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

The number of children suspended in the current academic year is as follows:-

Bayside	-	29
Westside	-	4
St Anne's Middle	-	3
Sacred Heart Middle	-	2

**NO. 131 OF 2009**

**THE HON S E LINARES**

**EDUCATION – TEACHERS IN EMPLOYMENT**

Can Government state whether teachers who are in employment for at least a year are now being offered a contract as opposed to being on supply for a year?

**ANSWER**

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

No, Sir, no contracts exist yet.

**SUPPLEMENTARY TO QUESTION NO. 131 OF 2009**

**HON S E LINARES:**

Can the Minister state why this is not the case yet?

**HON C G BELTRAN:**

Well, there has been little progress on the matter of contracts for a number of reasons. First of all, officials in the Department of Education and Training and Human Resources Department, the two Departments who would be involved in this, have been heavily involved for almost a year, as the hon Member knows, with the TLR exercise, which has been a huge exercise, demanding a lot of time. Also, the use of contracts for some supply teachers has recently run into difficulties in some areas in the UK, and the Department would rather wait and see, as is the case with other areas in education, how the system works out in the UK. Contracts, for example, I believe in the UK, I think the same would occur here, raise expectations, for example, of permanent employment which may not be required for the long-term needs of the service, as an example of some of the problems at schools and authorities in the UK. So we would rather wait for a while and see how this goes. That is the reason.

**HON S E LINARES:**

Is it that the Minister then is saying that the contracts, because of the problems that they are having in the UK, will never see the light of day?

**HON C G BELTRAN:**

Not necessarily.

**HON S E LINARES:**

This debate happened even before the Minister was Minister for Education and with his predecessor at his Ministry, and with the Chief Minister, and this has been an on-going issue for, not only one year. I can understand that the TLR's kicked in last year. There is a question on the Order Paper about the TLR's, so I do not want the Minister to anticipate on that one. But it seems as if the year is an excuse because before that, even the Chief Minister has agreed with me the fact that these supply teachers, and he gave us a list last time of teachers who have been on supply for even four years, which is totally unacceptable. Does the Minister not agree that it is about time, and again he has stated that it is Human Resources and the Department of Education, that a normal contract be given to teachers?

**HON C G BELTRAN:**

Well it seems that a contract is not quite as normal as the hon Member would have us believe. I understand, from the people involved, that it is rather complicated. If nothing else, one of the reasons, as I have mentioned already, is that it raises expectations of full-time permanent employment, after a certain amount of time, which may not be in consonance with the needs of the service. That is not to say that there will be contracts in the future at some point.

**HON S E LINARES:**

But I would have thought that a person who is on supply for two years also has the expectation that he or she will be employed at the end of the line. So the expectation issue does not come into play. I am talking about long-term supply. I am not talking about the normal day to day supply teachers covering for those missing one day, or where there is a teacher that is missing or absent for whatever reason, two, three weeks or something like that. We are talking about a whole year, and he gave me the list last time because I asked how many teachers had been on one year's supply, two year's supply, three, and there are about five, if I remember correctly, who are still on a four year supply basis. Does the Minister not agree that that is unacceptable?

**HON C G BELTRAN:**

I agree with the sentiment of the hon Member but there are practicalities involved which has not made it possible yet.

**HON J J BOSSANO:**

Is it that these teachers do not have continuity of employment under their present terms?

**HON C G BELTRAN:**

They do not have continuity, they are supply teachers.

**HON J J BOSSANO:**

No, but I mean, if somebody is working for a year, does the employment legislation on continuity of employment not apply to him?

**HON C G BELTRAN:**

It is not a complete year, it could be.....

**HON J J BOSSANO:**

It is interrupted.

**HON C G BELTRAN:**

Exactly.

**NO. 132 OF 2009**

**THE HON S E LINARES**

**EDUCATION – JOINT COMMISSION OF COOPERATION**

Can Government state since October 2006 what action has been undertaken by the Joint Commission of Cooperation (Comision Mixta) to develop the learning of the English language and bilingualism in general at an academic level in the Campo Area?

**ANSWER**

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

No action has been undertaken by the Joint Commission of Cooperation.

**SUPPLEMENTARY TO QUESTION NO. 132 OF 2009**

**HON S E LINARES:**

Has there been any contact with them since October 2006 at all to discuss any issue?

**HON C G BELTRAN:**

No.

**NO. 133 OF 2009**

**THE HON S E LINARES**

**EDUCATION – RENT PAID**

Can Government state whether the Department of Education pay rent for any school, office, store or any other premises which they use and if so give a breakdown of premises and amount paid for each annually and the landlord of each premises?

**ANSWER**

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

The Department of Education and Training pays an annual rent of £14,000 to the Roman Catholic Church (the landlord) for the use of Sacred Heart School, and £47,726.04 per annum to the Gibraltar Commercial Property Company Limited (the landlord) for the use of the Construction Training Centre.

**SUPPLEMENTARY TO QUESTION NO. 133 OF 2009**

**HON S E LINARES:**

Can he repeat the last one as to whom it is paid?

**HON C G BELTRAN:**

To the Gibraltar Commercial Property Company Limited.



**NO. 134 OF 2009**

**THE HON S E LINARES**

**EDUCATION – TLR POSTS**

Can Government state whether all the TLR posts have now been awarded and can it provide this House with a list of posts giving a breakdown by school and title of post?

**ANSWER**

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

The TLR exercise consisting of 202 posts, some assimilated and others awarded through a selection process, was completed by December 2008. Eleven of the advertised posts were not filled for a variety of reasons. For example, no applicants for the particular post, and these vacant posts will be advertised as usual in due course.

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

Answer to Question 134 of 2009

	School	TLR Title	TLR Value
1	St Bernard's First School	Core Subject Leader English	TLR 2B
2	St Bernard's First School	Core Subject Leader Mathematics	TLR 2B
3	St Bernard's First School	Core Subject Leader Science	TLR 2B
4	St Bernard's First School	SENCo	TLR 2B
5	St Bernard's First School	Foundation Subject Leader (Humanities)	TLR 2D
6	St Bernard's First School	Foundation Subject Leader (Early Year Coordinator)	TLR 2D
7	St Mary's First School	Core Subject Leader English	TLR 2B
8	St Mary's First School	Core Subject Leader Mathematics	TLR 2B
9	St Mary's First School	Core Subject Leader Science	TLR 2B
10	St Mary's First School	SENCo	TLR 2B
11	St Mary's First School	Foundation Subject Leader (Humanities)	TLR 2D
12	St Mary's First School	Foundation Subject Leader (Early Year Coordinator)	TLR 2D
13	St Joseph's First School	Core Subject Leader English	TLR 2B
14	St Joseph's First School	Core Subject Leader Mathematics	TLR 2B
15	St Joseph's First School	Core Subject Leader Science	TLR 2B
16	St Joseph's First School	SENCo	TLR 2B
17	St Joseph's First School	Year Co-ordinator & Foundation Subject Leader (Humanities)	TLR 2C
18	St Joseph's First School	Year Co-ordinator & Foundation Subject Leader (Art & Design Technology)	TLR 2C
19	St Joseph's First School	Year Co-ordinator & Foundation Subject Leader (PE/ Movement)	TLR 2C
20	St Joseph's First School	Year Co-ordinator & Foundation Subject Leader (RE/ PSHE)	TLR 2C
21	St Joseph's First School	ICT Co-ordinator	TLR 2C
22	St Joseph's First School	Foundation Subject (Music/ Expressive Arts)	TLR 2D
23	St Joseph's First School	Early Years Co-ordinator	TLR 2D
24	St Paul's First School	Core Subject Leader English	TLR 2B
25	St Paul's First School	Core Subject Leader Mathematics	TLR 2B
26	St Paul's First School	Core Subject Leader Science	TLR 2B
27	St Paul's First School	SENCo	TLR 2B
28	St Paul's First School	Year Co-ordinator & Foundation Subject Leader (Humanities)	TLR 2C
29	St Paul's First School	Year Co-ordinator & Foundation Subject Leader (Art & Design Technology)	TLR 2C
30	St Paul's First School	Year Co-ordinator & Foundation Subject Leader (PE/ Movement)	TLR 2C
31	St Paul's First School	Year Co-ordinator & Foundation Subject Leader (RE/ PSHE)	TLR 2C
32	St Paul's First School	ICT Co-ordinator	TLR 2C
33	St Paul's First School	Foundation Subject (Music/ Expressive Arts)	TLR 2D
34	St Paul's First School	Early Years Co-ordinator	TLR 2D
35	Governor's Meadow First School	Core Subject Leader English	TLR 2B
36	Governor's Meadow First School	Core Subject Leader Mathematics	TLR 2B
37	Governor's Meadow First School	Core Subject Leader Science	TLR 2B

Contd Answer to Question 134 of 2009

38	Governor's Meadow First School	SENCo		TLR 2B
39	Governor's Meadow First School	Year Co-ordinator & Foundation Subject Leader (Humanities)		TLR 2C
40	Governor's Meadow First School	Year Co-ordinator & Foundation Subject Leader (Art & Design Technology)		TLR 2C
41	Governor's Meadow First School	Year Co-ordinator & Foundation Subject Leader (Music/ Expressive Arts)		TLR 2C
42	Governor's Meadow First School	Year Co-ordinator & Foundation Subject Leader (RE/ PSHE)		TLR 2C
43	Governor's Meadow First School	ICT Co-ordinator		TLR 2C
44	Governor's Meadow First School	Foundation Subject (PE/ Movement)		TLR 2D
45	Governor's Meadow First School	Early Years Co-ordinator		TLR 2D
46	Notre Dame First School	Core Subject Leader English		TLR 2B
47	Notre Dame First School	Core Subject Leader Mathematics		TLR 2B
48	Notre Dame First School	Core Subject Leader Science		TLR 2B
49	Notre Dame First School	SENCo		TLR 2B
50	Notre Dame First School	Year Co-ordinator & Foundation Subject Leader (Humanities)		TLR 2C
51	Notre Dame First School	Year Co-ordinator & Foundation Subject Leader (Art & Design Technology)		TLR 2C
52	Notre Dame First School	Year Co-ordinator & Foundation Subject Leader (PE/ Movement)		TLR 2C
53	Notre Dame First School	Year Co-ordinator & Foundation Subject Leader (RE/ PSHE)		TLR 2C
54	Notre Dame First School	ICT Co-ordinator		TLR 2C
55	Notre Dame First School	Foundation Subject (Music/ Expressive Arts)		TLR 2D
56	Notre Dame First School	Early Years Co-ordinator		TLR 2D
57	Hebrew Primary School	Core Subject Leader English		TLR 2B
58	Hebrew Primary School	Core Subject Leader Mathematics		TLR 2B
59	Hebrew Primary School	ICT & Foundation Subject		TLR 2C
60	St Anne's Middle School	Core Subject Leader English		TLR 2A
61	St Anne's Middle School	Core Subject Leader Mathematics		TLR 2A
62	St Anne's Middle School	Core Subject Leader Science		TLR 2A
63	St Anne's Middle School	SENCo		TLR 2B
64	St Anne's Middle School	Year Co-ordinator & Foundation Subject Leader (Spanish)		TLR 2B
65	St Anne's Middle School	Year Co-ordinator & Foundation Subject Leader (Geography)		TLR 2B
66	St Anne's Middle School	Year Co-ordinator & Foundation Subject Leader (History)		TLR 2B
67	St Anne's Middle School	Year Co-ordinator & Foundation Subject Leader (PSHE)		TLR 2B
68	St Anne's Middle School	Foundation Subject (Physical Education)		TLR 2C
69	St Anne's Middle School	Foundation Subject (ICT)		TLR 2C
70	St Anne's Middle School	Foundation Subject (Music)		TLR 2C
71	St Anne's Middle School	Foundation Subject (Religion)		TLR 2D
72	St Anne's Middle School	Foundation Subject (Design Technology)		TLR 2D
73	St Anne's Middle School	Foundation Subject (Art)		TLR 2D
74	Bishop Fitzgerald Middle School	Core Subject Leader English		TLR 2A
75	Bishop Fitzgerald Middle School	Core Subject Leader Mathematics		TLR 2A
76	Bishop Fitzgerald Middle School	Core Subject Leader Science		TLR 2A
77	Bishop Fitzgerald Middle School	SENCo		TLR 2B
78	Bishop Fitzgerald Middle School	Year Co-ordinator & Foundation Subject Leader (PSHE)		TLR 2B

Contd Answer to Question 134 of 2009

79	Bishop Fitzgerald Middle School	Year Co-ordinator & Foundation Subject Leader (Religion)	TLR 2B
80	Bishop Fitzgerald Middle School	Year Co-ordinator & Foundation Subject Leader (Art)	TLR 2B
81	Bishop Fitzgerald Middle School	Year Co-ordinator & Foundation Subject Leader (Design Technology)	TLR 2B
82	Bishop Fitzgerald Middle School	Foundation Subject (Physical Education)	TLR 2C
83	Bishop Fitzgerald Middle School	Foundation Subject (ICT)	TLR 2C
84	Bishop Fitzgerald Middle School	Foundation Subject (Music)	TLR 2C
85	Bishop Fitzgerald Middle School	Foundation Subject (Geography)	TLR 2D
86	Bishop Fitzgerald Middle School	Foundation Subject (History)	TLR 2D
87	Bishop Fitzgerald Middle School	Foundation Subject (Spanish)	TLR 2D
88	St Joseph's Middle School	Core Subject Leader English	TLR 2A
89	St Joseph's Middle School	Core Subject Leader Mathematics	TLR 2A
90	St Joseph's Middle School	Core Subject Leader Science	TLR 2A
91	St Joseph's Middle School	SENCo	TLR 2A
92	St Joseph's Middle School	Year Co-ordinator & Foundation Subject Leader (Religion)	TLR 2B
93	St Joseph's Middle School	Year Co-ordinator & Foundation Subject Leader (Geography)	TLR 2B
94	St Joseph's Middle School	Year Co-ordinator & Foundation Subject Leader (History)	TLR 2B
95	St Joseph's Middle School	Year Co-ordinator & Foundation Subject Leader (PSHE)	TLR 2B
96	St Joseph's Middle School	Foundation Subject (Physical Education)	TLR 2C
97	St Joseph's Middle School	Foundation Subject (ICT)	TLR 2C
98	St Joseph's Middle School	Foundation Subject (Music)	TLR 2C
99	St Joseph's Middle School	Foundation Subject (Spanish)	TLR 2D
100	St Joseph's Middle School	Foundation Subject (Design Technology)	TLR 2D
101	St Joseph's Middle School	Foundation Subject (Art)	TLR 2D
102	Sacred Heart Middle School	Core Subject Leader English	TLR 2B
103	Sacred Heart Middle School	Core Subject Leader Mathematics	TLR 2B
104	Sacred Heart Middle School	Core Subject Leader Science	TLR 2B
105	Sacred Heart Middle School	SENCo	TLR 2B
106	Sacred Heart Middle School	Year Co-ordinator & Foundation Subject Leader (Geography)	TLR 2C
107	Sacred Heart Middle School	Year Co-ordinator & Foundation Subject Leader (Religion)	TLR 2C
108	Sacred Heart Middle School	Year Co-ordinator & Foundation Subject Leader (PSHE)	TLR 2C
109	Sacred Heart Middle School	Year Co-ordinator & Foundation Subject Leader (History)	TLR 2C
110	Sacred Heart Middle School	ICT Coordinator	TLR 2C
111	Sacred Heart Middle School	Foundation Subject (PE)	TLR 2D
112	Sacred Heart Middle School	Foundation Subject (Spanish)	TLR 2D
113	Sacred Heart Middle School	Foundation Subject (Music)	TLR 2D
114	Sacred Heart Middle School	Foundation Subject (Art)	TLR 2D
115	Bayside Comprehensive School	Senior Teacher	TLR 1A
116	Bayside Comprehensive School	Senior Teacher	TLR 1A
117	Bayside Comprehensive School	Post 16 Coordinator	TLR 1A2
118	Bayside Comprehensive School	Head of English	TLR 1B
119	Bayside Comprehensive School	Science Coordinator	TLR 1B
120	Bayside Comprehensive School	Head of Mathematics	TLR 1B

Contd Answer to Question 134 of 2009

121	Bayside Comprehensive School	Head of Religion	TLR 1B
122	Bayside Comprehensive School	Head of Spanish	TLR 1B
123	Bayside Comprehensive School	Design & Technology Coordinator	TLR 1B
124	Bayside Comprehensive School	Head of PE	TLR 1B
125	Bayside Comprehensive School	Head of Key Stage 3 (rotate)	TLR 1B
126	Bayside Comprehensive School	Head of Key Stage 3	TLR 1B
127	Bayside Comprehensive School	Head of Key Stage 4 (rotate)	TLR 1B
128	Bayside Comprehensive School	Head of Key Stage 4	TLR 1B
129	Bayside Comprehensive School	SENCo	TLR 1B
130	Bayside Comprehensive School	Head of Modern Foreign Languages	TLR 1B
131	Bayside Comprehensive School	Head of Art	TLR 2A
132	Bayside Comprehensive School	Head of History	TLR 2A
133	Bayside Comprehensive School	Head of Geography	TLR 2A
134	Bayside Comprehensive School	Head of Dept Information & Communications Technology	TLR 2A
135	Bayside Comprehensive School	Head of Drama	TLR 2A
136	Bayside Comprehensive School	Head of Music	TLR 2A
137	Bayside Comprehensive School	Head of Physics	TLR 2A
138	Bayside Comprehensive School	Head of Chemistry	TLR 2A
139	Bayside Comprehensive School	Alternative Learning Centre Co-ordinator	TLR 2A
140	Bayside Comprehensive School	Administration & Learning Resources Co-ordinator	TLR 2A
141	Bayside Comprehensive School	Head of Social Sciences	TLR 2B
142	Bayside Comprehensive School	Head of Business Studies	TLR 2B
143	Bayside Comprehensive School	Assistant to Post-16 Co-ordinator	TLR 2B
144	Bayside Comprehensive School	Assistant to Head of English	TLR 2D
145	Bayside Comprehensive School	Assistant to Head of Mathematics	TLR 2D
146	Bayside Comprehensive School	Assistant to Head of Spanish & Modern Foreign Languages	TLR 2D
147	Bayside Comprehensive School	Assistant to Head of Art	TLR 2D
148	Bayside Comprehensive School	Assistant to SENCo	TLR 2D
149	Bayside Comprehensive School	Assistant to Science Coordinator	TLR 2D
150	Bayside Comprehensive School	Teacher in Charge of Library	TLR 2D
151	Westside Comprehensive School	Senior Teacher	TLR 1A
152	Westside Comprehensive School	Senior Teacher	TLR 1A
153	Westside Comprehensive School	Key Stage (3) Co-ordinator	TLR 1A
154	Westside Comprehensive School	Key Stage (4) Co-ordinator	TLR 1A
155	Westside Comprehensive School	Post-16 Coordinator	TLR 1A2
156	Westside Comprehensive School	Head of English	TLR 1B
157	Westside Comprehensive School	Science Coordinator	TLR 1B
158	Westside Comprehensive School	Design Coordinator	TLR 1B
159	Westside Comprehensive School	Head of Mathematics	TLR 1B
160	Westside Comprehensive School	Head of Religion	TLR 1B
161	Westside Comprehensive School	Head of Spanish	TLR 1B
162	Westside Comprehensive School	Head of PE	TLR 1B

Contd Answer to Question 134 of 2009

163	Westside Comprehensive School	SENCo	TLR 1B
164	Westside Comprehensive School	Head of Department Modern Foreign Languages	TLR 2A
165	Westside Comprehensive School	Head of Department Home Economics	TLR 2A
166	Westside Comprehensive School	Head of Department Textiles	TLR 2A
167	Westside Comprehensive School	Head of Dept Information & Communications Technology	TLR 2A
168	Westside Comprehensive School	Head of Department Drama	TLR 2A
169	Westside Comprehensive School	Head of Music	TLR 2A
170	Westside Comprehensive School	Head of History	TLR 2A
171	Westside Comprehensive School	Head of Geography	TLR 2A
172	Westside Comprehensive School	Head of Business Studies & Commercial	TLR 2A
173	Westside Comprehensive School	Head of Department Biology	TLR 2A
174	Westside Comprehensive School	Head of Department Physics	TLR 2A
175	Westside Comprehensive School	Administration & Learning Resources Co-ordinator	TLR 2A
176	Westside Comprehensive School	Head of Social Sciences	TLR 2B
177	Westside Comprehensive School	Assistant to Post 16 Coordinator	TLR 2B
178	Westside Comprehensive School	Assistant to Key Stage 3 Coordinator	TLR 2B
179	Westside Comprehensive School	Assistant to Key Stage 4 Coordinator	TLR 2B
180	Westside Comprehensive School	Assistant to Head of Mathematics	TLR 2D
181	Westside Comprehensive School	Assistant to Head of English	TLR 2D
182	Westside Comprehensive School	Assistant to Science Coordinator	TLR 2D
183	Westside Comprehensive School	Assistant to Head of Spanish and Modern Foreign languages	TLR 2D
184	Westside Comprehensive School	Assistant to Head of Art	TLR 2D
185	Westside Comprehensive School	Assistant to SENCo	TLR 2D
186	Gibraltar College	Senior Teacher (Curriculum)	TLR 1A
187	Gibraltar College	Senior Teacher (Organisation, Pastoral & Examinations)	TLR 1A
188	Gibraltar College	Student Services & Pastoral Coordinator	TLR 1B
189	Gibraltar College	IT Coordinator	TLR 1B
190	Gibraltar College	Continued Education & Professional Courses Co-ordinator	TLR 2A
191	Gibraltar College	SENCo	TLR 2A
192	Gibraltar College	Business & Social Science Coordinator	TLR 2A
193	Gibraltar College	Art & Technology Coordinator	TLR 2A
194	Gibraltar College	Assistant to Admissions & Assessment Coordinator	TLR 2B
195	Gibraltar College	Assistant to Pastoral & Careers Co-ordinator	TLR 2B
196	Gibraltar College	Assistant to Senior Teacher Curriculum	TLR 2B
197	Gibraltar College	Language Coordinator (Continued & Professional Courses Supervisor)	TLR 2B
198	Gibraltar College	Mathematics Coordinator (Art & Technical Support)	TLR 2B
199	Gibraltar College	Assistant to SENCo	TLR 2D
200	Gibraltar College	Assistant to Information Technology Co-ordinator (resources)	TLR 2D
201	Gibraltar College	Assistant to Information Technology Co-ordinator (curriculum)	TLR 2D
202	Gibraltar College	Assistant to Business & Social Sciences Co-ordinator	TLR 2D

**NO. 135 OF 2009**

**THE HON S E LINARES**

**EDUCATION – COURSES AT THE COLLEGE OF FURTHER EDUCATION**

Can Government provide a list of courses offered at the GCFE in the years 2004, 2005, 2006, 2007, 2008 and 2009 giving a breakdown by number of applicants and the number of students enrolled on each course?

**ANSWER**

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

The statistical information in respect of the number of students enrolled on courses at the College is set out in the schedule which I now hand to the hon Member.

It has never been the practice at the College to keep a record of applications made in respect of courses, therefore, they are not available. The hon Member will notice that there are no figures for 2009 because we have taken the years to mean academic years. Hence, 2004/2005, 2005/2006 and so on, 2008/2009 so 2009 would be September 2009 which is in the future.

**Answer to Question 135 of 2009*****Full-Time & P/T Student numbers  
enrolled in September***

Main Courses	Year				
	2004	2005	2006	2007	2008
GCSE Business	21	40	31	31	36
GCSE Business A Level	41	45	39	40	19
GCSE Leisure & Tourism	n/a	n/a	n/a	33	33
GCE Travel & Tourism A level	n/a	n/a	n/a	19	26
Psychology A Level	71	86	128	129	151
A A T	6	6	5	12	9
ICT DIDA Level 2	41	49	53	25	13
ICT CIDA Level 2	n/a	n/a	n/a	17	42
ICT A Level	114	108	52	91	109
Construction Level 2	14	11	12	16	19
Construction A Level	24	24	14	20	29
Spanish A Level	87	111	86	115	97
GCSE Art	n/a	10	6	2	7
Fine Art A Level	n/a	23	12	14	9
Design & Technology A Level	n/a	n/a	n/a	8	10
GCSE Maths	84	106	122	83	105
GCSE English	68	76	87	68	91
Preparatory Course Level 1	23	37	44	32	64
Part-Time Day Release (Apprentices & Technician Courses)	40	30	10	38	32
Health & Social Care	6	n/a	n/a	n/a	23
Economics A Level	2	n/a	n/a	n/a	n/a
Sociology A Level	18	9	n/a	n/a	n/a
Sports & PE A Level	n/a	15	n/a	n/a	n/a
<b>Total Full-Time Students:</b>	<b>382</b>	<b>408</b>	<b>301</b>	<b>370</b>	<b>491</b>

Please note that a student might be enrolled in more than one course



**Contd Answer to Question 135 of 2009**

**STUDENT FIGURES FOR CONTINUING EDUCATION AND PROFESSIONAL COURSES SEPTEMBER 2008**

<b>PROFESSIONAL COURSES</b>			
ASSOCIATION OF ACCOUNTING TECHNICIANS			
AAT	Foundation		44
AAT	Intermediate		31
AAT	Technician		18
<b>Total</b>			<b>93</b>
<b>CHARTERED MANAGEMENT INSTITUTE</b>			
CMI	Certificate		18
CMI	Diploma		11
<b>Total</b>			<b>29</b>
INSTITUTE OF LEGAL EXECUTIVES			
ILEX	PDL		14
<b>Total</b>			<b>14</b>
<b>PROFESSIONAL COURSES</b>			<b>Total</b>
			<b>136</b>

<b>CONTINUING EDUCATION</b>		<b>30-WEEK COURSES</b>	
ENGLISH	GCE		19
FRENCH	GCSE		6
ITALIAN	GCSE		20
SPANISH	GCSE		12
SPANISH	A LEVEL		12
MATHS	GCSE		35
ENGLISH	ESOL		38
CLAIT	LEVEL 1		10
<b>Total</b>			<b>152</b>
<b>CONTINUING EDUCATION</b>		<b>10-WEEK COURSES</b>	
INTRO TO PC	LEISURE		11
SPANISH	BEGINNERS		32
SPANISH	INTERMEDIATE		12
WOODWORK	LEISURE		5
<b>Total</b>			<b>60</b>
<b>CONTINUING EDUCATION</b>			<b>Total</b>
			<b>212</b>

<b>GRAND TOTAL</b>	<b>348</b>
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**Contd Answer to Question 135 of 2009**

**STUDENT FIGURES FOR CONTINUING EDUCATION AND PROFESSIONAL COURSES 2004 - 2005**

<b>PROFESSIONAL COURSES</b>			
<b>ASSOCIATION OF ACCOUNTING TECHNICIANS</b>			
AAT	Foundation		30
AAT	Intermediate		17
AAT	Technician		20
<b>Total</b>			<b>67</b>
<b>CHARTERED MANAGEMENT INSTITUTE</b>			
CMI	Certificate		14
CMI	Diploma		10
<b>Total</b>			<b>24</b>
<b>INSTITUTE OF LEGAL EXECUTIVES</b>			
ILEX	PDL		6
ILEX	PHDL		6
<b>Total</b>			<b>12</b>
<b>PROFESSIONAL COURSES</b>			<b>Total</b>
			<b>103</b>

<b>CONTINUING EDUCATION</b>		<b>30-WEEK COURSES</b>	
ENGLISH	GCE		14
FRENCH	GCSE		18
SPANISH	A		5
SOCIOLOGY	AS		11
SOCIOLOGY	A2		6
MATHS	GCSE		13
ENGLISH	ESOL		29
AUDIO TYPING	LEISURE		3
<b>Total</b>			<b>99</b>
<b>CONTINUING EDUCATION</b>		<b>10-WEEK COURSES</b>	
ART	LEISURE		8
SPANISH	BEGINNERS		12
SEWING	LEISURE		8
<b>Total</b>			<b>28</b>
<b>CONTINUING EDUCATION</b>			<b>Total</b>
			<b>127</b>

<b>GRAND TOTAL</b>	<b>230</b>
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**Contd Answer to Question 135 of 2009**

**STUDENT FIGURES FOR CONTINUING EDUCATION AND PROFESSIONAL COURSES 2005 – 2006**

<b>PROFESSIONAL COURSES</b>			
<b>ASSOCIATION OF ACCOUNTING TECHNICIANS</b>			
AAT	Foundation		35
AAT	Intermediate		18
AAT	Technician		15
<b>Total</b>			<b>68</b>
<b>CHARTERED MANAGEMENT INSTITUTE</b>			
CMI	Certificate		18
CMI	Diploma		5
<b>Total</b>			<b>23</b>
<b>INSTITUTE OF LEGAL EXECUTIVES</b>			
ILEX	PDL		8
ILEX	PHDL		8
<b>Total</b>			<b>16</b>
<b>PROFESSIONAL COURSES</b>			<b>Total</b>
			<b>107</b>

<b>CONTINUING EDUCATION</b>		<b>30-WEEK COURSES</b>	
ENGLISH	GCE		11
FRENCH	GCSE		5
ITALIAN	GCSE		30
SPANISH	GCSE		17
SOCIOLOGY	AS		7
MATHS	GCSE		25
ENGLISH	ESOL		23
<b>Total</b>			<b>118</b>
<b>CONTINUING EDUCATION</b>		<b>10-WEEK COURSES</b>	
ART	LEISURE		10
INTRO TO PC	LEISURE		24
MICROSOFT WORD	INTERMEDIATE		5
MICROSOFT EXCEL	INTERMEDIATE		12
FRENCH	CONVERSATION		13
SPANISH	BEGINNERS		73
SEWING	LEISURE		10
<b>Total</b>			<b>147</b>
<b>CONTINUING EDUCATION</b>			<b>Total</b>
			<b>265</b>

<b>GRAND TOTAL</b>	<b>383</b>
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**Contd Answer to Question 135 of 2009**

**STUDENT FIGURES FOR CONTINUING EDUCATION AND PROFESSIONAL COURSES 2006 – 2007**

<b>PROFESSIONAL COURSES</b>			
<b>ASSOCIATION OF ACCOUNTING TECHNICIANS</b>			
AAT	Foundation		36
AAT	Intermediate		27
AAT	Technician		17
<b>Total</b>			<b>80</b>
<b>CHARTERED MANAGEMENT INSTITUTE</b>			
CMI	Certificate		8
CMI	Diploma		12
<b>Total</b>			<b>20</b>
<b>INSTITUTE OF LEGAL EXECUTIVES</b>			
ILEX	PDL		8
ILEX	PHDL		n/a
<b>Total</b>			<b>8</b>
<b>PROFESSIONAL COURSES</b>			<b>Total</b>
			<b>108</b>

<b>CONTINUING EDUCATION</b>		<b>30-WEEK COURSES</b>	
ENGLISH	GCE		9
FRENCH	GCSE		8
ITALIAN	GCSE		20
SPANISH	GCSE		12
SPANISH	A		10
MATHS	GCSE		25
ENGLISH	ESOL		36
<b>Total</b>			<b>120</b>
<b>CONTINUING EDUCATION</b>		<b>10-WEEK COURSES</b>	
ART	LEISURE		5
INTRO TO PC	LEISURE		32
MICROSOFT WORD	INTERMEDIATE		7
ITALIAN	CONVERSATION		14
SPANISH	BEGINNERS		34
SEWING	LEISURE		7
WOODWORK	LEISURE		9
<b>Total</b>			<b>108</b>
<b>CONTINUING EDUCATION</b>			<b>Total</b>
			<b>228</b>

<b>GRAND TOTAL</b>	<b>348</b>
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**STUDENT FIGURES FOR CONTINUING EDUCATION AND PROFESSIONAL COURSES 2007 – 2008**

<b>PROFESSIONAL COURSES</b>			
<b>ASSOCIATION OF ACCOUNTING TECHNICIANS</b>			
AAT	Foundation		36
AAT	Intermediate		27
AAT	Technician		19
<b>Total</b>			<b>82</b>
<b>CHARTERED MANAGEMENT INSTITUTE</b>			
CMI	Certificate		11
CMI	Diploma		9
<b>Total</b>			<b>20</b>
<b>INSTITUTE OF LEGAL EXECUTIVES</b>			
ILEX	PDL		n/a
ILEX	PHDL		n/a
<b>Total</b>			<b>0</b>
<b>PROFESSIONAL COURSES</b>			<b>Total</b>
			<b>102</b>

<b>CONTINUING EDUCATION</b>		<b>30-WEEK COURSES</b>	
ENGLISH	GCE		18
FRENCH	GCSE		17
ITALIAN	GCSE		14
SPANISH	GCSE		16
SPANISH	A		10
MATHS	GCSE		17
ENGLISH	ESOL		20
<b>Total</b>			<b>112</b>
<b>CONTINUING EDUCATION</b>		<b>10-WEEK COURSES</b>	
ART	LEISURE		8
INTRO TO PC	LEISURE		27
ITALIAN	CONVERSATION		9
FRENCH	CONVERSATION		12
SPANISH	BEGINNERS		80
SPANISH	INTERMEDIATE		20
SEWING	LEISURE		5
WOODWORK	LEISURE		5
GERMAN	LEISURE		7
JAPANESE	LEISURE		5
<b>Total</b>			<b>178</b>
<b>CONTINUING EDUCATION</b>			<b>Total</b>
			<b>290</b>

<b>GRAND TOTAL</b>	<b>392</b>
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ORAL

**NO. 136 OF 2009**

**THE HON S E LINARES**

**EDUCATION – ST BERNARD’S SCHOOL**

Can Government state if they are satisfied with the condition of St Bernard's School?

**ANSWER**

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

Answered together with Question Nos. 137 and 138 of 2009.

**NO. 137 OF 2009**

**THE HON S E LINARES**

**EDUCATION – ST BERNARD’S SCHOOL**

Can Government state what minor works, maintenance works or purchase of any equipment or furniture, have taken place at St Bernard's School since the 16<sup>th</sup> December 2008 and what was the cost for each item?

**ANSWER**

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

Answered together with Question Nos. 136 and 138 of 2009.

**NO. 138 OF 2009**

**THE HON S E LINARES**

**EDUCATION – VISITS TO SCHOOLS BY MINISTER AND OFFICIALS**

Can Government state how many times the Minister for Education and officials from the department have visited St Bernard's School since he was elected in 2007 to the 16<sup>th</sup> December 2008 and then subsequently after this date giving the dates of each visit and the official or officials involved?

**ANSWER**

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

In respect of Question No. 136 the answer is yes, an emphatic yes.

Question No. 137, in respect of St Bernard's First School, since the 16<sup>th</sup> December 2008 no further items of furniture have been purchased by the school, since the amount available to that school had already been spent in its entirety. An order of books and equipment worth £1,486.56 and also running expenses in respect of consumable goods, photocopying paper, copier ink and so on, worth £629 were also spent since 16<sup>th</sup> December 2008.

No minor works have been carried out since 16<sup>th</sup> December 2008 but scheduled maintenance and repairs carried out after 16<sup>th</sup> December 2008, are shown in the schedule which I have made available to the hon Member.

In respect of Question No. 138, the statistical information requested in respect of the times the Minister for Education and Training and officials from the Department have visited St Bernard's School, are set out in the schedule which I have made available to the hon Member.



### **Answer to Question 138 of 2009**

### **Answer to Question 137**

Repairs to door leading from ground floor to playground £45.00  
Repair to children's toilet ceiling £688.64  
Partial resurfacing of playground £473.51  
Repairs to ICT room, library and hall cupboards £1,252.91  
Repairs to door handle £55.00  
Re-fitting of loose display board £65.00  
Replace meter cover £470.53  
Repairs to door £75.00

### **Answer to Question 138**

Apart from attending school functions such as Sports Day and the Christmas Concert, the following are the dates the Minister for Education and officials from the Department of Education visited St Bernard's School premises:-

**Minister for Education & Training** - 12 February 2009

**Director of Education & Training** - 27 June 2008  
12 February 2009

#### **Advisers:**

18 October 2007, 8 November 2007, 15 November 2007, 22 November 2007, 29 November 2007, 6 December 2007, 17 December 2007, 20 December 2007

31 January 2008, 4 February 2008, 13 February 2008, 26 February 2008, 5 March 2008, 26 March 2008, 10 April 2008, 11 April 2008, 17 April 2008, 18 April 2008, 14 May 2008, 4 June 2008, 17 September 2008, 1 October 2008, 17 October 2008, 7 November 2008, 20 November 2008, 27 November 2008, 16 December 2008

16 January 2009, 26 January 2009, 30 January 2009, 13 February 2009, 20 February 2009, 25 February 2009, 27 February 2009

#### **Psychological Service**

7 November 2007, 21 November 2007

14 January 2008, 30 January 2008, 4 February 2008, 5 February 2008, 20 February 2008, 21 April 2008, 16 May 2008, 20 June 2008, 26 June 2008, 26 September 2008, 10 October 2008, 7 November 2008, 28 November 2008.

## **SUPPLEMENTARY TO QUESTION NOS. 136 TO 138 OF 2009**

**HON S E LINARES:**

In relation to Question No. 136 where the Minister said an emphatic yes, is he aware that his predecessor said an emphatic no, and it was to do with the logistics. It was not to do with the actual running of the school on a day to day basis, but the fact of the position of the school, where the school is. Not only that, this Government have said that they want to relocate. If he is emphatically so happy about this place why is he going to relocate it anyway?

**HON C G BELTRAN:**

St Bernard's First School is an old building, we all agree to that. But it is not true that it is kept in what the hon Member described in public on 16<sup>th</sup> December, and which went down so badly in the school as a whole that I had calls from individual teachers and the headteacher, to say that we should be doing something about answering that to the hon Member, and we did publicly. I dare say I would have done it without them urging me to do it. Because it is an old building, it is not true, nevertheless, that it is kept in a sub-standard condition, as the hon Member said, that children are taught in sub-standard conditions. An old building is not necessarily in sub-standard condition. Age is not necessarily related to the state of a building at a particular moment in time. I remind the House that over £83,000 or £86,000 have been spent over the last two or three years, in making sure that the building is not in any kind of shape or form in a sub-standard condition. This is a distinction that the hon Member either cannot make or is not willing to make, in order to perhaps score political points. But it is not a school, a sub-standard school, where children are taught in sub-standard conditions. The staff there are extremely sensitive to that kind of name-calling, particularly when it is not true. I have been there recently, February, I visited the school. I have been in contact with the school for Christmas concerts this December, for Sports Day, I was there. The Director of Education has been there personally on two occasions over the last two years. My advisory staff, including the psychological service, have been there on numerous occasions over the last couple of years, forty or fifty times by each service. Precisely to ensure that this school, despite being in an old building, cannot be described by anybody, including the hon Opposition Member, as a school where children are taught in sub-standard conditions. The sooner the hon Member rethinks his descriptions of that school, the better the staff there will look upon him.

**HON S E LINARES:**

Thank you for the advice as to how I should treat the staff or how I should phrase my press releases or whatever. The Minister knows full well what I meant by sub-standard. When he says that I use this for political reasons, he is completely wrong because he stirred up the political issue here. He has gone round to his staff, he has gone round to the school, trying to make believe that I am now criticising the staff, the way they teach, the conditions. What I have said in the political broadcast, and he knows that I am right, are things that were agreed by his predecessor. Dr Bernard Linares agreed that that school is a small school, it has got a small playground, there are small classrooms, and that is what is meant by sub-standard conditions. XXXXXXXXXX at me about having a small playground, and logistically where it is situated, where children have to come out into the main road, all these issues is what

I meant by sub-standard. He knows that, because what I did not want to do and what he has done in terms of political opportunism, is to stir up the staff against me, when all I was doing was flagging what his predecessor used to say about that school. If that is not the case, then why, if he is so happy about the place and the school, and that it is not sub-standard, why is he relocating the school?

**HON C G BELTRAN:**

The school will be relocated, it is one of Government's projects, and Government will do this when they are ready to do so. Now, the hon Member says that he did not mean what he said. I shall quote from the article that he wrote in Panorama. "We have a Government", and I quote the hon Member Steven Linares, "we have a Government that ignores the needs of real people. They are more interested in building an unnecessary air terminal", if that is not politics, comparing St Bernard's with, "an unnecessary air terminal at the huge cost of £50 million", that is not politics, that is the interests of children, "than to spend money on relocating St Bernard's School where children are being taught in sub-standard conditions."

**HON S E LINARES:**

That is in the interests of children.

**HON C G BELTRAN:**

Now, as a former member of the teaching profession and president of the Gibraltar Teachers Association, he should be aware of the sensitivities of teachers, particularly those who teach in an old building such as that at St Bernard's. To publicly state that children, where children are being taught in sub-standard conditions due to the age of the building.....

**HON S E LINARES:**

Exactly.

**HON C G BELTRAN:**

Well, I have been there and the classrooms are huge, because the pupil/teacher ratio is not a high one. That is another aspect of education that we can be very proud of. Teacher/pupil ratios are well below that of the United Kingdom, for example. So, in that context, of an old school with large classrooms, very well aired classrooms, a school that the teachers are proud to teach in, and the hon Member comes out and says publicly that that is a school where children are taught in sub-standard conditions. Well, that is not a fact, that is not true.

**HON S E LINARES:**

It is the staff who have agreed, and some of them have come to me to agree, at the fact.

*[Interruption]*

**HON S E LINARES:**

Yes, yes, true, like he has gone to stir up the staff. They have come to me, I have not gone..... He is the Minister, he can go there and visit the school. He does not allow me to visit any school, by the way. I am banned from all schools, so that the public will know that if I go near a school.....

**HON C G BELTRAN:**

Point of Order. The hon Member has never, ever asked me to visit a school.

**HON S E LINARES:**

I asked his predecessor and he denied me.....

**HON C G BELTRAN:**

Well, that is not me. But if that is going to be his attitude when he visits schools, I dare say that I can say now that I will not allow him to enter schools.

**HON S E LINARES:**

It just goes to show the attitude of the Minister on education, when somebody is trying to help.....

**HON C G BELTRAN:**

I stand up for my teachers.

**MR SPEAKER:**

Order, Order.

**HON C G BELTRAN:**

I am standing up for my teachers, that is all I am doing.

**HON S E LINARES:**

They are not his, they belong to the society we live in.

**NO. 139 OF 2009**

**THE HON J J BOSSANO**

**EDUCATION – UNIVERSITY GRANTS FOR NON-ENTITLED CHILDREN**

Can Government state whether non-entitled children are eligible to apply for a Government grant to continue their education at university level if they are resident in Gibraltar at the time of their application?

**ANSWER**

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

Mr Speaker, thank you for order, peace amongst us. Under the Education and Training Act, a child who is resident cannot be non-entitled, as entitlement comes about through being ordinarily resident. So a child who is resident is entitled.

**NO. 140 OF 2009**

**THE HON J J BOSSANO**

**EDUCATION – SECONDARY EDUCATION FOR NON-ENTITLED CHILDREN**

Can Government state whether non-entitled children can continue in secondary education beyond the age of 15?

**ANSWER**

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

Non-entitled fee-paying children in the system, can continue in secondary education beyond the age of 15.

**SUPPLEMENTARY TO QUESTION NO. 140 OF 2009**

**HON J J BOSSANO:**

These are, in the light of the previous answer, people who reside across the border and come in to be educated in Gibraltar, is that correct?

**HON C G BELTRAN:**

They certainly are not deemed to be ordinarily resident in Gibraltar, therefore they are fee-paying.

**HON J J BOSSANO:**

Is it that there are people who are resident that are not ordinarily resident, or is there no particular reason for the use of the word “ordinarily”?

**HON C G BELTRAN:**

Those are the words used in the Act.

**HON J J BOSSANO:**

So, therefore, that is also the word applicable to the answer to the previous question, is that correct?

**HON C G BELTRAN:**

Well, I think that in respect of eligibility to attend school without paying fees, I think that somewhere in the law there is definition of “ordinarily resident”, which is that certainly the child and the parent must not have been away from Gibraltar for more than, I am speaking from memory, I think more than three months all told. I have some information but I am not sure it is here now. No. “Where a natural or adoptive parent of a child”, this is the Education and Training Act, for the hon Member’s information, Part 12 I think it is section 73(2)(b), subsection (b), “where a natural or adoptive parent of a child, being a person to whom any of paragraphs 1 to 4 of subsection (2) applies, has in any year resided outside Gibraltar for any period or periods exceeding in the aggregate three months, it shall be presumed until the contrary is proved by that parent, that he is not ordinarily resident in Gibraltar during that year.” So there is a definition of “ordinarily resident” as I have just read out.

**HON J J BOSSANO:**

Right. My supplementary was, given that he did not use “ordinarily” when he answered Question No. 139 as regards the right to a grant to continue their education at university, is there a different criteria for one or the other?

**HON C G BELTRAN:**

I am not sure about that, because whilst this is very specific, I am not sure that the other one is as specific.

**HON J J BOSSANO:**

So, perhaps he can find out and let me know. If it is not the same it would mean that somebody who was fee-paying as a non-entitled for the reason that he did not meet the “ordinarily resident” criteria, might meet the resident criteria when it came to a scholarship then?

**HON C G BELTRAN:**

Not necessarily, because I am not sure as I stand here now, of the exact details but I seem to remember that the advert for scholarships does make a provision as to what is meant by “resident”. The person must have been in Gibraltar for a particular amount of time. I cannot remember now and I would not like to make a statement in that respect. It is different.

**MR SPEAKER:**

I think if the Minister would care to look at his answer to Question No. 139, the word “ordinarily” does appear there in my copy.

**HON C G BELTRAN:**

Yes, but the question is whether there is a definition more specific as to what resident means. For scholarships as opposed to being in school, they are two different things.



ORAL

**NO. 141 OF 2009**

**THE HON J J BOSSANO**

**EDUCATION – NON-ENTITLED CHILDREN IN SCHOOLS**

Can Government state how many children that are not entitled to free education are currently in schools and provide a breakdown of the age groups?

**ANSWER**

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

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

**Answer to Question 141 of 2009**

The following are the number of fee-paying children not entitled to free education, currently in schools, by age groups:-

<b>YEAR GROUP</b>	<b>NO. OF CHILDREN</b>
Reception (4yrs+)	2
Year 1 (5yrs+)	2
Year 2 (6yrs+)	2
Year 3 (7yrs+)	-
Year 4 (8yrs+)	2
Year 5 (9yrs+)	-
Year 6 (10yrs+)	1
Year 7 (11yrs+)	2
Year 8 (12yrs+)	3
Year 9 (13yrs+)	2
Year 10 (14yrs+)	5
Year 11 (15yrs+)	1
Year 12 (16yrs+)	2
Year 13 (17yrs+)	1
<b>TOTAL</b>	<b>25</b>

**NO. 142 OF 2009**

**THE HON J J BOSSANO**

**EDUCATION – CHILDREN LEAVING SCHOOL AT 15**

Can Government state how many children left school at age 15 in 2008, giving a breakdown by gender?

**ANSWER**

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

A total of 25 girls and 15 boys left school at the age of 15 in 2008.

**SUPPLEMENTARY TO QUESTION NO. 142 OF 2009**

**HON J J BOSSANO:**

Would the Minister know what percentage this was of the respective age group in each of those, or not?

**HON C G BELTRAN:**

Very roughly, an academic year would be around, in Bayside or Westside, would be around 200 each.

ORAL

**NO. 143 OF 2009**

**THE HON S E LINARES**

**OESCO – INSULATION**

Can Government state whether the insulation of the OESCO power plant will cost the monies originally estimated?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 144 of 2009.

**NO. 144 OF 2009**

**THE HON F R PICARDO**

**OESCO – SOUND ATTENUATION**

Have the works for the sound attenuation to the building presently housing the OESCO power station now been completed?

**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 originally programmed for completion in late March 2009. This date has however been revised to May 2009, as a result of delays arising from inclement weather over the past few months. The main element of the works involves re-roofing the building, and this operation was and continues to be severely affected by the weather.

At present it is not possible to be conclusive on the total cost of the project until the works are completed and the final account agreed. It is, however, anticipated that there will be an increase of the order of £55,000 to the original contract sum of £1,216,593.14.

**NO. 145 OF 2009**

**THE HON S E LINARES**

**CEMETERY – WORKS**

Can Government state whether all works have now been completed at the cemetery?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 146 to 150 of 2009.

ORAL

**NO. 146 OF 2009**

**THE HON S E LINARES**

**CEMETERY BOARD**

Can Government state how many times has the Cemetery Board met in the years 2007, 2008, 2009 to date?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 145 and 147 to 150 of 2009.

**NO. 147 OF 2009**

**THE HON S E LINARES**

**CEMETERY BOARD**

Can Government state who are the current members of the Cemetery Board?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 145, 146 and 148 to 150 of 2009.



**NO. 148 OF 2009**

**THE HON S E LINARES**

**CEMETERY BOARD**

Can Government state what are the terms of reference of the Cemetery Board?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 145 to 147, 149 and 150 of 2009.

ORAL

**NO. 149 OF 2009**

**THE HON S E LINARES**

**CEMETERY – COMPLAINTS RECEIVED**

Can Government state how many complaints have been received by the Superintendent of the Cemetery either directly to him or via the Cemetery Board?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 145 to 148 and 150 of 2009.

**NO. 150 OF 2009**

**THE HON S E LINARES**

**CEMETERY – REVENUE COLLECTED**

Can Government state how much was collected in revenue from the cemetery from the year 2000 to date giving a breakdown by year?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

There are currently no major works pending at the cemetery.

The term of office of the last Board of Visitors to the Cemetery expired on 31 October 2002 and a new Board was not appointed. A revision of the Cemetery Act is taking place and the Government decided that on introduction of this new Act, the Board of Visitors to the Cemetery would be repealed. The appointment of a new Board of Visitors was consequently not pursued.

There was no logging system in place regarding complaints about the cemetery, but the current practice was that the Superintendent of the Cemetery dealt with such complaints on an immediate, or as soon as practicable basis. A logging system has now been put into place.

The statistical information in respect of cemetery revenue is contained in the schedule that I will now hand over to the hon Member.

**Answer to Question 150**

**Table of Cemetery revenue:**

<b>Financial Year</b>	<b>Fee Collected (k)</b>
2000/2001	<b>£14,724</b>
2001/2002	<b>£14,779</b>
2002/2003	<b>£13,981</b>
2003/2004	<b>£12,827</b>
2004/2005	<b>£15,074</b>
2005/2006	<b>£13,965</b>
2006/2007	<b>£12,654</b>
2007/2008	<b>£12,363</b>
2008 to end of Jan 2009	<b>£11,032</b>
<b>Total</b>	<b>£121,399</b>

**SUPPLEMENTARY TO QUESTION NOS. 145 TO 150 OF 2009**

**HON S E LINARES:**

Whilst the schedule comes through, he says that there are no other works to be done in the cemetery. Is the Minister satisfied that all the works have already been done and how the cemetery looks currently?

**HON LT-COL E M BRITTO:**

To the first part of the question, I think I have already answered it quite clearly in the first answer. The second question, there is always room for improvement at the cemetery.

**NO. 151 OF 2009**

**THE HON F R PICARDO**

**ENVIRONMENT – AIR QUALITY**

What action if any have Government taken to reduce PM<sub>10s</sub> in the air in Gibraltar since the news that the EU Commission is taking infraction proceedings against the UK in part as a result of the air quality in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 152 of 2009.

**NO. 152 OF 2009**

**THE HON F R PICARDO**

**ENVIRONMENT – INFRACTIONS RE AIR QUALITY**

What are the exact terms of the infraction proceedings being brought against the United Kingdom by the European Commission in part as a result of the excess of PM<sub>10s</sub> in the air in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

An article 226 infraction was raised by the Commission in 2008 against the UK because various zones exceeded in 2006 the annual PM<sub>10</sub> limit. Six zones were highlighted by the Commission, where exceedences had been reported. Five zones relate to UK and one to Gibraltar.

In 2006 Gibraltar had 60PM<sub>10</sub> exceedences of the daily mean limit value of 50 $\mu$ gm<sup>-3</sup> (microgrammes per cubic metre) of which no more than 35 exceedences are permissible. These were communicated as required to the European Commission in September 2007. Natural events, such as Saharan dust storms, can give rise to PM<sub>10</sub> events. The European Commission allows exceedences, which are caused by such events, to be deducted from the annual total. In 2008, after obtaining Spanish data for 2006 on their natural dust occurrences, that is, African dust intrusion events, the number of our exceedences was adjusted from 60 to just 32 exceedences. This meant that we were in compliance with the daily limit value. This was communicated to the European Commission in September 2008. The article 226 infraction had been raised a short time before.

Through on-going discussions with the Environmental Agency and their UK consultants AEA Energy and Environment, the Government are devising a system that will enable it to carry out a more accurate characterisation of the PM<sub>10</sub> within Gibraltar. If and when this is implemented, we will be able to deduct natural particulate matter, such as Saharan dust and sea salt, that can affect readings.

**SUPPLEMENTARY TO QUESTION NOS. 151 AND 152 OF 2009**

**HON F R PICARDO:**

Will the Minister agree to provide the Opposition, in confidence if necessary, with a copy of the infraction proceedings letter? The pre-action proceedings letter.

**HON LT-COL E M BRITTO:**

I have attempted to obtain a copy for myself, to have available at this meeting, and so far I have not succeeded. So I cannot on my feet answer the question until I see what is involved. But on the face of it, off the top of my head, I cannot see any reason why this could not be made available to the hon Member.

**HON F R PICARDO:**

Is it that the document is not available in Gibraltar, it is still with the UK?

**HON LT-COL E M BRITTO:**

I am not sure, to be honest I did not give it a lot of priority. I asked for a number of things in support for supplementaries for this question, and this was just one of them. I realised earlier on today, when I was looking through the papers, that it was not here. I asked and I was told that somebody was away on sick leave, ill, so I am not sure whether it is available locally or whether it is not. But I would assume that it should not be difficult to obtain.

**HON F R PICARDO:**

With respect to the Minister, this obviously is a very serious matter. We agree whether or not it is as a result of an inability to calculate appropriately which exceedences are allowable or not. But it is obviously very serious because it could end up with Gibraltar via UK being hauled before the Court. Is this not the type of document that would be brought to his attention immediately that it is served? Or that news about it reaches his department?

**HON LT-COL E M BRITTO:**

Not the document itself, because infraction proceedings are handled through No. 6 and through the legal people. My Ministry would be made aware of the causes of the infraction proceedings, and in this case, what actions can be taken. These actions are as described in the main answer to the question.

**HON F R PICARDO:**

In answer to Question No. 657 of 2005, the Minister's predecessor told this House that, let me get his exact words so that I am not accused of the many things that I am accused of, mischaracterising another Member's words. That PM<sub>10</sub> readings were well below the threshold in terms of the legislation, and that there is no source of concern, either to him, to me or the rest of the community. Can the Minister give the community that assurance now or is he not able to do so?

**HON LT-COL E M BRITTO:**

Before I do that, can the hon Member repeat the question number and who the Minister was.



**HON F R PICARDO:**

Yes, it is Question No. 657 of 2005, the Hon Mr Netto was then Minister. We were having a debate about the PM<sub>10s</sub> in the atmosphere, he gave that assurance and then, at the end of our discussion in those supplementaries, he said this, I already said that the advice given to me by the experts, which is not us, are telling me that the actual readings as the air demonstrates are well below the values. The thresholds to which we should be concerned, to the extent that the hon Member happens to be. I can assure, him I assume, that from the information given to me, that he should be able to sleep at night without getting too concerned about it. Can he give us the same assurance?

**HON LT-COL E M BRITTO:**

I think the situation has changed slightly since my hon Colleague gave that answer. I have no information in front of me to make me sleep uneasily, or to believe that his assurances then were any different to the assurances that I can give now. But what I am certainly aware, and I am not sure whether he would have been aware then, because this is before these infraction proceedings were put into place, that PM<sub>10</sub> is influenced by quite a number of factors, and he may have been referring to readings from the Bleak House station, for example. But, as I indicated, Saharan dust can make a difference, or ships passing through the Straits can make a difference. We had one particular incident where there was a sharp increase in PM<sub>10</sub> detected in the air, from the Rosia Road monitoring station, and it turned out to be that there were works happening just below, on the road, along what used to be the dockyard. So, there is no evidence to show that we should be worried, but we are putting into place, or we are planning to put into place and looking on how to put into place, measures to distinguish between alarming readings, like appear to be in what I have given the hon Member, about sharp rising exceedences, and then we find that they are happening by things like normal dust coming in, blown in from Africa, or the effect of ships. So, the short answer is, until we are better placed, this is what we are attempting to put in now, to have the plans and programmes to study those figures and then submit to the Commission the evidence for the actual figures that we have given of exceedences to be reduced, then we will be in a much better position than we are now.

**HON F R PICARDO:**

I am grateful for that answer. But he will know, from being in this House when I have debated these issues with his hon Colleague, Mr Netto, that the reason for spikes in the monitoring stations has often been referred to as the traffic at different times of the day, in the areas where the air quality monitoring stations which are the areas where this data is collected, actually occur. Those are not, in my mind, exceedences that we should consider allowable. They are actual daily events for which we have to account, are those the sort of things that are excusable in the Minister's understanding or not?

**HON LT-COL E M BRITTO:**

No, factors like spikes due to traffic at rush hours are a matter for Gibraltar to control. What is allowed to be reduced in the number of exceedences are things like the ones I mentioned, shipping travelling through the Strait or visiting the Bay of Gibraltar.

Examination of temporary construction activity, for example, the natural events such as the Saharan dust, which is quite a contributor. The amount of salt content in the air due to weather conditions. Those are the sort of things that are allowed for deduction.

**HON F R PICARDO:**

Does the Minister have with him, the list of those exceedences, I hope I am getting the lexicon of this right, which are not allowable? In other words, I think it was 32 which were, in other words, the ones which Gibraltar needs to control, so that we could assess what it is that those relate to.

**HON LT-COL E M BRITTO:**

The actual figure is 35 not 32. We may be at cross purposes here, for the sake of clarity and to make sure we are all understanding ourselves. Every time there is an event, be it a spike in traffic, be it a bunkering operation and be it the number of ships passing through the Straits, if the level arises above a certain level that is an exceedence, and it is measured as such. So we have a simple, mathematical count. The number of exceedences are not sub-divided into the amount of the exceedences, if I am explaining myself correctly. It is just a straightforward number. So in 2006, as I said, we logged sixty exceedences. Now, sixty exceedences beyond the 35 permissible threshold. But when we were able to obtain.....

**HON F R PICARDO:**

On the numbers, 25 beyond the 35 not 60, that would make it 95.

**HON LT-COL E M BRITTO:**

Yes, I think we are at cross purposes, we are saying the same thing. Sixty logged beyond the threshold of 35.

**HON F R PICARDO:**

So 25 beyond.

**HON LT-COL E M BRITTO:**

Twenty-five excess of exceedences. Yes, we understand each other. But when we obtained the Saharan dust data, and only that data, we were able to reduce it below the 35 threshold to 32. We are currently attempting to work on subsequent years.

**HON F R PICARDO:**

That is the question I am asking about. Those 32, which are the ones that remain, so to speak, are the ones not excusable, if we can use that, by reference to factors

external to Gibraltar, not excusable by factors external to Gibraltar. What are those 32, are they 32 spikes of traffic incidences or not?

**HON LT-COL E M BRITTO:**

For a start they are not identified as such. They are spikes on a graph, or on a dial, or on an electronic monitoring system. No, I may be wrong, I retract that, because otherwise we would not know what the others were xxxxxx. So that answer must be wrong. I do not know the answer to that. But what it does not follow his assumption that the 32 that remain are all due to locally induced factors, because at the moment, all that we have investigated is Saharan dust. But we know that there are other factors that can contribute, like sea salt, like ships passing through the Straits, et cetera. That is what we are now looking at, on how to put into place, so that Saharan dust, which we cannot identify ourselves but we had to rely on Spanish data to do so, simply because of our size and nothing else. We need to look at monitoring stations further away than just the size of Gibraltar. But the other factors and if the hon Member will bear with me, we are now into technical areas, the other factors are in the plans and programmes that we are looking at on how to set up to identify causes other than Saharan dust.

**HON F R PICARDO:**

Given, I think, the broad agreement across the floor that this is something which is pressing, not just from the point of view of protecting Gibraltar from unfair proceedings in the Court of Justice, unfair comment in national newspapers in the United Kingdom, who do not understand the ratios that apply to us, and the Minister will know very recently made a very unfair comment, what is the timetable for putting in place all of that extra machinery to ensure that we are able to work out these issues for ourselves?

**HON LT-COL E M BRITTO:**

It is work in progress, but I cannot give him a date by which it will come into place, because at the moment we are trying to establish what needs to be put into place and how, and at what cost and so on. So, I may be able to have more information for the next Question Time, but certainly at this stage, I can certainly say we are looking at it and looking at it as a matter of priority, especially in view of the infraction proceedings, but also for the reasons that the hon Member has been saying.

**HON F R PICARDO:**

The purposes of following this up in the manner that is comprehensible to all of us, can he identify perhaps in a phrase, what it is that equipment is, so that if I follow it up in a question next time, we all know what it is that we are talking about. Is there a particular phrase that we should be looking at, or just the increased equipment for the air monitoring stations, perhaps, is all that we can refer to at the moment?

**HON LT-COL E M BRITTO:**

Equipment required to undertake studies. We are talking about serious things, we are talking about more than....., it is not one magic piece of equipment, it is several areas, several sources and I am now out of my depth on this. I think, it is really plans and programmes to reduce the number of exceedences to a level that applies directly to Gibraltar. Of course, there are some factors and not to external causes and factors. I find it difficult to summarise it for him in fewer words.

**HON F R PICARDO:**

I appreciate that. It is not of PM<sub>10</sub>, it is always PM<sub>10</sub> is it?

**HON LT-COL E M BRITTO:**

I think it is PM<sub>10</sub> and it could be PM<sub>22.5</sub> as well. But the infraction proceedings are in respect of PM<sub>10</sub> only, so let us concentrate on PM<sub>10</sub>.

**NO. 153 OF 2009**

**THE HON F R PICARDO**

**APES**

What is the present number of Barbary Macaques and of those how many are aged less than one year?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

There are currently 201 macaques, of which approximately 37 are of less than one year of age.

**SUPPLEMENTARY TO QUESTION NO. 153 OF 2009**

**HON F R PICARDO:**

Given the number provided by the Minister, will he now confirm that, in fact, in the order of 40 Barbary macaques have been killed, to use perhaps a less emotionally loaded term, in the past six months since we had our debate in the House on this issue?

**HON LT-COL E M BRITTO:**

I would suggest that the supplementary is out of order in relation to the main question, but whether Mr Speaker rules whether it is or is not, I have nothing to add to the answer I have already given.

**MR SPEAKER:**

It deals with the number, so it is not totally unrelated, but he has the answer.

ORAL

**NO. 154 OF 2009**

**THE HON F R PICARDO**

**RUBBISH DUMP AT FOOT OF CASTLE STEPS**

Is Government doing anything at all about relocating the rubbish dump at the foot of Castle Steps, opposite the entrance to St Bernard's School?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 155 of 2009.

**NO. 155 OF 2009**

**THE HON F R PICARDO**

**RUBBISH DUMPS AT TANKERVILLE AND TANK RAMP**

What progress has been made in respect of the plans for the relocation of the rubbish dumps at Tankerville and Tank Ramp?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The facility at Castle Steps referred to by the hon Member opposite, was a refuse holding facility created by the GSLP when in administration. Its location was ill-conceived and, because it is close to one particular residence, has led to many complaints from the occupiers of that property. Government have been considering possible relocation options for some time.....

**HON J J BOSSANO:**

Twelve years.

**HON LT-COL E M BRITTO:**

Well, maybe they should not have put it there in the first place, and we would not be needing to reconsider. Government have been considering possible relocation options for some time, to put right the mistakes of the GSLP, but no alternative location has been identified where it can be guaranteed that no new grievances will arise in the future concerning other residents of the area.

The Government are currently creating a new refuse holding facility behind the Plater Youth Club, to re-provide for yet another inadequate facility provided by the GSLP administration for Tankerville and Tank Ramp. Once this is completed, it may be possible to cater for all residents of this area, including those currently using the facility referred to by the hon Member in Question No. 154. However, to guarantee adequate capacity at this new facility, the design specifications, which have already been completed, will have to be substantially enlarged with consequent loss of parking spaces in this area.

The Government are considering the situation and no final policy decision has yet been made.

**SUPPLEMENTARY TO QUESTION NOS. 154 AND 155 OF 2009**

**HON F R PICARDO:**

Given the very political and partisan tenor of the Minister's answer, can he tell us why it is that it has taken his party twelve years to think about where to relocate the facility, and that they yet have not come up with any suggestion in respect of Question No. 154?

**HON LT-COL E M BRITTO:**

Well, maybe as I said before, if it had not taken the GSLP eight years to realise it was in the wrong place, then we would not have needed to think about it at all. But seriously, I am not sure whether, in any case, what the period of time is that this has been under consideration. Certainly it has been under consideration since I took over this Ministry, about just over a year ago. It certainly was not on the horizon when I was Minister for the Environment previously, and I terminated that term in 2003, so it certainly is not twelve years. Why it has become more of an issue now may well be because of the questions asked by the hon Member, or maybe because of the complaints made by the owner of the property next to the Castle Steps rubbish collection point. But I hope the hon Member understands the difficulty and we are looking at various options. Once something is identified that is considered to be the best, out of a series of not excellent solutions, then the decision will be made. But it is actively under study as we speak, I had meetings about ten days ago and I have got two more meetings before the end of the month on this and on closely associated issues. So the matter is in hand and I am hoping for decisions in the short-term, rather than anything else.



**NO. 156 OF 2009**

**THE HON F R PICARDO**

**WIND TURBINE BED OFF EUROPA POINT**

Has the project for a wind turbine bed now been considered by Ministers?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The situation remains as given in answer to Question Nos. 512 and 932 of 2008. Government will make an announcement when they are ready to do so.

**SUPPLEMENTARY TO QUESTION NO. 156 OF 2009**

**HON F R PICARDO:**

I, of course, accept that the Government must make announcements when they wish and when they are ready to do so, but my question is not whether the Government are ready to make an announcement. My question is whether matters have now proceeded to consideration by Ministers. What Ministers may wish to say upon such consideration is a matter entirely for the Government, but has the matter now been considered by Ministers?

**HON LT-COL E M BRITTO:**

Considering that in the previous two questions the answer to that specific question was no, and I have just said the situation has not changed, it seems fairly obvious what the answer is.

**HON F R PICARDO:**

I am grateful, it would have saved us all a lot of wordage if he had simply said no in answer to my question. I am grateful.

**NO. 157 OF 2009**

**THE HON F R PICARDO**

**GRIEVANCES OF BOTH WORLDS RESIDENTS**

Are Government taking any action to address the grievances of residents of the area of Both Worlds about the state of the beach, Government facilities in the area and the removal of debris washed up during recent storms?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Sandy Bay beach, as has been the case every winter with all of Gibraltar's beaches, continues to be battered by strong easterly storms. Before the start of the bathing season, the situation every year is assessed and decisions are taken as to what works will be necessary to open up beach facilities for the summer bathing season.

The situation at Sandy Bay is one that needs to be put into context, to make it clear that the Government are meeting their responsibilities. Government have been engaged in extensive and detailed discussions with the head lessees of the Both Worlds complex, whose responsibility it is to address deficiencies in buildings and other infrastructure within their leased area. The access ramp, the beach changing facilities and the sewage pumping stations, are all situated within the Both Worlds lease.

As was explained to the hon Member in supplementaries relating to Question No. 202 of 2008, the building at beach level which houses the existing sewage plant, does not fall under Government's responsibility. Although Government did step in last year in the interests of public safety and public health, it still remains the responsibility of the owners to resolve. The temporary protection measures constructed to protect the station will, nevertheless, be repaired if necessary including the walkway along it. This will allow access to the existing toilets, thus providing the same facilities as in other years for beach users during the bathing season.

**SUPPLEMENTARY TO QUESTION NO. 157 OF 2009**

**HON F R PICARDO:**

The Minister will know better than me that there is one particular item of debris that apparently has been causing significant erosion to all the areas of the beaches being washed up and down, and up and down the beach. A very large metal container which, apparently, broke loose from one of the Spanish fishing nets in the area off

the east side. Why is that piece of debris, which is reportedly causing so much damage to the infrastructure in the area, be it of a private landlord or of the Government or generally to the sea front, not been removed?

**HON LT-COL E M BRITTO:**

I have to confess that when I read the question and the word “debris” appeared, I wondered what the hon Member meant and therefore I asked for more information on these particular metal containers, that I am told contained mussels in part of the breeding on the mussels farms near us on the Spanish coastline. A total of eight of these containers, I am not sure whether hon Members are aware of the number, were washed onto our beaches, or onto the coastline, as a result of recent storms. Of these, four landed on the beaches, two were embedded under the cliff, underneath the Caleta Hotel, one has been for some time, until very recently, until about ten days ago, off Sandy Bay and one was off the runway. The Port Authority and the RGP were not able to tow these containers out to sea, under the request from my Ministry. What has been done is that four of the containers that were actually on the beaches were removed under contract to the Government by a local contractor, and three, making a total of seven, were removed by the Spanish operators themselves. Unfortunately, the one at Sandy Bay, which had been off Sandy Bay for most of the time on the rocks on either side, but more recently was washed ashore onto the beach itself, the Spanish operator and the local authorities were unable to tow away because of the weather conditions, and has ended up on the sand and embedded in the sand in Sandy Bay itself. My information is that the Spanish operator is now not interested in taking it back because it is too difficult an operation to dig it out of the sand. As we speak, we are awaiting, the Government are awaiting, or should I say the Ministry for the Environment is awaiting a quote from the local contractor who removed the other ones, to cut up this container in situ, because it is not possible to get equipment and transport down to the beach itself, so we are going to cut it up in situ and remove it from Sandy Bay in pieces.

**NO. 158 OF 2009**

**THE HON F R PICARDO**

**NEW POWER STATION – CARBON EMISSIONS**

Are Government already able to estimate what will be the total amount of carbon emissions per hour from the new generating station once it is operational? I confess that this question should have read, per kilowatt/hour and it is my fault that that word is not in there.

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

I am not sure whether the qualifications the hon Member has just made in any way changes my answer. No one pointed out to me, in the preparation of the answer, that anything other than per hour has been considered, so I am not sure. But nonetheless, I will provide the answer that has been provided to me.

The power output from the new power station will vary in response to the changing demand on the Gibraltar electricity system. Since the carbon emissions change with the electrical load and the fuel consumed, they in turn will vary throughout any one day.

Based on the projected future electricity demand, the average hourly carbon emissions are estimated at approximately 15 tonnes per hour of carbon dioxide in 2012, and 22 tonnes per hour in 2032. Compared with the existing, older diesel generators, which are less efficient, the new power station is expected to produce 10 to 15 per cent less carbon dioxide per unit of electricity generated, which I presume is the kilowatts per hour.

The hon Member will, I am sure, also be pleased to know that other emission levels from the new power station will be considerably reduced from current levels. Thus making our new station fully compliant in every respect. The new station will be provided with abatement plant capable of reducing oxides of nitrogen, that is nox levels, by around 86 per cent, and particulate matter PM<sub>10</sub> and PM<sub>2.5</sub> by as much as 90 per cent when compared to current average levels.

**SUPPLEMENTARY TO QUESTION NO. 158 OF 2009**

**HON F R PICARDO:**

I am grateful for that answer, and the Minister is right, the word missing does not affect the usefulness of the answer provided. Can he tell us, now that he has

provided this very full answer, what system of generation it is that has been chosen? Is it also diesel but with new engines at probably.....? Leave it at that.

**HON LT-COL E M BRITTO:**

I am not directly involved with the project, but my understanding is that it is diesel, they are diesel engines. We are, of course, trying to look at, not trying to look at but they will be able to use, the word does not come, but it is diesel.

**HON F R PICARDO:**

Will they be engines of the best available technology?

**HON LT-COL E M BRITTO:**

I do not have responsibility for either the power station, so as willing as I would be to answer the question if I knew the answer, I have to plead ignorance on the technical aspects of the power station itself.

**HON F R PICARDO:**

Do these amounts per kilowatt/hour assume some contribution to the grid from the potential waste-to-energy plant also, or do they not?

**HON LT-COL E M BRITTO:**

I do not think so, I think this is, in answer to the question, it is entirely the amount of the emissions produced by the power station.

ORAL

**NO. 159 OF 2009**

**THE HON G H LICUDI**

**WORKS AT EASTERN BEACH**

Can Government state whether the works to Eastern Beach Road and the changing rooms at Eastern Beach will be completed before the start of the official bathing season?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 160 and 161 of 2009.

ORAL

**NO. 160 OF 2009**

**THE HON G H LICUDI**

**WORKS AT EASTERN BEACH**

Can Government state when the works to Eastern Beach Road and the changing rooms at Eastern Beach started?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 159 and 161 of 2009.

**NO. 161 OF 2009**

**THE HON DR J J GARCIA**

**WORKS AT EASTERN BEACH**

Can Government say what was the cost, with a breakdown, of the relocation of the lifeguard station and changing rooms at Eastern Beach?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

It is estimated that the works to the changing rooms and lifeguard station will be completed by the end of June 2009. Works on the road are not scheduled to commence until some time after the next bathing season.

Works to Eastern Beach Road have not yet commenced. Works on the piled foundations for the new changing rooms, which includes the lifeguard station, commenced on 10<sup>th</sup> January 2009. Construction of the main building works started on 17<sup>th</sup> February 2009.

The estimated cost for the construction of each of the two new changing rooms, which incorporates the lifeguard station housed within the same building, and other enhanced facilities such as a dedicated first aid room, disabled facilities and disabled ramps, is £350,000.00



ORAL

**NO. 162 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

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

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 163 of 2009.

**NO. 163 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government state at what stage is the tender process for the works for the realignment and concreted protection of the approach road to Dudley Ward Tunnel?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The tender process for the works for the realignment and concreted protection of the approach road to Dudley Ward Tunnel needs to be done again, due to changes to the project design. To avoid further delay, this will be done on a simplified basis by dividing the work into separate packages.

The process culminating in the tender award is currently on-going, and it is anticipated that the works will commence during the early summer.

**SUPPLEMENTARY TO QUESTION NOS. 162 AND 163 OF 2009**

**HON G H LICUDI:**

As we understand it, the tenders for these works were completed on 28<sup>th</sup> March of last year, that is almost one year ago. Can the Government say why it has taken a whole year for the Government to consider that the tender process needs to be started all over again?

**HON LT-COL E M BRITTO:**

No, other than to say that it is due to technical issues of which I am not fully acquainted with.

**HON G H LICUDI:**

The reasons given in the past why this project has taken, we are now onto the seventh or eighth year, into the project, the reason that has been given for these many, many years, when people have had to put up with the closure of Dudley Ward Tunnel, is simply technical considerations. Therefore, the Government have been undergoing these technical considerations for seven years. After all those technical considerations were put into the melting pot, as it were, a tender process was started

which was completed in March of last year. Can the Government shed some light on what it is that has changed since March of last year, which has led to these technical considerations being reconsidered again, after six years of consideration?

**HON LT-COL E M BRITTO:**

No, I think the hon Member is either confused or deliberately obfuscating, which I hope is not the case. The Government decided on their own scale of priorities at what stage to tackle this project. When they did, obviously technical issues were taken into account, that goes without saying. I do not think that in this House the technical issues point has come up, until the process of evaluating the tenders was explained to Opposition Members, and that there were delays from March last year, there were delays in evaluating and making decisions on the go-ahead because of these technical issues, due to realignment, to rockfalls and to the nature of the ground on which we were having it, due to the cliff and the possibility of further rockfalls, due to the tunnel itself. All the technical issues in the design of the project that needed to be put in place. Yes, I agree with the hon Member, it seems a long time, a whole year for this to be done. But this is the time it has taken, it is the time it has taken. The issue now is a different one. The issue now is that having come to a full evaluation, there is a need to adjust the package. It could not proceed on the basis of the original tenders, we have gone to a simplified method of finishing the issue, and I think, as the hon Member has been complaining all this time about the delay, in many ways justifiably complaining, he should now congratulate us that we are about to start in June.

**HON F H LICUDI:**

I wish we were in a position to be able to say “congratulations, you have done a job well done in a reasonable time”. But let me tell the Minister that I neither suffer from a lack of recollection or am I being obtuse. What we are witnessing in relation to this project, and do the Government not accept, is incompetence of the highest possible degree? Let me remind the Minister of the position as it was back in 2003. The tunnel has been closed since 2002, February 2002. In 2003, in answer to a question from my predecessor, the Hon Mr Perez, this Minister, this same Minister, Mr Britto, said, “Government have considered in some detail the various recommendations and options that were submitted by the appointed consultant on the work that is considered as having to be undertaken in this area, before a through flow of traffic can be re-established. A preferred solution has been identified from the various alternatives that were submitted.” This was back in 2003, a consultant had already been appointed, a preferred solution had been identified, and a solution had been identified by the Government. Exactly the same answer was given in 2004, in June 2006 and in 2007, word for word. We then got a different situation last year, whereby matters moved on to the tender process, and the tenders were in fact invited and received in March of last year. So is it not the case, that having engaged a consultant in 2002, with a report received by Government before January, certainly before 2003, all these technical issues were given due consideration at the time, by a consultant, by the process of recommendations that were given to the Government, by the process whereby a preferred solution was identified back in 2003, and instead of the Government avoiding the issue and repeating the same answer again and again, can the Government state why they have lacked the political will to get this project off the ground, and now we are almost back to where we started?

**HON LT-COL E M BRITTO:**

Again, I regret to say it, but the hon Member either does not understand the process or is not accepting the explanations. I will give the explanation once more, but as they used to say in that film, watch my lips because I will say it only once. Back in 2002, 2003, I beg his pardon, and it must have been on my out because in 2003 I was about to become Minister for Health, so it must have been one of the last things I did. When I made that statement in the House, what I was obviously saying, speaking from memory, because I do not have the papers in front of me, but speaking from memory, what I was telling the hon Member was, we have had a massive rockfall from the cliff face immediately above the mouth to the tunnel, ending in a regrettable fatality, there are reports that there are many other rocks embedded into the cliff face as a result of that rock fall, because what happened was that a very, very large boulder fell from the very top of the cliff, and on the way down it bounced off the cliff several times, and in doing so broke up and several pieces of it remained embedded in the cliff face. So that is why the road had to be closed, and the solution that was identified at the time, that I referred to what he has quoted me at the time from the consultants involved, were to identify the preferred solution. There were various solutions, ranging from closing the tunnel permanently to doing nothing, and then there were several solutions in between. What I was saying then, in 2003, was that the consultant identified what should be done, and what should be done was, essentially, creating a man-made tunnel leading out from the entrance of the existing tunnel, as an overhead protection, which was an easier version than trying to clean up the rock faces. That was the preferred solution which was identified. Then, as I said a moment ago in answer to a previous supplementary, the Government over the period since 2003, have evaluated priorities, and, during the time when I did not have responsibility for it, but my understanding is that in its evaluation priorities decided that to re-open this particular tunnel, this particular road, was, contrary to what the hon Member has felt over the years, not a priority and that there were other issues that deserved a higher priority. So, therefore, for some time the project was not put at the top of the list. Some time in 2007, and now I am guessing to a certain extent, some time in 2007, 2008, the Government made the decision to progress and it was then put out to tender. But what was then put out to tender has nothing to do with what happened in 2003. In 2003 the solution was identified. Based on that identified solution, the project was then designed and put out to tender, and the tender process is the one that culminated in March last year, and that has been beset by technical problems, and that now has needed to be undone and redone, and re fine tuned and reput into place with some new tenders, and the thing be divided from one big project into three smaller projects, which can now work side by side or concurrently, as opposed to in linear form and one after the other. This will mean that the project will start in June, or is scheduled to start in June, and all things being equal, things like weather et cetera, and barring any unforeseen developments, should end towards the beginning of next year.

**HON G H LICUDI:**

What we seem to be getting now is some honesty from this particular Minister.

**HON LT-COL E M BRITTO:**

Mr Speaker, on a Point of Order I object, I ask the hon Member to retract. Some honesty implies that what I said before is dishonest. I would ask the hon Member to retract that.

**HON F R PICARDO:**

The Minister this morning, everything was false, dishonest, lying.

**HON G H LICUDI:**

Let me finish the point. I am not saying that the previous answers by this Minister have not been honest. I am saying we are getting some honest answers now, because in the past the Government have not been straight. In the past the Government have not been straight, as straight as the Minister has been now which is that something happened in 2002, a consultant was engaged, a preferred solution was identified in 2003 and, effectively, this was put on the back burner. It was not a priority. That is what the Minister is telling us, and the process was revived in 2007 with a decision taken to start looking at the matter seriously and put it out for tender. I say that the Government have not been straight with us because this is not a case where nothing has happened from 2003 to 2007. In January 2004, do the Government not accept that in answer to a similar question from a different Opposition Member, Mr Randall, by this time Mr Vinet said, "Government have considered in some detail the various recommendations and options that were submitted in the report prepared by the appointed engineering consultant on the work that is considered necessary, as having to be undertaken in the area before a through flow of traffic can be re-established. A preferred solution was identified from the various alternatives that were submitted". Word for word what the Minister said in 2003. That was in January 2004. In June 2006, the responsibility had changed. We did not have the story that this was on the back burner and this was not a priority, the Minister was by now Mr Netto, and in answer to a similar question Mr Netto said, "Government have considered in some detail the various recommendations and options that were submitted in the report prepared by the appointed engineering consultant, and the work that is considered necessary as having to be undertaken in this area, before a through flow of traffic can be re-established. A preferred solution was identified from the various alternatives that were submitted". As if that was not enough, the following year, in 2007, Mr Randall again asked the question and Mr Netto said, this is what he said in 2007, "Government have considered in some detail the various recommendations and options that were submitted in the report prepared by the appointed engineering consultant on the work that is considered necessary, as having to be undertaken in the area before a through flow of traffic is re-established. A preferred solution was identified from the various alternatives that were submitted". For four years we have been getting the same story again and again and again. Do the Government not accept that that is a different position which was, at the time, this is a matter which has been given active consideration and a preferred solution has been identified. In other words, we are working on this. Do the Government not accept that that is a totally different proposition to what the Minister has now said, which is that this was not a priority, this was effectively put, and I am putting words in his mouth, I accept this, on the back burner and a decision was made in 2007. If the decision was made in 2007, it is now 2009, why has it now taken two years when all this history has taken place the previous five years? Why is this matter still not a priority for the Government?

**HON LT-COL E M BRITTO:**

I have no intention of repeating myself, but what I will say is that I reject the statement by the hon Member, that despite his catalogue of answers, which are consistent, which are all factual, I do not see..... Yes, of course it is the same

answer, the situation had not changed. I honestly do not see the point being made. He was talking about lack of honesty before. I made the statement in 2003 and subsequent Ministers who took over from me have repeated the situation, which was correct at each point in time. It is incorrect for the hon Member to say that the question of, in his words “back burner”, in my words “lower priority”, had not been communicated to this House. That is incorrect. Just as he has bothered to go into the archives and research the answers to questions from Opposition Members, he should have done the same with other answers, or other supplementaries, and he would have found that my hon Colleague, the Chief Minister, in his speech in this House said exactly what I have said today. That the project at that stage was going to cost in the order of £5 million or £6 million, and that the Government were putting a scale of priorities on it, and had other projects that they were putting ahead of Dudley Ward Tunnel. So, it is incorrect for the hon Member to say that the answers that my Colleagues have been giving in any way obfuscate the issue. The answers by my Colleagues are accurate, a solution was identified in 2003 and the matter was on-going because it was lower on the list of Government priorities than other projects. The situation changed a year or two years ago and the matter is now on-going. I am repeating myself.

**HON J J BOSSANO:**

Can the Minister say if there are any cost implications in this latest change? Is it going to cost more, or is it going to cost the same, or is it going to cost less? The latest development that we have been informed of today. Until now we thought that what had been recommended in 2003, which was re-recommended in 2004 and so forth, was what was going to happen. The thing is now going to be broken up into packages. Does that make any difference in terms of the cost?

**HON LT-COL E M BRITTO:**

I honestly cannot answer that question because we do not yet have the information. If he thinks back to what I said, it is that the matter went out to tender two years ago, tenders concluded in March last year, the amounts identified as at March last year, technical issues intervened, then the project has to be redesigned, the alignment of the road had to be reconsidered and we are, as I speak on my feet, in the process of obtaining new tenders, new quotes for a restructured project, which instead of being one main project by one contractor is now three parallel projects happening concurrently, not necessarily by the same contractor. So, the answer to that question will have to wait for some time in the future when that information is at hand. But as at this moment in time, it is not yet available until all the quotes come in and the contracts are signed.

ORAL

**NO. 164 OF 2009**

**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**

The Tourism Advisory Council last met on 16<sup>th</sup> December 2008 and is next due to meet on 30<sup>th</sup> March 2009.

**NO. 165 OF 2009**

**THE HON DR J J GARCIA**

**GTB – HOTEL STAYS**

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**

Answered together with Question No. 166 of 2009.



**NO. 166 OF 2009**

**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**

The amount of revenue raised in respect of the Upper Rock and Coach Park for the months of September and October 2008, were provided to the hon Member in answer to Question No. 941 of 2008.

The remainder of the statistical information requested is included in the schedules that have been handed to him.

**ANSWER TO QUESTION 166**

**Answer to Question 165**

**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
Sept 2008	1296	9	8	6.0	1	2	-	-
Oct 2008	1240	1	-	-	1	2	-	-
Nov 2008	1238	-	-	-	-	-	-	-
Dec 2008	1271	-	-	-	-	-	-	-

**b) Not stayed at Hotel**

	Total Interviews Not Stayed at Hotel	Airport	Port	Frontier	Waterport	Marina	Coach Park
Sept 2008	1287	36	2	1248	-	-	1
Oct 2008	1239	-	-	1239	-	-	-
Nov 2008	1238	-	-	1238	-	-	-
Dec 2008	1271	2	-	1267	-	-	2

**Contd Answer to Question 166 of 2009**

MONTH	UPPER ROCK	COACH PARK	MUSEUM
September 2008			£ 1,730.45
October 2008			£ 1,560.97
November 2008	£ 175,386.11	£ 4,000.00	£ 1,730.45
December 2008	£ 112,103.60	£ 2,620.00	£ 594.32
January 2009	£ 83,354.57	£ 2,030.00	£ 2,116.40
February 2009	Not yet available	£ 7,765.52	Not yet available
<b>TOTAL</b>	<b>£ 370,844.28</b>	<b>£ 16,415.52</b>	<b>£ 7,732.59</b>

**NO. 167 OF 2009**

**THE HON DR J J GARCIA**

**GTB – UPPER ROCK**

Can Government say whether they have now taken a policy decision about a new structure for the holistic management of the Upper Rock?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Any change of arrangement for the management of the Upper Rock is a matter of policy for the Government, which will be announced when and if the Government choose to proceed with it. In the meantime, the status quo remains the established policy.

**SUPPLEMENTARY TO QUESTION NO. 167 OF 2009**

**HON DR J J GARCIA:**

Obviously it is a matter of Government policy, which is why we have tabled the question, to find out whether the policy decision has been taken or whether it has not been taken, in view of the answer given last time by the Chief Minister. Is this an issue which is presently being discussed by the Council of Ministers? At what level of priority is this matter?

**HON LT-COL E M BRITTO:**

Sorry, I did not take the question in.....

**HON DR J J GARCIA:**

Is this something which is presently being discussed by the Council of Ministers? At what level of priority is this issue being dealt with?

**HON LT-COL E M BRITTO:**

There seems to be an assumption by Opposition Members that when somebody says something on this side of the House, or in a debate on television or whatever, that is then becomes easy meat or easy prey for questions on the Opposition side of

the House on a permanent basis. The Government have said that they are considering or may make a decision on this issue. But that does not make it either a pressing issue, or one that is a priority issue, or one that they need to announce in any immediate future. It is not a high priority issue and, therefore, hence the answer because this question has now been asked a number of times. The answer will have to remain the same. As and when the Government are ready to announce a decision, they will announce a decision, but in the meantime, it remains work in progress and there is not really a big issue from the point of view of the Government.

**HON DR J J GARCIA:**

The issue was that when the question was last tabled, the Chief Minister said that the system he was looking at would be one that would better integrate and coordinate all the activities and conflicting objectives in the Upper Rock. This question has only been asked once, that I can recall here on my feet, this time. Given that he said it was something the Government were looking at and that a policy decision was going to be made, it is perfectly logical for us to come back and ask whether the policy decision has now been made. Or, at what stage in the decision making process is this issue? From what the Minister said I understand that this issue is not one which is currently being discussed or debated amongst Ministers or anything like that. Is that the position?

**HON LT-COL E M BRITTO:**

It is as he has quoted the Chief Minister. If he cares to look at what he has just quoted, the Chief Minister said, and I have not got the text in front of me, that Government were looking at a wide range of issues. This was three months ago or four months ago. A wide range of issues which cannot be resolved in two discussions or three discussions. Yes, it is being discussed. Yes, it has been discussed since the answer was given to that question, it is on-going work, as I have said, but it is not something that the whole of the Government are either dropping everything and dealing with. It is not something that other Ministers are even aware of, because it has not come to them. It has involved one or two Ministers, three Ministers including myself, and when it is at a stage when it can be looked at by other Ministers, then it will come to their attention for decision. But one cannot just say we have got to point seven and we have still got to go all the way to point 15. It is work in progress and it may be an item on the agenda of a meeting that has 20 other items.

**HON DR J J GARCIA:**

Is the Minister saying and this is what I understood him to say, that the issue has now been discussed by Ministers? Then I am happy with that, because it shows there has been some movement since the time the question was last asked in December.

**HON LT-COL E M BRITTO:**

I can tell him more than that, it has been discussed by some Ministers, not by Ministers meaning everybody, but it has by some Ministers on more than one occasion. It was discussed about a couple of weeks ago, and since I became

Minister for Tourism in April, it has certainly been discussed two or three, maybe four times, and maybe it was discussed before I was Minister for Tourism.

**HON DR J J GARCIA:**

If I can just go back to clarify this point. The Minister has now said that this issue has been discussed by more than one Minister on more than one occasion, if I have understood him correctly. In the original answer did he not say this was not an issue which was not being progressed?

**HON LT-COL E M BRITTO:**

That is exactly the opposite of what I said. I said it was work in progress. I did say it was not a high priority, I did say that we had not all dropped tools and were working on this only. But it is work in progress by the Minister for Tourism in consultation with other relevant Ministers.

**NO. 168 OF 2009**

**THE HON DR J J GARCIA**

**GTB – MINISTER’S OVERSEAS VISITS**

Can the Minister with responsibility for tourism give the dates when he has been away from Gibraltar on Government business, since the last Question Time in this Parliament, giving the event or function attended, the venue, the city and the country visited?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The statistical information requested by the hon Member is contained in the schedule which I now hand over to him.

**Answer to Question 168 of 2009**

DATES	EVENT/FUNCTION	VENUE	CITY	COUNTRY
12/01/09 to 14/01/09	MEETING OF THE UKGTA AND LONDON BOAT SHOW	GIBRALTAR GOVERNMENT OFFICE AND THE EXCEL EXHIBITION CENTRE LONDON DOCKLANDS	LONDON	UK
28/01/09 TO 30/01/09	FITUR	IFEMA EXHIBITION CENTRE	MADRID	SPAIN
04/02/09 TO 06/02/09	GIBRALTAR TOURIST BOARD ROAD SHOW	CALEDONIAN HILTON HOTEL	EDINBURGH	UK



**NO. 169 OF 2009**

**THE HON DR J J GARCIA**

**GTB – EDINBURGH ROAD SHOW**

What was the cost, with a breakdown, of the Gibraltar Tourist Board Edinburgh road show which took place in February this year?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 170 to 173 and 177 to 179 of 2009.

ORAL

**NO. 170 OF 2009**

**THE HON DR J J GARCIA**

**GTB – EDINBURGH ROAD SHOW**

Can Government say how many persons from the Gibraltar Tourist Board office in London and/or Gibraltar made up the team that managed and organised the Edinburgh road show and what posts do they hold?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 169, 171 to 173 and 177 to 179 of 2009.

ORAL

**NO. 171 OF 2009**

**THE HON DR J J GARCIA**

**GTB – FITUR**

What was the cost, with a breakdown, of the Gibraltar Tourist Board's participation at FITUR this year?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 169, 170, 172, 173 and 177 to 179 of 2009.

**NO. 172 OF 2009**

**THE HON DR J J GARCIA**

**GTB – FITUR**

How many persons made up the team from the Gibraltar Tourist Board that manned the Gibraltar stand at FITUR this year and what posts do they hold?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 169 to 171, 173 and 177 to 179 of 2009.

**NO. 173 OF 2009**

**THE HON DR J J GARCIA**

**GTB – FITUR**

Can Government say whether literature printed for use at FITUR was stopped at the frontier and not allowed to enter Spain in time for use at that event?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 169 to 172 and 177 to 179 of 2009.

ORAL

**NO. 174 OF 2009**

**THE HON DR J J GARCIA**

**GTB – SEATRADE**

What was the cost, with a breakdown, of Gibraltar's attendance and participation at the Seatrade conference in December 2008?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 175 and 176 of 2009.

ORAL

**NO. 175 OF 2009**

**THE HON DR J J GARCIA**

**GTB – SEATRADE**

Can Government list the persons who attended the Seatrade conference in December 2008 for whom travel and accommodation costs were paid, directly or indirectly, by the Gibraltar taxpayer?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 174 and 176 of 2009.

**NO. 176 OF 2009**

**THE HON DR J J GARCIA**

**GTB – SEATRADE**

Can Government list the Gibraltar Ministers and officials who attended the Seatrade conference in December 2008, showing whether these officials are based in Gibraltar or at the Gibraltar office in London?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The attendees are as set out below:

Myself as Minister for Enterprise, Development, Technology and Transport; my Principal Private Secretary and the Captain of the Port, who are all based in Gibraltar. In addition, Albert Poggio, Claire Lerner and Daniel Lerner from the London Office also attended.

The cost of attending the Conference was met from Government funds.

The cost of participating in the event was as follows:-

Stand	£11,132.21
Sponsorship of Med Pavilion	£1,557.69
Conference Passes	£549.00
Hotel Accommodation	£3,443.94
Airfares	£2,336.80
Meals/Subsistence	£771.44
Travel	£112.70
	<u>£19,903.78</u>



**NO. 177 OF 2009**

**THE HON DR J J GARCIA**

**GTB – LONDON BOAT SHOW**

What was the cost, with a breakdown, of Gibraltar's attendance and participation at the London Boat Show in January 2009?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 169 to 173, 178 and 179 of 2009.

**NO. 178 OF 2009**

**THE HON DR J J GARCIA**

**GTB – LONDON BOAT SHOW**

Can Government list the persons who attended the London Boat Show in January 2009 for whom travel and accommodation costs were paid by the Gibraltar taxpayer?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 169 to 173, 177 and 179 of 2009.

**NO. 179 OF 2009**

**THE HON DR J J GARCIA**

**GTB – LONDON BOAT SHOW**

Can Government list the Gibraltar Ministers and officials who attended the London Boat Show in January 2009, showing whether these officials are based in Gibraltar or at the Gibraltar office in London?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Literature printed for use at FITUR reached Madrid in time for the event, despite some delay at the frontier.

The following commercial entities attended the three Trade Fairs mentioned by the hon Member in his questions, as co-exhibitors in partnership with the Gibraltar Tourist Board.

**At FITUR:**

Present were:

1. The O'Callaghan Eliott Hotel
2. Parodytur Transport and Parody Holidays
3. MH Bland Group, that is, Calypso Transport, Cable Car, Dolphin World and Calypso Travel
4. the Gibraltar Taxi Association
5. Blands
6. Emile Youth Hostel

**At the Edinburgh Road Show:**

Present were:

1. MH Bland Group of Companies, the breakdown as given in the previous paragraph
2. Parodytur/Parody Holidays
3. The Caleta Hotel
4. The O'Callaghan Eliott Hotel

At the London Boat Show:

Present were:

1. Ocean Village
2. Straits Sailing
3. Boatshed Gibraltar
4. Allabroad Sailing School
5. Dive Charters
6. Premier International Corporate Services Limited

All representatives of these commercial entities paid their own travel and accommodation costs in respect of the London Boat Show, Edinburgh Road Show and FITUR.

The statistical information requested by the hon Member is contained in the schedule which has been handed over to him.

**Answer to Question 179****Answer to Question 169**

Cost of Edinburgh Road Show – February 2009

SUBSISTENCE	102.44
FLIGHTS	1,833.96
HOTEL	1,016.90
TRANSPORT	105.00
EXPENSES	58.75
HOSPITALITY	5,259.30
AUDIO VISUAL EQUIPMENT	885.50
INVITATIONS	444.93
<b>GRAND TOTAL</b>	<b>£9,706.78</b>

**Answer to Question 171**

Cost of participation in Fitur 2009

SUBSISTENCE	3,806.54
FLIGHTS	1,603.20
HOTEL	1,236.04
TRANSPORT	359.16
EXPENSES	1,700.79
COURIER	1,658.87
STAND COSTS	29,987.36
FLOOR SPACE COSTS	11,895.20
HOSPITALITY	1,523.28
<b>GRAND TOTAL</b>	<b>£53,770.45</b>

Contd.....

**Contd Answer to Question 179**

**Answer to Question 177**

Cost of participation in the London Boat Show

SUBSISTENCE	204.86
FLIGHTS	800.00
HOTEL	1,634.90
TRANSPORT	131.25
EXPENSES	75.92
COURIER	50.00
HOSPITALITY ON STAND	16.01
STAND COSTS	15,975.50
FLOOR SPACE COSTS	4,350.44
<b>GRAND TOTAL</b>	<b>£23,238.88</b>

**Contd.....**

### **Contd Answer to Question 179**

### **Answer to Questions 170, 172, 178 and 179**

	<b><u>Edinburgh Road Show</u></b>	<b><u>FITUR</u></b>	<b><u>London Boat Show</u></b>
	<b><u>Q 170/2009</u></b>		<b><u>Q 178/2009</u></b>
<b>GTB London</b>	Ian Leyde		Ian Leyde
	Tracey Poggio		Claire Lerner
	Claire Lerner		Daniel Lerner
			Tracey Poggio
			Sarah McFadyen
<b>GTB Gibraltar</b>		<b><u>Q 172/2009</u></b>	
		Dylan Ferrar	
		Maria Gloria Macedo	
		David Banda	

### **Note 1 – FITUR**

Mr Dylan Ferrar	-	Marketing Manager, Gibraltar Office
Mrs Marie Gloria Macedo	-	Marketing Co-ordinator, Gibraltar Office
Mr David Banda	-	Administrative Officer, Madrid Office

Mr Ferrar and Mrs Macedo were on the Gibraltar stand at FITUR from 28<sup>th</sup> January to 1<sup>st</sup> February. Mr Banda assisted on Saturday 31<sup>st</sup> January and Sunday 1<sup>st</sup> February.

### **Note 2 – Edinburgh Road Show and London Boat Show**

Ian Leyde	-	Sales Manager, London office
Claire Lerner	-	Marketing & Events Co-ordinator, London Office
Daniel Lerner	-	Information Officer, London Office
Tracey Poggio	-	Marketing & PR, London Office
Sarah McFadyen	-	PA to the Director, London Office

All of the above manned the Gibraltar stand during the 10 days of the event on a roster basis.

The Hon E M Britto, Minister for Environment & Tourism and Mr N Guerrero, Chief Executive, Gibraltar Tourist Board visited the Gibraltar stand at the London Boat Show on Tuesday 13<sup>th</sup> January, whilst in London for a meeting of the UKGTA.

Mr Albert Poggio, Director, Gibraltar Government Office in London visited the London Boat Show stand during the exhibition.

**SUPPLEMENTARY TO QUESTION NOS. 169 TO 173 AND 177 TO 179 OF 2009**

**HON DR J J GARCIA:**

The Edinburgh Road Show was an event for travel industry professionals, if I am not mistaken, can the Minister say how many of these attended the presentation?

**HON LT-COL E M BRITTO:**

Speaking off the top of my head, almost one hundred. I am not sure if I have got the exact figure here, but it was a very high attendance. If Mr Speaker will bear with me, the answer has not been provided clearly for me, but I may be able to dig it out off the information I have here. Yes, 80 agents attended the event, which does not include the local entities and their representatives. Or indeed, of GTB or Gibraltar London Office personnel.

**HON DR J J GARCIA:**

In relation to the problem with the literature for FITUR which was stopped at the frontier, can he give the reason why that happened?

**HON LT-COL E M BRITTO:**

Not the reason, other than to say that this is apparently the path of the course and has happened before and the items were eventually passed through the frontier. It is not abnormal, when it is seen that it is promotional material and so on, that it is delayed for special inspection.

**HON DR J J GARCIA:**

I say that because the cost of the courier for that event, at £1,658, seems to be rather high. Was that related to the delay or the volume of material that was being sent?

**HON LT-COL E M BRITTO:**

No, because the time element was shorter than normal, because we had sent it out from here later than we would normally have sent it, it was decided to withdraw the items from the Spanish frontier and to re-route it via other means. I prefer not to go into the detail in case we have to do it again. In the other means there was no delay.

**HON DR J J GARCIA:**

Although the Minister says the delay had happened before, was this to do with documentation or what?



**HON LT-COL E M BRITTO:**

I do not know what the reason is. I think it gets to the frontier and it stays there for a while, but on previous occasions there has been more time, so we could afford to wait longer. This time, time was getting short, so we decided to bring it back and re-route it.

**HON DR J J GARCIA:**

In relation also to FITUR, the total cost according to the schedule the Minister has provided of that event, was £53,770, of which there is an item for £1,700.79 labelled "expenses". Does he have a breakdown of what that sum involves?

**HON LT-COL E M BRITTO:**

Can the hon Member tell me what particular piece of paper he is quoting from?

**HON DR J J GARCIA:**

Yes, this is the answer to Question No. 171.

**HON LT-COL E M BRITTO:**

Which particular item is he talking about?

**HON DR J J GARCIA:**

The item headed "expenses".

**HON LT-COL E M BRITTO:**

Yes, the breakdown of that figure is £445.54 in respect of costumes for the Gibraltar mascot; £911.95 in respect of photographs, and £343.30 in respect of overtime. These are photographs which are subsequently used, not photographs of myself standing in front of the stand. It is photographs that are used for commercial publicity.

**HON DR J J GARCIA:**

Coming back to the Edinburgh Road Show, I believe there was a dinner organised for the 80 agents, is that the £5,200 shown on the schedule?

**HON LT-COL E M BRITTO:**

I must invite the hon Member to dinner one of these days, he seems to have a fetish about dinners. What is his question about the dinner?

**HON DR J J GARCIA:**

Is that the item which is headed "hospitality" and which cost £5,259?

**HON LT-COL E M BRITTO:**

Yes, that is the dinner and the drinks reception before the dinner.

**HON DR J J GARCIA:**

That was for 80 persons?

**HON LT-COL E M BRITTO:**

No, that was for 80 persons from the UK plus all the staff who were there, which he will be able to work out from another part of the schedule, plus all the people from Gibraltar that were there. If he looks at the entities of Gibraltar, an average of two persons on each of the local stands, he will be able to work out the individual cost per head.

ORAL

**NO. 180 OF 2009**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can the Minister now say whether the new arrangements for hospital users to park at Europlaza are operational?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 181 and 182 of 2009.

**NO. 181 OF 2009**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can Government say whether they have decided on the number of parking spaces and the number of floors that 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. 180 and 182 of 2009.

**NO. 182 OF 2009**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can the Minister now 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 to some users?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The replies to these questions remain as stated in my reply to Question Nos. 1006 to 1008 of 2008.

**SUPPLEMENTARY TO QUESTION NOS. 180 TO 182 OF 2009**

**HON N F COSTA:**

On the last occasion the Minister said that there were meetings laid on during the course of this week, this week being when the questions were asked. These have now had to be postponed for about ten days, or a week, or two from now, so we do not know whether the decisions that we take will be implemented before Christmas or not. Now, I am assuming first of all, the car park is not yet operational for anybody at this point.

**HON J J HOLLIDAY:**

Yes, discussions have been held in respect of the car park at Europlaza but further discussions are required before Government can put in place the new arrangements.

**HON N F COSTA:**

Given that they were able at one point to provide an indication of when we are hoping to have the car park operational, is the Minister now able to provide a timeframe in which they hope it will be operational?

**HON J J HOLLIDAY:**

I think this will happen quite soon, but that is as much as I wish to commit myself today.

**HON N F COSTA:**

Is the Minister able to, at this point, if I am assuming and given that the announcement will be quite soon, discussion must be quite advanced. Have they come to a decision now in respect of who will be able to use the car park? Whether it will simply be for visitors or for patients, and if so, will there be a cost, will there be special exemptions and so on?

**HON J J HOLLIDAY:**

Decisions have almost been taken, and I say almost because it needs further discussion which may alter that, but I would not want to divulge the decisions at this stage until we are able to make a full announcement on the matter.

**HON N F COSTA:**

Could the Minister clarify whether the arrangements with Europlaza, will the arrangement be a lease or a licence?

**HON J J HOLLIDAY:**

I believe that these car parks were actually purchased by the Government, and that therefore there must be a lease. But these were done some time back and these negotiations were led by the Chief Minister. But I am quite sure that they are a lease.

**HON J J BOSSANO:**

If the property belongs to the Government and has belonged to the Government, who are they having these discussions with? They are free to make use of it already, I take it?

**HON J J HOLLIDAY:**

Absolutely, but I think the Government are considering their own policy, generally, on transport, on car parks, on multi-storey car parks, and therefore, whatever we decide in that respect will apply to all car parks in Gibraltar, even though we are conscious of the fact that the purchase of this was done in conjunction with the provision of some facilities for parking for the hospital, or hospital users et cetera. So, therefore, it is being formulated in the context of a wider policy decision.

ORAL

**NO. 183 OF 2009**

**THE HON S E LINARES**

**TENDERS FOR EMERGENCY POWER SUPPLY GENERATOR**

Can Government say how many tenders they received for the supply of an emergency power supply generator?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 184 and 185 of 2009.

ORAL

**NO. 184 OF 2009**

**THE HON S E LINARES**

**TENDER FOR EMERGENCY POWER SUPPLY GENERATOR**

Can Government say whether the tender for the supply of an emergency power supply generator has now been awarded and if so to whom and in what amount?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 183 and 185 of 2009.



**NO. 185 OF 2009**

**THE HON S E LINARES**

**TENDER FOR EMERGENCY POWER SUPPLY GENERATOR**

Can Government say where will the emergency power supply generator be located and when it is expected to commence operations?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Gibraltar Electricity Authority has obtained 100 Kilowatts and 200 Kilowatts standby generating sets. These are small generating sets and will be deployed in cases of emergencies to any site or building that may be affected by loss of electrical power expected to last more than eight hours.

A total of four quotations were received. The tender was awarded to Portman Limited at a total value of £36,655.00 for the supply of one 100 Kilowatt generator, at a cost of £14,230.00 and one 200 Kilowatt generator at a cost of £22,425.00.

**NO. 186 OF 2009**

**THE HON S E LINARES**

**EASTSIDE PROJECT – MICRO-GENERATION OF ELECTRICITY**

Will the infrastructure works for the Eastside Project allow for this new area to micro-generate its own electricity and if not, should this not be a prerequisite for any project?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Eastside project, or any other project, will not require to generate its own electrical power, other than for emergency standby purposes. The Government's current generating and distribution policy is to provide all primary source of electrical power from the existing power station.

**SUPPLEMENTARY TO QUESTION NO. 186 OF 2009**

**HON S E LINARES:**

So, basically, when the new generator is up and running, what the Minister is saying is that with that new generator they have got enough supply, or enough capacity to supply the Eastside project, is that correct?

**HON J J HOLLIDAY:**

That is correct.

ORAL

**NO. 187 OF 2009**

**THE HON S E LINARES**

**COST OF ELECTRICITY GENERATION**

Can the Minister state what is the cost per kilowatt hour to the Government for the generation of electricity?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The average cost of generating electricity at Waterport is currently 12.48 pence per kilowatt hour.

The average cost of generating electricity at OESCO is 13.73 pence per kilowatt hour.

**NO. 188 OF 2009**

**THE HON S E LINARES**

**COST TO MOD OF ELECTRICITY GENERATION**

Can Government state what is the cost per kilowatt hour to the MOD for generating electricity?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government are not accountable in this House for the MOD's cost of generating electricity. The hon Member should ask the MOD.

**SUPPLEMENTARY TO QUESTION NO. 188 OF 2009**

**HON S E LINARES:**

Yes, and I think it is an obvious mistake and the question should read, can the Government state what is the cost of generating electricity to the MOD per kilowatt? That is, the other way round. How much does it cost the MOD to get some electricity?

**MR SPEAKER:**

Does the hon Member mean how much does the MOD charge?

**HON J J HOLLIDAY:**

How much do they charge the Gibraltar Government for electricity?

**HON S E LINARES:**

The other way round.

**HON J J HOLLIDAY:**

Sorry, I really do not understand.

**HON S E LINARES:**

The Government buy electricity from the MOD.

**HON J J HOLLIDAY:**

The Government do not buy electricity from the MOD. No, they do so on very rare occasions when they find themselves with certain problems, and they have an over capacity in the MOD and an under capacity..... What they do is they net it out, in the sense that we supply them back, depending on..... There is no actual financial..... Obviously, there has to be some form of a settlement but there is a netting off going backwards and forwards between the MOD and the Gibraltar Electricity Authority.

**HON J J BOSSANO:**

Is a sum of money not put in the estimates of the Electricity Authority, presented in the House in Budget, which shows a payment to the MOD for the supply of electricity?

**HON J J HOLLIDAY:**

He may be right. It may be as a result of the fact that, although there is an element of what I have just said, in terms of you supply us we supply you, debit and credit situation, there may be a balancing act that needs to happen at some time during the financial year in order to net off. So there may be a cost to that in that respect, but I have not got the information here available.

**HON J J BOSSANO:**

But that balancing act, as the Minister calls it, would involve the number of units net which we have obtained from them over and above what we have provided them. Therefore, there is a cost per unit involved.

**HON J J HOLLIDAY:**

Well, that is exactly what I told the hon Member before, that there must be a cost attributed to that per unit, but I have not got this information available in the House at this moment.

ORAL

**NO. 189 OF 2009**

**THE HON S E LINARES**

**POWER CUTS**

Can Government state how many power cuts there have been since the question was last posed in this House giving a breakdown by district affected and their duration respectively?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

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

## **SCHEDULE TO QUESTION 189/2009**

### **RECORDS OF POWER CUTS FROM 11 NOVEMBER 2008 TO 11 MARCH 2009**

<b>Incident No.</b>	<b>Date</b>	<b>Duration</b>	<b>Areas affected</b>	<b>Reason</b>
1	Mon 1 <sup>st</sup> Dec 08 0051 hrs	5 – 9 mins	Four Districts supplied from WPS: 13, 14, 15, 18 and S61 Bedlam Crt (Also District 15) supplied from OBDC	Oesco No. 1 Generator tripped on load whilst being taken off, fuel rack problem
2	Mon 15 <sup>th</sup> Dec 08 2018 hrs	38 mins to 1 hr 10 mins	Three Districts supplied from WPS: 14, 15, 18. One District supplied from OBDC: 7 and Two Districts supplied from JBDC: 16, 20	Oesco No. 5 Generator tripped on load due to fuel pump failure
3	Mon 2 <sup>nd</sup> Feb 09 1919 hrs & 1953 hrs	13 – 25 mins	Four Districts supplied from WPS: 13,14, 15, 18 and S61 Bedlam Crt. Supplied from OBDC	WPS generator No. 3 tripped manually on emergency as a result of piston failure
4	Sat 7 <sup>th</sup> Feb 09 0344 hrs	9 – 15 mins	Five Districts supplied from WPS: 12, 13, 14, 18 and Two Districts supplied from OBDC: 1, 9 and S61 Bedlam Crt. And S6 Line Wall Rd	WPS generator No. 3 tripped manually on emergency as a result of piston failure
5	Mon 9 <sup>th</sup> Feb 09 0821 hrs	11 mins	Three Districts supplied from WPS: 18, 14, 15	WPS generator No. 2 fuel leak. Engine and Feeders tripped manually
6	Thurs 5 <sup>th</sup> March 09 0900 hrs	8 mins	Four Districts supplied from WPS: 13, 14, 15, 18 and Bedlam Crt. Supplied from OBDC	Oesco No.4 generator tripped on load due to electrical fault in engine speed probe
7	Mon 9 <sup>th</sup> March 09 1511 hrs	8 – 10 mins	Four Districts supplied from WPS: 13, 14, 15, 18 and Bedlam Crt. Supplied from OBDC	Oesco No. 7 generator tripped on load due to engine driven lub pump failure

The districts fed from Waterport Power Station comprise an area covering parts of Queensway, Line Wall Road, Casemates, Marina Bay, Glacis Road, Waterport, North Mole and the whole of the Westside reclamation area.

The districts fed from Orange Bastion Distribution centre (OBDC) comprise an area covering Laguna, Bayside, British Lines, Devil's Tower Road, Catalan Bay, Sandy Bay, Town Area, Moorish Castle area and parts of Queensway.

The districts fed from Jumper's Bastion Distribution centre (JBDC) comprise an area covering parts of Rosia Road, Witham's Road, Red Sands Road, Vineyards, Naval Hospital Road, Europa Road, New Harbours, Europa Business Centre.

**NO. 190 OF 2009**

**THE HON F R PICARDO**

**GIBTELECOM – CHIEF EXECUTIVE**

Is the Government as shareholder aware of the terms of engagement, retirement and pension agreed with the Chief Executive of Gibtelecom, and have they as shareholders agreed to details of that package and what are its terms?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government are aware of the terms of engagement, retirement and pension agreed with the Chief Executive of Gibtelecom, and have agreed to details of that package. However, the Government are not prepared to divulge the terms of the package.

**SUPPLEMENTARY TO QUESTION NO. 190 OF 2009**

**HON F R PICARDO:**

Why is that?

**HON J J HOLLIDAY:**

Well, I think that on a number of occasions previously, the Government have made it clear that Gibtelecom no longer considered it appropriate for the Government to provide information in respect of Gibtelecom to which they have access as shareholders. The hon Member should therefore approach the company directly and it will be up to them to decide whether they are prepared to release the information being requested.

**HON J J BOSSANO:**

Would the Minister not accept that, in fact, given that the shareholding of the company's public money, that we are all shareholders, and that public companies elsewhere would normally provide such information in their accounts?



**HON J J HOLLIDAY:**

I accept what the hon Member is saying. In fact, it prompts me to think that possibly the information in respect of this may be actually available in the annual accounts of the company. I am not sure actually whether they are or not, but I know for a fact that the Government, as a matter of policy, have for at least some time, if not all the time, refrained from answering questions in respect of Gibtelecom and their commercial operations. So the view taken was that if the hon Member wished to have the information made available to him, maybe he should contact the company direct.

**HON J J BOSSANO:**

Yes, but given that the Minister added that it is up to the company whether they wanted to provide it or not, after all, presumably, shareholders vote on these things in normal companies and the vote of the Government is made in the name of all of us. When the Government has voted to approve a package for the Chief Executive, in these days where packages for chief executives are under such scrutiny. Does the Minister not think that he owes an explanation given that.....? The Government supports the decision. The Government, therefore, is answerable to the taxpayer through the House, for the decision that they make in making payments to the Chief Executive of what is a 50 per cent stake owned entity, which has been 50 per cent state owned since its creation. Now, that is different to divulging in the House commercial information which a competitor could use, which is understandable. This is not about that, this is about a matter of the policy for which the Government are responsible, of approving a package of pension rights, which presumably, other people might wish to know so that they will want to know whether the Government are prepared to be as generous with their pension as they are with the pension of the Chief Executive.

**HON J J HOLLIDAY:**

Well, I am quite happy to discuss this matter with the other shareholders and revert back if he so wishes.

**HON F R PICARDO:**

I am grateful. Can he in those discussions, perhaps, bear in mind that this is not a question of day to day management of the company. This is a question of the package agreed with a particular office holder in the company, and that that office holder actually was a public servant for many years and was actually at some stage both a public servant and an office holder in the company. That is why I think it is particularly relevant that these issues, particularly in these times in which we live, should be perfectly properly ventilated and understood by all members of our community and by the public at large.

**NO. 191 OF 2009**

**THE HON G H LICUDI**

**NEW HARBOURS CAR PARK – LIFTS**

Can Government state whether it has received reports of problems to the lifts at the new car park at New Harbours and what steps it is taking to redress those problems?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government have received reports of problems to the lifts subsequent to the works being completed. The problems were rectified by the contractors as these were defects liability issues. The lift at New Harbours has been fully operational as from 29<sup>th</sup> January 2009.

**NO. 192 OF 2009**

**THE HON G H LICUDI**

**BOAT OWNERS – BERTHING FACILITIES**

Can Government state when it will find a solution to the problems faced by boat owners whose boats have been on land since the berthing facilities at Western Beach became unavailable?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 193 to 195 of 2009.

ORAL

**NO. 193 OF 2009**

**THE HON G H LICUDI**

**BOAT OWNERS COMMITTEE**

Can Government state why it refused to meet with the committee of boat owners to find a solution to the problem of the boats which were berthed at the old reporting berth?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 192, 194 and 195 of 2009.

**NO. 194 OF 2009**

**THE HON G H LICUDI**

**BOATS AT OLD REPORTING BERTH – REMOVAL**

Can Government state why it felt that it was either necessary or appropriate to give owners of the boats which were berthed at the old reporting berth only 48 hours to remove their boats?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 192, 193 and 195 of 2009.

**NO. 195 OF 2009**

**THE HON G H LICUDI**

**BOATS AT OLD REPORTING BERTH**

Can Government state why it has failed to find a solution to the problem of the boats which were berthed at the old reporting berth?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

This Government's record of finding solutions to the problems faced by local boat owners is good. In the eight years from 1988 to 1996, the GSLP Government, *[Interruption]* They are asking the questions they have to wait for the answer. In the eight years from 1988 to 1996, the GSLP Government failed to honour....

**HON F R PICARDO:**

Point of Order. As the Minister may be aware, and Mr Speaker no doubt will be aware, whenever in another place similar remarks are made by Ministers there in answer to questions, it leads to this type of barracking. The reference from the Chair is sometimes to say, perhaps if the hon Gentleman did not go back that far and simply answered the question in respect of his time in Government, he would not elicit such a reaction from the Opposition. I commend that position to the Chair here.

**MR SPEAKER:**

I am prepared to put up with some amount of barracking. Therefore, I need not adopt a new position.

**HON J J HOLLIDAY:**

In the eight years from 1988 to 1996, the GSLP Government..... *[Interruption]* Mr Picardo will you grow up please?

**MR SPEAKER:**

Order, Order.

**HON F R PICARDO:**

Can the hon Gentleman answer the question about his time in Government. The hon Gentleman refers constantly to the fact that they are only answerable in this House for what they have done as Ministers, so why do they preface their answers with matters that do not relate to their time as Ministers? Perhaps the hon Gentleman should think again next time he drafts a question, or allows an answer, or allows somebody else to draft an answer for him.

**MR SPEAKER:**

Order. A questions has been put, three questions have been proposed by the Minister to be answered together, the Minister must be allowed to answer and we should listen to the answer and then take it from there. But unless one hears the whole answer one cannot tell, really, the context.

**HON J J HOLLIDAY:**

Right, third time lucky. In the eight years from 1988 to 1996, the GSLP Government failed to honour its commitment to relocate the boat owners that had been expelled from the Old Cormorant Camber, back from the alleged temporary and over-exposed Western Beach. During our last term of office we provided an excellent new boating facility at Coaling Island, at considerable cost, to solve a problem faced by local boat owners that the GSLP Government had failed to address and took no interest in addressing.

Boat owning and use is primarily a sport and leisure activity. This Government also has an excellent record in investing in sports and leisure facilities for local residents, as Casemates, the King's Bastion Leisure Centre, the Bayside Sports Complex and the Coaling Island boat facilities testify. We will continue to invest across the spectrum of sports and leisure facilities in a balanced, fair and affordable way. No one sport and no leisure activity has greater right to further or particular investment than others. There is no automatic or immediate right to a boat berth provided at taxpayer's expense by the Government.

All that said, the Government have a manifesto commitment to provide 150 more berths for small local boats at some point in time during this term of office. That remains our commitment. However, a manifesto is a programme for a four year term. It is not possible to deliver all manifesto commitments first or at the same time, nor are the beneficiaries of these particular policy commitments entitled to priority over the beneficiaries of other policy commitments.

The Government have not refused to meet with any committee of local boat owners, but does decline to invite to further meetings any individual member of such committee that has previously failed to behave appropriately at such meetings.

Boat owners were allowed to berth their boats near the yacht refuelling berth on terms that they knew to be temporary, while works proceeded on the adjoining new yacht refuelling berth. When the works finished they declined to move. They were asked in writing to move. When they declined, the Gibraltar Port Authority rightly removed the boats, as specifically permitted by statute.

**SUPPLEMENTARY TO QUESTION NOS. 192 TO 195 OF 2009**

**HON J J BOSSANO:**

Is the Minister by using the word “expelled” knowingly seeking to mislead this House? Or is he, in fact, not aware? Does he think the police were sent there and that people were arrested or taken out or what? The fact that the boat owners moved does not justify his saying they were expelled by the GSLP. Is he not aware that, in fact, the AACR sold the place to Taylor Woodrow with vacant possession before the GSLP was in Government? Or does he choose not to remember those things? Or is not interested.

**HON J J HOLLIDAY:**

No, I think the Leader of the Opposition should listen accurately to what I have said. What I have said is that the GSLP failed to honour its commitment to relocate the boat owners that had been expelled from the Old Cormorant Camber, I did not say that they expelled them. Maybe the word is a bit harsh in expelling, maybe moving them. But I have not said that he moved them, all I said was that they failed in the commitment, to move them back from the alleged, temporary and over-exposed Western Beach.

**HON G H LICUDI:**

Faced with a question of serious issue, which has been topical in the last few weeks, we are given a history lesson which, frankly, does not excuse the Government's failings and it is in fact self-evident that what they wish to do is deflect attention away from the manner, the improper manner in which they have handled this particular issue. Can the Government state why it is, and we are aware because they have told us in the past, we know about this manifesto commitment to provide 150 berths, and we are aware that they have said in the past that this is something they will honour during the course of this term of office. But the questions, particularly the last three questions, relate to a particular issue and a specific problem which arose very recently and which required, at the very least, a temporary solution, pending the more permanent solution which is part of the manifesto commitment. So do the Government not accept that we were not saying or implying in these last three questions relating to the boats at the old reporting berth, that the Government should have honoured the manifesto commitment for the purpose of providing these berths. What we were suggesting was that a temporary solution should have been found whilst the Government honoured the commitment that they had made in their manifesto, and which we hope can be honoured very quickly and properly, and which we will applaud once that commitment is in fact honoured. So the issue really goes back to temporary accommodation pending the honouring of that commitment. Can the Government state what alternatives they considered? Because simply saying someone was given a letter with 48 hours to move and they declined to move, if there is nowhere, no facility for those persons to move to, then they are not really being given a proper choice. They simply could not move. So given that that was the reality of the situation, can the Government state what alternatives they considered in trying to find a solution to this particular problem which arose only a few weeks ago?



**HON J J HOLLIDAY:**

The Government are not trying to deflect attention from the reality of what happened two or three weeks ago. What the Government have done is to set the record straight in respect of the history which has brought about some of the problems which small boat owners are experiencing today. The Government have a manifesto commitment to find adequate berthing facilities of at least another additional 155 berths during this term of office, right, and we know and I fully understand that there are a number of boats, in the region of about 50 boats, on land, on dry, who have been there as a result of the fact that when they were able to move from Western Beach to Coaling Island, some of them actually refused to do so and opted not to accept the possibility of moving there, for whatever reason, be it financial or be it ..... It was their choice, they opted to do that. Since then they have been on land, right. When the opportunity arose that a pontoon, at the old reporting berth, was available, eight or nine of these boats all of a sudden rushed there, tied themselves up and claimed to have a right to be found an alternative place. Well, the Government are not going to be put into a position where we have to find, even if temporary berthing for these people, over and above the ones that are already on land and have been waiting and behaving, to facing the situation that they find themselves in, and actually finding places for these people to move out. These people have been there knowing that they had to move from there and they were being allowed by the Port Authority to remain there, knowing that they would have to move one day. They were being told on a constant basis that they would have to move from there at very short notice. When they were told they had to move, they refused to move and that is when they were issued with the letter to move. Subsequent to that, these people were actually told that they had the option either to take their boats somewhere of their own finding, or they would be actually moved to Western Beach and put on the hard. At the end of the day, what happened was that, I think, only three of them were actually put on the hard and the other six actually found alternative berthing areas, where to go to. So, therefore, at the end of the day, it is clear that what most of these people were trying to do is to put the Government under pressure to obtain permanent berthing facilities which were not available. If they had been available, the matter would have been sorted out in a much easier way and in a much more sophisticated way.

**HON G H LICUDI:**

The Minister has just said that these boat owners were allowed by the Port Authority to berth at the old reporting berth, knowing that at some stage they were going to move. If they were allowed by the Port Authority to do this, why is it that the Government issued a press release on 20<sup>th</sup> February 2009, saying that these boats were there without the permission of the Port Authority? Why is it the case that they issued a press release saying one thing and then they come to this House saying something totally different?

**HON J J HOLLIDAY:**

I think maybe I have misled the hon Member with that comment. I mean, they were not allowed, they were not being given permission, the Port Authority turned a blind eye to them remaining there, because they wanted to have their berth at sea and not on land. Therefore, they were allowed to do that because there were no consequences to anybody until the time came when they had to move.

**HON G H LICUDI:**

Do the Government not accept, not only did the Port Authority turn a blind eye, as the Minister has put it, it is his phrase not mine, I would have suggested that they simply acquiesced in the presence of these boats there. But, certainly, at least one that my hon Colleague has seen had a red book which actually said the berth was the reporting berth. So there was express permission and authority given by the Port Department for this person to have that boat on the reporting berth.

**HON J J HOLLIDAY:**

Yes, that person, in particular, when he was asked to move, moved to Watergardens. He was the first one to move.

**HON G H LICUDI:**

Fair enough, but what I am trying to get at is, that when the Government issues a press release saying “without permission”, and then the Minister corrects what he earlier said, said well they basically acquiesced, there was express permission, at least in respect of that particular person. Does the Minister not accept that there is a pontoon available which could have been used on a temporary basis for these particular boats, to solve the predicament that they found themselves in, after either the express authority or the acquiescence of the Port Authority that allowed them to stay there, and that pontoon is a third pontoon at the Watergardens, which is actually there within the basin of the Watergardens and was used quite recently, in fact only last year, when the Minister will be fully aware, Ocean Village wanted to construct a walkway in front of the Watergardens area, where the pontoons were, all the boats that were berthed there were moved on a temporary basis, partly to the Ocean Village area and partly to a third pontoon that is just behind where the Watergardens area is. That pontoon is still there and is empty. Can the Minister say why it is that it creates any difficulty for a pontoon that is there, that has been used in the past to house temporary berthing facilities, could not have been used on this occasion, and why it is that the Government have dealt with this in this heavy handed manner?

**HON J J HOLLIDAY:**

I am not conversant with the pontoon that he is talking about, but I can tell him that the Captain of the Port and Port personnel were involved in trying to find alternative solutions, and no solutions were available to me. If there had been an alternative solution, I can assure that the Government would have..... The Government have nothing to lose or gain out of this, if we can provide additional facilities, even if it is on a temporary basis, the Government would have made it available. But, in fact, I take note of what the hon Member says and I will actually ask the question from the relevant people in the Port Department.

**HON G H LICUDI:**

I am very grateful for that and I do commend to the Minister to go down there and have his staff, or the Port Authority..... The Port Authority knows exactly which pontoon I am talking about. It is the third pontoon in the Watergardens area which could quite easily have been used. Can the Government also say, in respect of new

facilities, new berthing facilities which have come up only last week, I understand that they were finished on Friday or Saturday of last week, just beside the area of the Cormorant Camber boat club there has been brand new facilities put up, brand new pontoons been put up there, I understand by a Spanish company, they were brought in the last couple of weeks, why it is that those new facilities could not also have been used to house these particular boats on a temporary basis?

**HON J J HOLLIDAY:**

I understand that there is a need to vacate the basin in the mid harbour of vessels, in order to allow for the rental housing scheme that Government are about to build and this needs to be vacated. There are a number of boats, I think possibly 20, that have been allocated there temporarily, whilst works are being done and a new site is identified. That is the facility that has been made available.

**HON G H LICUDI:**

In respect of this facility which has been made available, the area that the Minister is referring to is the area of the Royal Gibraltar Yacht Club and the boats that were berthed at the Royal Gibraltar Yacht Club, could the Minister comment on possible misapprehension that there could be about different ways that this Government have of handling different people or different issues? Whereby temporary berthing facilities, brand new, at I imagine substantial cost, because piles have been put into the seabed for these pontoons to be put up, brand new pontoons, so brand new facilities appear to have been made available to people at the Royal Gibraltar Yacht Club, whereas those on the old reporting berth are simply told, get out of here or we will remove your boats and put them on dry land. Can the Government comment on that?

**HON J J HOLLIDAY:**

I think that one thing that we have got to understand is that housing and the provision of rental housing is very much a Government priority, and therefore, needs to be attended to without any delay. One also has to understand that these are boats which are at the Royal Gibraltar Yacht Club, that are currently at sea with their own berth and their own private berthing facility, and these are being forced out of there and had to be relocated elsewhere. Whilst the boats that are on the actual yacht reporting berth, were there without permission, people were just tying themselves up there and hoping that the Government would provide them with a berth. Therefore, I think that we have two very clear distinct categories of problems that we have to deal with in different ways.

**HON G H LICUDI:**

The Minister will excuse the general public from believing that there are similarities in these two cases, and also differences. Certainly, we accept that the need of the land for Government's purpose, for which it attaches a great deal of priority, for housing rental purposes, is a good idea and is something that is to be commended. There was also a need of the particular area of land, or sea, where these other boats were..... Not for Government purposes but for a commercial enterprise for which a concession had been given by the Government, because the area, as I understand,

was a Government area and the sea is part of the Port waters. In both cases there was a need for boats to be removed. In both cases the need arose just about at the same time, but in one case the Government choose to apparently re-provide for the boat owners at the Royal Gibraltar Yacht Club and, in the other case, the Government adopt what I repeat earlier, and what appeared in the media, to be a very heavy handed approach and manner in giving these people 48 hours to get out or have their boats removed from the water. Do the Government not accept that, given that this happened at the same time, and if there was a re-provisioning of facilities on a temporary basis beside the Cormorant Camber Yacht Club, that it would have been a better idea, it would have been prudent, it would have made sense, and it would have dealt with the matter on an even handed basis to have provided for both sets of boat users that needed these temporary facilities? Why did that not occur?

**HON J J HOLLIDAY:**

I think the hon Member is trying to confuse the issue. I think we have a situation where we need to relocate berthing of boats from the mid harbour area and out of them, in order to be able to provide the rental housing. On the other hand, he is saying to deal with the other set of boat owners in the same way. The people that he is talking about, I assume, refer to the eight or nine boats that were on the yacht reporting berth. Now what happens to the other 50 that are on land? Do they have to be dealt with in a different way as well? Do they not actually deserve the same treatment as the nine that are actually at the yacht reporting berth? I mean, in other words, one "trespasses" and one ties oneself up at the yacht reporting berth and that gives one the right for the Government to move you somewhere else. Nevertheless, if one has a boat on land and one does not tie oneself to any berth and actually abides by what one has been told to do, one is treated differently. I think one has to realise that everybody has got to be treated in the same way. That is, the nine boats that are tied up at the yacht reporting berth have to be treated in the same way as those that are on land. The ones that are on the mid harbour have to be relocated because they actually have a berth. The people that were on Western Beach were given the opportunity to move to Coaling Island, we provided over 312 berths in Coaling Island for these people and they did not take up the option to do so. The people in Watergardens had 151. The hon Member said that the commercial interests were sold to Ocean Village, or the sea was sold to Ocean Village, in his statement.

**HON G H LICUDI:**

No, the commercial operation. The commercial operation that I was referring to was the new petrol station which has necessitated the moving of those boats. That is a commercial concession that the Government have done, have given, which has caused this particular problem.

**HON J J HOLLIDAY:**

I think that the way that both sets of boat owners could be treated in the same way is if the people in Watergardens, of which there are 151, were told that they had to move from there because Ocean Village was going to take over that sea front. That does not happen, that has not happened. Those people in Watergardens that have 151 berths have remained there, outside any development, even when the rumour

was going round that Ocean Village had taken over that piece of sea front, and they have remained there. Therefore, we are dealing with different categories of boat owners. The Government have not treated people unfairly, they have treated them differently because of different circumstances.

**HON G H LICUDI:**

I hope the Minister will accept that the gist of my questions and supplementaries is not just to chastise the Government, but generally to try and find a solution and to offer alternatives and suggestions to the Minister. Just in finishing, can I simply reiterate that I do commend to the Minister that he should look at the particular alternatives that have been offered. I know that the Minister will do so.

**HON J J HOLLIDAY:**

I can reassure the hon Member that the Government do wish to find a solution to this problem. It has a commitment to do so within this term of office, it will find a solution during this term of office and we are actively looking at alternatives, in order to find a way forward. In fact, as I said last time, until recently in full consultation with the appointed committee of the Watergardens, except for one person. That will continue. Let me clarify that when this committee asked for a meeting with me, I gave them the meeting date. The only thing is that I said that I would not have one particular member of their committee coming to the meeting, because in my experience, in the past, his behaviour had been totally disgraceful, and they opted to cancel the meeting. So, I have not refused to meet any committee at all, they have actually cancelled the meeting as a result of my imposing the restriction on that particular person.

**HON G H LICUDI:**

Does the Minister not accept, in relation to that particular issue, that this is a particular committee member who has been outspoken in public, who does write occasionally in the press criticising the Government and, again, the public can be forgiven for believing that just because someone airs views publicly which are critical of the Government, the Government choose to chastise the group of persons that that committee member represents, and actually refuses to meet with the committee unless the committee excludes that particular person, who has been elected by all boat owners to serve as their representative.

**HON J J HOLLIDAY:**

Let me start by saying that I am not too sure whether he or any of the others have been elected by anybody. I think there is this element of self appointment committee, which is fine, I do not have a problem with that. I have actually sat with them on many occasions, but what we cannot do is have a meeting with a particular individual in the room, who keeps on coming up with destructive comments and I really do not know what his objective is. Whether it is to actually not find a solution to the problem or not. I mean, I believe he has actually got a berth and is quite..... He has not got a berth has he? Well, I do not know what his agenda is then. But let me say that because he writes letters in the press, that does not offend me in any way. I am used to getting letters in the press and meeting people afterwards without any

problem. But at least when they come to my office they should show some respect for the office of the people who are there, and at least show an element of dignity and respect all round.

**NO. 196 OF 2009**

**THE HON G H LICUDI**

**BUS SHELTERS**

Can Government state when the replacement of bus shelters will commence?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The answer to this question remains as replied to in Question No. 953 of 2008 in December 2008.

**SUPPLEMENTARY TO QUESTION NO. 196 OF 2009**

**HON G H LICUDI:**

At the time, as I seem to recall, I do not have that particular Hansard, there was a process involving a feasibility study and then further discussions as to what could be done and where. What I am trying to ascertain is the level of priority being given by the Government on this. I know that this has been studied and reviewed in the past and now there are concrete proposals. Does the Minister accept that the bus shelters are really crying out for replacement, not just for repair, and for the sake of the image of public transport in Gibraltar, generally, it is imperative that that should happen as soon as possible?

**HON J J HOLLIDAY:**

I totally agree with the sentiments expressed. Let me say that it is a priority to identify the correct bus shelter for Gibraltar. I think I explained to him last time and I think a decision now is imminent in respect of this.

**NO. 197 OF 2009**

**THE HON G H LICUDI**

**BUS SHELTERS**

Can Government give full details of all works of maintenance or repair to the bus shelters in the last six months?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No maintenance or repair works have been undertaken to the existing bus shelters over the last six months.

**SUPPLEMENTARY TO QUESTION NO. 197 OF 2009**

**HON G H LICUDI:**

Could the Minister elaborate on why that is the case? We have had questions in the past about contractual arrangements in respect of repairs and maintenance, and I know that I have received some correspondence from the Minister and I am grateful for that, on that particular issue of the contract. But as I understand it, the repair and maintenance of the bus shelters is part of the general highways contract which was given some time ago to a particular company. Given, as I said, that the bus shelters are in need of replacement, not just repair and maintenance, is it the case that the Government has said, well, let us not repair at all because we are going to go into a process of replacement in due course?

**HON J J HOLLIDAY:**

I think that is the case, but as we need to have one more discussion on this internally, ourselves, I would be recommending that even though we place an order for bus shelters today, it would take a few months, not just to manufacture, produce or deliver, but actually to install as well. I would be recommending some basic maintenance and repairs which some of them are showing the need for.



**NO. 198 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LTD**

Can Government state the number of paying passengers that were transported and the value of the fares from these passengers by the Gibraltar Bus Company Limited in the months of November 2008 to February 2009 giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The number of paying passengers that were transported by the Gibraltar Bus Company and the value of the fares for the months of November 2008 to February 2009, were as follows:-

	<b>Passengers</b>	<b>Fares</b>
November	135,772	£64,558
December	134,495	£64,242
January	121,680	£57,802
February	121,874	£57,740

**NO. 199 OF 2009**

**THE HON G H LICUDI**

**WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many applications for weight exemption certificates were turned down during the months of November 2008 to February 2009 giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No application for a weight exemption was turned down during the period November 2008 to February 2009.

ORAL

**NO. 200 OF 2009**

**THE HON G H LICUDI**

**WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many applications for weight exemption certificates were granted during the months of November 2008 to February 2009 giving a breakdown by 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. 200**

<b>2008</b>	<b>Cranes</b>	<b>Goods Vehicles (Trucks)</b>	<b>Motor vehicles designed for excavation or shovelling works</b>	<b>Total</b>
November	10	18	3	31
December	4	7	2	13
<b>2009</b>				
January	14	16	4	34
February	10	18	2	30

**NO. 201 OF 2009**

**THE HON G H LICUDI**

**WEIGHT LIMITS ON ROADS**

Can Government state whether any company has a blanket exemption of weight limits on the roads of Gibraltar generally or for any particular road?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There are at present eleven companies that have been issued with monthly exemption certificates of weight limits on heavy traffic roads only. There is one company that has presently been issued with an exemption certificate for one month for roads other than heavy traffic roads.

**SUPPLEMENTARY TO QUESTION NO. 201 OF 2009**

**HON G H LICUDI:**

In the case of these monthly exemptions, do the Government have any mechanism in place for monitoring the vehicles, the weights and how these exemption certificates are actually used?

**HON J J HOLLIDAY:**

Well, there are inspectors and, obviously, the police are aware of the certificates that are issued because they form part of the procedure. I would say that those that are issued with this exemption, do not need police escort and are basically mainly locally based transport companies that operate on a regular basis. So they would be actually requesting these certificates almost on a daily basis. Obviously, in order to curtail having to ask on a regular basis, they are offered monthly exemption certificates, which basically gives them the opportunity to be able to operate during the course of that month.

**HON G H LICUDI:**

Are any of these certificates issued with or subject to conditions? Apart from the roads, because eleven are for heavy traffic roads and one is generally for all roads,

including heavy traffic roads, are there any conditions as to the type of vehicle and maximum weight?

**HON J J HOLLIDAY:**

Yes, and also the actual cargo or goods that they can carry, they are restricted to a particular category of load that they can actually transport as well.

**NO. 202 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LTD – TENDER FOR BUS FOR ROUTE NO. 2**

Can Government state at what stage is the tender process for the buses for route number 2?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The tender process for the buses for route No. 2 is on-going, and a final decision has not yet been taken.

**SUPPLEMENTARY TO QUESTION NO. 202 OF 2009**

**HON G H LICUDI:**

As I seem to recall, that is more or less the position that was given to us the last time that this was raised. I also seem to recall that the position more specifically was that there had been a tender process and none of the vehicles were suitable. The suggestion that was made on the last occasion is that if there was a need for vehicles and people simply did not come forward as part of the tender process, then the company that needs these vehicles, the Gibraltar Bus Company Limited, could itself decide. Whilst it is desirable to go through a tender process, if that tender process does not actually achieve the result that the company wishes to achieve, then it is up to the company to provide the vehicles that it needs by looking for the particular vehicle and going out to the market and purchasing that particular vehicle. Can the Government state whether that is the position that has been reached now? Or are we now back to the general tender process of simply waiting for tenders to come in?

**HON J J HOLLIDAY:**

No, as the hon Member correctly pointed out, when the purchasing of these buses went out to tender, there was no actual submission which met all the criteria that had been set. There was one preferred bidder, who almost met all the criteria, but was not quite what the bus operators were looking for. So I have actually given them instructions to look for alternatives in the market, to see whether there are alternatives, and that is precisely what the process is going on at the moment. They are trying to find alternatives which may be better than our preferred bidder from the tender process, and I am waiting to get a final decision from them with proposals in

terms of cost and delivery of these alternatives. Then a decision will be taken as to which route we go.



**NO. 203 OF 2009**

**THE HON DR J J GARCIA**

**MID TOWN PROJECT**

Can Government say whether they have received any indication from the developers of the mid-town project as to when they expect construction of the luxury residential and commercial development to commence?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The developers of the mid-town project have recently indicated to the Government that they expect to commence actual construction of their residential and commercial development before the end of the year. All the necessary logistics in preparation for this will be undertaken during the next few months.

ORAL

**NO. 204 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID ADVISORY COMMITTEE**

Can Government list the date of the meetings of the Development Aid Advisory Committee since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Development Aid Advisory Committee has not met since the information supplied at the last Question Time in this Parliament.

**NO. 205 OF 2009****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 September 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 (£ millions)</u>
September 2008	26	77	583	7.5
October 2008	20	82	519	7.2

There is no information available after October.

**NO. 206 OF 2009**

**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 September 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 (£ millions)</u>
September 2008	1	0	10	143
October 2008	1	2	28	373

**SUPPLEMENTARY TO QUESTION NO. 206 OF 2009**

**HON J J BOSSANO:**

Presumably the information the Government are providing is the one that they obtain from the Customs of the imports, is it?

**HON J J HOLLIDAY:**

That is correct.

**HON J J BOSSANO:**

How come that they have not got the figures after October, given that it is now March?

**HON J J HOLLIDAY:**

I asked the same question and I was told that they only had figures available until October. They are always a few months behind, but to be honest, yes, he is right, four or five months is quite a long time to be behind. But that is what they told me they had available at that stage.

**NO. 207 OF 2009**

**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 September 2008 was as follows:-

	Value of Computers (£ thousands)
September 2008	1,022
October 2008	1,110

Again, up till October, so the information seems to be across the board and not specific to any area.

ORAL

**NO. 208 OF 2009**

**THE HON DR J J GARCIA**

**PORT DEPARTMENT – VTS SYSTEM**

Can Government say on what date they ordered an upgraded Vessel Traffic Management and Information System (VTS) for the Port Department, at what cost, and when they expect it to be fully operational?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The system has not been ordered. A tender for the equipment will be issued this month. The specific cost will not be known until the tender process is complete.

**NO. 209 OF 2009**

**THE HON DR J J GARCIA**

**EASTSIDE PROJECT**

Can Government say whether, and if so on what date, any changes to the original approved scheme for the Eastside project have been requested by the developers and approved by the Government and the DPC and what were the changes?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The original Foster Scheme was submitted for outline planning application in 2005, but not considered or approved because there was no accompanying environmental impact assessment report. A varied scheme was then the subject of a new submission to DPC, together with an EIA in December 2007. This was approved by DPC in April 2008 following the required public consultation.

**SUPPLEMENTARY TO QUESTION NO. 209 OF 2009**

**HON DR J J GARCIA:**

In relation to the nature of the changes, in terms of the number of hotels and the number of flats, or number of boats in the marina et cetera?

**HON J J HOLLIDAY:**

The, if I could just call it the 2007 proposal, rather than the original Foster Proposal, which was the one that was considered by DPC, if we compare one with the Foster Project itself, I think the changes were in respect, for example, of facilitating the realignment at Devil's Tower Road. A strip of land along Devil's Tower Road was exchanged for a similar amount of land at the western end of the site. This resulted in the re-positioning of some of the buildings. The average net habitable floor area of each apartment was reduced from 140 square metres to 120 square metres. This increased the maximum number of apartments that could be built. Then there were also some changes, architectural design concepts that were different different, and I can say that I welcomed those changes as did most members of the Development and Planning Commission.



**HON DR J J GARCIA:**

Is the project still known as Sovereign Bay?

**HON J J HOLLIDAY:**

No, the project name was changed, I am just trying to think, Vantage. I am quite happy to write to the hon Member, the name escapes me but, I mean, it is still the same MCB Gibraltar Limited et cetera, but the original Foster Scheme was known as Sovereign Bay, subsequently, they basically appointed new architects and they got rid of Lord Foster, or at least terminated his involvement in the project. They appointed new architects and, basically, a new concept in terms of architectural style et cetera. Cape Vantage, that is the name of the project.

**HON DR J J GARCIA:**

Although it is still MCB Gibraltar Limited, it is the company that is the developer, can the Government confirm whether there have been, in fact, changes in the shareholding of that company? So it actually may be different entities now to what they were originally.

**HON J J HOLLIDAY:**

No, there has not been any changes in the shareholding. The only thing is that originally the owners were ..... The Ruben Brothers are still there but then Multiplex was taken over by Brookfield Limited, it was a global major take over, and obviously, on the take over they acquired the shares that Multiplex had. But there has not been any change in shareholding of any substance.

**HON J J BOSSANO:**

The breakwaters which were going to be put in Eastern Beach and Catalan Bay were part of what, the 2005 proposals which the Government said they were going to put a sum of money to, and the balance would be paid by the developer? That was removed in 2007, was it?

**HON J J HOLLIDAY:**

Well, the 2007 project did not actually encompass the marina. If one looks at the planning submission that they made, it did not encompass the marina because they saw that as the phase two. Therefore, the implications on Eastern Beach et cetera changes the pattern, the model. Therefore, there were changes done to the scheme. The scheme, basically, involved land reclamation and it involved a land proposal, rather than a marina proposal, although they are now looking at this phase two, and there are discussions between the shareholders in actually, possibly incorporating the marina at some point, much earlier than anticipated.

**HON J J BOSSANO:**

But was not the fact that the company, as part of its bid, was willing to shoulder the cost of this protection of Eastern Beach and Catalan Bay, over and above I think it was a sum of something like a million? Was that not something that added value to the Government and what did they offer in exchange for that if that was removed?

**HON J J HOLLIDAY:**

He is right, there is something there, but I cannot recollect what exactly has happened subsequently to that. I am quite happy to make the information available but I have not got that information in front of me as a supplementary to this question. But he is right, there is..... Originally, the Eastern Beach reclamation and extension et cetera, but there has been modification to that as a result of them modifying their original project. But I am happy to make the details available to him if he so wishes.

**HON J J BOSSANO:**

Thank you.

**HON DR J J GARCIA:**

In relation to what the question asked about the changes, does the Minister have the information in relation to the number of flats envisaged in the original project and the number of flats envisaged in the approved one?

**HON J J HOLLIDAY:**

I have not got the figures here available to me, but I think the scheme originally was for just under 2,000 apartments in its totality, with the different phases, and I think the changes upped it up to 2,200. But I am talking from memory, it is a long time since these details were considered.

**NO. 210 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – LIND HOUSE**

Can Government say whether Euphrates Ltd have been given planning permission to demolish one detached house at Lind House, 14 Europa Road and to construct one new detached house and how many representations have been received in respect of this project?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Development and Planning Commission has not arrived at a decision in respect of Lind House, 14 Europa Road. No representations from the public have been received.

**SUPPLEMENTARY TO QUESTION NO. 210 OF 2009**

**HON DR J J GARCIA:**

Have the applicants given a reason for wanting to demolish the property and what is the reason?

**HON J J HOLLIDAY:**

Well, as the hon Member probably is aware, these are new owners. The previous owners had actually submitted reports at the Development and Planning Commission's request, in respect of the need to demolish the building because of the state of the building. Obviously, those that have purchased the property now have to follow that particular route, because of the serious state of the building.

**HON DR J J GARCIA:**

So I take it then that the demolition was something that was allowed in the terms of the original tender award?

**HON J J HOLLIDAY:**

Yes, the demolition has been allowed. What the Commission is currently considering is what the owners intend to build in its place, and has asked for further information in respect of photo montage and visions from different areas, before they approve the new scheme.

**NO. 211 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – MOUNT BARBARY, 47 LINE WALL ROAD, STAN JAMES, 1,3,5 CRUTCHETT'S RAMP AND UNIT FP18 CASEMATES SQUARE**

Can Government say whether the DPC has approved the following, and if so on what date:

- (a) the full demolition of Mount Barbary in Mount Road;
- (b) the granting of planning permission to AKS Architects to construct a new office development at 47 Line Wall Road;
- (c) the granting of planning permission to Stan James, Marina Bay for a one storey extension;
- (d) the granting of planning permission for a retail and office development at 1,3,5 Crutchett's Ramp and Unit FP18 Casemates Square?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

A demolition permit for the full demolition of Mount Barbary in Mount Road was granted on 26<sup>th</sup> February 2009.

Planning permission to AKS Architects for 47 Line Wall Road was refused on 19<sup>th</sup> February 2009. A new outline application has subsequently been submitted.

The situation regarding Stan James in Marina Bay, remains as stated in the last Question Time in this Parliament. DPC is still awaiting architectural designs from the applicant, before it can take a decision.

Outline permission for 1,3,5 Crutchett's Ramp was granted on the 27<sup>th</sup> February 2009.

**NO. 212 OF 2009**

**THE HON DR J J GARCIA**

**DAMAGE CAUSED TO SMALL BOATS BY STORM**

Can Government confirm whether there was any damage caused at the small boats marina in Coaling Island during the severe storms of October 2008 and if so provide details of the damage caused?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The small boats marina at Coaling Island is run independently of the Government by the Cormorant Camber Boatowner's Club. The hon Member should ask the Club directly.

**SUPPLEMENTARY TO QUESTION NO. 212 OF 2009**

**HON DR J J GARCIA:**

Can the Government say whether they have had any contact with the club in relation to this issue of any damage caused by storms?

**HON J J HOLLIDAY:**

I am aware that the committee has written to LPS informing them of some damage that was caused during the storms in October. But I am not privy to the details and, therefore, as the club is an independent, private club, he should request the information directly from them.

**HON DR J J GARCIA:**

In relation to their negotiations with LPS, who presumably represent the Government, is the Minister able to say what it is that the boat owners want, that the committee want?

**HON J J HOLLIDAY:**

Well, the boat owners, from what I understand, suffered some damage during the storm, they obviously have insurance which they have put a claim to and the insurance are asking certain questions in respect of the original construction of the marina. Basically, they have been directed to the project managers, who are actually project managing for them during the period of construction of the actual marina.

**HON DR J J GARCIA:**

Just to confirm, when the Government said in their statement that the marina was first class and afforded the small boats excellent protection from the elements, it is not exactly accurate because, actually, there was damage caused in October.

**HON J J HOLLIDAY:**

I mean, I think that what we experienced in October was not a normal type of storm. Yes, hurricanes and earthquakes and things are not something that we make provision for but they do happen. So, yes, I think they were built to normal standards and specifications. The elements sometimes behave in a rather unexpected way, is something that we cannot predict and cater for.

**NO. 213 OF 2009**

**THE HON DR J J GARCIA**

**“ROPAX ONE” OIL POLLUTION**

Can Government say what was the cost, with a breakdown, of tackling the oil pollution incident relating to the vessel “Ropax One” and its collision with a Spanish refinery mono-buoy in December 2008?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The cost of tackling the oil pollution incident relating to the collision of the Ropax One was £40,242.60.

**SUPPLEMENTARY TO QUESTION NO. 213 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say who actually pays that? Is it paid for by the Government, the insurance, who pays?

**HON J J HOLLIDAY:**

Well, initially, it is the Government who pay to make sure that a clean up is done and this cost is now recoverable and is subject to an insurance claim against the vessel’s insurance policy.



**NO. 214 OF 2009**

**THE HON DR J J GARCIA**

**NEW FLAME**

Can Government say whether they have accepted any of the recommendations made to them by the Gibraltar Maritime Authority in its report into the New Flame accident and if so which ones?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government have accepted all the recommendations made in the New Flame accident report with regard to what concerns the Gibraltar Port Authority.

**SUPPLEMENTARY TO QUESTION NO. 214 OF 2009**

**HON DR J J GARCIA:**

In terms of the time scale for actually implementing the recommendations. I mean, I understand there were six, three were made to the Ports of Gibraltar and Algeciras together, and three to the Gibraltar Port Authority. In term of the six recommendations, is there a time scale for implementation in each case, and if so what is it?

**HON J J HOLLIDAY:**

Well, the three recommendations in respect of the Port Authority of Gibraltar and Algeciras are basically there for implementation at a political level. So, we hope that once we have the next round of tripartite talks with UK and Spain, we will be able to address these recommendations and implement them as part of this agreement. In respect of the Gibraltar Port Authority directly, obviously, one of the recommendations is to improve the existing GPA vessel monitoring system, and we have already said that the new VTS system and the procurement of this is already on-going, and should be fully implemented by the end of the year. As far as encouraging masters to engage in services of pilots when outbound from the western anchorage, there are logistics in implementing this. I think the principle is something we all would like to see, but, for example, if we are to insist in having both inbound and outbound pilotage usage, it means doubling the resources of the pilots. Therefore, that means acquiring additional vessels, doubling the resources basically, and that will take time to implement. But we are already in consultation with the

Gibraltar pilots to see how best we can attend to this in the shortest period possible. But it will take some time, this is not something that can be implemented in the next few weeks. So, a word of warning, so that he does not ask me at the next Question Time in the House when it is going to happen. Then the last point is obviously the area of exclusion in the vicinity of Europa Point. De facto, at the moment, we have that already because we still have the residual of the New Flame and the Fedra in the area, which is basically an inclusive zone in its own right. But we do intend to formalise that as soon as both wrecks are finally removed, and we are able to implement that by statute to ensure that all vessels, with the exception possibly of small pleasure boats et cetera, will have an exclusion zone which they are not able to sail through.

**NO. 215 OF 2009**

**THE HON DR J J GARCIA**

**DIRECTOR OF CIVIL AVIATION**

Can Government confirm what tax or other benefits, if any, go with the post of Director of Civil Aviation?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Director of Civil Aviation is paid in accordance with standard terms and conditions of contract officers working for the Government. His basic salary is taxed in accordance with Income Tax Regulations. However, he receives a tax free gratuity of 25 per cent of his basic salary, on successful conclusion of a year's work, in lieu of any pension benefits.

**SUPPLEMENTARY TO QUESTION NO. 215 OF 2009**

**HON DR J J GARCIA:**

Just to make sure I understood correctly, did the Minister say 25 per cent of salary on successful conclusion of a year's work?

**HON J J HOLLIDAY:**

Absolutely, they are paid 25 per cent of salary on an annual basis.

**NO. 216 OF 2009**

**THE HON DR J J GARCIA**

**CIVIL AVIATION SAFETY REGULATION IN GIBRALTAR**

Can Government confirm whether Air Safety Support International (ASSI), which is a wholly owned subsidiary of the UK's Civil Aviation Authority, remains responsible for the oversight of civil aviation safety regulation in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No Sir. ASSI is not, and has never been, responsible for civil aviation safety regulation in Gibraltar. Responsibility used to lie with the Governor, and now lies with the Minister for Transport in accordance with the new Civil Aviation Act recently passed in this House.

**SUPPLEMENTARY TO QUESTION NO. 216 OF 2009**

**HON DR J J GARCIA:**

So, obviously the advert which they published, saying that they were responsible for the oversight within the UK's overseas territories is incorrect, is that the case?

**HON J J HOLLIDAY:**

Could he repeat that?

**HON DR J J GARCIA:**

The advert that they published saying they were responsible for the oversight of civil aviation safety regulation within the UK's overseas territories is incorrect in relation to Gibraltar?

**HON J J HOLLIDAY:**

What advert is that? I am sorry, I have not seen that so I am unable to comment. Is it an advert advertising what? Their wares?

**HON DR J J GARCIA:**

Advertising for a chief executive officer.

**HON J J HOLLIDAY:**

No, they have really nothing to do with Gibraltar any more. I know that the Governor used to use ASSI as consultants in order to advise. But, obviously, the Governor was responsible in statute but needed input from professionals and used ASSI for input on safety issues et cetera. They no longer have an involvement, even an indirect one. Therefore, they must be other overseas territories, not Gibraltar.

**NO. 217 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR/MADRID AIR ROUTE – ANDALUS AIRLINE**

Can Government say whether Andalus airline has now formally applied or notified the Director of Civil Aviation of their intention to operate the route between Gibraltar Airport and Madrid, and if so on what date?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

When I drafted the answer to this question they had not formally applied or notified the Director of Civil Aviation of their intention to operate the route between Gibraltar and Madrid. However, they must have heard of the hon Member's question and the fact that I already answered it, and they actually wrote a letter to the Director of Civil Aviation, putting him on notice that they were contemplating starting a service between Gibraltar, Madrid, Barcelona and Bilbao.

**SUPPLEMENTARY TO QUESTION NO. 217 OF 2009**

**HON DR J J GARCIA:**

When the directors of the airline have told the media they are in negotiations with the Spanish and Gibraltar authorities, who have they been negotiating with?

**HON J J HOLLIDAY:**

Well, I have met them and some of my officials have met them as well, on at least three or four occasions. They do have a plan, a proposal, a business plan to operate to Madrid, Barcelona and Bilbao, as I have just intimated. I would not be too confident that anything is going to happen. I do not think I would want to comment further on this.

**NO. 218 OF 2009**

**THE HON DR J J GARCIA**

**CIVIL AIR TERMINAL PLANS**

When will Government publish the plans of the civil air terminal referred to in section 25 of the Civil Aviation Act 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government will publish the plans when it is ready to do so.

**SUPPLEMENTARY TO QUESTION NO. 218 OF 2009**

**HON DR J J GARCIA:**

Is the Government in a position to say when they will be ready to do so?

**HON J J HOLLIDAY:**

No, it will do so when it is ready to do so.

**HON DR J J GARCIA:**

The Minister is obviously aware that already there is legislation which refers to the plans, does he not accept for the sake of completeness that the plans should be published, so that people who read the legislation can know what areas the law is talking about?

**HON J J HOLLIDAY:**

Absolutely, but if we are not ready to publish it yet we cannot publish it. We will publish as soon as we are ready to do so. I think the hon Member needs to understand that there have been a number of negotiations going on with the Ministry of Defence. We now need to formalise and we cannot publish a plan until we have the deeds, and we have the relevant agreements agreed, signed and delivered. We have an in principle agreement all round, because the hon Member will have seen some of the relocations that have been going on at the airport. Those have already

been agreed, but there is the formality that has to be gone through, and once that formality is finished we will go ahead and publish. But we do not want to publish until we have everything properly documented.

**HON DR J J GARCIA:**

Given that the law has already been passed by this House and assented to by the Governor, and effectively is the law of Gibraltar, that a part of that law refers to this plan, which has not been published yet, can the Minister say whether this is going to take months or weeks? Can he give an indication of what we are talking about?

**HON J J HOLLIDAY:**

These things are very difficult to predict. I think, I would say within the next three or four months at the most. But I would not want to put a commitment on a date for this because sometimes the legal aspects of the documentation can take more than we think, and it involves the Ministry of Defence, therefore UK involvement et cetera.

**HON DR J J GARCIA:**

Why was this particular clause inserted into the law if the plan to which it refers was not yet ready and the subject of negotiation? Might it not have been better to hold that part back until it was ready?

**HON J J HOLLIDAY:**

Yes, but the law does not say when it is going to be published. It just says, "a plan of Gibraltar airport", because I have got a copy here of what the law says, "referred to in section 1 shall be published by the Government in the Gazette, and such plans will specify which parts of Gibraltar airport comprise the civil airport, referred to in section 2, and which part of the airport comprises RAF Gibraltar, referred to in section 3". It does not say when it had to be done or anything like that. That will happen but it has not happened yet.

**HON DR J J GARCIA:**

The Minister does accept it makes it more difficult to interpret the law, if one does not exactly what is what?

**HON J J HOLLIDAY:**

We will publish as soon as we are ready.



**NO. 219 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – MANDATORY OCCURRENCE REPORTS**

Can Government say how many mandatory occurrence reports have been raised in relation to incidents at Gibraltar Airport since the information supplied at 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 NO. 219/2009**

Gibraltar – 26<sup>th</sup> November 2008 to 10<sup>th</sup> March 2009

Compiled by Director of Civil Aviation, 10<sup>th</sup> March 2009

<b>MOR Ref.</b>	<b>Date</b>	<b>Airline/Aircraft</b>	<b>Brief Description</b>
GIB 1120083	26.11.08	Easyjet/A320	Unidentified aircraft 8 nautical miles south of Gibraltar caused ATC to manoeuvre an inbound aircraft to maintain the required safety separation distances
GIB 1120083	28.11.08	Private/C25A	Strong winds caused failure of the Winston Churchill Avenue Southern Barrier.
GIB 0220091	04.02.09	Private/C501	Aircraft burst a tyre on landing.
GIB 0220092	25.02.09	Easyjet/A319	Air Traffic Control radio receivers failed as aircraft approached the airfield.

**NO. 220 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – FLIGHTS DELAYED**

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) 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. 221 of 2009.

**NO. 221 OF 2009**

**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) 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.

**ANSWER TO QUESTION 221****SCHEDULE TO QUESTION 220/2009**

	<b>Nov (25<sup>th</sup>)</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar (9<sup>th</sup>)</b>
LGW B/A	0	1	0	0	0
LGW Ezy	2	6	0	0	0
Luton	1	1	0	1	2
Manchester	0	0	0	1	0

**SCHEDULE TO QUESTION 221/2009**

		<b>Nov (25<sup>th</sup>)</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar (9<sup>th</sup>)</b>
LGW B/A	Timetabled	6	30	31	28	9
	CNX	0	0	0	1	0
LGW Ezy	Timetabled	10	52	53	48	15
	CNX	0	3	15	5	0
Luton	Timetabled	6	30	31	28	9
	CNX	2	5	11	7	3
Manchester	Timetabled	2	14	13	12	4
	CNX	0	1	1	1	0

**NO. 222 OF 2009**

**THE HON DR J J GARCIA**

**STORM DAMAGE – CRUISE TERMINAL/PILOTS’ MESS/PORT AUTHORITY BUILDINGS**

Can Government say whether the full structural assessment and estimate for replacement costs have now been completed in respect of the storm damage caused to the Cruise Terminal, the Pilots’ Mess and Port Authority buildings?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

The full structural assessment and estimate for replacement costs for the Cruise Terminal have been completed and all repairs have been carried out.

In respect of the Pilots’ Mess and Port Authority buildings, the assessment has been completed, estimated costs have been received and remedial work is outstanding.

**SUPPLEMENTARY TO QUESTION NO. 222 OF 2009**

**HON DR J J GARCIA:**

Can the Minister give the cost of the repair to the Cruise Terminal and the estimate of the cost of the repair to the Pilots’ Mess?

**HON J J HOLLIDAY:**

The current total expenditure on storm damage stands at £380,000. That is excluding the rebuilding works for Pilots’ and Port buildings. Obviously, this is subject to an insurance claim which the Port Authority have in place.

**NO. 223 OF 2009**

**THE HON DR J J GARCIA**

**SHIPS CALLING AT GIBRALTAR**

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. 223/2009**

	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>
(a) Bunkering	551	542	503	446
(b) Cargo	15	29	14	13
(c) Repairs	13	11	15	10

Bunkers sold (Tonnes)

<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>
335,812	377,354	367,820	306,057



**NO. 224 OF 2009**

**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 any application for such a licence been made since the last Question Time in this Parliament.

**NO. 225 OF 2009**

**THE HON DR J J GARCIA**

**MARINE SURVEYOR VACANCY**

Can Government say, with respect to the vacancy for marine surveyor which was advertised in November 2008:

- (a) how many persons applied for the vacancy;
- (b) has the vacancy now been filled and if so on what date;
- (c) whether the vacancy was filled by a Gibraltarian?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There were 22 applications for the post. The vacancy has not yet been filled.

**SUPPLEMENTARY TO QUESTION NO. 225 OF 2009**

**HON DR J J GARCIA:**

Are people being interviewed or short listed for the post at the moment?

**HON J J HOLLIDAY:**

Yes, there have been some interviews. Of the 22, four were Gibraltarians and the four Gibraltarians have been interviewed. The idea was to see whether these were acceptable for the post before proceeding to interview others that were from outside Gibraltar. However, of the 22 applicants, 14 were considered to be qualified for interview but a final decision has not yet been made in respect of the four interviews that were carried out with locals.

**NO. 226 OF 2009**

**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**

My Ministry has not sponsored or co-sponsored in Gibraltar or elsewhere any conferences since the last Question Time in this Parliament.

**NO. 227 OF 2009**

**THE HON DR J J GARCIA**

**ADVISORY COUNCIL MEETINGS**

How often and on 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**

Since the information supplied at the last Question Time in this Parliament, the Port Advisory Council met once on the 15<sup>th</sup> January 2009.

The Business and Commerce Advisory Council and the E-Business Advisory Council have not met.

**NO. 228 OF 2009**

**THE HON DR J J GARCIA**

**EU FUNDING APPLICATIONS**

Can Government list the parties who have applied for:

- (a) EU funding;
- (b) Gibraltar Government funding,

since the last Question Time in this Parliament, indicating the amount of funding requested and the purposes for which it was intended, listing those applications that have been successful, those that have been unsuccessful and those applications that are still pending?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

I now hand the hon Member a schedule with the information requested.

**SCHEDULE TO QUESTION NO. 228/2009**

**(a) 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>
7	Irish Bar	Active	£145,422.45 (30%)	£0.00 (0%)	Fitting-out Costs, Purchase of Equipment, Marketing & Import Duty 12%
8	Fire Prevention Services	Active	£3,355.17 (30%)	£0.00 (0%)	Equipment & Import Duty 12%
9	Sporting Restaurant	Pending	£80,298.00 (30%)	£0.00 (0%)	Building & Refurbishment, Kitchen Equipment, Rent (12 months) & Import 12%
10	Beach Club	Pending	£114,090.58 (30%)	£0.00 (0%)	Building Works, Furniture, Equipment & Import Duty 12%

(b) There were no applications under the Gibraltar Government funding.

**NO. 229 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

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**

Since the last Question Time in this Parliament there have been three meetings of the Commission on the following dates:

5<sup>th</sup> January 2009;  
5<sup>th</sup> February 2009; and  
26<sup>th</sup> February 2009.

**NO. 230 OF 2009**

**THE HON DR J J GARCIA**

**APPLICATIONS FOR PLANNING PERMISSION**

Can Government list the applications for planning permission in respect of projects that have been granted and rejected since the last meeting of this Parliament, showing those that are still under consideration, including the name of the applicant and of the project in question?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

I now hand the hon Member a schedule with the information requested.



# **SCHEDULE TO QUESTION NO. 230/2009**



## **GOVERNMENT OF GIBRALTAR Department of Trade & Industry Town Planning & Building Control Section**

**Building/planning applications received 03/12/2008 - 10/03/2009**

App No.	Prop no.	App date	Date rcvd	Application type	Site address	Decision
BA11036	CP10684	02/12/2008	04/12/2008	Minor works building application	1001 Block 6 Europlaza	Approved
BA11037		28/11/2008	05/12/2008	Formal building application	260-262 Main Street	Approved
BA11038		04/12/2008	05/12/2008	Minor works building application	73A Irish Town	Approved
BA11039	1325	04/12/2008	08/12/2008	Minor works building application	Fiat 125 Ocean Heights Fish Market Road	Pending
BA11040	1337	04/12/2008	08/12/2008	Minor works building application	1 Glacis Kiosk Glacis Road	Pending
BA11041		04/12/2008	09/12/2008	Minor works building application	8 Honeysuckle House Waterport Terraces	Approved
BA11042		09/12/2008	09/12/2008	Demolition building application	277 Main Street The Law Courts	Approved
BA11043	CP1135	08/12/2008	10/12/2008	Formal building application	6 Transport Lane	Approved
BA11044		10/12/2008	11/12/2008	Minor works building application	4 Honeysuckle House Waterport Terraces	Approved
BA11045		18/12/2008	19/12/2008	Minor works building application	319A Main Street	Approved
BA11046		17/12/2008	18/12/2008	Demolition building application	202-204 Main Street	Pending
BA11047		19/12/2008	24/12/2008	Formal building application	202-204 Main Street	Pending
BA11048	FP7	19/12/2008	06/01/2009	Formal building application	Cloister Building Irish Town	Approved
BA11049		19/01/2009	19/01/2009	Formal building application	3/501 Harbour Views Road Europlaza	Pending
BA11050	CP1344	14/01/2009	14/01/2009	Formal building application	Watergardens 22	Pending
BA11051		09/01/2009	15/01/2009	Formal building application	17 Town Range	Pending
BA11052	CP1100	16/01/2009	16/01/2009	Outline planning application	14 Lind House Europa Road	Pending
BA11053	CP791	21/01/2009	21/01/2009	Formal building application	26 Rosia Road Trafalgar House	Approved
BA11054		21/01/2009	23/01/2009	Formal building application	Eastern Beach Road Eastern Beach	Pending

Printed on: 10/03/2009

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BA11055	15/01/2009	26/01/2009	Demolition building application	28 Governor's Street	Approved
BA11056	23/01/2009	26/01/2009	Formal building application	Squash Club South Pavilion Road	Pending
BA11057	14/01/2009	27/01/2009	Minor works building application	31 Waverley House Cumberland Road 2B	Pending
BA11058	26/01/2009	26/01/2009	Outline planning application	King's Bastion Leisure Centre Queensway	Withdrawn
BA11059	CP1263V	29/01/2009	Formal building application	1 Highbury Terrace Europa Road	Pending
BA11060	28/01/2009	29/01/2009	Formal building application	Eastern Beach Road Eastern Beach	Pending
BA11061	30/01/2009	02/02/2009	Formal building application	303 Endeavour Sir Herbert Miles Road Both W	Pending
BA11062	02/02/2009	02/03/2009	Formal building application	11 Barley Hill House	Pending
BA11063	03/02/2009	03/02/2009	Formal building application	304B Main Street	Pending
BA11064	05/02/2009	05/02/2009	Formal building application	Evening Primrose House Waterport Terraces	Approved
BA11065	06/02/2009	06/02/2009	Formal building application	Sea Lavender House Waterport Terraces 10	Approved
BA11066	10/02/2009	10/02/2009	Minor works building application	Postal Service Ex-WSM Site North Mole Road	Approved
BA11068	06/02/2009	06/02/2009	Minor works building application	1 Jasmine House Waterport Terraces	Approved
BA11069	06/02/2009	06/02/2009	Minor works building application	3 Jasmine House Waterport Terraces	Approved
BA11070	09/02/2009	09/02/2009	Formal building application	Europa Business Centre G19	Pending
BA11071	10/02/2009	10/02/2009	Formal building application	8 Rodger's Road	Pending
BA11072	10/02/2009	10/02/2009	Formal building application	Jasmine House North Mole Road Waterport T	Approved
BA11073	05/02/2009	11/02/2009	Formal building application	Boardwalk Ocean Village Adjacent to pods 2	Pending
BA11074	11/02/2009	11/02/2009	Demolition building application	Hacienda Bar Eastern Beach Road	Approved
BA11075	11/02/2009	11/02/2009	Formal building application	Jasmine House North Mole Road Waterport T	Pending
BA11076	09/02/2009	11/02/2009	Formal building application	Leisure Island Business Centre Ocean Villag	Pending
BA11077	09/02/2009	11/02/2009	Formal building application	Leisure Island Building Ocean Village 3CA	Pending
BA11078	12/02/2009	12/02/2009	Formal building application	31/4 Scud Hill	Pending
BA11080	13/02/2009	16/02/2009	Formal building application	Administration Building Queensway Quay	Pending
BA11081	17/02/2009	17/02/2009	Formal building application	Evening Primrose House North Mole Road W	Approved

BA11082	17/02/2009	18/02/2009	Formal building application	2 Booth's Passage	Pending
BA11083	17/02/2009	19/02/2009	Formal building application	10/12 Rodger's Road	Pending
BA11084	20/02/2009	20/02/2009	Formal building application	Leisure Island Building Ocean Village	Pending
BA11085	19/02/2009	20/02/2009	Formal building application	47 Cumberland Road	Pending
BA11086	19/02/2009	20/02/2009	Outline planning application	47 Line Wall Road	Pending
BA11087	23/02/2009	23/02/2009	Formal building application	Alce House North Mole Road Waterport Terra	Pending
BA11088	24/02/2009	24/02/2009	Formal building application	Honeysuckle House Waterport Terraces 13	Pending
BA11089	25/02/2009	25/02/2009	Formal building application	Freesia House North Mole Road Waterport Te	Pending
BA11090	24/02/2009	25/02/2009	Demolition building application	8 Rodger's Road	Pending
BA11091	20/02/2009	27/02/2009	Outline planning application	30 Cornwallis Lane	Pending
BA11092	02/03/2009	02/03/2009	Formal building application	1 Iris House Waterport Terraces	Pending
BA11093	23/02/2009	02/03/2009	Formal building application	Sir Herbert Miles Road Catalan Bay Village	Pending
BA11094	06/03/2009	10/03/2009	Formal building application	Ocean Village Promenade 16	Pending
BA11095	06/03/2009	06/03/2009	Formal building application	Wellington Court Devils Tower Road 1	Pending
BA11096	06/03/2009	10/03/2009	Formal building application	Ocean Village Promenade 14-18	Pending
BA11098	10/03/2009	10/03/2009	Formal building application	Lavender House Waterport Terraces 16	Pending
Total no. of records:					60

ORAL

**NO. 231 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – 45 ENGINEER LANE**

Can Government say whether the DPC has now granted planning permission and if so on what date 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**

The application by Crestfield Properties in respect of 45 Engineer Lane has not been granted planning permission.

**NO. 232 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – OCEAN VILLAGE WATERSIDE VILLAS**

Can Government say whether planning permission has now been granted to Ocean Village for the construction of luxury villas and apartments in the area of Marina Bay / Sheppard's Marina?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No planning permission has been granted for the construction of the 72 waterside villas.

**SUPPLEMENTARY TO QUESTION NO. 232 OF 2009**

**HON DR J J GARCIA:**

The last time the question was asked the position was that the applicants had submitted plans with a road through it and were asked to revise the scheme and come back. Has that now happened or not?

**HON J J HOLLIDAY:**

No, the Development and Planning Commission specifically have asked the applicant for certain information and certain amendments and that has not been forthcoming yet.

**NO. 233 OF 2009**

**THE HON DR J J GARCIA**

**OCEAN VILLAGE – CONSTRUCTION OF THIRD TOWER BLOCK**

Have Government received any indication from the developers of Ocean Village as to whether or not they intend to proceed with the construction of the third tower block located in the area of the Ford garage at the Waterport roundabout?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government have not received any information from the applicant that they do not intend to proceed with the application.

**SUPPLEMENTARY TO QUESTION NO. 233 OF 2009**

**HON DR J J GARCIA:**

Is the application, therefore, still pending?

**HON J J HOLLIDAY:**

The application has been considered by DPC and approved. The permit has not been issued, there are premiums still due to the Government but we have not had any indication from the developers that they do not intend to proceed with the development, as the question asked.

**NO. 234 OF 2009**

**THE HON J J BOSSANO**

**BUILDING APPLICATIONS**

Can Government state what was the total value of building applications in respect of private developments submitted in 2008 and provide a breakdown by project?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

This was a question where, in my discussions with officials, there were two schools of thought as to what the hon Member was asking for. So maybe if he can clarify what he is asking for, I have got both sets of information available for him. There was one school of thought that felt that the hon Member was asking for, which I did not think was the case, the value of the applications. In other words, the fees that people pay. I think that the hon Member was asking for the value of the projects within the private sector.

So, the total value of building applications in respect of private sector developments submitted in 2008 is £35.4 million.

I now hand the hon Member a schedule with the information requested.

## **SCHEDULE TO QUESTION 234/2009**

### **GOVERNMENT OF GIBRALTAR Department of Enterprise and Development Town Planning & Building Control Section**

#### **Estimated cost for applications received January – December 2008**

##### **Formal building application**

<b>App. No.</b>	<b>Prop. No.</b>	<b>App. date</b>	<b>Date rcvd</b>	<b>Site address</b>	<b>Estimated cost</b>
BA10813	1431 (part	10/01/2008	18/01/2008	34/A/2, 34/A/3, 34/A/4 Devil's Tower	£45,000.00
BA10818		03/03/2008	03/03/2008	Rosia Plaza Rosia Parade	£30,000.00
BA10829	CP1249/A	04/02/2008	05/02/2008	1A Humphrey's Bungalows Engineer	£125,000.00
BA10830		25/01/2008	06/02/2008	Lucas Imossi Car Show Room	£15,000,000.00
BA10838	FP103/104	11/02/2008	12/02/2008	74/3 Main Street	£40,000.00
BA10841	CP1476	15/02/2008	15/02/2008	Sunrise Motel Devil's Tower Road	£2,500,000.00
BA10846	FP372	13/02/2008	19/02/2008	37/5 City Mill Lane	£35,000.00
BA10852		25/01/2008	25/02/2008	11 The Sails Ocean Village	£35,000.00
BA10853	FP1069	27/02/2008	27/02/2008	No. 33 Cumberland Road	£5,000.00
BA10858	FP16	27/02/2008	29/02/2008	34 Parliament Lane	£25,000.00
BA10862		03/03/2008	06/03/2008	Mount Pleasant South Barracks Road	£15,000.00
BA10864	CP1314	11/03/2008	12/03/2008	30 Ocean Village Promenade Ocean	£8,500.00
BA10865	CP1314 Vol	10/03/2008	13/03/2008	27 Leisure Island Building Ocean	£150,000.00
BA10874		18/03/2008	19/03/2008	1-3 Clifton Mews Europa Road	£200,000.00
BA10876		19/03/2008	19/03/2008	No 1 The Square Marina Bay	£250,000.00
BA10877		26/03/2008	26/03/2008	Queensway Quay Car Park	£2,100,000.00
BA10878	CP630	27/03/2008	27/03/2008	The Convent Main Street	£75,000.00
BA10879		17/03/2008	27/03/2008	197-199/201 Main Street	£200,000.00
BA10880	CP1115	31/03/2008	31/03/2008	Mount Pleasant South Barracks Road	£25,000.00
BA10886		03/04/2008	03/04/2008	4 Woodford Cottage	£5,000.00
BA10889	CP1262	07/04/2008	08/04/2008	9a Flat 1/4 Europa Flats	£30,000.00
BA10894	CP121D	08/04/2008	10/04/2008	2D Castle Road	£150,000.00
BA10900	CP1314	23/02/2008	14/04/2008	10-16 Ocean Village Promenade	£20,000.00
BA10910	CP1394	29/04/2008	29/04/2008	S.O.R.T. Sullage Plant North Mole	£10,000.00
BA10924	FP89	14/05/2008	15/05/2008	29/37 Engineer Lane	£350,000.00
BA10932	FP107	23/05/2008	29/05/2008	51/53/53A Irish Town	£700,000.00
BA10937	CP1265	06/06/2008	09/06/2008	Europa View Terrace Europa Road	£100,000.00
BA10939	CP988G	13/06/2008	13/06/2008	7/1 Tam House Gardiner's Road	£11,000.00



**GOVERNMENT OF GIBRALTAR**  
**Department of Enterprise and Development**  
**Town Planning & Building Control Section**

**Estimated cost for applications received January – December 2008**

**Formal building application**

App. No.	Prop. No.	App. date	Date rcvd	Site address	Estimated cost
BA10946	CP1069	19/06/2008	18/06/2008	31 Waverley House Cumberland Road	£10,000.00
BA10952		07/07/2008	07/07/2008	39/41 Jyske House Irish Town	£50,000.00
BA10955	CP999E	10/07/2008	10/07/2008	3B Piccadilly Garden Bar Rosia Road	£85,000.00
BA10956	CP313	04/07/2008	08/07/2008	Nos 1 & 3 New Passage	£125,000.00
BA10957	989B	09/07/2008	10/07/2008	14 Gardiner's Road	£60,000.00
BA10964	CP1446	25/07/2008	30/07/2008	20 Lancaster Road	£56,000.00
BA10977	FP16	18/08/2008	18/08/2008	32 Parliament Lane	£250,000.00
BA10980		20/08/2008	20/08/2008	16 Admiral's Place	£10,000.00
BA10982	FP 172	27/08/2008	27/08/2008	16/20 Engineer Lane	£64,637.00
BA10983	FP105	22/08/2008	27/08/2008	1/3A Bedlam Court	£15,000.00
BA10984		28/08/2008	29/08/2008	47 Line Wall Road	£5,000,000.00
BA10986	CP1019A	08/09/2008	09/09/2008	4A Engineer Road Maida Vale	£40,000.00
BA10990		05/09/2008	22/09/2008	7/9 Cornwalls Lane	£75,000.00
BA10992	CP1381	26/09/2008	26/09/2008	Post Office Sort Depot Car Park Mons	£60,000.00
BA11004	CP1376	21/10/2008	21/10/2008	4/1, 4/2 & 4/3 Waterport Place North	£100,000.00
BA11011	CP991(2)	21/11/2008	03/11/2008	4 Lower Bruces Farm Upper Rock	£50,000.00
BA11030	CP1065	21/11/2008	24/11/2008	2 Electra Flats Scud Hill	£4,000.00
BA11033		18/11/2008	23/11/2008	122/2 Irish Town	£1,000.00
BA11034		12/11/2008	21/11/2008	22 Main Street	£100,000.00
BA11037		28/11/2008	05/12/2008	260-262 Main Street	£20,000.00
BA11043	CP1135C	08/12/2008	10/12/2008	6 Transport Lane	£9,500.00
BA11047		19/12/2008	24/12/2008	202-204 Main Street	£2,000,000.00

**Subtotal: £30,424,637**

**No. of records: 52**

**GOVERNMENT OF GIBRALTAR**  
**Department of Enterprise and Development**  
**Town Planning & Building Control Section**

**Estimated cost for applications received January – December 2008**

**Minor works building application**

<b>App. No.</b>	<b>Prop. No.</b>	<b>App. date</b>	<b>Date rcvd</b>	<b>Site address</b>	<b>Estimated cost</b>
BA10808		08/01/2008	09/01/2008	5 Honeysuckle House Waterport	£250.00
BA10809	CP1364H	11/01/2008	14/01/2008	13c North Mole Road	£500.00
BA10810	CP1157	08/01/2008	08/01/2008	39 Naval Hospital Road	£15,000.00
BA10811		11/01/2008	16/01/2008	20 Ocean Village Promenade Ocean	£40,000.00
BA10812	CP1244/1(V	18/01/2008	18/01/2008	Bella Vista Cottage Mount Road	£1,000.00
BA10814	FP256	18/01/2008	18/01/2008	181 Main Street	£20,000.00
BA10817	CP1244/1	22/01/2008	23/01/2008	33B Europa Road	£6,000.00
BA10820	CP15109	23/01/2008	24/01/2008	Caleta Hotel Sir Herbert Miles Road	£31,277.00
BA10822		25/01/2008	27/01/2008	178 Main Street	£2,000.00
BA10823		25/01/2008	28/01/2008	251/3 Main Street	£6,000.00
BA10825	CP1142,11	29/01/2008	30/01/2008	2Collingwood Tower Brympton	£900.00
BA10826	CP1262	23/01/2008	29/01/2008	1 Africa View Europa Road	£2,800.00
BA10827	CP1386C	30/08/2007	05/02/2008	Unit 1.0.08 Europort Road Eurotowers	£30,522.25
BA10828	FP237	05/02/2008	05/02/2008	8 Bell Lane	£2,000.00
BA10831	FP357/358	22/11/2007	07/02/2008	6/3 Gavino's Passage	£15,000.00
BA10832	CP1313	08/02/2008	06/02/2008	37 Glacis Road Marina Court	£4,000.00
BA10833	CP1033G	06/02/2008	07/02/2008	6 Lord Napier Mews Rodger's Road	£10,000.00
BA10834		06/02/2008	07/02/2008	13 The Sails Ocean Village	£160,000.00
BA10835	CP1357	06/02/2008	07/02/2008	Unit R1 Bayside Road Trade Winds	£50,000.00
BA10836	FP4	07/02/2008	08/02/2008	22A Main Street	£18,000.00
BA10837	CP1231H	11/02/2008	11/02/2008	1A Windmill Hill Road Sunset Close	£10,000.00
BA10840	FP200/203	12/02/2008	14/02/2008	1/1B Tuckey's Lane	£1,500.00
BA10842	CP1324/13	15/02/2008	15/02/2008	701B Ocean Heights Queensway	£10,000.00
BA10845	1223A (pt)	19/02/2008	19/02/2008	47C Europa Road	£10,000.00
BA10848		14/02/2008	21/02/2008	11 Sir Herbert Miles Road Catalan	£3,000.00
BA10849	CP1231H	15/02/2008	21/02/2008	Flat No.21 Windmill Hill Road Sunset	£9,500.00
BA10850		14/02/2008	20/02/2008	Pontoon Ocean Village Promenade	£17,500.00
BA10851	CP1231(H)3	25/02/2008	25/02/2008	Windmill Hill Road	£200,000.00
BA10854	CP989PT	26/02/2008	27/02/2008	12 Gardiner's Road	£5,000.00
BA10855	CP1241B	27/02/2008	27/02/2008	5 Shorthorn Estate Europa Road	£1,500.00
BA10856	CP1386A	25/02/2008	27/02/2008	Units 0101 & 1101 Europlaza	£40,000.00

**GOVERNMENT OF GIBRALTAR**  
**Department of Enterprise and Development**  
**Town Planning & Building Control Section**

**Estimated cost for applications received January – December 2008**

**Minor works building application**

<b>App. No.</b>	<b>Prop. No.</b>	<b>App. date</b>	<b>Date rcvd</b>	<b>Site address</b>	<b>Estimated cost</b>
BA10859		08/01/2008	29/02/2008	34 Parliament Lane	£4,000.00
BA10860		06/03/2008	06/03/2008	16 Windmill Hill Flats	£5,000.00
BA10866	CP320/332/	29/02/2008	13/03/2008	1/9 Governor's Street	£3,500.00
BA10867		12/03/2008	13/03/2008	14 Gibraltar Heights Bishop Rapallo's	£30,000.00
BA10868	CP1386B	14/03/2008	14/03/2008	603-604 Building 6 Europort	£19,000.00
BA10871	CP1314(10)	18/03/2008	19/03/2008	46 Royal Ocean Plaza Ocean Village	£80,000.00
BA10873		18/03/2008	19/03/2008	504 Royal Ocean Plaza Ocean	£2,500.00
BA10875		17/03/2008	20/03/2008	19C Europa Road Elliot's Battery	£1,500.00
BA10882		01/04/2008	01/04/2008	29A / 1 Hospital Ramp	£4,000.00
BA10883	CP620&620	19/03/2008	03/04/2008	23 Leisure Island Building Ocean	£550,000.00
BA10884		02/04/2008	02/04/2008	5.7.04/5.7.05 Apricot Court Sir	£5,000.00
BA10888		02/04/2008	04/04/2008	23 Castle Road	£2,000.00
BA10890		25/03/2008	08/04/2008	Eurolife Building Corral Road Bld 6.	£330,000.00
BA10891	CP1314	11/04/2008	11/04/2008	Ocean Village Promenade Ocean	£65,000.00
BA10892	CP1386A	08/04/2008	09/04/2008	1201 Block 4 Europlaza	£25,000.00
BA10893		02/04/2008	08/04/2008	7 Benoliel's Passage	£10,000.00
BA10897	CP804	11/04/2008	13/04/2008	Unit 14 On the Quay Queensway Quay	£150,000.00
BA10898		10/04/2008	14/04/2008	23 Leisure Island Building Ocean	£410,000.00
BA10899	CP1408/14	15/04/2008	15/04/2008	12A Renown House Laguna Estate	£3,100.00
BA10903	CP1155	16/04/2008	17/04/2008	11 Catalan Gardens Sir Herbert Miles	£20,000.00
BA10906		23/04/2008	25/04/2008	17 The Sails Ocean Village	£120,000.00
BA10907	CP80A	23/04/2008	24/04/2008	Hindu Temple Engineer Lane	£8,000.00
BA10908	FP226	24/04/2008	28/04/2008	94/96 Irish Town	£15,000.00
BA10911		29/04/2008	29/04/2008	12 Town Range	£7,500.00
BA10912		30/04/2008	30/04/2008	Block 1 Queensway Quay Flat 24	£2,000.00
BA10913	FP103	01/05/2008	03/05/2008	72 Main Street M Marquez & Co Ltd	£40,000.00
BA10915		29/04/2008	03/05/2008	1/5 Governor's Street	£10,000.00
BA10917		06/05/2008	07/05/2008	41 Main Street	£5,000.00
BA10918	FP25	02/05/2008	06/05/2008	42 Crutchett's Ramp	£25,000.00
Ba10919		02/05/2008	06/05/2008	11 Governor's Street	£25,000.00
BA10922	CP 995/2	08/05/2008	12/05/2008	Devil's Gap Upper Rock Unit 13	£4,000.00
BA10923		27/11/2007	12/05/2008	4 Admirals Walk Marina Bay	£1,000.00
BA10927	CP1220	21/05/2008	21/05/2008	18 Naval Hospital Road Admiral's	£4,500.00

**GOVERNMENT OF GIBRALTAR**  
**Department of Enterprise and Development**  
**Town Planning & Building Control Section**

**Estimated cost for applications received January – December 2008**

**Minor works building application**

<b>App. No.</b>	<b>Prop. No.</b>	<b>App. date</b>	<b>Date rcvd</b>	<b>Site address</b>	<b>Estimated cost</b>
BA10928	CP1386A	12/05/2008	21/05/2008	1303 Block 6 Europlaza	£400.00
BA10929		22/05/2008	22/05/2008	Car Wash Waterport Coach Park	£5,000.00
BA10930		28/05/2008	28/05/2008	7 Laburnum Lodge Montagu Gardens	£978.00
BA10931		30/05/2008	02/06/2008	18 Ocean Village Promenade Ocean	£50,000.00
BA10933	CP1317	02/06/2008	03/06/2008	345 Watergardens	£1,900.00
BA10934		02/06/2008	03/06/2008	The Sails Queensway Quay	£20,000.00
BA10935	CP1203/5	30/05/2008	04/06/2008	5/6 Rosia Dale	£4,000.00
BA10936		05/06/2008	05/06/2008	Suite 611 Europort Road Europort	£150,000.00
BA10938	FP61	09/06/2008	11/06/2008	13 Main Street	£29,350.00
BA10940	CP1033G	14/06/2008	18/06/2008	5 Lord Napier Mews Rodger's Road	£4,500.00
BA10942	CP1216	14/06/2008	18/06/2008	2 Naval Hospital Hill Flats 1, 3 & 4, F	£26,000.00
BA10944		13/06/2008	18/06/2008	17 The Island Queensway Quay	£2,000.00
BA10945		23/06/2008	24/06/2008	44 Royal Ocean Plaza Ocean Village	£15,000.00
BA10947	CP1376	26/06/2008	26/06/2008	Waterport Place Europort Avenue	£16,000.00
BA10948	CP1393/6	26/06/2008	01/07/2008	North Mole Industrial Estate Unit 8	£5,000.00
BA10949		30/07/2008	30/07/2008	7-9 John Mackintosh Square	£50,000.00
BA10950	FP4	04/07/2008	04/07/2008	22A Main Street	£50,000.00
BA10953		07/07/2008	08/07/2008	Barclays Wealth Tuckey's Lane	£20,000.00
BA10954		08/07/2008	09/07/2008	75 Irish Town	£20,000.00
BA10958		26/06/2008	10/07/2008	4a/b/c Eurolife Building Corral Road	£3,000.00
BA10959		15/07/2008	16/07/2008	290A Main Street	£25,000.00
BA10960		18/07/2008	22/07/2008	10 King Street	£15,000.00
BA10961	FP686/7	21/07/2008	22/07/2008	3 Pride of Gibraltar Lodge Victualling	£150,000.00
BA10962	CP1122	28/07/2008	28/07/2008	La Morna Sunnyside Steps	£15,000.00
BA10963		30/07/2008	30/07/2008	25 Leisure Island Building Ocean	£60,000.00
BA10965	CP1163	28/07/2008	31/07/2008	17 Naval Hospital Hill	£500.00
BA10967		07/08/2008	07/08/2008	32 Admiral's Place	£1,000.00
BA10968	CP1142	07/08/2008	07/08/2008	11 Blackwood Tower Brympton	£800.00
BA10969		11/08/2008	11/08/2008	35 City Mill Lane	£2,000.00
BA10970		06/08/2008	11/08/2008	1 Mediterranean Terrace	£5,000.00
BA10972		08/08/2008	11/08/2008	110/112 Main Street	£5,000.00
BA10973	CP1399A	05/08/2008	11/08/2008	Trade Winds Unit R2	£100,000.00
BA10974		08/08/2008	13/08/2008	81 Main Street	£50,000.00

**GOVERNMENT OF GIBRALTAR**  
**Department of Enterprise and Development**  
**Town Planning & Building Control Section**

**Estimated cost for applications received January – December 2008**

**Minor works building application**

App. No.	Prop. No.	App. date	Date rcvd	Site address	Estimated cost
BA10976	FP1325	18/08/2008	18/08/2008	Ocean Heights Fish Market Road	£6,000.00
BA10978		20/08/2008	20/08/2008	11 Windmill Hill Road Sunset Close	£2,500.00
BA10979	CP1520	18/08/2008	20/08/2008	225-226 Sir Herbert Miles Road Both	£20,000.00
BA10981		18/08/2008	26/08/2008	Governor's Cottage Europa Advance	£100,000.00
BA10985		09/09/2008	09/09/2008	Sunrise Court Catalan Bay Village	£6,000.00
BA10987	CP1016/6	11/09/2008	16/09/2008	White Rose Cottage KGV Ramp	£25,000.00
BA10988		19/09/2008	19/09/2008	81 Cloister Building Irish Town	£4,000.00
BA10989	CP1245C	18/09/2008	22/09/2008	35 John Snow House Europa Road	£400.00
BA10991	CP1162A	25/09/2008	26/09/2008	5/1 Naval Hospital Hill	£12,000.00
BA10993	CP1314	23/09/2008	02/10/2008	Leisure Island Building Ocean	£65,000.00
BA10994		01/10/2008	02/10/2008	6/8 Crutchett's Ramp	£12,000.00
BA10995	CP1386B	02/09/2008	03/10/2008	751 Europort	£150,000.00
BA10997	CP1563	03/10/2008	08/10/2008	Cable car top station Signal Station	£95,000.00
BA10998	CP1065	09/10/2008	09/10/2008	24/1 Scud Hill	£1,650.00
BA11001		03/10/2008	13/10/2008	19 The Sails Ocean Village	£24,000.00
BA11002	CP1000B/2	14/10/2008	14/10/2008	Garages Red Sands Road	£17,500.00
BA11003	CP1203/84	16/10/2008	20/10/2008	83/84 Rosia Dale	£25,000.00
BA11007	CP1245B	21/10/2008	27/10/2008	37 Lancashire House Europa Road	£12,000.00
BA11009		21/10/2008	27/10/2008	18 Britannia House Marina Bay	£20,000.00
BA11012		27/10/2008	04/11/2008	34 Line Wall Road	£1,000.00
BA11013	CP1399	03/11/2008	04/11/2008	505 Neptune House Marina Bay	£10,000.00
BA11015	CP1386(B)	06/11/2008	07/11/2008	721 Europort Building Europort Road	£4,000.00
BA11016	FP1059 &	27/10/2008	07/11/2008	23/4 Cumberland Road	£20,000.00
BA11017	CP1354	07/11/2008	10/11/2008	Unit 2 West Place of Arms	£10,000.00
BA11018		11/11/2008	12/11/2008	284 Main Street	£3,300.00
BA11020		07/11/2008	11/11/2008	17 Blackwood Tower Brympton	£647.00
BA11021		07/11/2008	11/11/2008	18 Blackwood Tower Brympton	£647.00
BA11023		11/11/2008	12/11/2008	Leisure Island Building Ocean	£3,000.00
BA11024		12/11/2008	13/11/2008	Rock Hotel car park	£0.00
BA11026	CP1399(7)	29/10/2008	14/11/2008	503 Neptune House Marina Bay	£450.00
BA11027		13/11/2008	14/11/2008	15 Main Street	£15,000.00
BA11028		18/11/2008	18/11/2008	159 Main Street	£5,500.00

**GOVERNMENT OF GIBRALTAR**  
**Department of Enterprise and Development**  
**Town Planning & Building Control Section**

**Estimated cost for applications received January – December 2008**

**Minor works building application**

<b>App. No.</b>	<b>Prop. No.</b>	<b>App. date</b>	<b>Date rcvd</b>	<b>Site address</b>	<b>Estimated cost</b>
BA11029	CP1376	27/10/2008	19/11/2008	Waterport Place Suite 2B	£70,000.00
BA11031		13/11/2008	17/11/2008	60 Main Street	£25,000.00
BA11032	CP1314	02/11/2008	20/11/2008	Ocean Village Promenade Ocean	£25,000.00
BA11035	CP1228	27/11/2008	01/12/2008	7 Orchid House Europa Road The	£3,500.00
BA11036	CP10684	02/12/2008	04/12/2008	1001 Block 6 Europlaza	£0.00
BA11038		04/12/2008	05/12/2008	73A Irish Town	£1,700.00
BA11039	1325	04/12/2008	08/12/2008	Flat 125 Ocean Heights Fish Market	£6,000.00
BA11040	1337	04/12/2008	08/12/2008	1 Glacis Kiosk Glacis Road	£30,000.00
BA11041		04/12/2008	09/12/2008	8 Honeysuckle House Waterport	£500.00
BA11044		10/12/2008	11/12/2008	4 Honeysuckle House Waterport	£800.00
BA11045		18/12/2008	19/12/2008	319A Main Street	£1,500.00
<b>Subtotal:</b>					<b>£4,447,871</b>

**GOVERNMENT OF GIBRALTAR**  
**Department of Enterprise and Development**  
**Town Planning & Building Control Section**

**Estimated cost for applications received January – December 2008**

**Demolition building application**

<b>App. No.</b>	<b>Prop. No.</b>	<b>App. date</b>	<b>Date rcvd</b>	<b>Site address</b>	<b>Estimated cost</b>
BA10872	CP1115	14/03/2008	17/03/2008	Mount Pleasant South Barracks Road	£17,000.00
BA10885	CP1314	02/04/2008	03/04/2008	Key Transport Ocean Village	£10,000.00
BA10887		04/04/2008	07/04/2008	6-9 Morello's Ramp	£7,000.00
BA10904	CP1267	23/04/2008	23/04/2008	ROP Plant Dobinsons Way	£10,000.00
BA10909	CP1520	28/04/2008	28/04/2008	Sir Herbert Miles Road Both Worlds	£20,000.00
BA10941	CP1244/25	12/06/2008	13/06/2008	Mount Barbary Mount Road	£10,000.00
BA11022	CP1445	10/11/2008	12/11/2008	24/26 Lancaster Road	£10,000.00
BA11025		13/11/2008	14/11/2008	Mount Barbary Mount Road	£57,500.00
BA11046		17/12/2008	18/12/2008	202-204 Main Street	£400,000.00
<b>Subtotal:</b>					<b>£541,500</b>
<b>No. of records:</b>					<b>9</b>

**GOVERNMENT OF GIBRALTAR**  
**Department of Enterprise and Development**  
**Town Planning & Building Control Section**

**Estimated cost for applications received**

**Summary:**

**ESTIMATED COST GRAND TOTAL: £35,400,000**

ORAL

**NO. 235 OF 2009**

**THE HON S E LINARES**

**TRANSBORDER INSTITUTE**

Can Government state whether it is still involved in any way with the Transborder Institute and, if it is, in what capacity, who has attended meetings, if any have been held, and where and when have the meetings taken place?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are not actively involved in the Transborder Institute at this time.



**ORAL**

**NO. 236 OF 2009**

**THE HON S E LINARES**

**MOD WATER SYSTEM**

Can Government state whether they intend to take over the MOD's water system and if so under what terms and conditions will this be?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Under the terms of the agreement dated 31<sup>st</sup> May 2007 between the Gibraltar Government and the Ministry of Defence, sometimes called in the press the global agreement, it was agreed that the Government of Gibraltar would take over the MOD's water distribution undertaking. However, detailed negotiations have not yet started in that respect. It was also agreed that the parties would explore and discuss the possibility of a transfer of the production undertaking, but the latter is not agreed, even in principle.

ORAL

**NO. 237 OF 2009**

**THE HON S E LINARES**

**NEW POWER STATION**

Can Government state when it will commence building the new power station?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 238 to 240 of 2009.

ORAL

**NO. 238 OF 2009**

**THE HON S E LINARES**

**NEW POWER STATION**

Can Government state where they intend to locate the new power station?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 237, 239 and 240 of 2009.

ORAL

**NO. 239 OF 2009**

**THE HON S E LINARES**

**NEW POWER STATION**

Can Government state when they envisage the new power station to be up and running?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 237, 238 and 240 of 2009.

**NO. 240 OF 2009**

**THE HON S E LINARES**

**NEW POWER STATION**

Can Government state whether the new power station will take over the Waterport station, the OESCO plant and the MOD station?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government cannot say when they will begin building the power station, nor when it will be up and running, nor the definitive location of the power station, given that the proposed location is still the subject of an on-going statutory consultation process, and thus no final decision can, or indeed, has been made. The proposal is to site it at the ex Lathbury Barracks parade ground. As previously made clear by the Government, the new power station would take over Waterport, OESCO and MOD power stations, all of which would close.

**SUPPLEMENTARY TO QUESTION NOS. 238 TO 240 OF 2009**

**HON J J BOSSANO:**

Do the Government have an idea of how long it would take once a decision is made and once a site is found? I mean, in terms of from the moment that work is started to the moment that work is finished, is there a likely timescale to that?

**HON CHIEF MINISTER:**

Yes, I think there is, I do not want to be held to it. I seem to recall it is somewhere around the 24 month mark. I think that is right, yes. Some preparatory work is being done in respect of non location specific design specifications. If after the consultation process the Government are able to confirm the site, which is our proposed site up at Lathbury Barracks, it is not then a question of starting with the design process, because the actually technical aspects of the plant, as opposed to the building, is not site specific.

ORAL

**NO. 241 OF 2009**

**THE HON S E LINARES**

**GEA – TRANSFER OF MOD EMPLOYEES**

Can Government state how many employees will be transferred to the Electricity Authority once the MOD hands over the generation of electricity to it?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 242 and 243 of 2009.

ORAL

**NO. 242 OF 2009**

**THE HON S E LINARES**

**GEA – TERMS AND CONDITIONS OF MOD EMPLOYEES**

Can Government state whether MOD employees will enjoy the same terms and conditions as do employees who are now in the Electricity Authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 241 and 243 of 2009.

**NO. 243 OF 2009**

**THE HON S E LINARES**

**GEA – TRANSFER OF OESCO EMPLOYEES**

Can Government state whether the employees of the OESCO power plant will also be transferred to the Electricity Authority if it takes over the plant?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not currently possible to say how many MOD employees will transfer, or to what entity, nor on what terms. These issues are the subject, first of the implementation of an MOD early exit scheme offer to its existing employees, which will itself then result in a number of remaining employees who are the ones who will transfer. These issues are the subject of the implementation, as I say, of the MOD early exit scheme offer first, and then a statutory transfer of undertaking consultation with staff, which the MOD may have started but is certainly not very advanced. The Government have not yet engaged with OESCO at all.

**SUPPLEMENTARY TO QUESTION NOS. 241 TO 243 OF 2009**

**HON S E LINARES:**

Have the Government engaged with the MOD, since they have not engaged with OESCO?

**HON CHIEF MINISTER:**

Well, yes, the Government have engaged with the MOD in the sense that we are negotiating a detailed agreement, under which, and this is the subject of I think the next few questions, MOD will hand over assets and the Gibraltar Government, or an entity owned by the Gibraltar Government, will become the supplier of electricity to the MOD. So, obviously, we are in direct negotiations with the MOD and as the proposed transferee, or the controllers of the proposed transferee, we are an important part of the consultation process for staff, as for example, SERCO was a part of the consultation process when the MOD transferred staff to SERCO under the ISP contract. Therefore, we are engaged in that process. But not in the case of OESCO. I think some OESCO staff representatives approached me at a social function and flagged their concerns, but that is the extent of the Government's .....



**HON G H LICUDI:**

As with the position with the MOD, can the Government confirm that they accept, in principle, in relation to OESCO, and I understand that consultation process still has not started, do they accept in principle that there would be a transfer of undertakings, and therefore certain obligations as transferees?

**HON CHIEF MINISTER:**

The Government are not going to pre-empt the outcome of their negotiations or the outcome of their consultation process. The Government are not going to accept, make advanced commitments one way or the other in this House, which condition, or curtail, or restrict our freedom of action in the best interests of taxpayers, employees and all other parties. The Government have to balance many interests, not just the one that one party in this House, or perhaps both parties in this House, might regard particularly important.

**ORAL**

**NO. 244 OF 2009**

**THE HON S E LINARES**

**PRIORITY IN THE CASE OF ELECTRICITY SUPPLY DISRUPTION**

Can Government state whether the MOD will have priority over the civilian population in the case where the electricity supply is cut off or disrupted in anyway?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As I said earlier, the detailed agreement is still under negotiation. But, certainly, no priority is envisaged, except that the Government of Gibraltar will use its best endeavours to ensure that supplies are prioritised in favour of the MOD hospital, the airfield and the MOD water distillers, on the same basis as such priority is afforded to St Bernard's Hospital and AquaGib.

**NO. 245 OF 2009**

**THE HON S E LINARES**

**THEATRE ROYAL – HEALTH AND SAFETY INSPECTIONS**

Can Government state whether any health and safety inspections have taken place at the old site of the Theatre Royal in the last 2 years and if so how many and by whom?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The site of the old Theatre Royal has been inspected by the Government's appointed consultants, M E Belilo & Partners, six times between October 2006 and January 2008. A further site visit is due in two weeks time.

Although not exclusively health and safety inspections per se, these have produced condition and temporary works reports which have led to works being undertaken as required to maintain the site.

**SUPPLEMENTARY TO QUESTION NO. 245 OF 2009**

**HON S E LINARES:**

Can the Chief Minister expand as to what types of works have been carried out there? Is it sort of holding of properties around, is it to do with the actual or what is left of the building, the old building?

**HON CHIEF MINISTER:**

The works relate to such things as the inspection of the scaffolding and maintaining the scaffolding to make sure that it remains safely erected. GJBS, for example, has attended to works on the site in relation to underpinning works to various walls of the adjacent properties. GJBS has also maintained the hoarding around the site as and when necessary.

ORAL

**NO. 246 OF 2009**

**THE HON C A BRUZON**

**HOUSING – CONSTRUCTION OF 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, is it Government's intention to begin constructing these flats, somewhere else, within their current term in office?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government will announce its policy implementation initiatives and timetables when it is ready to do so.

ORAL

**NO. 247 OF 2009**

**THE HON C A BRUZON**

**HOUSING – ALBERT RISSO HOUSE**

Can Government state what is the current estimated date for the completion of “Albert Risso” House for senior citizens?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 248 and 249 of 2009.

ORAL

**NO. 248 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES COMPLETION**

Can Government state what are the current estimated dates for completion in connection with the various phases of Waterport Terraces?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 247 and 249 of 2009.

**NO. 249 OF 2009**

**THE HON C A BRUZON**

**HOUSING – HOME OWNERSHIP SCHEMES COMPLETION**

With reference to Bayview Terraces, Cumberland Terraces and Nelson's View, can Government state what is the current estimated date of completion for each of these home ownership schemes?

**ANSWER**

**THE HON THE CHIEF MINISTER**

According to the latest information available to the Government from the contractors and the best estimation of the Government's own consultants, Albert Risso House is estimated to be completed this summer, and the remainder of Waterport Terraces by June this year.

According to the latest information available to the Government, the estimated completion dates of the three south district developments are as follows:-

Cumberland Terraces:	May 2009
Nelson's View:	July 2009
Bayview Terraces:	August 2009

**SUPPLEMENTARY TO QUESTION NOS. 247 TO 249 OF 2009**

**HON C A BRUZON:**

In a public statement the Chief Minister in September 2007 said the following, and I will ask my supplementary immediately, it is a very short comment. "140 new rental homes for the elderly Bishop Canilla style, are under construction at Waterport Terraces and will be ready early next year". Can the Chief Minister tell the House whether or not that was a commitment?

**HON CHIEF MINISTER:**

Well, it was a statement based on the contractual obligations of the contractor and the best information available to the Government at the time. As the hon Member does not seem to grasp that clients who engage construction companies are not then in control of the timetable in which contractors actually delivery the work, whatever may then be their contractual rights to sue for damages is another matter. But as the

hon Member does not appear to understand what everybody knows to be obvious, and that is, that when any client, whether of the Government's or anybody else, engages a contractor they then do not control the rate at which the contractor discharges his contractual commitments and his contractual obligation, which is why we now prefix when asked by the hon Member, given his particular stance on this matter, with the words "according to the latest information available to the Government". But can I take this opportunity which the hon Member gives me to comment that however regrettably delayed Waterport Terraces and, indeed, Albert Risso House may be, they are unquestionably magnificent, quality housing which compare with the most expensive, luxurious developments in Gibraltar, and they are Government affordable homes.

**HON C A BRUZON:**

Affordable indeed to some, but not to all the people on the Housing Waiting List. Would it not have been better then for the Chief Minister, in his pronouncement of September 2007, to have rephrased his pronouncement in a different way? When he says that 140 rental homes will be ready early next year, it gives the impression to the people who are full of expectation, just before the General Election, that this is something that will happen early next year? He should know better.

**HON CHIEF MINISTER:**

The hon Member's comment in answer to my answer to his last supplementary is a monument to the difference between the caring, socially sensitive approach of this Government to housing, compared to the uncaring, unsensitive, unsocialist approach to housing perpetrated by the Opposition Members when they were in office. Look, the hon Member's remark was, "Waterport Terraces may be good quality but they are not affordable to all on the Housing Waiting List". Well, of course, no housing is affordable to everybody on the Housing Waiting List, it is not intended to be, and that is the mistake that the GSLP Government made, forcing people who could not afford their own home, forcing them to buy homes, forcing them on the so-called Option 'C' in Gib V, condemning them to lives of almost poverty. This Government, on the other hand, has no.... Look, their nervousness at not wanting to hear this is not going to prevent me from saying it. This Government, on the other hand, has distinguished between the needs of people who can afford all or some percentage share of their own homes and has built unprecedented quality homes for them. But have also identified, precisely what they did not identify, namely, that there are people on the Housing Waiting List who cannot afford housing to be purchased, and therefore, is building the first housing rental estate in Gibraltar since the early 1970's. Something which the socialist GSLP Government, or the allegedly socialist GSLP Government, neither identified the need for, or worse still, if they did, did not do so not caring precisely for the people on the Housing Waiting List who could not afford to buy their own home.

**HON C A BRUZON:**

Well, what the Chief Minister has just said gives me the opportunity to remind him that when the GSLP came into power after the AACR was ousted, the Housing Waiting List was in the region of 2,300 and when, regrettably, the GSLP was removed from power in 1996, there were only a couple of hundred of people on the Waiting List. Now, that speaks highly of a truly socialist Government who look after



the interests of the poorer people and the working classes. So let the Chief Minister not come to me and accuse our party of not having true socialist commitments, because if the Chief Minister wants to talk to me about socialism, I am not going to attempt to teach him any lessons because he is old enough to know the meaning of socialism, and I will say to him in this Parliament, that the Social Democrats, as they call themselves, even though Gibraltar looks nicer, even though there has been some progress, but they have truly failed, in my opinion, in catering for the housing needs of our people. Therefore, I will say to him, a promise is a promise, a commitment is a commitment, and I have never accused him of having taken some kind of monastic vow which carries with it the pain of excommunication if he does not do what he has vowed to do, I have accused him politely and properly as a politician, of having failed the people of Gibraltar because he has indeed made commitments to deliver on affordable housing and housing for rental, and it has taken him nearly 13 years to do so.

**MR SPEAKER:**

I did not detect any question there.

**HON CHIEF MINISTER:**

Do not worry, I will make one from it.

**HON F R PICARDO:**

If they allow speeches with answers to questions.

**MR SPEAKER:**

They should always end up with a question. I am sure the Hon Fabian Picardo must know that.

**HON F R PICARDO:**

They should not be speeches in answers. There should be answers.

**MR SPEAKER:**

Order. There was no question there really, so.

**HON CHIEF MINISTER:**

Yes there was.

**MR SPEAKER:**

I did not hear any question.

**HON CHIEF MINISTER:**

Well, Mr Speaker, then order him to ask one.

**MR SPEAKER:**

Well I have ordered him to ask one. He chose to sit down, that should be the end of my powers really.

**HON CHIEF MINISTER:**

The hon Member.....

**MR SPEAKER:**

Order. There was no question.

**HON CHIEF MINISTER:**

Mr Speaker, look, this is most unusual, if there is no question rule him out of order and require him to ask a question but Mr Speaker cannot let him make a closing speech to which I do not have the right of reply. It is very simple.

**MR SPEAKER:**

I did not let him make a speech, I was anticipating a question. At the end of his speech I did point out there was no question. Does the hon Member wish to ask a question?

*[Interruption]*

**HON C A BRUZON:**

The statement that I made.....

**MR SPEAKER:**

No, it has to be a question.

**HON C A BRUZON:**

Yes, okay, was in response of his statement and the question is, do the Government not acknowledge some element of responsibility for having taken so long to deliver affordable housing and housing for rental?

**HON CHIEF MINISTER:**

To the extent that the Government acknowledge responsibility, contrary to what the hon Member appears to know, and contrary to what the hon Member appears willing to acknowledge, I acknowledged in front of the electorate, at Election Time, where I have said on more occasions than one that even though we would build quality, reliable housing, we regret that we did not start a year or two earlier. That is very different to accepting responsibility for the rate at which the employees of a particular construction company lay bricks or erect pillars, which is not something that I can personally do anything about. But the hon Member destroys his credibility when he tries to minimise this Government's social achievements, by simply acknowledging that what we have achieved is to make Gibraltar look a bit nicer. I know that the hon Members like to go around saying to people that this Government do nothing for the ordinary, poor people. Ask the beneficiaries of a social services system which has seen the investment, that they thought appropriate to endow this community with, increase by six-fold. Ask the people who now enjoy one of the best health care systems of any small community in the world. Ask the people who are living in rental accommodation in Edinburgh Estate. Ask the people who are elderly pensioners and ask them whether any Government before has ever done for the care of the elderly what this Government have done for them, and continues to do for them. Ask the workers of Gibraltar whether they have ever felt better protected, whether their rights have ever been more enhanced by any government than this GSD Government in the last 12 years. Whether one is an elderly person, whether one is a worker, whether one is using our health services, or our social services, or our elderly residential facilities, no government in the history of Gibraltar have put social care into action with more vigour and with more obvious results than this one, and any statements to the contrary by the hon Member opposite, are simply not capable of belief.

**MR SPEAKER:**

Order, Order. Before I move to the next question I think both sides seem to have lost the sight of what Question Time is all about. Lengthy speeches which do not end up with a question, not permitted, at the same time having asked the question that the hon Member did, I think with respect, the response which then delves into matters of workers' rights and elderly patients and social services on a housing matter, is not an answer to the question.

**HON CHIEF MINISTER:**

Mr Speaker, with the greatest of respect, the preamble which eventually became his question, specifically said that "whilst I acknowledge that the GSD has made Gibraltar look nicer, it has done nothing for social services". Well, that is the premise of his question, or does he not remember that he referred to Gibraltar looking nice? Well, I am sorry, the implications of that is that that is all we have achieved and nothing in the social services. I, of course, bow to Mr Speaker's ruling, but it does not seem to me to be entirely unrelated to the question.

**MR SPEAKER:**

It is more of a reminder than a ruling to both sides. Let us stick to Question Time. If any Member wishes to bring motions for debate generally, that is the procedure of

the House available to every Member in this House. But, otherwise, let us stick to questions which are designed to elicit information and answers designed to give as much information as the answer can give. Shall we all agree on that at least? Next question please.

ORAL

**NO. 250 OF 2009**

**THE HON C A BRUZON**

**HOUSING – HOME OWNERSHIP SCHEMES - FLATS AVAILABLE**

Can Government state how many flats are still available for sale within each of the three Government home ownership schemes in the South District?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 251 of 2009.

**NO. 251 OF 2009**

**THE HON C A BRUZON**

**HOUSING – HOME OWNERSHIP SCHEMES - BALANCE OF UNSOLD FLATS**

Can Government state how many persons are currently listed as applicants for the balance of unsold flats at each of, Nelson's View, Cumberland Terraces and Bayview Terraces?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There are no flats currently available for sale in any of the three ex-OEM developments in the south district.

There are, however, 173 applicants listed on the reserve list following the recent draw process that has taken place.

**NO. 252 OF 2009**

**THE HON C A BRUZON**

**HOUSING – BAYVIEW TERRACES/CUMBERLAND TERRACES/NELSON’S VIEW**

With reference to Bayview Terraces, Cumberland Terraces and Nelson’s View, can Government give a breakdown of the current sales details for each, as follows:

- (a) how many flats are being sold with 100% financing from the purchaser;
- (b) how many are being sold with the 50/50 ratio;
- (c) how many are being sold at any other ratio and specify what that ratio is?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule containing the information that he has requested.

Answer to Question 252

	<u>Purchaser: GRP Ownership Ratio</u>											Total
	50:50	55:35	60:40	65:35	70:30	75:25	80:20	85:15	90:10	95:05	100:0	
Cumberland Terraces	33	0	19	0	20	3	6	2	0	0	22	105
Bayview Terraces	5	0	5	1	24	4	5	0	0	0	26	70
Nelson's View	12	2	9	1	21	4	4	1	0	0	47	101
<b>Total:</b>	<b>50</b>	<b>2</b>	<b>33</b>	<b>2</b>	<b>65</b>	<b>11</b>	<b>15</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>95</b>	<b>276</b>



ORAL

**NO. 253 OF 2009**

**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 since the answer to Question No. 1014 of 2008, providing a breakdown by month and estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule containing the information that he seeks.

Answer to Question 253 of 2009

	SWJG	Montagu Gardens	West View Park	Harbour Views	Montagu Crescent	Totals
Nov-08	Monies Received	£24,229.03		£22,293.92		£46,522.95
Feb-09	Monies Received	£14,887.01				£14,887.01
Totals		£24,229.03	£0.00	£22,293.92	£0.00	£61,409.96

**NO. 254 OF 2009**

**THE HON G H LICUDI**

On behalf of the Hon N F Costa

**GIBRALTAR CAR PARKS LIMITED – STAFFING**

Can the Minister now say whether Gibraltar Car Parks Limited has now been fully staffed in line with the company's operational needs?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No Sir, it has not yet been definitively staffed.

**SUPPLEMENTARY TO QUESTION NO. 254 OF 2009**

**HON G H LICUDI:**

As I understand the position, this is the entity that is going to control Gibraltar's car parks generally on behalf of the Government, including as we understand, the car park for hospital users. Given that there is some concern about the availability of those parking facilities to the general public, it is important for the Government, would the Government not agree, that it is important to progress this matter and to have the company as fully staffed as possible. Can the Chief Minister explain whether there are any difficulties? Whether it is difficulties with recruitment, with operational requirements, with policy decisions? At what stage in the process are we?

**HON CHIEF MINISTER:**

Well, the question relates to the staffing of the company's operational needs and the company is not definitively staffed, principally because the Government have yet to identify a suitable person or persons to take over the senior executive management of the car parks companies. That is the sense in which it is not definitively staffed.

**HON G H LICUDI:**

Can the Chief Minister say whether that position has been advertised or whether people have been approached?

**HON CHIEF MINISTER:**

It has not yet been advertised. We are trying to identify whether such people with experience exist before targeting an advertising campaign. It is not just a question of administering entry and exit and ticket sales, the Government want this company run at arm's length from the Government as a commercial venture. Therefore, we need to find somebody who can take forward the development of the company, which is intended will re-invest proceeds, its income, from the provision of car parking services in building further car parks and using the revenue to fund debt, perhaps, to develop car parks. Therefore, it is important to find commercial executive leadership with appropriate experience so that this company can be run as a Government owned at arm's length managed company, and it has so far not proved possible to identify people. But there will be a public advertisement, hopefully in the not too distant future.

**HON G H LICUDI:**

Just for clarification, the question asked whether the company has been fully staffed, I am not sure whether from the answer we take it that it is not staffed at all pending the recruitment of the senior person then it will follow downwards, or whether this is a company that operates already in some form and there are some staff already employed.

**HON CHIEF MINISTER:**

There is some staff, I think the only employee that fell from the ISP contract into the Government's safety net company, I think, is deployed in this company and the ex employees of KIJY Parking are deployed in support of this company. So there is some staffing level and the gaps at the moment are in the sort of senior management.

**NO. 255 OF 2009**

**THE HON F R PICARDO**

**COST OF CHIEF MINISTER'S TRAVEL ON GOVERNMENT BUSINESS – HILTON PARTY**

What was the "Hilton Party" for which the Chief Minister travelled between 19<sup>th</sup> and 22<sup>nd</sup> October 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I do not know. To my knowledge I have not travelled between those dates, or indeed on any other date, for any Hilton party, unfortunately. Whilst in London for other business, I did accommodate a meeting with investors and representatives of the Hilton Hotel chain who are interested in establishing a Hilton Hotel in Gibraltar.

**SUPPLEMENTARY TO QUESTION NO. 255 OF 2009**

**HON F R PICARDO:**

I am surprised at the preface to the answer, simply because that is given in the table that the Chief Minister's office produced, as the purpose of one of his trips for that period. So be it, he did not travel for that purpose. Therefore, the Hilton group members are the ones that he referred to as being members of the Hilton party, is that right?

**HON CHIEF MINISTER:**

Well, I do not know the precise words that people have used in identifying ..... When he asks questions about travel, he usually asks who was he with and who did he see and things like that. It may be that they put Hilton party. He has interpreted the word "party" to mean festivity. Party can also mean a group of people. I accept it is not the most unambiguous choice of words that somebody could have picked, but I can only assume it refers, and on those dates it coincides with and therefore presumably it does refer to a meeting with the Hilton chain and their investors, for the purposes that I have given in the answer to my question. I cannot remember how many people from the Hilton group there were there. There were two and several from the actual investors that would build the hotel.

**NO. 256 OF 2009**

**THE HON F R PICARDO**

**GBC REPORT**

Are Government now in a position to state if it will publish the report into the future of GBC commissioned from Mr Alan King or to at least publish its conclusions?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, the Government is not yet in a position to state what is requested in the hon Member's question.

**SUPPLEMENTARY TO QUESTION NO. 256 OF 2009**

**HON F R PICARDO:**

Why is that? Given that at the last meeting of the House the Chief Minister told us that he had received the report and he was simply going to review its conclusions before deciding what to do. Has there been no time to review this very important report?

**HON CHIEF MINISTER:**

Well, if I told the hon Member that deciding on whether to publish it depended on reviewing the conclusions and forming a position on them, then the reason for the answer to my question must be precisely that the Government has not completed its consideration and review of the report.

**HON F R PICARDO:**

Why is this Government not giving priority to this issue, given the fact that GBC already has been without a general manager for some time and all parties seem to agree that it is important that the Corporation should have effective management, not management which is acting management, and that the Government have already stated that they will not put out the vacancy until such time as they finish the review?

**HON CHIEF MINISTER:**

Well, GBC and the reform of it, important as I suppose it is in its own respect, is hardly top of the Government's list of priorities in relation to the general affairs of Gibraltar at this precise moment in time, when there are so many other things happening in the world around us. So, it should hardly surprise the hon Member that I do not give priority to the GBC report, it will be dealt with in accordance with the order of business that the Government choose to prioritise, and it is certainly not at the top or even near the top of the Government's list of priorities in the week to week or month to month sense.

**HON F R PICARDO:**

Is that not a direct contradiction with what the Chief Minister told me in answer to Question No. 130 of 2008, when he told me it was not the Government's intention to play it long on the review of GBC?

**HON CHIEF MINISTER:**

I do not think it is in contradiction. Nothing that I have just said to the hon Member suggests that we are going to play it long. He has asked me why I am not prioritising it and I am telling him it is because it is not top of the Government's priority. The Government will devote time and resources to the reform of GBC, which we accept and believe it is in need of, on the basis of a prioritisation of that task in relation to other issues that also need Government's attention and time. Question Times in this House are not the milestones by which the Government's policy deployment timetable can be measured, even though he appears to expect a change of position every time he asks the same question. When the Government is ready and wanting to tackle the reform of GBC, it will make the necessary announcement arising from it. At the moment, the position still is that the Government, having seen and read the report of Mr Alan King, is contemplating how best to deal with the reform of GBC.

**HON F R PICARDO:**

It is not really a question of whether I expect change in positions or otherwise. Anybody who is an observer of his political style will expect him to be in a different position, saying he is in the same position from moment to moment. But the question is, what does playing it long then mean to the Government? It is already three months, a quarter of a year, since he told us that they were not going to play it long, and it was just, he told me, a question of either fixing a meeting in London with Mr King, or a conference call. What do the Government mean by not playing it long? How quickly can we see a result as a result of this review? Question Time in this House may not be the milestone for Government timetable, but it is certainly the opportunity for the community, through us, to hold the Government to account and that is exactly what we are doing on the issue of the review.

**HON CHIEF MINISTER:**

But as will appear from many of the answers to the questions that he has had yesterday and may have later today, holding the Government to account does not equal in the Government's views, getting into the driving seat of the timetable and

time frame in which the Government deliver their policies. The review of GBC was not a policy of the Opposition, it is not a statutory requirement that the Opposition can hold the Government to account for whether they are doing their statutory obligation, it is a policy choice of the Government and it is up to the Government to decide how long it wants to take to deploy, or whether to continue to deploy, indeed, what are its political policies. Holding the Government to account, of course he is free to ask whether I am going to deploy my policy this week or next, but he must not think that I am refusing to be held to account for what this House is entitled to hold the Government to account, simply because I respond to him it is our policy, we will deploy it when we are good and ready and it is not now. Frankly, I do not know the phrase "will not play it long" has a precise meaning. If he had wanted to pin me down on that he should have asked me when he accepted the answer not playing it long. The Government make no commitment about the length of time that they will take to deal with the deep seated problems that afflict GBC. This is not, and cannot be tinkering. It is one of those things that will take as long as it takes, because it is more important to get it right than to get it wrong quickly. The Government are not driven by the fact that there is a rotating leadership. Look, there are whole countries that operate on the basis of rotating leaderships. I do not see why anybody should think that rotating leaderships are an impediment to the proper functioning of GBC. It also gives everybody, and the future decision makers, the possibility of giving in people an extended opportunity to see whether they are suitable material for the future leadership role of GBC. So, the fact that there is a rotating leadership, does not recommend to the Government the need to act more quickly than the Government otherwise feel it appropriate to do. So I am making no commitment on specific times, the Government will deploy their policy for the reform of GBC whenever the Government want to do so, whenever the Government are ready to do so and whenever the Government choose to do so. I do not mind giving him long range indications. It is one of those initiatives which we would expect, not necessarily to have concluded the implementation, but certainly to have embarked upon the process through which the review now has to go, during the course of this year. But the future of GBC is much more than just fixing staff issues. There are statutory issues, there are premises issue, there are re-equipping issues and I am not saying, for the avoidance of doubt, that all of those issues will have been put in place by the end of this year. But that the process will have developed significantly beyond where it is today, in terms of the management of the review process during the course of this year is the best indication that I can give the hon Member of what are the Government's present intentions in relation to the deployment of its policy in relation to the review of GBC.

#### **HON F R PICARDO:**

One is reminded of the fact that a waffle is not just something that one eats. The Chief Minister has told us that this cannot just be tinkering, it is a major overhaul of premises, staff, re-equipping et cetera, in the way that he has said it. At the same time he has told us that he is not doing anything about it at the moment because it is not a priority. So, in fact, is not the length of time that this has taken not an indication of how seriously the Government are taking this review, and how in-depth their analysis of the issue is? But simply the fact that they are not doing anything about it at the moment, because as he has told us, it is not at the top of his list and, therefore, if it is not at the top of his list, nobody is doing anything about it.



**HON CHIEF MINISTER:**

Well, given that the hon Member regards any good intentionally extensive explanation to be waffle, and given that he has apparently already got an indigestion of waffle, I will put him on a strict diet. No, Sir.

**HON J J BOSSANO:**

Is the filling of the post of general manager on a sort of rotating temporary basis because of the review? Is there any impediment to the post being filled anyway, independent of how long it takes for the Government to look at these deep seated long-term problems?

**HON CHIEF MINISTER:**

Yes indeed it is, because the Government is not committed that in the future structure of GBC there will be a post of general manager as presently configured, occupied by a person with the range of skills, or perhaps lack of skills that past general managers have had or not had. Precisely one of the things that fall to be decided under the review is whether new arrangements and structures need to be in place for the governance and the management, on a day to day basis, of GBC and we do not want to install, on a civil service type there for life until he or she reaches the age of 65 person, in a post that might not be desired to continue to exist, or which may be transformed into a post requiring skills which that hypothetical person that the hon Member refers to in his question, may have been appointed to, applying the old criteria for suitability for the current post of general manager. There is ....., certainly, in my view, throwing good taxpayers' money after bad if the review and reform of GBC is limited to simply replacing the people with insiders, in the same structure as we have had for the last 50 years. That is a recipe for the continuing problems of GBC and not for the solution of them.

**HON J J BOSSANO:**

I limit my interventions to asking questions, not to making recommendations to the Government. So as far as I am concerned, the last part of his reply, which seems to suggest that I am telling him what he should do, which is something I never do from this side of the House, is irrelevant. Given that he has said that that is the view of the Government, is it then that the Government have given instructions to the Board of GBC that they should not fill the vacancy because the Government think as he has expressed? Or does the Board enjoy sufficient independence or autonomy to be able to take its own decision in this matter?

**HON CHIEF MINISTER:**

The Government and the Board are joint stake holders in the reform of GBC, and the Government that is also the paymaster of GBC, and responsible on behalf of the taxpayer for ensuring that GBC serves the purpose that the community wants to be served, sensibly takes account of the views of the Government, which are that it would impede the clean sheet of paper which the reformers can place in front of them, if bits of permanent architecture clutter that otherwise clean sheet of paper,

and the Board have sensibly taken the same view, albeit at the Government's recommendation.

**HON J J BOSSANO:**

So what the Chief Minister is confirming is that, in fact, obviously the Government think the Board is sensible if the Board say yes to what the Government want. But independent of that, is he confirming that the Board is free to take a different view even though the Government might not consider it sensible? I am asking specifically whether there is that freedom of action available to the Board of GBC?

**HON CHIEF MINISTER:**

Strictly speaking, yes. Now, I do not suppose it is any different than it was in his days. The Board of GBC that looks to the Government, and indeed they might cease to exist, because there is no guarantee that the new GBC will have a Board of the sort that it has now. But the Board of GBC, who support the Government's initiative in a review and restructure and a reform of GBC, is sensibly and, despite having autonomies secured to it by statute, nevertheless does not wish to impede what is the full extent and scope of the possible reform of GBC. Therefore, the Government are in the driving seat of the future shape of GBC. Not least because it will require legislation that will need to be brought to this House, and because it all has to be funded by the Government, and therefore, there is editorial independence by GBC, perhaps more than there has ever been in the past. But that does not mean that the Government are uninvolved in the resourcing, in the financial and in the reform aspects of GBC, just as happens in the UK with the BBC and in Spain with state-owned television channels. So the answer is that if the Board of GBC were suddenly to decide to ignore the Government's advice and proceed, it would be a regrettable measure which will certainly not help the reform of GBC and the Government do not expect it to do so.

**HON F R PICARDO:**

The Chief Minister said in answer to supplementaries he was feeding me, that things were going to happen during the course of this year. Is that going to be this calendar year or this financial year? Can I commend to him that he keep me on the diet on which he suggested he would put me. I think it would do me physically a world of good and it will do the timetable of the House a world of good too.

**HON CHIEF MINISTER:**

The hon Member's question can best be described as flippant, given that there are 12 days left of this financial year.

**HON F R PICARDO:**

So I will take that to mean calendar year.

**NO. 257 OF 2009**

**THE HON F R PICARDO**

**HEPSS STATUS**

Has HEPSS status been extended to any person who was a resident of Gibraltar before the status was introduced?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The HEPSS status was extended to four people who were resident in Gibraltar before the status was introduced.

**SUPPLEMENTARY TO QUESTION NO. 257 OF 2009**

**HON F R PICARDO:**

Are any of those a Gibraltarian?

**HON CHIEF MINISTER:**

I do not share the hon Member's obsession with nationality and status, but all four people were Category 3 status individuals who opted for HEPSS status as they were entitled to do under the terms of the announcement. They grandfathered to HEPSS from Category 3, so I suppose if there were Gibraltarians under Category 3, there may be amongst these four but I do not have the information.

**NO. 258 OF 2009**

**THE HON F R PICARDO**

**REVIEW OF BRITISH OFFSHORE FINANCIAL CENTRES**

What involvement did the Government have in developing the full terms of reference of the independent review of British offshore financial centres announced in the Pre-Budget Report 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 259 of 2009.

**NO. 259 OF 2009**

**THE HON F R PICARDO**

**REVIEW OF BRITISH OFFSHORE FINANCIAL CENTRES**

Have Government had any involvement in the independent review of British offshore financial centres announced in the Pre-Budget Report 2008 which is being carried out on behalf of the Treasury in the United Kingdom by Mr Michael Foot?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have had no involvement in developing the terms of reference of the review announced by the UK's Chancellor of the Exchequer in the Pre-Budget Report 2008. Since the United Kingdom has constitutional responsibility in Gibraltar, only in respect of our external affairs and defence, the Gibraltar Government have assumed, and have so informed the UK, that the UK Government's desire to "review" Gibraltar's international finance centre, must be to enable the UK to offer us advice in the context of the current global economic crisis, and to inform the UK's own policy in the context of any possible impacts that offshore centres may have on the UK itself.

The crisis affecting the global financial system, and the bold actions that certain governments, including the UK Government, have had to take to ameliorate that crisis, will inevitably and rightly provoke changes to the world's financial system to avoid a repetition of recent events in the future.

In the Government of Gibraltar's opinion, it is understandable and equally right that the UK should wish to be at the forefront of shaping that change, and that it should wish that other financial services centres, with which the UK Government has close constitutional links, should participate in that change and the processes that will lead to it. Gibraltar stands ready to do so and to cooperate and work closely with the United Kingdom, in shaping and implementing necessary changes. I have so informed UK Ministers.

In these contexts, we shall be happy to provide Her Majesty's Government in the United Kingdom, through Mr Foot, with such information relating to Gibraltar's finance centre as he may request for these purposes. I have had a preliminary meeting with Mr Foot to explain the Government of Gibraltar's position and to agree a mutually agreeable way forward. It was a very good meeting.

**SUPPLEMENTARY TO QUESTION NOS. 258 AND 259 OF 2009**

**HON F R PICARDO:**

In that case, given what the Chief Minister has said in answer to the first part of the question, or to the question, the rest of it I think was useful, would he be surprised by the first footnote to the press release issued by the Treasury, on 2<sup>nd</sup> December 2008, which said that the full terms of reference of the review were developed following consultation with the governments of the Crown dependencies and overseas territories?

**HON CHIEF MINISTER:**

It is not politic for the Government of Gibraltar to express in public views about the accuracy of statements made by other friendly governments.

**HON F R PICARDO:**

Well, it may not be politic, but this is just a direct contradiction to what the Chief Minister has told us. Is it therefore incorrect for the Treasury to have said that the Gibraltar Government was consulted, as one of the governments of the overseas territories, on the full terms of reference of the review?

**HON CHIEF MINISTER:**

I know that the hon Member has, as a natural instinct, the desire to believe everybody before he believes the utterances of his own Government in Gibraltar. They demonstrate that on almost every occasion that they have the opportunity to do so. I am not answerable in this House for the statements made in another country by another government. I am answerable in this House for the statements that I make in it and in Gibraltar, and I reaffirm the statement that I have just made in this House today.

**HON J J BOSSANO:**

Well, if I ask him a direct question and I ask him whether he has been consulted on the terms of reference of the review, can he give a simple answer saying no? Without reference to what anybody else has said anywhere else.

**HON CHIEF MINISTER:**

That was contained in the answer which I have given. That was the first two lines of the answer that I gave the hon Questioner.

**HON F R PICARDO:**

I wish to ask supplementaries on Question No. 259.

**HON CHIEF MINISTER:**

I am sure I will say something now that will give him the opportunity or the desire to do so. In his opening comment to my response, I think I heard the hon Member say that the second part of the answer was not germane but useful, or words to that effect. I would urge him to focus more closely on the answers because it is much more than useful aside, it is a statement of some constitutional importance in the context of the announcement by the Chancellor of a review which is no longer provided for in our legislation.

**HON F R PICARDO:**

I assure the Chief Minister that I appreciated that and the nuances of what have occurred here. The fact that we probe him does not necessarily mean that we would not stand with him if issues were to be raised by people outside of this place, which might have constitutional implications for the Government. The Chief Minister told us that the meeting with Mr Foot went well. Is there expected to be a follow-up meeting or only exchange of information?

**HON CHIEF MINISTER:**

Well, it is difficult to predict, either or both indeed are possible, within the appropriate constitutional framework, and everybody understanding who is who and what is what, the Government are very happy to provide the United Kingdom with whatever information it may surprisingly not already be aware of, in relation to Gibraltar's financial services centre, and if their designated information collator and advice giver is Mr Foot, then the Government is quite happy to cooperate with channelling the information through that source. I believe that Mr Foot, and indeed those by whom he is commissioned, are sensitive to the issues reflected in the answer that I have given to the hon Member this morning.

**HON F R PICARDO:**

Is a visit by Mr Foot to Gibraltar something that was mooted with Chief Minister, or something that he would in any event welcome?

**HON CHIEF MINISTER:**

No, I am not willing to give bits and pieces of information about what precisely what discussed and what was not discussed. The fact that the meeting takes place is legitimately of public interest and is in the public domain. The content of the meeting necessarily, particularly because of the subject matter, but generally, the content of meetings that I hold with officials of other governments are necessarily private until such time as there is a matter of public interest that emerges in them, which the Government feel they should give an account of. I am not willing to encourage the practice of this House of a public airing, through questions, of what transpires in meetings that I have with others.

**HON F R PICARDO:**

I appreciate that and the second part of my question was whether he would welcome, in any event, a visit from Mr Foot to Gibraltar, so that Mr Foot will see, and meet and touch and feel the people who are operating in the finance centre in Gibraltar, which would, I am sure we all agree, expunge from his mind any thought that this place is anything like a tax haven or anything like it.

**HON CHIEF MINISTER:**

Mr Foot is no stranger to Gibraltar. He has been before, he is familiar with Gibraltar. My view is that a meeting is not necessary, but of course, if Mr Foot wants to visit he is very welcome to visit. We do not work in a dark tunnel here, I think Gibraltar is beyond the state of maturity and development as a financial service, where we need to say to people to come and see how good we are. But look, I accept that it might have some value, but I think Mr Foot is sufficiently familiar with Gibraltar not to need to come to know some of the things that the hon Member has just commented.

**HON F R PICARDO:**

I confess that I do not have any indication of what the history of Mr Foot is with Gibraltar. The Chief Minister tells us he is already familiar with the place, is that because he has been out here before on other matters on which the Chief Minister can inform us of?

**HON CHIEF MINISTER:**

He has been to Gibraltar before. It is not for me to explain in this House what the nature of Mr Foot's business in Gibraltar has been. He is familiar with Gibraltar and he has been to Gibraltar before.



**NO. 260 OF 2009**

**THE HON F R PICARDO**

**FINANCIAL SERVICES OMBUDSMAN**

Will Government now agree to reconsider the creation of a post of financial services ombudsman?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have no current plan to do so, but do not rule out the possibility at some stage in the future.

**SUPPLEMENTARY TO QUESTION NO. 260 OF 2009**

**HON F R PICARDO:**

I am grateful. We seem to be moving back to the answer which the Chief Minister gave me in answer to Question No. 446 of 2004. Unfortunately, since then, because I asked him about how progress was going, the Chief Minister retrenched into “well if you are going to chase me it is not going to happen, do not continue to ask me about it”. Given the fact that the Chief Minister has no present plans to consider the creation of this post but that it might happen, can I commend to him that this matter should rise in the Government’s agenda of possibilities, if I could put it no higher than that? Given that a financial services ombudsman would be a good port of call for consumers in the financial services industry, who at the moment when they have a problem, major or minor, find themselves caught between two stools. The Financial Services Commission is not there to deal with customer complaints and sometimes the only recourse would be to go to law, which is expensive and sometimes inappropriate for the types of complaints that people have. Will he consider that?

**HON CHIEF MINISTER:**

The answer is what I have given. Clearly there has been a consideration of such of the hon Member’s views with which we might agree, in the decision to say that there are no current plans. There are, however, mechanisms to which people can currently have recourse. Everybody thinks that the ombudsman is the panacea of consumers and citizens. It is not the only way of delivering what we might all agree should be opportunities for citizens to air their grievances and to try and get some redress and advice. There is a Citizens Advice Bureau, there is the Financial Services Regulator and, of course, there is the Government that have a Finance

Centre Department, to which people can and sometimes do bring their complaints. So there is an architecture of possibilities. There is a panoply of resources there available. So it is not as if in the absence of the Government's decision to implement a financial services ombudsman, it is not as if there is no recourse to address some of the objectives that the hon Member appears to suggest, recommends and points to the desirability of the creation of the post of financial services ombudsman. I mean both parts of the answer. We have no current plans but we do not rule out the possibility at some stage in the future of doing so. I do not think I can be more frank than that with him as to the possibility of his recommendation prospering.

**NO. 261 OF 2009**

**THE HON F R PICARDO**

**TEP PLAN HOLDERS**

Have Government considered the possibility of assisting TEP Plan holders further in respect of their collective continuing costs of action against the banks involved in providing leverage for those who bought traded endowment policies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government understand that those TEP Plan holders who have been advised that they had a viable claim against a solvent party, which were the majority, have concluded their action and settled. They were supported by the Government as to costs. The remainder have so far received Government financial support, I do not know whether they have drawn on it or not, but certainly they have had the offer of Government financial support, I do not know if sort of invoices have come to the Government or not for payment yet, to obtain another legal opinion, because they have had one already in the past, as to whether or not they have a claim. xxxxxx

**SUPPLEMENTARY TO QUESTION NO. 261 OF 2009**

**HON F R PICARDO:**

The information reaching us, and I want to preface my question by saying that I added the word "further" to my question because there is a recognition that some assistance has already been given. But the information reaching us is that the assistance that is now required by some of the individuals, relates to some of the actuarial analysis that needs to be done by the banks that are buying back traded endowment policies, to ameliorate the leverage, to reduce the leverage. Some of the banks, apparently that are the original banks involved, are buying back the policies for amounts lower than the market value that can be obtained with other players in the market. Now, some of the people who bought these policies are unfortunately not financially sophisticated enough, although I am sure they are sophisticated in other ways, to be able to deal with these issues themselves and they need some advice in respect, not of legal action but of how to unravel themselves from the process. Advice which they cannot fund themselves, but which once they have sold the policies they would be able to pay for. Now, could Government assist in some way in that respect?

**HON CHIEF MINISTER:**

To describe the assistance that the Government have so far given the first category of TEP Plan holder as “some” is, I believe, ungenerous on the hon Member’s part. We have fully funded their extensive legal costs of challenging banks and others, without which I have no doubt they would not have found themselves in a position to settle the matter, including the obtention of expert evidence, and indeed, we have come to this House to change the laws of Gibraltar in order to enable them to more economically litigate as a collective group. So, beyond funding the litigation and changing the law of the land to facilitate their interests, I do not see how much further the Government could have assisted them, and to describe that as “some”, although I am grateful to the hon Member for any degree of acknowledgement that he is willing to make is, I think, something of an understatement. I am completely unsighted on the particular issue that he has raised. That dimension has not been raised with me. The Government will deploy taxpayers’ money to protect, or to assist in appropriate cases, to assist a collective of citizens that the Government believe may have been badly treated and who cannot afford to defend themselves. Put another way, it is really the same philosophy as we deploy when funding Gibraltar sports associations abroad. We do not allow the public interest of Gibraltar, which includes the interests of a sufficiently large collective of citizens, to be ridden roughshod over because the other party assumes that they have not got deep enough pockets to assert their rights. That will continue to be the yardstick against which any request for financial assistance will be measured. It is not enough that there is a citizen with a legal right that they cannot afford to litigate, because that is the case of many hundreds and thousands of citizens in many cases, and that raises questions of the reform of the legal aid and assistance system, which is also in hand by my Colleague the Minister for Justice. So I am not willing to give the hon Member or this House any commitment to provide assistance in any particular case. I have explained the criteria and the philosophy against which the Government measure and assess any request that we might have received for such assistance. I do not know if there is anybody somewhere in the boughs of Government that has sight of the issue that the hon Member has touched upon, about this disengaging, disentangling from endowment policies. It has not been raised with me. As far as I can recall, I am almost certain it has not been raised with me by the group of the second category of TEP Plan holders, the ones that were not as fortunate as the first category. I think because they used a different broker, or a different bank, I cannot remember exactly the distinction, and that did not feature amongst their issues. So, there is an issue, it has been dealt with at a lower level of Government, I am unsighted and I would, if there is an issue for serious consideration by the Government, I would expect it to reach my desk for funding at some stage. It has not yet done so.

ORAL

**NO. 262 OF 2009**

**THE HON F R PICARDO**

**DEPOSIT GUARANTEE SCHEME LEGISLATION**

Why have Government not yet published legislation to increase the deposit guarantee scheme to £50,000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Mr Speaker, because the Government for reason which I am willing to explain to the hon Member in private but not in public, has not decided to do so at this point in time.

**NO. 263 OF 2009**

**THE HON F R PICARDO**

**CHIEF MINISTER – USE OF GATWICK VIP SUITE**

Why does the Chief Minister use the Gatwick VIP Suite when he travels to London now that it is not made available free of charge and costs £1,586.26 (according to previous Government answers in this House)?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The practice of Chief Ministers using UK airport VIP suites was not previously based on the fact that it was available free of charge, but rather, that it was and remains appropriate to do so when travelling officially.

**SUPPLEMENTARY TO QUESTION NO. 263 OF 2009**

**HON F R PICARDO:**

The Chief Minister has coincided with me at airports on a number of occasions. He has the benefit of Business Class lounges et cetera which are available to him free of any charge. The use of this suite was complimentary when travelling on official business before. It is now provided at a cost because the Foreign Office in the United Kingdom is no longer subsidising the suite itself. It is actually a very, very high cost, £1,500. I do not know whether it is half one way and half the other, but it is actually almost more than the cost of the air ticket. Would the Chief Minister not agree to reconsider his answer, given that it is actually taxpayers' money that is at stake and £1,500 per trip is more than some people earn per month?

**HON CHIEF MINISTER:**

I think on most occasions the taxpayer gets very good value from my overseas trips.

**HON F R PICARDO:**

That is a matter of opinion.

**HON CHIEF MINISTER:**

Well, it is a matter of opinion, that is why they keep on voting us back into office. Of course, it is enough. Everything that politicians do in a democracy is a matter for the opinion and judgement of the electorate. It is the electorate's opinion that drives the Government, not the opinions of the Opposition Members, which we both understand are going to be different for political reasons on almost every issue. When differences do not actually exist, then for political reasons no doubt we would work to contrive them. I think the hon Member's analysis of the benefits of using the lounge, may wrongly assume, I cannot know what state of knowledge is, that the VIP lounge is simply a private, comfortable room in which to wait for your aeroplane. It is not. It gives one exemptions from processes that are not available if I do not use the lounge. It is a matter for opinion, and I acknowledge that it is a matter for opinion, whether it is appropriate for the head of any government, and I presume that the hon Member does not wish the head of his government to be treated differently to the heads of other governments, it is a matter of opinion, I acknowledge, to be subjected to the treatments that modern air travel and security needs necessarily imposes in the public terminals. Now, of course, if the hon Member thinks, if the hon Member disagrees with me on that point, then I have no difficulty accepting that he thinks that this £700 is a waste of money. I acknowledge it is a significant sum of money. Now, so the issue is that. This is not just a more comfortable room in which gin and tonics are available free of charge, as opposed to going to a British Airways lounge where gin and tonics are also available free of charge. That is not that. This gives an exemption from all the security processes of the airport. Indeed, a much less important but not irrelevant customs control exemption, which are thought generally to form an important part of the way people in certain positions within their country governments should be treated, as opposed to the alternative. We can certainly have a debate about whether that should be so. I am sure that there are egalitarians out there who think, and they may be right, that if the ordinary citizen has to submit to the removal of shoes, the removal of belts and the emptying of wash bags, and whatever indignities travellers are generally subjected to at airports, then it is only right and proper that their political leaders should subject to the same. That is a debate, but until that debate is had on a more wide basis, I hope it is not the hon Member's position that only the head of his government should be subjected to it.

**HON F R PICARDO:**

The Chief Minister has told us that there are exemptions from processes as a result of the use of this suite. He has indicated that there is an exemption from customs and from security. On arrival are there any other exemptions?

**HON CHIEF MINISTER:**

Well, on some occasions, there is no formal exemption from passport control, but it is almost never exercised. But it has been, I have been through there in the past and there has been somebody there having a quick look at one's passport, which may just be to identify me, for all I know. So, there is no formal exemption from passport control, there is a formal exemption from security controls and there is a formal exemption from customs control. Of course, there is an exemption from everything that goes with those processes, as well as the queuing in passport queues and things of that sort. Now, as I say, we can have a jolly good debate, I can think of arguments in support of his position, as I hope he can think of some arguments in support of mine, even he may not think that they are enough to tip the balance. But it

is certainly a debateable issue, whether politicians should not receive special treatment when they travel. But at the moment the position is that they do, at least at head of government level, and I do not think we should be an exception to that, if we want to pretend that Gibraltar is a country with its own Government, albeit not an independent one, worthy of being treated and regarded by others as such. I need to say that this is not a personal issue, when I travel privately I do not use the lounge. But that is not true of all heads of government.

**HON F R PICARDO:**

The Chief Minister has said what he has said. It is something that is only available to him when he is travelling to London. When I see him travelling into the United States, when we coincided at the UN, this is not something that is made available in New York.

**HON CHIEF MINISTER:**

No, normally what happens in New York is that I am walked through to the front of the immigration queue, where I am taken to a particular immigration officer and told who I am and I get dealt with first and quickly, and that happens. So at New York there is some VIP treatment but not delivered in the same way as this, there is not a lounge.

**HON F R PICARDO:**

At no cost?

**HON CHIEF MINISTER:**

Yes, but that facility is simply not available at British airports, that is just the way the Americans do it. I do not know if there is a VIP lounge in the British Airways terminal, there might be. But, certainly if there is, I get it slightly differently there.



ORAL

**NO. 264 OF 2009**

**THE HON F R PICARDO**

**EPIDEMIOLOGICAL STUDY**

When will the epidemiological study being commissioned by the Government actually commence?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 265 of 2009.

**NO. 265 OF 2009**

**THE HON F R PICARDO**

**EPIDEMIOLOGICAL STUDY**

Will Government agree to publish the Employer's Requirement document referred to in respect of the supplementary questions relating to the epidemiological study being commissioned by the Government?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The situation remains as outlined in my reply to Question No. 1039 of 2008, which is that I will not consider whether or not to make the information public until a consultant has been engaged, something which we have not yet done as we are presently at tender stage, the date for closing of which is the 30<sup>th</sup> March.

**SUPPLEMENTARY TO QUESTION NOS. 264 AND 265 OF 2009**

**HON F R PICARDO:**

Do the tender documents require the study to commence within a particular period?

**HON CHIEF MINISTER:**

I would need notice of that question, I just do not know.

ORAL

**NO. 266 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT COMPANIES – EMPLOYEES**

Can Government list all Government companies with employees as at the end of the financial year 2006?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 267 of 2009.

ORAL

**NO. 267 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT COMPANIES – EMPLOYEES**

Can Government list all Government companies with employees as at the end of the financial year 1996?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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

**Answer to Question 266**

The Government companies with employees as at the end of the financial year 2006, are:-

GRP Investments Company Ltd  
Gibraltar Joinery & Building Services Ltd  
Gibraltar Industrial Cleaners Ltd  
Europa Incinerator Company Ltd  
Gibraltar Community Projects Ltd  
KIJY Parkings Ltd  
Gibraltar Bus Company Ltd

**Answer to Question 267**

The Government companies with employees as at the end of the financial year 1996, are:-

Gibraltar Joinery & Buildings Services Ltd  
Gibraltar Industrial Cleaners Ltd  
Gibraltar Information Bureau  
Gibraltar Administrative Services Ltd  
SOS 24 Ltd

ORAL

**NO. 268 OF 2009**

**THE HON F R PICARDO**

**HEDGING CONTRACTS**

What was the fee for the hedging contract referred to in answer to Question No. 1052 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 269 of 2009.

**NO. 269 OF 2009****THE HON F R PICARDO****HEDGING CONTRACTS**

How many euros has the Government purchased under the terms of the hedging contracts referred to in answer to Question No. 1052 of 2008 and at what rates have such euros been bought on each occasion when they have been purchased?

**ANSWER****THE HON THE CHIEF MINISTER**

The euro hedging contract with the Royal Bank of Scotland International provides for the purchase of £2.6 million worth of euros over a period of 20 months, that is, per month, £2.6 million worth of euros per month, over a period of 20 months at the prevailing spot rate with a minimum guaranteed rate of 1.19 euros.

An option premium of 2 euro cents is payable on each of the monthly purchases over that 20 month period. That is to say, 52,000 euros per monthly purchase. No other fee is payable under the hedging contract.

The euros purchased to date are as follows:-

<u>Month</u>	<u>Sterling Amount</u>	<u>Option Price</u>	<u>Option Premium</u>	<u>Net Rate</u>	<u>Euros Purchased</u>
3 <sup>rd</sup> Oct 2008	£ 2.6M	1.27	0.02	1.25	€3,249,220
3 <sup>rd</sup> Nov 2008	£ 2.6M	1.24	0.02	1.22	€3,231,540
3 <sup>rd</sup> Dec 2008	£ 2.6M	1.19	0.02	1.17	€3,042,780
3 <sup>rd</sup> Jan 2009	£ 2.6M	1.19	0.02	1.17	€3,042,780
3 <sup>rd</sup> Feb 2009	£ 2.6M	1.19	0.02	1.17	€3,042,780
3 <sup>rd</sup> Mar 2009	£ 2.6M	1.19	0.02	1.17	€3,042,780
TOTAL	£15.60M				€18,651,880

Of course, the strike rate was the same, 1.19 minus the 2 cents premium giving an effective purchase rate of 1.17, at a time when, of course, the spot rate was lower in the market. So there has been a significant saving in the exercise of the hedging contract.

**SUPPLEMENTARY TO QUESTION NOS. 268 AND 269 OF 2009**

**HON F R PICARDO:**

Does the Chief Minister know what the spot rate was for the four months that we bought at the agreed floor?

**HON CHIEF MINISTER:**

No, but the hon Member knows that it has gone down really as low as 1.04, 1.05. As we speak I think it is 1.08, so this hedging contract is still very much in the money. The pound has to strengthen significantly before this contract will be not resorted to. Well, we have to resort to it but before the premium becomes something that we might have avoided paying xxxxxx.

**HON F R PICARDO:**

Is there an obligation to buy the £2.6 million every month, or in the event that the pound were to strengthen against the euro, could the Government buy it from another bank without having to pay the two cent fee?

**HON CHIEF MINISTER:**

No, I think the hedging contract is a minimum guaranteed rate of 1.19. So we would get whatever the spot rate is. If the pound increases against the euro back to 1.40 we will still buy at that but we would have to pay the 2 cent premium.

**HON F R PICARDO:**

But is the contract an obligation for the Government to buy that amount of euros every month? Or in the event that the euro were to go back up to 1.5, for example, do the Government then have freedom to go to Barclays, for example, to make it easy to understand, and buy £2.6 million there that month, or not buy any euros that month if they wish not to, is the price also the obligation to buy?

**HON CHIEF MINISTER:**

Well, of course, the spot rate is the same from every bank. But to answer the question specifically about whether it is an obligation to buy, my understanding, although I am not 100 per cent certain of that detail, is that it is an obligation to buy. In other words, we are committed to buy them, which we know we need for the various contracts. So it is not a figure plucked from the clouds. I think we are committed to buying it from that bank on these terms. So just as today we are benefitting, if, which we believe to be less likely than not, which is why we have gone for this hedging contract, if the pound were in effect to go back up then we would buy at the prevailing spot rate but we will have this cost of the two cents. But I think, I am almost certain but not 100 per cent certain, I am 90 odd per cent certain, that there is an obligation to buy under this contract at whatever the spot rate is minus two.



ORAL

**NO. 270 OF 2009**

**THE HON F R PICARDO**

**PROJECTS FUNDED BY PFI MODEL**

Has Government made any decisions as to whether or not to fund the projects listed in Question No. 1048 of 2008 by some form of PFI and if so which and with what party providing the financing?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 271 to 274 of 2009.

ORAL

**NO. 271 OF 2009**

**THE HON F R PICARDO**

**PFI CONTRACTS**

Can Government provide a list of the Public Finance Initiative contracts already entered into by the Government and of those presently under negotiation, if any?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 270 and 272 to 274 of 2009.

ORAL

**NO. 272 OF 2009**

**THE HON F R PICARDO**

**PFI CONTRACTS**

What is the total break cost (giving a breakdown by contract) in respect of each of the Public Finance Initiative contracts already entered into by the Government providing a list of the relevant contracts and a breakdown of how the liability is calculated in respect of each?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 270, 271, 273 and 274 of 2009.

**ORAL**

**NO. 273 OF 2009**

**THE HON F R PICARDO**

**PFI CONTRACTS**

What is the total amount of the Government's liability under Public Finance Initiative contracts already entered into by the Government (including the amounts paid already and to be paid in future in respect of such contracts), providing a list of the relevant contracts and a breakdown of how the liability is calculated in respect of each?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 270 to 272 and 274 of 2009.

**NO. 274 OF 2009**

**THE HON F R PICARDO**

**WASTE-TO-ENERGY PLANT – PFI CONTRACT**

Have discussions with potential PFI or other contractors for the Waste-to-Energy (i.e. incinerator) plant now commenced?

**ANSWER**

**THE HON THE CHIEF MINISTER**

A lease and leaseback PFI arrangement has been entered into with the Royal Bank of Scotland International, covering the park and ride car park at Devil's Tower Road, and that is by Gibraltar Car Parks Limited. A decision on which, if any, of the remaining projects will be funded by a PFI model, has not yet been made by the Government. The lease and leaseback arrangements provides for.....

**HON F R PICARDO:**

Can the Chief Minister give way? Is it lease and leaseback or sale and leaseback?

**HON CHIEF MINISTER:**

Well, a sale and leaseback but here we do sales by leases, it is Crown lands, so the original sale takes place by form of a head lease. The head lease and leaseback arrangement provides for £24.5 million of funding. This includes an up front lease premium of around £9 million for the car parks at Willis' Road, Sandpits and New Harbours, which have already been built, and around £15.5 million of finance to fund the construction of the park and ride project itself. The only other PFI contract in place at the moment relates to the new hospital, and details of that have previously been provided to this House.

**SUPPLEMENTARY TO QUESTION NOS. 270 TO 274 OF 2009**

**HON F R PICARDO:**

I do not appreciate from what the Chief Minister has told us what the potential break cost of that new PFI agreement will be, has he got those details?

**HON CHIEF MINISTER:**

No, I do not but it depends on the point and time at which we do it. The sooner we do it the more expensive it will be. So there is a formula which reduces the cost of termination by us, the further on into the project the financing ..... The further on into the term of the PFI arrangement the termination were to take place. Basically, it is a formula. I do not know the details of the formula but it is a formula based on the cost to the bank of breaking its own funding arrangements in terms of the loss of profit cost and that sort of thing.

**HON F R PICARDO:**

What is the term of years? Did he tell us the term of years, I did not quite hear it?

**HON CHIEF MINISTER:**

I believe it is a 25 year arrangement.

**HON F R PICARDO:**

What are the monthly payments or the rental payments on that?

**HON CHIEF MINISTER:**

I believe that the rental payments, which is what it becomes, is a sum which if this were a loan would, I think, deliver an effective borrowing cost of a fixed rate of 7.5 per cent for the whole term.

**HON F R PICARDO:**

The Chief Minister does not have the numbers, is that how I should interpret his reticence?

**HON CHIEF MINISTER:**

I think I have got the number, it depends on how much.....

**HON F R PICARDO:**

He can calculate. It depends on the amount drawn down, is that it?

**HON CHIEF MINISTER:**

Well, yes, but the amount of the drawdown initially is just the nine. The fifteen is drawn down against construction certificates of the terminal. So when all the monies have been drawn down, which is at the end of the construction period, we are talking of a cost, in effect, of 7.5 per cent of the £25 million.

**HON J J BOSSANO:**

In the case of the hospital the actual amount that is shown as rent is reviewed every year. There is no increase in this case, is there, it stays the same throughout the 25 years?

**HON CHIEF MINISTER:**

Yes because I think part of the arrangement is an interest rate swap agreement which fixes the rate of interest.

ORAL

**NO. 275 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS**

What is the average amount paid per month by the Government in respect of advertising to “7 days” in each month since that publication was first paid any sum in respect of Government advertising?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 276 of 2009.



**NO. 276 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS**

How much more money has the Government paid to “7 Days” since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

These questions seek the very same information as is requested in questions submitted for written answer, Nos. 36 and 37 of 2009, which the hon Member has put down for written answer. The information will thus be provided in writing in answer to those questions.

**SUPPLEMENTARY TO QUESTION NOS. 275 AND 276 OF 2009**

**HON F R PICARDO:**

I refer Mr Speaker to those questions. It is arguable that in answer to Question No. 276 I am seeking the same information as in answer to Question No. 37 but I think it is highly arguable. Certainly, the information that I am seeking in answer to Question No. 275 is entirely different to the information I am seeking in Question No. 36 and Question No. 37. The question at No. 275 is what is the average amount paid per month by the Government in respect of advertising to 7 Days, in each month since that publication was first paid any sum in respect of Government advertising? Neither Question No. 36 or Question No. 37, which are questions for written answer, seek an average.

**HON CHIEF MINISTER:**

I am in this House to provide the hon Member with information. I am not the GSLP's consultant mathematician. The average, as I am sure he must know, from what he may remember of his mathematics O-level, is obtained by totalling up the total number of months spend and dividing it by the number of months. If he asked me in written answer for the monthly amount, and I give him the 36 monthly amounts, to work out the average he has to add up the total of the 36 months and divide by 36, and that gives him the average. So, it is no less largely arguable that this question also replicates, because it is not my job to calculate averages for him.

**HON F R PICARDO:**

In relation to the next question, which asked how much more money the Government have paid to 7 Days since the last answer in this House, I do not think that it is possible to suggest that Question No. 36 asked for exactly that, because Question No. 36 asked for all registered newspapers. Whilst I am seeking for oral answer to distinguish the payments made to 7 Days. I am seeking an average and I am seeking to distinguish 7 Days in respect of those oral answers. These are different questions. So, therefore, I would ask Mr Speaker to rule that they should be answered orally.

**HON CHIEF MINISTER:**

No, he is wrong again, as he himself had acknowledged when he first stood up. If he asks me for the monthly payments to 7 Days and I give him the payments to 7 Days, by the way, an excellent publication, and I give him the monthly figure and he now asks me how much more money has been paid to 7 Days than when the last question was asked, well, he has to check his records. In what month did I last ask the question? For example, November 2008, what is the figure in the written answer against the month of November 2008, and to know how much more money has been paid since, all he has to do, clearly mathematics is not his strong suit, he has to subtract that figure from the figure appearing in the subsequent months, and that will enable him to calculate how much more money has been paid to 7 Days since he last asked the question.

**HON F R PICARDO:**

Does Mr Speaker wish to take it from that last point?

**MR SPEAKER:**

Well, that is the answer I take to the question that has been posed. What the Chief Minister seems to be saying is that you can work out the answer for yourself.

**HON F R PICARDO:**

Well, the Chief Minister can say what he likes about what is my strong suit and what is not my strong suit. That is totally irrelevant and I am here to ask questions in this House which are parliamentary. My question put orally is parliamentary and, therefore, I would ask Mr Speaker to rule that if the information is available to the Chief Minister, he should provide it. Otherwise we are just going to find ourselves in situations where more questions are again put orally rather than in written format. I want to highlight these issues in my oral question of the hon Gentleman. I want to highlight these answers in my oral questions of the hon Gentleman, I am seeking a different answer to the one I am seeking in the written question. Certainly the question of the average is a written one. Of course, the hon Gentleman has no regard whatsoever for my intellect, and of course, I accept that as his own warped understanding of the world. So be it. Of course I can work out an average but I am asking for an average, I am entitled to the answer. The hon Gentleman should not get away from providing the answer by simply suggesting that I can work it out from

other information that is going to be provided. My question is parliamentary because, at the moment that it is to be answered that information is not available to me.

**MR SPEAKER:**

Well, I hope Members on both sides will appreciate that my powers in terms of controlling questions and answers, are limited and constrained by the rules of practice. Right. My interpretation of the rules of Standing Orders confers upon me an even smaller degree of control over answers provided. As long as the answers are couched in parliamentary terms, I cannot control the content of the answers.

**HON CHIEF MINISTER:**

Can I be heard, given that this appears to be in the nature of a Point of Order. The hon Member is wrong. My obligation, which Mr Speaker is quite right in saying he is powerless to enforce, but my political obligation, which I am perfectly happy to assume, and which I do regardless of this or any past Speaker's powers in the House, is to provide information, and I have provided information. It is just that he has made the mistake of asking for the same information for oral answer and for written answer. Since he has given me the choice, I am opting to provide the information to him in his written answer, because he is not allowed to ask the same question twice within a six month period. So it is his mistake. He cannot stand up there and tell the world that I am refusing to provide him with information. I have provided him with the information in one of the two forms in which he has asked me to provide it. It is not his parliamentary right to ask the Chief Minister to do some addition and some division for him, and indeed, Standing Orders prohibits him from doing so because he may not ask me for information because he is not entitled to ask me for information that is available to him from other sources. So even.....

**HON F R PICARDO:**

The information is not available because the written answer will not be provided until after the oral question has been answered. Therefore, the Chief Minister is trying to avoid having a debate in this House, or answering questions in this House on this answer. He is trying to avoid it for a very simple reason. He says he is prepared to take political responsibility, so be it. He is trying to avoid it because in some editions of the newspaper that we are referring to, 90 per cent of the advertising is Government advertising. In other editions 86 per cent of the advertising is Government advertising, and in some editions it is up to 100 per cent of Government advertising. Of course he is going to say that it is an excellent publication to preface his ridiculous remarks. It publishes what he wants because he pays for it.

**MR SPEAKER:**

Order, Order.

**HON CHIEF MINISTER:**

Look, it does not behold anybody sitting on the Opposition side of the House to lecture on the political obligations to answer questions in this House. Or is the hon

Member not aware that when his party sat in Government, the Leader of the Opposition refused to answer every question posed by Mr Peter Cumming, simply because he disapproved of his foreign policy position. Now, in the face of the provision of information by the Government, he wants to point fingers and give me political lectures because I provide him the information in one of the two methods in which he had asked it. The hon Member is destroying what little political credibility he may have in this community, by adopting attitudes of this nature. To suggest that information provided to him, factual information provided to him in answer to his written question, he should be more careful. Or perhaps he does not do his homework and does not remember that he writes the same question twice, almost in identical language, one for written answer and one for oral answer. That is his problem not mine, I am not his secretary and I am not his political mentor, though he would do much better if I were. The reality of the matter is that he has asked two questions, and I am entitled to choose the one that I have answered and I have chosen, and he is not entitled to and will not receive from me the benefit of my addition and division skills, which he can have and is not entitled for me to ask. Look, I know that he has a hobby horse about the 7 Days, and I know that he wants to make everybody believe that the 7 Days is scribbled by the Government as the New People, and probably by now the Vox is scribbled by Opposition members. It is not the case and he is not entitled to make people believe that the Government deploy political grace and favour, depending on whether a newspaper is supportive or not of the Government, because if that were true, the Government would not have spent a corresponding sum of money on the paper edited by the family of the leader of the party with which his is in alliance, and of which he used to be a member before he switched parties on that side of the House. If the Government's position were as he is trying to make people believe, that we support newspapers who support us and not otherwise, I would not place a single advertisement in the Panorama newspaper, would I?

**HON F R PICARDO:**

It is not up to him. Who does he think he is?

**MR SPEAKER:**

Order.

**HON CHIEF MINISTER:**

Yes it is up to the Government. It is a matter of Government policy what its advertising in private medium policy is. Of course it is a matter of Government policy, but this Government have the policy of even handedness with proper newspapers, that are not party political rags, regardless of whether they are supportive of the Government or against the Government. We have this debate every time he asks this question. They say to the public that they ask 400 questions. What they do not tell the public is that it is the same 400 questions that they asked three months ago, and six months ago, and nine months ago, and 12 months ago. As if the purpose of Question Time was just to boast about the number of questions that they have asked. We have this precise debate every time.

**MR SPEAKER:**

Order, Order.

**HON CHIEF MINISTER:**

Well yes, the hon Member makes serious political allegations, in effect, of impropriety, and then when he gets the truth in response, he wants to curtail by appealing to the magistrate, or to the head teacher to make his opponent shut up. Well, look, this is not a sixth form debating society, this is the Parliament of Gibraltar and if he makes serious allegations against the Government of Gibraltar he should sit there quietly and hear the reply.

**MR SPEAKER:**

Order, Order.

**HON F R PICARDO:**

The Chief Minister has made himself allegations which I think merit a reply in order to enable Mr Speaker to make a ruling. There is no question of the issue that I am asking for in answer to Question No. 275 being identical to the written question that I am asking. There is no choice for the Chief Minister to make for him to decide which question to answer. A written question is answered after an oral question. Therefore, the oral question must be answered first. We have tried in this House to enter into a process, and I am going to try and avoid all the verbiage and partisan political sniding that he has made, and address only the issue before Mr Speaker, something that he never does. It is a great disrespect to this Parliament the way that he wipes certain parts of his anatomy with our rules. The written questions that we put.....

**HON CHIEF MINISTER:**

With the greatest of respect, on a Point of Order, I cannot allow that statement to be made. Which of the rules of this House do I, just to make the conversation a little bit less vulgar, which of the rules of this House do I flout to the exclusion of him?

**MR SPEAKER:**

Order, Order, Order.

**HON CHIEF MINISTER:**

Which are the rules of the House that he is accusing me of flouting?

**HON F R PICARDO:**

Let me answer. First of all, when it comes to vulgarity I have at least had the temerity not to put on my lips the terms which he put yesterday, when he lost his rag to such an extent that he ended up referring to spherical bits, something which I dare say has never happened previously in this House, never happened in any other respectable Parliament. That a Chief Minister should stand up and should start to make remarks about the genitalia of Members on either side.

**HON CHIEF MINISTER:**

I was referring to xxxxxx

**HON F R PICARDO:**

Is absolutely ridiculous. So that is one rule that he flouts as to language. He flouts all the rules as to answers because he does not answer questions as Erskine May requires, that answers should be confined to the points contained in the question, with such explanation only as renders the answer intelligible, and now he decides that he can choose which question to answer, whether to answer a written question or answer an oral question. I am not surprised because 7 Days has on average, I have done the work already, because I can count, of the numbers that we have previously been provided and what appears published in the paper, an average of 76 per cent of Government advertising. When the Chief Minister says that he carries a concurrent or corresponding number of adverts in the newspaper which happens to be connected to the hon Gentleman sitting on this side of the House, of course he obfuscates again, and he tries to pull the wool over the eyes of all of those listening and all of those in this House. Although those in that area have so much wool that £65,000 a year cannot cure it. He tries to pull the wool because one publication is daily, as is the Gibraltar Chronicle, and they receive almost an identical amount to the weekly publication which he endows, and I say he because he said I, he endows so gracefully. So much so, and if he wants he can get those people who are covered by General Orders that appear to do his partisan work, to check edition 147, where 90.25 per cent of the advertising is Government advertising. Or edition 146 where 54.65 per cent of the advertising is Government advertising. Or edition 145 where 87.73 per cent of the advertising is Government advertising. Or edition 144 where 86.44 per cent of the advertising is Government advertising. This man is spending the people's money to do his partisan work in Government, in using a newspaper to advertise as his rag the pictures of all his Ministers on the front page every other week. That is the reason why he does not want to answer this question orally, because he does not want to face the average amount that he puts in 7 Days' pockets, month in month out to do his dirty spinning work.

**HON CHIEF MINISTER:**

With the greatest of respect the hon Member is wrong. How can he stand up and tell the people of Gibraltar that the Chief Minister refuses to provide the information of how much money he is pouring in to the pockets of the owners of the 7 Days to do his own political work, when the information was provided two months ago. All he has asked for now is for the latest two months. Unless he thinks I have been doing more pouring, or that I am pouring at a faster rate for more heinous purposes in the last two months, than the last 15 times that he has asked me the same question and

he has had the information. Look, the hon Member is as mistaken as he is disingenuous in his childish, political analogies. Firstly, he is wrong when he started saying that 76 per cent of Government advertising is in the 7 Days. It may well be that the adverts in 7 Days, 76 per cent of them are from the Government. Well, it is very different. It is very different to saying that 76 per cent of Government advertising goes into the 7 Days, which is false, but it may be correct that in a given edition of the 7 Days 76 per cent, or 86 per cent or 100 per cent of the advertising is from the Government.

**HON F R PICARDO:**

That is exactly what I said.

**HON CHIEF MINISTER:**

Yes, but listen to what he is going to be told. The propriety of the Government's advertising deployment policy does not change from week to week depending on who else does or does not advertise in the same edition of the 7 Days. If the Government have a policy of deploying advertisements equally, and funding equally around the newspapers in which they advertise, and then in one edition of 7 Days there are more or less adverts for other people, then the Government's percentage in that edition will rise or fall. But not because of any act or omission by the Government, but because the acts and omissions of other non-Government advertisers. Or does he not understand that the ridiculously unforensic percentages that he has just given, are percentages which are derived not from how much advertisement the Government places in a particular edition, but by how much other people do or do not put in that same edition as the Government have advertised. That is what decides what percentage of an edition comes from the Government or not. See, when explained honestly and.....

**HON F R PICARDO:**

Excuses. Excuses to avoid the reality of what they are doing or not doing.

**HON CHIEF MINISTER:**

And when his political statements are put in their honest political context, in their honest factual context and deprived of the abusive partisan political spin for which purpose he manipulates and distorts them, it transpires that his attacks are not attacks at all. They are not even tickles under the chin.

**MR SPEAKER:**

Order, Order.

**HON F R PICARDO:**

The last thing I want to do is tickle the Chief Minister anywhere.

**MR SPEAKER:**

Order, Order. I must rule now on the first point. We all know the purpose of Question Time is to enable Members of the Opposition, or indeed, any backbencher, to elicit information. For that purpose the Hon Fabian Picardo has posed four questions on the subject of advertising in 7 Days, two oral questions, two written questions. I think we all know that the order in which questions are answered is entirely up to the Minister. The Minister can choose to combine questions together, in whichever order, and indeed, who answers the questions. The point is the Chief Minister has said that the answers which the hon Members seeks in respect of the written questions are being provided in writing. The answers sought in respect of the oral questions can be deduced from the answers given to the written questions. That is an answer which I have to accept and this House has to accept. The more important point is the answers were clearly designed on questions. Were clearly designed to give rise to a debate which has occurred in the last 15 or 20 minutes. Perhaps in future the questions will be designed to aim the point in the debate, rather than ask questions which are seeking to elicit information in an almost oblique manner in terms of averages and the differences. Why was the question not posed in a direct manner to elicit the debate we have had for the last 20 minutes?

**HON F R PICARDO:**

It was.

**MR SPEAKER:**

Well, with respect, there were four questions put asking for numbers and differences and averages without getting to the substance of the debate. I think since we have debated 7 Days we should move to the next question.

**HON F R PICARDO:**

Mr Speaker's ruling is Mr Speaker's ruling.



**NO. 277 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS**

What is the cost of the full page advertisement (on page 8) of the advert by the "Gibraltar Oficina de Turismos" which appeared in "7 Days" on 28th January 2009? Let us see how they avoid answering that one.

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have no difficulty in answering this one. It is only the hon Member who thinks that the Government should be disqualified from advertising in 7 Days. The Government are very happy to advertise in 7 Days, just as they are very happy to advertise in the Panorama. So, all of these questions are asked by the hon Member in a frame of mind which the Government do not share. So he must not think that I have difficulty answering these questions. I have no difficulty whatsoever in answering these questions. I will answer together with Question No. 278 of 2009.

**NO. 278 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS**

What is the cost of the full page advertisement (on page 8) of the advert by the Kings Bastion Leisure Centre which appeared in "7 Days" on 28th January 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Gibraltar Tourist Board's advertisement, splendid advertisement, on the back cover of the special colour supplement for FITUR, published by the excellent newspaper the 7 Days, along with editorial content on various subjects to promote the tourism product and cultural events in Gibraltar, including a page for the also splendid King's Bastion Leisure Centre, was a package at a total cost of £3,200. To save the hon Member averages and calculation, that is roughly 4.5 times the amount of the cost of my using the VIP lounge at Gatwick airport.

**SUPPLEMENTARY TO QUESTION NO. 277 AND 278 OF 2009**

**HON F R PICARDO:**

The hon Gentleman laughs, the hon Gentleman blusters, the hon Gentleman descends into under his breath calling Members of the Opposition anything that he can get away with, and sometimes over his breath resorting to language which should not be heard in this House and has not been heard in this House before. But does he not realise that under his sniggers, under his sniding, £3,200 is a lot of money, £1,586 so that he does not have to show his toes and his toileteries at the airport, is a lot of money and it is more than most people earn in a month. Should he not be taking greater care of the way that he spends taxpayers' money, instead of so flippantly trying to get away with paying amounts like that for funding what is obviously becoming his party photo sheet?

**HON CHIEF MINISTER:**

No, £3,200 is worth exactly the same and costs the taxpayer exactly the same than £3,200 spent on advertisements in the Chronicle, or £3,200 spent on advertisements in the Panorama. If he does not think that the Government should spend taxpayers' money on advertising in local newspapers, I as chancellor of the exchequer warmly welcome the initiative, because it means that the couple of hundred thousand pounds per year that the Government spend in newspapers, I would save and I could spend

on other things. But I am not sure that some of his Colleagues sitting nearby him would support him in that policy initiative.

**HON F R PICARDO:**

It is not a question of whether I believe that advertising should occur in other local newspapers. I am posing a question to the Chief Minister about this newspaper. I will tell him why it is about this newspaper, because I have already shown him the amount of advertising that is carried by the Government in this newspaper, or the proportion of advertising that is carried by the Government in this newspaper, which is not becoming, which is obviously a Government sponsored newspaper to do the Government's bidding. Or at least I should say, a Government sponsored newspaper paid for by the taxpayer to do GSD bidding, cutting right across the lines of where is the party and where is the Government, and it is designed to ensure maximum spin and advertising for their political initiatives. Should not that money, if it is going to be spent on advertising, Government advertising, be spent in mainline newspapers which are supported by the whole community? Daily newspapers, even, which have greater circulation than this rag.

**HON CHIEF MINISTER:**

Well, I have to say whilst I believe that this Government have many noteworthy and memorable political achievements to boast about, I have to admit that attending the FITUR fair is not very high on my list of what I regard as this Government's achievements. I do not know why he thinks a feature in relation to FITUR and tourism, where according to them we do so badly, I do not know why he regards that as boasting of Government's achievements. But, look, it must be clear to everybody listening to this debate by now, that what the hon Member believes the Government should do is not advertise in papers that are supportive of the Government's successes, which presumably means that the Government, in his view, should advertise only in newspapers that are not, because presumably, if he thinks that we should not advertise in the 7 Days because he thinks it is too supportive of the Government, then presumably in the interests of political even handedness, in the very next breath he would say to me "and do not advertise in the Panorama because it is unobjective, never supports the Government, clearly supports the Opposition and we do not think that public funds should be deployed in any newspaper which is politically supportive of one party or another". But to expect me to punish the newspapers that are supportive of the Government whilst leaving Government advertising in newspapers which are supportive of his Government, I am not sure it is very supportive of him, but supportive of his party, then I think it is frankly inviting the Government to convert itself into a turkey and to vote for Christmas. We are neither turkey nor is it Christmas for him 365 days of the year.

**HON F R PICARDO:**

That is not the point at all. Is the position not actually that the Chief Minister wishes to turn this debate into other sectors of the media, in order to avoid what is becoming startlingly obvious to every member of this community and to every Member of this Parliament, except that there are ten who do not care about it, because they are the beneficiaries of it, that 7 Days is bought and paid for by the Government of Gibraltar to promote the GSD party, cutting across the distinction between party and Government in a way that has never been seen before? In fact, one of the things

that the Chief Minister will know, and I am sure he will agree with, is that his defence, which of course I do not have to accept but I will play out for now, in respect of the New People controversy, is that his Government do not advertise in the New People because the previous Government also did not advertise in the New People. So, is he not by that accepting that the previous Government was not in the habit of funding what he calls a rag which supported them, but his Government is in the habit of supporting a rag that supports them, simply because it is for the advantage of the GSD as a party, and not for the Government or the people of Gibraltar who are the taxpayers, who are paying for those adverts?

**HON CHIEF MINISTER:**

No, because I do not accept the premise of his question. I do not think that this newspaper is in the same category as the New People. For example, look, the 7 Days does not send birthday greetings to GSD members on their birthday as the New People used to do. The previous Government, rightly in my opinion, did not spend taxpayers' money advertising in the New People, in recognition of the fact that the New People was indisputably an organ of the GSLP. Not supportive of the GSLP, there is nothing wrong with a newspaper being supportive of one, it happens everywhere in the world, the Daily Telegraph is supportive of the Conservative party, the Daily Mirror is supportive of the Labour party, the Independent is supportive ..... and there are some newspapers who cannot decide who they want to support. So there is nothing wrong with being supported, this does not disqualify newspapers from advertisements, so long as they are objective. I do not see why the hon Member ..... In order to attack the Government, he has managed to accuse the Civil Servants of doing the Government's party political bidding. He has now accused the editorial staff of the 7 Days newspaper, in effect of being notaries for Ministers. Now, we all know that there are newspapers in Gibraltar of which that label is true, and it is not just the New People. But I do not see what evidence the hon Member has to make those allegations against the people who run the 7 Days. So it is not that I am applying one law to the 7 Days and another law to the New People, it is just that I am not accepting the starting premise of his analogy, which is that the two things are the same.

ORAL

**NO. 279 OF 2009**

**THE HON F R PICARDO**

**GIBRALTAR GROUP IN PARLIAMENT**

On how many occasions did the Chief Minister address the Gibraltar Group in Parliament (Westminster) between December 2006 and December 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

My meetings with the Gibraltar Group in Parliament are publicly announced and reported. Accordingly, as the hon Member knows from information available to him in the public domain, there were no meetings during the dates set out in his question.

**NO. 280 OF 2009**

**THE HON G H LICUDI**

**TENDER – DEVIL’S TOWER ROAD**

Can Government state at what stage is the tender process in respect of works to modify Devil’s Tower Road?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The works to modify Devil’s Tower Road will be carried out by the Highways Maintenance Term Contractor under the excellent term contract.

**SUPPLEMENTARY TO QUESTION NO. 280 OF 2009**

**HON G H LICUDI:**

Is the Chief Minister able to say when the specific works for modification are due to start and how long they are projected to last?

**HON CHIEF MINISTER:**

They start in about three weeks’ time. There is a period envisaged but I just do not know what it is, I am sorry.

**HON G H LICUDI:**

Presumably, these works will then carry on over a number of months, including the summer months. Does the Chief Minister share any concerns about the level of traffic we will receive on our roads, in the summer months in particular, in connection specifically with the frontier queues and that Devil’s Tower Road is a particularly bad area for that, and to what extent has it been taken into account and what alternative measures are put in place to redress the possible problems we have had in the past and which appear to be exacerbated unless some effort is made to prevent those problems with gridlock this particular summer?

**HON CHIEF MINISTER:**

Well, I mean, we are in one of those sort of situations where it is not possible to make an omelette without breaking eggs. We need to do this work, there is no time of the

year during which Devil's Tower Road is not busy, not just for reasons of possible queue delays but, indeed, it is a busy road. There are, I believe, contingency arrangements in place for the eventuality that he is rightly concerned about, which will require careful management, but I understand that the works are being programmed in a way that will minimise the interruption to fluidity. Remember that these are not deep rooted works like perhaps are going on at the southern end of Main Street, where the sewers are being relaid. This is literally surface work to the road surface, its pavements and islands, it does not involve digging the road deep for the purposes of accessing drains and relaying drains and things like that. All that is being done through the runway, just on the runway edge of the cemetery, precisely so that it would not be necessary to dig up Devil's Tower Road in any way, such as is dug up when services are relaid, underground utility services.

**HON G H LICUDI:**

Is it the case, in any event, that during the time that these works are conducted, which as I understand now these will be surface works, a large number of parking spaces on Devil's Tower Road will be lost and that it will be done at the time when we still do not have the alternative parking arrangements which are part of the Government programme, and are any contingency plans in place in respect of all those people who will lose the opportunity of parking where they currently do?

**HON CHIEF MINISTER:**

I understand that there are arrangements intended to open up areas for parking on the aerial farm and there was one other site mentioned, I do not remember, but there are arrangements to replace lost parking spaces.

**NO. 281 OF 2009**

**THE HON G H LICUDI**

**LANES ENTERING SPAIN**

Can Government state what steps it is currently taking to ensure that the number of lanes for vehicles entering Spain is at least equivalent to those entering Gibraltar, i.e. a minimum of two green channels and one red channel?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Regrettably, it is not in the power of the Government to take any steps to ensure what happens and what does not happen in a foreign country.

**SUPPLEMENTARY TO QUESTION NO. 281 OF 2009**

**HON G H LICUDI:**

The reason this question is asked is because it arises from the answers given to Question No. 686 of 2008, where the Chief Minister himself said that frontier fluidity remains under constant review in the context of discussions with Spain. So it is not just a question of the Government being totally powerless in respect of what representations and what can be asked, and what discussions and negotiations can take place, it is not entirely in the hands of a foreign government because it is the Government's position that this is a matter that must remain under constant review. That is why the question asked what steps are currently being taken. We have in mind also, that during supplementaries to that particular question, the position of the Government was explained, in terms that the thrust of the Government's position when these matters are discussed, is that whilst the Spanish Government is obviously obliged and entitled to carry out checks, there must be, or there should be, or that should not prevent the Spanish Government or the Spanish authorities from having a sufficiently designed and sufficiently large crossing area, so that there can be multiple crossing points. That is the Government's position, this Government's position. The question simply asks as to what steps this Government is currently taking in furtherance of the thrust of the position that they explained in September of last year.

**HON CHIEF MINISTER:**

I acknowledge and do not challenge anything that the hon Member has said. But if that is the question he wanted answered, that is the question he should have asked. The Government answer the questions as they are asked, and what he has asked is



not what is going on and what discussions are taking place, or what the Government are doing in trying to persuade the Spaniards to improve frontier fluidity still further. The question asks, can the Government state what steps it is currently taking, to ensure that the number of lanes in Spain et cetera. The answer is that the Government do not have the power to take any steps to ensure what Spain does or does not do. That is why he has had the answer that he has had. The question as he has formulated it is not the question that he has justified in his supplementary, which I acknowledge is the debate we had last time on this issue. The answer to that question is that it is indeed a continuing Spanish commitment under the Cordoba Agreements, the Cordoba Communique, to keep frontier fluidity under review, so that it is as fluid as possible. Therefore, no measure, no situation if it is capable of being improved, is the end of the road for Spain's commitments on that. Therefore, this is an issue which is frequently the subject matter of formal and informal contacts, whenever delays arise, and which is touched on at all meetings under the Trilateral process. But the Government are not taking any specific steps to ensure anything because we are not in a position to ensure, we are in a position to engage in political dialogue and I am glad the hon Member urges me to engage in political dialogue, so that we can try and resolve some of Gibraltar's more soluble problems.

**HON G H LICUDI:**

What I am urging the Chief Minister is to engage in a process to ensure that the Government's position is brought about.

**HON CHIEF MINISTER:**

A process of which he approves or a process of which the hon Member does not approve?

**HON G H LICUDI:**

It is irrelevant whether we approve or disapprove. Gibraltar has a problem, Gibraltar certainly has a problem with traffic and frontier fluidity, it is a matter that we have debated previously in this House, it is a matter that ought to have been resolved when the Government had the opportunity of doing so. The Government missed that opportunity of resolving it when it should have resolved it. The question, and whilst I acknowledge the point that the Chief Minister makes about steps being taken to ensure, the nub of the question is, what steps is the Government currently taking to try to bring about the desirable position that it expressed in September of last year, which is that there should be a sufficiently large area with sufficiently large or multiple crossing points, as the Chief Minister put it. Is the Government currently engaged in taking any steps in furtherance of that position?

**HON CHIEF MINISTER:**

Oh I see, so let me be clear as to the hon Member's position. The hon Member's position is that he does not approve of the process in which I am engaged, but castigates me for not doing well enough in it. So this is a case of we will criticise the Government for the Cordoba process and the Trilateral process, but then spend the next three years complaining that the fruits of it are not as good as they might have been and why is he not achieving more. So that is an interesting political stance,

which most people will not readily understand. I think people are entitled to assume that if the hon Member is urging me to achieve more and more and more under the Trilateral forum, it must be at least because they think that the Trilateral forum is a worthwhile political structure, worthy of their support. If they think the whole process is unworthy of their support, coherence would require them not to urge me to invoke the possibility that the process has given me to achieve even more things for Gibraltar under it.

**HON G H LICUDI:**

What we are urging the Government to do, and the Chief Minister has tried to put words in our mouths and try to mischaracterise the Opposition's position on this. Naturally, the position of the Opposition is that it has been urging the Government to take all necessary steps to redress the problem of frontier fluidity, which we have had for years, and nothing to do with the Cordoba process, we have had that problem for years and the Government have been urged to remedy that problem. So what the Government have been urged to do now, is to remedy a current problem and the problem has been exacerbated, as the Chief Minister has himself acknowledged, by the fact that Gibraltar itself has opened up more channels and, therefore, made it easier for cars to come into Gibraltar. That has resulted, according to the Chief Minister, in a greater amount of traffic coming into Gibraltar. Greater amount of traffic coming into Gibraltar has difficulty getting out of Gibraltar, as the Chief Minister himself has acknowledged, because there are not sufficient multiple crossing points going into Spain, and because that problem has arisen and currently exists, what we are urging the Chief Minister is to comply with commitments made, and public utterances which have been made previously, which is to give effect to a remedy to that particular problem. The alternative, and is this what the Chief Minister is saying? The alternative is that no steps are taken by the Government to try and remedy this particular problem, and the Gibraltar motorist is condemned again this year to a summer of complete and utter misery. Is that the Government's position?

**HON CHIEF MINISTER:**

No, the Government's position is that such relief as the motorist gets from the problems of politically motivated inflexibility at the border, is the result of the Government's initiatives under the Cordoba process, and that therefore the situation would be even worse if the hon Members were in office and not pursuing the Cordoba process. But the position actually is what I told him ten minutes ago. He seems determined that the Leader of the Opposition will not get the opportunity to debate the Bill before he has to leave. The position is that the Government will continue to raise these issues under the Trilateral forum discussions, but the next time that I do it I will be fortified in my efforts by the knowledge that I do so with his wholehearted support, and with his wholehearted encouragement in the process of which he appears to approve, since he is asking me to use it to even greater effect. So next time I go to the Trilateral forum and I raise this, I will say, and I am doing this with the wholehearted support of the GSLP Opposition.

ORAL

**NO. 282 OF 2009**

**THE HON G H LICUDI**

**WILLIS'S ROAD/SANDPITS/NEW HARBOURS – CAR PARKING SPACES**

Can Government state whether all the car parking spaces at the new car parks at Willis's Road, Sandpits and New Harbours have now been formally taken up by those who were successful in the draw for these places?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 283 of 2009.

**NO. 283 OF 2009**

**THE HON G H LICUDI**

**WILLIS'S ROAD/SANDPITS/NEW HARBOURS – CAR PARKING SPACES**

Can Government state whether any of the car parking spaces at the new car parks at Willis's Road, Sandpits and New Harbours have been allocated to persons on the reserve list and, if so, for what reason?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, all the successful applicants have entered into licence agreements.

Yes, some car parking spaces have been offered to applicants on the reserve lists. Licensees surrendering their car parking spaces are not required to state the reason why they are so surrendering them. As a matter of course, spaces returned to the car parks company are automatically offered to the next person on the reserve list. So we have no way of knowing what the reason is why people surrender, they just hand it back.

**SUPPLEMENTARY TO QUESTION NOS. 282 AND 283 OF 2009**

**HON G H LICUDI:**

I am not sure whether it was implicit in the question, whether any of the car parking spaces intended to try and draw out the numbers that have essentially changed hands. Just as a follow up to what the hon Member has said in terms of surrendering, is it the case that all persons in the reserve list which have been offered these places, the situation arises only because of a surrender or have the Government taken any steps for whatever reason to withdraw the successful applicant from the opportunity of having the space allocated formally to him?

**HON CHIEF MINISTER:**

I think that the circumstances for possible repossession have only just arisen for the first time, because I think they were required to pay two months worth at the beginning, and I think that just expired a couple of weeks ago. When I asked I was told that everyone had paid. I have not been informed that anybody has had their card de-activated, with the technology that it is available to the company, if people do not pay their fees. I have not been told that that is the case and I believe it not to be the case. But I do not know with certainty.

**HON G H LICUDI:**

Just on the first part of the supplementary, does the Chief Minister know the numbers which have essentially changed hands? In relation to Question No. 283, whether any car parking spaces have been allocated to people on the reserve list, does the Chief Minister know the numbers?

**HON CHIEF MINISTER:**

I do not think I have got that information. There is a lot of information here and I am just a little bit reluctant to say for sure that I cannot deduce that information from the information I have got. I do not think from looking..... What I have got here is a list of people with car parking spaces and I do not think it tells me whether they have had them from the original or from subsequent..... I do not think it is very many, I think we are talking about a handful, two, three or four. It is not a significant number, there is not a huge churn. Obviously people were anxious to get it and, presumably, they are anxious to hang on to them. So, one would not expect it to be many.

**HON G H LICUDI:**

Can the Chief Minister say, in relation to the reserve list, whether this is what I would perhaps call loosely a permanent and continuing reserve list, so that as and when parking spaces are handed back, or lost for any other reason, whether now or in a year or two or three years, the Government will look to people on that reserve list rather than any other mechanism for allocating that particular car parking space?

**HON CHIEF MINISTER:**

Well, it will certainly be offered to them first, yes. This is the system that the Government developed in the affordable housing draws, that the drawing of lots carried on after all the houses had been allocated, in order to create an order of xxxxxx. The reserve lists remain in the order that people were drawn originally, and indeed, many houses in Waterport Terraces have been allocated on that basis.

**HON G H LICUDI:**

Just one further supplementary. I am not sure whether the Chief Minister will have this information or whether this has been thought out. In the event, because I am talking of people on the reserve list having the opportunity as and when it arises, that someone who has allocated a car parking space were to pass away, were to die, does that car parking space go back to the Government or is it able to stay in the family for the household for which the car parking space was allocated? Is this something that has been thought out?

**HON CHIEF MINISTER:**

I do not know, no one has sought from me, at least, a policy steer on that question. I suppose it would pass to the widow or to the house, that would be my answer if somebody asked me the question in terms of asking for a policy steer. I cannot

imagine that the position is that if a householder dies, the widow has to vacate the car park as well.

**NO. 284 OF 2009**

**THE HON G H LICUDI**

**BETTING INDUSTRY**

Can Government say what is the total number of persons employed in the betting industry in Gibraltar

- (a) at present;
- (b) in December 2008,

giving a breakdown by company and by nationality, showing how many are Gibraltarian and the dates when the figures apply?

**ANSWER**

**THE HON THE CHIEF MINISTER**

A total of 1,699 persons were employed by 20 remote gambling companies as at 27<sup>th</sup> February 2009.

The breakdown requested by the hon member is set out in the schedule which I now hand to him. There was no compilation of these figures in December, and this is a prime example of the difference between asking questions about a lot of companies rather than about one in particular. So the schedule identifies as has been the practice in the past, all the companies.

**REMOTE GAMBLING COMPANIES - EMPLOYMENT STATISTICS AS AT 27 FEBRUARY 2009**

	<u>Gibraltarian</u>	<u>Other British</u>	<u>Spanish</u>	<u>Other</u>	<u>Total</u>
Ladbrokes (Gibraltar) Limited	20	73	4	7	104
Victor Chandler (International) Limited	49	176	20	30	275
Stan James (Gibraltar) Limited	9	180	14	50	253
bwin International Limited	30	31	18	98	177
Eurobet (Gibraltar) Limited	10	18	1	2	31
Carmen Media Group Limited	7	2	2	3	14
32 Red Plc	6	35	0	4	45
St Minver Limited	26	33	16	53	128
Digibet Limited	0	1	0	11	12
888 Holdings Plc	40	96	18	74	228
Globet.com Group Limited	0	10	1	7	18
International Betting Association Limited	0	0	0	7	7
PartyGaming Plc	35	103	12	77	227
Mansion (Gibraltar) Limited	18	56	2	17	93
Futuresbetting.com Limited	0	8	0	0	8
Partouche Interactive (Gibraltar) Limited	3	6	1	6	16
William Hill (Gibraltar) Limited	0	10	0	1	11
Hillside (Gibraltar) Limited	1	8	0	2	11
Petfre (Gibraltar) Limited	6	26	0	1	33
Entertaining Play Ltd	1	6	1	0	8
<b>Overall Total</b>	<b>261</b>	<b>878</b>	<b>110</b>	<b>450</b>	<b>1699</b>

Source: Ministry of Finance, Gambling Division



**NO. 285 OF 2009**

**THE HON DR J J GARCIA**

**GAMBLING ADMINISTRATOR**

Can Government say how many persons have applied for the post of Gambling Administrator and Web Monitor in the Gambling Division of the Gibraltar Regulatory Authority which was advertised in February and indicate how many of these applicants are Gibraltarian?

**ANSWER**

**THE HON THE CHIEF MINISTER**

By the closing date, the Gibraltar Regulatory Authority had received 55 applications for the post of Gambling Administrator and Web Monitor. The GRA cannot provide accurate figures on how many of the applicants were Gibraltarian as this information is not requested from the applicants. However, based on the names of the applicants and their place of education, the GRA estimates that half the applicants could be Gibraltarians.

**ORAL**

**NO. 286 OF 2009**

**THE HON DR J J GARCIA**

**SERVICES FOR ARCHITECTURAL DESIGN**

Can Government list the services for architectural design that they (or any Government owned-company) have contracted in the financial years 2007/2008 and 2008/2009 giving a breakdown showing the individual/company that carried out the work, the name of the project and the amount paid to date in respect of the said services for each project?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 287 of 2009.

**NO. 287 OF 2009**

**THE HON DR J J GARCIA**

**SERVICES FOR ARCHITECTURAL DESIGN**

Can Government say what is the procedure in place for the provision of architectural design services, contracts or consultancies in respect of Government projects including those being carried out by Government-owned companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information sought by the hon Member is presented in the handout that I will shortly pass to him. However, in answering the question I should point out that we have not interpreted it strictly xxxxxx. We have interpreted the use of the word “contracted” to mean “made use of” during the financial year 2007/2008 and 2008/2009, and thus have not excluded from the answer projects from the list merely because the architectural appointment was done before the 1<sup>st</sup> April 2007.

In the case where either the Government has not yet publicly announced such a project, or where although the project has been made public, works have not yet been tendered, such projects are listed separately. In the case of projects not yet announced publicly, the Government is unwilling to make such announcement by means of information about payments of architect’s fees. In the case of projects that have been announced but have not yet gone out to tender, disclosure of the architectural fee could be prejudicial to the tender process because he knows that architectural fees can be a percentage. Therefore, in these cases, the schedules provide name of the firm and a number allocated to the project that they have been commissioned and for what fee, but not the name of the project itself.

In the case of projects not yet tendered, the name of the firm and the project is disclosed but the fee is omitted.

I now hand the hon Member the schedule with the information requested, subject to those two caveats.

**ANSWER TO QUESTION 286**

Entity	Project	Amount Paid to Date
AKS	Post Office - Sorting Office / Parcel Post / GPO Vehicles	£ 7,260.00
AKS	Relocation of St John's Ambulance	nil to date
AKS	Customs Training Centre	£ 2,700.00
AKS	Works to ex WSM	nil to date
AKS	12 Castle Steps	£ 26,250.00
AKS	Flat Bastion Road	£ 34,490.04
AKS	Four Corners Refurbishment	£ 8,993.43
AKS	Bayside School Labs	£ 162.50
AKS	Bayside School Lifts	£ 1,512.50
AKS	Ex-Education Block	£ 1,575.00
AKS	GJBS Office Extension	£ 2,370.00
AKS	College Annex	£ 1,187.50
Calford Seaden	Calpe Barracks	£ 93,100.00
Dennis Mosquera	Camp Bay	£ 65,126.54
GCA	New Women's Hostel - Lopez Ramp	£ 70,200.00
GCA	Relocation of Tourist Board	£ 19,072.30
GCA	Main Street (South) Beautification	£ 25,101.40
GCA	Trafalgar Interchange	£ 48,750.00
GCA	Ex OEM Developments	£ 368,185.40
GCA	Expansion of Ministry Offices at Europort	£ 1,850.00
GCA	Retrenchment Block	£ 6,750.00
HTA	Waterport Terraces	£ 1,708,260.18
John Langdon	The Guard House - John Mackintosh Square	£ 12,000.00
Lovelock Mitchell	MOD Relocations	£ 833,939.32
Lovelock Mitchell	Bishop Canilla House	£ 5,695.50
Lovelock Mitchell	New Changing Rooms at Eastern Beach	£ 34,259.50
Lovelock Mitchell	Relocation of AMCO Offices and Yard	£ 22,874.75
Lovelock Mitchell	New Mediterranean and Calpe Rowing Clubs Boat House	Inc in Fee for New Rental Housing Scheme
Lovelock Mitchell	Government Rental Housing	£ 1,232,962.40
Panton Sargent / One Creative	New Prison	£ 54,982.50
Reid Architecture / 3d Reid	Airterminal Project - including Airside Facilities, new Customs EPU building, Park and Ride Facility and terminal Short Stay Car Park	£ 2,321,614.00
WSRM	Moorish Castle - New WC's and Tourist Facilities	£ 17,598.75
WSRM	Phase 2 Great Siege Tunnels	£ 14,650.00
WSRM	Devils Tower Road Landscaping Works	nil to date
WSRM	Market Place Beautification	£ 14,392.50
WSRM	Orange Bastion / Fish Market Road Phase 1	£ 5,355.00
WSRM	Orange Bastion / Fish Market Road Phase 2	£ 4,950.00

**CONTD ANSWER TO QUESTION 286**

WSRM	Orange Bastion / Fish Market Road Phase 3	£	4,692.50
List of Projects not yet publically announced			
AKS	4 projects with a total fee paid of	£	7,720.00
GCA	1 Project with a fee of	£	6,900.00
WSRM	1 Project with a fee of	£	7,860.00
List Projects Announced but not yet tendered			
Calford Seaden	Northern Defences and Grand Battery		Fee not disclosed
GCA	Upper Town Regeneration Scheme		Fee not disclosed
GCA	The Law Courts		Fee not disclosed
GCA	Engineer Lane Car Park		Fee not disclosed
GCA	Refurbishment of Europa Point		Fee not disclosed
Giffords	Relocation of Police Customs Fire Brigade Marine Sections and Sea Scouts - Feasibility Study		Fee not disclosed
WSRM	Relocation of Police Customs Fire Brigade Marine Sections and Sea Scouts		Fee not disclosed
Lovelock Mitchell	RGYC Relocation		Fee not disclosed

ORAL

NO. 288 OF 2009

THE HON DR J J GARCIA

QUESTION WITHDRAWN

**ORAL**

**NO. 289 OF 2009**

**THE HON DR J J GARCIA**

**INFRACTION PROCEEDINGS**

Can Government say how many infraction proceedings against the United Kingdom are currently open for the non-transposition of EU Directives in Gibraltar, with a breakdown showing the name and number of each Directive and the stage at which the infraction proceedings stand?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule containing the information that he requests.

**ANSWER TO QUESTION 289 OF 2009**

2005/14	Insurance against civil liability in respect of the use of motor vehicles.	ECJ
2005/36	Recognition of professional qualifications nurse, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor.	ECJ
2005/35	Ship source pollution and on the introduction of penalties for infringements.	ECJ
2004/23	Human tissues and cells.	Reasoned Opinion
2005/33	Sulphur content of marine fuels.	Reasoned Opinion
2003/105	Control of major accident hazards involving dangerous substances	Reasoned Opinion
2004/113	Implementing the principle of equal treatment between men and women in the access to, and supply of, goods and services.	Reasoned Opinion
2002/59	Community vessel traffic monitoring and information system.	Reasoned Opinion
2006/7	Management of bathing water quality.	Reasoned Opinion
2006/43	Statutory audits of annual accounts and consolidated accounts.	Reasoned Opinion
2006/21	Management of waste from extractive industries.	Reasoned Opinion
2006/32	Energy end-use efficiency and energy services.	Reasoned Opinion
79/409	Conservation of wild birds.	Article 226 Letter
2000/60	Water Framework.	Article 226 Letter
2005/19	Mergers Directive.	Article 226 Letter
76/207	Implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions	Article 226 Letter
98/81	Contained use of genetically modified micro-organisms.	Article 226 Letter
2005/81	Transparency of financial relations between MS and public undertakings and the transparency within certain undertakings.	Article 226 Letter
2006/38	Charging of heavy goods vehicles for the use of certain infrastructures	Article 226 Letter
2007/38	Retrofitting of mirrors to heavy goods vehicles registered in the EC	Article 226 Letter
2002/91	Energy performance of buildings.	Article 226 Letter
2001/42	Assessment of the effects of certain plans and programmes on the environment.	Article 226 Letter
2008/65	Driving Licences.	Article 226 Letter
2003/18	Protection of workers from the risks related to exposure to asbestos at work	Article 226 Letter
1996/62	Ambient air quality assessment and management.	Article 226 Letter



**SUPPLEMENTARY TO QUESTION NO. 289 OF 2009**

**HON DR J J GARCIA:**

In relation to the three Directives which are now before the European Court of Justice, can the Government say whether there is a policy reason for the delay in implementation?

**HON CHIEF MINISTER:**

No, there is not.

**HON DR J J GARCIA:**

So it is simply a case of just going through the process of being drafted and being produced?

**HON CHIEF MINISTER:**

Yes and very often we are not informed of the existence of the Directive, it is not just delay in drafting although pressure at the drafting level adds delay at the time. But usually there has been an oversight somewhere in Whitehall and we just have not been made aware, either of the Directive or of perhaps the issue of a Reasoned Opinion and the matter gets that far before we sort of call out the sort of drafting fire brigade.

**NO. 290 OF 2009**

**THE HON DR J J GARCIA**

**POST-BOXING – REQUESTS BY SPAIN**

Can Government say whether there have been any instances, and if so how many, where information requested by Spain through the UK post-box has not been supplied by Gibraltar:

- (a) since post-boxing was set up in April 2000;
- (b) during 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 291 to 293 of 2009.

**NO. 291 OF 2009**

**THE HON DR J J GARCIA**

**POST-BOXING – REQUESTS BY SPAIN**

Can Government say whether there have been any instances, and if so how many, where information requested by Spain through the UK post-box has been supplied by Gibraltar:

- (a) since post-boxing was set up in April 2000;
- (b) during 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 290, 292 and 293 of 2009.

ORAL

**NO. 292 OF 2009**

**THE HON DR J J GARCIA**

**POST-BOXING – NOTIFICATION/REQUESTS BY SPAIN**

Can Government say how many of the communications between Gibraltar and Spain through the UK post-box in 2008 were notifications and how many were requests for information and indicate which was which in each case?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 290, 291 and 293 of 2009.

**NO. 293 OF 2009**

**THE HON DR J J GARCIA**

**POST-BOXING – COMMUNICATIONS BETWEEN GIBRALTAR AND SPAIN**

Can Government list the communications between Gibraltar and Spain, both incoming and outgoing, that were made through the UK post-box in 2008 showing the issuing authority and the receiving authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

In answer to Question Nos. 290 and 291, the answer is no, the request 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 published.

In the case of Question Nos. 292 and 293, I now hand the hon Member a schedule with the information that he requests.

Perhaps whilst he gets that let me just explain that a little bit further. The post-box is a delivery mechanism, it does not concern itself with the subject matter, so to work out whether the information was provided or not provided would require to go back to the source of each document, look at each file and see whether the information was provided. In other words, it is like asking the Post Office how many of the letters that they delivered contained cheques. The Post Office would say they do not know but I suppose they could go and ask everyone that has posted a letter whether there was a cheque in the envelope, but that would take forever. That is the reason why it takes a disproportionate amount of time, because the post-box administrators, the people who keep the record of what goes through the post-box, which is the information he has got there, do not record the substance of whether it was a favourable reply, whether it gave the information originally requested or not.

**ANSWER TO QUESTION 293**

**Answer to Questions 292 & 293**

**Year 2008 (Incoming)**

Post Box ref	Issuing Agency	Receiving Agency	Notification / Request for Information
(1)PB/04/08	Juzgado de 1a Instancia, Marbella, Spain	Supreme Court, Gibraltar	Request for Information
(1)PB/07/08	Ministerio de Justicia, Spain	Attorney General	Request for Information
(1)PB/10/08	Juzgado de 1a Instancia, San Roque, Spain	Attorney General	Request for Information
(1)PB/11/08	Juzgado de 2a Instancia, Almeria, Spain	Supreme Court, Gibraltar	Request for Information
(1)PB/12/08	Ministerio de Justicia, Spain	Attorney General	Request for Information
(1)PB/14/08	Court of First Instance No 3, Spain	Supreme Court, Gibraltar	Request for Information
(1)PB/20/08	Juzgado de 3a Instancia, Marbella, Spain	Attorney General	Request for Information
(1)PB/21/08	Agencia Tributaria, Spain	Commissioner of Income Tax	Request for Information
(1)PB/22/08	Agencia Tributaria, Spain	Commissioner of Income Tax	Request for Information
(1)PB/23/08	Agencia Tributaria, Spain	Commissioner of Income Tax	Request for Information
(1)PB/28/08	Agencia Tributaria, Spain	Commissioner of Income Tax	Request for Information
(1)PB/29/08	Spanish Lawyers	Supreme Court, Gibraltar	Request for Information
(1)PB/35/08	Juzgado de 3a Instancia, Marbella, Spain	Attorney General	Request for Information

**Contd...**

**CONTD ANSWER TO QUESTION 293**

**Contd Answer to Questions 292 & 293**

(I)PB/37/08	Ministerio de Economia & Hacienda	Financial Services Commission, Gibraltar	Request for Information
(I)PB/38/08	Ministerio de Justicia, Spain	Attorney General	Request for Information

**Year 2008(Outgoing)**

<b>Post-Box ref</b>	<b>Issuing Agency</b>	<b>Receiving Agency</b>	<b>Notification / Request for Information</b>
PB/05/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/08/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/10/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores	Notification
PB/17/08	Attorney General	Ministerio de Justicia, Spain	Request for Information
PB/18/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores	Notification
PB/19/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/20/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/23/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/30/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores	Notification
PB/32/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores	Notification
PB/56/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores	Notification

**Contd...**

**CONTD ANSWER TO QUESTION 293**

**Contd Answer to Questions 292 & 293**

**Year 2008(Outgoing)**

PB/87/08	Financial Services Commission, Gibraltar	Bank of Spain	Notification
PB/113/08	Financial Services Commission, Gibraltar	Ministerio de Economia & Hacienda	Notification
PB/144/08	Financial Services Commission, Gibraltar	Bank of Spain	Notification
PB/147/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/156/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores	Notification
PB/181/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores	Notification
PB/185/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/186/08	Financial Services Commission, Gibraltar	Ministerio de Economia & Hacienda	Notification
PB/187/08	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/190/08	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores	Notification



**SUPPLEMENTARY TO QUESTION NOS. 290 TO 293 OF 2009**

**HON DR J J GARCIA:**

Is there any way of telling or monitoring whether requests made from Spain by Gibraltar, or from Gibraltar by Spain, are actually replied to? Is there any way of monitoring that?

**HON CHIEF MINISTER:**

Not through the post-box, not through questions related to the post-box. If the hon Member were to ask the question, it is like saying there are requests in many areas. The Financial Services Commissioner may receive a request for information, the Police may receive a request for information, the Courts may receive a request to serve a document, the Government may receive a request, and this business is conducted by whoever the request is addressed to or whoever deals with the subject matter. So, it would be like asking the Government in respect of all the requests that the Government has had from government, how many were favourably accommodated and how many were not, there is no record-keeping of that sort. It is just day to day routine business. Now if he asks me if he is aware of a particular instance, and he says, well, for example now that he has got that list, next time he might ask, well in respect of the case, provided it is only one or two it is possible to look at the file of those cases and see whether those requests were attended. But if he asks it in respect of all of them, he is going to get the same answer because we cannot have sort of people trawling through 35 files in five days to find the answer to the question. But if he were interested in a particular case, then the file could be consulted.

**HON DR J J GARCIA:**

My interest really is in establishing whether the system is working. I appreciate that it may be disproportionate to go back to 2000, which is when it started, in terms of both incoming and outgoing. But for example, in 2008 there seems to have been incoming requests by Spain from Gibraltar, there seem to have been 15 in the whole of 2008. Would it be disproportionate to then ask the Chief Minister in a future House what had happened in relation to each of these 15 requests? In other words, whether the information requested, for example, by the Court of First Instance, No. 3 or the Agencia Tributaria of Spain or any of these have actually been responded to.

**HON CHIEF MINISTER:**

Fifteen is quite a lot of work. A lot of these are just Customs, Income Tax enquiries and, in any case, we could not give them any information about the nature of the requests or of the answer. When he talks about whether the system works, he has got to understand what the system is. The post-box is not a system that enables or requires a request to be dealt with in a particular way as to the answer that it gets. The post-box system is so called because it is literally that. It is a postal service, it is sort of a courier service and nothing to do with the substance of the business in the documents that flow through it. So the system as a means of formal communication passing between Spain and Gibraltar works perfectly well. No document has ever failed to reach us and no document has ever failed to reach its destination in Spain

that has gone through the post-box, because it is a formal, diplomatic routing. So the post-box system works to perfection. But that is nothing to do with what answers are given to the requests. So, for example, even though the post-box worked very well in delivering that first item to Gibraltar, when the Attorney General's Chambers or whoever then deals with the request from the judge may come to the conclusion that it is a fishing expedition and that it cannot be accommodated. Then what would go back through the post-box is a letter saying, I am sorry under our law and system we cannot provide the information because it is a fishing expedition bla, bla, bla. That will be sent through the post-box. The post-box will work perfectly. The system of the post-box will work perfectly in delivering the answer. But that is not forensic as to the nature of the answer that was given. So, the system, the post-box system works well. Whether a particular request is favourably considered or unfavourably considered, depends on the nature of the request, the subject matter of the business, whether it is information that we are required or committed to provide, whether it is not, whether it is information that our law allows us to provide. Is it information that the law prohibits us from providing? Is it information that is a policy decision? In other words, that we are free to provide it if we want to because there is neither a compulsion nor an impediment. That is dealt with at a departmental level, not at the operators of the post-box level. I do not know if that is helpful.

**HON DR J J GARCIA:**

I thank the Chief Minister for that reply, I think that is a distinction that I should have made between the mechanics of the system, which is the sending and receiving which seems to work well, and the actual issue which the Chief Minister referred to in the past, which is that sometimes Spanish judges would address it through the post-box but to the law courts of the United Kingdom operating in Gibraltar, as an example. Is there a way of telling how many of these incidents happen within the mechanics of the system that works mechanically but may not work in terms of the information being supplied because it is wrongly addressed, for example?

**HON CHIEF MINISTER:**

No there is not, but from time to time a few are returned for that reason, but mostly now they arrive properly addressed. Usually phrased such as, "to the competent judicial authority of Gibraltar", or "to the Court of Gibraltar", or "to the Attorney General of Gibraltar". From time to time we get references to the United Kingdom and all that and those are rejected on the basis that they are not properly addressed, regardless of the fact that they have been properly sent through the right courier company, via the right route. But in terms of the substance of the business, it does not get a favourable answer because the document is not properly addressed, albeit that the envelope in which it arrived was channelled through the proper post-box route.

**NO. 294 OF 2009**

**THE HON DR J J GARCIA**

**EASTSIDE RECLAMATION**

Can Government say whether, and if so on what date, they were last advised by the United Kingdom of the representations made to them by Spain regarding the consequences of the Eastside reclamation and development?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The last Note Verbale relating to the Eastside development of which the Government are aware was dated 10<sup>th</sup> October 2008. But Notes Verbale do not relate to “the consequences” of the Eastside reclamation and development. In other words, these are not threats.

**SUPPLEMENTARY TO QUESTION NO. 294 OF 2009**

**HON DR J J GARCIA:**

The information which emerged recently that Spain had complained 14 times to the United Kingdom, does the Chief Minister have the information as to the list of when those 14 occasions were, when Spain protested over the last few years?

**HON CHIEF MINISTER:**

No, I do not and I am not sure that it would be appropriate to provide this. Even if I did, these are after all diplomatic communications between the United Kingdom and Spain. We appreciate the fact that the United Kingdom Government gives us copies of them and we do not want to prejudice their willingness to continue to doing that, be dealing with it at this end in a way that they would not deal with it at the London end.

**HON DR J J GARCIA:**

In any case, the Chief Minister does not have the information, is that the position?

**HON CHIEF MINISTER:**

I do not have the information here of the date of all that, but of course I have copies of them all on my file. So I could get the information.

ORAL

**NO. 295 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR GROUP IN PARLIAMENT – ATTENDEES OF BRIEFING GIVEN BY CHIEF MINISTER**

Can Government say how many members of the Gibraltar Group in Parliament attended the briefing on Gibraltar matters given by the Chief Minister in January 2009 and list who they were?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There were about a dozen members present from both Houses. I do not think it is appropriate, on reflection, for me to publish their names in this House.

ORAL

**NO. 296 OF 2009**

**THE HON DR J J GARCIA**

**COST OF AIR TRAVEL BY MINISTERS ON OFFICIAL BUSINESS**

Can Government list the cost to the taxpayer of air travel by each individual Minister and the Chief Minister on official business since the information supplied at the last Question Time in 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**

Yes, we can and I hand the hon Member a schedule with the information in it.

**ANSWER TO QUESTION 296**

**CHIEF MINISTER'S AIR TRAVEL**

Destination	Dates	Amount	Airline	Seat Category	Travel Agent
London	19.01.09 - 21.01.09	£937.00	British Airways	Business	Bland
London	16.02.09 - 22.02.09	£1,036.80	British Airways	Business	Bland
London	24.02.09 - 26.02.09	£1,097.80	British Airways	Business	Bland

**MINISTER'S AIR TRAVEL**

Minister	Destination	Dates	Amount	Airline	Seat Category	Travel Agent
Minister Holliday	Venice	8.12.08 - 10.12.08	£651.70	British Airways	Business	Touafrika
Minister Monitiel	London	24.02.09 - 26.02.09	£1,097.80	British Airways	Business	Bland
Minister Beltran	London	11.01.09 - 15.01.09	£897.00	British Airways	Business	Bland
Minister Feetham	London	15.12.08 - 18.12.08	£510.80	British Airways	Business	Bland

**ORAL**

**NO. 297 OF 2009**

**THE HON DR J J GARCIA**

**COST OF ENVIRONMENTAL IMPACT ASSESSMENT INTO NEW AIR TERMINAL**

What was the cost of the environmental impact assessment into the proposed new air terminal and associated airside and landside facilities and who conducted it?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Environmental Gain Limited was commissioned to carry out the environmental impact assessment into the proposed new air terminal and associated airside and landside facilities. The cost of producing the EIA was £140,068.00, that is roughly almost 280 uses of the Gatwick Club Lounge, of which £65,375.00 was work carried out by the specialist sub-consultants.



**NO. 298 OF 2009**

**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. 299 of 2009.

**NO. 299 OF 2009**

**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**

I hope the hon Member finds a useful purpose for this riveting information. The amount of import duty collected from persons entering Gibraltar through the non-commercial gate at the land frontier on a monthly basis since November 2008 is as follows:-

November 2008	£22,440.45
December 2008	£25,187.83
January 2009	£12,187.49
February 2009	£12,715.49

The amount of import duty collected on building materials on a monthly basis since November 2008 is as follows:-

November 2008	£143,357.97
December 2008	£110,673.06
January 2009	£177,280.01
February 2009	£130,176.75

**NO. 300 OF 2009**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY – HANDOVER**

Can Government say on what date the handover of the Garrison Library was last discussed with either the Ministry of Defence or the Trustees?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not possible to provide a date. There is no easily traceable record of it. The matter is raised informally from time to time, but there is no formal discussion process taking place. For example, I myself last discussed it with members of the Trustees at a social function at which we coincided by way of casual conversation in a cocktail party at the launch of some book, I think it was, in the Garrison Library. So it is very difficult to pin down the date. But there is not a formal discussion process taking place, although coincidentally, in the last 24 hours there are signs that it may now take place at some point in the not too distant future.

**NO. 301 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR REFURBISHMENT OF PUBLIC MARKET BUILDING**

Can Government say how many tenders have been received for the refurbishment of the public market building?

**ANSWER**

**THE HON THE CHIEF MINISTER**

At the time of asking the question the closing date of these tenders had not yet expired. It closed on 13<sup>th</sup> March 2009, four tenders have been received.

**SUPPLEMENTARY TO QUESTION NO. 301 OF 2009**

**HON DR J J GARCIA:**

The advert that I have shows the 6<sup>th</sup> March as the closing date.

**HON CHIEF MINISTER:**

It is not unusual for extensions to be given to all tenderers.

ORAL

**NO. 302 OF 2009**

**THE HON DR J J GARCIA**

**HOUSING – COST OF ROSIA TANKS / CUMBERLAND TERRACES DEVELOPMENTS**

Has there been any increase in the cost to the Government / taxpayer in respect of the development at Rosia Tanks or Cumberland Terraces or has Government had to extend any banking or other financial facilities to the contractor?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No Sir.

**ORAL**

**NO. 303 OF 2009**

**THE HON DR J J GARCIA**

**NEW HARBOURS INDUSTRIAL PARK**

Can Government say how much revenue it is estimated will be raised from the sale of the leases to 30 out of 82 tenants of New Harbours and indicate when these transactions are expected to be complete?

**ANSWER**

**THE HON THE CHIEF MINISTER**

A total of 13 tenants have already proceeded with the extension of their leases. This has resulted in premium payments of £2,961,530.07.

A further 24 tenants have expressed firm interest in extending their leases. The completion date would be 31 March 2009, subject to any extensions, and if all were to complete by then, this would result in further premium payments of approximately £3 million.

**NO. 304 OF 2009****THE HON DR J J GARCIA****COMMERCIAL UNITS AT CHATHAM COUNTERGUARD**

Can Government say whether the successful applicants for the commercial units at Chatham Counterguard have accepted the allocations made to them and indicate, in each case, which unit has been allocated to whom and in what amount?

**ANSWER****THE HON THE CHIEF MINISTER**

Out of the 13 units, 11 have accepted the allocation. Given that each party will have paid a different amount, it is not appropriate to publish which paid how much. But I will try to give the hon Member the information that he may be interested in, in another way.

The total premium received for all those units was, that is to say, the ones that have been allocated, was £107,100. Allowing for the fact, or not forgetting the fact that various of the bidders bid for more than one unit, four units went to the highest bidder and four units went to the highest bidder after one bidder had been disregarded due to inappropriate proposed user. One unit (unit No. 3) was not allocated to the highest bidder due to it being next to the refuse vault and, therefore, it was given to another bidder who had a use for it which was more appropriate for a unit next to a refuse box, and also a desire to achieve a mix of users. In other words, the Government did not want all the units occupied by sandwich bars which might have been the danger if it had been otherwise. The list of units and parties to whom they have been allocated are set out in the schedule that I now give the hon Member. So the information I am providing him in addition to that is the unit number and the successful tenderer, but not the amount of the bid.

**SCHEDULE TO QUESTION 304**

<b><u>UNIT</u></b>	<b><u>SUCCESSFUL TENDERER</u></b>
3	MTI
4	Haymills
5	Raoul Dalmedo and Elton Dalmedo
6	Anglo Hispano
7	Camelot Holdings Ltd
8	Jazzco Ltd
9	Francis Navarro and Charles Sanguinetti
10	Ana Maria Alman
11	Bidder declined
12	Bidder declined
13	Mr A Boulaich

**SUPPLEMENTARY TO QUESTION NO. 304 OF 2009**

**HON DR J J GARCIA:**

Might the Chief Minister be able to say in terms of the units that have been allocated, what use they intend to put them to?

**HON CHIEF MINISTER:**

Yes, I happen by chance to have that information available to me. What a coincidence, it just happens to be written here on this piece of paper. Yes, unit No. 3 is a domestic and commercial lighting shop; unit No. 4 is a promotion and business development centre; unit No. 5 is a restaurant/wine bar; unit No. 6 is a cafeteria/sandwich shop; unit No. 7 is a fritters shop in Ilanito una churreria; unit No. 8 is a men's hairdressing salon, where I look forward to seeing him from time to time; unit No. 9 is a tapas bar; unit No. 10 is a sandwich shop; units Nos. 11 and 12 were the declined units, and unit No. 13 is a Moroccan food, arts and crafts shop.



**NO. 305 OF 2009**

**THE HON DR J J GARCIA**

**COMMERCIAL UNITS AT WATERPORT TERRACES**

Can Government say, following the nine tenders received for the commercial units at Waterport Terraces:

- (a) whether this has now resulted in the allocation of the units;
- (b) which units have been allocated to whom;
- (c) how much revenue is this expected to raise for the Government?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, some have been allocated at Waterport Terraces. Unit 3.0.1 has been allocated to Gib Cargo Ltd; 3.0.2 to A Mateos & Sons Ltd; 5.0.2 to Cosmopolitan Bazaar Ltd; 12.0.2 to Cynthia Properties Ltd; 13.0.1 to Saki Holdings Ltd and 13.0.2 to Abecasis Gonzalez Ltd.

This will yield a revenue of £1,619,600.00.

**SUPPLEMENTARY TO QUESTION NO. 305 OF 2009**

**HON DR J J GARCIA:**

Can the Chief Minister again say what use they intend to put each of the units to, if he has that information available?

**HON CHIEF MINISTER:**

Well, it is his lucky day, I happen to have that information as well. Yes, Unit 3.0.1 will be an office as would Unit 3.0.2 and those are offices relating to port activities, as he may have recognised from the name. Unit 5.0.2 will be a shop; Unit 8.0.1 is also an office, no sorry that one has been allocated to the management company. Unit 12.0.2 is a minimarket, Cynthia Properties Ltd, a minimarket. Unit 13.0.1 Saki Holdings Ltd is a bureau de change, crystal souvenir shop, and costume jewellery shop. Unit 13.0.2 Abecasis Gonzalez is a furniture showroom.

ORAL

**NO. 306 OF 2009**

**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**

There have been no residential tenders awarded since the information supplied at the last Question Time in Parliament.

ORAL

**NO. 307 OF 2009**

**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 No. 308 of 2009.

ORAL

**NO. 308 OF 2009**

**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. 1152 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member the statement giving the information that they request.

Answer to Question 308

Answer to Question 307

Residential Property Sales From 1 November 2008 To 28 February 2009 (Improvement And Development Fund)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Nov-08	B Alvares	Part payment of GOG share with 4E Rulander	£30.00
Dec-08	B Alvares	Part payment of GOG share with 4E Rulander	£30.00
Jan-09	B Alvares	Part payment of GOG share with 4E Rulander	£30.00
Feb-09	B Alvares	Part payment of GOG share with 4E Rulander	£30.00
			<u>£120.00</u>

contd...

**Residential Property Sales From 1 November 2008 To 28 February 2009 (Government-Owned Companies)**

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Nov-08	Ms S McKnight	40% Sale of 7 Hamilton Court	£22,293.92
Nov-08	Mr & Mrs Rodriguez	100% Sale of 1:05:07 Oleander Court, SWJG	£24,229.03
Nov-08	Miss R Holt	Deposit of Flat 105 Nelsons View	£1,000.00
Nov-08	Miss N Morello	Deposit of Flat 509 Bayview Terraces	£1,000.00
Nov-08	Miss L Danino	Deposit of Flat 104 Cumberland Terraces	£1,000.00
Dec-08	C & G Soiza	Balance of Flat 9 & Garage 9 Sandpits	£246,500.00
Dec-08	Mr A & Mrs V Ferrer	Deposit for Flat 02:03:04 Waterport Terraces	£500.00
Dec-08	Mr J & Mrs A Cavilla	Deposit for Flat 10:03:04 Waterport Terraces	£500.00
Dec-08	Mr D & Mrs C Romero	Deposit for Flat 14:03:01 Waterport Terraces	£500.00
Dec-08	Mrs M D L Borg	Deposit for Flat 12:07:02 Waterport Terraces	£500.00
Dec-08	Mr N F Costa	100% Sale of 2 Campion House, Waterport Terraces	£120,544.25
Dec-08	Mr L Byrne & Miss N Torres	100% Sale of 3 Campion House, Waterport Terraces	£120,169.50
Dec-08	Mr C F Rodriguez	100% Sale of 4 Campion House, Waterport Terraces	£120,669.50
Dec-08	Mr M Trinidad Cruz	100% Sale of 1 Evening Primrose, Waterport Terraces	£120,669.50
Dec-08	Mr T Howard & Miss N Linates	100% Sale of 3 Evening Primrose, Waterport Terraces	£120,169.50
Dec-08	Mr A Edwards & Miss B Daniell	100% Sale of 1 Honeysuckle House, Waterport Terraces	£104,430.00
Dec-08	Mr D & Mrs F Navarro	100% Sale of 2 Honeysuckle House, Waterport Terraces	£104,430.00
Dec-08	Mr K & Mrs D Blackshaw	100% Sale of 3 Honeysuckle House, Waterport Terraces	£104,930.00
Dec-08	Miss V M Caruana	100% Sale of 8 Honeysuckle House, Waterport Terraces	£105,509.50
Dec-08	Mr G Daswani	100% Sale of 11 Honeysuckle House, Waterport Terraces	£106,129.20
Dec-08	Mr T Coitino & Miss N Rodriguez	100% Sale of 12 Honeysuckle House, Waterport Terraces	£106,129.20
Dec-08	Miss K Gerada	100% Sale of 13 Honeysuckle House, Waterport Terraces	£107,178.50
Dec-08	Mr R A Buttigieg	100% Sale of 4 Honeysuckle House, Waterport Terraces	£104,930.00
			£1,743,911.60

contd...

Residential Property Sales From 1 November 2008 To 28 February 2009 (Government-Owned Companies)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Jan-09	M Del Carmen Morello	Balance of Flat 7 & Garage 7 Sandpits	£246,500.00
Jan-09	Mr H Attard	Deposit of Flat 702 Bayview Terraces	£1,000.00
Jan-09	Mr D & Mrs S Ignacio	50% Sale of 7 Evening Primrose, Waterport Terraces	£26,146.50
Jan-09	Mr M Moreno & Miss C Buttigieg	50% Sale of 5 Evening Primrose, Waterport Terraces	£26,646.60
Jan-09	Mr S & Mrs H Byrne	50% Sale of 11 Evening Primrose, Waterport Terraces	£26,347.20
Jan-09	Mr K Victory & Miss R Garcia	50% Sale of 8 Evening Primrose, Waterport Terraces	£42,666.60
Jan-09	Mr C Farrell	Deposit for Flat 05:01:03 Waterport Terraces	£500.00
Jan-09	P Mahtani & R Mirchandani	100% Sale of 2 Evening Primrose, Waterport Terraces	£120,670.13
Jan-09	Mr L Simpson & Miss C Victor	90% Sale of 16 Evening Primrose, Waterport Terraces	£70,555.30
Feb-09	Mr D Dawson & Miss C Gee	Deposit of Flat 213 Cumberland Terraces	£1,000.00
Feb-09	Mr & Mrs Martinez	10% Sale of 21 Willow Lodge	£10,951.04
Feb-09	Mr & Mrs Cottenill	3% Sale of 11 Ash Tree Lodge	£3,935.97
Feb-09	A E & L Pardo	Balance of Flat 4 & Garage 4 Sandpits	£246,500.00
Feb-09	J & C Ellul	Balance of Flat 4 & Garage 4 Sandpits	£246,500.00
			<u>£2,813,830.94</u>

contd...

Commerical Property Sales From 1 November 2008 To 28 February 2009 (Improvement And Development Fund)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Nov-08	Casino Calpe	Part payment of 51 Line Wall Road	£982.00
Nov-08	Gibtelecom Ltd	Premium iro 49 lease over Mount Pleasant	£5,250,000.00
Dec-08	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00
Jan-09	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00
Feb-09	Ashall Trading	Premium iro lease for 2 West Place of Arms	£20,000.00
			<u>£5,272,946.00</u>

contd...



Contd Answer to Question 307

Commercial Property Sales From 1 November 2008 To 28 February 2009 (Government Owned Companies)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Nov-08	Pipework Ltd	Purchase of Unit 68 Harbours Deck	£261,147.52
Dec-08	Scythian Ltd	Purchase of Unit 43 Harbours Deck	£178,464.74
Dec-08	Fastaford Ltd	Purchase of Unit 22 Harbours Yard	£337,420.06
Dec-08	Fastaford Ltd	Purchase of Unit 23 Harbours Yard	£862,409.27
Dec-08	Fastaford Ltd	Purchase of Unit 26 Harbours Yard	£551,187.57
Dec-08	Woodworking Ltd	Purchase of Unit 64 Harbours Deck	£103,307.02
Dec-08	Duty Free Centre Ltd	Purchase of Unit 20 Harbours Yard	£203,920.00
Dec-08	S M Seruya	Purchase of Units 29C & 30 Harbours Deck	£134,057.59
Dec-08	Easiprint Ltd	Purchase of Unit 101 Harbours Walk	£205,870.23
Dec-08	Wastage Prod Ltd	Purchase of Unit 95A Harbours Deck	£23,597.11
Jan-09	Profield Cont Ltd	Purchase of Unit 95B & 95C Harbours Deck	£100,148.36
			<u>£2,961,529.47</u>

contd...

**Contd Answer to Question 308 of 2009**

**Answer to Question 308**

**Detailed Breakdown Of Receipts To The Improvement And Development Fund For The  
Period 1st November to 28th February 2009**

Nov-08	Part Payment iro 51 Line Wall Road	£982.00
Nov-08	Premium iro new 49 year lease over Mount Pleasant	£5,250,000.00
Nov-08	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 12/11/08)	£30.00
Dec-08	Part Payment iro 51 Line Wall Road	£982.00
Dec-08	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 12/12/08)	£30.00
Jan-09	Part Payment iro 51 Line Wall Road	£982.00
Jan-09	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 14/01/09)	£30.00
Feb-09	Premium iro lease for 2 West Place of Arms	£20,000.00
Feb-09	Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 14/02/09)	£30.00
		<u>£5,273,066.00</u>

**SUPPLEMENTARY TO QUESTION NOS. 307 AND 308 OF 2009**

**HON J J BOSSANO:**

The 49 year lease over Mount Pleasant, is it that the existing lease had expired and it has been extended by 49 years?

**HON CHIEF MINISTER:**

No, well yes, but by way of sale of the building to Gibtelecom, yes. The lease was extended for a hefty premium, the figures of which he will find in an answer to another question which may not have been called yet, which asks for proceeds of sale, the Hon Dr Garcia has one. I think it is £4. something million or £5. something million.

**HON J J BOSSANO:**

That is the one I am referring to. In Question No. 308, the premium refers to a new 49 year lease and I am asking, is this that the existing lease of Gibtel for Mount Pleasant had expired and is now being given a 49 year one? Or did they have an unexpired period and it has been extended?

**HON CHIEF MINISTER:**

The lease had expired and this is a new lease for 49 years for £5.2 million.

**NO. 309 OF 2009**

**THE HON J J BOSSANO**

**LONG-TERM MOROCCAN RESIDENTS – EMPLOYMENT**

Can Government state when the policy that long-term Moroccan residents should be able to compete for job vacancies on equal terms with suitably qualified job applicants that do not require work permits, was introduced?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 310 of 2009.

**NO. 310 OF 2009**

**THE HON J J BOSSANO**

**LONG-TERM MOROCCAN RESIDENTS – EMPLOYMENT**

Can Government state since the policy was introduced to allow long-term Moroccan residents to compete on a par with nationals who do not require work permits, on how many occasions has the Director of Employment approved the granting of a work permit to a Moroccan national notwithstanding the availability of a suitably qualified applicant who did not require a work permit?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The policy to allow long-term resident Moroccan nationals to compete for job vacancies on a par with nationals who do not require a work permit was introduced soon after this Government came into office in 1996.

Therefore, the Director of Employment has granted work permits in respect of such persons as a matter of course on as many occasions as it has been sought. It is not possible, without a disproportionate administrative effort, to say on how many occasions this may have occurred where there was another suitably qualified applicant who did not require a work permit also seeking that position. One would have to examine each.

**SUPPLEMENTARY TO QUESTION NOS. 309 AND 310 OF 2009**

**HON J J BOSSANO:**

Well presumably, if I give notice that I will be asking in subsequent meetings, then, there are not all that many. It may not be possible to do it retrospectively and look up the records, but if it happens again. Presumably there are many cases, the majority of cases I imagine, are cases where a work permit is issued because the applicant is not competing with somebody else.

**HON CHIEF MINISTER:**

No, not in these cases. In these cases these are Moroccan residents of Gibraltar who on a strict application of immigration law, upon losing a job, should go back to Morocco and the hon Member will recall that that used to be the position before 1996. Not that they would have to go back to Morocco, but they were not allowed free access to the labour market before 1996 and there were all those

demonstrations that he will recall, outside No. 6. We said no, if we are not going to send them to Morocco we have got to let them earn a living. Therefore, that means giving them access to the labour market. So, there are a number, I do not know how many Moroccan resident workers there are at this precise moment in time, and since 1996, who as they lose their job, even though they are resident Moroccans they require a work permit, which theoretically can be denied to them. It has been approved as a matter of course as if they did not require a work permit seeking employment. Now, the difficulty of doing this retrospectively is not the part of the question that relates to how many such Moroccans have accessed jobs since 1996. It is the other part, where there was another suitably qualified applicant who did not require a work permit, that makes it very difficult to collate the information that the hon Member is asking for. If he was just asking for how many Moroccans had been given new jobs, or had been given work permits since this policy change, that number might be obtainable because I suppose it is a question of tallying it up.

**HON J J BOSSANO:**

That number is available after 1996 and before 1996, because it is not that no Moroccan was allowed to work and it has nothing to do with immigration. It has to do with whether if a Moroccan applied and an EEC national applied, the EEC national had priority of employment. That is the policy change that took place. But of course, that took place only in respect of the situations where there was that level of competition from a non permit needing applicant, which is not the case with every Moroccan. In the majority of cases of Moroccans, their ability to obtain a job would happen anyway, because there was nobody else that did not need a work permit. So, what I am trying to identify is the concession that was made, which in fact was a concession made without changing the law, because the law still says that they do not have that right, has been used on many occasions or not. It follows from the answers I got in the last meeting of the House from the Minister for Employment, when he told me it was at the discretion of the Director. Well, if it is at the discretion of the Director, that suggests that the Director has to take a decision each time.

**HON CHIEF MINISTER:**

No. First of all, certainly, I do not remember what my view was at the time because I cannot remember really the factual content. But certainly I know that the Moroccan community did not have the assessment of what the position was before 1996 that he has just described about the ease with which some but not others could get jobs. As they saw it, there was more or less an administratively imposed freeze on them getting new jobs. Anyway that is a different issue and we are not debating that. No, this is not a question of discretion. If there is a Moroccan resident of Gibraltar who is unemployed and he applies for a work permit, it is a statutory discretion but I do not believe that the discretion is exercised, at least I am not aware that the discretion is exercised. The instructions are that they should be allowed free access to the labour market. Now, it may be that as a matter of form that takes the form of the Director exercising a discretion in each case to allow it. I cannot speak for that because I do not know whether that is required or not in order to comply with the strict language of the legislation. But I do not think that there is any real sense in which a discretion is exercised which might result in a negative result for the applicant. In my view that is not the exercise of the discretion. It may be in a very formalistic sense but the Government's policy is that they should be accepted, and I think that they all have been accepted. I am not aware of any case.

**HON J J BOSSANO:**

All I can say is that the way the Chief Minister is explaining the situation now is not the way it was explained at the last meeting of the House, when the Minister that is responsible for the day to day running of that situation explained it. If he looks back at the last Hansard and he reads the answers, then he will see the logic of the question that I am putting to him, which of course, I would not have put if I had been given the answer in December that he is giving me now.

**HON CHIEF MINISTER:**

I believe that what I am saying to him now is the position. But if I find, in fact, that I am wrong and the Minister was right, I will tell him. But I do not believe that that is the case.

ORAL

**NO. 311 OF 2009**

**THE HON J J BOSSANO**

**LONG-TERM MOROCCAN RESIDENTS – NATURALISATION**

Can Government state for each year since 1996, how many applications for naturalisation have been received from persons other than Moroccan nationals and give a breakdown by year of the applicants nationality and whether granted?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule with the information requested.



**ANSWER TO QUESTION 311****APPLICATIONS FOR NATURALISATION RECEIVED SINCE 1996 FROM PERSONS  
OTHER THAN MOROCCAN NATIONALS AND WHETHER GRANTED**

YEAR	NATIONALITY		WHETHER GRANTED
1996	FINNISH	1	YES
	FRENCH	1	YES
	GERMAN	1	YES
	INDIAN	2	YES
	IRISH	1	YES
	ITALIAN	1	YES
	SPANISH	6	YES
	STATELESS	1	YES
TOTAL		14	14

YEAR	NATIONALITY		WHETHER GRANTED
1997	ARGENTINE	1	YES
	BRITISH OVERSEAS CITIZENS	2	YES
	COLOMBIAN	1	YES
	INDIAN	2	YES
	IRISH	1	YES
	PAKISTANI	1	YES
	POLISH	1	YES
	SPANISH	9	YES
TOTAL		18	18

YEAR	NATIONALITY		WHETHER GRANTED
1998	AMERICAN	1	YES
	BRITISH SUBJECTS	2	YES
	BRITISH NATIONALS OVERSEAS	2	YES
	BRITISH OVERSEAS CITIZENS	1	YES
	INDIAN	8	YES
	PHILIPINO	1	YES
	SPANISH	8	YES
	VENEZUELAN	1	YES
TOTAL		24	24

Contd.....

**CONTD ANSWER TO QUESTION 311**

YEAR	NATIONALITY		WHETHER GRANTED
1999	BRITISH SUBJECTS	1	YES
	INDIAN	4	YES
	PORTUGUESE	2	YES
	RUSSIAN	1	YES
	SPANISH	3	YES
<b>TOTAL</b>		<b>11</b>	<b>11</b>

YEAR	NATIONALITY		WHETHR GRANTED
2000	BRAZILIAN	1	YES
	FRENCH	1	YES
	INDIAN	12	YES
	PORTUGUESE	3	YES
	SPANISH	4	YES
<b>TOTAL</b>		<b>21</b>	<b>21</b>

YEAR	NATIONALITY		WHETHER GRANTED
2001	AMERICAN	3	YES
	BRITISH SUBJECTS	1	YES
	CHINESE	1	YES
	CZECH REPUBLIC	1	YES
	INDIAN	8	YES
	NEW ZEALAND	1	YES
	NIGERIAN	1	YES
	PORUEGESE	1	YES
	POLISH	1	YES
	SPANISH	21	YES
	STATELESS	1	YES
<b>TOTAL</b>	<b>40</b>		<b>40</b>

YEAR	NATIONALITY		WHETHER GRANTED
2002	BRITISH OVERSEAS CITIZEN	1	YES
	BRAZILIAN	2	YES
	FRENCH	1	YES
	INDIAN	4	YES
	ITALIAN	1	YES
	MALAYSIAN	1	YES
	PORTUGUESE	3	YES
	SPANISH	6	YES
<b>TOTAL</b>		<b>19</b>	<b>19</b>

Contd.....

**CONTD ANSWER TO QUESTION 311**

YEAR	NATIONALITY		WHETHER GRANTED
2003	AMERICAN	2	YES
	BRAZILIAN	1	YES
	BRITISH NATIONAL OVERSEAS	1	YES
	BRITISH OVERSEAS CITIZEN	1	YES
	CHINESE	1	YES
	COLOMBIAN	1	YES
	FRENCH	1	YES
	GERMAN	1	YES
	INDIAN	14	YES
	IRISH	1	YES
	PAKISTANI	1	YES
	SPANISH	11	YES
	SRI LANKAN	1	YES
<b>TOTAL</b>		<b>37</b>	<b>37</b>
YEAR	NATIONALITY		WHETHER GRANTED
2004	AMERICAN	1	YES
	ARGENTINIAN	1	YES
	BRAZILIAN	1	YES
	BRITISH NATIONAL OVERSEAS	3	
	EGYPTIAN	2	YES
	INDIAN	21	YES
	ISRAELI	1	YES
	MEXICAN	1	YES
	NEW ZEALAND	1	YES
	PORTUGUESE	2	YES
	RUMANIAN	1	YES
	RUSSIAN	1	YES
	SOUTH AFRICAN	1	YES
	SPANISH	4	YES
<b>TOTAL</b>		<b>41</b>	<b>41</b>
YEAR	NATIONALITY		WHETHER GRANTED
2005	ESTONIAN	1	YES
	FRENCH	1	YES
	INDIAN	6	YES
	ISRAELI	2	YES
	MALTESE	1	YES
	RUSSIAN	1	YES
	SOUTH AFRICAN	1	YES

Contd.....

**CONTD ANSWER TO QUESTION 311**

	SPANISH	1	YES
	SRI LANKAN	1	YES
<b>TOTAL</b>		<b>15</b>	<b>15</b>

<b>YEAR</b>	<b>NATIONALITY</b>		<b>WHETHER GRANTED</b>
<b>2006</b>	AMERICAN	2	YES
	BANGLADESHI	1	YES
	BRITISH NATIONAL OVERSEAS	1	YES
	GERMAN	1	YES
	HUNGARIAN	1	YES
	INDIAN	16	YES
	ISRAELI	1	YES
	LEBANESE	1	YES
	MEXIAN	1	YES
	LEBANESE	1	YES
	PAKISTANI	1	YES
	PHILIPINO	1	YES
	RUSSIAN	3	YES
	SPANISH	4	YES
	VENEZUELAN	1	YES
<b>TOTAL</b>	<b>36</b>		<b>36</b>

<b>YEAR</b>	<b>NATIONALITY</b>		<b>WHETHER GRANTED</b>
<b>2007</b>	AMERICAN	1	YES
	ALGERIAN	1	YES
	AUSTRALIAN	1	YES
	BANGLADESHI	2	YES
	BRAZILAN	1	YES
	GERMAN	1	YES
	INDIAN	14	YES
	MONGOLIAN	1	YES
	PHILIPINO	1	YES
	POLAND	1	YES
	ROMANIAN	1	YES
	SOUTH KOREAN	1	YES
	SPANISH	4	
<b>TOTAL</b>		<b>30</b>	<b>30</b>

<b>YEAR</b>	<b>NATIONALITY</b>		<b>WHETHER GRANTED</b>
<b>2008</b>	ARGENTINA	2	YES
	BULGARIAN	1	YES
	CANADIAN	4	YES
	DUTCH	1	YES
	INDIAN	8	YES
	NEPALESE	1	YES

**Contd.....**

**CONTD ANSWER TO QUESTION 311**

	PAKISTANI	1	YES
	POLISH	1	YES
	PORTUGUESE	5	YES
	RUSSIAN	2	YES
	SPANISH	3	YES
	TURKISH	1	YES
<b>TOTAL</b>		<b>30</b>	<b>30</b>

<b>YEAR</b>	<b>NATIONALITY</b>		<b>WHETHER GRANTED</b>
<b>2009</b>	VENEZUELA	1	YES
<b>TOTAL</b>		<b>1</b>	<b>1</b>

## **SUPPLEMENTARY TO QUESTION NO. 311 OF 2009**

**HON J J BOSSANO:**

I notice that in some years we have got British National Overseas, which I understand are the people who were left without citizenship. But I also notice that there is an instance of a British Overseas citizen. I did not think one could become a British Overseas citizen being one already. In 2003 we have got a British Overseas citizen who applied to be a British Overseas citizen, presumably.

**HON CHIEF MINISTER:**

I do not know what the answer to that is. I guess that these are Hong Kong people who did not have the right that others got under the British Nationality Act. There was a category, was there not? I do not know who they are actually, these British Overseas citizens.

**HON J J BOSSANO:**

My understanding is that the category of British National Overseas was the category that was created for Hong Kong citizens when Hong Kong went back to China. There was a category introduced in the Nationality Act in 1980 especially for them, I think.

**HON CHIEF MINISTER:**

I do not know who British Overseas citizens are. I thought he was going to ask me the more astute question, of can it be so that all the applications have been granted, as appears by this document, but he does not appear to have noticed that.

**HON J J BOSSANO:**

Well, I have assumed that these are all the applications that have been received and that they have all been granted, yes. Not that there are some that have not.

**HON CHIEF MINISTER:**

No, that is not the case, which is why I have prompted him to ask me the supplementary. The explanation is, as he may recall from the days when he was involved in these things, that as a prelude to applying for naturalisation, one has to apply for an exemption under section 12(2) of the Act. In fact, the application for naturalisation is actually considered, in principle, really at the time of the application for exemption. So by the time one applies for naturalisation per se, it is automatic and no applications are refused because they are weeded out, no weeded out is the wrong word. Any rejections are rejections at the application for exemption stage. So what does that mean? It means that applications for naturalisations are from people who have already been exempted, because that is where the discretion is exercised, by the time they become applications they all get approved. So if the question had asked how many applications for exemption under section 12(2) have been lodged,

and how many have been approved and not approved, then there would have been a number of approvals and a number of non-approvals or rejections. But if the question is how many applications for naturalisation, then the answer is all of them are approved. Which is not really very forensic as to how many out of how many, if the hon Member understands.

**HON J J BOSSANO:**

Does the Chief Minister have that additional information by any chance? Should I ask for it in the future?

**HON CHIEF MINISTER:**

I have not, I am afraid, if I did I would give it to him. It is not a secret. There are not a huge number, if I can recall, there are not a huge number of rejections. Some of them, for example, there is now this language requirement, they get told they do not comply at the moment because of the language and they come back. I cannot remember that there are a huge number of outright rejections, but I will certainly, if he can wait for the information and ask it next time in that form I will give it. If he wants it more quickly and he writes to me, I will pass it on and have the information given in writing.

**HON J J BOSSANO:**

The language test is then applied when people ask for the lifting of the restriction on residence, which is necessary.

**HON CHIEF MINISTER:**

The question should be, how many applications for exemption under section 12(2) of the Immigration Asylum Act, have been submitted and considered and how many have been rejected?

ORAL

**NO. 312 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY PROJECTS**

Can Government say how many employees joined Gibraltar Community Projects in each financial year from 1996/1997 to date?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 313 of 2009.



ORAL

**NO. 313 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY PROJECTS**

Can Government say how many persons left the employment of Gibraltar Community Projects in each financial year from 1996/1997 to date and state whether the employment was terminated by the company or the employee, and whether the person transferred to employment elsewhere within the Government sector?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule containing the information he seeks.

ANSWER TO QUESTION 313

GIBRALTAR COMMUNITY PROJECTS LIMITED - EMPLOYMENT HISTORY

ANSWER TO QUESTION 312 and 313

GCPL EMPLOYMENT		GCPL EMPLOYEES THAT HAVE LEFT EMPLOYMENT THROUGH: -						
FINANCIAL YEAR		OWN REQUEST	OTHER EMPLOYMENT/ GOVT DEPARTMENTS/ AUTHORITIES / AGENCIES / GOVNT OWNED COMPANIES	DISMISSAL	RETIREMENT	DECEASED	TOTAL	
1996/1997	235	7		5			12	
1997/1998	23	10		9			19	
1998/1999	NIL	11		5		2	18	
1999/2000	2	6		4			10	
2000/2001	1	7		2			9	
2001/2002	4	5	1	2			8	
2002/2003	4	4	2	5		1	12	
2003/2004	2	5		3	1	1	10	
2004/2005	1	2	3		11		16	
2005/2006	NIL	1	10	6	2		19	
2006/2007	NIL	4	35	2	1	2	44	
2007/2008	2		1	2		3	6	
2008/2009 (Feb)	3	3			2		5	
TOTAL	277	65	52	45	17	9	188	

**SUPPLEMENTARY TO QUESTION NOS. 312 AND 313 OF 2009**

**HON J J BOSSANO:**

At one stage, I remember the Government moved the funding of the company to supplementary funding in the Budget, on the basis that they were interested as a matter of policy in redeploying people if that was possible. Is that still the policy objective or not?

**HON CHIEF MINISTER:**

Quite a lot of it has happened already.

**HON J J BOSSANO:**

In 2006/2007?

**HON CHIEF MINISTER:**

A lot of people went to the GHA, some people went to Wildlife Gibraltar, I think the rump of Community Projects is now quite small, 70 or 80 or something like that. Whether it is capable of further dissipation into other employers I do not know, but we always knew that we would end up with a rump and that we would change the name of the company to sort of try and break away from its history. But it has not happened yet. Indeed, some work has been done on that and is under consideration, but that did indeed happen and there are a lot of ex Community Projects employees now, who are deployed in agencies and companies and, therefore, feel much more in mainstream employment than Community Projects is reputed to be, which was the idea of the exercise.

**NO. 314 OF 2009**

**THE HON J J BOSSANO**

**PUBLIC SECTOR EMPLOYEES SUBJECT TO GENERAL ORDERS**

Can Government say what public sector employees, who are not Civil Servants, are subject to General Orders?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This answer is a bit of a tongue twister so the hon Member shall have to listen carefully. No person who is not a Civil Servant is technically subject to General Orders, since General Orders applies only to Civil Servants. However, agreements to establish certain authorities contain a clause that provides that, save as may be otherwise specifically agreed therein, transferring employees, that is employees that transfer from the Civil Service to the authority, will be subject to an authority General Orders, the same as the provisions of the Government's General Orders. In other words, General Orders does not, as a document, apply directly to them but they are subject to the same regime, in the sense that they are adopted by reference, through the authority establishing the agreements. This applies to employees of the Electricity Authority and the Sports & Leisure Authority and will now apply to the employees of the Port Authority when that happens. So if one picks up the document called "General Orders", and say does this document apply, the answer is no. But do they live by the same regime? The answer is yes, because the agreement establishing the authority says that the authority's General Orders equivalent is the same as applied to them when they were in the Civil Service, including any subsequent amendments to the General Orders document in the Civil Service.

**SUPPLEMENTARY TO QUESTION NO. 314 OF 2009**

**HON J J BOSSANO:**

This applies to people who transfer from the Civil Service to the authority but not to people who come in from the ....?

**HON CHIEF MINISTER:**

No, the first half of the statement is true but not necessarily the consequential second part of his statement. In other words, there is no contractual right, there is no right safeguarded in this agreement that new employees will be subject. But the reality is that it is impractical for an employer to have a twin regime, so I think at the moment

the same is being applied both to transferring and to any employee that the authorities may induct from outside the Civil Service. So I think the effect in practical terms, as the hon Member is suggesting, is not in practical terms as the hon Member suggests, but in technical terms it could be if the authority wanted. For example, if an authority wanted to have a different disciplinary regime for non ex Civil Servants than for ex Civil Servants, it could. But I think the practicalities of running a twin labour force with different terms and conditions of employment, are not practical.

**HON J J BOSSANO:**

I mean, I am surprised the Chief Minister mentions a different disciplinary regime, because in fact, I know that the disciplinary regime of the Civil Service is in the General Orders of the Government, but I also know that the authorities have got disciplinary regimes that are different.

**HON CHIEF MINISTER:**

I did ask him to listen carefully to the answer, which included the phrase "save as may be otherwise specifically agreed therein". So, the agreement that is being negotiated with the unions to establish the authority, contains specific provisions which derogate from the continuing application of General Orders. To that extent, the General Orders do not read across into the authority.

**HON G H LICUDI:**

The agreement, to establish the authority and the reference therein to the authority's General Orders, is it the case that the authority's General Orders only apply because of or by inference and because of the reference in that agreement? Or is there a separate document called the authority's General Orders which employees of the authority actually subscribe to and are contractually bound by?

**HON CHIEF MINISTER:**

I think the first part is the question that I can answer, the second one is not because it is a non sequitur, it does not follow one or the other. To the extent that the content of General Orders or its precise equivalent is taken across into the authority, that is by virtue of this negotiated agreement which is a collective agreement. It is a collective agreement by all the employees transferring, usually accepted by them in a vote but decided, negotiated and signed on their behalf by the union, and it is envisaged that the authority would actually draw up a document and that that document, which would be called Electricity Authority General Orders, if wanted, would be amended to reflect changes in the Government General Orders. But I think the reality in practice is that if that has not yet happened, so at the moment it is purely by reference and not because there is a separate document, although that is the intention, that that should be so when somebody gets around to doing the actual scribing of it. But there is no disagreement as to what the content of that would be because that is the subject matter of the agreement.

**NO. 315 OF 2009**

**THE HON J J BOSSANO**

**GOVERNMENT EMPLOYEES – OFFICIAL SECRETS ACT**

Can Government confirm that industrial employees in Government employment are now required to sign the Official Secrets Act and if so, since when?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Since March 2007, industrial employees in Government employment have been required to sign the Official Secrets Act.

**SUPPLEMENTARY TO QUESTION NO. 315 OF 2009**

**HON J J BOSSANO:**

Is there a particular reason why it was thought necessary to do this in March 2007, given that it had not been done before?

**HON CHIEF MINISTER:**

I do not think it happened as a conscious, specific policy decision relating to General Orders. When we harmonised all the terms and conditions of service of industrials and non-industrials, including pensions and medical leave entitlement, sick leave entitlement and all of these other things, leaving only the retirement age different between them, it was one of the things that was harmonised. So, it really arose in the list of terms that were different for industrials and non-industrials, which when harmonised required them to sign it as well. Rather than anybody sitting down to say, "I think there is a particular need for industrials to sign General Orders". It is just part of the harmonisation across the board process.

**HON J J BOSSANO:**

To sign the Official Secrets Act not General Orders.

**HON CHIEF MINISTER:**

Did I say General Orders?

ORAL

**NO. 316 OF 2009**

**THE HON J J BOSSANO**

**REPLACEMENT OF FINAL SALARY CIVIL SERVICE PENSION SCHEME**

Can Government state whether it has taken a decision now on replacing the final salary civil service pension scheme by a money purchase scheme for new entrants and, if so, as from what dates?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 317 of 2009.

**NO. 317 OF 2009**

**THE HON J J BOSSANO**

**REPLACEMENT OF FINAL SALARY CIVIL SERVICE PENSION SCHEME**

Can Government state whether it has now consulted the trade unions with negotiating rights in the civil service on the possibility of replacing the final salary civil service pension scheme for new entrants?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, the position remains as stated by me in this House when the question was last asked. In other words, we have not yet started formal discussions with the unions on this question, although there have been preliminary meetings to agree an agenda of issues that might be covered in the strategic issues, and there is now some clarity about that. So it just now remains to actually convene the meetings and there is an agenda of issues that will be covered. This one amongst them.

**SUPPLEMENTARY TO QUESTION NOS. 316 AND 317 OF 2009**

**HON J J BOSSANO:**

I think in the last answer the Chief Minister gave me, in fact he indicated that this was not an isolated thing but part of a package. Is it that in that range of issues that the Government wish to sit down and discuss with the unions, there is sort of a requirement that if there is something else there that the unions want, there is a requirement for them to agree to something else? Or is it possible to reach agreement on one and not on other things? For example, the pension. Although they have all been put together, is it that they are all intrinsically dependent one on another or not?

**HON CHIEF MINISTER:**

Not intrinsically dependent on one another, many of these issues are unconnected in the sense that they deal with different areas, absenteeism, pensions, recruitment process, promotion system. There are a whole series of strategic issues which are not a claim in this department or a claim by a particular grade, in other words, public sector wide issues and there will be, hopefully not a negotiation, hopefully it will be a sort of joint stakeholder forum, discussion, which will hopefully agree basic principles about the need to modernise, bring things up to date, review things that have been done originally. Obviously, although not a formal negotiation, in practice it may turn



out to be that way. There may be things that the union want that the Government are not enamoured of. There may be things that the Government want and in the end, in the name of a global package with which everybody is content, there is give and take. I am quite happy to submit to that process and I believe the unions are too. But I would not want to predict how any one item might emerge.

ORAL

**NO. 318 OF 2009**

**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.1118 of 2008, and if so, show the grade and department?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 319 of 2009.

ORAL

**NO. 319 OF 2009**

**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.1117 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, the information he requests is being handed to him within a schedule that is now being given to him.

**ANSWER TO QUESTION 319****ANSWER TO QUESTION 318**

<b><u>DEPARTMENT</u></b>	<b><u>GRADE</u></b>	<b><u>NO. OF VACANT POSTS</u></b>
Buildngs & Works	Blacksmith	1
	Carpenter	2
	Painter	1
	Plumber	1
Education	Head Teacher	1
	Qualified Teacher	1
	Part Time Cleaner	3
Gibraltar Health Authority	Administrative Officer	1
	Medical Secretary	1
Human Resources	Industrial Convenor	1
No. 6 Convent Place	Full-time Cleaner	1
Police	Police Constable	5
	Inspector	2
Social Services Agency	Team Leader	1
Technical Services	Highways Engineer (SPTO)	1
	Work Supervisor	1
	Mason	1
	Sewers Operative	1
	Panel Beater	1
Treasury	Administrative Officer	1

Contd/.....

**CONTD ANSWER TO QUESTION 319****ANSWER TO QUESTION 319**

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 Manager	1
Buildings & Works	Works Supervisor	2
Fire Brigade	Fire Control Operator	1
Housing	PTO (Clerk of Works)	1
No. 6 Convent Place	Higher Executive Officer	1
Police	Clerk/Word Processor	1
	Police Constable	12
	Inspector	2
Port Authority	Port Officer	2
Post Office	Clerk/Word Processor	1
Technical Services	PTO (Engineering Assistant)	1

ORAL

**NO. 320 OF 2009**

**THE HON J J BOSSANO**

**PAYE – OUTSTANDING ANNUAL RETURN OF DEDUCTIONS**

Can Government state, as at the end of February 2009, 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 No. 321 of 2009.

ORAL

**NO. 321 OF 2009**

**THE HON J J BOSSANO**

**PAYE – ANNUAL RETURN OF DEDUCTIONS/TAX PAYABLE**

Can Government state, as at the end of February 2009, how many employers have 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**

Although the information is for convenience in the schedule, I think it is not so long that I can read out the answer. But it is just being handed to him anyway.

## **ANSWER TO QUESTION 321 OF 2009**

### **Answer to Question 320 of 2009**

As at 10 March 2009, 320 employers had not yet returned their 2007/08 Employers' Declaration and PAYE Certificates.

### **Answer to Question 321 of 2009**

As at 10 March 2009, 1900 employers had submitted their 2007/08 Employers' Declaration and PAYE certificates and the total amount of tax payable and paid in respect of these submissions was £88.9 m and £87.4 m respectively.



ORAL

**NO. 322 OF 2009**

**THE HON J J BOSSANO**

**GROSS INCOME BASED TAX SYSTEM**

Can Government state whether any more tax payers have been placed under the Gross Income Based system for 2007/08 by the Commissioner since the answer to Question No. 1131 of 08?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 323 to 325 of 2009.

ORAL

**NO. 323 OF 2009**

**THE HON J J BOSSANO**

**GROSS INCOME BASED TAX SYSTEM**

Can Government state the total amount of tax payable in the tax year 2007/08 by those tax payers who were placed under the Gross Income Based system by the Commissioner?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 322, 324 and 325 of 2009.

ORAL

**NO. 324 OF 2009**

**THE HON J J BOSSANO**

**GROSS INCOME BASED TAX SYSTEM**

Can Government now state the total amount of tax paid in the tax year 2007/08 by those tax payers who elected to pay tax under the Gross Income Based system?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Questions 322, 323 and 325 of 2009.

**NO. 325 OF 2009**

**THE HON J J BOSSANO**

**GROSS INCOME BASED TAX SYSTEM**

Can Government state how many of the over 3000 tax payers who elected to be taxed under the Gross Income Based System mentioned at Budget time, were non-resident?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at 10 March 2009, 131 taxpayers were placed by the Commissioner of Income Tax under the Gross Income Based system for the tax year 2007/08.

I am therefore able to confirm that since the answer to Question No. 1131 of 2008 was provided, a further 28 taxpayers have been placed by the Commissioner of Income Tax on the Gross Income Based system for that year.

The total amount of tax payable in respect of the tax year 2007/08 by those taxpayers that were placed under the Gross Income Based system by the Commissioner of Income Tax was £1.3 m.

Those taxpayers who had elected to pay under the Gross Income Based system for that tax year, 2007/08, paid £20.1 m.

A total of 1125 taxpayers who had elected by the 30 June 2008 to be taxed under the Gross Income Based system were not resident in Gibraltar. All of those is at 10<sup>th</sup> March, that is to say, the last two the 1125 taxpayers and the £20.1m, those were at 10<sup>th</sup> March.

**SUPPLEMENTARY TO QUESTION NOS. 322 TO 325 OF 2009**

**HON J J BOSSANO:**

Well, if the answer to Question No. 325 is at 10<sup>th</sup> March, then it is included in the 3,000 and subsequent to that date, is it? I think there is a conflict in the answer in that the Chief Minister said initially that there were 1125 out of the 3000 that had elected by June. Now he is telling me that it is at 10<sup>th</sup> March, so it must include the people after June.

**HON CHIEF MINISTER:**

Yes, as at 10<sup>th</sup> March, 1125 taxpayers who had elected by 30 June to be taxed under the Gross Income Based tax system were not resident of Gibraltar. I do not know what the relevance of the date is. Perhaps the 10<sup>th</sup> March, if they had elected by 30<sup>th</sup> June they were either resident or not resident by that date, and after, I do not know. Yes, I think the “as at 10<sup>th</sup> March” adds nothing forensically to the information given in the answer.

ORAL

**NO. 326 OF 2009**

**THE HON J J BOSSANO**

**PAYE – AMOUNTS COLLECTED**

Can Government state how much was collected in PAYE each month since October 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, net of refunds PAYE tax collected in the months of November 2008 to February 2009 is:

November	£6.94 m
December	£7.39 m
January	£8.21 m
February	£8.65m

**NO. 327 OF 2009**

**THE HON J J BOSSANO**

**CORPORATION TAX – AMOUNTS COLLECTED**

What was the amount of Company Tax collected in each month since October 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Again, net of refunds:

November	£1.17 m
December	£0.26 m
January	£0.47 m
February	£14.84 m

**SUPPLEMENTARY TO QUESTION NO. 327 OF 2009**

**HON J J BOSSANO:**

I take it that the February figure reflects the change that was introduced in the law requiring them to put in the year's tax a month early, is that correct?

**HON CHIEF MINISTER:**

That is absolutely so, yes.

ORAL

**NO. 328 OF 2009**

**THE HON J J BOSSANO**

**GAMING INDUSTRY TAX**

Can Government state what was the amount of a) PAYE; and b) Company Tax, payable in the tax year 2003/04 and 2004/05, by employers in the gaming industry?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 329 and 330 of 2009.



ORAL

**NO. 329 OF 2009**

**THE HON J J BOSSANO**

**CONSTRUCTION INDUSTRY TAX**

Can Government state what was the amount of a) PAYE; and b) Company Tax, payable in the tax year 2003/04 and 2004/05, by employers in the construction industry?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 328 and 330 of 2009.

ORAL

**NO. 330 OF 2009**

**THE HON J J BOSSANO**

**BANKING SECTOR TAX**

Can Government state what was the amount of a) PAYE; and b) Company Tax, payable in the tax year 2003/04 and 2004/05, by employers in the banking sector?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information the hon Member requests is contained in the schedule that is now being handed to him.

## **ANSWER TO QUESTION 330 OF 2009**

### **Answer to Question 328 of 2009**

The amount of PAYE Tax and Corporation Tax payable in the tax years 2003/04 and 2004/05 by employers in the Gaming industry was as follows:

	<b>PAYE Tax</b>	<b>Corporation Tax</b>
2003/04	£3.38m	£1.26m
2004/05	£5.47m	£0.61m

### **Answer to Question 329 of 2009**

The amount of PAYE Tax and Corporation Tax payable in the tax years 2003/04 and 2004/05 by employers in the Construction industry was as follows:

	<b>PAYE Tax</b>	<b>Corporation Tax</b>
2003/04	£5.17m	£0.52m
2004/05	£4.65m	£0.87m

### **Answer to Question 330 of 2009**

The amount of PAYE Tax and Corporation Tax payable in the tax years 2003/04 and 2004/05 by employers in the Banking sector was as follows:

	<b>PAYE Tax</b>	<b>Corporation Tax</b>
2003/04	£4.50m	£8.92m
2004/05	£4.58m	£7.67m

ORAL

**NO. 331 OF 2009**

**THE HON J J BOSSANO**

**CORPORATION TAX – TOP TAX PAYERS**

Can Government confirm whether the information provided in answer to Question No. 1123 of 2008, in respect of the top 25 corporation tax payers who contributed 60% of the tax on profits in the 6 years 2001/2007, is based on the tax actually paid in each financial year, or the tax payable by these tax payers?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 332 of 2009.

**NO. 332 OF 2009**

**THE HON J J BOSSANO**

**CORPORATION TAX – TOP TAX PAYERS**

Can Government provide the information in respect of the top 25 corporate tax payers for 2007/08 given in answer to Question No. 1124 of 2008, on the basis of the tax actually paid in that financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I can confirm that the information provided in answer to Question No. 1123 of 2008, in respect of the top 25 Corporation taxpayers, is based on the tax paid in each of the financial years.

The tax paid in the financial year 2007/08 by the top 25 Corporate taxpayers was £17.8 million, representing 73.3 per cent of the total paid by all Corporate taxpayers. Out of the top 25 Corporate taxpayers, eleven paid in respect of multiple years of assessment.

The tax paid in the financial year 2007/08 by the top 25 Corporate taxpayers in respect of one year's profit was £15.7 million, representing 64.8 per cent of the total tax paid by all Corporate taxpayers. Accordingly, in the answer to Question No. 1124 of 2008, it might have been more helpful and accurate to have used the phrase, "tax paid" instead of "tax payable".

ORAL

**NO. 333 OF 2009**

**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 February 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 334 and 335 of 2009.

ORAL

**NO. 334 OF 2009**

**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 answer to Question No. 1143 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 333 and 335 of 2009.

**NO. 335 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR SAVINGS BANK – INTEREST RATES**

In the light of recent reductions in interest rates, can Government state now 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**

As at the end of February 2009, the level of Savings Bank deposits was as follows:-

Non-Government deposits £104.8 million  
Government deposits £88.8 million

These figures are described in my note here as being tentative. I suspect they remain to be reconciled, I suppose that is what that means.

All issues of Gibraltar Savings Bank debentures were closed on 10 October 2008. There have, therefore, been no further sales of Gibraltar Savings Bank debentures during the period to which this question related, 1<sup>st</sup> November 2008 to 28 February 2009.

The tentative figure for interest on investments paid for the financial year as at the end of February 2009 is £10.7 million. Interest paid to depositors tentatively up to February 2009 is £5.8 million. The forecast outturn for interest receivable on investments for the year is £10.9 million and £7.95 million for interest payable to depositors.

**SUPPLEMENTARY TO QUESTION NOS. 333 TO 335 OF 2009**

**HON J J BOSSANO:**

I am not sure that I followed that. I have been given two figures, £10.7 million and £10.9 million, which is the amount received by the Savings Bank, is that correct?



**HON CHIEF MINISTER:**

Yes, the last two sets of figures £10.9 million and £7.9 million is just information about where we think the figures are going to be at the end of the year, end of March. So the figure that is £10.7 million we think will rise to £10.9 million up to the end of March, and similarly £5.8 million will rise to £7.95 million.

ORAL

**NO. 336 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT DEBENTURES**

What has been the take up of the new "Government special debenture" series for pensioners issued by the Government in this calendar year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 337 of 2009.

**NO. 337 OF 2009**

**THE HON J J BOSSANO**

**GOVERNMENT DEBENTURES/BONDS**

Can Government state what sales of Government bonds or debentures to the public have taken place each month since November 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, again I will both read the information and save them having to make copious notes.

Government have issued the following debentures to the public for the months of December, January and February. Pensioners Monthly Income Debentures a total of £6.295 million, redemptions £21,269,600 and the breakdown by month is there in the top left hand box. The top right hand box provides the information for Special Pensioner Monthly Income Debentures where over that three month period, that is the 3.5 per cent special pensioners rate but that could be withdrawn at any time, £72,348,900 were issued and £27,586,800 were redeemed. The bottom left hand box is the Special Pensioners Monthly Income Debenture 2011. That is to say, the 4.25 per cent fixed for three years. £54,763,600 have been issued and obviously there have been no redemptions. The Monthly Income Debentures, which relates to everybody not just pensioners, £2,191,600 have been issued and £4,168,200 have been redeemed.

**Answer to Question 337 of 2009**

**Answer to Question 336 and 337**

Government has issued the following debentures to the public:-

Month	Pensioners' Monthly Income Debentures		Special Pensioners' Monthly Income Debentures 3.50%	
	Issues	Redemptions	Issues	Redemptions
December 2008	£802,500	£16,063,200	£55,584,700	-
January 2009	£3,465,400	£3,519,900	£10,943,800	£21,829,900
February 2009	£2,027,100	£1,686,500	£5,820,400	£5,756,900
	£6,295,000	£21,269,600	£72,348,900	£27,586,800

Month	Special Pensioners' Monthly Income Debentures 2011 4.25% (Fixed)		Monthly Income Debentures	
	Issues	Redemptions	Issues	Redemptions
December 2008	-	-	£720,300	£1,514,400
January 2009	£40,320,200	-	£399,700	£1,236,600
February 2009	£14,443,400	-	£1,071,600	£1,417,200
	£54,763,600	-	£2,191,600	£4,168,200

ORAL

**NO. 338 OF 2009**

**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. 1138 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

£3.5 million each bank, each month totalling £7 million each month.

ORAL

**NO. 339 OF 2009**

**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 since the answer to Question No. 1147 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Gibraltar Community Care Limited currently holds £12,096,500 nominal in Government of Gibraltar Debentures.

**NO. 340 OF 2009**

**THE HON J J BOSSANO**

**HEDGING ARRANGEMENTS FOR CONSTRUCTION CONTRACTS**

What hedging arrangements have been made for the construction contracts designated in euros for a) Air Terminal; and b) Housing for rental, with what institutions have they been made and at what cost?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Conveniently this question might have been added to the ones that we debated this morning. The answer is that that was the arrangement that we discussed this morning and they are being used for both those contracts. In other words, they are being used both for the air terminal and for the housing rental, and because we have to take them at £2.6 million a month, even though we may not yet be spending at the rate of £2.6 million a month, we have accumulated a reserve of euros and I am happy to say that there is a very significant profit. As the exchange rate has now moved against us, it is nearly £1 million worth of profit being shown on that.

ORAL

**NO. 341 OF 2009**

**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. 1132 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule setting out the information that he requests.



## **ANSWER TO QUESTION 341**

### **Answer to Question 341**

Further payments made to Contractor and other parties in respect of the Waterport Development since the answer to Question 1132/2008.

<b><u>Date Paid</u></b>	<b><u>Contractors</u></b>	<b><u>Quantity</u></b> <b><u>Surveyors</u></b>	<b><u>Engineers</u></b>	<b><u>Architects</u></b>	<b><u>Other Parties</u></b>
20/11/2008	-	-	-	-	£6,438.00
20/11/2008	-	-	-	-	£6,250.00
20/11/2008	-	£3,786.95	-	-	-
20/11/2008	-	£3,786.95	-	-	-
20/11/2008	-	£66,343.55	-	-	-
20/11/2008	-	£9,000.00	-	-	-
20/11/2008	-	£9,000.00	-	-	-
20/11/2008	-	-	-	£35,549.52	-
20/11/2008	-	-	£6,282.15	-	-
20/11/2008	-	-	£9,187.50	-	-
20/11/2008	-	-	£2,056.25	-	-
20/11/2008	-	-	£14,905.00	-	-
20/11/2008	-	-	£14,905.00	-	-
12/12/2008	-	£9,000.00	-	-	-
16/12/2008	-	-	-	-	£18,750.00
17/12/2008	-	-	£20,531.00	-	-
17/12/2008	-	-	-	£35,549.52	-
17/12/2008	-	-	-	-	£1,800.00
22/12/2008	-	-	-	-	£10,500.00
07/01/2009	-	-	-	-	£3,317.63
19/01/2009	-	£9,000.00	-	-	-
19/01/2009	-	-	-	£35,549.52	-
19/01/2009	-	-	-	£7,935.00	-
19/01/2009	-	-	£14,905.00	-	-
19/01/2009	-	-	£14,905.00	-	-
21/01/2009	-	-	-	-	£200.00
21/01/2009	-	-	-	-	£500.00
21/01/2009	-	-	-	-	£400.00
22/01/2009	-	-	-	-	£10,500.00
22/01/2009	-	-	-	-	£4,785.00
29/01/2009	-	-	-	-	£6,306.25
31/01/2009	£1,435,600.00	-	-	-	-

contd...

**CONTD ANSWER TO QUESTION 341**

<u>Date Paid</u>	<u>Contractors</u>	<u>Quantity Surveyors</u>	<u>Engineers</u>	<u>Architects</u>	<u>Other Parties</u>
05/02/2009	-	-	-	-	£5,000.00
11/02/2009	-	-	-	-	£6,901.17
11/02/2009	-	-	-	-	£126.25
11/02/2009	-	-	-	-	£8,551.00
18/02/2009	-	-	-	-	£92.50
18/02/2009	-	-	-	-	£70.00
18/02/2009	-	-	-	-	£525.00
18/02/2009	-	-	-	-	£8,672.40
18/02/2009	-	-	-	-	£350.00
18/02/2009	-	-	-	-	£8,639.55
18/02/2009	-	-	-	£500.00	-
23/02/2009	-	-	-	-	£1,480.00
23/02/2009	-	-	-	-	£240.00
23/02/2009	-	-	-	-	£1,480.00
27/02/2009	-	-	-	-	£3,333.33
27/02/2009	-	-	-	-	£3,333.33
27/02/2009	-	-	-	-	£3,333.33
27/02/2009	-	-	-	-	£3,333.33
27/02/2009	-	-	-	-	£3,333.33
27/02/2009	-	£9,000.00	-	-	-
28/02/2009	£2,264,659.00	-	-	-	-
<hr/>					
<div> <div>£3,700,259.00</div> <div>£118,917.45</div> <div>£97,676.90</div> <div>£115,083.56</div> <div>£128,541.40</div> </div>					
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**NO. 342 OF 2009**

**THE HON J J BOSSANO**

**I & D FUND – EXPENDITURE**

Can Government state what has been the expenditure 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 since the answer to Question No. 1137 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The expenditure charged to that Head in respect of the airport terminal building project, since the answer to Question No. 1137 of 2008, is £1,881,963.11.

**SUPPLEMENTARY TO QUESTION NO. 342 OF 2009**

**HON J J BOSSANO:**

In charging this to the I&D Fund, how does this work with the mechanism of the euros that the Chief Minister mentioned? Is it this fund with euros in it and then when payments are made from it to the contractor it is converted into pounds for this purpose?

**HON CHIEF MINISTER:**

Yes and charged to the I & D Fund.

**NO. 343 OF 2009**

**THE HON J J BOSSANO**

**WATERPORT TERRACES – CONTROL BY GRPI**

Can Government state whether, since the answer to Question No. 1136 of 2008 was given, GRPI has taken any steps to satisfy itself that its contractor and subcontractors in Waterport Terraces have all their labour properly registered and complying with the social insurance and PAYE legal requirements?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am told that GRP has received no reports of companies subcontracted by Bruesa with respect to Waterport Terraces failing to comply with their statutory obligations. However, the Ministry for Employment have confirmed that copies of all terms of engagement of all employees of all contractors and subcontractors, are forwarded to the Department of Social Security and Income Tax. They also confirm that surveillance has been carried out on numerous occasions of the area, and employment records of both contractors and subcontractors checked. The contractors and subcontractors have been made aware of their duties and obligations, and of the repercussions of non adherence to the Employment Act, and the Employment Regulation (Offences) Act. The Commissioner of Income Tax has confirmed that all of Bruesa's subcontractors are effecting payment against their PAYE and social insurance liabilities.

ORAL

**NO. 344 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LTD – COMMUNITY OFFICERS**

Can Government state what conditions, if any, have to be met by persons employed in Gibraltar aged 60 or over, in order to apply for additional part-time employment with Community Care Ltd, as Community Officers?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 345 and 346 of 2009.

ORAL

**NO. 345 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LTD – COMMUNITY OFFICERS**

Can Government state what is the estimated number of persons aged 60 years and over, in employment in Gibraltar who are currently eligible to apply for additional part-time employment as Community Officers with Community Care Ltd?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 344 and 346 of 2009.

**NO. 346 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LTD – COMMUNITY OFFICERS**

Can Government say, since the introduction of the provision which enables persons in employment aged 60 and over, to apply as Community Officers, how many have done so, giving a breakdown by month?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As this House well knows, Community Care Limited is neither owned nor controlled by the Government. The Government is thus not accountable, and indeed there is good reason why it should not account to this House for the matters raised in the hon Member's questions. However, the Government understand that Community Care will shortly be announcing the criteria for eligibility.

**SUPPLEMENTARY TO QUESTION NOS. 344 TO 346 OF 2009**

**HON J J BOSSANO:**

I am aware that Community Care is an independent charity but, of course, the Chief Minister mentioned in his Budget speech in this House, which he had no need to do because he is not accountable or answerable, but he chose to do it, that he was in fact approaching Community Care in order to suggest this to them.

**HON CHIEF MINISTER:**

That is a different matter, and I have indeed approached Community Care and I have indeed asked them. Indeed, there is a manifesto commitment to do so in our manifesto. But there is a difference between asking them to consider it and announcing their decisions in the House as if they were the Government's business.

**HON J J BOSSANO:**

So, having asked them to consider it, and I understand having had meetings in his office with the people who wanted it considered by Community Care, and having told those people, according to them, that this was going to start very soon, presumably he is able, without assuming responsibility for Community Care, which we do not

want him to, to tell us in fact whether the criteria has now been established and how soon? My question was drafted on the basis that I did not know whether it had already started happening, in fact.

**HON CHIEF MINISTER:**

I believe that the criteria have not yet been finally settled. I also believe, from information received, that the target date is 1<sup>st</sup> April. But it is not Government business, obviously the Government is in conversation with Community Care Limited because we have got to ask them and explain to them why it is that we are asking them to consider and that. So there is contact between the Government and Community Care, but Community Care is not, as he acknowledges, Government.

**HON J J BOSSANO:**

No, I accept that it is not Government. But I am sure the Chief Minister must accept that if he chooses to include it in his Budget speech, then it is legitimate for me to ask him seven or eight months later, whether in fact what he announced, almost as if it was a Budget measure, is actually about to happen or has happened or not. Subject to the fact that when he mentioned it, what he said was that he would be putting proposals to Community Care. Well, presumably the proposals that have been put to Community Care are Government proposals, and responsibility for those proposals are the Government's.

**HON CHIEF MINISTER:**

I do not think he is entitled to ask me that. What I said in the House were words to the effect that I would be approaching Community Care, or asking Community Care or whatever. Certainly, on that basis, it would be legitimate for him to ask me whether I have asked them yet and are they amenable, or things like that. But the fact that I said in this House that I would ask them, I do not think justifies him questioning me about what Community Care intends to do by way of the detail of their response to my request. I do not think the hon Member should press me very much on this. He knows the reason why I adopt the position that I do on this. I do not suppose he has any difficulty with accepting that they are not bad reasons. Just let Community Care announce them and then he will hear it soon.

**HON J J BOSSANO:**

I understand that the Chief Minister wants to make clear the independence of Community Care, with which we totally agree, we do not dispute that they are independent. But if it is a manifesto commitment, Community Care did not put that in the manifesto I take it?

**HON CHIEF MINISTER:**

It is a manifesto commitment to ask Community Care and I have asked Community Care. He may think that once we have declared that it is independent, it is safe for us to debate it as if it were not. But others elsewhere may not have that degree of understanding and will assume that if it is being debated across the floor of this



House, and if the Opposition are holding the Government to account for it, in whatever gentle way, it is because it must be Government business and Community Care is not as independent as he and I know it to be. That is the danger.

**HON J J BOSSANO:**

Well, I do not know whether there is a danger in that, but if the Government wanted persons aged 60 and over to be paid, it was the initiative of the Government and not the initiative of Community Care, and Community Care is being asked to do it because the Government wanted it, then presumably the Government would have some idea of how many people would be affected. Or do they not have an idea? Independent of anything that Community Care may decide, and if the Government in its own estimation had an idea that there should be a category of persons here, was the Government thinking that it should be everybody resident in Gibraltar? I do not dispute that being clear, as we both are, that Community Care is totally independent, that they may decide to do something different from what the Government think should be done.

**HON CHIEF MINISTER:**

I do not think that the continuation of this exchange is in the public interest of Gibraltar and I am not prepared to engage in it further.

**HON J J BOSSANO:**

Well, is it the case or not that the Chief Minister has had meetings with the affected parties and given them an indication that he was calculating the numbers that would be involved? How that can be in the public interest and not to confirm it in this House is not in the public interest, I fail to understand. They are saying it freely all over the place.

**MR SPEAKER:**

I think there is provision in Erskine May where a Minister refuses to answer a question in the public interest, that is where I have to allow the matter to rest.

**HON F R PICARDO:**

I am afraid that the provision that has been made is relating to national security, not public interest.

**MR SPEAKER:**

I am prepared to stretch xxxxxx public interest and national security.

**HON F R PICARDO:**

I will read it so that the House is aware of the section.

**MR SPEAKER:**

The hon Member is probably right, but there is provision there that if a Minister refuses to answer a question I have to allow it at that. There is reference to public interest, national security, yes, but the principles are the same.

**HON F R PICARDO:**

The reference is, when an answer has been refused on security grounds, the Speaker has not allowed further supplementary questions. That is exactly what it says and I do have a lot of respect for the Speaker, regardless of what the Chief Minister may utter under his breath, and I have more respect for this place not to use the sort of language that he used, which is much more appropriate to the boxing ring than it is to the Parliament.

**MR SPEAKER:**

Anyway, I think the public interest is not far from security in the present context and I think we have to allow it at that. The hon Member has asked the question in several forms on several occasions. I think that is as far as it is going to get.

**HON J J BOSSANO:**

I accept it entirely. In any case, there is nothing to force the Government to give an answer, even without the public interest.

**MR SPEAKER:**

Absolutely.

ORAL

**NO. 347 OF 2009**

**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. 1139 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 348 to 350 of 2009.

ORAL

**NO. 348 OF 2009**

**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. 1142 of 2008 from the £10 Stamp Duty on share issues?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 347, 349 and 350 of 2009.

ORAL

**NO. 349 OF 2009**

**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. 1141 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 347, 348 and 350 of 2009.

ORAL

**NO. 350 OF 2009**

**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. 1140 of 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I will now hand the hon Member a statement giving the information that he requests.

### **ANSWER TO QUESTION 350**

#### **Answer to Question 347/2009**

Stamp Duty collected in each month since the answer to Question No. 1139 is as follows:

November 2008	£228,009.67
December 2008	£327,216.24
January 2009	£569,530.90
February 2009	£208,016.64

#### **Answer to Question 348/2009**

The amount collected from the £10 Stamp Duty on share issues in each month since the answer to Question No. 1142 is as follows:

November 2008	£1,520.00
December 2008	£1,190.00
January 2009	£1,410.00
February 2009	£1,630.00

#### **Answer to Question 349/2009**

The revenue yield in respect of the 1.6 per cent duty in each month since the answer to Question No. 1141 is as follows:

November 2008	£24,216.00
December 2008	£24,960.00
January 2009	£40,901.92
February 2009	£4,160.00

#### **Answer to Question 350/2009**

The number of properties which have qualified for Zero Stamp Duty on sales since the answer to Question No. 1140 is as follows:

November 2008	21
December 2008	8
January 2009	26
February 2009	30

ORAL

**NO. 351 OF 2009**

**THE HON G H LICUDI**

**NOTICES OF TERMINATIONS – MEDICAL & HEALTH SERVICES**

Can Government explain the unusually high level of notices of termination in February 2009 in medical and health services?

**ANSWER**

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

Answered together with Question Nos. 352 and 353 of 2009.



ORAL

**NO. 352 OF 2009**

**THE HON G H LICUDI**

**NOTICES OF TERMINATIONS – EDUCATION**

Can Government explain the unusually high level of notices of termination in February 2009 in education?

**ANSWER**

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

Answered together with Question Nos. 351 and 353 of 2009.

**NO. 353 OF 2009**

**THE HON G H LICUDI**

**NOTICES OF TERMINATIONS – PUBLIC ADMINISTRATION AND NATIONAL DEFENCE**

Can Government explain the unusually high level of notices of termination in February 2009 in public administration and national defence?

**ANSWER**

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

The unusually high level of notices of termination in February 2009 in education, in medical and health services and in public administration and national defence is the direct result of an exercise conducted by the Employment Service in conjunction with the Human Resources Department, that identified and closed, that is, terminated, a substantial number of old GOG employee registrations that had inadvertently remained as “in employment” when in actual fact these employees were no longer in the employment of GOG.

**SUPPLEMENTARY TO QUESTION NOS. 351 TO 353 OF 2009**

**HON G H LICUDI:**

Is the Minister able to shed any light as to how this came about? Is the Government as an employer not required to file notices of termination in the same way as any other employer? Why is it that so many, we are talking of figures of over one hundred in public administration, over one hundred in medical and health services and 45 in education, why is it that so many slipped through the net? Is he able to shed any light on this?

**HON L MONTIEL:**

Well, it is obvious that since I took over this position I have taken a lot of stick for not having our figures as near as possible to reality, and we have now made sure that the leverage that we were giving Government, in terms of notification, are now being put into a more strict basis.

**HON CHIEF MINISTER:**

Clearly there has been a systemic failure on the part of those charged with the administration of this aspect of human resources to follow through the paperwork. It is clear, and I do not feel the need to stand here to apologise for that, although we are politically responsible, ultimately, for everything that goes on in the Government, it is not Minister's jobs to send in P8's in respect of their employees. It needs to be done and it is an act of administrative failure on the part of the Government as an employer not to have followed through this function. It is quite right for the hon Member to point it out as a criticism.

**HON G H LICUDI:**

Not seeking any apology, I have seen these unusually high numbers and I was simply seeking an explanation. Is the Minister now satisfied that the relevant departments of the Government now essentially know the rules and this will not occur in the future?

**HON L MONTIEL:**

Well, we are taking a very strong stand in this matter, not only with public administration but with the Ministry of Defence as well.

**NO. 354 OF 2009**

**THE HON G H LICUDI**

**EMPLOYMENT STATISTICS – PROSECUTIONS FOR UNREGISTERED LABOUR**

In relation to the employment statistical report for the 1<sup>st</sup> quarter 2009, can Government state for which offence was a prosecution initiated in January 2009 under the Employment Regulations (Offences) Act and what is the status of that prosecution?

**ANSWER**

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

A prosecution for unregistered labour against an employer was initiated for the following three offences in January 2009:

- 1) Contrary to the Employment Regulations (Offences) Act, section 4, Schedule 1, Regulation 8(2) of the Income Tax (Pay As You Earn) Regulations 1989, did not register an employee.
- 2) Contrary to the Employment Regulations (Offences) Act, section 4, Schedule 1, Regulation 4 of the Employment Regulations 1994, did not notify the Director of a vacancy.
- 3) Contrary to the Employment Regulations (Offences) Act, section 4, Schedule 1, Regulation 6 of the Employment Regulations 1994, did not notify the Director of intention to engage an entitled worker.

The defendant pleaded guilty to all charges.

**SUPPLEMENTARY TO QUESTION NO. 354 OF 2009**

**HON G H LICUDI:**

Does the Minister know what was the outcome following that guilty plea?

**HON L MONTIEL:**

Well, the outcome was that if that employer had paid the fixed penalty he would have been charged with two cases of illegal employment. He would have paid the standard fee of £500 for each, but decided to take the matter to court, was

represented by a lawyer and as a consequence of that, that employer faced a £12,000 for pleading guilty in court.

**NO. 355 OF 2009**

**THE HON G H LICUDI**

(On behalf of the Hon J J Bossano)

**DETACHED WORKERS – PORTUGUESE WORKERS EMPLOYED AT WATERPORT TERRACES**

Can Government state whether the Portuguese construction workers employed through a sub-contractor on the Bruesa contract of the GRPI housing at Waterport are registered as detached workers?

**ANSWER**

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

Portuguese construction workers employed on sub-contracted works at the Waterport Terraces housing project are not registered as detached workers.

**SUPPLEMENTARY TO QUESTION NO. 355 OF 2009**

**HON G H LICUDI:**

Do we take it from that answer that they are fully compliant and fully registered in accordance with all the necessary provisions of the ETB?

**HON L MONTIEL:**

Yes, they are all in compliance with the normal working regulations.

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**HON J J BOSSANO:**

In relation to the answer to Question No. 355, can the Minister confirm that if the Portuguese construction workers at Waterport are not detached workers then their contracts of employment should be based on Gibraltar law with Gibraltar rates of pay and not on whatever it was they would get if they were working in Portugal?

**HON L MONTIEL:**

I can confirm that that is the position. There are no detached workers working as contracting workers for a Portuguese firm.

**HON J J BOSSANO:**

I know that there are no detached workers because I am not doubting the accuracy of his original answer. I am asking him whether he can confirm that because there are no detached workers, the workers that are there should not be on contracts, for example, where their wages are payable in euros in Portugal, because they were not contracted in Portugal, they were contracted in Gibraltar, is that correct?

**HON L MONTIEL:**

No, as I understand it, the position is that they are employed as any ordinary worker would be employed in Gibraltar. In other words, they have a contract and they are subject to income tax and social insurance contributions as any other employee. They are not working on the basis as if they were detached workers. Whether they are paid in euros or not I am not privy to that information. But if they are being paid in euros, it would be in accordance with the established agreements in Gibraltar.

**HON J J BOSSANO:**

Is the Minister saying then that people that are contracted in Gibraltar, for example, where we have got wages laid down by the Union and the construction industry, do not have to be paid in the legal currency of Gibraltar?

**HON L MONTIEL:**

No, the position is that there a number of Spanish firms who, under pressure from their employees, are requested to pay in euros. However, what the Union and the Employment Service ensure is that the actual sum that these individuals are getting are in accordance with the established Union agreements or the statutory minimum that is prevalent in Gibraltar, depending upon where they work.

**HON J J BOSSANO:**

So, in fact, effectively what would be happening would be that they would be paid in euros on the basis that they are given the value in euros of what their wages should be in sterling?

**HON L MONTIEL:**

That is correct.

**ORAL**

**NO. 356 OF 2009**

**THE HON G H LICUDI**

(On behalf of the Hon J J Bossano)

**EMPLOYMENT – MOD DIRECT EMPLOYMENT**

Can Government state the number of persons in direct employment in the MOD as at the end of March 2008 and at the end of March 2009?

**ANSWER**

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

The number of persons in direct employment with the MOD, as registered with the Employment Service, as at the end of March 2008 is 1,045 and 940 at the end of March 2009.



**ORAL**

**NO. 357 OF 2009**

**THE HON G H LICUDI**

(On behalf of the Hon J J Bossano)

**EMPLOYMENT – DETACHED WORKERS**

Can Government state as at the end of each month since the answer to Question No. 4 of 2009, how many detached workers were in employment and provide a breakdown by industry and nationality?

**ANSWER**

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

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

**Answer to Question 357 of 2009****Detached Workers in employment providing a breakdown by industry and Nationality****January 2009**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					1	84	85
Other Manufacture							0
Construction		1	189	6	4	17	217
Wholesale Trade			2				2
Retail Trade	1		12	1			14
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications						1	1
Banking, Finance and Insurance		3	4		1	1	9
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services		16	6		1	6	29
Total	1	20	213	7	7	109	357

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**Answer to Question 357 of 2009**

**Detached Workers in employment providing a breakdown by industry and Nationality**

**February 2009**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					1	114	115
Other Manufacture							0
Construction		14	228	8	5	15	270
Wholesale Trade			2				2
Retail Trade			16				16
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services					2		2
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications							0
Banking, Finance and Insurance		7	8		1	2	18
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services		3	6		1	6	16
<b>Total</b>	<b>0</b>	<b>24</b>	<b>260</b>	<b>8</b>	<b>10</b>	<b>137</b>	<b>439</b>

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**Answer to Question 357 of 2009**

**Detached Workers in employment providing a breakdown by industry and Nationality**

**March 2009**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					1	142	143
Other Manufacture							0
Construction		47	254	4	5	18	328
Wholesale Trade			3			3	6
Retail Trade			5	1			6
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services			1		6		7
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications							0
Banking, Finance and Insurance		8	4		1	2	15
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services			6		2	6	14
<b>Total</b>	<b>0</b>	<b>55</b>	<b>273</b>	<b>5</b>	<b>15</b>	<b>171</b>	<b>519</b>

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**Answer to Question 357 of 2009**

**Detached Workers in employment providing a breakdown by industry and Nationality**

**April 2009**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non- EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					1	130	131
Other Manufacture							0
Construction		20	244		14	26	304
Wholesale Trade			6				6
Retail Trade			5	1	1		7
Hotel Trade							0
Restaurants, Bars etc.							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications							0
Banking, Finance and Insurance		4	4		1	1	10
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services			5		1	5	11
<b>Total</b>	<b>0</b>	<b>24</b>	<b>264</b>	<b>1</b>	<b>18</b>	<b>162</b>	<b>469</b>

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**Answer to Question 357 of 2009**

**Detached Workers in employment providing a breakdown by industry and Nationality**

May 2009

Industry	EU	Other EU	Spanish	Magyar	Other EU	Other EU	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					1	103	104
Other Manufacture							0
Construction		25	225	5	19	16	290
Wholesale Trade			6				6
Retail Trade			5	1			6
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications							0
Banking, Finance and Insurance		7	4		3		14
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services			5		1	2	8
<b>Total</b>	<b>0</b>	<b>32</b>	<b>245</b>	<b>6</b>	<b>24</b>	<b>121</b>	<b>378</b>

ORAL

**NO. 358 OF 2009**

**THE HON S E LINARES**

**FORMER BFBS BUILDING**

Will Government state what alternative has been given to the trustees of the Music Centre now that Government has taken over the site of the former BFBS building?

**ANSWER**

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

The trustees handed the Music Centre back to Government without a request for alternative premises.

**NO. 359 OF 2009**

**THE HON S E LINARES**

**CULTURAL DEVELOPMENT UNIT**

Can Government state at what stage it is in relation to the creation of a cultural development unit which it announced it will do and who are the parties, associations and groups that have or will be consulted to initiate the said unit?

**ANSWER**

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

The Government have no current plans to create a cultural development unit.



**NO. 360 OF 2009**

**THE HON S E LINARES**

**RETREAT CENTRE – LATHBURY BARRACKS**

Can Government state who the current members of the Retreat Centre Trust are?

**ANSWER**

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

Answered together with Question Nos. 361 and 362 of 2009.

**NO. 361 OF 2009**

**THE HON S E LINARES**

**RETREAT CENTRE – LATHBURY BARRACKS**

Can Government state who appointed the trustees to the Retreat Centre?

**ANSWER**

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

Answered together with Question Nos. 360 and 362 of 2009.

ORAL

**NO. 362 OF 2009**

**THE HON S E LINARES**

**RETREAT CENTRE – LATHBURY BARRACKS**

Can Government state to whom the cheques for the grants to the Retreat Centre are made out?

**ANSWER**

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

The current members of The Retreat House Trust are:-

Rt Rev Bishop Charles Caruana  
Mr Hareesh Budhrani  
Mr Michael Castiel  
Mr Robert Goldwin  
Mrs Sheila Patron

Cheques are made out to “The Retreat House Trust”.

I can confirm that the trustees were appointed by Government.

ORAL

**NO. 363 OF 2009**

**THE HON G H LICUDI**

**SPORTS & LEISURE AUTHORITY – EMPLOYEES**

Can Government state how many people were employed by the Gibraltar Sports and Leisure Authority as at the end of May 2009 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.

**ANSWER TO QUESTION NO. 363/2009**

**PERSONS EMPLOYED BY THE SPORTS AND LEISURE AUTHORITY AS AT  
END OF MAY 2009**

<b>NO</b>	<b>TITLE</b>	<b>GRADE</b>	<b>DEPT</b>	<b>SEX</b>	<b>NATIONALITY</b>
1	Chief Executive Officer	1	Admin	Male	British
1	Finance Manager	3	Admin	Male	British
1	Admin and Resources Manager	3	Admin	Female	British
1	Facilities Manager	3	Facilities	Male	British
1	Sports Development and Training Officer	3	Sports Dev.	Female	British
1	Asst Sports Development and Training Officer	4	Sports Dev.	Male	British
1	Asst Facilities Manager	4	Facilities	Male	British
5	Centre Managers	5	Facilities	Male	British
1	Centre Manager	5	Facilities	Female	British
2	Administrative / Clerk	6	Admin	Female	British
2	Supervisory Groundsman	7	Facilities	Male	1 British 1 Moroccan
21	Sports and Leisure Officers	8	Facilities	Male	British
2	Sports and Leisure Officers	8	Facilities	Female	British
1	Secretarial / Typist	9	Admin	Female	British
1	Support	11	Admin	Female	British

ORAL

**NO. 364 OF 2009**

**THE HON G H LICUDI**

(On behalf of the Hon J J Bossano)

**KING'S BASTION LEISURE CENTRE – ICE-SKATING RINK**

Can Government state how much revenue has been collected from the fees charged for the use of the ice-skating rink in the last financial year?

**ANSWER**

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

Answered together with Question No. 365 of 2009.

**NO. 365 OF 2009**

**THE HON G H LICUDI**

**KING'S BASTION LEISURE CENTRE – ICE-SKATING RINK**

Can Government state how many people used the ice-skating rink at the King's Bastion Leisure Centre during the months of March to May 2009?

**ANSWER**

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

The revenue collected from the fees charged for the use of the ice-skating rink in the last financial year was £59,118.21.

The following used the ice-skating rink at the King's Bastion Leisure Centre during the months of March to May 2009:

March 2009	2,945
April 2009	2,625
May 2009	<u>1,850</u>
Total Users	6,420

**NO. 366 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR HERITAGE TRUST**

Can Government say whether it is their policy to provide the Gibraltar Heritage Trust with a store where they can keep historical artefacts they manage to salvage, and has such a request been made by the Trust?

**ANSWER**

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

It is not the policy of the Government to provide an account in this House of how it might respond to a request by a member of the community for Government assistance. If asked, I would be happy to inform the hon Member of whether or not the Government have received such a request and whether or not the Government have allocated any Government property to that use.

**SUPPLEMENTARY TO QUESTION NO. 366 OF 2009**

**HON DR J J GARCIA:**

That is what the question actually asked, part of the question, whether a request has been made for the premises.

**HON E J REYES:**

It was all combined in the one sentence. If the hon Member accepts what I was saying at the beginning, that it is not our policy to account to this House how we might respond, taking just the second part after the comma provided in the question, has such a request been made by the Trust, I can confirm to this House that the Heritage Trust have not submitted such a request to Government.

**HON CHIEF MINISTER:**

In case "by Government", it is not clear whether the hon Member means the political Government or any part of Government. I have just done a quick vox pop on this side of the House, no Minister is aware of any such request. Of course we cannot be sure that a letter has not been written to some part of the public administration in the non political sense, but certainly, Ministers are not conscious of that request having been made. But the political thrust of the answer needs to be clearly understood, we



cannot allow the floor of this House to be the venue across which constituents seek Government support in the allocation of premises. There is a system for that, there is a waiting list and the Government are not willing to send a signal that if one gets the Opposition to ask whether it is the Government policy to give this or that citizen this or that concession, that that concession materialises more quickly than the fairness of the system would otherwise deliver. That is the political essence of the answer. Obviously we have no difficulty in that the hon Member is obviously entitled to know because it is public property, whether the Government have made available. He might even ask, as he has, and I apologise for the fact that the answer overlooks it, that he could also ask "has a request been received?" But what we will not do is give him our view of how we might respond to that request until it has been decided and something has been allocated. I hope he understands the reasons for that which is not just flippant.

**HON DR J J GARCIA:**

I am grateful for that reply. Is it the policy then to look at any request on a case by case basis and then decide on the merits? Is that what the policy is?

**HON CHIEF MINISTER:**

There is a central system which is, in principle, the Premises Committee. The Government are inundated by requests for premises of various types, offices, meeting facilities, storage facilities of the sort which the hon Member has put his finger on in this question and as he knows, we refurbish premises at public expense. The latest one is the Retrenchment Block up there at Europa Point, at Lathbury Barracks, to try and meet these requests. But there is a system, there is a queue, applications are treated on their merit, in the sense that it is not just a waiting list. There is a waiting list but the decisions to allocate are not just done on a waiting list basis. Obviously the more meritorious needful applications are prioritised.

ORAL

**NO. 367 OF 2009**

**THE HON DR J J GARCIA**

**HERITAGE ACTION COMMITTEE**

How often and on what dates has the Heritage Action Committee met since 24<sup>th</sup> February 2009?

**ANSWER**

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

The Heritage Action Committee met on two occasions. That is, 24<sup>th</sup> February 2009 itself and then the next meeting was held on Tuesday 19<sup>th</sup> May 2009.

ORAL

**NO. 368 OF 2009**

**THE HON S E LINARES**

**HM PRISON – TRAINING COURSES FOR PRISON OFFICERS**

Can Government state how many training courses have been conducted for HM Prison Officers in the last five years, what were the courses and by whom were they conducted giving a breakdown by year and course delivered?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

I now hand the hon Member the information requested.

**ANSWER TO QUESTION 368**

<b>Courses</b>	<b>Delivered By</b>	<b>Location</b>
<b>2004 – 3 Courses</b>		
Control & Restraint Commanders Course	H M Prison Service	UK
Drug Testing Refresher	H M Prison Service	UK
Counselling Course	MC Squared (Gibraltar Counselling Company)	Gibraltar
<b>2005 – 3 Courses</b>		
Prison Officer Entry Level Training	H M Prison Service	Jersey
Control & Restraint Instructors' Refresher	H M Prison Services	UK
Conflict Management Refresher Course	Cheshire Constabulary	Gibraltar
<b>2006 – 5 Courses</b>		
Control & Restraint Instructors' Refresher	H M Prison Service	UK
Prison Training and Control & Restraint Initial	HM Prison Service	Gibraltar
First Aid Course	St John Ambulance	Gibraltar
Drug Testing Refresher	H M Prison Service	UK
Control & Restraint Refresher	H M Prison Service	Gibraltar
<b>2007 – 4 Courses</b>		
Control & Restraint Instructors' Refresher	H M Prison Service	UK
Prison Training and Control & Restraint Initial	H M Prison Service	Gibraltar
Prison Summit	H M Prison Service	Atlanta USA
Control & Restraint Instructors' Refresher	H M Prison Service	UK
<b>2008 – 1 Course</b>		
Conflict Management Course	Cheshire Constabulary	Gibraltar

ORAL

**NO. 369 OF 2009**

**THE HON S E LINARES**

**HM PRISON – RATIO OF PRISON OFFICERS TO INMATES**

Can Government state what the ratio of HM Prison Officers to inmates is during their different shift rotas, giving a breakdown by shift rota?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

The information requested is on the schedule that I now hand to the hon Member.

**ANSWER TO QUESTION 369**

**HM PRISON OFFICER TO INMATE RATIOS**

MONDAY - FRIDAY		SATURDAY AND SUNDAY	
08.00 – 09.00	1 – 6.11	08.00 – 17.00	1 – 6.87
09.00 – 17.00	1 – 5	17.00 – 19.30	1 – 7.86
17.00 – 19.30	1 – 7.86	19.30 – 20.00	1 – 11
19.30 – 20.00	1 - 11	20.00 – 21.00	1 – 18.33
20.00 – 21.00	1 – 18.33	21.00 – 08.00	1 – 18.33
21.00 – 08.00	1 – 18.33		

**SUPPLEMENTARY TO QUESTION NO. 369 OF 2009**

**HON S E LINARES:**

In relation to the schedule the Minister has passed over, I see just initially by looking at it that obviously during the night time, the quiet hours from eight to eight, the ratio obviously is higher. Does that mean that during the daytime in this working out, it is including the people like the Chief Prison Officer who might be at the office? I am saying this because this is similar to what happens in teaching, for example, when I ask for class sizes as opposed to pupil/teacher ratio because the pupil/teacher ratio might be smaller for the fact that headteachers and deputy heads are at school and they are counted and put into that formula. Is this the case here?

**HON D A FEETHAM:**

No, the simple answer to the question is that, in fact, the increases both at eight o'clock and 7.30 are attributed to the fact that inmates generally are locked up in cells at 7.30. Only those in the privileged wing, for which in fact there are seven inmates, are then locked up at eight o'clock. So because they are locked up then the ratio, in fact, goes up.

**NO. 370 OF 2009**

**THE HON S E LINARES**

**HM PRISON – OPERATIONAL SUPPORT GRADES**

Can Government state what are the terms and conditions of Operational Support grades in HM Prison?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

They are subject to Government Security Instructions, Accounting Instructions, Stores Instructions, Departmental and General Orders and Information Technology Security Policy. Copies are available for information by any officer in that Department. They are standard terms and conditions for all civil servants.

**SUPPLEMENTARY TO QUESTION NO. 370 OF 2009**

**HON S E LINARES:**

Does that mean that Operational Support grades also have contact and look after inmates?

**HON D A FEETHAM:**

It does not necessarily mean that.

**HON S E LINARES:**

I am asking the question. Do Operational Support grades have contact and look after inmates?

**HON CHIEF MINISTER:**

The Government is balancing, during these series of questions, the hon Member's legitimate right to ask questions on any aspect of public policy, with the fact that coincidentally, let us leave it at that for now, there is an industrial relations dispute at the prison on the very same subject matter with which the hon Member suddenly comes up with some very focussed questions. Focussed coincidentally, let us assume, on the very issues that are at stake there, with such a tightness of time



between the asking of the question and the publication of the dispute that somebody much more cynical than me might be led to the, I have no doubt, inaccurate conclusion that the hon Members are not a million miles away from this dispute, as we have recently experienced in another uniformed area of the public service. So the Government have to balance one thing with the other. The Government are not going to, at this point in time, discuss across the floor of this House any question which we consider is in issue in the industrial dispute, with which we will deal in the normal way as the Government does with its employees, by engaging their representatives in discussion, but we are not going to at this moment in time ventilate these issues across the floor of this House, and this is one such issue and, indeed, there may be others in the questions that follow.

**HON G H LICUDI:**

The Chief Minister has chosen his words very carefully, but to the extent that he was implying or insinuating, even in his denial, that there was any political motivation of any industrial dispute, that is categorically and vehemently denied by this side of the House.

**HON CHIEF MINISTER:**

I have not even insinuated. The hon Member should not worry, no, I do not deal by insinuations, when I have an allegation to make, as we had in the case of the Customs, we make it outright, we do not leave it to insinuation. I did not insinuate that there might be political motivation on the part of the employees. I have said that the hon Members are not a million miles away from the dispute, which is very different. It is very different, it is something completely different to suggest, which I have not, that the employees may be politically motivated, than to suggest that the hon Members are trying to politicise the dispute to gain opportunistic political advantage for it in a way that can only make the solution of legitimate, normal industrial situations as they arise more difficult to meet, and the Government are not willing to allow the Opposition Members to engage in that process. They can ask, but just as they are free to ask we are free not to allow them to do it.

**HON G H LICUDI:**

It is difficult to understand on this side of the House why it is that the Government think or suggest that asking questions about issues which are current, about issues which are in the news, about issues which concern citizens, asking questions of those matters make resolution of any issue all the more difficult. One would have thought that the Government would consider the questions that have been asked, would come up with solutions and would actually facilitate the resolution of those matters by the bringing of such questions. Do the Government not agree?

**HON CHIEF MINISTER:**

Well, the Government agree with the first four words of his question, that it is difficult on that side of the House to understand. It is clear to the Government that there is a lot that there is difficulty on that side of the House in understanding. That is the essence of our principal political view of them, and that is that they do not deal with public issues on the basis of that degree of sufficiency of understanding that qualifies

them for governance in this community. So it does not surprise me that the hon Member has difficulty in understanding. If the hon Member had ever exercised responsibility for governance in this community he would know that there are issues which are current but which the public interest is not advanced by addressing them in public, even in Parliament, at that stage. So how many times have Governments said across the floor of this House, even when the hon Members ask questions about matters which are under commercial negotiation, the answer is it is not appropriate to give the information at this stage because the matter is sensitive because it is under negotiation. The Government have consistently applied the same policy to industrial disputes. We do not engage across the floor of this House on the subject matters of industrial dispute whilst the industrial dispute is current, because that makes resolution of the industrial dispute, in the interests of the public, in the interests of the employees and in the interests of the employer, more difficult. After the industrial dispute is over the hon Members are, of course, free to ask us questions to try and establish that we have ineptly dealt with the industrial dispute. But that in our experience very rarely happens, because by the time the industrial dispute has been resolved they conclude, sensibly in my opinion, that there is no longer any political, partisan, opportunistic mileage in revisiting it to see whether the Government dealt with it effectively or not. But he certainly will find that the Government will be happy to entertain his questions at that stage, but we will not entertain his questions in respect of a current industrial dispute where we feel that dealing with it in this public way exacerbates the situation. Government deal with all its industrial disputes until it is made impossible for us to continue doing so in that way by the behaviour of the staff or by the behaviour of their union representatives. Until that happens, which is not the case in this dispute yet and may never be, the Government's policy is that we deal with our employer/employee relations in private, in accordance with the established negotiating and discussion and dialogue mechanisms, and not in the full blaze of public opinion which serves neither the taxpayer nor the employees, nor the public, nor the Government and serves only the hon Members appetite for political controversy.

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

There is one thing that we agree with and that is that this floor of this House is not the forum to resolve any issues on employment or disputes. So much we agree with. What we will not have on this side of the House is our being dictated by the Government as to what questions we can ask and when we can ask such questions. It is, of course, the Government's prerogative to answer or not answer the questions and people will judge by their answers or lack of answers what their position is. The Chief Minister has also obliquely, indirectly or perhaps even directly, questioned our integrity, motivation and even our understanding and knowledge of issues. Perhaps the Chief Minister should be reminded that hurling insults of those kinds towards this side of the House does not enhance his own reputation one little bit. Do the Government not accept that each of the questions that he is referring to are simply questions asking for information? They are not asking how is the Government going to resolve this particular dispute. They are not asking is the Government going to give in to this particular demand. But questions such as, "what are the terms and conditions, how many inmates, how many prison officers, what training programmes, how many times", are simply factual questions that the Government should have no difficulty whatsoever in giving us answers to. Do the Government not agree with us?

## **HON CHIEF MINISTER:**

Well, self-evidently the Government agrees with him because he has just accused us of not doing all the things that we have just done. Look, it seems to me that the hon Member's difficulty in understanding things is even more severe than I had suggested earlier. He has just stood up and given the impression to anybody listening to us that instead of giving him the factual information that he seeks the Government hurl insults. Presumably he was busy reading the morning newspaper and did not hear the Minister give precisely the factual information, and I stood up only when the supplementary crossed the line between factual information, which he has had, and the very factual information which he has insinuated the Government should be criticised for not giving, he has been given and will be given in answer to the next two or three questions. So, why he stands up in this House to say insults instead of information when he has had the information, I can only assume that he has been asleep during the first five minutes of the exchange between the Minister for Justice and the questioner, the Hon Mr Linares. Look, I know the hon Member has the tendency to sort of stand up and then think about what he was going to say once he is already on his feet, but look, why does he stand up in this House to say to us that they will not be dictated to in terms of what questions he can ask, unless he is so impressed by what I say to him that he feels the need to repeat it just three minutes later. Just three minutes ago I said, "well of course the hon Member is free to ask but we are as free not to give it as he is to ask". Then I went to the trouble, which I need not do, of giving him an explanation as to why the Government do not think it is in the public interest to answer. So, first of all he suggests that we have not provided simple factual information, when that is precisely what he has done. Then he seeks to give the impression that the Government are trying to dictate the questions when we have made it perfectly clear that he has the right to ask, but our right not to answer is equal to his right to ask. Why he seeks to give a public false impression of what has been said by Members of this House, when within the last five minutes everything that he has said shows that what he has said is demonstrably factually incorrect, is a matter with which he will have to grapple. Of course, the final point is that the Government hurl insults. Well look, I think everybody in Gibraltar now knows what the stock political tactics of the hon Members opposite are. Not just in this House but indeed in their press releases. They initiate a political controversy by putting out a press release calculated to show the Government to be incompetent, misleading, not dealing with things properly. In other words, being as critical of the Government as they want to be, which of course is their role in life and we expect no less from them or from any other Opposition. Then when the Government have responded to show that their original statement was wrong, unjustified and an attempt simply to make political capital on the basis of false statements, I guarantee that the very next press release that the Opposition issue, because they cannot bear not to have the last word, is to say, "the Government, the Chief Minister, the Minister this, has just become personal and is hurling insults". There was a recent example in the press last week, I repeat it is the hon Members that become offensive in some of these political debates and then when the Government defend themselves the response is the Government are becoming insulting. To be told that one has difficulty in understanding things when this debate demonstrates, not only that he has difficulty in understanding things but, indeed, difficulty in assimilating things that he hears within the last five minutes, is not an insult. I agree it is a harsh political criticism but look, the hon Members are not operating in a one-sided, one-way political bubble. They cannot be as politically aggressive with the Government as they think suits their partisan interests, and then go running off to complain to anybody that will listen when the Government pay them back in the same currency. That will continue until the hon Members learn to have an honest political debate. Of course there are many things which the Government do wrong or that the

Government could have done better, but the debate has got to be on the basis of fact, not on the basis of the sort of political debate that we have, which is that the Opposition first of all decide what the facts are in order to create the debate on those facts. I do not think that is insulting, I think that is the political cut and thrust and the Government are entitled to defend themselves from that and will continue to do so.

**HON G H LICUDI:**

The Chief Minister has just given a speech in order to try and justify why they indulge in these sorts of insults and behaviour, as part of their defence. He has suggested that what I have tried to do was to give a false impression, and in doing so he has again indulged in the sort of politics that I was accusing him of, by suggesting that I was asleep, or by suggesting that I was reading the newspaper two minutes ago. Both matters which the Chief Minister knows full well are completely false because he is sitting opposite me. It is legitimate for this side of the House to be critical and I will certainly not indulge, I will not take the bait, I will not take that bait and indulge in the sort of gutter politics that this Chief Minister is now accustomed to indulging in when he deals with legitimate questions from this side of the House. Going back to the original question, which was quite simply and legitimately the terms and conditions of certain officers, the answer was given and a supplementary was asked as to what contact there was with inmates, a simple factual question, there was no need at all for this discourse about Government behaviour and Opposition behaviour at all. If the Chief Minister wants to detract from the issues, wants to move away from the issues because it is not in the interests of Government to tackle issues, but simply to indulge in personality politics, if the Chief Minister wants to do that let him know that I will not fall to that low level of politics and indulge in that kind of behaviour, I will stick to the issues. Let us go back to the issues and let us perhaps address the question that my hon Colleague has asked. What is the contact with inmates? Will the Government answer that?

**HON CHIEF MINISTER:**

That is the question now but the hon Member ... [*Interruption*]

**MR SPEAKER:**

Order, Order.

**HON S E LINARES:**

It is a Point of Order.

**HON CHIEF MINISTER:**

That is not for him to rule, that is for Mr Speaker to rule. We will see when we have heard him if it is a Point of Order or not.

**HON S E LINARES:**

The question was, “do Operational Support grades have any contact, as part of their terms and conditions, with inmates?” That was the question, not what the Chief Minister has started to say, which is already wrong in what he started to say and, presumably, will continue to say what I said. I am saying it now clearly. The question is, “Operational Support grades, do they have any contact with inmates as part of their terms and conditions?” That is the question, without rephrasing it or saying something else that I never said.

**HON CHIEF MINISTER:**

Well, he is wrong as well as his hon Colleague Mr Lucudi. That was not the supplementary question that he asked. No, it was not, and I say to him what I said to the Hon Mr Licudi. That is the question that he now asks. The question that he asked to which he got the answer that he got, the original question was, “can Government state what are the terms and conditions of Operational Support grades in HM Prison?” The Minister replied, they are subject to Government Security Instructions, Accounting Instructions, Stores Instructions, Departmental and General Orders bla, bla, bla, copies are available bla, bla, bla, they are standard terms and conditions. Then he asked, “does that mean that they have contact with prisoners?” to which the Minister said, “not necessarily”. In other words, whether they have contact with prisoners or not is not deduceable nor does it follow from the answer that he got to the question that he asked. So his supplementary did not ask whether they have contact with prisoners, and they are now asking it and everything that they have both said on this question is just further failure on their part to understand now, not just what we say in this House, but even what they have said in this House just five minutes ago. The supplementary question now is whether operational support grades have contact or do not have contact with prisoners, at which point I got up and said, “that may be one of the issues that is in the industrial dispute and the Government are not willing to discuss that”, and that is what led to all the subsequent exchanges, nothing to do with the question given or asked, but when I judged that the questioning was now straying into areas which were the subject matter of the industrial dispute, I put an end to the Government's willing to continue to give answers for that reason, but of course, all the information that had been given, which does not touch on that, has been given and will be given in the subsequent answers that are also on the Order Paper from the hon Member.

ORAL

**NO. 371 OF 2009**

**THE HON S E LINARES**

**HM PRISON – INMATES**

Can Government state how many inmates are currently in HM Prison giving a breakdown by gender?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 372 and 374 of 2009.

ORAL

**NO. 372 OF 2009**

**THE HON S E LINARES**

**HM PRISON – NUMBER OF FULL-TIME PRISON OFFICERS**

Can Government state how many HM Prison Officers are currently employed on a full-time basis giving a breakdown by gender and rank?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 371 and 374 of 2009.

ORAL

**NO. 373 OF 2009**

**THE HON S E LINARES**

**HM PRISON – TRAINING PROGRAMMES CONDUCTED FOR SUPPLY OFFICERS**

Can Government state what training programmes are conducted for supply officers to be able to fulfil their duties at HM Prison?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

I was intending to take this question with Question No. 598, but if the hon Member prefers, I will answer this question separately. Well, the answer to the question is that these officers attend a five day course, which include current practices at Her Majesty's Prison and a control and restraint course. They are subsequently given on-the-job training.



**NO. 374 OF 2009**

**THE HON S E LINARES**

**HM PRISON – SHORTAGE OF PRISON OFFICERS**

Can Government confirm whether one or some wings have been without HM Prison Officers due to the fact that there is a shortage of HM Prison Officers?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

There are currently 55 inmates, of which 51 are males and four are females.

The current approved complement of Prison Officers is 31. There are presently 29 officers in position, of which seven are male Senior Officers, 16 are Basic Grade Prison Officers (of which 15 are males and one is female) and six Operational Support grades (of which five are males and one is female). This indicates that there is currently one vacancy. One post is uncovered because the holder is interdicted pending criminal proceedings against him.

There have been some occasions on which a prison wing has been without a dedicated Prison Officer, but on such occasions the wing is monitored by the officer in the Control Room who has line of sight into the wing, and CCTV cameras. The Government do not believe that there are undermanning issues at the prison, beyond the need to fill vacancies as they arise. The House will be aware that manning levels are higher now than they were in 1996 when no unmanning of the wing was thought to be a problem.

The Government have agreed to a recent request by the Union Unite to meet to discuss such issues. The Government are always open to hear representations from the Union, and to consider any justified case that they may put. However, the Government would also wish to discuss the inordinately high incidence of absenteeism among some officers in the prison, which does contribute to pressure on their colleagues.

**SUPPLEMENTARY TO QUESTION NOS. 371, 372 AND 374 OF 2009**

**HON S E LINARES:**

It is amazing that the Chief Minister stood up before to say that he would not answer questions to do with the dispute, and the Minister for Justice has just done so. Thank you very much Minister for Justice for doing so. We were accused before of asking

questions and being behind all this dispute. To say the truth, I put in my questions and then I read in the Chronicle that they went on strike action, that was the actual fact of the matter.

**HON CHIEF MINISTER:**

Eso no te lo crees ni tu.

**HON S E LINARES:**

Well yes, it is true the facts are and the facts will show that they went on strike ..... I might have known before, yes, but I did not know when they were going on strike because it is to do with this Government's incompetence in dealing with this case and that is why it got to dispute or whatever. But without getting into the dispute...

**MR SPEAKER:**

The hon Member is invited to ask a question.

**HON S E LINARES:**

Yes, I usually ask the question quite quickly but the Chief Minister takes about 20 minutes to give us an explanation about everything except what the question is asking. In relation to the wing that was left, or is at times being left alone, is it to do with the shortage of manning levels or is it to do with the fact that there are too many wings for Prison Officers on duty at the time.

**HON CHIEF MINISTER:**

The answers that have been given do not stray into the area of the relations between the Government as employer and the Prison Officers as employees and the Union, and there is no contradiction between what I have said in answer to the previous question on this. This answer gives, first of all, information about the number of people who are employed, which are available to the hon Member in the Estimates book.

**HON S E LINARES:**

Not by gender.

**HON CHIEF MINISTER:**

Well, fine, only the gender but all the other information about numbers is publicly available information which the hon Member need not have asked for.

**HON D A FEETHAM:**

It is there by gender.

**HON CHIEF MINISTER:**

No.

**HON S E LINARES:**

They are not split up by gender.

**HON CHIEF MINISTER:**

We are not talking about what is the answer. All the information except by gender is available in the Budget Book about the number of people employed. Fine. Then there has been an answer to his question, which is legitimate, about whether there are unsupervised prisoners in the prison. That is not the subject ..... Look, if there were improperly supervised prisoners in the prison, that would not be a matter of industrial dispute between the Government ..... It is not for the prison staff to decide what is proper and what is proper supervision. That would be a matter for Government policy and for the hon Members, legitimately, to monitor the Government and to challenge the Government, and to question the Government as to whether prisoners were being kept insufficiently supervised, unsafely supervised, et cetera. So, answers have been given to explain to the hon Member what he has just stood up to ask again, which is that the Government do not believe that there is a manning level issue. But he has already had the answer. There is no point in just standing up and asking for the same question in supplementary. The Government do not believe that, and then there is an invitation by the Unions to engage in a discussion that we have done. Nothing of what has just been given to him in the answer to that question is the subject matter of the dispute, in terms of the rights or the personal claims of individual members of staff, to make claims in respect of their own personal terms and conditions of employment, as might be, for example, the issue of the previous question which was the nature of the duties of the Operational Support grades. That is very different to the prisoner holding security regime operable at the prison, which is the legitimate subject matter of this question which does deserve to be fully answered because the Government do not believe that that is the issue in the industrial dispute.

**HON D A FEETHAM:**

Well, there is another point as well, the hon Member says that I have not answered the question in relation to gender and I have given him an answer in relation to gender both in terms of inmates .....

**HON S E LINARES:**

What I said about the gender was because the Chief Minister said that I have got all the information here. See, that is the issue. He told me that I can sift out from here all the information that I am asking for, and here there is nothing to do with gender,

that is why I posed the question. But since the understanding is at it is, I rest my case.

ORAL

**NO. 375 OF 2009**

**THE HON S E LINARES**

**HM PRISON – VISITS BY HEALTH OFFICERS**

Can Government state how many times health officers such as doctors, dentists, psychiatrists or any others have visited HM Prison in the last five years giving a breakdown by year and officer?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 376 to 378 of 2009.

ORAL

**NO. 376 OF 2009**

**THE HON S E LINARES**

**HM PRISON – DRUGS AND ALCOHOL THROWN OVER WALL**

Can Government state how many incidences of drugs and/or alcohol thrown over the wall have been reported in HM Prison in the years 2003, 2004, 2005, 2006, 2007, 2008, 2009 to date?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 375, 377 and 378 of 2009.

ORAL

**NO. 377 OF 2009**

**THE HON S E LINARES**

**HM PRISON – INCIDENTS OF VIOLENCE**

Can Government state how many incidents of violence have been reported in the HM Prison in the years 2003, 2004, 2005, 2006, 2007, 2008, 2009 to date?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 375, 376 and 378 of 2009.

**NO. 378 OF 2009**

**THE HON S E LINARES**

**HM PRISON – ADMISSIONS**

Can Government state how many admissions there have been in HM Prison in the years 2003, 2004, 2005, 2006, 2007, 2008 and 2009 to date giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

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

In relation to Question No. 375, it is not appropriate to provide the names of the doctors, dentists, psychiatrists or other professional health officers.



**ANSWER TO QUESTION 378**

<b>Year</b>	<b>Health Officer visits</b>	<b>Incidents of drugs or alcohol thrown over wall</b>	<b>Incidents of violence</b>	<b>Number of Admissions</b>
2003	-	-	4	196
2004	38 (4 June to 31 Dec)	-	8	157
2005	60	-	5	192
2006	67	-	3	202
2007	72	-*	12	197
2008	69	7	6	299
2009	30 (to 3 June)	13	9 (to date)	144 (to date)

\*Prior to 2008, no records were kept of these incidents,

**SUPPLEMENTARY TO QUESTION NOS. 375 TO 378 OF 2009**

**HON S E LINARES:**

I have not asked for the names of any officer. What I have asked is how many times officers have actually gone to HM Prison. I never asked for any specific names.

**HON CHIEF MINISTER:**

There has been a misreading of the question, because the question does say “Can Government state how many times health officers, such as doctors, dentists, psychiatrists or any others have visited HM Prison in the last five years, giving a breakdown by year and by officer?” There is no way of giving a breakdown by officer without identifying the officer.

**HON S E LINARES:**

No, it can be identified if it is a doctor or a dentist, or a psychiatrist, that is the type of officer. Whether the officer is a dentist or a .....

**HON CHIEF MINISTER:**

That is not an officer that is a profession, a type of officer not an officer.

**HON S E LINARES:**

Health Officers.

**MR SPEAKER:**

There is an ambiguity.

**HON S E LINARES:**

Again I thank the Minister for Justice, for the very extensive answer he has given. I will ignore what the Chief Minister is trying to say to me again.

**HON G H LICUDI:**

Again, we have suggestions of Members of the Opposition not asking questions properly, making ambiguous remarks. The question is very clear in its terms. It asked how many times health officers, and then it gives examples of the type of health officer that the question refers to, and then it asks for a breakdown by officer. So where the question asked about health officers including, doctors, dentists et cetera, the reference to “officers” means the type of officer, not the name of the individual, obviously.

**HON CHIEF MINISTER:**

Well, the hon Member may stand up and say that it is perfectly clear. It is not perfectly clear to all the civil servants that have cobbled this answer together and it is not perfectly clear to the Speaker that has just said, just before he stands up to say that, the Speaker has just said that there is an ambiguity in the question. So the Speaker says there is an ambiguity and he pops up to say that the Government are being terribly offensive to him because the question is perfectly clear. Well, it cannot be perfectly clear to everybody except himself, because if it is unclear to everybody except himself there may just be a small chance, that he should not close his mind to, that perhaps it is not perfectly clear or as perfectly clear as he thinks. But let us not argue about this, I will settle for reading out the question and letting people and the House decide whether it is clear or not. "Can Government state how many times health officers, such as doctors, dentists, psychiatrists or any others have visited HM Prison in the last five years, giving a breakdown by year and officer in the singular?" Let everybody decide whether the natural interpretation of that question is that whether he is asking a breakdown by officer or by medical discipline, doctors as opposed to dentists, as opposed to psychiatrists without asking for the detail of the officer. It may be that only the hon Member opposite has retained the right to interpret words in their normal English language. It is not impossible, of course, that that should be the case but I think it is entirely improbable.

**HON G H LICUDI:**

The general public of Gibraltar really deserve better from their politicians than us indulging in this sort of behaviour. It is quite frankly scandalous and shameful that people should have to listen to this sort of debate. If there was any ambiguity, which with the greatest respect to Mr Speaker he has expressed an opinion, that could have been cleared with the hon Member at the time that the question was posed. No criticism intended of the honourable Speaker. But if there was and the Government were not sure whether it meant officers by type of officer, whether doctor, dentist et cetera, or by name, and the Government had decided to refuse to give the name, then at the very least they could have given a breakdown by type of officer. If that was the ambiguity they should have resolved that ambiguity by reference to their policy.

**HON CHIEF MINISTER:**

The Government do not think there is any ambiguity. The Government and everybody that has worked on this answer think that it is perfectly clear. It thinks that it is asking for the detail of the officer. So it is not a question of an ambiguity that needs clearing up. There is no ambiguity, it is clear as daylight. The hon Member, Mr Linares, apparently does not like the Government giving more information than he has asked for. So instead of just keeping quiet, he stands up and says, I have not asked for that. Well, if he never asked for that, if he never meant to ask for that, why bother to mention the fact that he has not had it? If he did not ask for it, it is because he did not want it, and if he did not want it he is not unhappy at not having been given it. Full stop, end of the matter. He does not have to pop up to say, "I never asked for that". It is clear that those who have drafted the answer think that he did ask for it, and we believe that the clear meaning of this question is that he did ask for it. But if he did not mean to ask for it and there has been a misinterpretation of the question by everybody except him, that is fine, there is no issue. But there is no need to record the fact that it is the Government that have misread the question, when we

believe actually, the Government have read the question in its logical sense in the English language. He could just have remained quiet and not pointed it out.

**HON S E LINARES:**

Can Government give this side of the House, in relation to 2004, health officer visits? Where it says 38, can he tell me and give me a breakdown of those 38? Whether it was a doctor, a dentist or any other health officer, please?

**HON D A FEETHAM:**

Yes, in 2004 visits by doctors were 31, dentists 5, emergency doctor, a distinction between doctor and emergency doctor, 2.

**HON G H LICUDI:**

Two minutes ago we were given a discourse about how clear this question was to the Government and to the people who prepared the answer, and it was clear to them that what was being asked was the name. It is now clear that they have the information all along that we were seeking. So it must have been clear to them either at the very least, that the question was asking for that or that it was possible that the question was asking for that. So how was it not clear in the first place when they had that information all along and we have had five minutes of debate on whether this information should be given or not given, when the hon Member had it all along in front of him and was refusing that information to this House and the general public? It is quite extraordinary and scandalous behaviour by this Government.

**HON CHIEF MINISTER:**

The hon Member is consciously misleading the House. The hon Member and the Government have not refused to give that information. On the first occasion that they have asked for it they have given it, and I know that the absence of the Leader of the Opposition and of Mr Picardo gives the Hon Mr Licudi an unexpected and welcome opportunity to behave like a potential leadership candidate. But I have to say to the hon Member that he is fluffing the opportunity because all that he is demonstrating is his deep seated lack of familiarity with the governmental and political process in Gibraltar. That is all. He appears to confuse volume, with which he screams across the floor of this House, with the correctness and level of understanding of the content of the language that he screams. He must not confuse volume with understanding. They are wholly different things. So having then moved on from his tantrum in terms of screaming, let me just now point out to him that the Government know all the information. Somewhere in the bowels of Government there is all the information necessary for all the public affairs that the hon Members might conceive of asking. The Government, nevertheless, answer the questions only as they have been asked. Officials, those who do their job properly, which happily is the vast majority of them, nevertheless arm Ministers. Look, there are not any xxxxxx sitting on that side of the House today, but the one Member of the Opposition that has been a Minister before, absent today, the Hon Mr Bossano, would know this, because this has not changed since Gibraltar has had a Parliament and a Civil Service, and a Government and an Opposition, and that is that Ministers are sent to this House to answer questions, regardless of the information that has been asked, with as much background

information broken down in relation to that issue to try and brief Ministers on a speculative and pre-emptive basis on supplementary questions that may arise from the original question. That happens in this Parliament, it happens in the House of Commons, I have no doubt that it happens in the Parliament of Spain and every sensible ....., and in none of those Parliaments does an over-excitabile Member of the Opposition leap to his feet to scream that it is scandalous that the Government should not have given, blurted out in response to the first question, every titbit of related information that is in the Minister's briefing paper to support him in possible supplementary. The only thing that is scandalous in this House, apart from the fact that the hon Member devotes such little time to his Parliamentary duties that he hardly ever prepares for them, the only scandalous aspect in this House is the ease, speed and system with which the hon Member is willing to leap to his feet to make false, inaccurate, factually false, factually inaccurate public statements that whether he intends it so or not, has the effect of misleading public opinion on the basis of his own innate deep-seated lack of understanding of how the public administration system in Gibraltar works.

**MR SPEAKER:**

Order, Order, before I allow the hon Member to ask the question, may I help to focus the debate. The Hon Steven Linares in his mind was clearly asking for a breakdown by medical discipline. The Chief Minister has explained that the understanding on this side of the Minister and his officials was a breakdown by names of officers. That is why I concluded looking at the question that it was ambiguous. That is a starting point. The last question posed by the Hon Steven Linares serves to bring us back into focus and that was answered perfectly adequately. The Government are entitled to ask that questions be put in a manner which enables them to answer. It is not, in my view, for the Government to have to read out the whole briefing note in the hope that it will answer some question somewhere along the line.

**HON S E LINARES:**

No, because I have not finished my supplementary, very specifically.

**MR SPEAKER:**

Before the Hon Mr Linares asked the supplementary I did promise the Hon Mr Licudi I would allow him to ask a question. I am just stating the way I see the picture, now he may ask the question.

**HON G H LICUDI:**

At the risk of incurring Mr Speaker's wrath.

**MR SPEAKER:**

No, there was no wrath involved.

**HON G H LICUDI:**

It was not a question, it was just to express a little bit of dismay and disappointment, without upsetting the hon Member by shouting across the floor of the House. Again, dismay and disappointment by the tenor of the language used about personality issues, preparation, knowledge et cetera, which are simply personally insulting and detract from the issues. Once again I say that it is quite shameful that politicians in this day and age, especially the Chief Minister, should behave in that way.

**HON S E LINARES:**

I will focus back onto the actual question that I asked.

**MR SPEAKER:**

I am most grateful.

**HON S E LINARES:**

I asked the Minister and since he has a breakdown and I asked 2004 specifically to try and bring the whole thing down and back to order, can I also have a breakdown of the years 2005, 2006, 2007, 2008 and 2009, of which the numbers are 60, 67, 72, 69 and 30? If he can give me the breakdown, for which I have done a little table, I will appreciate that. Thank you very much.

**HON D A FEETHAM:**

I will be delighted. In 2005, doctors 50, dentists 6, emergency doctor 1, infection control officer 3. In 2006, doctors 50, dentists 7, infection control officer 6, chiropodist 4. In 2007, doctors 51, dentists 8, infection control officer 10, chiropodist 3. In 2008, doctors 51, dentists 5, infection control officer 7, chiropodist 7. In 2009, doctors 24, infection control officer 3, chiropodist 3.

**HON S E LINARES:**

In relation to 2009, I presume it is up to the end of May, is it?

**HON D A FEETHAM:**

No it is the 3<sup>rd</sup> June.

**ORAL**

**NO. 379 OF 2009**

**THE HON DR J J GARCIA**

(On behalf of the Hon J J Bossano)

**INDUSTRIAL TRIBUNAL**

Can Government state how many claims were decided by the Industrial Tribunal in 2007 and give a breakdown by nature of the complaint?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 380 to 384 of 2009.

**ORAL**

**NO. 380 OF 2009**

**THE HON DR J J GARCIA**

(On behalf of the Hon J J Bossano)

**INDUSTRIAL TRIBUNAL**

Can Government state how many claims were decided by the Industrial Tribunal in 2008 and give a breakdown by nature of the complaint?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 379 and 381 to 384 of 2009.



**ORAL**

**NO. 381 OF 2009**

**THE HON DR J J GARCIA**

(On behalf of the Hon J J Bossano)

**INDUSTRIAL TRIBUNAL**

Can Government state of the cases of complaints for unfair dismissal decided by the Industrial Tribunal in 2007 how many were decided in favour of the claimant and in respect of this in how many cases was the claimant granted (a) the basic award only and (b) in addition compensation for loss of income?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 379, 380 and 382 to 384 of 2009.

**ORAL**

**NO. 382 OF 2009**

**THE HON DR J J GARCIA**

(On behalf of the Hon J J Bossano)

**INDUSTRIAL TRIBUNAL**

Can Government state of the cases of complaints for unfair dismissal decided by the Industrial Tribunal in 2008 how many were decided in favour of the claimant and in respect of these in how many cases was the claimant granted (a) the basic award only and (b) in addition compensation for loss of income?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 379 to 381, 383 and 384 of 2009.

**ORAL**

**NO. 383 OF 2009**

**THE HON DR J J GARCIA**

(On behalf of the Hon J J Bosssano)

**INDUSTRIAL TRIBUNAL**

Can Government state in cases where the Industrial Tribunal found in favour of the claimant in a complaint of unfair dismissal in 2007 and awarded compensation for loss of income in how many cases was this award capped at 104 x twice the level of the minimum wage?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question Nos. 379 to 382 and 384 of 2009.

**NO. 384 OF 2009**

**THE HON DR J J GARCIA**

(On behalf of the Hon J J Bossano)

**INDUSTRIAL TRIBUNAL**

Can Government state in cases where the Industrial Tribunal found in favour of the claimant in a complaint of unfair dismissal in 2008 and awarded compensation for loss of income in how many cases was this award capped at 104 x twice the level of the minimum wage?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

We presume that by “decided” the hon Member means the determination of the case pursuant to a ruling of the Chairman. There were four cases that were decided by the Tribunal in 2007 and six cases in 2008. The nature of the complaint in all of these cases was unfair dismissal.

Of the four cases decided by the Industrial Tribunal in 2007, two were decided in favour of the applicant. Of these, one received a basic award of £2,200 and no compensatory award and the other received an overall award of £15,000, with no breakdown as to basic or compensatory award. In relation to this latter case, it is not possible to determine whether any cap was applied.

There were two cases decided by the Industrial Tribunal in 2008 in favour of the applicant. In both cases the basic award was £2,200, and in one of these cases only there was compensation for loss of income. In relation to this latter case, the compensatory award was capped at 104 times twice the level of the weekly minimum wage.

ORAL

**NO. 385 OF 2009**

**THE HON C A BRUZON**

**STATUTORY BENEFITS FUND**

Can Government state what was the monthly income, expenditure and balance of the Statutory Benefits Fund since the answer to Question No. 34 of 2009?

**ANSWER**

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

Answered together with Question Nos. 386 and 387 of 2009.

**NO. 386 OF 2009**

**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, since the answer to Question No. 32 of 2009, 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 & COMMUNITY AFFAIRS**

Answered together with Question Nos. 385 and 387 of 2009.

ORAL

**NO. 387 OF 2009**

**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 to date, since the answer given to Question No. 33 of 2009, giving a monthly breakdown of their age and sex?

**ANSWER**

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

I now hand the hon Member the information requested.

## **ANSWER TO QUESTION 387 OF 2009**

### **Answer to Question No. 385**

The monthly Income, Expenditure and Balance of the Statutory Benefits Fund as from March 2009 to May 2009 is as per the following tentative statement:

(\*The approved Contribution from the Consolidated Fund for financial year 2009/2010 is £8.5M 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**

	<u>31-Mar-09</u>	<u>30-Apr-09</u>	<u>31-May-09</u>
<b><u>Fund Account -</u></b>			
<b><u>Opening Balance</u></b>	£20,870,339.85	£20,733,833.28	£20,599,677.74
<b><u>Add</u></b>			
*Contribution from the Consolidated Fund	£833,333.37	£708,333.33	£708,333.33
Contributions collected in cash (Insurance contr.)	£1,538,649.41	£1,156,937.70	£1,241,253.42
Misc Receipts	£60,961.77	£11,909.97	
	<u>£23,303,284.40</u>	<u>£22,611,014.28</u>	<u>£22,549,264.49</u>
Less			
Payments	<u>(£2,569,451.12)</u>	<u>(£2,011,336.54)</u>	<u>(£1,989,106.19)</u>
<b><u>Closing Balance</u></b>	<u>£20,733,833.28</u>	<u>£20,599,677.74</u>	<u>£20,560,158.30</u>

Cont.....



**Cont'd ANSWER TO QUESTION 387 OF 2009**

**Answer to Question No.386**

The following pensioners were being paid or with entitlement to payment from the Statutory Benefits Fund for the months of March to May 2009.

	<b>Mar-09</b>	<b>Apr-09</b>	<b>May-09</b>
<b><i>Pre-1969 Spanish Pensioners</i></b>	290	291	291
<b><i>British Pensioners (Gib/UK Nat.)</i></b>	5377	5393	5422
<b><i>Moroccan Pensioners</i></b>	1969	1985	1990
<b><i>Other Nationalities</i></b>	577	583	586
<b>Total</b>	<b>8213</b>	<b>8252</b>	<b>8289</b>

Cont'...

**Cont'd ANSWER TO QUESTION 387 OF 2009**

**Answer to Question No. 387**

Persons receiving Disability Allowance under the social assistance arrangements as from march to may 2009 giving a monthly breakdown of their age and sex.

2009	0-10	11-20	21-30	31-40	41-50	51-60	61-70	TOTAL	MALES	FEMALES
March	23	32	23	21	15	14	4	132	92	40
April	24	32	24	20	16	16	3	135	94	41
May	24	31	24	21	16	16	3	135	94	41

**NO. 388 OF 2009**

**THE HON N F COSTA**

**SOCIAL SECURITY PAYMENTS RECORDS**

Can Government say what records it holds in respect of social security payments for the following decades:

1960s;  
1970s; and  
1980s?

**ANSWER**

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

The Government hold individual contribution records for every insured person who paid contributions under the Social Insurance Scheme since it was first introduced on 3<sup>rd</sup> October 1955, as reflected on the insurance cards returned by employers at the end of the year or on termination of employment. These records show, on a year to year basis, the number of social insurance contributions paid by or credited to each individual insured under the scheme. This, of course, includes the decades 1960s, 1970s and 1980s.

ORAL

**NO. 389 OF 2009**

**THE HON C A BRUZON**

**SOCIAL ASSISTANCE**

Can Government state what was the number of persons receiving social assistance, to date, since the answer to Question No.36 of 2009, giving a monthly breakdown by age and sex?

**ANSWER**

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

Answered together with Question No. 390 of 2009.

**ORAL**

**NO. 390 OF 2009**

**THE HON C A BRUZON**

**SOCIAL ASSISTANCE**

Can Government state how many persons receiving social assistance, to date, since the answer given to Question No. 35 of 2009, 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 & COMMUNITY AFFAIRS**

I now hand the hon Member the information requested.

**ANSWER TO QUESTION 390 OF 2009****Answer to Question No. 389**

Persons receiving Social Sssistance for the months of March to May 2009 by month, sex and age.

2009	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
March	168	308	476	74	140	119	143
April	172	309	481	75	141	120	145
May	178	316	494	82	143	123	146

Cont'...

**Cont'd ANSWER TO QUESTION 390 OF 2009**

**Answer to Question No. 390**

Persons in receipt of Social Assistance for the months of March to May 2009.

2009	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
March	168	308	476	74	140	119	143
April	172	309	481	75	141	120	145
May	178	316	494	82	143	123	146
As at 3 June	180	321	501	84	146	125	146

Persons employed during the months of March to May 2009.

2009	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
March	4	2	6	2	2	1	1
April	4	2	6	3	2	1	0
May	1	2	3	1	1	0	1

**NO. 391 OF 2009**

**THE HON C A BRUZON**

**HALF-WAY HOUSE – HOMELESS MEN**

Can Government confirm if they have now identified a property which could be used as a half-way house or shelter for homeless men?

**ANSWER**

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

When the Government have identified a property and wish to announce it they will do so.

**SUPPLEMENTARY TO QUESTION NO. 391 OF 2009**

**HON C A BRUZON:**

Can the Minister throw some light in connection with the demand for such a property? Is the demand greater for men or for women?

**HON J J NETTO:**

No, I would not agree with that statement. I would agree with the statement that there is more demand for women than for men.

**HON N F COSTA:**

So, perhaps the Minister can also say at what stage of the process they are at in identifying a suitable property? Have any steps been taken?

**HON J J NETTO:**

Well, it is on-going.



**HON N F COSTA:**

Yes, I can appreciate that it is on-going, it has been on-going now, I assume, since the manifesto commitment. But can the Minister give us an indication of where his Ministry is at?

**HON J J NETTO:**

I already indicated that the investigation is on-going.

**HON N F COSTA:**

So are the Government then telling us that the manifesto commitment will not be realised within this mandate, or it could possibly overlap into the next General Election?

**HON J J NETTO:**

The GSD Government have a very excellent track record in fulfilling manifesto commitments. I do not see the reason why we should not deliver on this one, as we indeed deliver on the vast majority of manifesto commitments.

ORAL

**NO. 392 OF 2009**

**THE HON DR J J GARCIA**

**CONSUMER PROTECTION (UNFAIR TRADING) ACT 2008**

Can Government confirm that the Consumer Protection (Unfair Trading) Act 2008 has already come into operation and if so on what date?

**ANSWER**

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

Answered together with Question No. 393 of 2009.

**NO. 393 OF 2009**

**THE HON DR J J GARCIA**

**CONSUMER PROTECTION LEGISLATION**

Can Government say at what stage is the domestically driven consumer protection legislation which they announced they were working on in November 2008 and which would apply to goods?

**ANSWER**

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

In relation to Question No. 392, the Government can confirm that the Consumer Protection (Unfair Trading) Act 2008 came into operation on 13<sup>th</sup> November 2008.

In answer to Question No. 393, when the Government wish to publish legislation they will do so in the usual manner.

**SUPPLEMENTARY TO QUESTION NOS. 392 AND 393 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say whether the legislation is at drafting stage or whether it has not got to that stage yet? That is really what I wanted to establish.

**HON J J NETTO:**

No, I will not say that the legislation is at the drafting stage, it is not there yet.

ORAL

**NO. 394 OF 2009**

**THE HON DR J J GARCIA**

**CONSUMER PROTECTION (UNFAIR TRADING) ACT 2008**

Can Government say whether the powers of the Consumer Officer to consider any complaint made to him under Section 11 (2) of the Consumer Protection (Unfair Trading) Act 2008 are currently being exercised by any other officer?

**ANSWER**

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

The Principal Consumer Officer of the Department of Consumer Affairs is currently exercising her duties under the Act and no other officer is exercising that duty, other than such officers within the same department designated under her instructions.

ORAL

**NO. 395 OF 2009**

**THE HON N F COSTA**

**MOUNT ALVERNIA – WAITING LIST**

Can the Government say what criteria the Government employs in deciding what elderly persons on the waiting list of elderly citizens waiting for a place at Mount Alvernia are given priority?

**ANSWER**

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

Answered together with Question No. 396 of 2009.

**NO. 396 OF 2009**

**THE HON N F COSTA**

**MOUNT ALVERNIA – WAITING LIST**

Can Government state how many elderly citizens are waiting for a place at Mount Alvernia, and how many of these are occupying a bed at St Bernard's Hospital between March 2009 to date, giving a breakdown of sex and age?

**ANSWER**

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

The Care Agency admits residents into Mount Alvernia on a waiting time basis.

There are 350 elderly citizens waiting for a place at Mount Alvernia up to 2<sup>nd</sup> June 2009. Of these, 44 are occupying a bed in St Bernard's Hospital.

I now hand the hon Member the information requested.

**Answer to Question 396 of 2009**

<b>SEX</b>	<b>60-70</b>	<b>71-80</b>	<b>81-90</b>	<b>91+</b>
Male	0	4	5	0
Female	2	3	25	5
Total	2	7	30	5

**SUPPLEMENTARY TO QUESTION NOS. 395 AND 396 OF 2009**

**HON N F COSTA:**

As I understood the answer given to my question, the Minister has said that persons waiting will simply be allocated a place at Mount Alvernia when the time, essentially, is up.

**HON J J NETTO:**

Yes.

**HON N F COSTA:**

Is there any time when the Government have to meet to make a decision as to whether any person who may be further down that list should be given priority, say because of any individual circumstances?

**HON J J NETTO:**

I understand in very exceptional circumstances.

**HON N F COSTA:**

I am grateful for that. May I ask what those exceptional circumstances are and what would merit the Government considering such an exceptional allocation?

**HON CHIEF MINISTER:**

The reason for that answer is that it has happened in the past. Whether it will continue to happen depends on whether the circumstance is replicated. There is not a definition of exceptionality. Usually many of the people on the waiting list have circumstances which are worthy. So worthy is not enough, it has got to be exceptional in the sense that the Government are persuaded that there is a particular family circumstance, or a particular circumstance of some sort, that the Government feel warrants making this decision. These exceptions were in the time before the present Minister took office. I suppose that he will continue to consider such cases on their merits as they come, but there may not be any or there may be more of them. But there is not, as I understand to be his question, there is not a definition of exceptionality against written application. It really is considering cases and deciding there, almost on an ad-hoc basis, whether there is sufficient justification for jumping the queue, really.

**HON N F COSTA:**

I missed only part of the answer that the Chief Minister gave. Did he say that the Government make the final decision or would it be the authorities?



**HON CHIEF MINISTER:**

Well, I think eventually it comes for Ministers because it is an exception to the established methodology. I think it does come up to Ministerial level at some place. It is not the policy of the Government that there cannot be any queue xxxxxx. That would be an indefensibly rigid policy. There have to be exceptions to every rule, otherwise the rule will very quickly come into disrepute, and then we can disagree about the nature of the exceptionality that should be present. Of course, that is a matter for judgement from time to time and from case to case, but I think that the Government will wish to reserve the possibility of resolving acute problems when they are brought to the Government's attention.

**NO. 397 OF 2009**

**THE HON G H LICUDI**

**CARE AGENCY**

Can Government state whether employees of the Social Services Agency and the Elderly Care Agency have been transferred to the Care Agency and, if so, state:

- (a) the total number of employees at the Care Agency;
- (b) how many employees at the Care Agency are on permanent and pensionable terms and how many on contract, supply or casual terms;
- (c) a breakdown of all the employees at the Care Agency by grade, sex, nationality and residence, that is, whether Gibraltar or Spain?

**ANSWER**

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

Answered together with Question No. 398 of 2009.

**NO. 398 OF 2009**

**THE HON G H LICUDI**

**SOCIAL SERVICES AGENCY AND ELDERLY CARE AGENCY – EMPLOYEES**

Can Government state, as at 28 May 2009, in respect of the employees of each of the Social Services Agency and the Elderly Care Agency:

- (a) the total number of employees;
- (b) how many employees were on permanent and pensionable terms and how many on contract, supply or casual terms;
- (c) a breakdown of all the employees by grade, sex, nationality and residence, that is, whether Gibraltar or Spain?

**ANSWER**

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

Following the recently introduced Care Agency Act 2009, and subsequently through publishing of this Act in the Gibraltar Gazette on 28<sup>th</sup> May 2009, arrangements are being made for the transfer of all Social Services Agency, Elderly Care Agency, New Hope Trust and Youth employees to the Care Agency.

The total number of employees to be in the Care Agency will be 490, out of whom 474 are on permanent and pensionable terms and 16 on contract. There is a supply list of 76 persons who are called on a need basis to cover eventualities.

The total number of employees for the Social Services Agency is 211, out of whom 210 are on permanent and pensionable terms and one person is on contract. There is a supply list of 68 persons who are called on a need basis to cover eventualities.

The total number of employees for the Elderly Care Agency is 248, out of whom 233 are on permanent and pensionable terms and 15 persons are on contract. There is a supply complement of eight who are covering maternity and unpaid sick leave.

I now hand the hon Member the information requested.

**Answer to Question 398 of 2009**

**Answer to Question 397**

**A breakdown of all employees of the Care Agency by grade, sex, nationality and residence.**

GRADE	No. of Employees	Female	Male	Gibraltar	UK National	Spanish National	Other Nationality	Resident Gibraltar	Resident Spain
<b>Employees on GOG Terms</b>									
<b>Main Office</b>									
Chief Executive	1	1		1				1	
Administration	4	4		4				4	
Team Leaders	2	2		2				2	
Psychologist	1	1		1				1	
Senior Social Workers	3	3		2	1			2	1
Social Workers	12	10	2	7	5			10	2
<b>Youth Service</b>									
Snr Y & Comm Worker	1		1	1				1	
Y & Comm Worker	4	2	2	4				4	
Admin	3	2	1	3				3	
Industrials	4	2	2	4				4	
<b>St Bernadette's O T Centre</b>									
Manager	1	1		1				1	
Deputy Manager	1	1		1				1	
Enrolled Nurses	2	2		1	1			2	
Admin	1	1		1				1	
Classroom Aides f/t	7	7		7				7	
Classroom Aides p/t	7	7		7				7	
Vehicle Escort	1	1		1				1	
Industrials	4	3	1	4				4	
<b>Employees on SSA Terms</b>									
O/T Strategy Co-ord	1	1		1				1	
Counsellor	1	1		1				1	
Social Workers (o/h)	2	2			2				2
Community Officer	1		1		1				1
Administration	6	5	1	6				6	
Day Centre Co-ord	1	1			1			1	
Shop Mobility Att.	1		1	1				1	
Handyman/Driver	1		1	1				1	
<b>DRUG AWARENESS CAMPAIGN</b>									
Drug Strategy Co-ord*	1		1	1				1	
Asst Drug Strat. Co-ord	1	1		1				1	
* GOG officer on Secondment									
<b>Bruces Farm</b>									
Administration	3	3		3				3	
Counsellors	3	1	2	3				3	
House Manager	1		1	1				1	
Carers	9	5	4	7		2		9	
Industrials	3	3		1		2		1	2
<b>DR GIRALDI &amp; RESIDENTIALS</b>									
Manager	1		1		1				1
Deputy Manager	1	1			1				1
Admin	1	1			1				1
Unit Managers	11	8	3	7	4			9	2
Social Workers & Domestic Support	103	79	24	65	28	11	3	63	40
<b>ELDERLY CARE</b>									
Nursing	167	146	21	62	23	76	2	94	73
Administration	21	19	2	20	1			21	
Industrials	60	41	19	34	2	17	7	51	9
<b>HOSTELS</b>									
	31	13	18	26		4	1	30	1
<b>TOTAL</b>	<b>490</b>	<b>381</b>	<b>109</b>	<b>293</b>	<b>72</b>	<b>112</b>	<b>13</b>	<b>354</b>	<b>136</b>

**Cont'd Answer to Question 398 of 2009**

**Answer to Question 398 of 2009**

**A breakdown of all employees of the SSA by grade, sex, nationality and residence.**

GRADE	No. of Employees	Female	Male	Gibraltar	UK National	Spanish National	Other Nationality	Resident Gibraltar	Resident Spain
<b>Employees on GOG Terms</b>									
<b>Main Office</b>									
Chief Executive	1	1		1				1	
Administration	4	4		5				4	
Team Leaders	2	2		2				2	
Psychologist	1	1		1				1	
Senior Social Workers	3	3		2		1		2	1
Social Workers	12	10	2	7		5		10	2
<b>St Bernadette's O T Centre</b>									
Manager	1	1		1				1	
Deputy Manager	1	1		1				1	
Enrolled Nurses	2	2		1		1		2	
Admin	1	1		1				1	
Classroom Aides f/t	7	7		7				7	
Classroom Aides p/t	7	7		7				7	
Vehicle Escort	1	1		1				1	
<b>Employees on SSA Terms</b>									
O/T Strategy Co-ord	1	1		1				1	
Counsellor	1	1		1				1	
Social Workers (o/h)	2	2				2			2
Community Officer	1		1			1			1
Administration	6	5	1	6				6	
Day Centre Co-ord	1	1				1		1	
Shop Mobility Att.	1		1	1				1	
Handyman/Driver	1		1	1				1	
<b>DRUG AWARENESS CAMPAIGN</b>									
Drug Strategy Co-ord*	1		1	1				1	
Asst Drug Strat. Co-ord	1	1		1				1	
* GOG officer on Secondment									
<b>DR GIRALDI &amp; RESIDENTIALS</b>									
Manager	1		1			1			1
Deputy Manager	1	1				1			1
Admin	1	1				1			1
Unit Managers	11	8	3	7		4		9	2
Social Workers & Domestic Support	103	79	24	65		28	11	3	69
									40
<b>HOSTELS</b>	31	13	18	26			4	1	30
									1
<b>INDUSTRIAL STAFF</b>	4	3	1	4				4	
<b>TOTAL</b>	<b>211</b>	<b>157</b>	<b>54</b>	<b>151</b>	<b>46</b>	<b>15</b>	<b>4</b>	<b>165</b>	<b>52</b>

**A breakdown of all employees of the ECA by grade, sex, nationality and residence.**

GRADE	No. of Employees	Female	Male	Gibraltar	UK National	Spanish National	Other Nationality	Resident Gibraltar	Resident Spain
Nursing	167	146	21	62	25	78	2	94	73
Administration	21	19	2	20	1			21	
Industrial	60	41	19	34	2	17	7	51	9
<b>TOTAL</b>	<b>248</b>	<b>206</b>	<b>42</b>	<b>116</b>	<b>28</b>	<b>95</b>	<b>9</b>	<b>166</b>	<b>82</b>

## **SUPPLEMENTARY TO QUESTION NOS. 397 AND 398 OF 2009**

**HON G H LICUDI:**

In respect of this breakdown that the Minister has provided, there is a list of number of employees by grade according to the information sought in the question. Can the Minister confirm that the information given in this schedule relates to the permanent and pensionable employees and no account is taken of any other supply, casual or contract workers in this list? This list excludes these other categories?

**HON J J NETTO:**

Well, this list does not include the supply. In relation to the first question which the hon Member asked, whether they are permanent and pensionable or on contract, it refers to everyone, the 490.

**HON G H LICUDI:**

In relation to Question No. 397 which was about the transfer of employees from Social Services Agency and Elderly Care Agency to the newly established Care Agency, I understood the Minister to give his answer as "arrangements are being made". Do I understand that simply to mean that the administrative arrangements are being made, because all of the employees of the two Agencies will be amalgamated into the one Care Agency? If that is correct, can the Minister confirm whether, in accordance with normal practice, and indeed statutory provisions, each will keep their terms and conditions?

**HON J J NETTO:**

I can give both assurances, the first one that it is an administrative arrangement and, of course, within the spirit of the transfer of undertaking, with which he is very much familiar, everyone has to transfer pay, conditions of employment, pension value et cetera. So, of course, nobody will be worse off as a result of the transfer.

**HON G H LICUDI:**

Will the Minister also confirm whether there are cases that he is aware of where there is any discrepancy between Social Services Agency employees and the Elderly Care Agency employees on the other hand, in respect of similar or the same grades who will now transfer and will all be part of the Care Agency. Therefore, will there be new employees of the Care Agency doing essentially the same work but essentially on different terms and conditions because they came from different positions?

**HON J J NETTO:**

Yes we have noted that there are some grades in different undertakings which may have slightly minor conditions, but no one is going to be worse off as a result of the transfer. Whether much, much later on as a result of a normal process of discussion and negotiation with the Union, we can sort of harmonise certain grades remains to

be seen. The important point here is that those people remain within the undertaking that they were working before they are transferred. Nobody has lost out as a result of that transfer and yes, like in any process of bigger organisations, whether it is a process of mergers, a little bit of fine tuning will have to happen, but that will come much later on.

**HON CHIEF MINISTER:**

The answer to the question, as I understood it, and I think the Minister has answered a slightly different question, but just so that he is aware, the answer to his question is indeed no. I understood the question to mean, correct me if I misunderstood it, whether there would be a two tier work force between the transferring employees, regardless of whether they were going to lose out or not on the transfer, and the Minister has rightly said that they will not lose out in the transfer. But the supplementary was not that, as I understood it. The supplementary was, and thereafter are new recruits into the Care Agency going to be on different terms to those that transferred from the existing, and the answer to that is no, there is not going to be. The only ones who will continue to have different terms to future new employees are those who are civil servants on secondment to the Agency. Those, for different reasons, will always have different terms. But once there is a standard term for a care worker in the Care Agency, they will all be harmonised and there will not be a difference between newcomers and late comers. The other thing that I would ask the hon Member, just to make a very legalistic point to him in terms of the concept of TUPE, is that of course, these employers, with one or two very small exceptions, the New Hope Trust and all of those things, but in terms of the Agencies, the Elderly Care Agency and the Social Services Agency, they are statutory bodies and this House has passed legislation repealing the Acts under which those Agencies were established. So, their employer has ceased to exist in law, so we are viewing this as a merger by statute of two agencies into one, and this has been the case wherever there has been a transfer to a statutory body. Which, of course, does not mean that there is not consultation with the Unions and all the things that would happen if it were a TUPE transfer, but in the context of the application of TUPE transfer to the public sector when it is a reorganisation, in a way in which there are no losers only winners in terms of the staff, and it is done in intense consultation with the Union, that everybody is content. The TUPE system does not work as he might expect it to work in the private sector, because in the private sector they are usually done for very different reasons which normally result in less security of employment, more exposure to future possible reduction in terms and conditions, and that is not the case in this scenario which we are discussing.

**HON G H LICUDI:**

Without wishing to get into a legal debate with the Chief Minister, I was not intending to ask whether the Government were actually applying TUPE but whether they were acting generally in the spirit of TUPE.

**HON CHIEF MINISTER:**

It was as it arose in the answer and I just wanted to make sure there was no  
xxxxxxxxxx

**HON G H LICUDI:**

That is understood, but generally as I understand the answer, the Government are in any event applying the spirit of what would otherwise apply to private sector and other public sector employees. The Chief Minister has mentioned the question of new recruits in answer to the supplementary, and confirmed that there will not be a two tier system between the new recruits and those that were existing there. But the Minister did say in his own answer that there may be small differences between existing workers of the Social Services Agency on the one hand and the Elderly Care Agency, who are now merged and are all going to be part of the Care Agency. In respect of new entrants, where there is a position occupied by two people who have come from different entities and who have different conditions, how are the Government proposing to handle that? I am also interested in the process of harmonisation, is there going to be a new set of standard terms and conditions that everybody will be invited to adhere to or to accept, or will everybody be equalised at the higher level so that nobody actually loses out?

**HON J J NETTO:**

Harmonisation is an objective. An objective to try and have a uniform standard eventually for all employees and for all new employees to get into. We have our own views how we want to proceed on the basis to harmonise, and I am sure that the Unions will have their own views on these very minor differences between the Elderly Care Agency and the Social Services Agency. We are not really talking about massive gaps in pay or working conditions, there are minor issues. But of course, it is only normal when one brings such big organisations together. The benefits, obviously, of doing that are quite a lot in terms of economies of scale, in terms of the services we can provide and the knowledge that we can get in order to put the services to our service users and throughout Government. But it is something that is not going to happen the first day, it is something that is going to happen as we go along.

**HON G H LICUDI:**

The Minister has mentioned the economies of scale. That phrase is often interpreted as meaning that because one has a larger organisation one needs less employees, and therefore the economies of scale. Can the Minister confirm that that is not the way it is being applied?

**HON J J NETTO:**

Certainly, I have already given, both to this House and a few times in written form to all the staff in all of the Agencies, and verbally in different functions that I have gone to. But this is not an exercise about cutting numbers of people or cutting expenditure. It is about making xxxxxx, perhaps the phrase should have been value for money rather than economies of scale. What happens is that when one has small organisations one tends to have, just to give an example, little bits of administration here, little bits of administration there. But when one now has an organisation of this size, one can centralise a lot of people, one can do more in terms of administrative work because we are centralising and pooling together different people from different areas, which otherwise would have been impossible because they are working in very confined and small number organisations. That is the context I referred to.



**HON S E LINARES:**

Can the Minister state whether the Youth Service will be included under the umbrella of the Care Agency? As I understand it, the Social Services Agency and the Elderly Care Agency will now be under the umbrella of the Care Agency, but are Government thinking about putting into that Care Agency the Youth Service?

**HON J J NETTO:**

The answer is yes.

**HON C A BRUZON:**

I notice that there are 103 employees under the heading "Dr Giraldi and Residentials", social workers and domestic support. Can the Minister shed light on the matter that is dear to me because for four years I was Shadow Minister for Social Services. In terms of helping parents with children with serious disabilities, does the domestic support offered under that heading, "domestic support" cater for these people?

**HON J J NETTO:**

He would have to give me notice of that question in terms of my being able to define what the domestics job description or job profile entails. I suppose at the end of the day, every single employee who works in the Dr Giraldi Home in one way or another provides a support to the service users, whether directly linked to the service users' activity or not is a different thing. But everyone who works there adds value, overall value to the benefit of the service users. But he would have to give me notice to be able to say exactly what is the job profile of a domestic in the Dr Giraldi Home.

**HON S E LINARES:**

In relation to the previous question about the Youth Service, if the Government do put the Youth Service under the umbrella of the Care Agency, and I think it relates to the question which the Hon Mr Licudi asked before, because the Social Services Agency is an agency and the Elderly Care Agency is also an agency, and now they are going to amalgamate both into the Care Agency, where does this put the people from the Youth Service, some of whom if not most are civil servants? Therefore, how will they be amalgamated under the umbrella of the Care Agency?

**HON J J NETTO:**

Well, they will be placed in the same position as social workers who happen to be civil servants, with the civil servants' working conditions, civil servants' pay, who before were seconded to the Social Services Agency and who are now seconded to the Care Agency. There will be no difference between a civil servant coming from the Youth Service and a civil servant coming in as a social worker, previously from the Social Services Agency. So in that context, neither their pay and conditions nor their status are altered at all, they are being seconded in the Care Agency.

ORAL

**NO. 399 OF 2009**

**THE HON G H LICUDI**

**STATUTORY BENEFITS FUND – EMPLOYMENT INJURIES**

Can Government state what payments were made out of the Statutory Benefits Fund for each month from March to May 2009 in respect of employment injuries?

**ANSWER**

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

Answered together with Question No. 400 of 2009.

**NO. 400 OF 2009**

**THE HON G H LICUDI**

**STATUTORY BENEFITS FUND – INSOLVENCY**

Can Government state what payments were made out of the Statutory Benefits Fund for each month from March to May 2009 arising from the insolvency of any employer?

**ANSWER**

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

In relation to Question No. 399, I now hand the hon Member the requested information.

In relation to Question No. 400, there have been no payments out of the Statutory Benefits Fund from March to May 2009 arising from the insolvency of an employer.

## **ANSWER TO QUESTION 400 OF 2009**

### **Answer to Question 399**

Payments from the Statutory Benefits Fund from March 2009 to May 2009 in respect of employment injuries have been as follows:

#### **STATUTORY BENEFITS FUND – TENTATIVE STATEMENT**

	<b>March 2009</b>	<b>April 2009</b>	<b>May 2009</b>
<b>Payments – employment injuries</b>	£47,865.92	£47,579.50	£51,828.89

**SUPPLEMENTARY TO QUESTION NOS. 399 AND 400 OF 2009**

**HON G H LICUDI:**

Related to the last question which talks about payments relating to the insolvency of any employer, the answer is that there have been no payments. Does the Minister know whether there have been any requests for payment which may have been turned down or which may be pending?

**HON J J NETTO:**

I have not been made aware of any request.

**ORAL**

**NO. 401 OF 2009**

**THE HON G H LICUDI**

(On behalf of the Hon J J Bossano)

**MINIMUM INCOME GUARANTEE**

Can Government provide a breakdown for the number of pensioners in receipt of the Minimum Income Guarantee showing the number receiving the single and married rates in bands of £5 up to the full amount since the answer to Question No. 45 of 2009?

**ANSWER**

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

I now hand the hon Member the information requested.

# **ANSWER TO QUESTION 401 OF 2009**

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 May 2009.

				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	29		0		29
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		0		1
FROM	£71.00	TO	£75.00	15		0		15
FROM	£66.00	TO	£70.00	1		0		1
FROM	£61.00	TO	£65.00	2		0		2
FROM	£56.00	TO	£60.00	2		5		7
FROM	£51.00	TO	£55.00	17		1		18
FROM	£46.00	TO	£50.00	10		2		12
FROM	£41.00	TO	£45.00	13		1		14
FROM	£36.00	TO	£40.00	18		0		18
FROM	£31.00	TO	£35.00	12		2		14
FROM	£26.00	TO	£30.00	21		1		22
FROM	£21.00	TO	£25.00	19		1		20
FROM	£16.00	TO	£20.00	235		2		237
FROM	£11.00	TO	£15.00	19		6		25
FROM	£6.00	TO	£10.00	20		7		27
FROM	£0.00	TO	£5.00	8		0		8
TOTAL				445		32		477

**NO. 402 OF 2009**

**THE HON N F COSTA**

**GHA – BUDGET**

Can the Government say what person or what committee has the final say on how the GHA budget is spent, listing the positions of the relevant office holders if the decision is taken by committee?

**ANSWER**

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

Following approval of Parliament, the GHA Budget is allocated to the different directorates by the Chief Executive on the advice of the Executive Committee. The Executive Committee is comprised of the Executive Directors responsible for Medical, Nursing, Operations (including Allied Health Professions), Human Resources and Finance and Information Management. Each Executive is responsible for the expenditure of the allocated budget within their directorate. The allocation of the Budget is then taken to the GHA Board for ratification.



**NO. 403 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION EXERCISE**

Can the Government say in respect of the consultation exercise conducted as to visiting hours and in respect of the 33 replies received from the 109 patients questioned, how many were in favour of the changes?

**ANSWER**

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

Answered together with Question Nos. 404 and 405 of 2009.

**NO. 404 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION EXERCISE**

Can the Government say in respect of the consultation exercise conducted as to visiting hours and in respect of the 39 replies received from the 40 visitors questioned, how many were in favour of the changes?

**ANSWER**

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

Answered together with Question Nos. 403 and 405 of 2009.

**NO. 405 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION EXERCISE**

Can the Government say in respect of the consultation exercise conducted as to visiting hours and in respect of the 72 replies received from the 108 nursing staff questioned, how many were in favour of the changes?

**ANSWER**

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

The consultation exercise was open-ended and did not ask patients, visitors or nursing staff to respond to specific changes. The changes implemented were informed by the results of the exercise.

**SUPPLEMENTARY TO QUESTION NOS. 403 TO 405 OF 2009**

**HON N F COSTA:**

If the consultation was open-ended, how could the Board of the GHA decide what changes were favourable to the staff, the nurses and the patients?

**HON MRS Y DEL AGUA:**

The aim of the consultation exercise was to assess the adequacy and level of satisfaction with the visiting policy as a whole, and whether this was in the best interest of patients. Therefore, there was not just one specific question asking whether the different categories of groups that were interviewed who wanted a specific change in the hours alone. It was an overall assessment on the visiting policy as a whole. Just to give an example, so that the hon Member can understand the process better, there were 19 questions asked all relating to what I have just described. For example, all groups were asked about the preferred number of visitors, what they thought about visiting during meal times, whether patients felt tired after visiting, whether prolonged visiting affected patient care, those sorts of questions to elicit an overall consensus on what the way forward was as regards the whole visiting policy and not just the change in visiting hours. Obviously all this data was collated and a decision was made by the GHA. As a result of the data collated the decision was made to change the visiting hours to what currently exists now.

**HON N F COSTA:**

Am I right in thinking that the data collected was considered by the GHA Board and is the GHA Board composed of the same persons that the Minister said in respect of my previous question?

**HON MRS Y DEL AGUA:**

Sorry?

**HON N F COSTA:**

The data that was collated and then, of course, the decision was taken by the GHA. Who specifically in the GHA, was it the GHA Committee, the Board?

**HON MRS Y DEL AGUA:**

It was a combination of the GHA Board plus the GHA Management who initially collated the information, the data.

**HON N F COSTA:**

Perhaps the Minister does not have the relevant or all of the questions, but I would be happy if she were, or rather, I would be grateful if she were happy to provide me with a copy of those questions at a later point in writing, if possible.

**HON MRS Y DEL AGUA:**

Well, as long as it is not followed by questions as happened the last time when they asked a supplementary. They asked another one, which I wrote to them about, there is not much more information that I can provide them with. I can provide the hon Member with the specific answers but I am not willing to provide them with any more answers which would lead..... This was a confidential exercise, and I would not be willing to provide them with answers that would lead anybody listening, or rather to deduce where the answers came from and what each individual answered. But I am willing to provide him with the specific questions. That is what he is after, is it not?

**HON N F COSTA:**

Yes I am grateful for that and I understand the Minister's concern not to reveal the information that would eventually lead to a person being identified as being the answerer to the question. But I am grateful that she has agreed to provide me with a list of the questions that were asked.

ORAL

**NO. 406 OF 2009**

**THE HON N F COSTA**

**GHA – MRSA INFECTION**

Can Government state whether any cases of MRSA infection were detected at St. Bernard's Hospital on a monthly basis, between March 2009 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 has just been handed over to the hon Member.

**Answer to Question NO. 406 of 2009**

	<b>March 09</b>	<b>April 09</b>	<b>May 09</b>	<b>TOTAL</b>
<b>Patients</b>	1	3	3	7
<b>Staff</b>	0	1	0	1
<b>Total</b>	1	4	3	8

There was no fatality due to MRSA during the period.

ORAL

**NO. 407 OF 2009**

**THE HON N F COSTA**

**GHA – ELECTIVE SURGERY**

Can the Government state the average waiting time for patients undergoing elective surgery?

**ANSWER**

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

Answered together with Question Nos. 408 to 410 of 2009.

**NO. 408 OF 2009**

**THE HON N F COSTA**

**GHA – CANCELLED OPERATIONS**

Can Government list the dates between March 2009 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**

Answered together with Question Nos. 407, 409 and 410 of 2009.



**NO. 409 OF 2009**

**THE HON N F COSTA**

**GHA – WAITING TIME SURGICAL INTERVENTION FOR CANCER**

Can Government state the average waiting time for patients needing to undergo surgical intervention for cancer?

**ANSWER**

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

Answered together with Question Nos. 407, 408 and 410 of 2009.

**NO. 410 OF 2009**

**THE HON N F COSTA**

**GHA – CANCELLED KEYHOLE SURGERY OPERATIONS**

Can Government say how many keyhole surgery operations have been cancelled between March 2009 on a monthly basis to date and the reasons for the cancellations?

**ANSWER**

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

Average waiting times for patients undergoing elective surgery are influenced by a number of factors. This can vary from day to day, and for a number of reasons, namely urgent cases, cancellations by patients, medical reasons, bed availability, Bank Holidays, surgeons' sickness and annual leave. Therefore, any average would not portray a true figure.

The information requested by the hon Member in Question No. 408 is contained in the schedule that I now hand to him.

In answer to Question No. 409, once a cancer diagnosis is made and a surgical intervention is required, the first determination is whether the procedure will be carried out in Gibraltar or elsewhere. If the procedure is to be carried out in Gibraltar, the procedure is carried out without delay. If patients require the procedure carried out elsewhere then they are referred to the UK's NHS system or the Spanish SAS system.

In answer to Question No. 410, there have been no cancellations from March 2009 to date.

WAITING FOR SCAN

**ANSWER TO QUESTION 410****Answer to Question 408****Cancellations March 2009**

Reason for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery	Oral Surgery	Pain Relief	Total
Medical				1	2		1	4
Bed availability		2		1	1			4
Per patient			1		(3)	1	4	6 (3)
No show			1	1	1 (2)		4	7 (2)
No longer required					(1)			(1)
Due to emergency	1							1
Surgeon sick						7		7
Total	1	2	2	3	4 (6)	8	9	29 (6)

( ) Minor ops

**Contd .....**

**CONTD ANSWER TO 410****Continued Answer to Question 408****Cancellations April 2009**

Reason for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery	Oral Surgery	Pain Relief	Plastics	Total
Medical	1	1	1	1	1		3		8
Bed availability	1			2					3
Per patient			2	1			2		5
No show			1		(1)		4		5 (1)
No longer required				1	(1)			1	2 (1)
Surgeon sick				2					2
Due to emergency	1								1
Total	3	1	4	7	1 (2)	-	9	1	26 (2)

( ) Minor ops

**Cancellations May 2009**

Reason for Cancellation	ENT	Gynaecology	Ophthalmology	Orthopaedics	General Surgery	Oral Surgery	Pain Relief	Spinal	Total
Medical				1		1		1	3
Per patient	2			2					4
No show			3		(1)		1		4 (1)
Surgeon sick					8				8
Total	2	-	3	3	8 (1)	1	1	1	19 (1)

( ) Minor ops

## **SUPPLEMENTARY TO QUESTION NOS. 407 TO 410 OF 2009**

**HON N F COSTA:**

I am grateful to the Minister. In respect of Question No. 409, the Minister says that once the diagnosis is made the operation will be performed without delay. In real terms does that mean straight away on the same day or are we speaking of a window of maybe one or two weeks? Does it also depend on the variable factors that she said before, such as those in relation to Question No. 407, for instance, bed availability, the patients cancelling et cetera?

**HON MRS Y DEL AGUA:**

The answer he has just related to concerns elective surgery, this would not be considered as elective surgery. The time window in which the surgery would have to be carried out would be up to the discretion of the consultant. His clinical sort of decision.

**HON N F COSTA:**

I am also curious to know, in respect of the decision as to whether or not patients suffering from cancer and there is a clinical determination made, that he or she must undergo such an intervention. In terms of determining whether the operation will be carried out here in Gibraltar or in the United Kingdom, I am very much thinking that it would be the relevant practitioner who would decide that. I am assuming as well that the patient would have some input, into whether he can be operated in Gibraltar or in the UK. I am thinking specifically about patients who may sometimes may not want to go to maybe Spain or the UK because of language difficulties, would those factors be taken into account?

**HON MRS Y DEL AGUA:**

Yes, absolutely, as long as there is a consultant here with the specialty to carry out the actual surgery that is required.

**NO. 411 OF 2009**

**THE HON N F COSTA**

**GHA – MAMMOGRAPHY SERVICE**

Can the Government say when the GHA will implement the routine mammography service?

**ANSWER**

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

As soon as a third Radiologist has been recruited.

**SUPPLEMENTARY TO QUESTION NO. 411 OF 2009**

**HON N F COSTA:**

If I may quote the Minister somewhat further, that as I understand has been the reason for the GHA not being able to fully implement the service, the routine mammography service. Is the GHA any nearer in respect of this final hurdle, as it would appear to me?

**HON MRS Y DEL AGUA:**

The last I heard was that there was one applicant interested in the post and was going to be interviewed, I believe it was next month.

**HON N F COSTA:**

Am I right in thinking then that the reason why the interview would be next month is because the interested applicant is not from Gibraltar, is from outside?

**HON MRS Y DEL AGUA:**

That is correct.

**NO. 412 OF 2009**

**THE HON N F COSTA**

**GHA – CANCER SCREENING PROGRAMMES**

Can the Government say whether the GHA team review panel has reported its recommendations to Government to introduce new cancer screening programmes, including lung, prostate and colon?

**ANSWER**

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

No recommendations have been made yet.

**SUPPLEMENTARY TO QUESTION NO. 412 OF 2009**

**HON N F COSTA:**

If I recall correctly and the Minister will correct me if I am wrong, I believe that that was the answer that was provided more or less on the last occasion. Can the Minister be somewhat more specific in what stage the review panel is at, in order for us to better understand the position in which the GHA finds itself, and when maybe these recommendations will be put to Government?

**HON MRS Y DEL AGUA:**

I think I was quite specific the last time round when he asked the same question. I explained to the hon Member that the team that has been tasked with making these recommendations to Government were still looking at the different options. I think I explained at the time that there was a difference of opinion, both here and in the UK, actually, about different cancers, prostate screening, which have not been proven to be as effective as one would have thought in the UK, and that is still where we are at.

**NO. 413 OF 2009**

**THE HON N F COSTA**

**GHA – HOUSE ATTENDANCES BY GP'S**

Can the Government say the number of actual house attendances by GPs in respect of March 2009 to date?

**ANSWER**

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

As I explained to the hon Member at length in answer to Question No. 887 of 2008, the information that has historically been provided has been the calls logged and not the calls attended. A database of house calls attended is not kept as it is not considered necessary for clinical purposes.

**SUPPLEMENTARY TO QUESTION NO. 413 OF 2009**

**HON N F COSTA:**

Yes, I understand that perhaps it may not be necessary for it to be kept for clinical purposes, but how may I ask would Government monitor whether the number of GPs employed is in fact sufficient if it does not log the actual attendances made by GPs?

**HON MRS Y DEL AGUA:**

I already explained that it is not always necessary for the GP to attend the house call, and his question of how we monitor is that it is obvious that whether through going to the person's house, through attending the patient over the telephone, or through any other means that the GPs have available or at their disposal, it is obvious that they are meeting all the demands that are required of them.

**HON N F COSTA:**

But the point that I am trying to make, what I am trying to establish is that if there is no record kept as to whether despite the call log there was an attendance, how can the Minister say to me that she is satisfied that the number of GPs is adequate?



**HON MRS Y DEL AGUA:**

Mr Speaker, because they are meeting the population's need whenever they put in a house call, by either physically attending the home, attending them over the phone, because the calls are logged and they do reply to all the calls that are made to the Health Centre. Now, sometimes they feel that they have to visit sometimes they can even prescribe over the phone or give advice over the phone. So we do know what the demand is and we are meeting the demand.

**NO. 414 OF 2009**

**THE HON N F COSTA**

**GHA – SPONSORED PATIENTS**

Can Government say what criteria the GHA employs in deciding whether to send a patient to Spain or the UK as a sponsored patient?

**ANSWER**

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

Answered together with Question No. 415 of 2009.

**NO. 415 OF 2009**

**THE HON N F COSTA**

**GHA – REFERRALS TO UK OF KGV HOSPITAL PATIENTS**

Can the Government say on what basis are referrals made for patients of the KGV Hospital to attend the UK for treatment and in what instances are referrals made which result in the relevant doctor or doctors travelling from UK to assess a specific patient instead of the patient travelling?

**ANSWER**

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

Once a decision is made to refer for tertiary treatment, this Government's policy is that access to Spain or the UK is the patient's choice, assuming the treatment required is available in both countries.

Tertiary referrals, including those to the South London and Maudsley Hospital Trust, that may require prolonged hospitalisation may be preceded by an on-site pre-assessment visit to Gibraltar by a team from the Maudsley, or other tertiary facility, to establish the acceptance of the referral and to communicate the proposed treatment plan.

In some cases, if the patient's condition is stable and if the psychiatrist accepting the referral is of the opinion that the assessment can be optimised in the UK, then the patient will travel to the UK for the assessment.

In some cases, because of delay or potential delay in access to assessment beds in the UK, the psychiatrist may travel to Gibraltar to facilitate the decision on definitive treatment.

**NO. 416 OF 2009**

**THE HON N F COSTA**

**GHA – ANAESTHETISTS**

Can the Government say how many anaesthetists the GHA employs?

**ANSWER**

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

Answered together with Question No. 417 of 2009.

**NO. 417 OF 2009**

**THE HON N F COSTA**

**GHA – ANAESTHETISTS**

Can the Government say whether anaesthetists are on permanent or on renewable contracts?

**ANSWER**

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

The GHA currently has employment contracts with six anaesthetists.

All anaesthetists are on three-year renewable contracts.

**SUPPLEMENTARY TO QUESTION NOS. 416 AND 417 OF 2009**

**HON N F COSTA:**

Was I right in understanding that answer that all six anaesthetists are on exactly the same type of contract, or is there any distinction between any of the anaesthetists?

**HON MRS Y DEL AGUA:**

I need notice of that question but from memory I think that they are all on the same type of contract. They are certainly all on three-year renewable contracts, whether the terms and conditions vary I doubt it very much.

**HON G H LICUDI:**

Can the Minister say whether in respect of any of these anaesthetists a contract has already been renewed? I know that they are on renewable contracts but has one already been renewed from a previous three-year renewable contract?

**HON MRS Y DEL AGUA:**

I am not aware, I do not know the answer to that question.

**NO. 418 OF 2009**

**THE HON N F COSTA**

**GHA – RETENTION ALLOWANCE**

Can the Government say which medical or any other professionals receive the retention allowance?

**ANSWER**

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

Consultants in certain specialties are paid an allowance when there has been a failure to recruit to that specialty, the radiologist being a case in point.

In some cases the allowance has continued to be paid on renewal of contract as a retention allowance, which answers Mr Licudi's question because it is obvious that there are some contracts that have already been renewed, with the answer that I have just provided.

**SUPPLEMENTARY TO QUESTION NO. 418 OF 2009**

**HON G H LICUDI:**

Does the Minister have any concerns in respect of the application of the Fixed Term Contracts Regulations, and the effect of renewing contracts whereby the possibility, I am only raising it as a possibility, that after four years they are considered permanent contracts, and therefore the nature of the contract could change as a matter of statutory provision? Is the Minister familiar with this and has any concern because they may be getting the benefit of the short-term contract, in terms of salary, gratuity and all that, and on top of that, by virtue of statutory provisions, they may also be getting the benefit of a permanent employment?

**HON MRS Y DEL AGUA:**

I believe that is the way it has always been, even during the time of their administration. Whether the law has now changed, and I know that it has, that is something that the GHA is very aware of and I think it is looking at the way it deals with contracts in the future, because we are very aware that this is the case. But I must say that the reason for having people or consultants on three-year contracts has always been, during their time and during ours, to allow graduates who come back to take up the post. Although this is becoming increasingly difficult, as the hon Member is aware.

**HON G H LICUDI:**

The law has in fact changed since 1996, so although the practice of having renewable contracts was in place at the time of the GSLP administration, what I am particularly concerned that the Minister should enquire about is the effect of the legislation on these types of contracts. Perhaps the Minister, without giving us an answer now, can just go away and look at this because if the reason for the existence of renewable contracts , or short-term contracts, is that the post itself should be available for graduates or people who are sent under our scholarship scheme to study for these particular positions, if the effect in reality and as a matter of statutory provision is that these posts are not in fact available because they are filled, in effect, on a permanent basis then it defeats the purpose of the renewable contract. So I would simply urge the Minister to look at this quite closely.

**HON MRS Y DEL AGUA:**

I thank him very much for urging me but as I already said, the GHA is already looking at this. In fact, it has sought legal advice on the matter.

**NO. 419 OF 2009**

**THE HON N F COSTA**

**GHA – REGISTERED MENTAL HEALTH NURSES**

Can Government say how many British-Gibraltar nurses in the KGV Hospital are Registered Mental Nurses?

**ANSWER**

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

Answered together with Question No. 420 of 2009.



**NO. 420 OF 2009**

**THE HON N F COSTA**

**GHA – REGISTERED MENTAL HEALTH NURSE TRAINING**

Does the GHA currently run a course locally for Staff Nurses to train as Registered Medical Nurses?

**ANSWER**

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

In answer to Question No. 419 of 2009, the answer is two.

In answer to Question No. 420 of 2009, the post of Registered Medical Nurse does not exist. I assume that he is referring to the post of Registered Mental Health Nurse.

**SUPPLEMENTARY TO QUESTION NOS. 419 AND 420 OF 2009**

**HON N F COSTA:**

Registered Mental, yes, I apologise that was a mistake.

**HON MRS Y DEL AGUA:**

The answer to that is no. We do not provide local courses.

**HON N F COSTA:**

May I ask the Minister whether the GHA does have any plans to introduce such a course, and I also ask the Minister whether she has received any interest from local nurses to be able to train to become Registered Mental Health Nurses?

**HON MRS Y DEL AGUA:**

The GHA is currently examining the feasibility of operating a three year registered mental health programme in conjunction with Kingston University. That programme would allow the first year to be provided here in Gibraltar with a subsequent two years provided in the UK. This would be a considerable improvement reducing the total training time to three years, from the current model which takes four and a half

years. I have no doubt that the situation at the moment is that if any staff nurse wants to register as a mental health nurse, the GHA would have no difficulty in allowing that but it is always the case that they need to go to the UK until we establish this programme, if it does come to fruition.

**HON N F COSTA:**

One of the issues that I imagine arises are that Staff Nurses in Gibraltar may, or are likely to be persons with families and therefore they may have some difficulty because of the payments of mortgage and living xxxxxx et cetera, to go to the United Kingdom, as the Minister has now indicated, to follow on the course. Would there be any incentives put in place for local staff if they wanted, to take advantage of any locally based course to train as a Registered Mental Health Nurse once that is established? As I say, I understand that one of the problems that some of these Staff Nurses face is that there is no incentive, there is no appeal for them to do it because of life commitments et cetera, even though the desire would be to train as a Registered Mental Health Nurse.

**HON MRS Y DEL AGUA:**

I would not want him to hold me to account 100 per cent with what I am now going to say. I believe that the situation now is, and this change happened quite recently, whereas before people who went away to study had to go away on a bursary, this Government decided that because of the things that he has just described which were impeding them from leaving, they can now leave with their basic salary. What they obviously lose out on is on overtime and things like that. But it is an improvement to what existed before.

**HON N F COSTA:**

I am grateful.

**NO. 421 OF 2009**

**THE HON N F COSTA**

**GHA – CLINICAL NURSE SPECIALISTS**

Can Government say whether the vacancies in respect of the posts of Clinical Nurse Specialists for Adults and Children in respect of the specialist care have now been filled?

**ANSWER**

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

If the question is in reference to the two Diabetic Nurse Specialist posts, these posts have as yet not been filled.

**SUPPLEMENTARY TO QUESTION NO. 421 OF 2009**

**HON N F COSTA:**

May I simply quickly ask whether there have been any interests in any applications in respect of these posts?

**HON MRS Y DEL AGUA:**

In fact, I thought the hon Member's supplementary would be something different because the last time I answered this question I actually told him mistakenly, that that same day interviews were being held. I have been informed subsequent to that that because the interviews were being held after I had answered the question, there was some problem with the panel where a member was sick and they had to be delayed. I am now told that interviews will take place, I believe, at the end of this month.

**NO. 422 OF 2009**

**THE HON N F COSTA**

**GHA – PROCUREMENT OF SURGICAL AND MEDICAL EQUIPMENT**

Can Government state the number of suppliers the GHA uses for the procurement of surgical and medical equipment?

**ANSWER**

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

Answered together with Question No. 423 of 2009.

**NO. 423 OF 2009**

**THE HON N F COSTA**

**GHA – PROCUREMENT OF SURGICAL AND MEDICAL EQUIPMENT**

Can Government say what is the procedure for the procurement of medical and surgical equipment?

**ANSWER**

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

There are 1,046 suppliers listed on the GHA's central database, including local and overseas. Depending on the item requested, the most suitable supplier is sent a request for a quotation.

The procurement process of medical and surgical consumables is continuous and the Procurement Department is actively researching, evaluating and comparing products from different suppliers and manufacturers to achieve best value for money, quality, safety and reliability. The Procurement Department consults with nurses, clinicians, consultants and other related service providers, in order to ascertain the best products available ensuring that suppliers have the market knowledge, experience, products, technical ability and the after sales service that is required.

**SUPPLEMENTARY TO QUESTION NOS. 422 AND 423 OF 2009**

**HON N F COSTA:**

May I ask, once the Procurement Department decides what is the best product, in consultation with these professionals, is that decision then taken to the Chief Executive Officer or the GHA Board to decide what is ordered?

**HON MRS Y DEL AGUA:**

I believe it would be taken, possibly, to the Director responsible for that area.

ORAL

**NO. 424 OF 2009**

**THE HON N F COSTA**

**GHA – COMPLAINTS LODGED**

Can the Minister for Health give this Parliament the number of informal and formal complaints lodged since March 2009 to date on a monthly basis?

**ANSWER**

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

As follows:-

<b>MONTH</b>	<b>FORMAL</b>	<b>INFORMAL</b>
March 2009	7	22
April 2009	2	4
May 2009	1	3

**NO. 425 OF 2009**

**THE HON N F COSTA**

**GHA – REPEAT PRESCRIPTIONS**

Can the Government say how many different models used in the United Kingdom for repeat prescriptions are currently being considered by the GHA and what does each entail?

**ANSWER**

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

The models in the UK are primarily two. The first is where the repeat prescription arises from the doctor's clinic and the second is where the pharmacist is empowered to prescribe.

In the case of the doctor's clinic, these are issued by practice nurses or nurse practitioners who are specifically trained to prescribe repeat prescription for patients with certain chronic diseases, whose disease is stable and well controlled. In the second model, the pharmacist is trained to issue, that is prescribe, repeat prescriptions for patients with chronic illnesses.

Although the GHA is indeed looking at these models, I believe that the final solution for Gibraltar may include an enhanced role in clinical pharmacy practice in Primary Care, linking the current role of the PPAU along with the recruitment of a Clinical Pharmacist, and legislative changes to allow nurse prescribing.

**NO. 426 OF 2009**

**THE HON G H LICUDI**

**HEALTH AND SAFETY REVIEW**

Can Government state whether it has now taken a decision on the restructure and reform of the health and safety capability following its announcement of a review in April 2008?

**ANSWER**

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

Not yet.

**SUPPLEMENTARY TO QUESTION NO. 426 OF 2009**

**HON G H LICUDI:**

Does the fact that the Minister is now answering this question on the health and safety capability and reform signify any change of policy or direction of the Government, given that this was previously handled by the Hon Mr Montiel?

**HON MRS Y DEL AGUA:**

No, this question was answered by myself the last time. It was the debate that ensued as a result of a supplementary on an employment question that it was debated in full, where the Chief Minister was involved as well. The actual question came to me.



**NO. 427 OF 2009**

**THE HON G H LICUDI**

(On behalf of the Hon J J Bossano)

**GHA – RECRUITMENT OF CONSULTANTS**

Can Government confirm whether the policy of the GHA in the recruitment of consultants is to require applicants to have previously been employed as consultants, elsewhere?

**ANSWER**

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

The policy of the GHA and, indeed, the NHS Trust and all places in Europe is that the applicants must possess a certificate of specialist training in the specialty, but they do not need to have been a consultant elsewhere.

ORAL

**NO. 428 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

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

**ANSWER**

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

The Development Appeals Tribunal has not met since this question was last asked.

**NO. 429 OF 2009**

**THE HON N F COSTA**

**GHA – DR MALIK**

Can the Government say whether Dr Malik is still suspended on full pay?

**ANSWER**

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

Answered together with Question No. 430 of 2009.

**NO. 430 OF 2009**

**THE HON N F COSTA**

**GHA – DR MALIK**

Can the Government say whether the investigation into Dr Malik has now concluded and if so with what results?

**ANSWER**

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

Mr Malik's employment status remains the same as the last time that this question was answered.

The investigation has not yet been concluded.

**NO. 431 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – TRAINING COURSES**

Can Government state what training courses have the City Fire Brigade fire personnel attended in the UK in the last three years excluding the courses that new recruits attend in the UK as part of their induction?

**ANSWER**

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

Answered together with Question Nos. 432 to 438 of 2009.

**NO. 432 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – SHIP FIRE FIGHTING COURSES**

Can Government state when was the last time that firemen from the City Fire Brigade attended a course or courses for ship fire fighting?

**ANSWER**

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

Answered together with Question Nos. 431 and 433 to 438 of 2009.

ORAL

**NO. 433 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – FIRE SIMULATOR**

Can Government confirm when it purchased a fire simulator for the City Fire Brigade, what was its cost and whether it is currently being used?

**ANSWER**

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

Answered together with Question Nos. 431, 432 and 434 to 438 of 2009.

**NO. 434 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – EQUIPMENT FOR TACKLING SHIP FIRES**

Can Government state what equipment has been purchased in the last three years for the City Fire Brigade to be able to tackle a fire in a ship given the fact that port operations such as bunkering have increased?

**ANSWER**

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

Answered together with Question Nos. 431 to 433 and 435 to 438 of 2009.



ORAL

**NO. 435 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – HEALTH AND SAFETY AUDIT REPORT**

Can the Minister state whether one of the recommendations in the internal health and safety audit conducted by management of the City Fire Brigade mentions the fact that the entrance to the offices, rest places and other parts of the station are inadequate?

**ANSWER**

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

Answered together with Question Nos. 431 to 434 and 436 to 438 of 2009.

ORAL

**NO. 436 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – HEALTH AND SAFETY AUDIT REPORT**

Is Government envisaging having an independent health and safety audit report into the City Fire Brigade?

**ANSWER**

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

Answered together with Question Nos. 431 to 435, 437 and 438 of 2009.

ORAL

**NO. 437 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – VACANT POSTS**

Can Government state whether there are any other vacant posts within the City Fire Brigade which have not been filled and if so, since when have they been vacant?

**ANSWER**

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

Answered together with Question Nos. 431 to 436 and 438 of 2009.

**NO. 438 OF 2009**

**THE HON S E LINARES**

**QUESTION WITHDRAWN**

Since the Chronicle has already announced that the Chief Fire Officer has been appointed, I would like to withdraw this Question.

**ANSWER**

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

Courses attended by City Fire Brigade personnel in the UK are as follows:-

In 2006/2007

Repair and Maintenance Course.  
Risk Assessment Course.  
Powerboat Level 2 Course.  
ICC Course.  
Fire Safety Solutions.  
Rope Rescue Level 2 – Supervisor.  
Rope Rescue Level 2 – Supervisor (re-assessment).  
Command Course.  
Fire Safety Building Regulations and Guidance Course.  
Conference on Fires in Car Parks.

In 2007/2008

Marine Fire Firefighting.  
International Divisional Command Course.  
Fire Safety Foundation Phases 1 & 2 Theory and Practice.  
Practical Fire Investigation Course.  
Fire Safety in Building Design using DD9999.  
Fire Safety Engineering Principles.  
Breathing Apparatus Care and Maintenance Training Course.

In 2008/2009

Fire Safety Solutions in Higher LRP Course.  
Fire Alarms and Emergency Lighting Course.  
Fire Safety Conference and Workshop.  
Practical Fire Investigation Course.  
Familiarisation visit to South East Ambulance Service Trust Control Centre.  
Incident Command Crew and Watch Manager Course.

In 2009/2010

Risk Assessment Course.  
Fire Safety Foundation Course (Practice).

In answer to Question No. 432, in April 2007.

In answer to Question No. 433, the fire simulator was purchased at a cost of £139,600 and delivered to Gibraltar in January 2007. Currently the fire simulator is in the process of being moved to the designated site for installation. Infrastructure works are already in hand and it is envisaged to be operational within the next few months.

In answer to Question No. 434, the City Fire Brigade has purchased numerous items of fire fighting equipment over the last three years. All of them, or rather, these items are mainly for use in any fire situation including ship fires.

The items of equipment are:-

Hoses.  
Training Simulator.  
Foam.  
Breathing Apparatus Equipment.  
High Combat Fire Nozzles.  
Radios.  
Extinguishers.  
Sledge Hammer.  
Training Dummy.  
Distress Signal Units.  
Breathing Apparatus, tabord, personal line and pouch.

In answer to Question No. 435, there is a recommendation to segregate vehicle and pedestrian areas as these share the same access and egress area to the Station. However, even before the audit was carried out, measures had been put in place to ensure that pedestrians are not put at risk due to vehicle movements.

In answer to Question No. 436, the answer is no.

In answer to Question No. 437, there is one vacancy for Sub-Officer. This post has been vacant since July 2008. Interviews for this post are being held this month.

The hon Member, I believe, has withdrawn the last question.

#### **SUPPLEMENTARY TO QUESTION NOS. 431 TO 438 OF 2009**

**HON S E LINARES:**

Since the Minister has answered all the questions together I will just quickly ask some supplementaries to some of the questions. For example, the Minister stated very quickly and could she just state when was the simulator purchased? It is Question No. 433. It is just that I missed that.

**HON MRS Y DEL AGUA:**

In January 2007.

**HON S E LINARES:**

Therefore, the supplementary is why has it taken as long as from 2007 to 2009 to put that fire simulator into operation?

**HON MRS Y DEL AGUA:**

The explanation I have been given by Management is that a site was originally identified and, therefore, the fire simulator was ordered. When it eventually arrived in Gibraltar, for some reason or another, the site was no longer available, and they had to wait for a suitable site which has now been provided.

**HON S E LINARES:**

Thank you. In relation to Question No. 434, the Minister mentioned a whole list of equipment and just grasping very quickly some of the items of equipment that she mentioned, would she not consider some of those to be of general usage rather than specific to the port operations, because the question asked specifically for port operations? As an example, if I can remember correctly, I think she said radios. As a layman, I would assume that those items of equipment are of general use rather than specific. From the list, is it possible for the Minister to say which one is specific for port operations?

**HON MRS Y DEL AGUA:**

I prefaced the answer by saying that the items are mainly for use in any fire situation, including ship fires.

**HON S E LINARES:**

Exactly, so therefore, I am asking the supplementary. The Minister might not be able to provide the information because she is not an expert. Neither am I for that matter, but the question was specific because what I wanted to do was to sift through the list and separate the items, as in what is for general use and what is specific for port operations. If the Minister has not got that information, I can either ask her the question again next time or I could write to her in order for her to give me that information.

**HON MRS Y DEL AGUA:**

I am a layman or laywoman myself. But looking down the list, it is common sense to assume that all of these are used in ship fire fighting.

**HON S E LINARES:**

Yes, but I have actually said “specific”. For example, as I understand it, one does not put a fire out, this again talking off the top of my head without being an expert, and maybe I am completely wrong, when a boat is in the water, with water. Apparently there is some sort of foam that they use or whatever, I do not know, I am not sure, but is there any equipment from the list there that is specific to port operations? That was my question.

**HON MRS Y DEL AGUA:**

Well, using the example that he has just given, foam is on the list and I assume that the equipment that is used for the foam to issue, from whatever it is that it comes out of, is already in the possession of the City Fire Brigade, or else there would be no reason for asking for the foam.

**NO. 439 OF 2009**

**THE HON C A BRUZON**

**HOUSING – NEW APPLICANTS AGED BETWEEN 18 AND 21**

Can Government state how many applicants for Government housing, between the ages of 18 and 21, have been accepted since the new Housing Allocation Rules were introduced recently?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 440 of 2009.



**NO. 440 OF 2009**

**THE HON C A BRUZON**

**HOUSING – NEW APPLICANTS AGED BETWEEN 18 AND 21**

Can Government state from what date have persons under 21 but not younger than 18, been able to apply for Government housing in accordance with the recent changes to the Housing Allocation Rules?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A total of 18 applicants for Government housing, between the ages of 18 and 21, have been accepted since the new Housing Allocation Rules were introduced recently.

Persons under 21 but not younger than 18 have been able to apply for Government housing in accordance with the recent changes since 1<sup>st</sup> June 2009. This was clearly explained in a Government Press Release dated 27<sup>th</sup> May 2009, which expressly stated that changes to the Housing Allocation Rules became effective as from Monday 1<sup>st</sup> June 2009.

**SUPPLEMENTARY TO QUESTION NOS. 439 AND 440 OF 2009**

**HON C A BRUZON:**

Has the other change which I have not mentioned in my question, reducing the pre-list from two years to one year, has that been influential? The figure 18 quoted, would some of those 18 be there because of the change in the pre-list?

**HON F J VINET:**

No, because the change in the pre-list announced what used to be a two year pre-list period now being halved to one year. Therefore, those applicants who can now apply, aged between 18 and 21, would automatically enter the new one year pre-list but not the waiting list proper.

ORAL

**NO. 441 OF 2009**

**THE HON C A BRUZON**

**HOUSING – MEDICALLY RECOMMENDED APPLICANTS ON THE 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. 442 to 444 of 2009.

**NO. 442 OF 2009**

**THE HON C A BRUZON**

**HOUSING – MEDICALLY RECOMMENDED APPLICANTS**

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. 441, 443 and 444 of 2009.

ORAL

**NO. 443 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS PLACED ON MEDICAL LISTS**

Since the answer given to Question No. 109 of 2009, 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. 441, 442 and 444 of 2009.

**NO. 444 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS REMOVED FROM MEDICAL LISTS**

With reference to the answer given to Question No. 110 of 2009, can Government state how many applicants, since that date, have been removed from the various Medical Housing Lists “A+”, “A”, “B”, and “C” because a suitable dwelling has been found for them and give the dates?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 444****Answer to Question 441**

There are 57 applicants on the Housing Waiting List, to date, who are medically recommended as follows:

Medical A+ - 5  
A - 15  
B - 17  
C - 20

**Answer to Question 442**

There are 194 applicants, to date, who are medically recommended, apart from those who are described as applicants on the Housing Waiting List, as follows:

Medical A+ - 30  
A - 62  
B - 43  
C - 59

**Answer to Question 443**

Since the answer given to Question No. 109 of 2009 a total of two applicants have been placed on the various medical lists, as follows:

Date	A+	A	B	C
March (as from 12/03/09)	-	-	-	-
April 2009	1	-	-	-
May 2009	1	-	-	-
June (up to 04/06/09)	-	-	-	-

**Answer to Question 444**

Since the answer given to Question No. 110 of 2009, a total of six applicants have been removed from the various Medical lists, because a suitable dwelling has been found for them, as follows:

Date	A+	A	B	C
March (as from 12/03/09)	2	-	-	-
April 2009	-	-	-	1
May 2009	3	-	-	-
June (up to 04/06/09)	-	-	-	-

**ORAL**

**NO. 445 OF 2009**

**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. 446 to 448 of 2009.

ORAL

**NO. 446 OF 2009**

**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**

Answered together with Question Nos. 445, 447 and 448 of 2009.



**NO. 447 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS REMOVED FROM SOCIAL CATEGORY “A” LIST**

With reference to the answer given to Question No. 102 of 2009, 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. 445, 446 and 448 of 2009.

ORAL

**NO. 448 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS PLACED ON SOCIAL CATEGORY “A” LIST**

Since the answer given to Question No. 103 of 2009, 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**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 448**

**Answer to Question 445**

Seventy eight persons are currently on the Housing Social Category “A” list.

**Answer to Question 446**

Twenty eight applications for housing from persons classified as homeless are currently being dealt with by the Housing Department.

**Answer to Question 447**

Since the answer given to Question No. 102 of 2009, a total of 13 applicants have been removed from the Social Category “A” list because a suitable dwelling has been found for them, as follows:

March (as from 12/03/09)	-	5
April 2009	-	5
May 2009	-	3
June (up to 04/06/09)	-	Nil

**Answer to Question 448**

Since the answer given to Question No. 103 of 2009, a total of four applicants have been placed on the Social Category “A” list as follows:

March (as from 12/03/09)	-	Nil
April 2009	-	4
May 2009	-	Nil
June (up to 04/06/09)	-	Nil

**SUPPLEMENTARY TO QUESTION NOS. 445 TO 448 OF 2009**

**HON C A BRUZON:**

I notice that there is very little difference in terms of people on the Social Category "A" list since the asked the question in March. In fact, in March it was 79 and now it is 78. Can the Minister confirm what has been the proportion of new entries into this category and what is the proportion of solutions offered to these people since March?

**HON F J VINET:**

The answer to the question is precisely the answers given to Question Nos. 447 and 448, although the total number of persons currently on the Housing Social Category "A" list is very similar to what it was a few months ago, there has been very significant movement. In answer to Question No. 447, the hon Member will be able to see that, in fact, a total of 13 applicants have been removed from the list because a suitable dwelling has been found for them. In fact, if the hon Member were to look at past answers to similar questions, this is actually a very high number. There have been occasions in the past when looking at a similar time scale, as few as two or three allocations have been made. On this occasion, in fact, thirteen which I think is very good news, and I also perhaps add to that that, in fact, there are a further nine socially categorised persons who have been offered a flat in the past few days, but who have yet to actually formally accept those offers. So there has been a very significant amount of movement.

**HON C A BRUZON:**

I thank the Minister for the information given. This proves to me the helpfulness, if one likes, of the Minister answering the questions verbally because then people like our guests in the public gallery and people listening to the radio will in fact know what has been happening. So thank you.

ORAL

**NO. 449 OF 2009**

**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**

Answered together with Question No. 450 of 2009.

**NO. 450 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS ON 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**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 450**

**Answer to Question 449**

There are currently 1091 applicants on the Housing Waiting List, as follows:

1RKB	-	584
2RKB	-	70
3RKB	-	258
4RKB	-	162
5RKB	-	17

**Answer to Question 450**

There are currently 202 applicants on the Pre-list as follows:

1RKB	-	130
2RKB	-	11
3RKB	-	38
4RKB	-	19
5RKB	-	3
6RKB	-	1

**SUPPLEMENTARY TO QUESTION NOS. 449 AND 450 OF 2009**

**HON C A BRUZON:**

I thank the Minister for the information given in writing. The Housing lists have gone up by ten in total. Basically the pre-list and the waiting list proper was 1283 in March and now in June it stands at 1293. Can the Minister give an explanation as to why the Housing Waiting Lists are going up and not down?

**HON F J VINET:**

Well, what I can say is that the reason is certainly not because of fewer number of allocations. In fact, I think the opposite is the case. The question is divided into two parts, the actual waiting list proper and the pre-list, which previously used to be two years and is now one year. I mean, there has been of course an inescapable and completely expected increase in the waiting list because by halving the pre-list from two years to one year means that people who otherwise had to wait an extra year have now been moved on to the waiting list proper. That is the bulk of numbers making up the increase. Why the waiting list continues to increase regardless of the fact that more allocations are made, there is no scientific assessment of this. I mean, if he were to ask my own personal opinion I think there are two factors. Firstly, the fact that in the current economic climate mortgage lenders are perhaps hesitant to facilitate mortgages, property prices are more expensive than they used to be some years ago and, therefore, people who may otherwise have preferred to purchase their own home are now putting their names down hoping for Government housing. I think another factor, I know for a fact because I have heard this myself from several people, after the announcement of the new rental estate, which as we know is situated in a prime location, has underground, covered parking and so on, that in itself has made people see the application for public housing as a more attractive proposition than may have been the case in the past. I think that is also a factor to take into account. Those are entirely my own personal views on the matter.



ORAL

**NO. 451 OF 2009**

**THE HON C A BRUZON**

**HOUSING – DWELLINGS FOR REFURBISHMENT**

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. 452 and 453 of 2009.

**NO. 452 OF 2009**

**THE HON C A BRUZON**

**HOUSING – JOBS REQUIRING ATTENTION BY BUILDINGS & 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. 451 and 453 of 2009.

**NO. 453 OF 2009**

**THE HON C A BRUZON**

**HOUSING – TENANTS REQUIRING WORK IN THEIR 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**

The number of flats currently with Buildings and Works requiring refurbishment is 15.

The number of jobs currently requiring the attention of Buildings and Works, as at 9<sup>th</sup> June 2009, was 4085.

The number of tenants awaiting works/repairs by the Housing Department, again as at 9<sup>th</sup> June 2009, is 1238.

**SUPPLEMENTARY TO QUESTION NOS. 451 TO 453 OF 2009**

**HON C A BRUZON:**

Again, if I can just tap the Minister for Housing a little bit in connection with the figures which are on the increase, however slightly, but we seem to be caught with a rather substantially large figure of people awaiting jobs to be done in their homes, and in terms of tenants awaiting for jobs to be done in their homes. In answer to a question in March, the number of jobs currently requiring the attention of Buildings and Works was 4066, now it is 4085. In answer to the other question, a similar question, how many tenants are currently listed, the figure has gone up from 1118 to 1213. Why is this?

**HON F J VINET:**

Well, I note that the hon Member has been very selective in the figures he chooses to bring across to the House. Have the figures gone up since the question was asked in March? Absolutely. Is there an upwards trend generally, I think not, because in fact, if the hon Member would have looked back not just to the last question but the question before last, the outstanding number of jobs was in fact 4343, which means that, as far as today's date is concerned, the numbers are down approximately 200 or so. In fact, as far as the number of tenants awaiting repairs is concerned, at this time last year the number was 2078 which means we have gradually practically

halved the number of tenants. Although I recognise that the numbers are up from last time. But perhaps as a very clear example of just how much these figures can fluctuate, in fact I happen to have with me the schedule with all these figures prepared on Thursday or Friday of last week, I happened to ask for an update yesterday afternoon and the figures were completely different. In fact, I will mention them. Just last week, the number of tenants awaiting repairs stood at 1478, that is at 3<sup>rd</sup> June, now that figure has gone down to 1230 within a matter of days. So really, the answer I give him will depend greatly on the date and time when the question has been asked. The figures do fluctuate.

**NO. 454 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have applied for rent relief, to date, since the answer to Question No. 93 of 2009, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 455 to 458 of 2009.

ORAL

**NO. 455 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have received rent relief, to date, since the answer to Question No. 94 of 2009, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 454 and 456 to 458 of 2009.

ORAL

**NO. 456 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households were on full rent relief, to date, since the answer given to Question No. 95 of 2009, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 454, 455, 457 and 458 of 2009.

**NO. 457 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households on rent relief have had this benefit terminated, to date, since the answer to Question No. 96 of 2009, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 454 to 456 and 458 of 2009.



ORAL

**NO. 458 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have had the level of rent relief reduced, to date, since the answer to Question No. 97 of 2009, 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 458****Answer to Question 454**

The number of households that have applied for Rent Relief, to date, since the answer given to Question No. 93 of 2009 is as follows:

March (as from 11/03/09)	-	3 Active
April 2009	-	11 (8 Active)
May 2009	-	5 (4 Active)
June (up to 03/06/09)	-	1 Active

**Answer to Question 455**

The number of households that have received Rent Relief, to date, since the answer given to Question No. 94 of 2009 is as follows:

March (as from 11/03/09)	-	971
April 2009	-	1019
May 2009	-	963
June (up to 03/06/09)	-	876

**Answer to Question 456**

The number of households that were on full Rent Relief, to date, since the answer given to Question No. 95 of 2009 is as follows:

March (as from 11/03/09)	-	79
April 2009	-	94
May 2009	-	89
June (up to 03/06/09)	-	83

**Answer to Question 457**

The number of households, on Rent Relief, that have had this benefit terminated, to date, since the answer given to Question No. 96 of 2009 is as follows:

March (as from 11/03/09)	-	9
April 2009	-	13
May 2009	-	2
June (up to 03/06/09)	-	1

**Answer to Question 458**

The number of households that have had the level of Rent Relief reduced, to date, since the answer given to Question No. 97 of 2009 is as follows:

March (as from 11/03/09)	-	0
April 2009	-	0
May 2009	-	23
June (up to 03/06/09)	-	0

**NO. 459 OF 2009**

**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, since the answer to Question No. 100 of 2009 giving a monthly breakdown, and what is the total of arrears covered by such agreements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A schedule is on its way with full details. But just to summarise, a total of 83 tenants have entered into agreements since the answer given to Question No. 100 of 2009, amounting to a total of £287,847.71.

**Answer to Question 459**

The total number of tenants that have entered into agreements to pay arrears of rent since the answer given to Question No. 100 of 2009 is 83.

The monthly breakdown and total of arrears covered by such agreements is as follows:

	<b>Total agreements</b>	<b>Amount</b>
March (as from 11/03/09)	14	£48,373.25
April 2009	16	£49,464.43
May 2009	49	£172,809.38
June (up to 03/06/09)	4	£17,200.65
		<u>£287,847.71</u>

ORAL

**NO. 460 OF 2009**

**THE HON C A BRUZON**

**HOUSING – PRE-WAR UNITS ALLOCATED**

Can Government state how many pre-war housing units have been allocated, to date, since the answer given to Question No. 106 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 461 and 462 of 2009

**NO. 461 OF 2009**

**THE HON C A BRUZON**

**HOUSING – POST-WAR UNITS ALLOCATED**

Can Government state how many post-war housing units have been allocated to social cases since the answer given to Question No. 107 of 2009, providing a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 460 and 462 of 2009.

**NO. 462 OF 2009**

**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 answer to Question No. 108 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A total of six pre-war housing units have been allocated to date since the answer given to Question No. 106 of 2009.

A total of ten post-war housing units have been allocated to social cases since the answer given to Question No. 107 of 2009.

The monthly breakdown is as follows:

March (as from 12/03/09)	-	3
April 2009	-	5
May 2009	-	2
June (up to 04/06/09)	-	Nil

Three Government homes have been allocated to applicants other than by the Housing Allocation Committee since the answer given to Question No. 108 of 2009.

**NO. 463 OF 2009**

**THE HON C A BRUZON**

**HOUSING – REINSTATEMENTS INTO HOUSING WAITING LISTS**

With reference to the answer given to Question No. 118 of 2009, 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**

Seven persons have been re-instated in that manner.



**NO. 464 OF 2009**

**THE HON C A BRUZON**

**HOUSING – NEW GOVERNMENT RENTAL ESTATE**

With reference to the answer given to Question No. 119 of 2009, how many of the 490 applicants who received letters of allocation in the proposed new Government rental estate have since been offered an existing Government flat and how many have accepted?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A total of 18 applicants have been offered an existing Government flat since the answer given to Question No. 119 of 2009. Seven of these have accepted.

**NO. 465 OF 2009**

**THE HON C A BRUZON**

**HOUSING – OVERCROWDING POINTS DISALLOWED**

Can Government state, in respect of applicants already on the Housing List, for each category of list and for each month since Question No. 112 of 2009, how many applicants had overcrowding points disallowed because other people who had sold their homes move in with them?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 466 to 468 of 2009.

**NO. 466 OF 2009**

**THE HON C A BRUZON**

**HOUSING – OVERCROWDING POINTS ALLOWED**

Can Government state, in respect of applicants already on the Housing List, for each category of list and for each month since Question No. 113 of 2009, 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**

Answered together with Question Nos. 465, 467 and 468 of 2009.

**NO. 467 OF 2009**

**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. 114 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 465, 466 and 468 of 2009.

**NO. 468 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICATIONS ACCEPTED**

Can Government state how many applicants for housing were accepted because in the judgement of the Housing Allocation Committee the sale was necessary, giving a breakdown by month since the answer given to Question No. 115 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The answer is none to Question Nos. 465, 466 and 467, and in answer to Question No. 468, since the answer given to Question No. 115 of 2009, a total of five applicants for housing were accepted because in the judgement of the Housing Allocation Committee the sale was necessary. The breakdown is four in March, as from the 12<sup>th</sup> March and one in April.

ORAL

**NO. 469 OF 2009**

**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.101 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 470 of 2009.

**NO. 470 OF 2009**

**THE HON C A BRUZON**

**HOUSING – ANONYMOUS PHONE CALLS**

Can Government state, since they introduced the policy of inviting anonymous phone calls on the non use of Government rented dwellings:

- (a) how many phone calls have been received;
- (b) in how many cases was the information received correct,

and provide a breakdown since the answer to Question No. 117 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I will hand the hon Member the information requested.

**Answer to Question 470**

**Answer to Question 469**

One flat has been repossessed to date since the answer given to Question No. 101 of 2009.

**Answer to Question 470**

- A. 166 phone calls have been received.
- B. 88 cases were found to be correct.

The breakdown as from the 12<sup>th</sup> March 2009 is as follows:

Month	Calls	Correct	Incorrect	Pending further investigation
March (as from 12/03/09)	3	1	1	1
April 2009	2	1	1	-
May 2009	4	2	2	-
June (up to 04/06/09)	Nil	-	-	-



**SUPPLEMENTARY TO QUESTION NOS. 469 AND 470 OF 2009**

**HON C A BRUZON:**

I thank the Minister for the information. In answer to Question No. 469, one flat was repossessed to date. Can the Minister say why this happened? Is that information available?

**HON F J VINET:**

No, in fact, going through answers last Question Time I was provided with that information as supplementary information. I have not got it in this instance but I am happy to seek the information for him.

ORAL

**NO. 471 OF 2009**

**THE HON C A BRUZON**

**HOUSING ALLOCATION COMMITTEE**

Can Government state how many times the Housing Allocation Committee has met since the answer to Question No. 124 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Since the answer given to Question No. 124 of 2009, the Housing Allocation Committee has met a total of five times.

**NO. 472 OF 2009**

**THE HON C A BRUZON**

**HOUSING TRIBUNAL**

Can Government state how many cases the Housing Tribunal:

(a) has dealt with and completed;

(b) is currently dealing with,

since the answer to Question No. 126 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I am informed by the Secretary of the Housing Tribunal that, since Question No. 126 of 2009, the Tribunal has dealt with and completed eight cases and it is currently dealing with 32 cases.

ORAL

**NO. 473 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES**

With reference to the answer given to Question No. 925 of 2008 how many of the 50 Government flats that were to become empty when Waterport Terraces purchasers moved into their new homes, have in fact now become empty?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No. 474 of 2009.

**NO. 474 OF 2009**

**THE HON C A BRUZON**

**HOUSING – GOVERNMENT FLATS AVAILABLE FROM HOME OWNERSHIP SCHEMES**

Can Government state how many Government flats will become available for applicants on the Housing Waiting Lists when purchasers within the three Government Home Ownership Schemes in the South District, move into their new homes?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Seventeen of the fifty Government flats that were to become empty when Waterport Terraces purchasers moved into their new homes have now become vacant.

Thirteen Government flats will become available for applicants on the Housing Waiting lists when purchasers within the three Government Home Ownership Schemes in the South District move into their new homes.

**SUPPLEMENTARY TO QUESTION NOS. 473 AND 474 OF 2009**

**HON C A BRUZON:**

How many did the Minister say for the South District?

**HON F J VINET:**

Thirteen will become available with regard to the South District developments.

ORAL

**NO. 475 OF 2009**

**THE HON C A BRUZON**

**HOUSING – 37 TANKERVILLE HOUSE**

Can Government state when 37 Tankerville House will be available for allocation?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

No, Sir.

ORAL

**NO. 476 OF 2009**

**THE HON C A BRUZON**

**HOUSING – 60/1 PRINCE EDWARD’S ROAD**

Can Government state if the property at 60/1 Prince Edward’s Road was the subject of an allocation by the Housing Allocation Committee, and if so, when was it allocated to the present tenant?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 477 and 478 of 2009.

**NO. 477 OF 2009**

**THE HON C A BRUZON**

**HOUSING – 60/1 PRINCE EDWARD’S ROAD**

Can Government state whether the works on the property at 60/1 Prince Edward’s Road are being carried out by the Government, and if so can they describe the extent of the works, the funds already expended, the estimated cost of all the works and the estimated completion date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 476 and 478 of 2009.



**NO. 478 OF 2009**

**THE HON C A BRUZON**

**HOUSING – 60/1 PRINCE EDWARD’S ROAD**

Can Government state whether the property at 60/1 Prince Edward’s Road has been offered for sale to the sitting tenant?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Yes, Sir, the said property was indeed allocated by the Housing Allocation Committee. This was allocated to the present tenant on 9<sup>th</sup> December 2008.

I can confirm that the works are being carried out by the Government. This comprises general internal and external refurbishment of the property, as per standard procedure with pre-war dwellings. The total amount expended so far is £16,500 and a further estimated cost of £3,400 is required to complete the works. Therefore, the total cost of the works is approximately £19,900 and this is estimated to be completed shortly.

In answer to Question No. 478, no Sir, and thanks the wonders of modern technology, I was asked a supplementary to the previous question as to why the reason for the repossession of the one flat, and I am advised that the person was not making use of the property and we believed they were, in fact, residing in Spain. I am grateful to the person who actually provided me with details.

**NO. 479 OF 2009**

**THE HON C A BRUZON**

**HOUSING – EMPTY BEDSITTERS AT BROTHER O'BRIEN HOUSE**

Can Government state if it intends to give up any of the empty bedsitters at Brother O'Brien House, Glacis Estate, in order to provide premises for the Tenants Association?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

No Sir. Perhaps I ought to add because I was expecting a supplementary. The answer is no Sir, but in fact, I am not aware of any such request having been made through the Ministry for Housing.

**MR SPEAKER:**

I am often confused with the xxxxxxx "can Government state" does the "no" reply to Government cannot state or is the Government stating the answer is no. It is just for my xxxxxx.

**NO. 480 OF 2009**

**THE HON C A BRUZON**

**HOUSING – UPKEEP OF TOWER BLOCKS**

With reference to the answer given to Question No. 127 of 2009, when does the Housing Department plan to paint the entrance areas and stairways of the two Tower Blocks in Glacis Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The Ministry for Housing plans to paint the aforementioned entrances and stairways subsequent to the completion of the lifts project at Constitution House and Referendum House, which is estimated to be at the end of this calendar year.

**NO. 481 OF 2009**

**THE HON S E LINARES**

**EDUCATION – TLR POSTS**

Now that the TLR exercise is complete, can the Minister state whether teachers who are in employment for at least a year are now being offered a contract as opposed to being on supply for a year?

**ANSWER**

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

Answered together with Question No. 482 of 2009.

**NO. 482 OF 2009**

**THE HON S E LINARES**

**EDUCATION – TLR POSTS**

Can the Minister state how many of the 11 TLR posts have now been advertised and how many have now been awarded?

**ANSWER**

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

The answer to Question No. 481 is no Sir and the answer to Question No. 482 is that of the eleven TLR posts referred to in the question, all eleven were advertised and three have been awarded.

**SUPPLEMENTARY TO QUESTION NOS. 481 AND 482 OF 2009**

**HON S E LINARES:**

Without indulging into the same debate as we usually do about the Supply Teachers, is there any light as to when a contract ....., because this has been going on, if I remember correctly, for the past six years? Is there any light as in when the Government are going to start introducing contracts for teachers who are, at least for a year on supply? Since it is a long time now that the Human Resources ....., because it has always been the answer given that the Human Resources are looking at it. The more they look at it the more time passes.

**HON C G BELTRAN:**

Well, if the hon Member did not ask the question we would not have to enter into the debate time and time again. But I am very happy to answer what he is asking. I hope that he sees the thrust of my answer. I am not being cynical. It is just a straightforward factual thing. The hon Member says do not repeat the same arguments, well, if they do not ask the same questions we will not have to repeat the same argument. But I can tell him that yes indeed, this has been going on and being mulled over by Government over a number of years now. I think that the conclusion the Government arrive at, really, is that offering contracts to teachers who are on supply, even if it is for only one year, those who are on long-term supply for a year covering for maternity, for example, this can easily give rise to the teachers in question expecting permanent and pensionable employment almost immediately after the contract. It would create like a two tier supply system where those with contracts believe that they have a foot in the doorway, almost there, and create

conflict which is quite unnecessary. The present system, which I have looked at, I said at the beginning of my time in education that I would give this a certain priority. I have given it priority. The conclusion I arrive at, and the Government arrive at, certainly in the short to medium term, is that contracts really are not the best either for the teachers or the education service, in the interests of the teachers or the education service in the short to medium term. The number of supply teachers that we have around in Gibraltar, potentially supply teachers, qualified teachers around in Gibraltar, all aspiring to permanent and pensionable employment when there are really an average of five to six, give or take one or two teachers who retire in what is a very young profession on a yearly basis. So this is the conclusion. This is the Government position at the moment.

**HON S E LINARES:**

The Government's position is contrary to what the Chief Minister has argued before that they should have a contract. The argument is a U-turn from Government.

**HON C G BELTRAN:**

That is not quite correct, Point of Order.

**MR SPEAKER:**

Put the question and the Minister can answer it.

**HON S E LINARES:**

As far as I am concerned, that is a U-turn for the simple reason that the Chief Minister, in one of these long debates that we had, has said and he asserted that yes, there is an anomaly here, that these teachers should be given a contract, we are looking into this, we have already given instructions to the Human Resources Department in order to draft out a contract. That means that the contract was coming and that is why I pose the question every time in this House. I still seem to be getting an answer, the same answer, although a different one today which is similar to the one he gave me last time in the House. I do not agree that giving a contract creates any expectation. All it does, and the debate that we have had previously about this is the right of workers when they are on supply, as to the rights of workers when they are on contract ..... Workers on supply do not have any rights and we have gone into the debate, going to the bank, trying to get a mortgage, they have not got a full-time job. Giving a contract, and again the Chief Minister agreed with me, gives them some sort of a yearly stability, and therefore, I am surprised now that the Government is now changing its tack not to give these contracts which were promised, which were said by the Chief Minister would happen. The insistence of my putting questions in this House is that it was, as far as the previous Minister of Education was concerned, imminent, it was there, the contract was written, it was nearly out, and certainly, there is no contract and the Government have turned round and said that they do not have the contracts.

**HON C G BELTRAN:**

Mr Speaker, where is the question?

**HON S E LINARES:**

Yes, I do exactly like the Chief Minister. I am giving an explanation, as he does for hours on end, okay and the answers usually do not have anything to do with the question. Here I am at least trying to keep the question relevant. Does the Minister not agree then that there has been a change of Government policy in relation to Supply Teachers?

**HON C G BELTRAN:**

I think that my reply to that will be less vehement than the Chief Minister's would have been had he been here. There has been no U-turn, never has there been a contract imminently waiting on the sidelines to come in. There is no anomaly and there has been absolutely no promise whatsoever, at all, ever, go back into Hansard. What the Chief Minister has said, and I quote him because I was expecting the hon Member to bring up the Chief Minister's comment, and I did my homework, contrary to what the hon Member opposite seems to have done because he has quoted all the wrong words and all the wrong decisions taken by Government. There is no decision, there is no promise, there is no anomaly, there is nothing imminent ever having been promised or said, even intimated by the Government. What the Chief Minister said was that there might be merit possibly in a contract and that he was sure the Department of Education would look into it. That is exactly what I have done since I came in and that is the conclusion that the Government have arrived at. It is not in the best interests of either those young teachers in the group of teachers who make themselves available for supply, and certainly not in the best interest of the education service, which is what I am here to make sure works and to protect. That is the answer. No U-turn whatsoever. A decision has now been taken and the matter certainly for the mid-term should be closed.

**NO. 483 OF 2009**

**THE HON S E LINARES**

**EDUCATION – ST BERNARD’S SCHOOL**

Can Government state how much it has cost to paint the outside of St Bernard’s School and when was the decision to paint the building made?

**ANSWER**

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

From teacher to teacher, from former teacher to former teacher, I have to say that the hon Member again has not done his homework. The outside of St Bernard’s School has not been painted, which is the statement that he makes, “can Government state how much it has cost to paint the outside of St Bernard’s?” Well, St Bernard’s has not been painted on the outside and, therefore, the premise on which the rest of the question is based on is, therefore, also incorrect.

**SUPPLEMENTARY TO QUESTION NO. 483 OF 2009**

**HON S E LINARES:**

Can the Minister state why the scaffolding has been placed outside the school?

**HON C G BELTRAN:**

Yes indeed, see I thought that was it. The hon Member has assumed. He has either passed along Castle Road or one of his ex colleagues, friends or whatever, GSLP sympathisers within the system, have said there is somebody up there painting and he has immediately jumped to the conclusion. The scaffolding is there as part of the long-term maintenance and minor works programme to actually replace some shutters.

**HON S E LINARES:**

Can the Minister state how much it has cost to put the scaffolding in and change the shutters then?



**HON C G BELTRAN:**

Not at all, I do not have that information here.

**NO. 484 OF 2009**

**THE HON G H LICUDI**

(On behalf of the Hon F R Picardo)

Mr Speaker, Questions Nos. 484 to 495 stand in the name of Mr Picardo. Mr Picardo is currently on his way back to Gibraltar having attended the United Nations with the Leader of the Opposition to argue Gibraltar's case, something which the Government seem to refuse to do these days. So our understanding was that he was due to be here by 2.30 p.m. but there seems to be a slight delay in his arrival. Could I ask that we just delay Question Nos. 484 to 495 until Mr Picardo is here. I understand that he is due to arrive imminently.

**MR SPEAKER:**

These are addressed to the Minister for the Environment and Tourism, but while he is in the House I am sure he has no objection to the slight change in order.

**HON LT-COL E M BRITTO:**

No, I understand that there was consultation this morning and that it was agreed that the order of proceedings would not be interrupted. Therefore, I cannot agree. But let me take the opportunity now that I am standing on my feet to refute the statement made by the hon Member opposite, and to say that Gibraltar's case is better defended by not attending than by attending.

**HON G H LICUDI:**

I am sure we could have a long debate this afternoon on that.

**MR SPEAKER:**

It is not on the Order Paper.

**HON G H LICUDI:**

It is not on the Order Paper. Let me correct, if I may, the issue this morning because the Minister has suggested that there was consultation this morning. What there was this morning was a request because there were some questions for Mr Bossano this morning and we expected him to be back at 2.30 this afternoon, so we requested that those questions be delayed, Mr Bossano's questions be delayed until 2.30 p.m. My understanding is that the Chief Minister wanted to be present for those questions and those questions certainly proceeded.

**HON MRS Y DEL AGUA:**

The questions were asked.

**MR SPEAKER:**

The questions were asked.

**HON G H LICUDI:**

Yes, I asked the questions. The questions proceeded on the basis that the Chief Minister refused to agree that those questions be put back until 2.30 p.m. What I am now saying is that Mr Picardo should have been here, we expected him to be here. It is not the same thing, I am not asking that they should be delayed until tomorrow when the Minister will not be here.

**HON LT-COL E M BRITTO:**

Point of Order. This is just filibustering I have already given the Government's decision on behalf of the Chief Minister, can we carry on?

**MR SPEAKER:**

I will allow the hon Member a minute to complete what he was going to say. The point has been made.

**HON G H LICUDI:**

Yes, we have heard

**MR SPEAKER:**

Mr Picardo is here.

**HON G H LICUDI:**

It would appear that my filibustering has actually worked, because during this period of filibustering Mr Picardo has arrived, I have been proved correct that his arrival was imminent, he is now here and I therefore give way to Mr Picardo.

**MR SPEAKER:**

I am sure we are all pleased to see the Hon Mr Picardo back.

**HON F R PICARDO:**

I understand we are at Question No. 484 and I understand there was a desire that I should not ask this question, but as I am here I will be delighted to ask it.

**HON LT-COL E M BRITTO:**

On a Point of Order, if we start off making misleading statements then we are going to get nowhere. Get on with the Order Paper and let me say that I welcome the fact that the hon Member is now present because it will liven up the proceedings from what they would have been otherwise if he had not.

**MR SPEAKER:**

It was certainly not my understanding that there was a desire that the Hon Mr Picardo should not ask the question. The statement I have heard from the Minister here was that we proceed with the questions in the order in which they appear in the Order Paper. That is what it was and I did allow the Hon Mr Licudi to put the questions on the hon Member's behalf.

**HON F R PICARDO:**

Of course, I look forward to reciprocating that kindness and geniality at some time in the future in some way. So, Question No. 484 of 2009.

#### **EPIDEMIOLOGICAL STUDY**

What will be the cost of the epidemiological study commissioned by the Government?

#### **ANSWER**

#### **THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 485 to 487 of 2009.

ORAL

**NO. 485 OF 2009**

**THE HON F R PICARDO**

**EPIDEMIOLOGICAL STUDY**

When does Government expect the epidemiological study it has commissioned to be completed?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 484, 486 and 487 of 2009.

**NO. 486 OF 2009**

**THE HON F R PICARDO**

**EPIDEMIOLOGICAL STUDY**

Will Government now publish the terms of reference of the epidemiological study commissioned by it?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 484, 485 and 487 of 2009.

**NO. 487 OF 2009**

**THE HON F R PICARDO**

**EPIDEMIOLOGICAL STUDY**

Will Government now agree to publish the Employer's Requirement document referred to in respect of the supplementary questions relating to the epidemiological study being commissioned by the Government?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

As has already been publicly announced, the tender for the epidemiological study has been awarded to the National Environmental Research Institute, University of Aarhus, Denmark. This is a credible, independent institution with a track record in environmental cancer epidemiology.

As with any epidemiological assessment, the fundamental requirements of our study includes the study of the distribution and determinants of diseases in human populations, with this being done by "investigating clusters of health effects" and "investigating supposedly hazardous exposure". The two main aims of our study, which basically comprise the Terms of Reference and Employers Requirement are therefore:-

1. To establish whether Gibraltar is a high risk community for cancer due to its location within the vicinity of potential sources of environmental exposure or health hazards, resulting in unacceptable levels of exposure to contaminants or pollutants.
2. To establish whether there actually exists an incidence of cancer greater than expectations.

Although the aims are fairly narrow in scope, it should be appreciated that these underlie the need to paint a broader picture of the health and environmental safety of the area, with the following related questions also being addressed as part of the study:

1. Is there evidence to suggest a greater incidence of diseases other than cancer, but known to be related to an excessively prevalent environmental pollutant or pollutants?
2. Is there an increased incidence of a type of cancer not knowingly linked to environmental pollutants?

3. If an environmental cancer risk is found, can it be related to a particular industry or activity?

The appointed consultant's initial assessment is that they believe that they will complete the assessment in about seven months.

The quote price for the study is not something that I am willing to release at this moment in time as it is dependant on a final decision being taken on a optional item for the assessment, which is still under discussion but which will not materially affect the study or the outcome of the same.

### **SUPPLEMENTARY TO QUESTION NOS. 484 TO 487 OF 2009**

**HON F R PICARDO:**

I am grateful for what is obviously a very full answer. Would the Minister accept that this is something that the Opposition is in favour of and that we have made that position clear from 2003, and will he tell us why it is that he has not specifically answered, and I am not trying to corner him in cross examination style, but why he has not specifically answered Question Nos. 486 and 487 in terms of will he agree to publish those two items, namely the Terms of Reference and the Employers Requirement documents? Is it that he has read us everything that those contain, because I know that in his answer he said "includes", which suggests that he has taken only a part of what it is that that document contains?

**HON LT-COL E M BRITTO:**

Well, the answer to Question No. 486 is clearly no Sir, and I thought that was implicit in what was said, but maybe it was not spelt out. Secondly, I think I have referred to the two main aims of the study and, I am not quite sure what the hon Member is after, but if he is after a copy of the document, or if he is after greater detail, the Government are not prepared to release it at this stage. The consultants need to do their work and once the work is finished then it is the intention of the Government to publish the results, and at that stage the document can be published as well.

**HON F R PICARDO:**

The Minister will agree with me because I know he has been an advocate of this happening for some time, that these are important documents, these are the documents that set in frame exactly what it is that is going on. Can I ask him why there is a resistance on the part of the Government to publish the document which are the terms of reference of the study that we all agree should happen and is now happening?

**HON LT-COL E M BRITTO:**

Nothing sinister, other than it is a normal consultant's contract. The Government policy is not one of releasing contracts hither and thither on any subject in particular. Although I am not supposed to ask questions from this side, I do not see the interest



of the hon Member in reading the small print of the document. If he had been a tenderer he would have seen it, if he was interested in bidding for it he would have seen it, he is not, he and I will not have an active part to play in this until the report is finished, other than to speculate, which I am not prepared to do. It would be a pointless exercise. Can I suggest we wait until December and then we can revive the debate, because at this stage, it is all speculative.

**HON F R PICARDO:**

Well, I will tell him why I think it is important, because although he and I are not technical men who would be able to tender or understand the terms, and I am not asking to see the detail of the contract, clause 3 termination, clause 4, I am not asking to see that. I am asking to see the exact terms of reference. Now, is it that the Minister is telling us that he has told the community what those exact terms of reference are in what he has read out in this answer, or is it that the terms of reference are wider and that what we have had read out is a part of it, which the Minister may have selected for whatever reasons I may not be able to pinpoint at this stage? If he has told us everything that is in the document in terms of terms of reference, then of course I would be satisfied that the community has the information available.

**HON LT-COL E M BRITTO:**

Indeed they are, I have quoted, the first two quotes I have made are exactly in line with the two aims, the two main reasons, and the scope as well. The document is in the form of a briefing paper and what I said faithfully reflects what is in it.

**HON F R PICARDO:**

In that case I am grateful, we are quite happy to accept that. But the Minister will know that at the time when the Government announced the epidemiological study was to be embarked on, they said that they were delayed in their announcement because they tried to obtain cooperation from the other side of the frontier so that we could have a cross border epidemiological study. It has not been clear to us what happened to those attempts to get the other side to cooperate, other than we are simply now proceeding with our own study, and there was a delay between the initial announcement and the commencement, both because of the tender process and as I understood it because of the attempt to get the other side to cooperate. Can the Minister tell us why it was that the attempt to get the other side to cooperate did not prosper?

**HON LT-COL E M BRITTO:**

I cannot go into the details simply because I do not know them. I have not been involved in contacts with the other side, as the hon Member calls it. I do know there has been, or there have been in the past the odd expressions of interest by individuals but there has never been a formal approach, despite public invitations. I do not mean a formal approach by anybody from within the hinterland to actually take part. But what the consultants are going to do is they are going to try to broaden the database as widely as they can, and I met them only this morning, (1) by obtaining as much data from official sources within the Spanish hinterland, a lot of which is

available on websites and full public sources. I take this opportunity to thank the ESG who have, through meetings with me and Government officials, been more directly involved with me with the contacts with the consultants. The ESG have supplied a lot of information, a lot of data, all of which has been passed. Let me be quite specific, all the data that has been given to the Government by the ESG has been passed to the consultants, in its entirety. Right, and similarly, if there is any way that the Government in the future, and I made this offer this morning, can try and help the process by obtaining any further information that the consultants have been unable to obtain but which the Government might be able to obtain, I say might, I have invited them this morning to inform us and we will try to obtain it through our own lines of communications. But obviously I cannot make any promises on that.

**HON F R PICARDO:**

Would the Minister agree with me that it is right to thank the ESG, not just for providing the information that they have provided, which he has usefully passed on to those involved, but it is right to thank the ESG, that the whole of the community should thank the ESG for putting this epidemiological study on the agenda as far back as 2002. The Minister will know that he and I have disagreed in this House as to what our respective commitments have been, we were committed to it in 2003, I am delighted that the Government are now committed and embarking upon it. But it is right as a community as a whole, that we should be thanking the ESG for putting this firmly on the political agenda. It had been nebulously there before but this was really put on the political agenda for all the political parties to take notice of by the ESG, and it is right that the community as a whole should recognise that.

**HON LT-COL E M BRITTO:**

Yes, as I have said, I am grateful to the ESG for all the work that they have done. I am not sure that I agree but I do not have the detail in front of me to disagree, where the brownie points lie of who said what first. I seem to remember, when we had this discussion before, that I argued that it had not been the ESG who had initiated it, but I do not want to go down that route. The ESG have been working with the Government and are working with the Government, for which I am grateful, and yes, I am quite happy to thank the ESG for all the work they have done in this and in other spheres.

**HON F R PICARDO:**

Finally, the Minister referred to a further optional item that was still being negotiated. Can he tell us what that optional item is, or give us at least the flavour of what it is that it deals with? Or is it technical?

**HON LT-COL E M BRITTO:**

It is technical and I was trying to look for it a moment ago and I did not spot it. It is basically an extension, I cannot really remember, it is an extension of the study at a stage in the future depending on how things go. I would have to research it, I would have to get someone to research it for me. I do not have the information with me.

**HON F R PICARDO:**

Does he know if it is an extension in time or in subject matter?

**HON LT-COL E M BRITTO:**

It is something I saw some time ago and it is not clear in my mind. I would not like to say anything that would mislead the hon Member.

**NO. 488 OF 2009**

**THE HON F R PICARDO**

**LICENCES TO SHOOT SEAGULLS**

On what dates were licences granted to shoot gulls in Gibraltar and how many licenses were granted?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

There are three licences currently in force in respect of the yellow legged gulls, their nests and their eggs. Two are dated 1<sup>st</sup> February 2009 and one is dated 1<sup>st</sup> April 2009.

**SUPPLEMENTARY TO QUESTION NO. 488 OF 2009**

**HON F R PICARDO:**

How many of these birds do the Government intend to eradicate in this way?

**HON LT-COL E M BRITTO:**

I have been down this route before in respect of a different species of the animal world and I have no intention of getting drawn down the same way, other than to say that the remit of the Government to the consultants who are carrying out the exercise is to maximise the six weeks that they are in Gibraltar and to make the number of sea gulls that are removed, their nests and their eggs as large as possible.

**HON F R PICARDO:**

Of course I take it that the Minister uses the word “removed” and “killed” interchangeably in that phrase. So, it is a period of six weeks that the licences will be extant for or that the contractors will be in Gibraltar?

**HON LT-COL E M BRITTO:**

Licences, I believe, are for a period of a year but they may be two years, I am not sure. The contract is for a period of six weeks, but of course that applies only to one

licence. The other two licences are in respect of a local contractor, which is an on-going effort throughout the year and not just for a six week period.

**HON F R PICARDO:**

The Minister will know, like I do, that many years ago the practice was to destroy or remove the eggs of the gulls. Why is it that we are moving to the much more dramatic shooting of the gulls? Is it because there has been a population explosion or not?

**HON LT-COL E M BRITTO:**

The hon Member should go outside and speak to people on the street and he will know the answer. But let me try and answer the question more specifically. It is not correct to say ....., well, it depends how far one goes into the past. There is no doubt either that the population ..... I would not say that the population has been growing but even that is not scientifically proven. There are gulls coming in from across the way in the Los Barrios rubble tip, there are gulls coming in from across the Strait from Africa, and over the years the practice of trying to limit the size of the gull population has changed. It is no good removing the eggs because all the gull does is lay another one. The usual practice is to prick it in a way that is not noticeable and then the chick is not born. But that has proved clearly not to be enough over the years and, as no doubt the hon Member will know, public opinion clearly wants something done. So although there is a local contractor doing this on a round the year basis, the Government decided to take more drastic action and to bring in a larger team than the local contractor can muster, using a variety of methods, and we will wait and see what the final results are. We are just over the halfway mark and the results are quite worthwhile. It is too early to make a commitment at this stage but it would not surprise me to see them again in Gibraltar.

**HON F R PICARDO:**

I am not surprised to hear the Minister implicitly accept that policy of the Government is set by public opinion. I think that was perfectly clear to us on this side, but obviously, there is a public health concern as well because the numbers appear, and I say "appear" because I accept that he has told us that it is not scientifically proven, to have increased dramatically. Now, is it that the egg issue is no longer relevant because not all the gulls are living in Gibraltar, they are coming to Gibraltar but living elsewhere? Is that what he is telling us in terms of gulls coming from across the way and gulls that come from, I assume he means the rubbish tip in Los Barrios, which appears to be a great ground for them to feed?

**HON LT-COL E M BRITTO:**

Let me just say to start with that the Government policy, like the Opposition's comments, is made in awareness of public opinion but that the Government are not scared and have frequently shown that they are not scared to make policies which are not directly influenced by what public opinion is, if Government think it is in the best interests of Gibraltar. Having said that, I do not think we should be misled too much about eggs, there has never been a scientific count of the population of gulls that I am aware of. I am not sure how figures that I have heard bandied about, and

even given to me officially in papers formally, of anything between 20,000 and 30,000, have been arrived at but I have seen no scientific basis for the establishment of the size of the population. However, currently there is a scientific exercise taking place which is based on photography, GPS and computer software, which actually counts gulls photographed in a given area, usually from above, from high levels on the rock and then the computer makes the count, which obviously one of us visibly could not do and I am not aware whether there is any other method of doing it. This has not been invented for Gibraltar, this is the methodology that exists in UK and that this team has been practising throughout the UK.

**HON F R PICARDO:**

Are the Government satisfied that, in terms of aircraft safety, the measures that they are taking will be sufficient?

**HON LT-COL E M BRITTO:**

The Government are completely satisfied with the safety of the airport and the safety of aircraft in Gibraltar, and so I am sure are the MOD, otherwise aeroplanes would not be flying in and out.

**HON S E LINARES:**

Can the Minister state whether as part of the licence, whichever of the three companies, there is something in that contract or licence that they have to clear the corpses, because there seems to be quite a large number of dead animals on the roads? Therefore, it seems as if ....., I am talking about health and safety, it is an issue. When they are shot down, and I am not going to go into the argument of whether they should or they should not, they lie as flattened seagulls on the ground and that is a health and safety issue. Is it within their remit when they shoot the bird to at least go to the nearest road to .....? Forget about the overgrown places and all that, but at least the nearest road to clear it out.

**HON LT-COL E M BRITTO:**

I am tempted to ask myself where the hon Member has been in the last five or ten years. It did not take this team to arrive for there to be dead seagulls on our roads. At this time of the year there have always been dead seagulls on our roads, small ones, medium ones and bigger ones and they are usually run over by vehicles not shot down. Now in answer to his specific question, the two as far as I know are by and large unlinked but there could be the odd exception. Most of the activity that has been taking place has been taking place on the east side and on the upper rock, and there is certainly a provision in the contract for the collection of the corpses, and the corpses are being burnt in the animal incinerator up beside the crematorium. It is true that not all the corpses can be burned because sometimes the seagulls fall on the cliffs on the upper rock. If they are falling on the roads they are picked up. If they are falling in inaccessible places on the cliffs, and even though there is a presence within the team of two expert abseillers in order to reach nests in difficult places, it is obviously not worth risking human life to pick up a dead seagull that is lodged in a cliff. The short answer is that seagulls on the road have nothing to do with the activity that is going on. Secondly, the corpses are being picked up and the

instruction on the contract says they have to be picked up. Thirdly, there may be the odd seagull in the odd crevice in a cliff somewhere which has not been able to be picked up, but the advice that we have is that that is not harmful to animal life or to human life.

**HON F R PICARDO:**

Just one final issue, can the Minister tell us what the costs of the contracts are?

**HON LT-COL E M BRITTO:**

I cannot because I do not have it, the question asked me about licences not about costs and no one has provided me with the information. On a correction to the hon Member, he said the contracts to three companies it is actually the contracts to two companies. I said there were three licences, two were on the same date to one particular company and the other to the UK team.

**HON F R PICARDO:**

Will the Minister find out and tell me. I know that we are coming up to the Budget session and it would be an important statistic to know when we discuss the Appropriation Bill?

**HON LT-COL E M BRITTO:**

As I think the hon Member will know, I am always reticent to agree to that on the floor, simply because I do not trust my memory or my ability to find out. If he would like to write to me I will certainly look at it.

**HON F R PICARDO:**

If I write to him the Minister will give me the statistic or he will look at it? Those are two completely different things.

**HON LT-COL E M BRITTO:**

Yes indeed, they are.

**HON F R PICARDO:**

Which of the two will he do, look at it or give me the answer?

**HON LT-COL E M BRITTO:**

Well, I will look at it first and then we will see what I do.

**HON F R PICARDO:**

What could there be to see that might suggest to the Minister that he should not give me the information on what the taxpayers' costs of these contracts is?

**HON LT-COL E M BRITTO:**

Let me spell it out, let him write to me and then I will make the decision.

**HON F R PICARDO:**

I am not going to write to seek the Minister's indulgences, I will simply pursue the matter at the time of the Appropriation Bill. So I ask that he ensure that he has the information available.



**NO. 489 OF 2009**

**THE HON F R PICARDO**

**APES**

Given the recent attack by a Barbary macaque on a child and recent correspondence in the local press, will Government now accept that its management of the ape population (in particular the killing of groups of these animals) is not effective?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 490 of 2009.

**NO. 490 OF 2009**

**THE HON F R PICARDO**

**RUBBISH DUMPS AT TANKERVILLE AND TANK RAMP**

Of course it is the Minister's prerogative to do that but the question is totally unrelated and I smell a device.

Has any progress been made or any final policy decision been made in respect of the plans for the relocation of the rubbish dumps at Tankerville and Tank Ramp and at the foot of Castle Steps, opposite the entrance to St Bernard's School?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

I am glad the hon Member smells a device and not a seagull, or even an ape. They are linked simply because in the past the hon Member has linked them in his own questions and the answers have been joined, and it is more convenient to join them up. Anyway, be that as it may the two answers are separate.

In answer to Question No. 489, the answer is no Sir.

In answer to Question No. 490, as explained in my reply to Question No. 155 of 2009 of the previous Parliament, the facility at Castle Steps referred to by the hon Member opposite was a refuse holding facility provided by the GSLP when in administration. The inadequate facilities have created the need to consider options to do away with it in a way that will not lead to further grievances in the future. The decision to proceed with the construction of a proper refuse holding facility at the area behind the Plater Youth Club has been made and the design agreed to. The construction drawings are currently being assessed from an engineering perspective. It seems to me that I could have saved a lot of time by simply saying the situation is exactly the same as when I last answered the question.

**SUPPLEMENTARY TO QUESTION NOS. 489 AND 490 OF 2009**

**HON F R PICARDO:**

It is not, with respect to the Minister, he has actually given us more information than he gave us last time. In the sense that last time they were considering whether they could do this at the Plater Youth Club area, now he has confirmed that it is actually going ahead, so I am grateful for that.

**HON LT-COL E M BRITTO:**

Good, I am glad we are progressing.

**HON F R PICARDO:**

It has only been 16 years since the GSLP put it there so it cannot have been that bad a decision if it has taken them 16 years to put it right. But in relation to the answer to Question No. 489, how can the Minister say that he believes that the ape management programme which his Government is running is effective when things are getting worse for the population, for the general human population in the area of the upper rock, for those tourists who visit us who have now seen what we all knew would happen if drastic action was not taken, which is that a Barbary macaque has attacked a tourist child? When are the Ministers going to wake up to the fact that the sporadic killing of these animals is not going to solve the problem and that they need to take drastic, non-killing action and they might have to spend some money? For example, given the howls of protest from the other side, spending money in exporting large numbers of the animals, spending money in cooperating with the international bodies that would know how to assist us in this respect, to ensure that these problems do not continue to afflict the tourist and the local population.

**HON LT-COL E M BRITTO:**

I am tempted to say that the answer remains as already given. I will just add that, I am sure the hon Member will agree, although neither he nor I are experts in the management of the macaque population, that he will accept from me the following advice that I have been given, that the management of the Barbary macaques is an on-going process, which requires different approaches depending on the circumstances at any given time and options that are available when making these decisions. That is the process that is being followed, including the one single item that he has mentioned of exportation which is on-going and where there is a possibility, I will not put it higher than that, of exporting possibly as high as 60 or 70 monkeys. But that is only one of the options we are looking at.

**HON F R PICARDO:**

Is this not actually the problem with this Government? First of all we are told that the advice is being followed when one does not have to put one's ear to the ground to know that the advisors complain that some of their advice, the most important parts of their advice, are not followed principally on grounds of costs. Secondly, that we are told that things may happen, that they might happen, that they will happen shortly et cetera, and then they do not happen or they take an age to happen. In the context of this particular issue, that, as in all the other issues, but in this context in particular that is just not good enough because now we have seen a child attacked, and I recognise that Mr Beltran is laughing when I am referring to the fact that a child has been attacked, so be it.

**HON C G BELTRAN:**

Point of Order, that is untrue. I am simply reacting to his comment that we in this Government treat or react to all other issues in the same way. That is what I am

laughing at. The question of children being attacked of course is a very serious business.

**HON F R PICARDO:**

Of course it is a very serious business that is why he should laugh in shame at the fact that his Government have not been able to prevent this from happening. Why is it that everything is going to happen shortly, that everything might happen and that then nothing happens? In the context of this particular problem that means either the local or the tourist population is attacked by macaques, because they cannot live side by side, or the apes are killed because the Government have not done anything this year either to export 17, so another 17 will have to be killed next year. Is it not time that the Minister, who I know is sometimes an effective Minister, grasps the nettle on this issue, stood up to whoever it is he needs to stand up to, spends the money and deals with this properly?

**HON LT-COL E M BRITTO:**

I regret to say that the hon Member once again displays what I accused him of a moment ago, which is ignorance of the size of the problem and of the roots of the problem, and of past history of the problem. Does he for a moment think that incidents, of what are called "ape related injuries" have suddenly happened this year for the first time, or in the last 12 years or whatever it is, since this Government have been in office? Does he think for a moment that it did not happen when the only Member who used to be on this side of the House, the Hon Mr Bossano and the rest of the GSLP was on this side? Does he think that it did not happen when the AACR were in Government? Does he think it did not happen back in the 1900s when the Army and the MOD were in charge of the monkeys? Of course it has always happened and regretful and sad as the recent incident which is out of all proportion to anything that has happened before has been, there is a record of similar incidents happening throughout the years from medical records. It is certainly not an exception and it is certainly something that whenever one has animals that are loose next to the human population, and mainly tourists, incidents of this kind are sometimes unavoidable.

**HON F R PICARDO:**

I never thought I would see the day when the Minister would deploy what I can best describe as the 19<sup>th</sup> century excuse. It used to happen in the 19<sup>th</sup> century so what is wrong with it happening now? It used to happen in the 1960s, in the 1970s, in the 1980s and in the 1990s, it is going to keep on happening now. Well, the fact is that he has told us that the ape population has grown exponentially, he has told us that it needs to be dealt with, he has told us that his Government's method for dealing with it is kill 30 odd apes, although he does not put a figure on it, every year. That obviously did not work in the 19<sup>th</sup> century, in the 1960s, in the 1970s or in the 1980s. Thank God it was stopped in the 1990s. Is it not time, as I told him before, that he stands up, that we see the Minister stand up and grasp the nettle and deal with this issue properly once and for all, even if that means considerably more cost on a one-off basis?

**HON LT-COL E M BRITTO:**

This is exactly what the Government are doing, looking at a number of options that have not even crossed the hon Member's mind and which he has not bothered to ask me, because I am not going to tell him until we make decisions. He is also standing up to say that certainly I have said that the population has grown, certainly it has grown because those who should have grasped the nettle on this side of the House when they were here and who are now on that side of the House, instead of keeping the population down, they took a deliberate policy decision, as the hon Member said thank god for the 1990s when it stopped. It is precisely because they stopped controlling the population, it is precisely because the GSLP thought that by having more Barbary macaques we would have more tourists, it is precisely because of that that we have the problem of the size that we have today. I have given the figures before, when the GSLP came into Government there were roughly two packs of 40 or 45 monkeys, when they left there were over 300 and nobody had a clue how many there were. They are now down to below 200, but of course, birth rates, and I do not know what the latest figure is, it might be over 200, I do not want to mislead the hon Member. We are in the period where births take place, so before he starts throwing mud at this side of the House he should look back over his shoulder at what his colleagues were doing before he arrived.

**HON F R PICARDO:**

Well, I mean, this really beggars belief. When rent-a-mob Beltran decides that he will allow me to speak I will carry on. First of all,

**HON C G BELTRAN:**

Point of Order. Can I ask for clarification as to the meaning of the word "mob" there? Could he please clarify that?

**HON F R PICARDO:**

First of all the .....

**HON C G BELTRAN:**

I take objection to being called "the rent-a-mob" with my name attached to it. What exactly does the hon Member, or should he not ..... I would ask him to think about removing what he has just said.

**HON F R PICARDO:**

First of all the hon Gentleman.....

**HON C G BELTRAN:**

Mr Speaker, I ask for a ruling on what I have said.

**MR SPEAKER:**

Is the hon Member going to explain or does he want a ruling?

**HON F R PICARDO:**

I will only explain if Mr Speaker asks me to not if the Minister asks me to.

**MR SPEAKER:**

Well, perhaps he will explain.

**HON F R PICARDO:**

The fact is that the hon Gentleman is most vociferous on the other side when one is on one's feet, interrupting, laughing, he was laughing before. He may not have realised but when I was making a serious point about a child being attacked, and I have decided to call him.....

**HON C G BELTRAN:**

It is what the hon Member does all the time.

**MR SPEAKER:**

Order, Order.

**HON F R PICARDO:**

Which is exactly, for those listening, what he is doing now. That is why I called him "rent-a-mob". It is a well know phrase for those who read politics. They would know exactly what I mean, so perhaps I should recommend to him that he should read The Times every day and see what the phrase means.

**HON C G BELTRAN:**

That is not an explanation, he is fudging the issue in order not to reply because he knows he has done a wrong and I would ask for a retraction.

**MR SPEAKER:**

Basically I think it boils down to me because I should rule whether that is an un-Parliamentary expression or not. It is not something which I would readily describe as an insulting expression in the context he has used it. "Rent-a-mob", "rent-a-crowd", I would not take the view that it was intended as an insult, but as a description which he applies to the hon Member's conduct. Rightly or wrongly, I am not saying he is right in his description or he is wrong. But I would not say it is an

insulting phrase so as to merit any further action. I am sure the hon Member is offended but as the Chief Minister said today, in politics we have got to sometimes get as good as we give.

**HON C G BELTRAN:**

I bow down to Mr Speaker's ruling.

**MR SPEAKER:**

Thank you.

**HON F R PICARDO:**

I am obliged. If it is any consolation, I would not call him a "mob" in any sense other than in a political sense. I have no personal animosity towards him in particular. So, I will not be deviated though. First of all, the Minister deploys the 19<sup>th</sup> century excuse. Then he deploys the "there are more things in heaven or earth than are thought of in your philosophy Picardo" excuse. Then he says to us, "well it is the GSLP that created the problem". Well, frankly, I think the community is entitled to say to the Minister, "look the GSLP has been out of power, for reasons that we can debate for hours, over 13 years". Is the Minister telling us that this is not a problem that he, with the resources of his Department and the resources of his Government cannot resolve in six months, that he cannot resolve in a year, that he cannot have resolved in a decade? That it is going to be almost a decade and a half since the hon Gentlemen were in power, that he still laments the size of the population, that he still is not able to tell us when it will be resolved, other than by the barrel of a gun.

**HON LT-COL E M BRITTO:**

The hon Member is falling into the trap of his own leader, which is to build false premises and then build on the false premises further onwards. I have not at any moment said, and he has said it twice, that my Ministry is either low on funds, low on resources or unable to deal with the problem. He starts off on that premise and then builds it up to something. The Government and the Ministry, both are very concerned about the latest developments in the familiarity of the macaque population with the human population. What is happening is that the monkeys, for a number of reasons and I do not want to go into controversial territory, well, it is just that I do not like being misquoted later. But basically, because we the humans have taught or have trained, is the word the experts use, the monkeys to lose their fear of us, because we feed them, we give them bars of chocolate, we given them packets of crisps, and then when they see plastic bags with a local supermarket name on it, they associate it with food and they come grabbing those bags. But I do not want to sidetrack. The Government are very concerned with this situation. The Ministry is very concerned with this situation. If we had "the barrel of the gun policy" which the hon Member is so fond of using, we would have reduced the numbers much more than we have done already. We are trying to use alternative methods and slower methods, because we are trying to use xxxxx and we are trying to use a different methodology, increased on what has been done on the past. Remember it is no good pointing back to 13 years. This problem has only existed at the scale that it is now in the last 12 months, 18 months. It has been developing, I agree. It is a matter

of concern, I agree. The recent incident of the child that was attacked is of grave concern, but this is not something that has happened this year because of anything else. It could have happened a year ago, it could have happened ten years ago. Let me tell the hon Member what happened, because I do not know whether he has bothered to find out, but he might have done before he made wild accusations. A family group were climbing Charles V Wall and there was a group of macaques on the wall which included a baby ape, or more than one baby ape. The behaviour of apes is very protective towards their young and if they perceive a threat, and I stress "perceive" because there may not have been a threat, I am sure there was not a threat on this occasion, but if they perceive a threat, the threat might be the approaching family group. There have been many examples of this and I have seen them for myself, the baby just squeals and the adults go wild. Wild is putting it too strongly but the adults jump to the defence of the baby, and that is what happened this time. Of course, the adults struggle and the situation just gets worse and other monkeys come in to help what they perceive as an attack on their fellow animals. That is what happened. Now, that could have happened yesterday, it could have happened a year ago, it could have happened ten years ago, it could have happened 50 years ago, and there are similar occasions but I am not aware of one as serious as this particular one. Before I sit down, and I am getting a bit weary of xxxxx the same argument again and again, the Government are very conscious of what is happening, are developing different ..... Well, when I say the Government are developing, the Government are asking those who are under contract to manage the macaques, despite what they may have said in newspapers in Gibraltar, the Government are asking those contractors to develop a more effective way of dealing with the problem, and if that more effective way is not forthcoming, then alternative methodology will have to be used.

**HON F R PICARDO:**

Let me start at the beginning of the Minister's answer. He says that we build issues on false premises. I am tempted to say that the only false premises that we have seen referred to in the past three years are the 790 flats that soon became 490 or 410 after the election. That is false premises. But the Minister has said that the problem has in fact developed in the past 12 months, so I think that helps to put the 19<sup>th</sup> century defence and the defence that the GSLP is at fault in its context. But I recognise that he is weary of this issue so I will move on to the next question. When is it that the rubbish dump at the area behind Plater will be finalised, or finished, and when will the rubbish dump at Tankerville and Tank Ramp finally be removed?

**HON LT-COL E M BRITTO:**

I have already answered that question. The plans are being currently assessed from an engineering perspective. I do not have a final date if that is what he is after.

**HON F R PICARDO:**

I originally did not hear what he said and then he said what?



**HON LT-COL E M BRITTO:**

I beg his pardon. What I said was firstly that I had already answered the question. Secondly what I said was that the drawings were currently being assessed from an engineering perspective, and thirdly, that if he is asking for a date, I do not have a date for him.

**HON F R PICARDO:**

As a Minister in charge of a department, knowing that this is causing a major problem to a number of families in the area, and for reasons which may be related to the apes, for reasons which are just the obnoxious smells of this area now, with the population in the area, does he not feel responsible to say "I have not been given a final date but I am going to make sure that it gets done at the very least before the end of this calendar year", which is to give him enough leeway.

**HON LT-COL E M BRITTO:**

Do we need to go round in circles on this question? I could find at least three occasions when I have given him answers similar to this one, when I have said to him that I am very concerned about it, when I have said to him that I am taking a personal interest in it. But things move at a certain pace and it will happen when it happens. I know it is near his home and that is why he is so concerned. But the fact is that there are other priorities that the Government deal with simultaneously.

**HON F R PICARDO:**

First of all, the hon Lady should be careful what gossip she listens to because it is still near my home. But this is the problem is it not? That things do move at a certain pace and the fact that the Minister may or may not have told us before that he is concerned about it, really does not avail the people in the area of any satisfaction. I mean, the Minister was, before, gesticulating as he was impersonating an ape. I am tempted to gesticulate those who have to walk through that area when it is raining and just gets completely flooded and is like a lake for the kids to go to the school at St Bernard's, for those who come down Castle Steps et cetera. Does he think, does the Minister honestly think that as we try and negotiate that lake, as we smell the whiff or those who live in the area smell the whiff of that rubbish dump, does he honestly really believe that people say to themselves, "it is fine, even though it smells bad I know the Minister cares. It is fine, things are being done at a certain pace. One day things will change". Is it not time for action? The Ministers had their mandate renewed almost two years ago now. In those two years since he took over again at the Environment, does he not feel ashamed that he has not been able to bring about any action in respect of this? Just that things will happen at a particular time because things move at a certain pace.

**HON LT-COL E M BRITTO:**

There are about three or four questions and I was trying to keep track. I think it was no Sir to the first one and yes Sir to the next two or three.

**HON F R PICARDO:**

I am grateful. So having recognised then that he feels ashamed that he has done nothing since he took over the Department?

**HON LT-COL E M BRITTO:**

Point of Order. Correction of fact. See, this is what I mean about false premises. He starts on the false premises and builds the argument on it. That is not what I said.

**HON F R PICARDO:**

Well, I will give him the benefit of the doubt. I do not think any politician would stand up in Parliament and say yes to a question that was "does he feel ashamed that he has not been able to do something". But the way that he gave me the answers it seemed that he had done that.

**HON LT-COL E M BRITTO:**

I was being a bit friendly.

**HON F R PICARDO:**

I accept that from the Minister. When is he going to get something done?

**HON LT-COL E M BRITTO:**

It is being done and I honestly think that I will not get up again after this answer.

**HON F R PICARDO:**

Well, I will take the opportunity to tell him that the community, especially the community in the area, expect something to be done effectively, not just planning, not just drawings, but something to be done as soon as possible. Would he not agree with me that he should get up because it does not seem as if he has got up and done much about it? He should at least get up now and tell the community that he is going to ensure that something is done about it soon, on the ground, at the bottom of Castle Steps, in the area of Tank Ramp and in the area of Tankerville, something will be done now.

**HON LT-COL E M BRITTO:**

Something is being done now, has been being done for quite some time, will continue to be done in the immediate future, and will be done in a way that is to the benefit of all the community there, not just those who walk past and smell the whiff but also those who if it is not done properly lose parking places, also those who if it is not done properly will have to walk 300 metres to come to the rubbish collection

point. Just two examples. Being done, has been done, is being done and will be done.

**HON F R PICARDO:**

When will it finally be completed?

**HON LT-COL E M BRITTO:**

When it is completed.

**HON F R PICARDO:**

I just hesitate to say to the Minister, does he not accept from me that sometimes when one gets given the run around so constantly on these issues, the community is entitled to say, "Lt-Col Ernest Britto please give us a date for when something will be completed", rather than simply telling us, in the future, soon, shortly being done, et cetera and yet nothing concrete occurs on the ground.

**MR SPEAKER:**

I think there is an element of repetition of questions now and I do not think we are going to get a different answer. We might move on to the next question.

**NO. 491 OF 2009**

**THE HON F R PICARDO**

**OESCO – SOUND ATTENUATION**

Have the works for the sound attenuation to the building presently housing the OESCO power station now been completed after the delays experienced and is Government now able to provide a final figure for the total cost of the project and the increase on the original contract price?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The works to provide sound attenuation to the building housing the OESCO power station have indeed been completed and the final account is currently being prepared. It is therefore still not possible to be conclusive about the final total cost of the project until the latter has been agreed. However, I understand that it is of the order that I gave the hon Member in answer to the previous question, which was virtually the same.

ORAL

**NO. 492 OF 2009**

**THE HON F R PICARDO**

**BOTH WORLDS MANAGEMENT CO LTD**

When was the last time that the Minister for the Environment met with the Both Worlds Management Co Ltd and when does he next expect to meet with them?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 493 of 2009.

**NO. 493 OF 2009**

**THE HON F R PICARDO**

**SANDY BAY**

Is Government satisfied that Sandy Bay and the public access to it is safe for the public to use this summer?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

I am not content for the hon Member to make it a practice to expect me to answer questions in this House about who I meet, especially when it relates to a matter for which the Government is not in itself accountable. Before he gets up and says that I have answered similar questions about this in the past, if he looks at the similar questions he will find that they were on specific matters about which the Government has responsibility, but not about diary management. The next thing I know, the hon Member will be asking me who I meet, when I meet, every single day of the week and every half hour.

In answer to Question No. 493, public access onto Sandy Bay beach is likely to be available this summer only from the northern steps. The beach can be used but a section in the area of the storm damaged building has been declared out of bounds on the grounds of safety until the matter is resolved, at which time the situation will be reviewed with a view to possibly also allowing access onto the beach from the southern ramp.

**SUPPLEMENTARY TO QUESTION NOS. 492 AND 493 OF 2009**

**HON F R PICARDO:**

Let us start with the first question. I see that the Minister is ruling himself out from being Prime Minister of the United Kingdom if we were ever to be integrated and magically be able to appear at Westminster. He will know that the first question at Prime Minister's Question Time every Wednesday is to ask the hon Gentleman to list his engagements and who he has met. So it is a perfectly proper Parliamentary question. Most Parliamentarians do not resist Parliamentary scrutiny of who they meet, because who they meet and when they meet them may have consequences for taxpayers funding et cetera. He is accountable for what he does with his time as Minister. What he wants to do in his private time is a matter entirely for him. Can I commend to him that he consider again answering the question that I have put and is numbered 492 on the Order Paper, because it really is a question of holding the

Government to account, which is what they accept we are here to do, and we are elected to do in this particular guise.

**HON LT-COL E M BRITTO:**

No, I do not accept that it is holding me to account for anything. The question is when was the last time that I met with a certain management company and when do I expect to meet them again. I do not see why the accountability comes into it at all. If he asks the question about something that happens at a meeting, or something that will happen, then it is a different thing. The hon Members do not seem to be listening or want to listen. I have given the answer and I am sticking to it.

**HON F R PICARDO:**

This Parliament should not be put in the position by Ministers where it is required to descend into farce. Is one going to be answered the question what happened the last time he met the Both Worlds management company and what will happen next time he meets them, but not when did he last meet them and when will he next meet them. It is a matter entirely for the Minister whether he likes the way I have characterised his answer or not and whether he answers or not. But I tell him that, in my view and I think he should accept that it is a democratic failing of accountability if he is not prepared to answer a simple question as this.....

**HON C G BELTRAN:**

Where is the supplementary question?

**MR SPEAKER:**

Order, Order.

**HON C G BELTRAN:**

It is a speech not a question.

**MR SPEAKER:**

Order, Order. Is there a question?

**HON F R PICARDO:**

Yes, but rent-a-mob has taken it out of my head.

**MR SPEAKER:**

Order, Order.

**HON F R PICARDO:**

Anyway, it begs the question why is it that the Minister does not want to give us this answer which he has given before? It is not just because of diary commitments, it must be a very long time since he met this group and it is going to be a very long time before he meets them again, and that belies a failure on his part, would he not agree, to fulfil his obligations as Minister for the Environment in respect of this collective?

**HON LT-COL E M BRITTO:**

See, again, false premises and then building his conclusions and arguments on it. False premises. To start with, I did not say that it was okay to ask me what happened at the last meeting or what would happen at the next. What I said was it would be okay to ask me about specific items that may have been discussed or that would have been discussed, but not about the date. What is the question, the last time that I met and when we are going to meet again? To satisfy the false premises point, it is not true that it will be a long time before I meet them again, and it is also true that I have met them whenever they have requested a meeting.

**HON F R PICARDO:**

As I have said before, I hate to labour the point, if we are going to talk about false premises we should talk about the 790 homes that became 490 homes with just an election in between. But so be it. Is it not true that this collective have been requesting meetings with the Minister, and that despite what he has told the House, he has not agreed to meet them, without going back to them, and insisting on knowing exactly what it is that they want to have on the agenda and insisting on knowing why it is that they want to discuss certain things?

**HON LT-COL E M BRITTO:**

Not true.

**HON F R PICARDO:**

Then what is true?

**HON LT-COL E M BRITTO:**

What is not true is the allegation he has made.

**HON F R PICARDO:**

So what is the truth? Given that I have not made an allegation, I made a very clear point in this Parliament saying that he insists on knowing why it is that they want to meet and does not agree to meet them until certain things are made clear to him, which seems to be a very obstructive way of organising a positive meeting with a collective. So what is the truth? If that is not the truth what is the truth?



**HON LT-COL E M BRITTO:**

The truth is that he has just quoted from the latest exchange of correspondence, so he is obviously aware exactly what is happening. So if he knows the answer, so why does he not just go on to the next question?

**HON F R PICARDO:**

See, in this community it appears that under the GSD, would the Minister agree with me, that collectives in this community are being told to make a choice? That they either speak exclusively to the Government or they speak to the rest of the community but do not enjoy the cooperation of the Government. Is he saying to that collective that in democratic Gibraltar, in the year 2009, they either speak to him and they do not speak to me, or they do not speak to him and they can speak to the rest of the community?

**HON LT-COL E M BRITTO:**

Another false premise. That is not what I have said, that is just what the hon Member is saying and I will say this once more and I will say it only once. It is not true that I have not met with this body or with any other body. I meet with any body either a single person or groups that ask to meet me, I have always done so since I have been a Minister and I will always continue to do so. It is not true that it has been or that I have refused to meet with any particular group, including this one. It is true, as is my normal practice, that I have asked for an agenda from the particular group of what they want to discuss. That agenda is on my desk and, as far as I am aware, a meeting is being arranged. So it is not true that the meeting will not take place. It will take place and has always taken place when it has been requested before, with this group and with anybody else. The point of the answer which still remains, which is a point of principle, and what I am not prepared to do is to account in this House to the hon Member for my diary management. If he wants to ask about specific items, if he wants information for which I am politically responsible for, I will give it. But not on dates of diary management.

**HON F R PICARDO:**

I accused the Minister before of almost reducing this Parliament to a farce by the way he was trying to point the supplementaries. I did not expect that he would immediately then move us to a rendition of 'Allo 'Allo and I will say this only once. But does he not accept that, in fact, his diary management is what he is elected to do? He is meeting with the community. He is giving effect to the policies that they have in their manifesto to whatever else it is that they are required to do in Government. But one of the most important aspects of that is meeting members of the community. What is wrong with the Opposition asking him who he has met? I have not even done that, I have asked him whether he has met this collective. What is wrong with me saying to him who he has met yesterday in his official capacity? I should be entitled to know and so should the rest of the community, and I will listen if he only says it once.

**HON LT-COL E M BRITTO:**

I did say it only once, I have nothing to add.

ORAL

**NO. 494 OF 2009**

**THE HON F R PICARDO**

**ENVIRONMENT – AIR QUALITY**

What action if any has Government taken to put in place measures to distinguish between alarming readings of PM<sub>10</sub> and natural phenomena which potentially create mis-readings in the air in Gibraltar and if so what equipment has been put in place for this purpose?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 495 of 2009.

**NO. 495 OF 2009**

**THE HON F R PICARDO**

**ENVIRONMENT – INFRACTION PROCEEDINGS RE AIR QUALITY**

Has the Minister for the Environment now received and will he make available a copy of the letter notifying the infraction proceedings being brought against the United Kingdom by the European Commission in part as a result of the excess of PM<sub>10s</sub> in the air in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Yes I have received a copy of the notification of the infraction proceedings brought against the UK by the EC. As explained in reply to Question Nos. 151 and 152 of 2009, there was no reason for Gibraltar to have been included in the exceedences once the natural dust occurrences were deducted. The natural dust occurrences deduction was communicated to the EC but the notification had been issued just a few days before.

As also explained in reply to Question Nos. 151 and 152 of 2009, following the advice given by the Environmental Agency and their UK consultants, AEA Energy and Environment, the Government have put into place a system that will enable it to carry out a more accurate characterisation of the PM<sub>10</sub> within Gibraltar. In this way we will be able to deduct natural particulate matter, such as Saharan dust and sea salt that can affect readings. There is no measure or equipment on its own that is able to distinguish or identify instantaneously the component of natural particulate matter within PM<sub>10</sub> readings.

**SUPPLEMENTARY TO QUESTION NOS. 494 AND 495 OF 2009**

**HON F R PICARDO:**

So what is it that this programme does? If there is not one particular piece of equipment to detect this what is the programme that is being put in place?

**HON LT-COL E M BRITTO:**

The system that the Government have put in place provides for the following. (1) Establishment of an improved inventory and modelling. This will also include data such as traffic flows and vehicle composition, industrial parameters, processes and stack characteristics, construction type and activity and shipping fleet or composition

and activity. (2) Expansion of current monitoring programme to include monthly chloride monitoring and increased resolution PM<sub>10</sub> analysis. The increased temporal resolution will be provided by the installation of an osiris analyser at Rosia Road, to be installed on the 11<sup>th</sup> June 2009, is that not a coincidence. (3) Examination of trends in construction activity and to allow correlation with increases in measured PM<sub>10</sub>. (4) Use of advanced statistical analysis of monitoring data which will extract more information from the existing monitoring network. (5) Analysis of road traffic associated re-suspended dusts. (6) Modelling of emissions of shipping transiting the Strait of Gibraltar and those visiting the Strait of Gibraltar. Not only natural dust events, such as the African dust storms, as the hon Member is no doubt aware, but also sea salt can give rise to PM<sub>10</sub> occurrences or intrusions throughout Europe. The exceedences of the EU limit values for PM<sub>10</sub> that are caused by such events can be deducted from the total number of exceedences in any one year. So in short, the politically expedient and alarm bell ringing part of the question, that talks about alarming readings of PM<sub>10</sub> and the insinuation in what action have the Government done if any, is more than adequately answered by the long list of measures that are being taken and by the fact that not just in Gibraltar but in other European countries, notably our neighbours, which are as affected by Saharan dust as we are, there are exceedences which on paper appear to be exceedences but then once the natural occurrences of PM<sub>10</sub> are deducted, like dust, like salt, et cetera, then they become lower than the exceedences level and are no longer a cause for infraction.

**HON F R PICARDO:**

Does the Minister accept from me, although I have not got the Hansard here because he knows I have just arrived from New York, that the politically expedient and alarmist phrase “alarming” was actually used in his last answer to differentiate between alarming readings, which actually should not cause alarm and actual readings because of the natural phenomena? In fact, it is not something introduced by me but something taken from his answer last time round. Will he, in accepting my gratitude for that very long answer which has set out the programme, now also agree to make available a copy of the letter notifying the pre-169 infraction proceedings?

**HON LT-COL E M BRITTO:**

No Sir, I am not prepared to make available a copy of a letter that is not mine, that is written by another party to another party, and for which I have a copy. I do not think it would be appropriate, and in any case, even if it were I do not think the Government are prepared to do it.

**HON F R PICARDO:**

Will he at least tell us what it is that was alleged in that letter, if it is outside the parameters of simply dealing with PM<sub>10</sub>?

**HON LT-COL E M BRITTO:**

This is a long technical document which, to be honest, I have not read in detail. But what I am aware of is that the infraction proceedings were on the basis of exceedences of PM<sub>10</sub>, both for the UK and for ourselves. The only thing is the UK

seems to have defended its case better than ours and theirs disappeared and ours did not.

**HON F R PICARDO:**

I know it is technical but does the Minister accept that he is the Minister for the Environment, he cannot come to this Parliament that he has not read in detail, a very serious document like a pre-169 letter, making a complaint against Gibraltar or partly against Gibraltar in respect of these matters in the European Commission. Will he agree to read that letter, will he agree to let us know whether there are any differences between the questions which deal with the PM<sub>10</sub> issue and anything in that letter which may go further?

**HON LT-COL E M BRITTO:**

No, I did not say I had not read the letter, I said I had not read it in preparation for this meeting so I could have the details at hand. I did then go on to say that the basis of the infraction, which shows that I had read the letter, is on the basis of exceedences of PM<sub>10</sub>.

ORAL

**NO. 496 OF 2009**

**THE HON G H LICUDI**

**MAIN STREET LAY-BYS**

Can Government say what was the cost of constructing and then removing the lay-bys at the southern end of Main Street and what additional amount this is expected to add to the original tender sum?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 497 to 500 of 2009.

**NO. 497 OF 2009**

**THE HON G H LICUDI**

**MAIN STREET LAY-BYS**

Can Government say why the lay-bys which were provided and constructed at the southern end of Main Street were then removed, on whose orders and for what reason?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 496 and 498 to 500 of 2009.



**NO. 498 OF 2009**

**THE HON G H LICUDI**

**MAIN STREET LAY-BYS**

Can Government say how many lay-bys between The Convent and Referendum Gates (on both sides of the road) were provided and then removed in the on-going works for the beautification of the southern end of Main Street?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 496, 497, 499 and 500 of 2009.

ORAL

**NO. 499 OF 2009**

**THE HON G H LICUDI**

**MAIN STREET LAY-BYS**

Can Government say how many lay-bys between The Convent and Referendum Gates (on both sides of the road) will now be provided in the beautification of the southern end of Main Street?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 496 to 498 and 500 of 2009.

**NO. 500 OF 2009**

**THE HON G H LICUDI**

**MAIN STREET LAY-BYS**

Can Government say how many lay-bys between The Convent and Referendum Gates (on both sides of the road) were provided for in the tender documents for the beautification of the southern end of Main Street?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The variation to the contract arising from a review of the overall situation regarding the provision of lay-bys will add approximately £3,500 to the contract sum.

The original design concept for the beautification works to the southern end of Main Street aimed to provide as wide a footpath as possible along the eastern side in order to enhance the use of the area by pedestrians. This had to be taken into consideration, together with other needs identified at the time such as the provision of a bus stop lay-by, loading and unloading bays and parking spaces. The design prepared and tendered for was therefore a balance between these factors, hence the decision to include lay-bys along the eastern footpath. Following the start of the works on site, a reappraisal of the situation was undertaken and it was considered that the needs of the area could be adequately served by providing lay-bys along the western side only. This in turn allowed the footpath along the eastern side to be constructed across its full width, thus achieving the original design intention. The only concession to this will be the bus stop lay-by, which has to be located on the eastern side due to the position of the passenger doors on the buses.

A total of three lay-bys were removed on the eastern side of the on-going works for the beautification of the southern end of Main Street.

A total of eight lay-bys will now be provided in the beautification works to the southern end of Main Street.

A total of 15 lay-bys were provided for in the tender documents for the beautification of the southern end of Main Street.

**NO. 501 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government state why six years after the closure of the Dudley Ward Tunnel it decided that changes had to be carried out to the project design for the works necessary for the reopening of the tunnel?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 502 of 2009.

**NO. 502 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government state what is the current status of the award of the tender for the realignment and concreted protection of the approach road to Dudley Ward Tunnel?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

As stated in reply to Question No. 163 of 2009, the original tender as designed was reappraised due to technical issues. Included amongst these was a change in the physical characteristics of the site arising from the designation of the area as a facility to receive construction rubble. The new design incorporates the existing material into the project and uses it as part of the rock fall protection strategy for the area.

As stated in reply to Question No. 163 of 2009, the original tender process was concluded. However, due to technical issues it was decided not to proceed with the project as originally designed. The works have been divided into separate packages which are being individually tendered for. The first contract involving the erection of rock fall catch fences has already been awarded. Work started on the site on 2<sup>nd</sup> June 2009 and these works are programmed to take 16 weeks to complete. The second contract involving demolitions and earth works has been put out to tender on 22<sup>nd</sup> May 2009 and is due to be returned on 12<sup>th</sup> June 2009. This phase of the works will entail the removal of the existing structures in the path of the new road and the re-profiling of the rubble mound, which will incorporate a rock catch ditch as an integral part of the rock fall protection strategy of the area. The documents for the third contract, involving the construction of the rock fall canopy and the road, are currently being finalised and will be put out to tender shortly.

**SUPPLEMENTARY TO QUESTION NOS. 501 AND 502 OF 2009**

**HON G H LICUDI:**

Can the Minister say when we finally see light at the end of this particular tunnel?

**HON LT-COL E M BRITTO:**

No, I have left my crystal ball behind.

**HON G H LICUDI:**

It is not a question of gazing into a crystal ball. Not too long ago in this Parliament the Minister said that the works would finish 18 months after they have started. Well, they have now started on 2<sup>nd</sup> June, are the Government keeping to their original position that 18 months after the 2<sup>nd</sup> June all the works will be finished, notwithstanding that there has been a reappraisal of the project design?

**HON LT-COL E M BRITTO:**

Yes, again I was being flippant and maybe the hon Member misunderstood, but I have been given no information to suggest that that target of 18 months will not be met.

**HON G H LICUDI:**

So do I take it from that that Government are still working to that particular target, notwithstanding the project design changes?

**HON LT-COL E M BRITTO:**

That is my understanding and I have nothing to tell me to the contrary.

**NO. 503 OF 2009**

**THE HON DR J J GARCIA**

**GTB – MINISTER’S OVERSEAS VISITS**

Can the Minister with responsibility for tourism give the dates when he has been away from Gibraltar on Government business, since the last Question Time in this Parliament, giving the event or function attended, the venue, the city and the country visited?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

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

**Answer to Question 503 of 2009**

<b>Dates</b>	<b>Event/Function</b>	<b>Venue</b>	<b>City</b>	<b>Country</b>
20/04/09 to 22/04/09	Meeting of The UKGTA	Gibraltar Government Office	London	UK



**NO. 504 OF 2009**

**THE HON DR J J GARCIA**

**GTB - UPPER ROCK NATURE RESERVE FEES**

Why has Government failed to comply with the improvement document circulated to tour operators at the time of the last price increase in fees payable for access to the Upper Rock Nature Reserve?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Government did not circulate an improvement document to tour operators at the time of the last price increase for access to the Upper Rock Nature Reserve. However, the hon Member may be referring to a letter sent to tour operators by the Gibraltar Tourist Board on 6<sup>th</sup> December 2006, which detailed the price increases due to come into effect on 1<sup>st</sup> April 2005. This letter briefly explains that the additional income generated by the increase will be invested in the Upper Rock and there have been many improvements to the Upper Rock since the date of this tariff increase.

**SUPPLEMENTARY TO QUESTION NO. 504 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say what the additional level of income raised has been?

**HONLT-COL E M BRITTO:**

I can tell the hon Member that in the financial year 2005/2006 the additional revenue was £401,986.83, and that in that year to the I&D Fund a sum of £650,000 was allocated. In the financial year 2006/2007, the increase in revenue was £227,689.01, and similarly, the amount in the I&D Fund was £650,000. In the financial year 2007/2008, the increase of revenue raised was £339,801.73 and the amount allocated to the I&D Fund was £500,000. In the year 2008/2009, there was a decrease in revenue of £145,763.42 and the amount allocated to the I&D Fund was £25,000.

**HON DR J J GARCIA:**

In relation to the amounts allocated to the I&D Fund, can he say in each of those cases, if he has that information there, how much was actually spent?

**HON LT-COL E M BRITTO:**

Yes, in 2005/2006 £112,050; in 2006/2007 £284,214; in 2007/2008 £313,644 and in 2008/2009 £24,925.

**NO. 505 OF 2009**

**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. 506 and 507 of 2009.

**NO. 506 OF 2009**

**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**

Answered together with Question Nos. 505 and 507 of 2009.

**NO. 507 OF 2009**

**THE HON DR J J GARCIA**

**GTB – HOTEL STAYS**

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**

One meeting of the Tourism Advisory Council has been held on 6<sup>th</sup> April 2009.

The rest of the information requested by the hon Member is contained in the schedules which has been handed over to him.

**ANSWER TO QUESTION 507**

**Answer to Question 505 of 2009**

MONTH	UPPER ROCK	COACH PARK	MUSEUM
February 2009	£ 111,345.50	£ 7,765.52	£ 1,747.25
March 2009	£ 172,673.79	£ 6,511.50	£ 1,351.50
April 2009	£ 281,097.22	£ 5,580.00	Not yet available
<b>TOTAL</b>	<b>£ 565,116.51</b>	<b>£ 19,857.02</b>	<b>£ 3,098.75</b>

**Answer to Question 507 of 2009**

**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
Jan 2009	1250	1	-	-	1	6.0	-	-
Feb 2009	1253	1	-	-	1	7.0	-	-
Mar 2009	1250	-	-	-	-	-	-	-
Apr 2009	1326	15	15	4.1	-	-	-	-

**b) Not stayed at Hotel**

	Total Interviews Not Stayed at Hotel	Airport	Port	Frontier	Waterport	Marina	Coach Park
Jan 2009	1249	-	-	1249	-	-	-
Feb 2009	1252	-	-	1252	-	-	-
Mar 2009	1250	-	-	1250	-	-	-
Apr 2009	1311	43	1	1267	-	-	-

ORAL

**NO. 508 OF 2009**

**THE HON DR J J GARCIA**

**GTB – TENDER FOR BEACH CONCESSIONS**

Can Government say whether the tenders for “Beach Concessions” and “Beach Concessions – Kiosks” were all awarded to the highest bidder?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 509 of 2009.



**NO. 509 OF 2009**

**THE HON DR J J GARCIA**

**GTB – TENDER FOR BEACH CONCESSIONS**

Can Government list who were awarded the tenders for “Beach Concessions” and “Beach Concessions – Kiosks”, showing in each case the amount bid, the nature of the concession and its location?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

As has been explained to the hon Member before when this question has been asked in previous years, all beach concessions are charged at the same rate of £325 for the 13 week period.

The rest of the statistical information asked for by the hon Member is now being handed over to him.

**Answer to Question 509 of 2009**

**BEACH CONCESSIONS**

<b>APPLICANT</b>	<b>COST</b>	<b>NATURE OF CONCESSION</b>	<b>LOCATION</b>
Sunrise Beach Bar Restaurant Ltd	£325	Hiring of beach umbrellas and sun loungers	Eastern Beach (South)
Latino's on the Beach	£325	Hiring of beach umbrellas and sun loungers	Eastern Beach (South)
Bounce-R-us	£325	Bouncing castle	Camp Bay

**BEACH CONCESSIONS – KIOSKS**

<b>APPLICANT</b>	<b>COST</b>	<b>NATURE OF CONCESSION</b>	<b>LOCATION</b>
El Chiringuito	£325	Beach kiosk	Western Beach (South)
Little Bay Kiosk	£325	Beach kiosk	Little Bay
Sunrise Beach Bar Restaurant Ltd	£325	Beach kiosk	Eastern Beach (South)
Willy's Return	£325	Beach kiosk	Camp Bay

**SUPPLEMENTARY TO QUESTION NOS. 508 AND 509 OF 2009**

**HON DR J J GARCIA:**

Has that £325 remained unchanged for a number of years now?

**HON LT-COL E M BRITTO:**

I think it has, I am not sure, the figure of £300 is at the back of my mind. But if it has changed it has changed only very slightly.

ORAL

**NO. 510 OF 2009**

**THE HON DR J J GARCIA**

**GTB – AUDIO SYSTEM FOR ST MICHAEL’S CAVE**

Can Government say who was chosen to provide a new audio system for St Michael’s Cave, on what date, at what cost, when the works commenced and when they were completed?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 511, 512 and 514 of 2009.

**NO. 511 OF 2009**

**THE HON DR J J GARCIA**

**GTB – TOILET FACILITIES AT ST MICHAEL’S CAVE**

On how many days have the toilet facilities at St. Michael’s Cave been inoperable since 1 January 2009 and how many complaints have been received?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 510, 512 and 514 of 2009.

ORAL

**NO. 512 OF 2009**

**THE HON DR J J GARCIA**

**GTB – COST OF REPAIRING “CITY UNDER SIEGE” EXHIBITION**

What will be the “unavoidable and substantial” cost of repairing the City Under Siege Exhibit at the Upper Rock Nature Reserve?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIROMENT AND TOURISM**

Answered together with Question Nos. 510, 511, and 514 of 2009.

**NO. 513 OF 2009**

**THE HON J J BOSSANO**

**CEMETERY – POST OF P&GSE**

Can Government state how long the post of P&GSE in the complement of the cemetery has been vacant?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The last holder of the post of Cemetery Keeper, the position analogued to the grade of P&GSE in the Cemetery, retired in November 2005.

**SUPPLEMENTARY TO QUESTION NO. 513 OF 2009**

**HON J J BOSSANO:**

Well, given that the post continues to appear in the annual complement in the Estimates, is it that they still have not selected the person to occupy the post or is there somebody acting in it?

**HON LT-COL E M BRITTO:**

Certainly no one has been selected. I am not sure if someone is acting in it. The reason why the vacancy still remains is that, as the hon Member will know better than I do, that is a particular grade that there are not many of, it is probably the only one left in the Government, as I was told some time ago. But the whole issue has been caught up in the much bigger issue of the review of the Department of the Environment, not just the Cemetery, and a restructure of that Department which includes the restructure of the staff of the Cemetery. That is the main reason why it has not been filled, pending decisions on the overall review.

**HON J J BOSSANO:**

But surely the Minister did not know in 2005 that he was going to be conducting this review in 2008/2009. The job became vacant in 2005. Is it that the job disappeared, the function disappeared and nobody has been doing whatever it was the Cemetery Keeper did, or has somebody else been doing it and have they been paid the rate in an acting capacity? If it has been going on for four years he must know if somebody has been doing the work or not in the last four years.

**HON LT-COL E M BRITTO:**

My understanding is that somebody has been acting or somebody has been doing the work. Obviously I was not there in 2005 so I do not know the decision that was made. But I do know that since I took over it has been an issue that has come up several times, but as I say, there has been a reluctance to recruit in to the post. One of the reasons being that there is discussion whether it should be a PTO post or a P&GSE. It is a relatively, I choose my words carefully, minor issue, it would not be to the person concerned, relatively minor issue in the overall scheme of the overall restructure of the Department. But I do not defend the fact that it has been vacant for so long.

**HON J J BOSSANO:**

From my recollection, the budget is not underspent and we have provided in the annual estimates, the post and the personal emoluments. Presumably, somebody did xxxxx that money. If it is being done on the basis of acting from the industrial grades, because there is nothing below P&GSE other than the industrial grades, does he know how the absence of that person in the pool of industrial grades is being covered?

**HON LT-COL E M BRITTO:**

No I am afraid I do not.



**NO. 514 OF 2009**

**THE HON S E LINARES**

**GTB – UPPER ROCK WATER SUPPLY**

Is the Minister satisfied with the provision of the water supply and that there are adequate numbers of fire hydrants should a fire break out in the Upper Rock?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The Government have not installed a new audio system at St Michael's Cave.

The toilets at St Michael's Cave have been operable on all days since 1<sup>st</sup> January 2009, with the exception of two days in early February when the ceiling in the ladies toilet only was undergoing repairs.

The Gibraltar Tourist Board has received no complaints to date on this matter.

In answer to Question No. 512, the costs have not yet been determined, but considering the damage caused and the specialist repairs required, these are expected to be high.

The main salt water supply to the existing fire fighting system within the Upper Rock is pumped from Europa Road reservoir to Haynes Cave reservoir.

Currently there are static tanks placed throughout the Upper Rock and in the year 2006 two new tanks with capacities of approximately 26,000 litres each were installed. These tanks augment the current hydrants which are available, presently 25 in number. These are supplied by water mains or reservoir. In the event of a fire AquaGib would assist the Fire Brigade by boosting the pressure flow of water supply to the hydrants.

The Upper Rock needs to be seen as a rural rather than a built up area and, in common with all other rural areas everywhere, a system of hydrants similar to what would be found in built up area is difficult to implement.

There have been at least two schemes designed and estimated by AquaGib in recent years. The first was in 1999 and the estimated cost was £300,000. The second was in 2006 and was much more extensive with an estimated cost of some £2.2 million. Neither of these two schemes have been funded by Government.

The current system in place to fight fires on the Upper Rock is therefore a combination of water points, fire hydrants and water tanks at certain locations, along with a system of fire breaks which are cleared every year.

**SUPPLEMENTARY TO QUESTION NOS. 510 TO 512 AND 514 OF 2009**

**HON S E LINARES:**

Did the Minister say that the fire breaks were cleared every year?

**HON LT-COL E M BRITTO:**

Yes.

**HON DR J J GARCIA:**

In relation to the sound system at St Michael's Cave, have there been any changes to the system which has been in place up to now, recent changes or any changes being planned?

**HON LT-COL E M BRITTO:**

The hon Member would know that if the Government chose to install a new audio system at St Michael's Cave this would go out to public tender, so he would be aware. I am told that the hon Member may be referring, and this is speculation on my part, or on the part of those who informed me, that he is referring to a news item on website of a company called AV Interactive. The news item was posted on 10<sup>th</sup> March 2008 and refers to a brand of speakers used in the Cave, but that this is a very old item of news, as it refers to the existing speakers which were installed in the year 2001.

**HON DR J J GARCIA:**

That is exactly the news item to which I referred. But my reading of the date was March 2009 which is why the question is tabled. But I take the answer of the Minister and will leave it at that.

**NO. 515 OF 2009**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can Government say whether they have decided on the number of parking spaces and the number of floors that 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. 516 to 518 of 2009.

**NO. 516 OF 2009**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can Government now say whether the new arrangements for hospital users to park at Europlaza are operational?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 515, 517 and 518 of 2009.

ORAL

**NO. 517 OF 2009**

**THE HON G H LICUDI**

**QUESTION WITHDRAWN**

This question is very similar to other questions being asked by my Colleague, Mr Costa, therefore I ask Mr Speaker's permission to withdraw that question.

**NO. 518 OF 2009**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can Government now 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**

The position remains as stated in my reply to Question No. 182 of 2009.

**SUPPLEMENTARY TO QUESTION NOS. 515 TO 518 OF 2009**

**HON G H LICUDI:**

Can Government state what the current problem is, or whether there is a problem and when we are likely to see that matter resolved?

**HON J J HOLLIDAY:**

There is no problem. The issue is that the new arrangements for the Europlaza car parking facilities are part of the Government's general traffic and parking policy which will shortly be announced, which is part of a wider strategy which will be announced shortly.

**HON G H LICUDI:**

Is the problem to do with staffing?

**HON J J HOLLIDAY:**

No it is not.

**HON G H LICUDI:**

Is the car park, as far as the Minister is aware, in a fit state to be operational today?

**HON J J HOLLIDAY:**

It is.

**HON G H LICUDI:**

If the car park is in a state to be operational immediately and there is no staffing problem, is the Minister aware of the continuing difficulties that users of the hospital have as a result of lack of parking facilities, especially at night time, and does this not merit a little bit of urgency on the part of the Government so that this particular part of the parking arrangements should be implemented immediately without having to wait for the wider picture, as the Minister has indicated?

**HON J J HOLLIDAY:**

The Government are aware of the circumstances described but I think as part of the overall Government policy on this particular issue of parking and traffic, we will wish to wait until the whole strategy is announced and put into place. As I say, this will be done very shortly.

**HON G H LICUDI:**

Will the Minister be able to give us an explanation as to why this necessarily has to be linked to the wider traffic and parking issues in Gibraltar? Whatever issues there may be in respect of traffic arrangements by the old Queens Cinema or other parts of Gibraltar, surely have absolutely nothing to do and no impact whatsoever on parking arrangements in Europlaza which is ready to be used. Why cannot that be done straight away without having to wait? What is the necessity to have to wait for this wider process?

**HON J J HOLLIDAY:**

The Government have agreed or decided that they will not be implementing any changes piecemeal and will be doing it as part of their overall policy, and that is what has been decided and what will follow. But as I say, this will happen very, very shortly.

**NO. 519 OF 2009**

**THE HON S E LINARES**

**GEA – GENERATING SETS**

Can the Minister state how many times the 100 kilowatts and the 200 kilowatts generating sets have had to be deployed giving a breakdown as to the location, number of hours it was needed for, cost for its usage and the reason why they were needed?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

None. The Gibraltar Electricity Authority was able to restore power supplies to all sites that have been affected by loss of electricity power within the stipulated eight hours before these generators are deployed.



ORAL

**NO. 520 OF 2009**

**THE HON F R PICARDO**

**GIBTELECOM – CHIEF EXECUTIVE**

Has the Government as shareholder of Gibtelecom now considered with its co-shareholder whether it will agree to reveal to the public the terms of engagement, retirement and pension agreed with the Chief Executive of Gibtelecom?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 521 of 2009.

**NO. 521 OF 2009**

**THE HON F R PICARDO**

**GIBTELECOM – CHIEF EXECUTIVE**

Is Government as a 50% shareholder satisfied that its appointed CEO of Gibtelecom does not have a conflict of interests in his post given his remunerated role also in a major gaming company?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

As I informed the hon Member in my reply to Question No. 190 of 2009, the Government are not prepared to divulge this information.

The Government are satisfied that the CEO of Gibtelecom does not have a conflict of interests in his post given his remunerated role in a major gaming company.

**SUPPLEMENTARY TO QUESTION NOS. 520 AND 521 OF 2009**

**HON F R PICARDO:**

With respect to the Minister, one of the things that he said in answer to supplementaries in respect of Question No. 190 of 2009, was that he would consider with the co-shareholder whether they would make the information available. So although his first answer may have been that they were not going to give the information, his subsequent answer suggests that there was actually going to be a process of consideration of whether or not to reveal the terms of engagement, retirement and pension agreed with the Chief Executive of Gibtelecom. Is it that he has not had that consultation?

**HON J J HOLLIDAY:**

That is correct, the opportunity has not arisen because the co-shareholders are from Slovenia and it is something that I wish to do on a face to face, personal basis. But that will happen shortly at the next Board meeting.

**HON F R PICARDO:**

I am obliged. In that case, I would like to give the Minister notice that I will be pursuing this issue at the next meeting of the House, so I look forward to that. In relation to the next question, the CEO of the company, as the Minister will know, has a post on the Board of a major gaming company that also happens to be one of the major clients of Gibtelecom. Does that not automatically create a case of conflict of interests?

**HON J J HOLLIDAY:**

No and that is a matter that has been considered both by the Government and by the Telecoms Slovenia and it was decided that there was no conflict of interests.

**HON F R PICARDO:**

Is the Minister not in fact telling us that they considered the conflict and decided that they would live with it, but not that there is not a conflict of interests?

**HON J J HOLLIDAY:**

No, the co-shareholders never considered the conflict of interests. What the co-shareholders considered was an approach by the Chief Executive of Gibtelecom saying that this was a possibility, an option open to him, and whether the co-shareholders were in agreement for this to happen and whether they felt that he could proceed to accept that. That was considered and accepted.

**HON F R PICARDO:**

In other words, the Government then with its co-shareholder considered the potential of a conflict of interests, considered the obvious conflict of interests, and decided that they would give leave, if I could use that phrase, to the CEO to go ahead and take the post, confident that the conflict would not manifest itself in a manner that was problematic for the company. But not that there was not any conflict of interest, correct?

**HON J J HOLLIDAY:**

Well, it is an issue that definitely crossed my mind and I was satisfied that that would not be a problem. This was agreed to by my co-shareholders as well.

**NO. 522 OF 2009**

**THE HON F R PICARDO**

**NEW POWER STATION**

Can Government now confirm that the diesel engines which will be used for the new power station will be “the best available technology” and what technology this will be?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government are committed to using the best available technology for the new power station.

The new power station project is currently at the public consultation and tender stage and, therefore, the precise details of the diesel engines and technology to be used will not be confirmed until the public consultation process is complete and the tender for the works awarded.

**SUPPLEMENTARY TO QUESTION NO. 522 OF 2009**

**HON F R PICARDO:**

When will the public consultation process finalise?

**HON J J HOLLIDAY:**

I do not have this information to hand but I know that the public consultation exercise was actually much longer than is required under the law. From the initial stages, I think that two months consultation period was offered. I think that this was subject to a press advert which had stipulated the date. So he can check that, it is in the public domain and, therefore, the consultation period is, I think, coming up now to almost conclusion.

**NO. 523 OF 2009**

**THE HON G H LICUDI**

**PARKING AT MORRISONS CAR PARK FOR HOSPITAL USERS**

Can Government state whether it has made any arrangement with Morrisons to ensure that persons who have to attend hospital at night and park at the Morrisons car park are not clamped?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There are no parking arrangements with Morrisons for persons who have to attend the hospital at night. Morrisons car park is in fact closed at night.

**SUPPLEMENTARY TO QUESTION NO. 523 OF 2009**

**HON G H LICUDI:**

The question is whether they have made any arrangements on that. I take it from the answer that it is no. Has there been any consultation or any contact with Morrisons for that facility to be made available, in the same way as apparently it is made available during the day, where hospital users can park for a certain limited amount of time?

**HON J J HOLLIDAY:**

Well, Morrisons car park opens from eight in the morning to ten at night and there is an allowance for three hours of parking for all users. Whether one goes to the supermarket or to the hospital, one can make use of the car park. However, the GHA provide parking facilities at night time within the designated lay-bys and persons attending the hospital at night are given a provisional car parking permit by GHA security.

**HON G H LICUDI:**

Can the Minister say how many bays are available for this?

**HON J J HOLLIDAY:**

I do not have an exact figure but if one knows the lay-bys at the bottom in front of the hospital, I think they probably are able to take six cars on either side. I think, possibly, about 12 cars.

**HON G H LICUDI:**

The information we have is that this is a real and practical problem that people have to attend hospital at night time either because of an emergency or bereavement and have real problems in finding a place to park, particularly at short notice. I note what the Minister says about Morrisons being closed at night, is he aware, my understanding is that the car park is not physically closed so that cars are able to get in and are able to get out, but once they get in and park to go to the hospital they are actually clamped. The information we have is just about on a nightly basis. A lot of users of the hospital who attend usually in circumstances of distress, or emergency, then end up having their car clamped and facing that additional difficulty. So it is not the case, according to the information I have, that people cannot get in or out of the car park, it is that when they get in they get clamped. If that is the case and the car park is actually physically open, even though not operationally open, is it not possible for the Government to engage Morrisons in consultation to try and address this practical problem in order to assist those who have a very dire and often a stressful need to use the hospital at night?

**HON J J HOLLIDAY:**

I am very conversant with the problems that the hon Member has stated. I recently had the experience of having to attend hospital at short notice.

**HON G H LICUDI:**

Was the Minister clamped?

**HON J J HOLLIDAY:**

No I was not clamped, I was actually given a security pass by the GHA to be able to park at the lay-by because there was room there. I think the issue with Morrisons would be who would be able to use the car park at night and who would be going to hospital and who would be using it for their own parking. I think that we are basically on the last lap of a long marathon and I think that the Europlaza car park will shortly be available for use, and I think the problem will be overcome. So, I think that we are now trying to probably solve the problem in that way rather than engaging Morrisons in discussions.

**HON G H LICUDI:**

Can the Minister give a commitment to this House that the problem will be resolved within a month?

**HON J J HOLLIDAY:**

I cannot give a commitment to any timescale. All I am saying is it will be done very shortly.

**NO. 524 OF 2009**

**THE HON G H LICUDI**

**ABANDONED VEHICLES**

Can Government state why it has failed to tackle adequately the problem of abandoned vehicles on our roads?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government do not accept that they have failed to tackle adequately the problem of abandoned cars on our roads.

**SUPPLEMENTARY TO QUESTION NO. 524 OF 2009**

**HON G H LICUDI:**

It does not take too much effort to go round even the main roads in Gibraltar and see the problem that exists. So, although the Government might not accept that they have failed in this particular duty, we say it is a duty, it is quite obvious to everyone in the street that that is in fact the case. The Minister will be aware and was involved quite recently, following a complaint by a concerned citizen firstly to the police and having been directed to his department, having raised the matter of abandoned vehicles in Devil's Tower Road in particular, because the Minister wrote to the concerned citizen and said, essentially, "I am now writing to inform you that from the information that you supplied I gave instructions for the area to be cleared of derelicts". So we certainly applaud the fact that the Government react to concerns from citizens but does that not in fact show that there is an existing problem and the Government should not have to wait for individuals? This is someone who persisted because first he went to the police, went to the Police Complaints Board, had a letter saying he had gone to the wrong place and then went to the Minister's department and the matter was addressed. This was something that was obvious, it was on Devil's Tower Road. Why is it that the Government, although as I said it is laudable that they should react to concerns of citizens, have to wait for these matters to be raised by concerned citizens before they actually do anything about a problem?

**HON J J HOLLIDAY:**

I think the issue of abandoned cars is actually quite a serious one in the sense that the number of abandoned cars seems to be on the increase all the time. I think the



House needs to be made aware of the fact, and I do not have figures here in front of me, but speaking from memory, that the number of abandoned cars actually removed from our roads averages something like 700 a year. That, I think, is not a small number by any means. I think that there is a strategy of trying to remove abandoned cars from our roads as quickly as possible. I think one of the areas that I am currently reviewing, which opens up further questions in the future as to how the review is going, but I will not tell him anyway, is the system that currently is in place in order to remove the cars from the roads themselves. In other words, the procedure that needs to be gone into in terms of advertising that the car is going to be removed from the public highway, the notices that have to be issued and there is a long procrastinated, I think, procedure in order to safeguard the removal of cars that may not necessarily be abandoned. I think that that adds to the ability to be able to react and remove cars as and when we want in a very quick and efficient manner. I think that the review of the system in the procedure of this, will alleviate the problem. But I think from that position to the position that his original question insinuated of Government having failed, I do not think is a fair one. That is why I felt that the hon Member's use of the word "failure" was not acceptable. So, therefore, all I can say is that the Government are conscious of the problems that exist, are addressing them but I feel that an average yearly figure in the last three years of 700 cars, I think is by no means a small number of abandoned cars that have actually been removed.

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

A total of 700 cars a year may not be a small number but it clearly is not enough because the problem persists, and it is a problem that the Minister acknowledges even though he does not acknowledge that the Government have failed in this particular matter. In the same way, one imagines, that the Government do not acknowledge that they have failed in carrying out works to re-open the tunnel which has been closed for six years, and what we have today are the same explanations that we have had again and again and again, this is subject to a review. Well, we have had explanations since 2003 of a review of the position with regard to Dudley Ward tunnel and the position is still the same. We on this side of the House get very concerned when we hear the word "review" and we had some insight not too long ago by the hon Member, Mr Britto, about matters which are subject to review which seemed to be an on-going review and never reach a solution. Is the Minister not aware that, although I accept that there is a need to review the system, there is an urgent need particularly having regard to the parking problems that exist and cars taking up much needed parking ..... Although we certainly accept that the Government should not go round removing cars willy nilly in the belief, possibly erroneous that they may be abandoned, they certainly have to be sure that these cars are abandoned, but simply looking at pictures which were published recently in the press, cars without the front and without wheels, cars galore and these litter our streets, even on Willis's Road one can see a few cars which are clearly abandoned, will the Minister now commit to carry out whatever review needs to occur so that the procedures are streamlined and we do not have this problem recurring, and we do not have to come to this House with accusations of the Government having failed? Hopefully the next time I will be able to get up in this House and say that we applaud the efforts that the Government have made in actually tackling this problem and solving the problem. I will have no problem at all in doing that, but the problem at the moment is that we have to come and accuse the Government of failure. The question was, Mr Netto may ask what was the question, but I am sure the Minister has heard was the question was. Will the Government commit to carry out this review as a matter of urgency so that the problem can be solved? As I have said, I

will be more than happy to come to this House and applaud the Government for solving the problem.

**HON J J HOLLIDAY:**

Well, I look forward to the day when that happens. But let me say that it is I that have stood up today and said that there is a review on-going about the system, right, initiated by me because I feel that there is more that could be done and there is a problem that needs to be improved upon. The Government are reviewing it precisely because they want to improve the system. So there is no commitment, I mean, the commitment is already there. I have committed myself to it by standing up and warning the hon Member about this, so there is no need for me to commit myself on it because it is on-going already.

**HON G H LICUDI:**

Will the Minister commit himself to concluding that review within a month?

**HON J J HOLLIDAY:**

Obviously Mr Licudi has not been in Government to expect that a review such as this takes place in a month. There is legislation that will need to be prepared, there will be legislation that will need to come to the House and that will not happen in a month let me tell him. So, I suggest that before committing to a timetable or trying to commit me to a timetable, he is realistic about the realities.

**HON G H LICUDI:**

We are realistic and we are realistic about the practical problem that exists out there on the street which the Ministers seems to be oblivious to. What I am asking the Minister to do is commit to the conclusion of the review. That does not mean, of course, that legislation that needs to be published will have been published and will have been passed, but at least the review, which is not going to be on-going for years on end, will have been concluded and we will see what the conclusion is in the very, very near future. Will the Minister commit to that at least?

**HON J J HOLLIDAY:**

No.

**NO. 525 OF 2009**

**THE HON G H LICUDI**

**CLAMPING – AREA AT WATERPORT**

Can Government state why the area at Waterport adjacent to the Tangier ferry terminal has been designated “private property” with clamping being carried out by a private company?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The area close to the ferry terminal is under the jurisdiction of the Gibraltar Port Authority and is classified as an area under International Port Security legislation. As with all port jurisdiction it is monitored by a security company contracted by the Government.

**SUPPLEMENTARY TO QUESTION NO. 525 OF 2009**

**HON G H LICUDI:**

The thrust of the question is that the area has been designated private property. I can understand that it is subject to the jurisdiction of a particular authority, of a public authority, but that does not make the area private property. There are actually signs up that say “private property”. So the concern is whether there has been some private granting of rights to anybody, such as a lease or a licence to a private company. There are actually big signs that now say “private property” and I am struggling to understand why that is the case if it is under the jurisdiction of a public authority.

**HON J J HOLLIDAY:**

I am not aware of the signage but they may have been put up by the security company. Are these portable ones or are they actually hanging from somewhere?

**HON G H LICUDI:**

These are the normal signs that one sees, “do not park” and the clamping and the tow away truck and it actually says “private property” on the top. So I would ask the Minister to look at it, I can understand that this area needs to be regulated and

controlled, and parking needs to be restricted, that is one thing, but if there has not been a private concession given to anybody, then the area should not be designated private property.

**HON J J HOLLIDAY:**

Well, I will check the signs that have been put up.

**NO. 526 OF 2009**

**THE HON G H LICUDI**

**CAR PARK ADJACENT TO REGAL HOUSE**

Can Government state why it has allowed the car park adjacent to Regal House to be closed when no work is being carried on at the site?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The car park adjacent to Regal House has been closed as it has been handed over to the developers of the site.

**SUPPLEMENTARY TO QUESTION NO. 526 OF 2009**

**HON G H LICUDI:**

We obviously assumed that that is the case, it has been handed over to developers. The question really is why it has been handed over at a time when apparently the developers do not need immediately to develop the site and it could have been the subject of continued use by the general public to alleviate the parking problem. The issue really is, although I understand that it has been handed over to a developer, if there was no need for the developer to take possession of that facility so soon because no work was going to be carried out for months, and it has been actually closed for a few months now, are the Government not able to make that facility available to the general public, through arrangements with the developer?

**HON J J HOLLIDAY:**

My understanding is that the developers are in the process now of mobilisation and that will involve the bringing down of the multi-storey car park structure that is there and will be moving along those lines. I am not privy to the timetable but there was a Government commitment to hand over the site to the developer at the time. In fact, there were very long delays as a result of various logistical problems in vacating the site. Therefore, it is now in the hands of the developer for them to move. But I will raise the matter with them in case there are going to be long-term delays, but I am told that that is not the case.

**NO. 527 OF 2009**

**THE HON G H LICUDI**

**NEW HARBOURS CAR PARK – LIFTS**

Can Government state what is the reason for the continuing problems with the lifts at the new car park at New Harbours?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There are no current problems with the new car park lift.

**SUPPLEMENTARY TO QUESTION NO. 527 OF 2009**

**HON G H LICUDI:**

This is a matter that I raised at the last Question session when the Minister acknowledged that there had been a problem going back to possibly January and it had been fixed and the lifts were operational. The reason for this question is that only two weeks ago I have received reports that there are continuing problems with the lifts. The lifts keep breaking down and often elderly people have difficulty in getting to the car park. From the answer the Minister has given, it appears that he is not aware or has not been made aware of these continuing problems. Can I ask the Minister to look into this matter and if there is a continuing problem to make sure that it is redressed?

**HON J J HOLLIDAY:**

Yes.

**NO. 528 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LIMITED – PAYING PASSENGERS**

Can Government state the number of paying passengers that were transported and the value of fares from these passengers by the Gibraltar Bus Company Limited in the months March to May 2009 giving a breakdown by month?

**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 Limited for the months of March to May 2009 are as follows:

	<b>No. of Passengers</b>	<b>Fare Revenue</b>
March	140,214	£66,658
April	148,820	£70,993
May	145,401	£69,649

ORAL

**NO. 529 OF 2009**

**THE HON G H LICUDI**

**BUS SHELTERS**

Can Government give full details of all works of maintenance and repair to the bus shelters during the months of March to May 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No works have been carried out during this period.



ORAL

**NO. 530 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LIMITED – ROUTE NO. 2**

Can Government state what is the reason for the operational difficulties in the last month to route number 2 which has resulted in passengers having to wait up to one hour for the bus?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 531 of 2009.

**NO. 531 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LIMITED – NEW BUS FOR ROUTE NO. 2**

Can Government state whether a final decision has now been taken with respect to the buses to be ordered for route number 2?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Gibraltar Bus Company is unaware of any operational difficulties.

There are times, however, when the Bus Route No. 2 bus is full and potential passengers may have to wait for the next bus in the schedule. This could result in a wait of approximately 50 minutes.

A final decision has now been taken to purchase the buses intended for Route No. 2 on the open market without going through the tender process, as efforts to do so have proved fruitless.

**SUPPLEMENTARY TO QUESTION NOS. 530 AND 531 OF 2009**

**HON G H LICUDI:**

The Minister says that the company is unaware of operational difficulties. The information we have is that there are two buses which operate this route and one of them was out of action for about a week during May. That resulted in only one bus being available because these are small buses which are not interchangeable with the other buses that are used. The Government or the company apparently have no alternative solution. When one is out of action there is only one bus left which needs to do the full rounds and therefore passengers have to wait an inordinate amount of time. Is the Minister aware that these are small buses carrying, I understand, nine or ten passengers? They get full pretty quickly and if there is only one bus that is operational and people are not able to get in, then the next time it comes around, which is about another hour, people will have been waiting for a very, very long time. Can the Minister say when we can expect .....? Again it is a question of timing and I am tempted to ask for a solution in the next month for the buses to be here and ready, painted and operational within another month, but this is a matter that we have been debating in this House for quite some time, from the time that the Minister's predecessor was in charge of traffic and transport, and we are aware of the issues of the tender process which has not resulted in buses. I have suggested on more than

one occasion that where there is a dire need there is a need to go to the market and identify the bus and actually buy it. Does it really take that long to buy a bus?

**HON J J HOLLIDAY:**

Well it does not take that long to buy a bus but then to get delivery of it does take time. One can buy a bus in ten minutes but then one will not get delivery of the bus in ten minutes. It will take a few months because the buses are built to order and to relevant specifications et cetera. So I think we are looking at a few months, is the answer to the timescale that we are looking at, but we are actively trying to look now at different options in order to be able to do that. A decision will be taken very shortly and then it will depend on the timescale of the delivery. There are buses that can be delivered between three and four months, some as much as six months, but that is the reality of the market today, as we speak.

ORAL

**NO. 532 OF 2009**

**THE HON G H LICUDI**

**WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many applications for weight exemption certificates were turned down during the months of March to May 2009 giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 533 and 534 of 2009.

ORAL

**NO. 533 OF 2009**

**THE HON G H LICUDI**

**WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many applications for weight exemption certificates were granted during the months of March to May 2009 giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 532 and 534 of 2009.

**NO. 534 OF 2009****THE HON G H LICUDI****WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many companies have been issued with monthly weight exemption certificates between the months of March to May 2009 giving a breakdown between heavy traffic roads and other roads?

**ANSWER****THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No application for weight exemptions was turned down during the period March to May 2009.

Weight exemption certificates granted during the months of March to May 2009 are as follows:

<b>2009</b>	<b>Cranes</b>	<b>Trucks</b>	<b>Motor vehicle designed for excavation or shovelling works</b>
March	4	16	1
April	13	14	1
May	8	12	3

There are 15 companies that have been issued with monthly permits for heavy traffic roads.

**SUPPLEMENTARY TO QUESTION NOS. 532 TO 534 OF 2009****HON G H LICUDI:**

In relation to the monthly exemption certificates, can the Minister say what checks and balances exist, because when there is a specific application which is either granted or turned down, even though none appear to have been turned down in the last few months, there is clearly an evaluation of what it is for, what the weight is and whether the application should be granted or not. In respect of monthly certificates, is there any process for checking what vehicles are actually brought in, what the weights are, what the damage is to the roads? Is there any monitoring at all or is it basically once the company gets the certificate they can do whatever they want on heavy traffic roads?

**HON J J HOLLIDAY:**

No, these monthly permits are usually issued to companies that have one particular type of vehicle that may be operating to a particular site on a daily basis with the same type of vehicle and not necessarily changing. These monthly certificates actually specify the routes, the vehicles and what procedures to follow. If there is any departure from that, then they have to go and apply for an exemption on a one to one basis as in the ones that have been highlighted earlier on in the question.

ORAL

**NO. 535 OF 2009**

**THE HON DR J J GARCIA**

**MID HARBOUR RECLAMATION**

From where was the sand used to reclaim the area in front of the Yacht Club (for the Mid Harbour Reclamation) extracted?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The sand was extracted from a licensed area to the north of Gibraltar on the East Side.

**SUPPLEMENTARY TO QUESTION NO. 535 OF 2009**

**HON C A BRUZON:**

Licensed by whom?

**HON J J HOLLIDAY:**

By the Government.



**NO. 536 OF 2009**

**THE HON DR J J GARCIA**

**MID HARBOUR RECLAMATION**

Can Government list the criteria used by the Minister for Enterprise, Development, Technology & Transport to determine that the Mid Harbour Reclamation is not an EIA development?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Minister for Enterprise, Development, Technology and Transport considered the following criteria in conducting the Mid Harbour Reclamation. I assume he is referring to Phase II because Phase I was subject to an EIA, and this was not an EIA development. That is the characteristics of the development, the location of the development and the characteristics of the potential impact.

**SUPPLEMENTARY TO QUESTION NO. 536 OF 2009**

**HON DR J J GARCIA:**

Was that decision taken on advice from a panel or experts?

**HON J J HOLLIDAY:**

Obviously the Minister is not professionally qualified, technically qualified to assess any of this. Under the legislation, this is done by the Town Planner and it is on the recommendation of the Town Planner that the Minister accepts or rejects what is being suggested. The Town Planner actually carries out a screening opinion of the particular proposal and then puts it to the Minister for consideration. I actually take an extra consultation loop to the whole exercise which is not statutory but I bring it to the DPC and I circulate the screening opinion, because there are people within DPC who may have interests and may have different angles. If there is a unanimous acceptance of it then I accept it because I do not feel qualified to be able to assess, so I have to go by what the Town Planner advises me, or in my case, I bring it to DPC as an extra which is not required.

**NO. 537 OF 2009**

**THE HON DR J J GARCIA**

**DRAFT DEVELOPMENT PLAN**

Can Government say how many representations have been made by members of the public in respect of the amendments to the draft development plan that were exhibited from 23 April to 14 May?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Development and Planning Commission has received two representations in respect of the proposed amendments to the draft Development Plan.

**SUPPLEMENTARY TO QUESTION NO. 537 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say whether they were made by individuals or by organisations?

**HON J J HOLLIDAY:**

One is a company, an individual I would say and the other one is a group, an association.

**HON DR J J GARCIA:**

Have those representations now been considered and might they be taken on board before the Plan is finally enacted?

**HON J J HOLLIDAY:**

A date has been set I think it is later this month, to actually meet both parties. In other words, the DPC will meet both parties and discuss their representations before we make a decision as a Commission.

ORAL

**NO. 538 OF 2009**

**THE HON G H LICUDI**

**PARKING TICKETS AT LAGUNA ESTATE**

Can Government say whether the issue of parking tickets is proving an effective deterrent to the parking of unauthorised vehicles in allocated parking spaces in Laguna Estate?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 539 of 2009.

**NO. 539 OF 2009**

**THE HON C A BRUZON**

**FOREIGN VEHICLES PARKING WITHIN LAGUNA AND GLACIS ESTATES**

Are Government aware of the problems that exist within Laguna and Glacis Estates on account of foreign vehicles using parking spaces within these estates?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Reports from the Laguna Estate Tenants Association indicate that the parking restrictions introduced at the Laguna Estate are effective in deterring unauthorised persons from parking within the Estate.

However, the Government are fully aware of the problems of foreign vehicles using car parking spaces within the Glacis and Laguna Estates, which is precisely why in consultation with the respective tenants associations, parking restrictions were introduced for the benefit of the authorised tenants. This has had a major positive impact for respective Government tenants and the situation has greatly improved.

**SUPPLEMENTARY TO QUESTION NOS. 538 AND 539 OF 2009**

**HON C A BRUZON:**

Not from the reports that come to me. I have had a number of constituents from the Glacis Estate area and some from Laguna, and I believe so has my Colleague the Hon Gilbert Licudi. It is, I think, important that the Government address the problem because, rightly so, I think it was a former Minister for Housing who issued these discs to vehicle owners within these Estates, to facilitate the parking of their own vehicles. I think the problem ....., I do not know whether the Government will acknowledge it they probably will not, but it is a serious one.

**HON J J HOLLIDAY:**

Government are not aware that that is the case and the feedback, as I have said that we have had from the tenants associations, is not as such. But, obviously, we will give the matter consideration.

**HON J J BOSSANO:**

Is there a particular problem when it comes to foreign registered cars as to what can be done, is there a difference, because the feedback that I have had is that there is a bigger problem about foreign registered cars that are left there from people who come across and do their shopping and dump their car in one of the housing estates, than there is with local people who should not be there but can be traced?

**HON J J HOLLIDAY:**

Yes, but that problem is not just in Laguna and Glacis it is really across Gibraltar generally, in that foreign registered vehicles are being given parking tickets for parking illegally and, generally, these parking tickets are not paid. They are just not, ignoring really the actual ability to find these cars. Government are now considering, as part of their parking and traffic policy, the introduction of on-the-spot fines. I think that that will create a structure which will enable us to be able to enforce the law on foreign registered vehicles that just are not observing the law today.

**HON F J VINET:**

If I can just add, I think it is fair to say that there are some policing/enforcement issues that could be improved upon, that is precisely what is being looked at as my Colleague has just said. But the feedback I get from my meetings with the tenants associations is that whilst the current set up may not be entirely perfect, it is a huge improvement to what existed previously.

**NO. 540 OF 2009**

**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) Manchester;
- (e) Madrid,

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. 541 of 2009.

**NO. 541 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – FLIGHTS DELAYED**

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) Manchester;
- (e) Madrid,

since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

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

**SCHEDULE TO QUESTION NO. 541/2009**

Flights timetabled and cancelled between Gibraltar and the following airports on a monthly basis were as follows:

	March		April		May	
	Timetabled	Cancelled	Timetabled	Cancelled	Timetabled	Cancelled
London Gatwick (British Airways)	31	0	30	0	31	0
London Gatwick (Easyjet)	53	0	52	0	52	1
London Luton	31	2	26	0	27	0
Manchester	13	0	13	0	13	0
Madrid	N/A		1	0	52	3

Flights delayed from Gibraltar to the following airports delayed by more than half an hour on a monthly basis is as follows:

	March	April	May
London Gatwick (British Airways)	0	1	0
London Gatwick (Easyjet)	3	3	3
London Luton	0	0	0
Manchester	0	0	1
Madrid	0	0	2



**NO. 542 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – PLANS**

Can Government state the policy reason why it has not yet published the plans of Gibraltar Airport referred to in section 25 of the Civil Aviation Act 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There is no policy reason why the plans for Gibraltar Airport referred to in section 25 of the Civil Aviation Act 2009 have not been published. Discussions continue with the MOD regarding the remaining transfer of land at the airport around the tunnel/road project. Once this final lands agreement is signed, a plan of the Airport will be published.

**SUPPLEMENTARY TO QUESTION NO. 542 OF 2009**

**HON DR J J GARCIA:**

Has this legislation already been commenced?

**HON J J HOLLIDAY:**

I think it has.

**HON DR J J GARCIA:**

Is it not possible that there could be legal issues which may arise where having a plan could actually be helpful? Is it not possible that legal issues could arise and actually having a plan would be helpful?

**HON J J HOLLIDAY:**

No, I mean, the negotiations with the MOD have now been agreed. They are going through the relevant documentation which basically is the lands agreement in order to formalise what has already been agreed. Thus all the relocations that have taken place and all the different projects that have commenced, all that has been agreed,

we cannot be just building without having had an agreement. The agreement is there, it is just the logistics of getting the documentation done, formalised and then published in the right format.

**HON DR J J GARCIA:**

The documentation is what, actually putting the agreement which already exists into a plan, is that the documentation, the actual transfer?

**HON J J HOLLIDAY:**

It is not just a plan it is the documentation which basically will explain what land has been transferred and what land has not been transferred and, therefore, on the basis of that documentation there will be an attachment which will have a clear plan of what is MOD and what is not MOD. Then we will publish, like the legislation says, in the Gazette in order for everybody to be fully conversant with the details of that.

**HON DR J J GARCIA:**

Is there a time frame within which it is envisaged that this will be complete?

**HON J J HOLLIDAY:**

I think this is imminent. The last Question Time I think we discussed the same issue and I followed it up and I was told at the time that the logistics of putting it together were being worked on. So I assume it is now imminent.

**NO. 543 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – MANDATORY OCCURRENCE REPORTS**

Can Government say how many mandatory occurrence reports have been raised in relation to incidents at Gibraltar Airport since the information supplied at 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**

Answered together with Question Nos. 544 and 545 of 2009.

ORAL

**NO. 544 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – REPORTING OF AVIATION DEFICIENCIES**

Can Government say whether the system of voluntary reporting of observed deficiencies in aviation which are not required to be reported under the system of mandatory reporting, but which are perceived by the reporter as an actual or potential hazard, is now in place and if so from what date and can Government list the incidents that have been so reported?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 543 and 545 of 2009.

**NO. 545 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – BIRD STRIKES**

Can Government list the bird strikes that have been reported to the Director of Civil Aviation since the Civil Aviation (Air Navigation) Regulations 2009 came into force, showing the date of the incident the name/model of the aircraft or airline and the damage caused if any?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

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

#### **SCHEDULE TO QUESTION NO. 545/2009**

##### **Answer to Question 543/2009**

The Government can confirm that since the last Question Time in this Parliament the Director of Civil Aviation has received nine Mandatory Occurrence Reports.

The question requests a further breakdown of these mandatory occurrence reports by date of the incident, the name of the airline and aircraft involved and a short description of each case. Regulation 96 of the Civil Aviation (Air Navigation) Regulations 2009 directs that "the Director of Civil Aviation shall only use any information he receives in accordance with the terms of this regulation solely for the purposes set out in this regulation". As such the Director of Civil Aviation is not at liberty to divulge all the information requested, however he has provided a schedule of information, which ensures that the requirements of Regulation 96 are met. I am now handing the schedule to the Honourable Member.

<b>MOR Number</b>	<b>Date of Occurrence</b>	<b>Description of Occurrence</b>
03 / 2009	03/04/09	Aircraft reported hot brakes after landing – Emergency State 2 declared
04 / 2009	22/04/09	Aircraft reported undercarriage problems – Emergency State 3 declared
05 / 2009	24/04/09	Ground Handling vehicles infringe Taxiway B
06 / 2009	25/04/09	Vehicle drives in front of a taxiing aircraft
07 / 2009	27/04/09	Ground Handling vehicles infringe Taxiway B without permission
08 / 2009	20/05/09	Aircraft taxied off the prepared surfaces
09 / 2009	21/05/09	Aircraft taxied off the prepared surfaces
10 / 2009	25/05/09	Aircraft taxied past holding point A1 without clearance
11 / 2009	26/05/09	Aircraft taxied past holding point A1 without clearance and enters runway

##### **Answer to Question 544/2009**

The Government can confirm that the Director of Civil Aviation has promulgated a procedure, which states the requirements of the Voluntary Reporting System of observed deficiencies in aviation. The requirements of the Voluntary Reporting System are included within the Procedure that details the Mandatory Occurrence Reporting system, which was

Cont'd....

**CONTD ANSWER TO QUESTION 545**

published on 29 January 2009 and is available to be viewed on the Civil Aviation Page of the Government's Website.

As of the 2<sup>nd</sup> June 2009, no voluntary reports have been submitted to the Director of Civil Aviation.

**Answer to Question 545/2009**

The following birdstrikes have been reported at Gibraltar Airport to the Director of Civil Aviation since the Civil Aviation (Air Navigation) Regulations 2009 came into force on 29<sup>th</sup> January 2009:

<b>Serial No.</b>	<b>Date</b>	<b>Aircraft Type</b>	<b>Stage of Flight</b>	<b>Damage</b>
1 - 2009	6 April 2009	Airbus A-320	On approach to the airfield the aircraft struck 2 x Swallows.	There was no damage to the aircraft.
2 - 2009	3 May 2009	Airbus A-319	On departure from the airfield the aircraft struck 1 x Yellow-Legged Gull	There was no damage to the aircraft.
3 - 2009	30 May 2009	Airbus A-320	On approach to the airfield, the pilot saw a number of birds. After landing bird remains found in engine intake. Bird type to be confirmed.	Engine inspected by maintenance engineer and aircraft declared fit to depart.

**SUPPLEMENTARY TO QUESTION NOS. 543 TO 545 OF 2009**

**HON DR J J GARCIA:**

Does the Minister know why the type of aircraft can be given in relation to bird strikes but not in relation to the mandatory occurrence incidents?

**HON J J HOLLIDAY:**

I believe that regulation 96 of the Civil Aviation (Air Navigation) Regulations 2009 directs that the Director of Civil Aviation only uses the information received in accordance with the terms of this regulation, and is not privy to make that information public. So, therefore, the information that he has made available is obviously the number of the incident, the date of occurrence and the description of the occurrence, without actually being able to make available the type of aircraft.

**HON DR J J GARCIA:**

But on the next page, in relation to the bird strikes, those do list the types of aircraft.

**HON J J HOLLIDAY:**

I cannot really give him a reply apart from, maybe that this second part of Question No. 545 is not subject to regulation 96, so therefore, it is not restricted in being able to give the information. I think that in regulation 96, the objective of the regulation is to contribute to the improvement of air safety by ensuring that relevant information on safety is reported, collected, stored, protected and xxxxxx. The sole objective of this is for the prevention of accidents and incidents and not to attribute blame and liability, so therefore there may be an issue of wanting to establish what has happened to try and address the safety issues in relation to them, but without actually putting any ..... or to attribute blame or liability on any particular airline company or type of aircraft.



**NO. 546 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – AIR ACCIDENT INSPECTORS**

Can Government say whether they intend to appoint Inspectors of Air Accidents, as well, following the appointment of a Chief Inspector of Air Accidents as required by the Civil Aviation (Investigation of Air Accidents and Incidents) Regulations 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government have appointed a Chief Inspector of Air Accidents and have agreed with him that should an incident occur which requires investigation, the Chief Inspector of Accidents will submit to the Minister for Transport a list of available personnel from within the body of inspectors in the Air Accident Investigation Branch of the Department for Transport of the United Kingdom. At that point, the Minister will appoint the required number of personnel to act as inspectors of air accidents for that particular occurrence, and they will then conduct the investigation under the Civil Aviation (Investigation of Air Accidents and Incidents) Regulations 2009.

**NO. 547 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – TRANSIT PASSENGERS FROM MADRID**

Can Government say, of the passengers who arrived in Gibraltar by air from Madrid since flights were resumed by Andalus, on a monthly basis, how many were deemed to be in transit through Gibraltar and how many stayed in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 548 to 551 of 2009.

ORAL

**NO. 548 OF 2009**

**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 on a monthly basis since the flights were resumed by Andalus?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

Answered together with Question Nos. 547 and 549 to 551 of 2009.

ORAL

**NO. 549 OF 2009**

**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 flights from Madrid to Gibraltar boarded the bus to La Linea after landing here on a monthly basis since the flights were resumed by Andalus?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

Answered together with Question Nos. 547, 548, 550 and 551 of 2009.

**NO. 550 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – PASSENGERS ON GIBRALTAR/MADRID ROUTE**

What was the total number of passengers carried on the Gibraltar/Madrid route, showing inward and outward bound on a monthly basis since flights were resumed by Andalus?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 547 to 549 and 551 of 2009.

ORAL

**NO. 551 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – OPERATIONAL COSTS OF GIBRALTAR/LA LINEA BUS**

What was the operational cost, with a breakdown on a monthly basis, of the bus service that runs between Gibraltar airport and La Linea since flights to Madrid were resumed by Andalus?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

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

## **SCHEDULE TO QUESTION NO. 551/2009**

### **Answer to Question 547/2009**

During April 2009, 50 passengers arrived on the Air Andalus Madrid flight, of these, 42 were deemed to be in transit and 8 stayed in Gibraltar.

In May 2009, 748 passengers arrived in Gibraltar of which 657 were deemed to be in transit and 91 stayed in Gibraltar.

### **Answer to Question 548/2009**

Passengers departing on the flight from Gibraltar to Madrid who arrived at the Air Terminal on the bus from La Linea on a monthly basis since flights were resumed by Andalus are as follows:-

April – Nil (30<sup>th</sup> onwards)  
May – 2  
June – None (up to 2<sup>nd</sup> June)

### **Answer to Question 549/2009**

Passengers arriving on the flights from Madrid to Gibraltar who boarded the bus to La Linea after landing here on a monthly basis since the flights were resumed by Andalus were as follows:-

April – Nil (30<sup>th</sup> onwards)  
May – 5  
June – None (up to 2<sup>nd</sup> June)

### **Answer to Question 550/2009**

The total number of passengers carried on the Gibraltar/Madrid route, showing inward and outward bound on a monthly basis since flights were resumed by Andalus are as follows:-

	<b><u>Arriving</u></b>	<b><u>Departing</u></b>
April	50	29
May	748	786

### **Answer to Question 551/2009**

The cost of providing the bus service, including the requirement for a GibAir Service Agent on the inbound bus, equates to £65.50 per round trip – La Linea Bus Terminal – Gibraltar Airport – La Linea Bus Terminal.

The breakdown of cost is as follows:

April	-	£ 131
May	-	£3,144
June (up to 2 <sup>nd</sup> June 2009)	-	£ 262

**SUPPLEMENTARY TO QUESTION NOS. 547 TO 551 OF 2009**

**HON DR J J GARCIA:**

Just to clarify, in relation to Question Nos. 548 and 549, these are the questions about the bus to La Linea. It says here that two people used the bus in May, used the bus from La Linea in May and that five people used the bus to get to La Linea in May. Can I ask, does the bus have to be on standby all the time when each flight arrives because they do not know whether people are going to use it or not?

**HON J J HOLLIDAY:**

That is correct.

**HON DR J J GARCIA:**

So, actually, there will be a cost involved even if nobody decides to use it, is that the case?

**HON J J HOLLIDAY:**

Yes, I think if he looks at the answer to Question No. 551, there is a round trip cost of £65.50 irrespective of use.

**HON J J BOSSANO:**

Can the Government explain the identification of people who are in transit, how this is done if it is not on the basis that they choose to go straight to La Linea as opposed to entering Gibraltar?

**HON J J HOLLIDAY:**

In order to identify the issue of how many passengers arrived in Gibraltar who are deemed to go in transit, normally the Passport Immigration Control ask the question whether they are staying in Gibraltar or transiting into Spain. That is the normal procedure. It does not happen to me or I because they know we are coming into Gibraltar, but for visitors normally, who are not known to the Immigration. There may be an element of error there because, obviously, it is a personal judgement. They actually do ask whether one is in transit or staying in Gibraltar, in order for us to gauge not just on this particular flight but at flights from the UK as well, in order to be able to gauge the number of passengers that are actually coming in to Gibraltar and those that are using Gibraltar as a transit point.



**NO. 552 OF 2009**

**THE HON DR J J GARCIA**

**SHIPS CALLING AT GIBRALTAR**

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**

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

**SCHEDULE TO QUESTION NO. 552/2009**

	March	April
(a) Bunkering	524	564
(b) Cargo	14	21
(c) Repairs	8	13

**Bunkers Sold (Tonnes)**

March	April
381,402	382,150

**NO. 553 OF 2009**

**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 any application for such a licence been made since the last Question Time in this Parliament.

**NO. 554 OF 2009**

**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**

Since the last Question Time in Parliament, my Ministry has sponsored the Red Ensign Group conference that was held in Gibraltar.

All the invoices in respect of this conference have yet to be received but it is expected that the final cost will be around £20,000, which is what was budgeted for the event.

**NO. 555 OF 2009**

**THE HON DR J J GARCIA**

**ADVISORY COUNCIL MEETINGS**

How often and on 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**

Since the information supplied at the last Question Time in Parliament, the Port Advisory Council has met once on 20<sup>th</sup> April 2009 and the Business and Commerce Advisory Council and the E-Business Advisory Council met twice on 19<sup>th</sup> March 2009 and 28<sup>th</sup> May 2009.

ORAL

**NO. 556 OF 2009**

**THE HON DR J J GARCIA**

**PORT ADVISORY COUNCIL**

Can Government list the composition of the Port Advisory Council?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 557 and 558 of 2009.

ORAL

**NO. 557 OF 2009**

**THE HON DR J J GARCIA**

**PORT ADVISORY COUNCIL**

Can Government say whether the components of the Port Advisory Council that come from the private sector sit in the Council purely in a personal capacity?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 556 and 558 of 2009.

**NO. 558 OF 2009**

**THE HON DR J J GARCIA**

**PORT FEES – INCREASES**

Can Government list the entities that were consulted before they took the decision to increase port fees in April and give the respective dates when such consultation took place?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

In answer to Question No. 556, the composition of the Port Advisory Council is as follows:-

Myself as Chairman, and then we have two ex-officio members which are Mr Peter Canessa as Principal Secretary of the Ministry and Captain Peter Hall who is the Captain of the Port. The independent members are Mr John Bassadone, Mr Paul Imossi, Mr Joe Corvelli, Mr George Desoisa (Junior), Mr Darren Laguea, Mr Mark Porral and Mr John Gaggero.

In answer to Question No. 557, the components that come from the private sector sit purely in a personal capacity.

In answer to Question No. 558, the decision to increase Port Fees in May 2009 was taken by Government after extensive consultation with members of the Port Advisory Council and the Directors of the Board of the Gibraltar Port Authority. This process of consultation commenced on 30<sup>th</sup> June 2008 and continued until shortly before the fees came into effect in April 2009.

**SUPPLEMENTARY TO QUESTION NOS. 556 TO 558 OF 2009**

**HON DR J J GARCIA:**

Was there any consultation with anybody who was not represented in the Port Advisory Council, in terms of anybody in the private sector?

**HON J J HOLLIDAY:**

No.



**HON DR J J GARCIA:**

So how did the Government determine whether the view of the businessmen who are the independent members of the Port Advisory Council, was actually a broad view which was also shared by everybody else, by those who were not represented on the Council?

**HON J J HOLLIDAY:**

Well, the independent members of the Port Advisory Council, I believe represent a wide cross-section of the shipping community and they include bunkering, they include the cruising industry, ship repairing, shipping agents, leading shipping companies, stevedores, so they have a wide cross-section. I mean, all along there was a unanimous view that fees had to be increased, to their own detriment if anything. At the end of the day they were the ones who then needed to work with these new fees. But it was very obvious, having worked through for nearly a year in the introduction of these fees, that the need for the increase in fees was definitely something that the Port could afford without there being any detriment to business. Obviously, we have taken it like we do as a standard practice anyway to monitor the business activity, to monitor to see whether there is any particular area which is suffering as a result. Not now as a result of the new increase but previous to that as well. In fact, the indications are that business has continued to grow and ship calls are up by something like 14 per cent and business in the Port is not suffering at the moment, from any sort of world recession that is affecting the shipping industry generally in the world. Gibraltar seems to be getting away from any direct adverse effect as a result of this. Otherwise we would not have introduced the fees if we felt that this was going to damage the industry or any particular sector. The reality is that I know that there were a number of operators who came out against this, and on the basis of the presentation that they then made to the Captain of the Port, on trying to formulate their views as to why they thought that was the case, their figures were all incorrect, they were working from a completely wrong basis and, generally speaking, they have not come back to us after that. They have realised that ..... Remember when we did this it was not just a case of increasing fees, we compared fees and structures in neighbouring ports and other Mediterranean ports. Remember that, for example, in the field of bunkering we have got to compete with places like Malta, places like Athens, Piraeus, which are leading bunkering ports, so it is not just a matter of Gibraltar and here we are and let us compare ourselves to Algeciras and Ceuta. Yes, they are important, they are our next door neighbours and possibly the ones that we actually need to be more observant about, but the comparison we have done is on a sort of pan-Mediterranean competitive analysis. The results are that Algeciras have actually put up their prices as a result of us putting our prices up. So, I think we have acted correctly. Obviously time will tell whether ..... that the decision was taken after very careful and extensive consideration and consultation with industry players.

**HON DR J J GARCIA:**

In terms of the actual consultation exercise, is it the case then that although this had been going on since June 2008, there were industry players who did not find out until April 2009 when the fees actually took effect, is that the position?

**HON J J HOLLIDAY:**

That apparently is correct. I mean, one cannot carry out a consultation ..... The whole purpose is that this is something that I have advocated to them for a long, long time. What they should have is an active shipping association, which existed at the beginning when I first came into office in 1996, and the consultation was done with the shipping association which then had a representative committee who then reported to its membership and came back with one voice. That, basically, went away and there has been no activity of the shipping association now for many years, and that actually brought in the Port Advisory Council because I felt that there needed to be an element of consultation with the industry, and members of the Advisory Board are actually changed every two years. Some have stayed on because they want to stay on. It is very much a situation of wanting to have representation from the different sectors. I mean, it is important that bunkering is in there, that we have the cruising industry there, which are the two main areas of industry but then stevedores, shipping agents and ship repairing. They are all represented there in order to make sure that any decision that is taken, the alarm bells will be rung by one of them if we feel we are going down the wrong way. The reality is that the members of the Port Advisory Council came out, I think, publicly saying, "we have been consulted, we feel that this is the right way forward", because they want to see the Gibraltar Port Authority increasing fees, increasing their revenue, to be able to re-invest in the Port. I think that that is the basis. We want to keep up with world trends and make the Port of Gibraltar a very commercially viable operation, which will work in the industry of Gibraltar plc.

**HON DR J J GARCIA:**

I understand the point that the Minister makes that the members in the Port Advisory Council, those entities represented there were consulted. That is quite clear, they came out with the statement saying it. My concern is over those who were not consulted and who claim that they knew nothing about this and it was suddenly sprung upon them. Given what the Minister said about the lack of a shipping association, does he not think it might have been a better idea to have produced a consultation paper and send it to everybody in the industry, which might have been perhaps a more effective way of getting a broad view?

**HON J J HOLLIDAY:**

I think if one does do that one will never get anywhere, because everyone has their own opinion and if one does a straw poll, of anybody, that said "we are going to be increasing your rental at home or whatever", nobody really wants to have prices increased in order for them to operate. So I think we need to take a more focussed view, and as I said, my preferred option would have been to have done something with the shipping association, representing everybody who is a member of the shipping association. Unfortunately, for some reason or other, it has not been functioning for a number of years. I think and I hear that this may have led to regeneration of interest in building up a shipping association, and I would welcome it. It is something that I have been saying for many months to a number of operators. They ought to be working with a shipping association, there should be a representation of all players in the industry, but not having that option then I think they have got to target this. One cannot speak to every individual, one has to speak to a committee or a group of people that represent the rest, otherwise one ends up with 200 different opinions and one will never get anywhere. The people who

operate within the bunkering industry will say, "yes fees really should go up with the cruise liners and whatever". The cruise liner people say "please no, the industry is in a very delicate situation and I think the bunkering people are the ones that need to have their fee increased". One has got to take a balanced view. There was even an element of that in the Port Advisory Council. The only thing is that because they are one to one it becomes very difficult for them to expose their personal interest on a one to one meeting with a group of six or eight people around the table. But if it were not, if it were just a normal, open public consultation across every single operator, one would get people standing up for their own sector and their own interests.

**HON DR J J GARCIA:**

My understanding is the letter which expressed satisfaction with the increase and said that xxxxxx had been consulted, there were seven entities. The ones who came out saying they had not been consulted and knew nothing about it and wanted more time were eleven entities. Surely it does not involve consulting that many parties as the Minister has just suggested.

**HON J J HOLLIDAY:**

No, I think the issue is that generally everybody felt that the fees were reasonable in the sense that some of them were quite substantial increases, but I think the timing, not actually the timing but the notice period that was given was felt to be short. On the other hand, if one gives the industry too much time to react, then one places oneself in a situation where one could be creating problems for oneself. But I think that everybody in the end recognised that a 30 day notice was adequate.

**HON J J BOSSANO:**

The Minister said that the idea was that the monies raised would be ploughed back to improve facilities in the Port. Is this money channelled through the Consolidated Fund or does it go into a fund in the Port Authority that therefore is not available for anything else?

**HON J J HOLLIDAY:**

No, at the moment it is going through the Consolidated Fund and if he looks at the Estimates he will see it is actually going into the Consolidated Fund. I hope, and this is my own personal wish, that once the Port Authority is constituted, I mean it is constituted but is actually operational in its proper manner, that the Port will actually be making use of the income that it generates. But this is further down the road not as we speak today. As we speak today it is going into the Consolidated Fund and I&D Fund monies have been allocated, as is done every year, in order to put into place certain aspects of project development and new initiatives that we have in mind.

**HON J J BOSSANO:**

So, in fact, what he said in answer to a previous question that the money would be ploughed back, it is not that it will happen but that he hopes it will happen.

**HON J J HOLLIDAY:**

Absolutely. Yes, I think what I was saying was that I think the industry recognises that if we go into a Gibraltar Port Authority which is divorced from Government, as such, in terms of income and expenditure, then there will be sufficient funds in there. In fact, the Port will then be operating at a reasonable profit margin and will still be able to generate income to be able to plough into upgrading facilities and keeping up with market requirements, and be able to have funds available to improve what the Gibraltar Port has to offer generally.

**HON J J BOSSANO:**

But this will not be happening in the current financial year?

**HON J J HOLLIDAY:**

No it will not be, according to the Estimates it will not be, but I am hoping that I will be able to convince my Colleagues in the future that that would be the case.

**HON J J BOSSANO:**

One Colleague in particular?

**NO. 559 OF 2009**

**THE HON DR J J GARCIA**

**REVENUE COLLECTED FROM VESSELS USING EAST SIDE ANCHORAGE**

Can Government say how much revenue has been collected from vessels using the East Side anchorage in May since fees were introduced?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Since 9<sup>th</sup> May 2009 a total of 22 vessels have used the East Side anchorage.

As at 2<sup>nd</sup> June 2009 a total of £10,223 has been collected from such vessels.

**NO. 560 OF 2009**

**THE HON DR J J GARCIA**

**EU FUNDING APPLICATIONS**

Can Government list the parties who have applied for:

- (a) EU funding;
- (b) Gibraltar Government funding,

since the last Question Time in this Parliament, indicating the amount of funding requested and the purposes for which it was intended listing those applications that have been successful, those that have been unsuccessful and those applications that are still pending?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

I now hand the hon Member a schedule with the information requested.

**Schedule to Question 560/2009**

**ERDF C&EO 2007-2013 PROGRAMME**

<b>Project No.</b>	<b>Sponsor</b>	<b>Status</b>	<b>ERDF</b>	<b>GOG</b>	<b>PS</b>	<b>Purpose of Grant</b>
11	Dental Services	Active	£16,568.53p (30%)	£0.00p (0%)	£38,659.91p (70%)	Dental Equipment and Import Duty (12%)

**NO. 561 OF 2009**

**THE HON DR J J GARCIA**

**FERRY LINK BETWEEN GIBRALTAR AND ALGECIRAS – VIABILITY STUDY**

Are Government aware of the viability study of a ferry link between Gibraltar and Algeciras which is being conducted in Spain and have they been asked to participate or give their view on the matter?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Government are aware of two entities that have shown an interest in operating a ferry service between Gibraltar and Algeciras. In either case, Government have not been asked to participate or give their views on any viability study.

**SUPPLEMENTARY TO QUESTION NO. 561 OF 2009**

**HON DR J J GARCIA:**

Are those two entities Gibraltar based or are they Spanish based?

**HON J J HOLLIDAY:**

They are Spanish based.

**HON DR J J GARCIA:**

Is this simply a case of somebody making an informal enquiry or formal enquiry or has it actually been progressed into a negotiating stage?

**HON J J HOLLIDAY:**

No, I have met both they have both come with a business plan and a proposal. They have asked for our views on the matter and they are now going through procedures with, I believe, the Junta de Andalucia who in the end is the one that needs to licence them from their side, and the relevant logistics of operating out of Algeciras. We in turn would have to do our own licensing and we would have to carry out our own inspection of vessels and things done by the Maritime Administration in Gibraltar if it



is going to be operating on a daily basis out of the Port of Gibraltar. But that is the stage where both entities are and none have come back with anything further than that.

**NO. 562 OF 2009**

**THE HON DR J J GARCIA**

**MARINE SURVEYOR VACANCY**

Can Government say whether the vacancy for Marine Surveyor which was advertised in November 2008, for which there were 22 applications, has now been filled and if so when?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The vacancy for Marine Surveyor which was advertised in November 2008 was filled on 27<sup>th</sup> April 2009.

**SUPPLEMENTARY TO QUESTION NO. 562 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say whether it was filled by a Gibraltarian?

**HON J J HOLLIDAY:**

Yes it was a Gibraltarian.

ORAL

**NO. 563 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID ADVISORY COMMITTEE**

Can Government list the date of 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 has been one meeting of the Development Aid Advisory Committee since the last Question Time in this Parliament. This was held on 9<sup>th</sup> June 2009.

**NO. 564 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID LICENCE 5/2004**

Can Government state why Development Aid Licence 5/2004 issued to Queensway Quay Marina Ltd was transferred to Marina Properties Ltd and confirm whether the completion date has been extended ?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Development Aid Licence 5/2004 issued to Queensway Quay Marina Ltd was transferred to Marina Properties Ltd as it was claimed that the original application was inadvertently made under Queensway Quay Marina Ltd instead of Marina Properties Ltd who had undertaken the development. Queensway Quay Marina Ltd is the company which actually operates and owns Queensway Quay Marina. It was established that the beneficial ownership of both companies were the same. The completion date has not been extended.

**NO. 565 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID LICENCES 3/2006, 5/2006, 2/2008**

Can Government state the reasons why the following Development Aid Licences were amended to extend the completion date of the project:

- (a) No 3/2006 Longhorn Properties Ltd
- (b) No 5/2006 Commercial Developments Inc Ltd
- (c) No 2/2008 GRP Investments Company Ltd?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

These licences were amended to extend the completion date of the projects as it was envisaged by the respective developers that the projects would not be completed by the specified completion date.

**SUPPLEMENTARY TO QUESTION NO. 565 OF 2009**

**HON DR J J GARCIA:**

Do they have to give reasons in each of the cases?

**HON J J HOLLIDAY:**

Yes, they have to give an explanation as to why they are requesting an extension, and in the three cases the Development Aid Committee recommended to me that the extension ought to be granted.

**HON DR J J GARCIA:**

Could the Minister say what the reasons were in each of the cases?

**HON J J HOLLIDAY:**

I cannot really recall the details of each one of them but I think in most cases it was the fact that there had been delays in the construction of the actual developments

and the anticipated timescale had not been met so, therefore, they requested an extension. That is the essence, but there were more details submitted at the time.

**NO. 566 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID LICENCES 5/2004, 3/2006, 5/2006, 2/2008**

Can Government say whether the applications for the amendment to the completion date of the following Development Aid Licences were all submitted before the existing licences expired:

- (a) No 5/2004 Marina Properties Ltd
- (b) No 3/2006 Longhorn Properties Ltd
- (c) No 5/2006 Commercial Developments Inc Ltd
- (d) No 2/2008 GRP Investments Company Ltd?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The application for amendment of the completion date for the following were all made prior to the expiry of the licence:

- No. 3/2006 Longhorn Properties Ltd
- No. 5/2006 Commercial Developments Inc Ltd
- No. 2/2008 GRP Investments Company Ltd

No extension to the completion date of Marina Properties Ltd has been granted.

**NO. 567 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION APPLICATIONS**

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**

A list of applications received between 17 March 2009 and 2 June 2009 is being handed over to the hon Member. For each application the decision, applicant name, description and site address is given.



ANSWER TO QUESTION 567

**APPLICATIONS RECEIVED BETWEEN: 17/3/09 AND 2/6/09**

<b>App No</b>	<b>Applicant Name</b>	<b>Description</b>	<b>Decision</b>	<b>Site Address</b>
11096	Jonathan Garcia	Proposed alterations to flat.	Approved	Tilbury Court Harbour Views
11107	Europort (Int.) Holdings Ltd.	Proposed additional sea-water pipe line.	Approved	Europort Building Europort Road
11108	Mr A Vella	Proposed change of use from canteen to workshop for motor cycles.	Approved	51 Cumberland Road
11109	Mr K Ignacio & Ms K Perea	Proposed alterations to flat.	Pending	Poppy House North Mole Road Waterport Terraces
11111	Gibtelecom Limited	Proposed internal alterations in 1st floor.	Approved	Mount Pleasant South Barracks Road
11112	Mr C Heymann	Proposed structural repairs.	Pending	234 Main Street
11113	Graham Olivero	Proposed internal alterations.	Approved	Jasmine House North Mole Road Waterport Terraces
11114	A.D. Cohen Ltd.	Proposed installation of security shutters.	Pending	207 Main Street
11115	Ian McCormick	Proposed enclosure of existing terrace & re-location of bathroom.	Pending	6A Chicardo's Passage
11116	Gibtelecom LTD	Proposed alterations to opening, including the construction of a new external concrete pathway and steps located at ground floor, west elevation.	Approved	Mount Pleasant
11117	John Baldachino	Proposed new door opening.	Approved	21 Edinburgh House
11118	Mr Russel & Mrs Pauline Nagle	Proposed internal alterations and new balcony glazing.	Approved	26 Britannia House Marina Bay
11119	Government of Gibraltar	Proposed formation of new rowing club storage shed and pontoon access.	Pending	Europort Road
11120	Gibtelecom Ltd.	Proposed erection of antennas for telecommunications.	Approved	Block 5 Watergardens
11121	Frank Owen	Proposed internal alterations.	Approved	Sea lavender House North Mole Road Waterport Terraces

<b>App No</b>	<b>ApplicantName</b>	<b>Description</b>	<b>Decision</b>	<b>SiteAddress</b>
11122	Department of Education &	Proposed new 2 storey high extension to incorporate new facilities for the Home Economics classrooms and with an addition of a new dance studio.	Pending	12 Westside School Queensway
11123	Jonathan Pocock & Mary	Proposed internal alterations.	Approved	Sea Clover House North Mole Road Waterport Terraces
11124	J J De La Paz Consulting	Proposed demolition of changing rooms.	Approved	Eastern Beach Road
11125	Mr A Turner & Miss G Zammit	Proposed interior alterations	Pending	Buttercup House Waterport Terraces
11126	Mr Angel Martinez	Proposed extension to existing building.	Pending	Elliot's Battery
11127	Mr A Massias	Proposed new lift	Approved	1d Europa Road
11128	Government of Gibraltar	Proposed refurbishment of Public Market	Pending	Public Market West Place Of Arms
11129 Ramp	Ms Lucinda-Jayne Ellis	Proposed demolition of existing shed and construction of new one.	Pending	3 Hargraves Cottage Charles V
11130	Miss Eugenie Cottrell	Proposed demolition of dividing wall between kitchen and living/dining room.	Approved	Sea Clover House Waterport Terraces
11131	Alison Lopez & Dylan Crisp	Proposed alterations to flat.	Approved	Sea Daffodil House North Mole Road Waterport Terraces
11132	J & S Martin	Proposed alterations to flat.	Pending	Aloe House North Mole Road Waterport Terraces
11133	Mr & Mrs M S Francis	Proposed conversion of existing loft space, patio extension and internal/external alterations.	Pending	Unit 2/38 Europa Flats Europa Point Europa Cottages (Lighthouse)
11134	Watgardens Management	Proposed re-design of car park area to increase number of spaces.	Pending	Watgardens
11135	Gibtelecom Ltd	Proposed construction of new A.C. and generator platforms.	Pending	Mount Pleasant South Barracks Road
11136	Mr W J McLaren	Proposed timber pergola on driveway.	Approved	Sir Herbert Miles Road Catalan Gardens
11137	The trustees of the hebrew	Proposed refurbishment of existing property and installation of a three person lift.	Pending	15 Governor's Parade
11138	Mark & Giselle Santos	Proposed layout of new basement apartment.	Pending	17/3 Gardiner's Road

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11139	William Hill Organisation	Proposed fit-out of existing suites within development.	Pending	Waterport Place North Mole Road
11140	Collingwood Insurance	Proposed internal alterations.	Approved	Waterport Place North Mole Road
11141	Breckland Trading Co. Ltd.	Proposed 2 storey extension above first floor and conversion to offices.	Pending	22 Main Street
11142	Mr Zane Benneworth	Proposed extension to flats 1 & 3.	Pending	2 F Block Naval Hospital Hill
11143	Pefre (Gibraltar) Limited	Proposed fit-out of existing office suite within Waterport Place development.		Approved Waterport Place
11144	Mr and Mrs J C Camilleri	Proposed alterations to flat.	Approved	2 Marigold House Waterport Terraces
11145	Ms. A Witteveen	Proposed demolition of Nissan Hut.	Approved	Nissan Hut Devils Tower Road Aerial Farm
11146	Ms A Witteveen	Proposed demolition of garage block.	Pending	Garage Block Devils Tower Road Aerial Farm
11147	Mr J Tante	Proposed alterations to flat.	Pending	Marigold House North Mole Road Waterport Terraces
11148	Melissa Cortes	Proposed alterations to flat.	Pending	Poppy House North Mole Road Waterport Terraces
11149	Mr N Cruz & Ms N Romero	Proposed alterations to flat.	Pending	Freesia House North Mole Road Waterport Terraces
11150	Barat Ltd. (c/o) Mr B Nihchalani	Proposed refurbishment of shop premises and conversion into two units.	Approved	
11151	Michael Bautista	Proposed alterations to shop front.	Pending	Casemates House Casemates Square
11152	Alcatel lucent submarine	Installation of a submarine telecommunications cable in territorial waters and to existing ducts and manhole at North Mole.	Approved	
11153	Patrick S Plicher	Proposed construction of swimming pool and gazebo.	Pending	8 Rose Tree Cottage North Pavillion Road
11154	O'Callaghan Elliott Hotel	Proposal to fix a water supply pipe along the external wall of the hotel.	Pending	10/12 Elliott Hotel Governor's Parade
11155	Gibraltar Pool Association	Fit-out of existing vault to suit GPA American Pool premises.	Pending	20 North Jumper's Bastion Rosia Road

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11156	Ms M Chellaram	Proposed glazed enclosure to ground floor balcony on the eastern elevation of block No 1 The Anchorage	Pending	1 Rosia Road The Anchorage
11157	Veena Co Ltd	Proposed construction of a structural opening within a commercial shop premises.	Pending	9a Engineer Lane
11158	Mr & Mrs Gerada	Proposed attic conversion	Pending	21 Rosia Court Rosia Road
11159	Futures Betting	Proposed interior fit-out to form office.	Pending	Leisure Island Building Ocean Village
11160	Mr C D Neal and Miss H D	Proposed alterations to flat.	Pending	Amaryllis House North Mole Road Waterport Terraces
11161	RLS	Proposed new beam over shop front	Pending	129-131 Main Street
11162	Prem Mahtani	Proposed new shop front	Pending	47-49 Main Street
11163 Road	Haymills Gibraltar	Construction of an additional flat (flat 23) centrally situated, on the top of the new St Peter's Close residential development.		Pending St Peter's Close Sir Herbert Miles
11164	Vivek Budhrani	Proposed internal alterations	Pending	Aloe House Waterport Terraces
11165	Mr & Mrs Yome	Proposed demolition of garage, part of boundary wall and construction of new garage, parking bay, entrance, swimming pool and garden landscaping.	Pending	16/20 Vista Alegre Europa Road
11166	Charles Bosano	Proposed extension of property into existing void.	Pending	403 Endeavour Sir Herbert Miles Road Both Worlds
11167	Mr Michael Celecia	Proposed swimming pool.	Pending	61 Flat Bastion Road

**NO. 568 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – ST PETER’S CLOSE, SIR HERBERT MILES ROAD;  
22 MAIN STREET**

Can Government say whether the following applications for planning permission have been granted and how many representations have been received in respect of each project:

- (a) Haymills (Gibraltar) Ltd – to develop an additional flat on the top of the development at St Peter’s Close, Sir Herbert Miles Road;
- (b) Breckland Trading Co Ltd – to construct two storey extension over existing property at 22 Main Street?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

BA11163 – St Peter’s Close, Sir Herbert Miles Road, no planning permission has been granted. To date one representation has been received.

In respect of BA 11141 – 22 Main Street, two representations have been received from the public. The application will be considered by DPC at their next meeting. No planning decision has been taken to date.

ORAL

**NO. 569 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

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**

Since the last session of Parliament on 13<sup>th</sup> March 2009, there have been three meetings of the Commission. On 23<sup>rd</sup> March 2009; 23<sup>rd</sup> April 2009 and on 21<sup>st</sup> May 2009.

**NO. 570 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – LIND HOUSE**

Can Government say whether the application for planning permission for the demolition of Lind House, 14 Europa Road and the construction of a new detached house has been granted, rejected or remains under consideration?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

BA 10248 – Lind House, 14 Europa Road – Demolition Application. The demolition permit was granted on the 8<sup>th</sup> May 2009.

**NO. 571 OF 2009**

**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**

Answered together with Question Nos. 572 and 573 of 2009.



**NO. 572 OF 2009**

**THE HON DR J J GARCIA**

**IMPORTS – GOODS VEHICLES**

What was the value and number of goods vehicles imported by:

- (a) individuals;
- (b) licensed dealers,

on a monthly basis since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 571 and 573 of 2009.

**NO. 573 OF 2009**

**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 information sought by the hon Member is set out in the schedule which I now hand over.

### **SCHEDULE TO QUESTION 573**

#### **Answer to Question 571**

The value of computer hardware imported into Gibraltar on a monthly basis since November 2008 was as follows:

	Value of Computers (£ thousands)
November 2008	574
December 2008	418
January 2009	580
February 2009	762
March 2009	736

#### **Answer to Question 572**

The number and value of goods vehicles imported by individuals and licensed dealers on a monthly basis since November 2008 was as follows:

	<u>Goods Vehicles</u> <u>Imported by Individuals</u>		<u>Goods Vehicles</u> <u>Imported by Licensed Dealers</u>	
	<u>Number</u>	<u>Value</u> (£ thousands)	<u>Number</u>	<u>Value</u> (£ thousands)
November 2008	-	-	7	55
December 2008	1	1	3	11
January 2009	2	5	9	84
February 2009	-	-	5	67
March 2009	-	-	4	36

**Answer to Question 573**

The number and value of private motor vehicles imported by individuals and licensed dealers on a monthly basis since November 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 (£ millions)</u>
November 2008	25	53	345	5.9
December 2008	16	32	173	1.8
January 2009	20	29	529	10.9
February 2009	24	66	298	5.7
March 2009	12	32	236	3.8

**NO. 574 OF 2009**

**THE HON DR J J GARCIA**

**FLOATING HOTEL**

Can Government say on what date they were approached by an investor interested in establishing a floating hotel in the port and can they confirm whether discussions are on-going with regard to this project?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government first met the investor interested in establishing a floating hotel in the Port on 13<sup>th</sup> August 2007. I confirm that discussions are on-going with regard to this project.

**SUPPLEMENTARY TO QUESTION NO. 574 OF 2009**

**HON DR J J GARCIA:**

Would this project require planning permission in the normal conventional way?

**HON J J HOLLIDAY:**

Absolutely.

ORAL

**NO. 575 OF 2009**

**THE HON DR J J GARCIA**

**HILTON HOTEL**

Can Government say what possible sites are being considered for the possible establishment of a Hilton hotel in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 576 and 577 of 2009.

ORAL

**NO. 576 OF 2009**

**THE HON DR J J GARCIA**

**HILTON HOTEL**

Can Government say whether the intention of the Hilton group is that the hotel which they have expressed an interest in establishing in Gibraltar would be Hilton owned or Hilton managed?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 575 and 577 of 2009.

**NO. 577 OF 2009**

**THE HON DR J J GARCIA**

**HILTON HOTEL**

Can Government say whether there have been any further meetings or contact between the Government and the Hilton group for the possible establishment of a Hilton Hotel in Gibraltar and if so on what dates did these meetings or contact take place?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

At present there is one possible site being considered for the establishment of a Hilton hotel in Gibraltar.

It is the intention of the Hilton group that the hotel that is established in Gibraltar is managed by Hilton.

Government have not had any further meetings with the Hilton Group. However, we are in regular contact in respect of the project.

**SUPPLEMENTARY TO QUESTION NOS. 575 TO 577 OF 2009**

**HON DR J J GARCIA:**

In relation to the site, is that an existing building or is it sort of a vacant site which is available for construction?

**HON J J HOLLIDAY:**

It is a site that currently has something on it but will shortly no longer have it. Irrespective of whether the Hilton decides finally to build a hotel or not.

**HON DR J J GARCIA:**

Did the Minister say there has only been one original meeting?



**HON J J HOLLIDAY:**

Yes, I think I just need to explain to the hon Member that there is an investment company and there is Hilton. This investment company has done a number of joint ventures with Hilton, in terms of the investment being put into the building of the hotel and Hilton managing it over a period of 20 odd years. They have done this in a number of locations around the world and the formula has been very successful, and that is precisely what is being considered. In terms of the actual contact and meeting, we have had a number of meetings and contacts with the investment management group. Hilton, we have had a meeting with them. The Chief Minister alluded to this last time at which he and I met the Hilton in London and, basically, they are putting something together in respect of the project. But it is the investment management group that actually leads on the negotiations, if it can be called that, where they are the ones who consider the investment viability, the commercial viability of the project and, obviously, with Hilton putting in place the specifications that need to be met in order for a Hilton hotel to be built. There are certain specifications in terms of size, quality of the building, locations, facilities et cetera which all need to be met in order for Hilton to come on to the scene. But the projects that they have done, I think they have done four or five projects together in the last five years, work very well and have been very, very successful. So we are hopeful that we will be able to reach an agreement with them as well.

ORAL

**NO. 578 OF 2009**

**THE HON DR J J GARCIA**

**GTB –SEATRADE**

Can Government say what was the cost, with a breakdown of Gibraltar's attendance and participation at the Seatrade Cruise Shipping Convention in Miami in March?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 579 of 2009.

ORAL

**NO. 579 OF 2009**

**THE HON DR J J GARCIA**

**GTB – SEATRADE**

Can Government say how many persons from Gibraltar attended the Seatrade Cruise Convention in Miami in March and what offices do they hold?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The information sought by the hon Member is set out in the schedule which I now hand over to him.

## **SCHEDULE TO QUESTION 579**

### **Answer to Question 578**

Airfares	£3,428.40
Hotel Accommodation	£3,737.35
Transport	£574.54
Exhibition Registration	£518.65
Exhibition Stand and Space Hire	£14,038.57
Freight Charges	£891.93
	<u>£23,189.44</u>

No Subsistence cost claimed

### **Answer to Question 579**

Captain Peter Hall, Captain of the Port.

Mr Albert Poggio, Director London Office & UK Representative for MedCruise.

Miss Claire Lerner, Marketing Executive London Office.

**NO. 580 OF 2009**

**THE HON DR J J GARCA**

**GTB – EUROPEAN CRUISE COUNCIL CONFERENCE**

What was the cost, with a breakdown, of Gibraltar's attendance and participation at the European Cruise Council Conference in Rome on 19 May, how many persons represented Gibraltar and what offices do they hold?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The cost for European Cruise Council Conference, Rome, was as follows:

Air fares	£2,225.60
Hotel accommodation and Subsistence	£1,046.89
Transport	£331.81
	<u>£3,604.30</u>

Personnel who attended were myself, Mr Peter Canessa, my Principal Private Secretary and Mr Albert Poggio, Director London Office and UK Representative for MedCruise and the European Cruise Council.

ORAL

**NO. 581 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR COMMERCIAL UNITS AT CHATHAM COUNTERGUARD**

Is it the policy of the Government to put units 11 and 12 at Chatham Counterguard out to tender again or to offer them to the next highest bidder after the original bidder declined the award?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 582 to 586 of 2009.

ORAL

**NO. 582 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR COMMERCIAL UNITS AT CHATHAM COUNTERGUARD**

Can Government say whether, other than units 11 and 12, there are any more unallocated commercial units at Chatham Counterguard and if so for what reason?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 581 and 583 to 586 of 2009.

ORAL

**NO. 583 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR COMMENCIAL COMMERCIAL UNIT AT IRONSIDE HOUSE**

Can Government say how many tenders were received for the allocation of a commercial unit at Ironside House, Glacis Estate, who was the successful tenderer and in what amount?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 581, 582 and 584 to 586 of 2009.



ORAL

**NO. 584 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR GARAGE AT 15B NAVAL HOSPITAL ROAD**

Can Government say how many tenders were received for the allocation of a garage, previously a shop, at 15B Naval Hospital Road, who was the successful tenderer and in what amount?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 581 to 583, 585 and 586 of 2009.

ORAL

**NO. 585 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR UNIT F15 EUROPA BUSINESS CENTRE**

Can Government say how many tenders were received for the allocation of Unit F15 at the Europa Business Centre, who was the successful tenderer and in what amount?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 581 to 584 and 586 of 2009.

ORAL

**NO. 586 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR GARAGES AT VINEYARD ESTATE**

Can Government say how many tenders were received for the sale of 3 garages at Vineyards Estate, who was the successful tenderer in each case and in what amount?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

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

## **SCHEDULE TO QUESTION NO. 586/2009**

### **Answer to Question 581**

Units 11 and 12 at Chatham Counterguard as well as Unit No. 8, which is also unallocated will be offered to the next highest bidder.

### **Answer to Question 582**

Unit No. 8 at Chatham Counterguard is also unallocated as the successful tenderer has decided not to proceed with its acquisition.

### **Answer to Question 583**

Four tenders were received. No decision has yet been taken.

### **Answer to Question 584**

Thirty tenders were received. No decision has yet been taken.

### **Answer to Question 585**

Six tenders were received. No decision has yet been taken.

### **Answer to Question 586**

Thirty-three tenders were received. No decision has yet been taken.

**NO. 587 OF 2009**

**THE HON DR J J GARCIA**

**PORT DEPARTMENT – VTS SYSTEM**

I notice that the actual tender has now been published since the question was tabled but I will ask the question anyway in case anybody submitted a tender.

Can Government say whether the tender for the supply of an upgraded Vessel Traffic Management and Information system (VTS) for the Port Department was issued in March as planned, and if so how many entities submitted a tender?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No, the tender for the supply of an upgraded Vessel Traffic Management and Information System (VTS) for the Port Authority was not issued in March, as the hon Member has already alluded to. The tender was issued on 3<sup>rd</sup> June with a closing date of 3<sup>rd</sup> July.

ORAL

**NO. 588 OF 2009**

**THE HON J J BOSSANO**

**GIBTELECOM – ESTIMATED REVENUE YIELD FROM TELEPHONE USERS**

Can Government state what the estimated revenue yield to Gibtelecom is in a full year of the increase of £3.25 a month from telephone users from the 1<sup>st</sup> June?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 589 of 2009.

**NO. 589 OF 2009**

**THE HON J J BOSSANO**

**GIBTELECOM – INCREASE IN CHARGES**

Can Government state, whether and if so, when it approved the increases by Gibtelecom in the fixed line rental by £2 per month, and the removal of the £1.25 per month of free calls, representing a £3.25 increase from 1<sup>st</sup> June?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The information requested by the hon Member in Question No. 588 is commercially sensitive and therefore cannot be made available.

The Government were not directly involved in the approval of the increases by Gibtelecom in the fixed line rental nor the removal of the free call allowance.

The Gibraltar Regulatory Authority confirmed to Gibtelecom, by way of its market review on “Significant Market Power (SMP) Obligations, in relation to Retail Fixed Markets – Application of Rebalancing and a Price Cap control on Gibtelecom” issued on 16 March 2009, which had been the subject of a public consultation, that Gibtelecom was permitted to complete tariff rebalancing on its fixed line business, as required by the Communications Act, implementing EU Directives. This statement included a price cap of inflation less 3 per cent in certain markets and was made in the context of per second billing being introduced for local calls. Per second billing for local calls is a requirement under the Significant Market Power Obligations. The GRA was provided with estimates by Gibtelecom that showed tariff rebalancing, the removal of free call allowance and the introduction of per second billing for local calls, would provide a net benefit to almost all residential and business subscribers.

**SUPPLEMENTARY TO QUESTION NOS. 588 AND 589 OF 2009**

**HON J J BOSSANO:**

Is it not the case that when local calls were raised, using the same argument that is being used today, what we were told was that this was a recommendation from the Regulator which then had to be approved by the Government?

**HON J J HOLLIDAY:**

Well, I can tell the hon Member that in this instance the recommendations were made by the GRA but not with any approval from the Government. I was aware of it but with my Gibtelecom hat, not as Government.

**HON J J BOSSANO:**

The point is that the last time there was an increase in local calls, this argument about the rebalancing was being used. We were being told that this was an EU requirement, we were being told that this was the first stage, and then when we raised all these objections nothing further happened. So all the arguments that had been used to justify the increase in local calls proved not to be accurate, given the fact that we were being told that it was an inescapable obligation and, in fact, no such inescapable obligation materialised in subsequent years and no so-called further rebalancing took place. At the time it emerged as a result of the matter being raised that, in fact, the Regulator only had the power to recommend, not the power to approve and that the power to approve rested with the Government.

**HON J J HOLLIDAY:**

I mean, I was trying to refer to my predecessor as Chairman at Gibtelecom. I cannot recall what the hon Member is saying. But I can only report on what has happened in this particular case. He may be perfectly right in assuming the previous scenario and I am happy to look at it and come back to him with the realities of what happened in the past.

**HON J J BOSSANO:**

Let me just make clear that the issue is not on the basis of the Minister's role in Gibtelecom and it was not either with his predecessor. It may be that, given that the Government is on the Board and the Government derives revenue from this, there is a tendency from the Government to be supportive of these things, but that is a separate issue. The whole point is that what we are being told today, which is that the Government have no say on this as a Government, as opposed to having a say as a shareholder, is not what we were told the last time. The background is identical and there has been no change in EU law in the interim. Indeed, the fact that we were told last time that there was no choice, and then when we indicated our disagreement with what was being done, it did not happen again after that, suggests that there is choice. One cannot argue that there is a requirement to rebalance the revenue stream from, say, international calls and local calls and line rentals and so on, and that when the first increases take place this is the first step in a process, and then when people object to that first step, there is no second step and no third step and no fourth step. So, therefore, it must raise some doubt as to the accuracy of the explanation given in the first step. This time it appears that it is being done by Gibtelecom as Gibtelecom applying to the Regulator and the Regulator giving consent without Government involvement, from the answer I have been given.



**HON J J HOLLIDAY:**

No, it was the Regulator that notified Gibtelecom that after having carried out the Significant Market Power Obligations on the Retail Fixed Markets Application of Rebalancing, it recommended to Gibtelecom that that had to be done.

**HON J J BOSSANO:**

So the initiative to raise this money did not come from Gibtelecom. The Regulator asked Gibtelecom to do it or told Gibtelecom to do it, which of the two is it?

**HON J J HOLLIDAY:**

Well I think it informed Gibtelecom it had to do it in order to finalise the complete rebalancing of the fixed line assets as required by the Communications Act implementing EU Directives. I remember asking at the time what that meant in terms of both income to Gibtelecom and the effect it had on consumers and businesses, and the result was that it actually made no difference. I mean, I am quite happy to speak to the hon Member on a confidential basis, although as I have said, I am not willing to divulge figures in the House because of the sensitivity of the telecommunications industry at the moment. I am happy to give the hon Member figures which basically show that the pluses and negatives are almost identical. So there is no net loss to the consumer or the business community as a result of it, and neither is Gibtelecom actually deriving additional income as a result of this. Obviously, it will take a year to verify what actually happens and transpires as a result of the change, but on the basis of historical data, it is a non-effect change.

**HON J J BOSSANO:**

Well, I am grateful for the offer of figures that support the argument the Minister is using. But of course, it may well be that it is revenue neutral as far as the company is concerned because they are increasing revenue from one source and losing revenue from another. That may well be so and the figures that he has promised may well show that, but it cannot be true of consumers because there will be consumers that gain and consumers that lose.

**HON J J HOLLIDAY:**

Absolutely. It all depends on the individual concerned.

**HON J J BOSSANO:**

It all depends on the usage and, therefore, effectively what is being done is that people who use the telephone least are being asked to pay most in that exercise, because that is likely to hurt more the consumer that makes least use of the fixed telephone. What I find extraordinary in this initiative of the Regulator, and I can tell the Minister that the last time I took the matter up directly with him, and it was very clear that the answer that I got was that these were recommendations and it was not something that the telecom company was required to do. But all one needs to do is to look at the advertising that takes place daily, where there is competition with

different companies, where all sorts of offers of rent free connections are being made. Here in Gibraltar what is it? Is it that we have got a different set of EU laws? It seems to me that if it is not a question of raising money then there is also a Government obligation to look at which segment of society is likely to be on the losing side.

**HON J J HOLLIDAY:**

Can we discuss this outside of the House? Thank you.

ORAL

**NO. 590 OF 2009**

**THE HON C A BRUZON**

**HOUSING – SALE OF GOVERNMENT 50% SHARE IN CO-OWNERSHIP HOMES**

Can Government state if there has been any sale of the Government 50% share of co-ownership homes since the answer to Question No. 253 of 2009, providing a breakdown by month and estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 591 of 2009.

**NO. 591 OF 2009**

**THE HON C A BRUZON**

**HOUSING – BAYVIEW TERRACES, CUMBERLAND TERRACES AND NELSON'S VIEW**

With reference to Bayview Terraces, Cumberland Terraces and Nelson's View, can Government give a breakdown of the current sales details for each, as follows:

- (a) How many flats are being sold with 100% financing from the purchaser;
- (b) How many are being sold with the 50/50 ratio;
- (c) How many are being sold at any other ratio and specify what that ratio is?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member schedules containing the information that is requested in both Question Nos. 590 and 591 of 2009.

**ANSWER TO QUESTION 591**

**Answer to Question 590**

**Sales of Government- Co Ownership share of Properties**

	SWJG	Montagu Gardens	West View Park	Harbour Views	Montagu Crescent	Totals
Mar-09	Monies Received	£29,870.96	£0.00	£0.00	£0.00	£57,623.24
Apr-09	Monies Received	£22,253.00	£0.00	£0.00	£0.00	£22,253.00
May-09	Monies Received	£0.00	£0.00	£0.00	£0.00	£0.00
Totals		£52,123.96	£0.00	£0.00	£0.00	£79,876.24

Contd.....

**ANSWER TO QUESTION 591**

**Breakdown of sales details at Nelson's View, Bayview Terraces and Cumberland Terraces by purchaser share**

Development	Purchaser share												Total
	50%	55%	60%	65%	70%	75%	78%	80%	82%	85%	88%	100%	
Nelson's View	17	3	15	1	23	5	1	5		1		50	121
Bayview Terraces	6		9	1	23	5		5				31	80
Cumberland Terraces	39		24	2	25	4		5		2		29	130
Total	62	3	48	4	71	14	1	15	0	3	0	110	331

**SUPPLEMENTARY TO QUESTION NOS. 590 AND 591 OF 2009**

**HON C A BRUZON:**

With reference to the answer given to Question No. 591, the Chief Minister told the House last time that all the houses were sold and the total given then was 276 in the similar schedule that I received. I know I have another question on the Order Paper asking Government to confirm the total number of flats in the South District affordable housing schemes, but the figure is now 331. Can the Chief Minister explain how this is or why this is please?

**HON CHIEF MINISTER:**

Yes, because the question asks “can Government give a breakdown of the sales” and since the draw took place in January and February, at the time there were 217 applicants for 34 units, some flats have been returned since that January and February draw, increasing the number of flats available for allocation. There are currently 77 flats available. This accounts for the difference between the total number of flats, which is 408, and the 331. See, because the hon Member formulates his question around the number of flats that are sold. That is a very moving target, some people give them back because they do not want to proceed with the sale, in which case, the number available for allocation to the reserve waiting list increases. So at any given time, “sold” there are a varying number. But there are 408 flats in all in those three developments.

**HON J J BOSSANO:**

Is there a time limit beyond which people will not be able to say they do not want to complete?

**HON CHIEF MINISTER:**

Well, it is not a question of strict legalities. I suppose at some point there is a binding contract and the Government could seek to enforce it. That would not be the Government’s position. If somebody wants to opt out of the purchase, there are always people who want to purchase it. There is a reserve waiting list already drawn, in order that they can access precisely flats that are surrendered. It goes to the next person on the waiting list and that waiting list was drawn as an extension of the original allocation draw. Well, it is more than improbable. I would have thought that it is not ever going to be the Government’s policy to oblige somebody to complete if they change their mind.

ORAL

**NO. 592 OF 2009**

**THE HON C A BRUZON**

**HOUSING – ALBERT RISSO HOUSE COMPLETION**

Can Government state what is the current date of completion of “Albert Risso” House for Senior Citizens?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 593 and 594 of 2009.



ORAL

**NO. 593 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES COMPLETION**

Can Government state what are the current dates for completion in connection with the various phases of Waterport Terraces?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 592 and 594 of 2009.

**NO. 594 OF 2009**

**THE HON C A BRUZON**

**HOUSING – BAYVIEW TERRACES, CUMBERLAND TERRACES, NELSON'S VIEW COMPLETION**

With reference to Bayview Terraces, Cumberland Terraces and Nelson's View, can Government state what is the current date of completion for each of these home ownership schemes?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The current programme date of completion of Albert Risso House is September 2009.

In respect of Waterport Terraces, completion notices have been issued in respect of eight of the 18 blocks. Properties in a further five blocks have recently been snagged and are due to receive completion notices shortly. The snagging programme continues with a view to the remaining properties being snagged by the end of July 2009 and completion notices issuing shortly thereafter.

With regard to the three South District developments, according to the Government's consultants, Cumberland Terraces is estimated to be completed in July 2009.

Progress in Bayview Terraces and Nelson's View has slowed down over recent months and GRP is currently engaged with the contractor Haymills in relation to the reasons for this. We are advised that neither of these two developments will be in fact completed this summer as had been envisaged.

**SUPPLEMENTARY TO QUESTION NOS. 592 TO 594 OF 2009**

**HON C A BRUZON:**

This morning in our discussions the word "shortly" was used about a dozen times. They give the impression to us that it is a GSD policy in answer to questions about when things are going to be ready, to use the expression "shortly". May I remind the Chief Minister that in the newsletter they published, not they directly but GRP Investments, they stated in February 2008 that phase 1 would be ready by May 2008, and this was after they went to the highest authority in Madrid to consult the experts, so to speak, to see when completion would take place. Would the Chief Minister please tell us what was or is their involvement with the publication of newsletters by GRP Investments concerning completion dates?

**HON CHIEF MINISTER:**

Yes, the hon Member can of course remind me as often as he wishes, which is very frequently, that completion dates are often not achieved. But that prompts me to remind him of the answer that he always gets, and that is, that if he asks questions which it must be obvious to him it is not in the Government's gift to deliver, in terms of accuracy, then he has to understand that all the Government can do is give the best information and advice that they have available. The Government in general and Ministers in particular cannot put on a monkey suit and go on to a building site and put one brick on top the other and build houses. Therefore we rely on contractors and contractors delay. The hon Member can persist in trying to hold the Government responsible for delay in construction projects, and as often as he tries to do that I will tell him that the information that I can bring to this House is the information that I have, and the newsletters are written in conjunction between the Government and GRP, and certainly the Government endorse and approve everything that is in it. Which is why they so carefully choose their words about "according to this" and "according to that" and "the best current estimate" and "according to the contractor". The Government have not made themselves responsible from the very first piece of literature. Advertising these houses for sale the Government have been saying that they do not hold themselves responsible and do not guarantee any completion date because it is just outside the Government's physical control. Now, the hon Member obviously sees the opportunity to do politics out of this, and that is fine, we take all these things on the chin, that is his role and yes. Otherwise, if it were no then the hon Member would simply ask about the reasons for the delay, and express his regret, and ask the Government whether there is anything they could do to gee the constructor along. But that is not the way he does it. The way he does it is to remind me of what I have said as if I had been in breach of some promise that I had made. The Government have never made any promise of completion dates. The Government are keener than he is for these houses to be delivered to their patient purchasers at the earliest possible opportunity. But of course, what we want the purchasers to get is good quality houses that they will be able to enjoy from day one. I have often reminded him in the past that if that means taking longer rather than rushing it through for political expedience, then we will protect the long-term interests of the buyers by taking as long as it takes to deliver good quality, well built houses. I really cannot say more to him than that, and as often as he asks me the question I have got to give him the answer because there is nothing else that I can give him. Therefore, the hon Member believes that the Government is open to criticism for this, we regret the delay but these are facts outside of our physical control, and there is nothing that the Government have done or omitted to do which has contributed to the delay or that has contributed to the elimination of delay. Neither one way nor the other, it is out of our control.

**HON C A BRUZON:**

I am sure that the Government do not want these delays it would be stupid for them to want it. But when we ask questions we seek information and when they consult consultants we expect the information that the Government get from their consultants is reasonably accurate. Anybody can go for a walk in the South District and come to the conclusion that the information provided by the Government, which they in turn get from their consultants, cannot possibly be correct because it is clear that the completion dates that we are given by the Government after they have consulted the experts, cannot possibly humanly speaking be achieved. So do the Government not take some responsibility for that? Who are these consultants? Do they trust the information they get from them?

**HON CHIEF MINISTER:**

Well, I do not know on the basis of what technical expertise the hon Member impugns the integrity of professional men and women who are simply doing a job for a fee. What the hon Member is saying is either that the consultants are giving me information which is demonstrably untrue, or that they are giving me information that is demonstrably true and I am doctoring it and bringing to this House information that is untrue. Either way what the hon Member is doing, from his position of complete layman's ignorance about these technical matters, is just spreading the taint of a lack of integrity on some of Gibraltar's most respected professional men. Now, if he wants to do that let him do it and let him take responsibility for it, but I am not willing to engage with him on a debate based on accusations of that sort. If he thinks that there are professional men in Gibraltar doing these things let him go out and say so. But before doing so, he might like to reflect on the fact that with building sites delays can happen. I mean, as I have given him the answer today. Since I last answered the questions about the South District there has been a slowing down in the weekly productivity output on the sites. Now, therefore the information given was accurate at the time that it is given. Since there has been a deterioration in progress, or complications on the site, or works that have had to be redone because they have been condemned by the professionals because they were not done as per contract, any number or a combination of issues such as those which retards delay. It is not necessarily either that he has been given false information or there is this half-way house that delays sometimes occur. Now, if he accepts that the Government have not reason to want to cause delay and he does not think, unless he can suggest something that he thinks that I can do that I am not doing to accelerate the building progress, unless one or either of those is true, honestly, I just do not see on what basis he seeks to castigate the Government for the delay. Either he thinks the Government are responsible or he thinks the Government are not responsible. But he cannot chop and change between those two positions every three minutes.

**HON C A BRUZON:**

Just for the record, I have in no way made any attempts to question the integrity of anybody, particularly the consultants of Government. What I have done and am simply trying to do is to represent the interests of constituents who come to us and ask us for explanations, and we in turn in the form of a question ask the Government. The Government must, in my opinion, take responsibility for an enterprise that is entirely and 100 per cent Government. Is that not true?

**HON CHIEF MINISTER:**

No it is not true. We are back to the events of yesterday. The hon Members say one thing and three minutes later they airbrush it out of their own memories, as if everybody else listening to them has either lost the ability to comprehend the English language, or has a one and a half minute memory span as they need us to all have for their political project to have the necessary degree of credibility. Look, he now stands up and says that he has not cast doubt on the integrity of any professional men. What he actually said was "what kind of consultants are they and do the Government trust their judgement?" Well, if that is not casting ....., the hon Member cannot say one thing at three minutes past three and then deny that he has said it at five minutes past three. Well, we just cannot have debates in this House on that basis. I am delighted that the hon Member has reformulated his views in three minutes and that he is not now casting ....., I do not want him to have said that. If

the hon Member wishes to refocus his point, I am delighted to give him the opportunity to do so. But not to stand up and pretend that he has not said what he has said. I am delighted that the hon Member thinks that the explanation is something other than professional men misleading the Government about things which in his words anybody taking a walk down there would know was not humanly possible. These are the same people whose integrity he is not impugning. Well, he is responsible for his own words. The responsibility does not lie with the Government's consultants, nor with the quality or accuracy of information that they give us. Nor does it lie with the Government, except to the extent that the Government have to take the political flack and the political responsibility for everything. I understand that, that is not what I am complaining to him about. The responsibility lies with contractors. These contractors and other contractors who enter into contracts, get paid what they are due, very often more than what was originally signed up for under the contract and then simply do not deliver in the hope that when it comes to the time to do the calculation of the account at the end of the day, they can balance additional claims on their part with the Government's claims for delays on the other. The Government are not the only victim of this, almost every contractor and every contractor site, this is the way this industry happens. Most people understand this however upset they might be by the delay, which I entirely sympathise with. But from that to suggest that the Government are physically, directly, primarily responsible for delay on the building site is just not a view that I can have any sympathy with, because it is just so obviously and physically inappropriate to think that the Government can accelerate or delay. Look, if the Government were constantly changing instructions to the contractor, or not paying them the money so that they refuse to carry on working, then he could come here and say that the Government are contributing to the delay. The reason is not the quality of the consultants who are excellent, and I hope he accepts that I am not bringing him false information different to the contractors. On that assumption, he has to agree with me that the delay on these Government company owned projects, as there have been in private sector developments, go and ask the developer of Ocean Village, luxury apartments, whether there has been delay. Go and ask the developers of the Anchorage and the developer of the blue building there down by the hospital whether there have been delays. There have been delays in all of these projects.

**HON J J BOSSANO:**

The Chief Minister has said this on previous occasions. Who does he suggest we should address questions in Parliament that will accept responsibility for delays in private developments when there is no public money involved? I do not understand why he says we do not ask him. We cannot ask him even if we wanted to, surely. Unless he tells me yes, they will answer questions on private developments in Gibraltar even though there is no Government involvement and no public money.

**HON CHIEF MINISTER:**

The hon Member has said that and it is a completely irrelevant issue not to the point. The question is not whether they can ask, of course they ask, and of course because they ask we provide the information. The issue is not whether they ask and about what they can ask. Clearly in this House they can only ask about Government controlled development entities. They cannot come here to ask me, but nor do they show concern outside this House about the delays suffered by Gibraltarian purchasers when the developer is a private sector development. What we are debating here is not whether they can ask. What I am debating with the hon

Gentleman is whether it is politically legitimate to seek to blame the Government for the delay. Look, the equivalent of what we are discussing today is whether, given that it was on public land, and given whether it was on home ownership, whether the delays in Westside I and Westside II, in their time which were also delayed in many cases by over a year, whether it would have been legitimate to come to this House and say, the Hon Mr Bossano was responsible for the delay. That is the comparator. There have been delays in this Government's development projects as there were delays in the development projects which were the co-ownership schemes of the hon Member opposite. Of course they must come and ask in respect of publicly funded projects, when they are going to be ready, how much the Government are paying, what the delays are. But they have got to understand that the best that the Government can do is bring to this House the information that the Government receive. That is fine. What I am not accepting, although he is of course free to make the political accusation, but the suggestion that I am rejecting is the suggestion that somehow he can hold the Government responsible for the physical delay on building sites. If there was something that I could do beyond what I already do, which is go to the sites so that the contractors know the importance that the Government attach to this, if he can suggest anything, just one thing, that he thinks that I or any other Minister can do that he believes would be relevant in accelerating the completion of these construction works, he should say so and I promise to give it serious consideration.

**HON J J BOSSANO:**

That is all very interesting. Some of it is new, very little of it is new but that was not the question that I asked. The question that I asked was prompted by him saying why do we not ask about all these other developments. Well look, he has said that before and I wanted to point out to him the reason why we do not ask is that he has confirmed that we cannot ask even if we wanted to ask it here. Either he has reworded it or he has suffered from the one minute, or thirty second span that he thinks only exists on this side of the House.

**HON CHIEF MINISTER:**

What I said to him was that whether he could ask or not ask the Government about private developments is irrelevant. The relevance of the reference to private developments, as I have referred to private developments, is simply to illustrate that there are delays in all developments, public and private. So why they should think that delays in the public developments are so extraordinary is just not something that we can understand. Given that there are delays, I was using it to illustrate the credibility of what I was saying to him that this was something that happened throughout this industry, in both private and public developments. Then I said, but of course, if the real reason of his concern is the buyers' delay, the delay suffered, presumably he does not ask me this question to see to what extent the Government are a profitable, efficient property developer. He stands up and asks these questions because there are residents of Gibraltar out there who have agreed to buy a house and who are suffering delays in receiving them, and that has consequences, both financial and in terms of lifestyle and xxxxxx. That is presumably the reason why he takes a political interest in these matters. Well, the point that I was making was that there are also Gibraltarians and residents of Gibraltar who equally buy flats from private sector developments, who suffer delay, with financial and lifestyle consequences in exactly the same way as this but he does not appear to be concerned about them, because never mind whether he can ask the question in this

House, I have yet to read a press release of his in which he laments the delay by private sector developers in concluding private sector projects because there are hundreds of Gibraltarians, of private purchasers, waiting to buy their flats. No, he only makes hay on this issue, why? Not because the purchasers are local but because the developer is the Government and he thinks he can succeed in linking the buyers' unhappiness with the Government to his political advantage. Everybody knows that otherwise he would be just as concerned by the purchasers who are delayed in the private sector, as he obviously is by the purchasers who are delayed in the public sector. Those are the references that I had made to the private sector and nothing about whether he is free to ask or not ask about private sector development, is relevant to anything I have said about private sector development.

**HON J J BOSSANO:**

When we get the Hansard we shall be able to see that he used the words, "why does he not ask about the private developers". Let me say to the Chief Minister that, of course, the possible hypothetical reasons that he has postulated from the questions are only some possible hypothetical reasons. There is another reason and that is (a) that the persons that are the beneficiaries of these developments are people who probably without assisted developments from the Government would be on the Government Waiting List, for which the hon Member is a Shadow Minister. Whereas of the many Gibraltarians that are buying £500,000 houses I doubt that they will have much of an impact on the Waiting List and on Government's responsibility for housing people who cannot provide for themselves. Secondly, because our role in Opposition, as I have no doubt was his when he was here, was to bring to the attention of the Parliament what our constituents bring to us, and we do not have a queue of socialist millionaires queuing up outside our offices.

**HON CHIEF MINISTER:**

Well, certainly I acknowledge that champagne socialists died a natural death on 16<sup>th</sup> May 1996.

**HON J J BOSSANO:**

Well, I assume that that attempt to equate what the people who were before in Government must apply presumably to all the people who were in Government.

**HON C A BRUZON:**

I would just like to take up a couple of points that the Chief Minister made in connection with my interests and why I do things. Mr Bossano, my Honourable friend and Colleague, mentioned that there are people on the Housing Waiting List. Indeed, that is why I have two questions in the recent sessions of Parliament in connection with how many Government flats would be vacated when completion for Waterport Terraces and people buying in the South District three affordable homes housing schemes, would move into their new homes. In the case of Waterport Terraces, there are 396 homes being purchased and 50 Government flats will be made available, of which the Hon Fabian Vinet gave me a figure yesterday, which I cannot remember now, 18 of those 50 flats are now available thanks to the progress which at last is taking place concerning completion on Waterport Terraces. In

connection with the three South District home ownership schemes, the figure that I was given was 13. A total of 13 Government flats would become empty and available for people on the Housing Waiting List. Now, those are also very much the people that I am concerned about but I would like to ask the Chief Minister a question, how does he know that I do not also take an interest when people come to us or to me in connection with properties that are not Government, private properties?

**HON CHIEF MINISTER:**

Well, I do not know whether he takes an interest in them or not. But what is certainly clear is that he does not speak publicly about them. In other words, he does not feel the need to do politics with it. That is the point. I do not know how many of the socialist millionaires that the Leader of the Opposition referred to they actually see, despite the fact that he has said that they do not see any. So perhaps they go to see the Hon Mr Bruzon behind the back of the Leader of the Opposition, because he has just said that none of them goes to see them, because they are not the sort of party that represents the interests of such people. So the answer is that I do not know whether he sees them or not, it depends on whether I believe one or the other. But what is for sure is that he does not issue press releases about them. Home ownership schemes are not primarily intended to liberate houses from the Government Housing Waiting List. It was this Government's policy, mainly, of giving priority to people that were going to release Government houses that have contributed this number of flats for allocation. But the principal way that this Government intend to make a real impact on the Government Housing Waiting Lists, in a way that the hon Members opposite in Government did not do, is to build a brand new Government rental housing estate, and I know that the hon Member will now rise to his feet to say, "yes, but you promised 700 and are only building 500". Well, that is 500 more than they promised. But he must not worry, we will have the 200 others as well.

**HON F R PICARDO:**

When?

**HON CHIEF MINISTER:**

Well, whenever it is it is sooner than they would have happened if they had won the election ..... *[Interruption]* That is the reality, we will xxxxxxxxxx, we will try to deal with Gibraltar's housing needs by home ownership and by Government rental, not by a home ownership and forcing people who could not afford it into home ownership.

**HON C A BRUZON:**

If that is the reality as the Chief Minister said it is indeed a sad reality, because for 490 flats that they promised after the election, let us not say anything about the 700, the Chief Minister is the one who said we would probably talk once again about the 700 flats. The reality is that the people to whom the Government wrote personal letters to before the elections, one of my constituents telephoned me to say that when she received the letter she cried of joy. When she read the end of the letter



she cried genuine tears of sorrow because she realised that what she was being offered was a non-existent flat. Now that is the sad reality.

**HON CHIEF MINISTER:**

That is not the sad reality. The happy reality is that this non socialist, right wing, uncaring Government that does not care for the people of Gibraltar or the poor, that only the GSLP ever cared about apparently, this is the Government that has devoted the resources and the political will and the social conscience to build rental houses for people who could not afford to buy. That is the happy reality and any isolated incidents of over emotional people that go on, if I am to believe the hon Member, on the very day that this lady received the letter and between reading the first and the last line, she moved from ecstasy to depression. Well look, then why does he worry about accusing me of writing a pre-election gimmick in the letter. It must be the most ineptly drafted pre-election gimmick ever, because if I could not draft a letter before an election that cannot go from ecstasy to depression in ten lines, both lines are going to be read before voting day, then I do not deserve to stay in this job. So what is it? Did I bribe the electorate with a seductive letter or did I tell them the truth which led his lady to become depressive by the time she got to the end of it? Which of the two is it because it cannot be both? It cannot be an effective electoral goody and something that is capable of being interpreted to be a depressive letter. So which is it, once and for all which is it?

**HON C A BRUZON:**

I am really concerned and I will say why. The Chief Minister a few minutes ago said that I was casting aspersions on the experts. If he knew this lady, if he understood the housing problem, if he understood the real human problems that people on the Housing Waiting List have, then he would not make fun of this particular example. That, I think, is a fair statement to make. Does the Chief Minister not agree?

**HON CHIEF MINISTER:**

No, the Chief Minister does not agree. The only people that I know cried during the days of the GSLP Government were the families of the people who were killed on the water right out xxxxxxxx. Those are the only people I know cried. Yes, the mothers and the fathers and the grandparents of Gibraltar's youngsters killed out there on the water xxxxxxxxxxxx those are the only tears that I know for a fact to have been cast.

**HON C A BRUZON:**

It is disgraceful.

**HON CHIEF MINISTER:**

Of course it is disgraceful but true nonetheless. Well, look, the truth can never be disgraceful. How can the truth be disgraceful?

**MR SPEAKER:**

Order, Order.

**HON CHIEF MINISTER:**

We are not discussing the lady or her tears. We are discussing the letter and I asked hypothetically, because of course the hon Member is not here to answer my questions, I am here to answer his, I was simply pointing out the fact that in the previous supplementary he accused me of writing the letter just before the election, personally signed by me in order to seduce all these poor ladies into voting for us, and in the very next supplementary question he says that the letter made it perfectly clear that this was not a subject for joy but a subject for tears. I simply pointed out to him that that constituted an acknowledgement by him that therefore this letter cannot have been as electorally seductive as they have spent the last two years pretending.

ORAL

**NO. 595 OF 2009**

**THE HON C A BRUZON**

**HOUSING – NUMBER OF FLATS WITHIN SOUTH DISTRICT HOME OWNERSHIP SCHEMES**

Can Government confirm that the total number of flats within the three home ownership schemes in the South District is 276?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 596 of 2009.

ORAL

**NO. 596 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RESERVE LISTS FOR PURCHASE OF BAYVIEW TERRACES,  
CUMBERLAND TERRACES AND NELSON’S VIEW**

Can Government state how many persons are currently listed as applicants on the reserve list for the purchase of a flat at each of, Nelson’s View, Cumberland Terraces and Bayview Terraces?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Well, as we have said it is 408 and there are currently 142 persons on the reserve list for a property at one of the three developments.

**NO. 597 OF 2009**

**THE HON S E LINARES**

**HM PRISON – CATEGORY**

Can Government state what the current category of the HM Prison is and what will be the category of the new HM Prison once it is completed and occupied?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Moorish Castle Prison has not been categorised. The Government have no plans to change this in respect of the new prison. The new prison will enjoy the same status as the existing prison.

**SUPPLEMENTARY TO QUESTION NO. 597 OF 2009**

**HON S E LINARES:**

Is the Minister aware that there are categories of prisons?

**HON CHIEF MINISTER:**

No, the Government understand that this may be one of the issues that is at the heart of the industrial dispute and the Government are not willing to enter into a discussion at this moment in time on this issue. The position today in respect of the categorisation of prisons is as it has always been. When Gibraltar Prison has not been categorised it was true that there are different categories of prison in the UK. Starting from 16<sup>th</sup> May 1996 and also starting from March 1998. It has always been the case that there have been categories of prison in the UK, and it has always been the case that that categorisation of prison has not been adopted in Gibraltar. Therefore, there is no change, what there is, the Minister is clearly much more informed than he at first tried to let this House believe, that is one of the grounds upon which some of the claims may be based and, therefore, the Government are not willing to entertain discussion across the floor of this House at this time.

**NO. 598 of 2009**

**THE HON S E LINARES**

**HM PRISON – FEMALE SUPPLY PRISON OFFICERS**

Can Government state how many HM Prison Officers are on the supply list to cover for full-time HM Prison Officers or to fulfil duties in relation to more female inmates populating HM Prison?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

There are six female supply officers to cover ad-hoc requirements relating to female prisoners and other duties.

**SUPPLEMENTARY TO QUESTION NO. 598 OF 2009**

**HON S E LINARES:**

Of those six, have they all undergone the basic training and other training in order to be able to do their job when they are called in?

**HON D A FEETHAM:**

Yes, in fact, that is why I was intending taking this question with Question No. 373 that he asked me. All these officers attend a five day course, which include current practices at Her Majesty's Prison and a control and restraint course, together with on-the-job training, which is the answer I gave to the previous question.

**HON S E LINARES:**

Just to be clear about this, by “supply” we mean ..... I just want to define supply very briefly. This is Parliament, we do ask questions and sometimes one has to stand up and answer them, that is your duty. What I mean by “supply” is that they are all, for example, sitting in a home waiting. For example, a Prison Officer goes sick and they are called in that day, or is it sort of a long-term supply status that they are in?

**HON D A FEETHAM:**

They are not established posts, some people are on call to cover for illness, some people may work more than others, but they are supply workers, supply female officers.

**HON S E LINARES:**

Okay, that is all I wanted to know.

**NO. 599 OF 2009**

**THE HON S E LINARES**

**HM PRISON – MEETINGS OF MINISTER WITH PRISON STAFF**

How many times has the Minister in charge of HM Prison met with the staff at the HM Prison in an official capacity to discuss issues of the move to the new prison?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

I have met with the Superintendent of Prison every two weeks since I came into office, at which the issue of the move to the new prison has often been discussed.

**SUPPLEMENTARY TO QUESTION NO. 599 OF 2009**

**HON S E LINARES:**

Is that the only member of staff with which he has been discussing these issues?

**HON D A FEETHAM:**

It is neither appropriate nor necessary for the Minister to meet with staff on this issue since it is a matter for management. Nor has there, in fact, been a request by staff for such a meeting.

**HON S E LINARES:**

The question specifically asks how many times he has met with the staff. The answer should have been nought then, because the Superintendent is part of the management and he does not consider the Superintendent as part of the staff, then it should be nought, should it not?

**HON CHIEF MINISTER:**

The Superintendent is part of the staff of the prison.



**HON S E LINARES:**

He has just said that.

**HON CHIEF MINISTER:**

The Superintendent is part of the staff of the prison. The Minister meets with the Superintendent and not with members of the staff below the Superintendent, who deal with the Superintendent. We know that the hon Member is keen, as part of his industrial dispute promotion campaign.....

**HON S E LINARES:**

On a Point of Order, I am not saying anything about the industrial ..... It is not part of my supplementary.

**MR SPEAKER:**

But that is the answer.

**HON CHIEF MINISTER:**

The answer is that as he has been given.

**HON S E LINARES:**

Right, that is the answer, thank you.

**HON CHIEF MINISTER:**

No, the hon Member chooses to leap to his feet to suggest that the Minister has given the wrong answer to the House because of his interpretation of the word "staff". The question asked, "how many times has the Minister in charge of HM Prison met with the staff". To which the answer is, relating to the number of times that he meets with those members of staff that he meets. He meets with the Superintendent of Prison, which is the senior member of staff but nevertheless a member of staff. He does not meet with the people who are feeding him with information to ask questions across the floor of this House. That is the point I am making.

**HON S E LINARES:**

Even if I do get fed, which I do not, with the information, it was still a legitimate question and the Chief Minister just jumps up like he does, again, to hurl things at me when the question was a very simple question. Has he met with other members of staff other than Superintendent? He answered no. Thank you very much, I do not need any more from him. Thank you.

**HON CHIEF MINISTER:**

No, that is not the question that he asked and I will continue to leap up on my feet every time the hon Member, or any of them, try to get away with lack of rigour in the accuracy of what they say to (1) change the goalposts in the middle of the argument; (2) mislead listeners; (3) misrepresent and mis-xxxxxx fact, and(4) put words in the mouths of Ministers which they have not uttered, for the sole purposes of continuing their political crusade. He is wrong in saying that that is the question that he has asked. He got up and prefixed his question by the suggestion that the Minister had given an inaccurate answer because of his singular interpretation of the meaning of the word "staff". So I have not stood up because the Minister has not given the right answer, I have stood up to make it clear in this House that he asks the question, he gets the right answer, he then gets up to suggest that the answer was not right on the basis of an extraordinary interpretation by him of both the question and the answer. Then to suggest that the Minister has somehow been misleading this House by failing to answer the question that was asked. He may practise that degree of lack of rigour. We will not allow him to get away with it, whether he does it once or whether he does it one hundred times, we will correct him one or a hundred times on as many occasions as he does it. So he better get used to it and stop complaining about it. The only way to stop it is to stop doing it, but whilst he carries on doing it we will carry on pointing it out.

**HON S E LINARES:**

I have nothing to say, I will carry on with the next question. I hear diatribe all the time.

ORAL

**NO. 600 OF 2009**

**THE HON S E LINARES**

**HM PRISON – PRISON OFFICERS' OVERTIME**

Can Government state why HM Prison officers are not paid overtime and how many hours are owed to them as time in lieu in the last two years?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

Answered together with Question No. 601 of 2009.

**NO. 601 OF 2009**

**THE HON S E LINARES**

**HM PRISON – PRISON OFFICERS’ OVERTIME**

Can Government confirm whether there is a current agreement with HM Prison Officers which states that after five weeks owed in lieu of overtime these hours owed are to be paid in cash?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

The current agreements relating to the basis of remuneration for overtime hours worked date to 1988, the so-called “Fresh Start Agreement”, relating to local officers’ UK analogue. There is no entitlement to cash payment after five weeks. 1,705 hours of toil has been accumulated.

**SUPPLEMENTARY TO QUESTION NOS. 600 AND 601 OF 2009**

**HON S E LINARES:**

The 1,705 hours is that the accumulation of two years that I asked, or is it more years? If one looks at Question No. 600, I asked the question about time in lieu in the last two years. So can I assume that the 1,705 is for the two years together or is it .....?

**HON D A FEETHAM:**

I believe that is the case, yes.

**HON S E LINARES:**

Of two years?

**HON D A FEETHAM:**

I believe that is the case, yes. Two years.

**HON S E LINARES:**

So the Minister is not quite sure whether it is two years, he cannot confirm?

**HON D A FEETHAM:**

The question is put to the management of Her Majesty's Prison. The answer comes back so, therefore, I presume that yes that is the number of toil for two years because there has been no question in respect of anything other than two years.

ORAL

**NO. 602 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – REPORTS CONDUCTED BY EXPERTS FROM UK**

Can Government confirm that two reports were conducted by experts from the UK in relation to the Customs Department?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 603 to 609 of 2009.

ORAL

**NO. 603 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – REPORT CONDUCTED BY CUSTOMS AND EXCISE  
IN THE UK**

Can Government state whether the recommendations in the report conducted by the experts from Customs and Excise in the UK have now been implemented?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 602 and 604 to 609 of 2009.

ORAL

**NO. 604 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – NEGOTIATION AND CONSULTATION WITH STAFF**

What direct negotiation and consultation took place with the staff side from the Customs Department before the proposed restructuring agreement was drawn up by Government and presented to them for balloting?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 602, 603 and 605 to 609 of 2009.



ORAL

**NO. 605 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – RESTRUCTURING AGREEMENT**

Can Government confirm that in the proposed restructuring agreement in relation to the Customs Department private medical reports are not officially accepted?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 602 to 604 and 606 to 609 of 2009.

ORAL

**NO. 606 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – RESTRUCTURING AGREEMENT**

Can Government state what system of measurement is going to be used to measure the performance level of Customs Officers as stated in the proposed restructuring agreement?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 602 to 605 and 607 to 609 of 2009.

ORAL

**NO. 607 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – IMMIGRATION DUTIES**

Can Government confirm or deny whether there was any negotiation with any Customs Department or union official in relation to them carrying out immigration duties?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 602 to 606, 608 and 609 of 2009.

ORAL

**NO. 608 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – REJECTION OF RESTRUCTURING AGREEMENT**

Can Government state whether they will be renegotiating with the Customs Department now that they have overwhelmingly rejected the proposed restructuring agreement?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 602 to 607 and 609 of 2009.

**NO. 609 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – MANNING LEVELS**

Can Government state whether there will be an increase in the current manning level in the Customs Department once the new air terminal is functioning given that it envisages an increase in air traffic?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government commissioned a report to inform itself about the possibilities open to it in relation to the review of the Customs Department. There followed a lengthy period of negotiation with the Trade Union, Unite, which culminated in an agreement which the staff have, as is now very well known, rejected. That is an end to the matter and the Government are not willing to conduct a post mortem in this House on the basis of what was a negotiation of an attempted mutually beneficial review, which obviously was not thought by the staff to be as mutual or as beneficial. There will be no further negotiations in relation to the review of any aspect of the Customs Department. It is too soon for the Government to know what impact the new air terminal might have on the Customs functions within it. But of course, one option open to the Government is to re-organise the existing output of the existing Customs body, by way of redeployment, to cover any existing excesses, and certainly the hon Member should not assume that that will not happen, although no decision has been made.

**SUPPLEMENTARY TO QUESTION NOS. 602 TO 609 OF 2009**

**HON S E LINARES:**

Since they are not willing now to renegotiate, go back to the table sort of thing, does that mean that the Customs Officers will now continue as they were post all the renegotiation and the root and branch review that has been taking place?

**HON CHIEF MINISTER:**

Well, they remain with their contractual terms and conditions of employment as they were, as they indeed have never changed. But the Government and the management certainly reserve the right to redeploy its manpower resources within Customs and to change Customs working practices, in a way which maximises the

value for money of the Customs Department to the taxpayer that pays them, and to the citizens that they serve, with or without agreement.

**NO. 610 OF 2009**

**THE HON S E LINARES**

**CUSTOMS DEPARTMENT – ENFORCEMENT/UNIFORMED BODY**

Can Government state whether it recognises the Customs Department as a law enforcement body and/or a uniformed body within the civil services?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This is another series of coincidentally informed questions like he had about the Fire Brigade. Of course neither of which are within a million miles of the Opposition. The power and functions of Customs officers are set out in the Import and Export Act and other legislation. Some Customs Department employees wear a uniform.

**SUPPLEMENTARY TO QUESTION NO. 610 OF 2009**

**HON S E LINARES:**

Is the Chief Minister confirming then that he does not recognise them as a uniformed body, the Customs Department?

**HON CHIEF MINISTER:**

Those human beings who cover their bodies in a uniform are bodies in a uniform. But there are bodies who work in the Customs Department who do not cover themselves in a uniform and, therefore, they are not bodies in a uniform. It is not for me to read the Import and Export Act, nor is the hon Member free under Standing Orders to seek my opinion on matters. He is as free, as anybody else who can read, to read the Import and Export Act and decide for himself whether in his view these are a law enforcement body and a uniformed body. What I am telling him is that the powers and functions of Customs officers are set out in that Act and other legislation, and that some Customs Department employees wear a uniform. That is my answer which I know is not helpful to those who have fed him with information, who are desperate to make a claim on the basis that they are a uniformed law enforcement body and should be paid more similar rates of pay as the Police are paid. I know that, he knows that, the people that he is in contact with know that and I am not going to fall into his silly little traps in this House.

**HON F R PICARDO:**

The Chief Minister has dealt with a serious question about whether or not Customs officers are a uniformed body simply by saying there are some people who put uniforms on their corpus when they go to work and some who do not and that determines the issue. But will he not agree with me that that is not determinate of the issue because a Police Officer in the CID who turns up in mufti to go undercover is a member of a uniformed body even though his corpus is not wearing a uniform on that day?

**HON CHIEF MINISTER:**

Well, I have told him why I have given him the answer that I have given him and the hon Member can stand up and reformulate the question to get to the same result in as many ways as he wants. The Customs Department have the powers and functions set out in the legislation which they administer, and some Customs Department employees wear a uniform. That is the extent of the answer that I am willing to give him. For the rest of it, it is not a question of opinion of whether they are a uniformed body, they are what they are. They are public officials with certain statutory powers and functions, some of whose members go to work in a uniform. There are many such people, nurses, firemen, many people that go to work in uniform. Whether that means are they a uniformed body, well, what is a uniformed body? Where is that defined in legislation? I know the point that the hon Member is trying to make and that is the very point that I am determined that the brief that he carries will not be satisfied. The Government do not recognise the term "uniformed body" except in colloquial language. It has no legalistic meaning, it is not a concept that derives any consequence, or rather, from which derives any consequence. Therefore, that is the answer he is going to get however many times they stand up to reformulate the question.

**HON F R PICARDO:**

Well, denigrating all the suggestions the Chief Minister has made about motive to this side of the House, which of course Standing Orders do not allow him to do, although he does often, I recognise. Speaking colloquially, does he consider the Customs Department to be a uniformed body for the purposes of its relationship with the Government?

**HON CHIEF MINISTER:**

I am telling him, first of all that he has had the answer that he is going to get, which is that some Customs Department employees wear a uniform. Secondly, if he reads Standing Orders he will know, although Mr Speaker has not made a ruling, that he is not allowed to ask me questions that seek an expression of opinion from me.

**HON F R PICARDO:**

I am not asking him for his opinion, I am asking him whether he, as Chief Minister, that is the only capacity in which he is in this House, deals with the Customs Department as what he calls "colloquially" a uniformed body? I would have thought the answer to that is not to call for an opinion but to ask what his practice is.



**HON CHIEF MINISTER:**

I have told him that there is no legalistic or formal public administration definition of that phrase. The answer, therefore, is that some Customs Department employees wear a uniform to work.

**HON J J BOSSANO:**

Do the explanations that the Chief Minister has given us about a uniformed body apply equally to the other alternative which is law enforcement body?

**HON CHIEF MINISTER:**

The powers and functions of Customs Officers are set out in the Import and Export Act.

**HON J J BOSSANO:**

Yes, I know that I have heard him say that at least six times today. I suppose there is nothing about repetition in Standing Orders.

**HON CHIEF MINISTER:**

Well, if they ask the same question six times they have got to have the answers.

**HON J J BOSSANO:**

I have not asked the same question that has been asked by anybody else, it is just that I wanted to know whether what he said about there not being any definition of a uniformed body applied equally to a law enforcement body. That was my question. Whether what he said about in answering that a uniformed body was a colloquial thing which had no meaning, is that true also of law enforcement bodies? That is my question.

**HON CHIEF MINISTER:**

There are many Acts of Parliament that create offences and laws which are administered by Civil Servants, some wear uniforms and some do not. The Environmental Health legislation, the Public Health legislation, the Public Health and Safety legislation, the Financial Services legislation, there are many Acts of Parliament that create laws that are enforced by public servants, regardless of whether or not they wear a uniform. I am not expressing a view about what constitutes a law enforcement body or not. I am simply saying that the Customs Department officers, employees powers and functions are set out in the Import and Export Act.

ORAL

**NO. 611 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – AMALGAMATION WITH DEFENCE FIRE SERVICE**

Can Government state whether there have been any negotiations with the MOD with a view to amalgamating the Defence Fire Service with the City Fire Brigade?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 612 to 616 of 2009.

ORAL

**NO. 612 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – PAYMENT BY MOD FOR SERVICES**

Can the Minister state if any agreement has been reached between the Government and the MOD in relation to the Fire Brigade services and how much does or will the MOD pay of these services?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 611 and 613 to 616 of 2009.

ORAL

**NO. 613 OF 2009**

**THE HON S E LINARES**

**MOD WATER SYSTEM – NEGOTIATIONS WITH GOVERNMENT**

Can the Government state whether they have commenced the negotiations with the MOD in relation to the water distribution undertaking referred to in answer to Question No. 236 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 611, 612 and 614 to 616 of 2009

**NO. 614 OF 2009**

**THE HON S E LINARES**

**MOD ASSETS HANDOVER – SUPPLY OF ELECTRICITY BY GOVERNMENT**

Can Government state at what stage it is in, in relation to the negotiations with the MOD of a detailed agreement for the MOD to handover assets to the Gibraltar Government or any other governmental entity for the Gibraltar Government in turn to be the supplier of electricity to the MOD?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 611 to 613, 615 and 616 of 2009.

**ORAL**

**NO. 615 OF 2009**

**THE HON S E LINARES**

**GEA – TRANSFER OF MOD AND/OR OESCO EMPLOYEES**

Can Government state whether there has been any initial consultation process for any transfer of employees from either or both the MOD and/or OESCO with the staff directly or with their representatives in relation to the likely takeover by Government of the supply of electricity from both of the entities mentioned above?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 611 to 614 and 616 of 2009.

**NO. 616 OF 2009**

**THE HON G H LICUDI**

**QUESTION WITHDRAWN**

**HON F R PICARDO:**

Mr Licudi has had to absent himself from the Chamber. He has asked me to withdraw this question on his behalf as it is materially the same question as Question No. 615.

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am not willing to provide information in relation to any aspect of on-going negotiations relating to possible transfer of services by MOD to Government of Gibraltar or to any other Government controlled entity. I am, however, willing to tell the hon Member that negotiations are most advanced in relation to electricity, and that they are much less advanced in relation to the water and the other sections. But that they nevertheless will take place.

**SUPPLEMENTARY TO QUESTION NOS. 611 TO 616 OF 2009**

**HON S E LINARES:**

Is this also in relation to the Defence Fire Service with the City Fire Brigade which I also asked?

**HON CHIEF MINISTER:**

Yes, and the answer which I have given him gives him no right to assume that the premise of his questions are correct either.

**HON S E LINARES:**

Is the Chief Minister saying that there is no negotiation between the Government and the MOD in relation to the fire services of both entities?

**HON CHIEF MINISTER:**

I have said nothing whatsoever about either the Defence Fire Service or the City Fire Brigade. I have spoken generically about transfer services and I have told him that I am not willing to give him any information whilst the negotiations are on-going, except to tell him that the electricity one is advanced.

**HON J J BOSSANO:**

Does the unwillingness to provide information as to what is taking place within the negotiations include not being willing to say whether they exist or do not exist?

**HON CHIEF MINISTER:**

Yes to the extent that questions are asked differently or broken down by service, because the Government have and the MOD have lines of communication with the staff to keep them at their ease, and if the Government start answering questions designed to say where one service negotiation is in relation to another, the staff may wish to read into that things which do not need to be read into. So the answer is that these are negotiations and the Government are not willing to give an account of on-going negotiations in any respect.

**HON J J BOSSANO:**

My question is that whilst I understand the position that the Government may take on not wanting to give details of negotiations before the negotiations are completed, that is a completely different thing from saying that a negotiation is taking place. It may be at a very early stage, it may be halfway through, it may be at the end. We will not know and we are not going to be told.

**HON CHIEF MINISTER:**

The hon Member knows that we are both committed and happy to enter into negotiations in relation to the transfer of the services that were spelt out in the original global agreement in 2007 and that includes electricity, water, Defence Fire Service and the laundry. Those were the four areas, and then there was another clause where there was an aspirational list where there was not any firm commitment to negotiate, things that we might negotiate about.



**NO. 617 OF 2009**

**THE HON S E LINARES**

**CITY FIRE BRIGADE – AGREEMENT WITH MOD FOR PROVISION OF SERVICES**

Can Government state whether there is an agreement with the MOD in relation to the City Fire Brigade doing fire duties in MOD properties and other requirements for the MOD, and if so what exactly does the agreement require the City Fire Brigade to fulfil which they did not require before the agreement was signed and have the manning levels of the City Fire Brigade been increased to reflect the increase in workload?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There is indeed an agreement with the MOD for operational cover. This agreement was entered into in 1993 when the GSLP, the party with which he is now in such close alliance, was in Government. The agreement provides that the City Fire Brigade is responsible for attendance at fires in all areas of Gibraltar other than: Airfield Runway; Perimeter tracks; Aircraft parking areas.

Under the agreement all fire calls to MOD areas are jointly attended to by the Defence Fire Service and the City Fire Brigade, unless the Defence Fire Service are committed with aircraft movements. Automatic fire alarms within the MOD areas are attended to by the Defence Fire Service with City Fire Brigade back-up if required. Reciprocally, the Defence Fire Service comes to the assistance of the City Fire Brigade when called upon to do so.

Before the agreement was signed, the Defence Fire Service attended to all MOD areas and the City Fire Brigade were called upon if required.

Manning levels were not increased by the previous GSLP Government at the time of the agreement or at any time subsequently to reflect it.

**NO. 618 OF 2009**

**THE HON S E LINARES**

**NEW POWER STATION**

Can Government state at what stage it is in, in relation to the statutory consultation process for the location and building of the new power station as mentioned in answer to Question No. 240 of 2009 and whether Lathbury Barracks is still the preferred option of Government?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The statutory consultation process in relation to the Environmental Impact Assessment certificate application for the project is still on-going. The Lathbury Barracks site is the Government's preferred site for the construction of the new power station project, subject to the outcome of the statutory consultation process and the necessary consents being granted.

**NO. 619 OF 2009**

**THE HON S E LINARES**

**CEMETERY – LEGISLATION**

Can Government state whether they are now in a position to present the new Cemetery Act to this Parliament and if not when do they envisage that this will take place?

**ANSWER**

**THE HON THE CHIEF MINISTER**

When the Government are able to publish a Bill for a new Act and wish to do so, they will.

**SUPPLEMENTARY TO QUESTION NO. 619 OF 2009**

**HON S E LINARES:**

This question is in relation to an answer given by the Minister last time, when he said, “we are in the process of drafting out this legislation”. That is why I asked the question. Therefore, does the Chief Minister not think it is reasonable that I put this question to him or does he now disagree that it is not reasonable for me to put the question?

**HON CHIEF MINISTER:**

Yes, it is not a question of whether it is reasonable or not reasonable, it is whether the Government feel that they should be held to account for time for what is legislation. He may have noticed that there has been during the last few months a shift in the Government’s approach to questions, designed to press the Government as to timing on things that are the matter of Government policy, the issue of legislation, whether the Government intend to do this or intend to do that. The Government policy is the Government policy. The issue of legislation happens when it happens, and when it happens is when the Government want it to happen, or are able to make it happen and that is when he is entitled to know that the Government wish to move a Bill in this House for such an Act. We are not going to in future answer questions designed to report to them on how the Government is going internally in developing its own policy initiatives. When the Government’s policy initiatives are ready, be they legislative or otherwise, he will learn of it at the appropriate time.

**HON S E LINARES:**

Just to add, that it took me six years ..... Every time I used to come to Parliament I was accused by that side of bringing in the same question in relation to truancy with the children. We were promised firstly that legislation was being drafted, then that it had gone to the Council of Ministers, then that it had gone back to consultation, then that it was going to be presented to this House imminently and we are still today ....., and then we had the Minister for Education recently stating that they are now not going to present the Act. So that is why ..... They are not going to present anything to do with the truancy Act, when I asked the last time. Therefore, that is why I am asking.....

**HON C G BELTRAN:**

Point of Order. I have said nothing of the sort. I have not said that.

**MR SPEAKER:**

Order, Order.

**HON C G BELTRAN:**

It is totally incorrect, it is just not true. I have not said there is no Act and no changes will take place in the Act. Certainly generally, and certainly not in any way to do with truancy. Truancy is not a problem in Gibraltar.

**HON S E LINARES:**

Exactly.

**MR SPEAKER:**

Order, Order. Before the hon Member carries on, the point which the hon Member is making about educational matters ought to have been raised with the Minister for Education at the appropriate time. I do not see the relevance of the point or the prologue to the next question, in terms of the question under debate right now. What has the Education Act or lack of the legislation to do with the Cemetery Act?

**HON S E LINARES:**

It is to do with the answer that the Chief Minister gave me about asking these questions. That is the relationship between one and the other.

**HON CHIEF MINISTER:**

It is to all.

**HON S E LINARES:**

Yes and I am learning very fast from the Chief Minister how to divert things from one place to another. Therefore, what I am trying to say here is that although the Minister might not remember, last time I posed the question about truancy, and he has now actually enforced my argument by saying there is no problem on truancy. So, there is now no legislation on truancy at all going to come forward. This is my point.

**MR SPEAKER:**

Would the hon Member put the question on the point in issue please? There is no question?

**HON CHIEF MINISTER:**

There is no question, right. He is satisfied with the answer he got.

**NO. 620 OF 2009**

**THE HON F R PICARDO**

**COST OF CHIEF MINISTER'S TRAVEL ON GOVERNMENT BUSINESS**

Can the Government give a breakdown of the cost of all travel by the Chief Minister on Government business since the last answer in this House to date stating:

- (a) what the purpose of travel was;
- (b) who travelled with the Chief Minister;
- (c) who the Chief Minister intended to meet on each of the journeys undertaken;  
and
- (d) a breakdown of the travel expenses incurred?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I have told my wife that there is absolutely no prospect of the hon Member allowing me to have an affair with any other woman on any of my travels because I have no prospect of getting away with it. I will be very happy to hand the hon Member the detailed information about my movements that he requires.

**ANSWER TO QUESTION 620**

<b>Date</b>	<b>Purpose</b>	<b>Persons Travelling With CM</b>	<b>Met With</b>	<b>Air Fares</b>	<b>Accommodation</b>	<b>Subsistence &amp; Other Costs</b>
30th March to 1st April	Signing U.S. Tax Agreement	John Reyes James Tipping	Head of Barclays Global Wealth, Mr Kalaris U.S. Treasury Secretary Mr Tim Geithner	£980.00	£1,151.90	£1,892.18
14th to 15th April	Meeting	Richard Garcia Carlos Sanchez Derek Tilbury	Minister of State - Spanish Ministry of Foreign Affairs Snr Losada	£252.50 (Rail Fare)	£318.20	£272.04
11th to 13th May	Addressing Friends of Gibraltar	John Reyes	The Friends of Gibraltar	£1,098.40	£1,164.40	£2,083.13
1st to 2nd June	Attending Royal Gun Salute by the Gibraltar Regiment	Martin Figueras	Invited dignitaries, MPs and Members of the Scottish Parliament	Not Yet Invoiced	£185.00	£1,552.50

**NO. 621 OF 2009**

**THE HON F R PICARDO**

**GBC REPORT**

Has Government now made any decision as to whether or not it will publish the report into the future of GBC commissioned from Mr Alan King or to at least publish its conclusions, given that the future of GBC is a matter of importance to the community at large?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No.

**SUPPLEMENTARY TO QUESTION NO. 621 OF 2009**

**HON F R PICARDO:**

Have the Government shared this report with the Board of GBC or the Staff Side of GBC already?

**HON CHIEF MINISTER:**

Not yet.

**HON F R PICARDO:**

Does that “not yet” mean that there is an intention to share it with those parties, if not yet a decision to publish it more widely?

**HON CHIEF MINISTER:**

It means that we have not yet shared it and it remains to be decided with whom we share it and when.



**HON F R PICARDO:**

The Chief Minister said at the anniversary of Radio Gibraltar last year, that he expected that the review of GBC would be over and the new practices in place by the end of 2008. He told me during the last Question Time that he expected it to be dealt with by the end of 2009. Can he confirm to us that the end of 2009 is still the date by which he expects these issues to have been dealt with, and can he commit himself to, perhaps, by at least the next Question Time in this House, having made up his mind as to whether or not the report will be published?

**HON CHIEF MINISTER:**

No, I certainly am not willing to make any such commitment or, indeed, any commitment at all that is not the purpose of Question Time in this House. But I can certainly inform him that it remains the Government's aspiration to deal with the GBC review during what is left of this year. Other things may happen which take priority to that, despite its importance, and then there may be further slippage. But that remains the Government's intention that it is on our agenda for 2009.

**HON F R PICARDO:**

Can I ask the Chief Minister to perhaps tell the community why it is that he has been so resistant to the calls to publish the report. At the end of the day GBC is a very important part of our community. This is obviously an important report into the future of that organisation. Why should not all the community have a chance to see an unredacted version of that report, paid for by the taxpayer?

**HON CHIEF MINISTER:**

This is a report commissioned by the Government to advise itself of what are the options available for GBC. Of course, had the hon Members been elected into Government at the last election instead of ours, since they have no policy to review GBC there would be no report. Why he is suddenly so anxious about a project that when he wrote his manifesto in 2007 he thought was completely unnecessary and unimportant, that he did not include it in his manifesto. Why should it now be so pressing to him that the Government delay or do not delay in proceeding with what is a manifesto policy of the Government and not a manifesto commitment of the hon Members is not entirely understandable, except in relation to one point which I accept is valid. That is that given that the Government have requested the Board of GBC not to fill the post of General Manager until the review is effected, until the review is done the General Managership may remain vacant and then is being done on a rotational basis. But it does not have to carry on being done on a rotational basis, somebody can be appointed acting General Manager to the exclusion of the others. But save for this question of the impact on the General Managership, the rest of it is a matter for the Government. In the meantime, GBC is functioning as it has always functioned, under the legislation that it has always functioned, with the resources that it has always functioned and that, therefore, is the position. The Government attach importance to it which is why we commissioned the review. Therefore, being a Government initiative, the speed, rate and timing of the Government's dealing with it is a matter entirely for the Government that should not concern the hon Member, given that he did not think it needed to be done at all.

**HON F R PICARDO:**

It is entirely politically without seriousness for the Chief Minister to suggest that the Oppositions in Parliament are only able to ask questions of the things that are common to their manifesto and the manifesto of the Government. I will ignore that point. I will take this point however, which is that the Government say that they have commissioned the report to inform themselves of what the future of GBC should be. Well clearly, in a democracy where the Government allege they are accountable, information available to Government should be available, within certain restrictions of confidentiality and what needs to be private, should be available to the whole of the community. Is it not therefore important that the Government, reconsider quickly their position on the publication of this report which has been funded by taxpayers, so that all of us, not just the Opposition but the whole of the community, and the Staff Side at GBC as well as the Board and the Management side, have available to them the information made available to the Government, at public cost, the report made available at public cost, making recommendations about that very important institution that is the Gibraltar Broadcasting Corporation?

**HON CHIEF MINISTER:**

No, the Government do not agree and there are many reports and consultancies that are funded by the taxpayer and which the taxpayer does not see. This idea that there is some sort of linkage between the taxpayer paying for it and therefore the taxpayer being entitled to see it is absurd. The taxpayer pays for everything the Government do but the taxpayer does not see everything that the Government do. I just do not know where he gets this idea from. Certainly, of course he is not prevented or he is not limited to asking questions only in matters of his manifesto and cannot ask me questions on mine. He is free to ask me questions on any aspect of public affairs of Gibraltar for which Ministers are responsible, but I have to say to him that it is quite unusual. I am not aware, it might happen and I simply do not become aware of it, but I am not aware, despite being a reasonably close follower of the political process in other countries, of any Parliamentary democracy in which the Opposition eggs the Government on to implement the Government's manifesto commitments. It is almost as if they are anxious for us to be re-elected. Please hurry up and get on with implementing the Government's manifesto so that when they come to the next election they can say they have implemented all the manifesto and, of course, the people will then vote for them again. I mean, of course he is free to ask questions but I do not think it is normal for Oppositions to press Governments about the speed with which the Government choose to deploy their manifesto commitments. It is not a question of whether he is free or not, of course he is free to ask the question but I am surprised that he does so because it seems to me to be an unusual Parliamentary practice in relation to what tends to happen in other Parliaments in other democracies.

**HON F R PICARDO:**

I think that the Chief Minister suffers from not having read the question. The question does not ask him when he is going to finalise the review, the question does not ask him any of that. I asked him whether his position is still as it was in a supplementary, that the Government's position is that the review was going to be finalised by the end of 2009. But the question that I have asked him now, the supplementary that I have asked him now and the question that is on the Order Paper, asks him about the publication, only the publication, of the report that has been commissioned by Mr

King into what the future of GBC should be, as far as Mr King is concerned. So, frankly, although I am not going to take any lessons from him as to what he thinks the Opposition should or should not do, and I can expect the diatribe that will come as a result of my having said that, one is used to him behaving like “Basil Fawltly”, particularly irritated in the kitchen and treating us like unfortunate Manuels. But so be it. What I am asking him is, will there be a publication of this report? Not about his policy, just a publication of the report, funded by the taxpayer, about this very important institution to the community.

**MR SPEAKER:**

That was the first question asked and answered. We have moved since then.

**HON CHIEF MINISTER:**

Exactly. The hon Member as the World Health Organisation should declare a pandemic of a disease that appears to be spreading like wildfire across the benches on the other side of the House. They have got this astonishing, impressive ability to just move the goalposts in the middle of sentences and paragraphs. Look, I have no difficulty, I do not suffer from not reading the questions, and given that this is the seventh or the eighth supplementary, what is the point of him referring back to the original question which is clearly not where we are? What I said to him about practice in other Parliaments is the response to his point in the last supplementary that he asked me, to which I am answering, which was that he is not limited to asking questions. I have told him of course he is not limited but it is unusual. So I do not suffer from not reading questions, he suffers from attributing chronologies and things which is just irrelevant to the points that are being discussed. The answer is that whether it was written by Mr King, or whether it was written by anybody else, it is still a report commissioned by the Government, for the Government, for the Government to be informed about what the options, what the defects are, what the options for the reform of GBC are. Therefore, the Government will not make a decision as to whether, and if so to whom, to make this report available until the Government feel that it is time to do so. That is certainly not now and it certainly will not be before the Government have made a policy decision of how to proceed in relation to the review of GBC. Which is not to say that thereafter we are committing to do so. But certainly it will not be before then.

**HON F R PICARDO:**

I am afraid that Basil does not seem to have got it. I made a preliminary remark answering *[Interruption]*

**HON CHIEF MINISTER:**

The hon Member who says in his supplementary that he is not willing to take lessons from me, perhaps that is his problem. Perhaps he ought to take some lessons from me and then he might have a chance, which I do not think he has today, to find himself on this side of the House for four successive terms like the person that he thinks he has nothing to learn from.

**HON F R PICARDO:**

I do not know whether that was an answer to a question. I was giving way because Mr Speaker was calling Order.

**MR SPEAKER:**

Well I was just going to make the point that we do not in this House refer to hon Members, whichever side, by that nomenclature or any other name.

**HON F R PICARDO:**

I take the point and however I characterise him in my mind, I will not be calling the Chief Minister Basil again, though I might think that. Anyway, as the faulty understanding of my question appears to be that I suggested something which requires an answer.....

**HON CHIEF MINISTER:**

Mr Speaker, this is complete disrespect not just for the Chief Minister but for the Speaker of this House, and I will bring a substantive motion to condemn the hon Member if that is necessary.

**MR SPEAKER:**

I am advising the hon Member to cease any more frivolity. The last question which the hon Member did ask I pointed out was, in fact, asking the very first question. Now I invite the hon Member to proceed in a Parliamentary manner and to pose a proper and meaningful supplementary in accordance with Standing Orders, with which he is very familiar.

**HON F R PICARDO:**

Mr Speaker has not given me an opportunity to address him on the point the Chief Minister made. I do not believe I was being disrespectful to Mr Speaker or to the House by characterising the Chief Minister in a particular way, because the Chief Minister characterises many people in this House, usually on this side of the House, in many divergent and disrespectful ways. But I accept Mr Speaker's ruling and I do not believe that anything I was doing was flippant. But, of course, I accept Mr Speaker's ruling. So the Chief Minister was at fault when he believed that I was making any point about whether or not, or asking him any question about whether or not I was able only to make points which related to my manifesto and not just the ones that were in his manifesto. I made that as a preliminary remark. My question related to the publication of Mr King's report. I will put it this way to round up my supplementaries on this issue. Whilst the Government have in their possession a document into the very serious issue which is the review of GBC and do not publish it, the general public and no doubt he will agree with me, be entitled to assume that there is something in there that the Government do not want us to see. Is that or is that not right?

**HON CHIEF MINISTER:**

No, that is not right and of course we can all succumb to the temptation to characterise individual members of this House in extremely personal ways, different ways for different people, and I would caution the hon Member against provoking too much in that direction.

**MR SPEAKER:**

There has to be a question.

**HON F R PICARDO:**

Yes, of course. Was that a threat?

**NO. 622 OF 2009**

**THE HON F R PICARDO**

**GBC – INVITATIONS TO MINISTERS TO APPEAR ON VIEWPOINT**

Since October 2007 have Ministers received invitations to appear on GBC's Viewpoint programme and refused the invitation, and if so, who were the relevant Ministers and can they provide an approximate date for their refusal to the relevant invitation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is the prerogative of Ministers who are asked to either accept or decline offers to take part in television programmes. No record is kept of such requests. Nor is the Government accountable in this House for whether or not they appear on television programmes.

**SUPPLEMENTARY TO QUESTION NO. 622 OF 2009**

**HON F R PICARDO:**

Well, they will not publish the report into GBC, the Minister for the Environment told us yesterday that he would not tell us who he was meeting and who he might be meeting, so they will not tell us what is in their diaries and now they will not tell us when they refuse invitations to appear on the only discussion programme on the Gibraltar Broadcasting Corporation. Are the taxpayers not entitled to have this information? Are the taxpayers not entitled to know when the Ministers of this Government refuse to appear on the public broadcaster when invited to do so to answer for their policies?

**HON CHIEF MINISTER:**

No, the only taxpayers that could be surprised by that are the ones that are so young that they cannot remember what used to happen between 1988 and 1996. Those are the only taxpayers who could be surprised that the Government are not willing to account for whether or not or whether they should or should not appear on television programmes. But the answer to his question remains no, and what is more, his supplementary appears to be based on an entirely false premise. The hon Member appears to believe that the Government are obliged to account publicly for everything and anything that they do, and much of what the Government do they are not required or obliged to account for, and is private and confidential, not that this is

private and confidential but this particular issue falls into the non-accountable category. The idea that Governments all over the world in democracies have to provide every document, every titbit of information, every account, is something that only exists in the hon Member's fertile imagination. That is not the way democratic governments are run and the hon Member's attempts to rewrite jurisprudence in this area is going to have to stay as a figment of his imagination. But of course, the more he condemns this Government for doing one percent of what the hon Members opposite when in Government used to do 95 per cent, the more he is supporting our condemnation of their practices in Government and I am glad that he agrees with me on that.

**HON F R PICARDO:**

He is completely wrong to characterise anything I have said as an agreement with him on any subject. The question is not about jurisprudence, as the Chief Minister should be astute enough to know, it is about political accountability and nothing less. So, my question would be to ask him whether he is prepared to tell this House, whether he has ever refused an invitation extended to him since 2007 as Chief Minister to appear on the Viewpoint programme.

**HON CHIEF MINISTER:**

No, I lead by example and I apply to myself the same rules that I apply to my Colleagues.

**HON F R PICARDO:**

Is that a no he has not refused it or no he will not tell us?

ORAL

**NO. 623 OF 2009**

**THE HON F R PICARDO**

**MEDIA DIRECTOR – REMUNERATION PAYABLE**

What has been the total amount of the remuneration payable in respect of the post of Media Director for each financial year since 1996, and what if any pension provision is payable in respect of the post?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member copies of a statement giving the information that he requests.



## **ANSWER TO QUESTION 623 OF 2009**

### **Answer to Question 623**

The total amount of the remuneration payable in respect of the post of Media Director for each financial year since 1996 is as follows:

Financial Year	Basic	Gratuity
1996/1997	£19,679.30	NIL
1997/1998	£35,953.70	NIL
1998/1999	£38,600.81	NIL
1999/2000	£38,991.76	NIL
2000/2001	£44,859.80	£4,572.90
2001/2002	£44,280.46	£11,070.10
2002/2003	£48,925.43	£11,831.22
2003/2004	£49,362.73	£12,740.93
2004/2005	£50,547.04	£12,636.80
2005/2006	£51,760.32	£12,940.08
2006/2007	£56,508.58	£14,127.20
2007/2008	£61,222.46	£15,305.62
2008/2009	£61,631.88	£15,407.97
2009/2010	£10,339.50	£2,584.88

The figure for 2000/2001 is higher than for 2001/2002 because it contains arrears (August 99 to October 2000)

There is no pension provision payable in respect of the post.

**SUPPLEMENTARY TO QUESTION NO. 623 OF 2009**

**HON J J BOSSANO:**

The figure for the gratuity is paid on the basis of the annual salary, is it, am I correct?  
It is 25 per cent of the salary?

**HON CHIEF MINISTER:**

I think so, yes. It is the regime that applies to contract officers as opposed to permanent and pensionable.

**HON J J BOSSANO:**

I thought that that was done on a three year cycle. Is it that it is different now from what it used to be?

**HON CHIEF MINISTER:**

I think it is now done on an annual basis and there are some officers who as a matter of concession have asked for it. For example, the still Chief Justice has asked for it to be done even more regularly and was agreed.

ORAL

**NO. 624 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS**

What is the total amount up to the date of this question paid by the Government as advertising to the publication "7 Days", since that publication was first published?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 625 and 626 of 2009.

**NO. 625 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT ADVERTISING IN LOCAL NEWSPAPER**

Since November 2007 from what departmental budget have the sums paid to “7 Days” been paid, giving a breakdown by department going back to November 2007 if they are paid by more than one department?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 624 and 626 of 2009.

**NO. 626 OF 2009****THE HON F R PICARDO****GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS**

What amount has the Government paid in respect of advertising to any registered newspaper since the last answer in this House, giving a breakdown by month and newspaper?

**ANSWER****THE HON THE CHIEF MINISTER**

The total amount paid by the Government as advertising to the publication 7 Days since it was first published in August 2006 is £96,699.40.

Since November 2007 the sums paid to 7 Days, giving a breakdown by department, is as follows:-

No. 6 Convent Place, which is the accounting office	£45,728
Gibraltar Tourist Board, which is a department of the Gibraltar Development Corporation	£ 7,290

The following amounts have been paid to registered newspapers in the last three months:-

	Mar-09	Apr-09	May-09	Jun-09	Total
<b>Gibraltar Chronicle</b>	£3,525.50	-	£2,352.00	-	£5,877.50
<b>Panorama</b>	£7,407.00	-	-	-	£7,407.00
<b>7 Days</b>	£3,020.00	£2,096.00	£2,066.00	-	£7,182.00
<b>Gibsport</b>	£120.00	£120.00	£330.00	£300.00	£870.00
	<b>£14,072.50</b>	<b>£2,216.00</b>	<b>£4,748.00</b>	<b>£300.00</b>	<b>£21,336.50</b>

**NO. 627 OF 2009**

**THE HON F R PICARDO**

**GOVERNMENT ADVERTISING IN LOCAL NEWSPAPERS**

What is the cost of the full page advertisement by the Ministry of Culture which appeared in "7 Days" on Friday 29<sup>th</sup> May 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am advised that there was no cost to the Ministry of Culture as it was not an advertisement. It appears that following the official launch of this year's Spring Festival Programme, issued to all local press, the Editor of 7 Days requested further information from the Director of Culture, and what was provided seems to have been reproduced at the Editor's discretion.

**NO. 628 OF 2009**

**THE HON F R PICARDO**

**COST OF USE OF VIP LOUNGE AT GATWICK**

Is the cost of £1,586.26 charged for the use of the VIP lounge at Gatwick a cost per person using the lounge or per delegation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 629 and 630 of 2009.

ORAL

**NO. 629 OF 2009**

**THE HON F R PICARDO**

**COST OF USE OF VIP LOUNGE AT GATWICK**

Is the cost of £1,586.26 charged for the use of the VIP lounge at Gatwick a cost which covers a return trip or just the arrival to UK?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 628 and 630 of 2009.



**NO. 630 OF 2009**

**THE HON F R PICARDO**

**CHIEF MINISTER/MINISTERS – US OF VIP LOUNGE AT GATWICK**

On how many occasions has the Chief Minister or any other Minister used the VIP lounge at any UK airport since a charge has been levied for the use of such facilities and what is the total amount spent in this respect since the service was first used?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am advised that the cost is per delegation and covers a return trip.

Since charges were levied in June 2006, only the Chief Minister has used the facility. The facility has been used 42 times at a cost of £22,834.56.

**SUPPLEMENTARY TO QUESTION NOS. 628 TO 630 OF 2009**

**HON F R PICARDO:**

Can the Chief Minister give us the number again? £42,000 he said?

**CHIEF MINISTER:**

The only figure in thousands that I have mentioned is £22,834.56p.

**HON F R PICARDO:**

I bring to the Chief Minister's attention, he may be aware, the services of a company called Diamond Air whose website could easily be accessed by the Chief Minister if he wished on [www.diamond-air.co.uk](http://www.diamond-air.co.uk) which he may have read in this week's edition of The Sunday Times as I did, provides a meet and assist service at Gatwick, which for £65.00, not £1,500.00, for £65.00 would take five passengers from the aircraft straight through security and straight through passport control, obviously passing security and passport control, as he does even at the VIP lounge as he told us in some notional ways, and to the other side of the airport. The cost of which is £65.00. Will the Chief Minister look into this given the considerable saving that could be made to the Gibraltar taxpayer if he were to choose this alternative to the very expensive alternative he is choosing now?

**HON CHIEF MINISTER:**

No, I will not look into it, I am not in the need of the services of a “universal aunt”.

**HON F R PICARDO:**

That really does not seem fair, given that the taxpayer is shelling out £1,500 every time the Chief Minister goes to London. It may very well be that the Chief Minister comes back having looked into it to say that the service he gets, which we believe is costing an excessive amount, is different and in his view the appropriate one, and we continue to disagree. But why will he not even look into it?

**HON CHIEF MINISTER:**

I will not look into it because it is self evident to me, as it must be to him, but of course he does not mind incurring the risk of misleading listeners, that the services that are available through that meet and greet service are not the services that are available, nor for the people that they are intended, nor does it offer the same facilities as the VIP lounge. The facilities that I use are the same facilities as heads of government use regularly. Indeed, there is a picture of Sir Joshua Hassan and of Sir David Williams actually there on parade. I must remember next time I go to take them a portrait of myself in case they put me up with the other eminent and regular users of the facility. I am sure after using it 42 times and paying them £22,834.56 I am almost certain that they will agree to put up my photograph. The services are clearly not similar, there is only one facility of the sort that we use at Gatwick Airport. It is now run by this company, it is not that service and whatever that service is, which must be a service to meet unaccompanied passengers, elderly people, minors who travel, hence my reference to “universal aunt”. When I first used to go to boarding school aged nine or ten, I would climb off the aeroplane and there was something that BEA then used to call a “universal aunt”, meeting Gibraltar students to take them to customs, to take them to Immigration to make sure that they did not break down in homesick motivated tears, lose their way and get lost and run into trouble. But the hon Member obviously can be forgiven for not knowing what a “universal aunt” is, but just in case he did not understand my reference to it, that is what a “universal aunt” is in old British air travel terminology. That is the sort of service that he is describing, not this, and I have no intention ..... I repeat that the Government consider it entirely appropriate for the Chief Minister of Gibraltar to use the Gatwick Airport VIP service. Not because I personally deserve it but because the dignity of the office of Chief Minister of the Government of Gibraltar deserves no less dignity than the head of any other government. What is the point in the hon Members travelling across the Atlantic to persuade the rest of the world that Gibraltar should be treated like every other country and then come back here and begrudge the Chief Minister of the Government of Gibraltar behaviour like every other head of government.

**HON F R PICARDO:**

I am sure that the Chief Minister will agree with me that the portrait of Sir Joshua using the lounge will no doubt be one, if it is just a portrait or just a portrait of Sir Joshua, one that is well deserved given the many years of service that Sir Joshua gave to this community and, no doubt, if he used the lounge then the Chief Minister will agree he used it free of charge, because the charging has only been introduced

recently. It is that issue that we must go to. The Chief Minister does not take my word for anything except now, given that I produced to him a potential alternative to his beloved treatment as a head of government or head of state at great expense to the taxpayer, he will take my word for what I have described and say it is just a "universal aunt", I will not even look into it. Can I commend to him that he continue not to take my word for anything and that he should look into what Diamond Air do offer in case it is anywhere near the Rolls Royce service that he gets as head of government in respect of the VIP lounge? Can I also ask him to tell me how the figures that he has calculated and given to us are reached, given that I cannot work them out from the £1,586 fee, that we are talking about because if that meant that he travelled on 42 occasions and 21 return trips at that price, I get a figure of £33,000 odd. If the cost were to be per trip I would get £66,000 so could he also look into that because although he deals with these issues very flippantly, taxpayers are concerned with the amounts that he spends on his obvious personal engrandisement.

**HON CHIEF MINISTER:**

No, the Chief Minister will not look into it and the only taxpayer that has manifested the slightest degree of disquiet on this is called Fabian Picardo. There is no other taxpayer, to my knowledge, that has shown any disquiet whatsoever because I do not think other taxpayers in Gibraltar believe, as he appears to do, that in order to make political campaign against the incumbent Chief Minister, it is necessary to belittle the entire office of Chief Minister of Gibraltar. Since I am confident that there is only one person in Gibraltar capable of being as petty as that, I do not accept the hon Member's commendation. As to his attempt at straight line extrapolation mathematics, perhaps he might like to consider the possibility that the prices have not remained the same since 2006 and that he is not at liberty to do straightforward division and straightforward multiplication, because there have, during different periods, been different levels of charge.

**HON F R PICARDO:**

I want to make a point which is a Point of Order but I did not want to interrupt the Chief Minister so I make it now. Nothing that I am saying should be interpreted as my attempting to belittle the office of the Chief Minister of Gibraltar, because although I have absolutely no time for much of what the hon Gentleman says, or for the way that he conducts himself in this Parliament, as he has none for me or for the way in which I conduct myself in this Parliament, I have great respect for the constitutional office of the Chief Minister of Gibraltar and I am, frankly, very concerned about what he is doing to bring about criticism internationally and locally of that office. But that is just my view. What have been the price differences or the price changes in respect of the cost of the VIP lounge at Gatwick since charging was first introduced in 2006?

**HON CHIEF MINISTER:**

Sorry, I did not hear that.

**HON F R PICARDO:**

Well, I am quite happy to repeat it for the Chief Minister.

**MR SPEAKER:**

Just the question.

**HON F R PICARDO:**

Yes, of course. What have been the price increases of charge for the VIP lounge at Gatwick since charging was first introduced?

**HON CHIEF MINISTER:**

Well, there has also been an increase on the basis. It started in October, the first charge that they introduced was £165 and there have been various increases culminating in the current charge is £776 which has prevailed since 19<sup>th</sup> January this year. In 2008 it was actually a little bit more expensive. They appear to have reduced their prices marginally, then in the second half of 2008 it was higher than that and in the lower part. There is a variety of sums and figures.

**HON F R PICARDO:**

Will the Chief Minister agree to provide the lists of sums and figures, if necessary in writing, he does not need to read it out or I am quite happy to make a note of it if he wishes to read it out?

**HON CHIEF MINISTER:**

I am not willing to provide the hon Member anything if requested across the floor of this House. If he writes to me I will certainly consider providing it to him.

**HON F R PICARDO:**

I am requesting it now in the sense that I am requesting it now. I am not saying will he write to me, I know he does not like to commit himself to do that but will he give me the answer now, he has got the information. I am quite happy to scribble a note.

**HON CHIEF MINISTER:**

I repeat, if he writes to me asking for information of which I have not had notice, I will consider providing it to him.

**HON F R PICARDO:**

I am grateful for the generosity of spirit as usual.

**NO. 631 OF 2009**

**THE HON F R PICARDO**

**REVIEW OF BRITISH OFFSHORE FINANCIAL CENTRES**

Has Government had any further communications with Mr Michael Foot in respect of the independent review of British offshore financial centres announced in the Pre-Budget Report 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Well, I do not know what the hon Member means by “further communication”. There has been, as he knows, a communication. The Gibraltar Government will be providing to the British Government updated information about the economy of Gibraltar, which it appears not to have, as soon as the more recent elements of that information have been provided to this House, which will be during the Budget Session. So, we expect to submit directly to the British Government information that the Chancellor appears to want to know about all the Overseas Territories and Crown Dependencies, we expect some time during July.

**SUPPLEMENTARY TO QUESTION NO. 631 OF 2009**

**HON F R PICARDO:**

I mean by “further communications” communications further to the meeting held in London between the Chief Minister and Mr Foot.

**HON J J BOSSANO:**

I notice in the report that there was a comparative table of the importance of the financial services industry in relation to GDP. Is that the kind of information they are being asked to update? There was one about all the territories and we were included there in the table in the report, is that what he is talking about?

**HON CHIEF MINISTER:**

No, that is information that they obviously want. I cannot recall right now what the questions asked but I do not think we are at that stage now, they must have obtained that information from other sources. The sort of questions that are asked are things calculated to enable the UK Government to decide how dependant the economies

are of the various Overseas Territories and Crown Dependencies on financial services, and how equipped the Governments of those Territories are to respond to possible crises in financial services operator. That is the sort of question as well as questions about Government policy intentions and things of that sort. It is a pretty general overview.

**HON J J BOSSANO:**

That is precisely why I have put that question to him because it was on the basis of how important in each case the share was of the GDP, that was the way the evaluation was done in the report produced by Mr Foot, and there I noticed that there was a given percentage given to the share of the Gibraltar GDP, which for example, was much lower than in places like Jersey. Now, I am asking, is it that they want an update on that in relation to this year's Budget?

**HON CHIEF MINISTER:**

No. In the answer that we want to give them, we want to include information which this House has not yet had and which we do not think we should give to anybody before we give it to this House. Not that they have specifically asked for that.

ORAL

**NO. 632 OF 2009**

**THE HON F R PICARDO**

**FINANCIAL SERVICES – CONFERENCES**

Can Government give the cost, with a breakdown, of attendance at all and any conferences which related or were considered to relate to financial services in the months from the last answer in this House to date, giving the name of the conference, the offices of those who might have attended as part of the Government delegation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested is on the attached schedule that I now hand to the hon Member.

## **ANSWER TO QUESTION 632 OF 2009**

The Finance Centre Department attended the following conferences in the months from the last answer in this House to date:

### **20<sup>th</sup> – 23<sup>rd</sup> April 2009**

#### **RIMS Conference and Exhibition 2009 – Orlando, USA**

Attended by: Mr James Tipping – Finance Centre Director  
Mr Joseph Macano – Director Licensing Unit

Flights	£6,136.00
Hotel Accommodation	£1,502.00
Subsistence	£ 462.48
Expenses	£ 769.44
Courier	£ 369.18
Exhibition Fees	£2,680.65
Conference Facilities	£1,635.91
	<hr/>
	£13,555.66

### **5<sup>th</sup> – 6<sup>th</sup> May 2009**

#### **Capita Presentation – London, UK**

Attended by: Mr James Tipping – Finance Centre Director

Flights	£130.00
Hotel Accommodation	£262.70
Expenses	£103.30
	<hr/>
	£496.00

### **13<sup>th</sup> – 15<sup>th</sup> May 2009**

#### **British Insurance Brokers' Association – Manchester, UK**

Attended by: Mr Francis Sanchez – Executive Officer

Flights	£152.00	+ £196.00 Joseph Macano*
Hotel Accommodation	£424.00	+ £424.00 Joseph Macano*
Subsistence	£232.54	
Expenses	£279.00	
Exhibition Fees	£6,550.40	
Conference Facilities	£331.20	
	<hr/>	
	£7,969.14	+ £620.00 = £8,589.14

(Mr Macano was re-assigned to the Lausanne and Frankfurt seminars at short notice)

Cont.....



**CONT'D ANSWER TO QUESTION 632 OF 2009**

**11<sup>th</sup> – 15<sup>th</sup> May 2009**

**Funds and Wealth Management Seminars in Lausanne & Frankfurt plus Bi-lateral meetings in Geneva**

Attended by: Mr Joseph Macano – Director Licensing Unit  
Mrs Sabrina Ramagge – Executive Officer  
Miss Mireille Alsina – Administrative Officer

Flights	£ 1,437.00	+ £1,119 Joseph Macano
Hotel Accommodation	£ 3,226.13	
Advance Account/Subsistence	£ 1,200.00	
Expenses	£ 338.26	
Conference costs	<u>£11,620.29</u>	
	£17,821.68	+ £1,119 = £18,940.68

We are in the process of billing the private sector for £8,825 being their contribution towards the costs of the seminars in Lausanne and Frankfurt; the contribution consisting of £250 per attendee from Gibraltar and £25 per guest. The net cost to Government will be £10,115.68.

ORAL

**NO. 633 OF 2009**

**THE HON F R PICARDO**

**HEPSS STATUS**

Has HEPSS status been granted (either since that status was introduced or as a result of “grandfathering” from Category 3 Status) to any person who is a Gibraltarian?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 634 to 640 of 2009.

ORAL

**NO. 634 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 2 STATUS**

Can Government state how many individuals joined the register of people with Category 2 status in Gibraltar as at the end of each of the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 633 and 635 to 640 of 2009.

ORAL

**NO. 635 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 2 STATUS**

How many individuals have surrendered Category 2 status since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 633, 634 and 636 to 640 of 2009.

ORAL

**NO. 636 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 3 STATUS**

Can Government state how many individuals joined the register of people with Category 3 status in Gibraltar in each month since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 633 to 635 and 637 to 640 of 2009.

ORAL

**NO. 637 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 4 STATUS**

Can Government state how many individuals joined the register of people with Category 4 status in each month since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 633 to 636 and 638 to 640 of 2009.

ORAL

**NO. 638 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 2 STATUS**

How many properties in Main Street have been approved for use by Category 2 individuals?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 633 to 637, 639 and 640 of 2009.

ORAL

**NO. 639 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 3 STATUS**

How many individuals have surrendered Category 3 status since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 633 to 638 and 640 of 2009.



**NO. 640 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 4 STATUS**

How many individuals have surrendered Category 4 status since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No HEPSS status has been granted to any Gibraltarian since the status was introduced or as a result of grandfathering from Category 3 status.

The number of individuals that joined the register of people with Category 2 status in Gibraltar, as the end of each month since the last answer was given is as follows:

From 11 <sup>th</sup> March 2009	3
April 09	3
May 09	3

A total of seven individuals have surrendered their Category 2 status.

No individuals have joined the register of people with Category 3 or Category 4 status since the last answer in this House.

It is impossible within the time frame given to give an accurate figure on how many properties in Main Street have been approved for use by Category 2 individuals since this status began in 1999.

However, as from 2006 our records indicate that one property in Main Street has been approved for use by Category 2 individuals.

A total of seven individuals have surrendered their Category 3 status and no individuals have surrendered their Category 4 status since the answer was last given in this House.

There is one HEPSS status application pending in respect of a Gibraltarian who is grandfathering from a Category 3 status.

ORAL

**NO. 641 OF 2009**

**THE HON F R PICARDO**

**COMPANIES REGISTER**

How many companies have been removed from the companies register in each of the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 642 and 643 of 2009.

ORAL

**NO. 642 OF 2009**

**THE HON F R PICARDO**

**COMPANIES REGISTER**

Can Government list the companies formed in Gibraltar in each of the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 641 and 643 of 2009.

ORAL

**NO. 643 OF 2009**

**THE HON F R PICARDO**

**COMPANIES REGISTER**

Can Government state how many companies have been re-domiciled out of Gibraltar in each of the months since the last answer in this House and how many of these asked for their registrations to be cancelled?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested is on the schedule I now hand the hon Member.

## **ANSWER TO QUESTION 643 OF 2009**

### **Answer to Question 641**

The companies removed from the companies register in each of the months since the last answer in this House are as follows:

March 09        133

April 09        137

May 09         1985

### **Answer to Question 642**

The companies formed in Gibraltar in each of the months since the last answer in this House are as follows:

March 09       137

April 09        103

May 09         122

### **Answer to Question 643**

The companies re-domiciled out of Gibraltar in each of the months since the last answer in this House are as follows:

The registrar gives consent 30 days after the notice is issued and consent is given almost without exception.

March 09       7

April 09        5

May 09         3

**SUPPLEMENTARY TO QUESTION NOS. 641 TO 643 OF 2009**

**HON F R PICARDO:**

Is the Chief Minister aware of any reason why the figure for May 2009 in respect of Question No. 641, which is a figure of 1,985, is so large?

**HON CHIEF MINISTER:**

I am not sure it is so large by reference to the answers he has had in past years. The answer is that it is the companies that were struck off by the Registrar for failing to file an annual return. The equivalent figure in 2008 was 4,408. In 2006 it was 6,283 and in 2004 it was 9,727. So it is actually falling. It is a number that has been much higher in each of the last few years.

**HON J J BOSSANO:**

The comparative figures the Chief Minister has given are for May of the preceding years, is that so? Not for the whole of the year but for the one month.

**HON CHIEF MINISTER:**

For the month of the year in which that exercise took place in those years, which was not always May. It was February in 2004, June in 2006 and May in 2008 and 2009.

ORAL

**NO. 644 OF 2009**

**THE HON F R PICARDO**

**BANKING SECTOR**

Can Government state how many persons were employed in the banking sector in Gibraltar, giving a breakdown by bank and by nationality (showing how many are Gibraltarian) in the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 645 of 2009.

**NO. 645 OF 2009**

**THE HON F R PICARDO**

**INSURANCE INDUSTRY**

What is the total number of persons employed in the insurance industry in Gibraltar giving a breakdown by company and by nationality (showing how many are Gibraltarian) in the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As on previous occasions I am told when the hon Member has asked this question, the information has been provided but without the breakdown by company.



**ANSWER TO QUESTION 645 OF 2009****Answer to Question 644****Banking**

Month	No. of Employers	No. of Employees	Gib	Other British	Spanish	Moroccan	Other EEC	Other Non-EEC
February '09	14	710	453	159	41	0	53	4
March '09	14	702	447	156	41	0	54	4
April '09	14	686	443	147	40	0	53	3
May '09	14	689	442	149	40	0	56	2

**Answer to Question 645****Insurance**

Month	No. of Employers	No. of Employees	Gib	Other British	Spanish	Moroccan	Other EEC	Other Non-EEC
February '09	29	221	118	88	5	0	7	3
March '09	28	220	115	89	5	0	8	3
April '09	28	221	115	91	5	0	8	2
May '09	28	220	114	90	5	0	10	1

These figures have been provided by the ETB and might be slightly inflated as some employers do not always deregister employees once they leave the company. However, we have been informed by the ETB that the insurance industry and banking sector are generally compliant.

**SUPPLEMENTARY TO QUESTION NOS. 644 AND 645 OF 2009**

**HON J J BOSSANO:**

I note the comment at the bottom that these are the figures provided by the ETB which represent open contracts but not necessarily people in posts. Is it the case that on previous occasions they were getting it directly from the industry or am I wrong?

**HON CHIEF MINISTER:**

No, that health warning has been printed at the bottom of these answers on each occasion, including the last sentence, which is that this is a pretty compliant industry and it is likely they are pretty accurate.

ORAL

**NO. 646 OF 2009**

**THE HON F R PICARDO**

**BANKING LICENCES**

Can Government state whether any new banking licenses have been issued in the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 647 and 648 of 2009

ORAL

**NO. 647 OF 2009**

**THE HON F R PICARDO**

**FINANCIAL SERVICES (BANKING) ACT**

Have Government made any decision in exercise of its power under S. 23(3)(i), (j) or (3A) of the Financial Services (Banking) Act, and if so how many?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 646 and 648 of 2009.

ORAL

**NO. 648 OF 2009**

**THE HON F R PICARDO**

**FINANCIAL SERVICES (BANKING) ACT**

Has the Government refused consent for any application made under S.74A of the Financial Services (Banking) Act, and if so how many?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No new banking licences have been issued since the last answer in this House. To date I have not exercised any of the powers contained in any of the sections referred to in the questions.

**NO. 649 OF 2009**

**THE HON F R PICARDO**

**TAX INFORMATION EXCHANGE AGREEMENTS**

To which countries has the Government offered the execution of the Tax Information Exchange Agreements on a bi-lateral basis?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 650 and 651 of 2009.

**NO. 650 OF 2009**

**THE HON F R PICARDO**

**TAX INFORMATION EXCHANGE AGREEMENTS**

Which is the other “of the largest OECD countries” with which the operative parts of the text of an agreement on the OECD model for a Tax Information Exchange Agreement have been concluded and why has such agreement not yet been announced or signed given the Government’s previous announcement that such agreement was to be signed “shortly”?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 649 and 651 of 2009.

**NO. 651 OF 2009**

**THE HON F R PICARDO**

**TAX INFORMATION EXCHANGE AGREEMENTS**

Which are the remaining 11 states with which the Government expects to sign Tax Information Exchange Agreements before November when the OECD publishes its next progress report on which jurisdictions are co-operative?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government has offered Tax Information Exchange Agreements to many countries and is in very advanced negotiations with a large number of them. I am not willing, at this stage, to name the countries since I do not consider that this is in the public interest. A number of countries have to go through an internal constitutional departmental process to authorise signature of these things and some take longer than others.

**SUPPLEMENTARY TO QUESTION NOS. 649 TO 651 OF 2009**

**HON F R PICARDO:**

Does that apply also to the largest OECD country, or one of the largest OECD countries that has already concluded an agreement?

**HON CHIEF MINISTER:**

There are several countries with whom we have already closed the negotiation on the text and are going through their internal processes, which of course we do not have here, in order to get all the necessary boxes ticked as part of their internal processes to signature.

**HON F R PICARDO:**

Given that the Chief Minister has xxxxxx that the public interest of Gibraltar I will not press him on this issue. But is he aware that Bermuda has already concluded the necessary number of agreements to be removed from the grey list as it is now becoming known and is now on the white list, and that others of our competitors are moving quickly to ensure that they too are removed from the grey list? When does he expect that we will have concluded the necessary number of agreements?



**HON CHIEF MINISTER:**

We are moving very quickly too and I am confident that we will have the necessary number of agreements, and more, in very good time.

**HON F R PICARDO:**

In very good time for the next OECD publication in November, is that what the Chief Minister means?

**HON CHIEF MINISTER:**

Correct.

**HON F R PICARDO:**

Can I just bring to the attention of the Chief Minister that the OECD, although it is scheduled to report again or to issue a progress report again in November, actually continually updates its web entry of table setting out what the states that are cooperative are and the ones that are seen not to be cooperative are, and that Bermuda has therefore already moved up in that table on the list available off the OECD website and that Gibraltar has not. Therefore, November should not just be the only date in our minds but every day that passes the list is updated and we remain on the grey list.

**NO. 652 OF 2009**

**THE HON F R PICARDO**

**NEW TAX REFORM LEGISLATION**

When does Government expect to publish the Bill or consultation document for the new tax reform legislation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government will publish the text of the proposed legislation when it is ready to do so. The target remains July this year but it may slip into September.

**SUPPLEMENTARY TO QUESTION NO. 652 OF 2009**

**HON F R PICARDO:**

The Chief Minister will know that the document is keenly awaited in the financial services industry, and can I encourage him to ensure that if at all possible it is published in June or July this year and not be allowed to slip to September, given that many in the industry need to know exactly where it is that the Government expect to pitch its law so that they are able to understand exactly what finance centre it is that they will have to sell to the wider world.

**HON CHIEF MINISTER:**

Well, Government is in very close contact with the finance centre industry and both sides are perfectly well aware. Whether it will be available by July or whether it will slip later depends not least on the expedition with which two of his partners who are assisting the Government in this produce it on time or not.

**HON F R PICARDO:**

I think that is a totally unnecessary reference to the fact that I may or may not have partners who are involved in the preparation of the document. But it is not out of character of the Chief Minister to make remarks just like that, which I think are totally disrespectful to the House and outside of the rules. But so be it. Can I just remind him that this is not the responsibility of my partners or not of my partners. This is a responsibility of the Government and that the Government have had plenty of time to get all its ducks in a row in respect of this matter. Can he therefore assure the House

that, if at all possible, or that everything in the Government's power will be done to ensure that this time the Government do not slip on its date of publication, or its anticipated date of publication of this very important consultation or new law?

**HON CHIEF MINISTER:**

Well, I do not know whether it is respectful or disrespectful to refer to what partners of the law firms of Opposition members are doing or not. I do not believe it is, but if he thinks I am being disrespectful for that gentle factually correct, unaggressive reference that I have made to what two of his partners are doing, he must think that the Leader of the Opposition and his great party leader that he is happy to see in place for the next 12 years, that is boy scouts language compared to the references that he used to make when he was Chief Minister and I was Leader of the Opposition, about what partners in my firm were doing in relation to the legal claim then bought by Spanish pensioners for Community Care. Now, if he wishes to know just to what extent he has accused his great party leader of being a discourteous man, I suggest to him, I can recommend to him for bedtime reading Hansards of that period. He will then realise that nothing that I have said is capable of being discourteous, unless he believes that his great leader is very, very discourteous.

**HON J J BOSSANO:**

Perhaps the Chief Minister will confirm that what he is referring to is the one occasion when, in fact, his father-in-law took the Gibraltar Government to court in order to try and defend the interests of a Spanish pensioner who was being used in that particular situation without the person concerned even knowing that his name was being used, and it was somebody that in fact was collecting the money and, therefore, did not have any claim for not being paid social insurance pension. So I do not see what is the connection between that and the people that he chooses to employ to draft law for him, and then raises their name because they happen to be working in partnership with a member of the Opposition. I am sure that if the law draftsman had been working for his father-in-law the matter would not have arisen. But I take it that he can confirm that it was the occasion when the Government was at the receiving end of legal action which he found so embarrassing that he actually left his father-in-law and set up an office on his own, so that the thing would not affect his political chances. That is the occasion that he is mentioning because I do not remember any other one.

**HON CHIEF MINISTER:**

The connection is perfectly clear. Either it is courteous or it is discourteous to refer in the House to the activities of partners in law firms of Members in this House. Regardless of the factual circumstances of the case, regardless of who was the plaintiff or who was the defendant, regardless of whether the plaintiff was a dreadful Spaniard and the defendant the glorious Gibraltar Government. In a state of rule of law everybody is entitled ..... Regardless of all of that the issue under discussion now does not relate to the nature of the case. What we are discussing now is whether it is discourteous of me to have pointed out, to have made an allusion to the fact that two partners in his firm, which I have selected to be on my advisory team and are being extremely helpful, whether that is discourteous but reference in other eras by other people, in other circumstances, about what my partners were doing, regardless of the facts of the case, is not discourteous. The Leader of the Opposition

can put up as many “Bossanesque” smokescreens as he wants to try and draw a distinction where there is none. If it is discourteous for me to refer to the fact that the Hon Mr Picardo’s partners are helping the Government in drafting legislation, then it cannot be any less discourteous for the leader of the Opposition to adopt attitudes towards me in this House on the basis of what my partners were doing when I was in that law firm. Regardless of whether he approved or disapproved of the identity of a plaintiff, of the identity of a defendant, or the nature of the case, who or whether one deals with it or did not, for somebody who has been doing political battle with him now for many years, a typical “Bossanesque” smokescreen which does not detract from the issue under discussion.

**HON F R PICARDO:**

Is it not the fact that what or what is not disrespectful in this House is a moving target as far as the Chief Minister is concerned, because he did not think it disrespectful to characterise in one of his recent Budget speeches some of the things that the hon Gentleman to my left, the Leader of the Opposition, was suggesting as emanating from a Walter Mitty character, and has gone on to characterise Members of the Opposition in many different ways but got quite upset when a few moments ago I characterised him to “Basil Fawltly”, and I am not doing that again because Mr Speaker said I could not. I am just repeating the fact that I did factually. So, is one not to put whether the Chief Minister is being aggressive or unaggressive in that context, given that everything he says is politically loaded and charged and designed to denigrate?

**HON CHIEF MINISTER:**

What it demonstrates is that the hon Member is not even aware of the nonsense that he utters. There is a difference between characterising somebody as “Basil Fawltly” and calling him “Basil Fawltly”. The only thing he is entitled to call me by direct reference in this House is “hon Member”, and one thing is to allude to me in the third person as a “Basil Fawltly” character and a very different thing is the next time he stands up to call me “Basil Basil”. He does not even know, or understand, or discern the difference between the various categories of rubbish that emanate from his mouth. That is the position, that is the reality of the matter. The answer to the question is that I do not think that either reference is discourteous. I think both were unnecessary. It was unnecessary for me to point out that his partners were helping the Government, as it was unnecessary for the honourable the now Leader of the Opposition, to have tried to hold me to account politically for the professional activities of the firm of which I was a partner. Both were unnecessary, neither of them are a discourtesy.

**HON F R PICARDO:**

Is one also to take the denigrating references in what the Chief Minister has said now and the suggestions that everything that I have said is rubbish, also as unaggressive? Or is the .....

**HON CHIEF MINISTER:**

No, it was xxxxxx.

**HON F R PICARDO:**

Oh I see. One only speaks in various categories of rubbish. So is one to characterise what he is saying now also as unaggressive, or is he now being accepting that he is being aggressive by saying that everything that has emanated from me is rubbish? Is that the way in which he thinks it is proper to conduct parliamentary debate?

**HON CHIEF MINISTER:**

See, he still cannot remember what he says 30 seconds ago, or what I say. I have not said that everything that he says is rubbish I think I have made a reference to the much rubbish of various different categories that come out of his mouth. I have not said that everything that comes out, even for him it would be impossible for everything that comes out of his mouth to be rubbish. That is not what I have said.

**HON F R PICARDO:**

Well, in terms of the Chief Minister thinking that we have said on this side of the House one thing and then said another, which is a constant theme of the rubbish that he utters from the position of Chief Minister on the other side of the House. Can I just commend to him that at home he reread the answer to Question No. 1 of 2009, where we ended up spending what turned out to be in excess of ten pages of Hansard arguing over something that he said that I had said, that Hansard shows I did not say.

**MR SPEAKER:**

Is that relevant to the question?

**HON F R PICARDO:**

I will tell Mr Speaker why it is relevant.

**MR SPEAKER:**

I have got a clue, I do not remember what Question No. 1 of 2009 was.

**HON F R PICARDO:**

I can remind Mr Speaker.

**MR SPEAKER:**

I do not wish to be reminded either because I do not see what is the relevance to the question. We cannot keep going to Hansard of six months or six years ago every time we have a discussion.

**HON F R PICARDO:**

Only when it is relevant to the other side.

**MR SPEAKER:**

I am not referring to Hansard I am referring to actual situations.

**HON F R PICARDO:**

Mr Speaker puts me in a quandary because he asks me whether it is relevant and then he tells me he does not want me to refer to Hansard.

**MR SPEAKER:**

What is the question about?

**HON F R PICARDO:**

The question Mr Speaker, was about workers at the airport and the Hon Mr Montiel gave an answer which I said inadvertently may have misled the House, and the Chief Minister then spent the better part of half an hour talking what if I had said it he would have characterised as rubbish, on the basis that I had said that Mr Montiel had advertently misled the House. So if he wants to talk about having short memories, that is why I am commending to him that he reread the answer to Question No. 1 of 2009.

**MR SPEAKER:**

I think we should move to the next question.

ORAL

**NO. 653 OF 2009**

**THE HON N F COSTA**

**GIBRALTAR CAR PARKS LIMITED**

Can the Government now say whether Gibraltar Car Parks Limited has now been fully staffed in line with the company's operational needs?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 654 of 2009.

**NO. 654 OF 2009**

**THE HON F R PICARDO**

(On behalf of the Hon G H Licudi)

**QUESTION WITHDRAWN**

Mr Licudi is absent from the Chamber, but he has asked me to withdraw Question No. 654.

**ANSWER**

**THE HON THE CHIEF MINISTER**

The company is not yet staffed as intended. The company is currently reviewing applications for the post of Chief Executive.

**SUPPLEMENTARY TO QUESTION NO. 653 OF 2009**

**HON N F COSTA:**

When we asked similar or related questions, I think it was yesterday, the Hon Minister, Mr Holliday said that the reason why the car park at Europlaza was not yet operational was because Government were considering their global policy as opposed to just deciding whether the Europlaza car park should be operational straight away, which the Minister said it was. Is it then the case that the reason why the car park beside the hospital is not yet operational is because there are still questions to be resolved about the staffing of the company which, from my understanding yesterday, that was no longer an issue?

**HON CHIEF MINISTER:**

I am answering a question about staffing levels. I do not know what the hon Member .....

**HON J J HOLLIDAY:**

What I said yesterday or this morning stands. That is that the issue of Europlaza is nothing to do with staffing but is part of the overall traffic and parking policy which the Government will make known very shortly.



**HON N F COSTA:**

Yes, but the hon Gentleman also said that the Europlaza car park could be used immediately. Can it be used immediately even though the company is not yet properly staffed? That is my question.

**HON J J HOLLIDAY:**

I said the car park would be used as soon as the policy is made, is announced and then we would then adopt a policy and open the car park.

**HON CHIEF MINISTER:**

Exactly, it is ready.

**HON J J HOLLIDAY:**

That is what I said this morning.

**HON J J BOSSANO:**

Is it that Gibraltar Car Parks Limited has no employees at the moment?

**HON CHIEF MINISTER:**

Good question. There are employees of KIJY Parking that are carrying out functions but it has no dedicated senior management. At the moment it is being run by officials in No. 6 Convent Place and what the Government want to do is to give it its own operational senior management so that it can operate slightly more remotely from No. 6 Convent Place and the civil servants.

**HON J J BOSSANO:**

But is it not the case that the facility with the Royal Bank of Scotland has been entered into between Gibraltar Car Parks Limited and the bank? So who has been doing that in the name of the company then?

**HON CHIEF MINISTER:**

No, the company has a board of directors which have entered into the transaction. But the board of directors are not going to be running the car parks and steering the next car park that is going to be built, and doing all that sort of thing. That requires a senior management level which will not be any of the people that were currently collecting money at tolls in KIJY Parking. Otherwise the Civil Servants in No. 6 Convent Place have got to continue to operate the company and that is not the intention. The intention is that it should have people of the right business experience, of the right financial experience, able to discuss with architects, contractors and project managers and banks to progress the Government's business, the company's

business, which is not just to operate the car parks that already exist and the Devil's Tower Road one when it is ready, but also the next group of multi-storey car parks which the Government intend to promote the building of.

**HON J J BOSSANO:**

So, in fact, what the answer is that the negotiations on the financing have been done by the board of directors of the car park company, is that it?

**HON CHIEF MINISTER:**

No, the negotiations on the finance have been done by the Government on behalf of the directors. They have been carried out by the Financial Secretary.

**NO. 655 OF 2009**

**THE HON F R PICARDO**

(On behalf of the Hon G H Licudi)

**TRAFFIC PROBLEMS IN AREA OF DEVIL'S TOWER ROAD – PREVENTION**

Can Government state what steps it has taken to prevent a recurrence of the serious traffic problems of last summer in the area of Devil's Tower Road and the approach to the airport?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Traffic build up at peak times during the summer, and other times of the year for that matter, are the result of a variety of factors, none of which are in the Government's power to prevent. These include the volume of visitors to Gibraltar, the build up of traffic at the border, the increased use of Gibraltar airport by aircraft and the increased use of cars by local residents during what is a holiday period.

What distinguishes this Government from previous Governments that have faced these same issues is our willingness to conceive and invest in large scale solutions, such as a modern and reliable bus service, a tunnel under the runway, widened access roads to the North Front area at the frontier and a number of multi-storey car parks, all of which are currently under construction.

ORAL

**NO. 656 OF 2009**

**THE HON DR J J GARCIA**

**THE CONVENT – UTILISATION**

Have Government made any proposals to alter the present utilisation of the Convent?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No Sir.

**SUPPLEMENTARY TO QUESTION NO. 656 OF 2009**

**HON DR J J GARCIA:**

Have proposals been made to the Government by a third party in this respect?

**HON CHIEF MINISTER:**

By “the Convent” I assume the hon Member means the Governor’s residence. No.

ORAL

**NO. 657 OF 2009**

**THE HON DR J J GARCIA**

**NEW POWER STATION – EIA CERTIFICATE**

Can Government say how many representations have been received in response to their application for an EIA certificate for a new power station?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am advised that no public representations have been received in response to this application. Responses have naturally been received from all the statutory consultees.

ORAL

**NO. 658 OF 2009**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY – FUTURE**

Can Government say whether a formal discussion process regarding the future of the Garrison Library with the Ministry of Defence or the trustees has now commenced or is expected to commence shortly?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Formal discussions have not commenced but we expect discussions and movement in this area shortly.

**NO. 659 OF 2009**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY – COST OF REPAIRING ROOF**

Can Government say whether they have been approached by the trustees of the Garrison Library or the Ministry of Defence and asked to contribute to the cost of repairing the roof of the building to prevent water ingress?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is the Government's view that the Garrison Library and its collection of books, separately and together, represent a vital part of Gibraltar's heritage, and thus deserve and need to be maintained to a higher standard than is the case at present. To ensure that this occurs the Government would be happy to receive a transfer of them. However, it is not compatible with the Government's policy to provide the required very significant funds in the context of the current ownership structure.

**SUPPLEMENTARY TO QUESTION NO. 659 OF 2009**

**HON DR J J GARCIA:**

Have the Government actually been approached for those funds?

**HON CHIEF MINISTER:**

I do not know whether the Government have been formally approached or not, but if it were the answer would be no for the reasons I have just explained.

**HON J J BOSSANO:**

If the Government have not been approached, or do not know whether they have, how is it that the Government know how expensive it is?

**HON CHIEF MINISTER:**

Well, the Government do not know exactly how expensive it is. The Government know that the building is dilapidating. The Government know that the roof of the building needs very significant works done to it. The Government know that the book

collection is dilapidating through dampness, bad storage and the Government, frankly, think it peculiar that anybody in the name of preservation of heritage should be resisting giving it to the Government whilst presiding over its degradation at the same time. This is an important part of Gibraltar's heritage. It should be in the hands of the Government, not because there is anything wrong with heritage being in private hands but because this particular bit of heritage requires so much spent on it, that really only the Government can bring to bear the necessary amount of funds. So it is not that it has got to be in Government hands but that it should be in Government hands, because really, I think only the Government have the resources to look after it as it needs looking after.



ORAL

**NO. 660 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR OFFICE IN MADRID**

Can Government confirm that they have taken a policy decision to close the Gibraltar office in Madrid and if so on what date will it close?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No formal decision has been taken as yet, well scratch the word formal I do not want him to think that any informal one has been taken. No decision has been taken yet but it is a possibility.

**SUPPLEMENTARY TO QUESTION NO. 660 OF 2009**

**HON DR J J GARCIA:**

Is the office presently being manned?

**HON CHIEF MINISTER:**

No it is not being permanently manned.

**NO. 661 OF 2009**

**THE HON DR J J GARCIA**

**COMMERCIAL ACTIVITY IN GIBRALTAR BY SPANISH DIVING COMPANIES**

Is it the policy of the Government to allow diving companies based in Spain to carry out commercial activity from Gibraltar's beaches and in Gibraltar waters?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have no particular policy in relation to diving companies based in Spain as opposed to companies based in any other country, outside of Gibraltar that is. However, the Government are reviewing the possibility of licensing and regulating all diving activities in British Gibraltar territorial waters.

**SUPPLEMENTARY TO QUESTION NO. 661 OF 2009**

**HON J J BOSSANO:**

Do the Government have the necessary legal framework to be able to do that already? Has that been looked at, whether it requires any legislation or are they in a position to move if they take a policy decision without needing to change anything?

**HON CHIEF MINISTER:**

That question is presently under consideration. One view is that new legislation would be appropriate. Another view is that existing health and safety and environmental protection legislation would enable us to do it through subsidiary legislation through regulations.

ORAL

**NO. 662 OF 2009**

**THE HON DR J J GARCIA**

**AIR TERMINAL – WORKS**

Can Government state whether the works at the airport in relation to the terminal involve any changes to the current configuration of the runways?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, the work in relation to the new terminal does not require changes to the current configuration of the runways.

ORAL

**NO. 663 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR 19 SCUD HILL**

Can Government say how many tenders were received for 19 Scud Hill and indicate whether the tender has now been awarded, to whom, and in what amount?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 664 to 666 of 2009.

ORAL

**NO. 664 OF 2009**

**THE HON DR J J GARCIA**

**RE-TENDER OF UNITS AT SANDPITS BLOCK AND ROSIA COURT**

Why did Government take the policy decision to re-tender three units at Sandpits Block and one at Rosia Court rather than offer it to the next person on the list when the properties originally went out to tender?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 663, 665 and 666 of 2009.

ORAL

**NO. 665 OF 2009**

**THE HON DR J J GARCIA**

**ALLOCATION OF UNIT 14 ROSIA COURT**

Can Government say whether unit 14 at Rosia Court has now been allocated and if so on what date and to whom?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 663, 664 and 666 of 2009.

**NO. 666 OF 2009**

**THE HON DR J J GARCIA**

**ALLOCATION OF UNITS AT SANDPITS BLOCK**

Can Government say whether unit numbers 1, 2 and 8 at Sandpits Block have now been allocated and if so on what date and to whom?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Mr Speaker, 19 Scud Hill has not yet been adjudicated, although the tender results have been considered and there is a clear highest bidder. There is a highest bidder and it will be offered to that highest bidder. I cannot say whether he or she, or they, have been informed yet because the decision has been made in the last few days.

The Rosia Court properties were originally allocated over two years ago, therefore, there may now be individuals who are eligible to apply who did not do so before. Secondly, there was no reserve list since all applicants who were invited to participate in a draw were given the opportunity to select a flat. Finally, the fact that this particular property was refurbished by the previous owners meant that it has been priced higher than the original sale price.

As regards Sandpits, the three units which were re-tendered are ground floor flats. All applicants who participated in the draw for the original allocation of all of these properties were able to select which unit they wanted to purchase. None of the applicants opted to purchase any of these three flats. There was, therefore, no reserve list for these flats either.

These units have not yet been allocated.

**NO. 667 OF 2009**

**THE HON DR J J GARCIA**

**GAMBLING ADMINISTRATOR AND WEB MONITOR**

Can Government say whether the post of Gambling Administrator and Web Monitor in the Gambling Division of the Gibraltar Regulatory Authority which was advertised in February and for which there were 55 applications has now been filled and if so on what date?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The post was filled on 26<sup>th</sup> May 2009.

**SUPPLEMENTARY TO QUESTION NO. 667 OF 2009**

**HON DR J J GARCIA:**

Is the Chief Minister able to say whether the successful applicant was a Gibraltarian?

**HON CHIEF MINISTER:**

It was certainly a British citizen but I do not know whether he was a registered Gibraltarian.



ORAL

**NO. 668 OF 2009**

**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**

Answered together with Question No. 669 of 2009.

**NO. 669 OF 2009**

**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**

Leaving out the pennies,

Building materials:-

March £246,577

April £113,300

May £125,307

Commercial gate:-

March £16,254

April £14,462

May £14,053

**NO. 670 OF 2009**

**THE HON DR J J GARCIA**

**BETTING INDUSTRY**

Can Government say what is the total 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 dates when the figures apply?

**ANSWER**

**THE HON THE CHIEF MINISTER**

A total of 1,742 persons were employed by 20 remote gambling companies as at 31<sup>st</sup> May 2009.

The breakdown requested by the hon Member is set out in the schedule which I now hand him. I have to confess that this information, as in the past, includes the breakdown by company and I have further to confess that I do not know why somebody somewhere in the Government has taken the policy view that providing the breakdown by companies in respect of banks and insurance is inappropriate, but it is perfectly alright to do so in the case of gaming companies. I will ask and if I get even an amusing distinction I will share it with them at the next opportunity.

	Gibraltar	Other British	Spanish	Other	Total
<i>Ladbrokes (Gibraltar) Limited</i>	23	73	4	6	106
Victor Chandler (International) Limited	45	166	20	37	268
Stan James (Gibraltar) Limited	8	204	14	38	264
<i>bwin International Limited</i>	29	30	17	104	180
Eurobet (Gibraltar) Limited	9	15	1	3	28
Carmen Media Group Limited	7	2	2	3	14
<i>32 Red Plc</i>	5	32	0	5	42
St Minver Limited	22	41	21	39	123
Digitbet Limited	0	1	0	11	12
<i>888 Holdings Plc</i>	57	107	23	102	289
Globet.com Group Limited	0	8	1	7	16
International Betting Association Limited	0	0	0	6	6
<i>PartyGaming Plc</i>	34	98	10	71	213
Mansion (Gibraltar) Limited	19	50	3	21	93
Futuresbetting.com Limited	1	9	0	0	10
<i>Partouche Interactive (Gibraltar) Limited</i>	4	3	1	5	13
William Hill (Gibraltar) Limited	0	11	0	1	12
Hillside (Gibraltar) Limited	1	5	0	2	8
Petfre (Gibraltar) Limited	7	27	0	2	36
Entertaining Play Ltd	2	5	1	1	9
Overall Total	273	887	118	464	1742

Source: Ministry of Finance, Gambling Division

ORAL

**NO. 671 OF 2009**

**THE HON DR J J GARCIA**

**POST-BOXING – COMMUNICATIONS BETWEEN GIBRALTAR AND SPAIN  
THROUGH THE UK**

Can Government list the communications between Gibraltar and Spain, both incoming and outgoing, that were made through the UK post-box in 2009 showing the issuing authority and the receiving authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule setting out the information that he requests.

**Handout to Question 671**

**Year 2009 (Outgoing)**

<b>Post-Box ref</b>	<b>Issuing Agency</b>	<b>Receiving Agency</b>
PB/01/09	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/04/09	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/05/09	Department for the Environment, Gibraltar	Ministerio de Medio Ambiente y Medio Rural
PB/08/09	Financial Services Commission, Gibraltar	Direccion General de Seguros y Fondos de Pensiones
PB/09/09	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/42/09	Financial Services Commission, Gibraltar	Bank of Spain
PB/44/09	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores
PB/45/09	Financial Services Commission, Gibraltar	Direccion General de Seguros y Fondos de Pensiones
PB/75/09	Financial Services Commission, Gibraltar	Comision Nacional del Mercado de Valores
PB/78/09	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/79/09	Environmental Agency, Gibraltar	Direccion General de Prevencion y Calidad Ambiental, Sevilla
PB/92/09	Financial Services Commission, Gibraltar	Direccion General de Seguros y Fondos de Pensiones
13100/130/14	Office of the Chief Secretary	Juzgado Numero 3, Algeciras, Spain

**Year 2009 (Incoming)**

<b>Post Box ref</b>	<b>Issuing Agency</b>	<b>Receiving Agency</b>
(I)PB/01/09	Ministerio de Justicia	Attorney General Chambers

ORAL

**NO. 672 OF 2009**

**THE HON DR J J GARCIA**

**FRONTIER STATISTICS TABLE FOR 2009**

Can Government supply a copy of the detailed frontier statistics table for 2009 to date?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a table setting out the substantial statistics that he seeks. We assume, of course, that by transfer statistics he means people, cars and not the temperature, for example.

## FRONTIER STATISTICS 2009

## PERSONS

MONTH	TOTAL RESIDENTS	IN VEHICLES	IN COACHES	PEDESTRIANS	C/G	TOTAL OTHERS	IN VEHICLES	IN COACHES	PEDESTRIANS	C/G	TOTAL	TOTAL C/G
JANUARY	123,410	111,007	282	12,121	(766)	687,098	513,420	9,591	164,087	(3,668)	810,508	(4,434)
FEBRUARY	115,242	102,196	449	12,597	(907)	709,722	531,377	15,217	163,128	(3,945)	824,964	(4,852)
MARCH	129,643	115,205	786	13,652	(943)	796,876	579,619	25,043	192,214	(4,423)	926,519	(5,366)
APRIL	138,643	124,140	976	13,527	(805)	793,352	572,848	23,698	196,806	(4,285)	931,995	(5,090)
MAY	134,189	118,949	1,361	13,879	(878)	815,991	594,907	26,578	194,506	(4,091)	950,180	(4,969)
TOTALS	641,127	571,497	3,854	65,776	(4,299)	3,803,039	2,792,171	100,127	910,741	(20,412)	4,444,166	(24,711)
TOTALS	1,727,374	1,513,100	10,508	203,766	(10,757)	9,664,882	7,002,941	316,733	2,345,208	(51,534)	11,392,256	(62,291)

## VEHICLES

MONTH	G - PLATES	C/G	OTHERS	COACHES	COMMERCIAL	TOTAL	TOTAL C/G
JANUARY	45,159	(834)	187,737	(3,120)	83	233,280	(3,954)
FEBRUARY	40,264	(865)	190,392	(3,507)	69	231,172	(4,372)
MARCH	46,848	(952)	210,071	(3,914)	133	257,712	(4,866)
APRIL	47,653	(861)	206,506	(3,789)	165	255,003	(4,650)
MAY	47,466	(768)	216,161	(3,450)	281	264,694	(4,218)
TOTALS	227,390	(4,280)	1,010,867	(17,780)	731	1,241,861	(22,060)
TOTALS 2008	603,893	(9,909)	2,513,816	(45,684)	1,430	3,127,858	(55,593)

## NOTE

ALL FIGURES IN BRACKETS IN COLUMNS MARKED C/G OR TOTAL C/G REFER TO STATISTICS TAKEN AT THE COMMERCIAL ENTRANCE GATE AND ARE NOT INCLUDED IN THE STATISTICS FOR THE LAND FRONTIER.



**NO. 673 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR REGISTERED VESSELS DETAINED IN SPANISH PORTS**

How many Gibraltar registered vessels were detained in Spanish ports earlier this year as a result of the refusal of the Spanish authorities to recognise documents issued by the Gibraltar Maritime Administration unless they were validated by the UK?

**ANSWER**

**THE HON THE CHIEF MINSITER**

Answered together with Question Nos. 674 to 679 of 2009.

ORAL

**NO. 674 OF 2009**

**THE HON DR J J GARCIA**

**DOCUMENTATION ISSUED BY GIBRALTAR MARITIME ADMINISTRATION –  
NON-RECOGNITION BY SPANISH AUTHORITIES**

Can Government list the documents issued by the Gibraltar Maritime Administration that the Spanish authorities refuse to recognise unless these are validated by the UK?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 673 and 675 to 679 of 2009.

ORAL

**NO. 675 OF 2009**

**THE HON DR J J GARCIA**

**VESSELS DETAINED BY THE SPANISH AUTHORITIES – NON-RECOGNITION  
OF DOCUMENTS**

Can Government list the names or the type of vessel (eg oil tanker) that were detained by the Spanish authorities because they did not recognise their documentation and say in which port each vessel was detained?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 673, 674 and 676 to 679 of 2009.

ORAL

**NO. 676 OF 2009**

**THE HON DR J J GARCIA**

**DOCUMENTATION ISSUED BY GIBRALTAR MARITIME ADMINISTRATION –  
NON - RECOGNITION BY SPANISH AUTHORITIES**

On what date did the Government of Gibraltar first become aware that Spain did not recognise the documentation issued to Gibraltar registered vessels by the Gibraltar Maritime Authority unless these documents were validated by the UK?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with question Nos. 673 to 675 and 677 to 679 of 2009.

ORAL

**NO. 677 OF 2009**

**THE HON DR J J GARCIA**

**VESSELS DETAINED BY THE SPANISH AUTHORITIES – COMPENSATION CLAIMS**

Is Government aware whether any compensation has been claimed from Spain, or any compensation has been paid, in respect of the delays caused to vessels which were detained in Spanish ports because the Spanish authorities were questioning their documentation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 673 to 676, 678 and 679 of 2009.

ORAL

**NO. 678 OF 2009**

**THE HON DR J J GARCIA**

**DOCUMENTATION ISSUED BY GIBRALTAR MARITIME ADMINISTRATION –  
NON - RECOGNITION IN SPANISH PORTS**

Can Government say whether and if so when the United Kingdom has made representations to Spain about the non-recognition in Spanish ports of the documentation issued to Gibraltar vessels by the Gibraltar Maritime Authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 673 to 677 and 679 of 2009.

**NO. 679 OF 2009**

**THE HON DR J J GARCIA**

**DOCUMENTATION ISSUED BY GIBRALTAR MARITIME ADMINISTRATION  
– RECOGNITION BY SPAIN**

Can Government say whether documents issued to Gibraltar registered vessels by the Gibraltar Maritime Authority are now recognised in Spanish ports?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Eight ships were temporarily detained between 20<sup>th</sup> February and 6<sup>th</sup> April 2009. It is not appropriate to identify them by name for commercial reasons.

Spain had adopted a position that UK Overseas Territories and Crown Dependencies Registries hosted ships of which the Flag State is the UK for the purposes of international conventions and that, therefore, the UK had to be associated with the issue of certificates. The first part of that is correct the second is not. According to Spain's statements to the UK and Gibraltar, its position was not Gibraltar specific but applied to all Overseas Territories and Crown Dependencies Registries.

In some instances only some certificates were challenged, in others all certificates were challenged.

Ships were detained in Castellon, Barcelona, Malaga, Gijon and Carboneras. The Government first became aware of these issues on 20<sup>th</sup> February 2009.

The Government is not aware of any compensation issue. The Government is aware that the UK has made representations to Spain in respect of all Overseas Territories and Crown Dependencies Registries, and indeed, the matter was on the agenda of the Red Ensign Group meeting that recently took place here.

There have been no incidents of this sort since 6<sup>th</sup> April, despite the continuing visits of ships.

**SUPPLEMENTARY TO QUESTION NOS. 673 TO 679 OF 2009**

**HON DR J J GARCIA:**

The Chief Minister said he could not identify the vessels by name, or that that was not appropriate. Can he do so by type of vessel, which is I think in the original question?

**HON CHIEF MINISTER:**

I cannot because I do not have the information here, but even if I could, I have to think very carefully about whether there are sensitivities in that respect as well. But certainly if it helps the hon Member, there was no consistency. This was not just a particular kind of vessel dealing with a particular kind of cargo. This was just the ports of registry, it was not anything to do with the nature of the vessel or whether it was a gas carrier or a petrol carrier or a general cargo ship.

**HON DR J J GARCIA:**

Are the Government aware whether vessels registered in any other Overseas Territory or Crown Dependency were also detained by Spain as a result of this?

**HON CHIEF MINISTER:**

I have got a feeling that the answer is yes, although I would ask the hon Member not to hold me to that because I am not certain. But certainly, some of the Overseas Territories that have lots of cruise ships on their registers were particularly worried and took steps, by way of putting some letter or something signed by the UK on board.

**HON DR J J GARCIA:**

But no such vessel was actually detained as such?

**HON CHIEF MINISTER:**

I do not know, I have said to the hon Member that I think there have been instances of them but I am asking him not to hold me to it because I just do not know. The Spanish policy is clearly Gibraltar inspired, even if it is not Gibraltar specific.

**HON DR J J GARCIA:**

In the recent Red Ensign conference where this was discussed, did anybody report there whether there had been any detentions, whether any of their ships had been detained?

**HON CHIEF MINISTER:**

The Hon Minister for Transport is saying to me that he believes that there were a number of instances from the Crown Dependencies and Overseas Territories that were detained as well. That coincides with my recollection from things ....., I just do not feel confident enough to assert it as a fact.



ORAL

**NO. 680 OF 2009**

**THE HON DR J J GARCIA**

**COST OF AIR TRAVEL BY MINISTERS ON OFFICIAL BUSINESS**

Can Government list the cost to the taxpayer of air travel by each individual Minister and the Chief Minister on official business since the information supplied at the last Question Time in Parliament, with a breakdown showing the date of travel, the destination, the airline, the category of seat paid for and the travel agent that was used to make the booking?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I hand the hon Member a schedule with the information requested.

**SCHEDULE TO QUESTION 680**

**CHIEF MINISTER'S AIR TRAVEL**

Destination	Dates	Amount	Airline	Seat Category	Travel Agent
London	30 March to 1 April 2009	£980.00	British Airways	Business	Bland
London	11 to 13 May 2009	£1,098.40	British Airways	Business	Bland
Edinburgh	1 to 2 June 2009	Not Billed	British Airways/Easy Jet	Business/Speedy Boarding	Bland

**MINISTER'S AIR TRAVEL**

Minister	Destination	Dates	Amount	Airline	Seat Category	Travel Agent
Minister Holliday	Rome	18 - 20 May 2009	£956.80	British Airways	Business	Tourafica
Minister Vinet	Manchester	13 to 16 May 2009	£235.00	Monarch	Standard	Bland

**NO. 681 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR HOUSE IN LONDON**

On how many occasions have the facilities at the “Gibraltar Business Suites” at Gibraltar House, 150 Strand, London been booked and used and what amounts have been paid for their use?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The facilities at the Gibraltar House Business Suites have been booked and used on 41 occasions since 27<sup>th</sup> November 2008. Ten of those were Gibraltar Government, 27 were in relation to tourism, heritage and other non fee paying users and four private entities used it. The total amount received has been £800.

**SUPPLEMENTARY TO QUESTION NO. 681 OF 2009**

**HON J J BOSSANO:**

In terms of the private use of those offices, of which there were four, does it have to be a Gibraltar business or do people in the UK have access to those facilities if they want to do something out of the office? What are the rules, basically, for the use?

**HON CHIEF MINISTER:**

Well, we have to be very careful because that building enjoys quasi mission status, in terms of rate relief and things of that sort, so it cannot be open for business to people normally ..... But there are companies who have got a presence in Gibraltar who use it, who have shown an interest in using it, I am not sure whether they actually have done so yet, for both their Gibraltar and non Gibraltar London meetings. But the principle is no, it is not generally open for non Gibraltar connected or related activities. It is not a general venue, which is not to say that from time to time there may be a request and it may be favourably considered, but it is not in the Government's scheme that that should be so.

**HON J J BOSSANO:**

Can Government say what was the nature of the four occasions when private companies, private entities, made use of the place?

**HON CHIEF MINISTER:**

One large accountancy firm, one bank, three times, and one insurance company.

**ORAL**

**NO. 682 OF 2009**

**THE HON J J BOSSANO**

**UNEQUAL AGES OF CONSENT**

Can Government explain what steps it has taken following Press Release 234/07 of 19 October 2007, to establish whether there can exist in the case of Gibraltar objective and reasonable justification for retaining unequal ages of consent in heterosexual and homosexual relations?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 683 of 2009.

**NO. 683 OF 2009**

**THE HON J J BOSSANO**

**UNEQUAL AGES OF CONSENT**

What was the nature of the study undertaken by the Government, when did the exercise start, and when was it completed, and what view was the Government able to form as to the existence or otherwise of an objective and reasonable justification for retaining in Gibraltar unequal ages of consent in heterosexual and homosexual relations?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government has obtained eminent counsel's legal opinion in the United Kingdom, but the Government is not willing to disclose any aspect of the content of that legal opinion since this matter could still come before the courts.

**SUPPLEMENTARY TO QUESTION NOS. 682 AND 683 OF 2009**

**HON J J BOSSANO:**

The Chief Minister thinks that telling me when it started and when it was completed could affect the results of the courts, is that it? He has not answered that either.

**HON CHIEF MINISTER:**

I do not know the dates on which the legal opinion was obtained, it certainly was a very significant time ago. Yes, in late 2007 the opinion was given.

**HON J J BOSSANO:**

I mean, I have given notice of a question which has got a number of elements in it and the Chief Minister has said he is not willing to reveal the nature of the legal opinion because this could still be something that comes up in court. But there is much in the question that does not require that.

**HON CHIEF MINISTER:**

The main question is when did the exercise start and the only exercise that has started is the obtaining of the legal opinion and its receipt. There has not been any other exercise.

**HON J J BOSSANO:**

So then the answer to Question No. 682 was that the steps referred to in Press Release 234 of October, that Government were taking steps, the step that they took was to engage a legal professional in the field in the United Kingdom to give advice. Therefore, presumably, can the Chief Minister tell me how soon after October 2007 that was done?

**HON CHIEF MINISTER:**

I do not remember exactly but I think the opinion was received in November or December, very shortly thereafter. The essence of the opinion sought was related to the objective justification point and what sort of case that was and whether we had the case.

**HON J J BOSSANO:**

Given that they took that step in 2007 and got the advice in 2007 and we are now in 2009, studying that advice, which probably was very complicated, if the Chief Minister with his legal expertise is still trying to decipher the advice two years later, is it that they have been able to form a view now? I am not asking him to tell me what the view was, because it might have an effect on pending litigation, but how soon after getting the advice were they able to take a view on this?

**HON CHIEF MINISTER:**

Well, unfortunately, legal opinions do not produce certain outcome. Legal opinions result in the opinion of the man who writes them and that does not necessarily result in a certain outcome. Therefore, the hon Member should not draw a direct link between whatever that opinion says, whether it is positive or negative, and whether that represents the gospel of the law, because wherever there is a court case there is a winner and a loser. I assume the loser started off by obtaining an eminent counsel's opinion who told him that he had a jolly good case. He still went on to lose. So legal opinions must not be put up there, as people all too often do, up there with a sort of inappellable court judgement.

**HON J J BOSSANO:**

Is the Chief Minister in a position to tell me how much this legal opinion, which could not be relied on to take a view, cost?

**HON CHIEF MINISTER:**

I could not possibly remember that but I would be very surprised, knowing how much these lawyers charge nowadays, if it was not somewhere in the order of £2,000 or £1,500 that sort of thing. Much less than probably some of the lawyers sitting in this House. But I cannot say, it was not peanuts but it was not a huge amount of money.

**HON G H LICUDI:**

The Chief Minister has mentioned that the legal opinion, well legal opinions generally, will not establish for certain what the position is. But will the Chief Minister agree that the purpose of taking legal opinion is to receive advice to enable the client, in this particular case the Government, to come to a view? As I understood the Leader of the Opposition's question, was it not possible as a result of that legal opinion for the Government as the clients in that case to come to a particular view, or is that process on-going?

**HON CHIEF MINISTER:**

No, the hon Members can be much more direct than they are being on this question. I think I have already said in this House in the not too distant past that I am not convinced that this law is unconstitutional. Given that he now knows that I have read counsel's legal opinion, then either the counsel's legal opinion is that it is not unconstitutional or, alternatively, it expresses the view that it is unconstitutional in a way that does not persuade me. One way or the other, counsel's opinion has not resulted in convincing me that it is absolutely unconstitutional. Now, there are people who form a view on this question regardless of whether it is unconstitutional or not. There are people on that side of the House or on this side of the House who presumably form a view on the question by virtue of what they think, whether they approve or disapprove of the measure, regardless of whether it is constitutional or unconstitutional. Of course, if it were adjudicated by a court to be unconstitutional, then either the Government would have to, or the House moved by the Government or some Member of it, or even a Private Members' Bill from the Opposition, we would give them permission in those circumstances, would either have to seek to amend the legislation to make it constitutional, or the court could itself do what it recently did. Where I say "recently", a few years ago, in one case which was to apply the so-called blue pencil test where the court says "I find this law to be unconstitutional and as of this minute that law is deemed to read as follows". That is called the blue pencil rule where the court itself there and then says how the law has got to be read and amends it so that it is constitutional. Those would be the two options if a court in the future were to decide that it is unconstitutional, if this House does not pass any law in the meantime.

**HON G H LICUDI:**

The question specifically asks, not just about the study and the issue of the legal opinion, but the question that my honourable friend asked.

**HON CHIEF MINISTER:**

Not learned friend.



**HON G H LICUDI:**

No, honourable friend.

**HON CHIEF MINISTER:**

Honourable but not learned.

**HON G H LICUDI:**

Might not be learned but certainly very honourable. The question specifically asked what view were the Government able to form, is the answer to that particular part of the question that the Government were not able to form a view following that legal opinion?

**HON CHIEF MINISTER:**

Well, again they are dancing around the question there. I think it was clear from what we said in the House last time on this issue on the debate on the motion for the Private Members' Bill, that the Government had not taken a view on the question. Government are not hiding from anything here. There are people on this side of the House on all the views, both on the legal aspects of it and on the non legal aspects of it. The Government have collectively, obviously, not come to a view that it is clearly unconstitutional, because if they had come to that view, then they would have been obliged to act. Government do not consciously and premeditatedly and defiantly preside over unconstitutional laws. So I mean, some of the questions that the hon Members are asking, as if somehow the Government had difficulty, are first of all implicit and explicit in some of the things that were said in the House when we debated the motion and not a matter that the Government find particularly difficult or awkward. There are issues on which ten men and women can disagree on and I am sure that despite the no doubt careful guidance and steer that the hon Member's very experienced and honourable leader gives him, there must from time to time be issues on that side of the House where different members express different views and hold different views. Well look, political parties and Governments are not made up of people who are clones of the leader or clones of each other, they have different views on different issues and one tries to arrive at a view. We have not done so on this issue.

ORAL

**NO. 684 OF 2009**

**THE HON J J BOSSANO**

**ELECTRONIC COPIES OF ESTIMATES OF REVENUE AND EXPENDITURE**

Will Government consider providing members with an electronic copy of the Estimates of Revenue and Expenditure for the current financial year, once these estimates are approved by the Parliament?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 685 of 2009.

**NO. 685 OF 2009**

**THE HON J J BOSSANO**

**FUNDS FOR A PARLIAMENT WEBSITE**

Will Government consider providing funds to the budget of the Parliament so that all the documents tabled are available to members electronically on a Parliament website via a password or alternatively are available to the general public without restriction?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I do not mind giving the hon Member at this stage an indication of my personal view and position on the matter, although I do not believe that having set up a Select Committee to review all the ways in which we can improve and modernise and electronify the workings of this House, it is not really appropriate now to sort of really chew at little bits of it piecemeal. My personal view is that if it would help the Members of the House for these two things to be done, then I would hope that it is something that can come out of the Select Committee. But I need to be careful that I do not give away all the things that the hon Member, having said that he thought that everything in the House was fine and that we did not need a Select Committee, if I give him all the little goodies that he would like outside the scope of the Committee then I will not be able to keep his interest in the work of the Select Committee. So, please I am saying to him that would he table his idea as a proposal for the Select Committee which, as far as I am concerned, I do not think the Government Members of it will oppose. If in the meantime, and without prejudice, and without claiming that a practice has been started, if in the meantime he informally asks me, not now but by writing to me, whether I would this year so that he would not have to wait until then, whether I would send him an electronic copy of the Estimates, he may be pleasantly surprised by the response. Although I know he does not enjoy asking me for things.

**SUPPLEMENTARY TO QUESTION NOS. 684 AND 685 OF 2009**

**HON J J BOSSANO:**

Well, I will enjoy being surprised. It has not happened very often in the last 13 years. I think the Chief Minister overrates my negotiating skills in thinking that this was an attempt to get things ahead of having to give anything. The point that I want to make to him is, in fact, that the Government even without being asked has taken an initiative in this direction already, without thinking there was any need to have a Select Committee considering the desirability, because in fact, things like the Employment Survey Report, the Tourist Report, the Abstract of Statistics, have all

been put electronically on the internet and can be downloaded. All I am saying is, after they have been put and tabled in the House, given that there must be an electronic copy originally from which they were printed, it just makes life easier if one can simply get hold of it electronically. That is all this is about.

**HON CHIEF MINISTER:**

I think it an excellent idea and I hope he has many more excellent ideas in the Select Committee to how we can further improve and modernise the workings of this House. Does he not have a scanner in his office, because if he had a scanner he could scan it and then would generate it electronically?

**HON J J BOSSANO:**

I think perhaps the quality of the scanner that they have does not measure up to the one because, obviously, the Chief Minister is not as hesitant in investing in equipment as I am, nor does he have the limitations of my resources. So, certainly the one that I have, which is the scanning bit of a piece of machinery that is supposed to do all sorts of other things, does not produce anything that is worth having.

**HON CHIEF MINISTER:**

Well, he should increase the xxxxxx that he obliges the Opposition Members to pay out of their unearned Parliamentary salaries.

**NO. 686 OF 2009**

**THE HON J J BOSSANO**

**INCURSION BY SPANISH FISHERIES PROTECTION VESSEL “TARIFA”**

When was the Government advised of the incursion by the Spanish Fisheries Protection Vessel “Tarifa” into Gibraltar British territorial waters?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am told that the Government were informed on the morning of Monday 11<sup>th</sup> May 2009.

**SUPPLEMENTARY TO QUESTION NO. 686 OF 2009**

**HON J J BOSSANO:**

Did the information come from people in the Port Department or was it through the MOD?

**HON CHIEF MINISTER:**

I think the information came from the Commissioner of Police.

**NO. 687 OF 2009**

**THE HON J J BOSSANO**

**MARRIAGE RULES – AMENDMENTS**

Can Government explain what are the amendments that need to be made to the Marriage Rules to give effect to the provisions of section 38 of the Marriage Act, for the issue of a document of no impediment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Marriage Rules, as they stood, omitted to prescribe the form of notice of marriage and the fee to be paid for the subsequent issue of the Registrar's certificate of no impediment, as is required under section 38 of the Marriage Act. Legal Notice No. 30 of 2009 now amends this and also prescribes the form of the Registrar's certificate of no impediment to be issued under section 38.

**SUPPLEMENTARY TO QUESTION NO. 687 OF 2009**

**HON J J BOSSANO:**

So now, in fact, the Chief Minister is confirming that there is no longer a problem with obtaining this certificate of no impediment which, I understand, has been a problem for some Gibraltarians that have been intending to marry in Morocco, which is really what led to the question?

**HON CHIEF MINISTER:**

Yes, absolutely. As the hon Member appears to know, section 38 only applies to persons who want to marry outside of Gibraltar. That is the case, that is why it has been corrected because there were applications which .....

**HON J J BOSSANO:**

What I am saying is that as a result of Legal Notice No. 30 of 2009, the problem is now resolved.

**HON CHIEF MINISTER:**

Yes, that is correct.

**NO. 688 OF 2009**

**THE HON J J BOSSANO**

**PERMITS OF RESIDENCE – EU SPOUSES OF GIBRALTARIANS**

Can Government state what is the length of time, of the residence permits given to EU spouses of Gibraltarians?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The EU spouses of Gibraltarians are issued with renewable yearly residence permits and civilian registration cards.

**SUPPLEMENTARY TO QUESTION NO. 688 OF 2009**

**HON J J BOSSANO:**

Can Government explain why they are limited to one year at a time? Why they have to renew it every year?

**HON CHIEF MINISTER:**

I am not sure that I can, I mean, that practice appears to have been from long-standing immigration practice, it used to be applied to all spouses of Gibraltarians with residence permits and that goes back many years. There has been a change of practice more recently where the position is that as regards the visa requiring non-EU spouses of Gibraltarians, applications for residency must be submitted for the Government's consideration and cases, apparently, are considered on their individual merits provided certain prescribed requirements are satisfied. So there seems to have been a change in practice in respect of non-EU visa requiring spouses but the practice in relation to EU spouses appears to have been maintained in what it has always been, apparently. Now I can only assume that the practice in respect of non-EU spouses is now more strict than in respect of EU spouses.

**HON J J BOSSANO:**

Well, not necessarily. Would the Government not agree that given the fact that for EU nationals the requirements on obtaining residence permits have over the years been made more generous, it seems peculiar that it should be easier to obtain residency if one does not marry a Gibraltarian than if one does?



**HON CHIEF MINISTER:**

No, I do not think it is easier and ultimately the immigration issue at stake is what rights are being given to the spouse, not qua spouse but in his or her own right. In other words, if the marriage then dissolves or if the party separate, what rights have been given to the individual by virtue of the nature of the permit that they were given from the outset. I think that is the reason why there is any limitation at all because a spouse is not one of that category of EU national with an automatic right of residence, which the hon Member knows there are certain types of category, which I do not now recall, economic people looking for employment, people in self-employment, students, there are a series of people who in the context of EU freedom of movement and of establishment, have a right to reside in Gibraltar if they are EU nationals. Spouses do not have an unqualified right to reside without residence permits, and for some reason, this has been done for a year, this is not a matter of political policy that has arisen, this is just the way the system is, the hon Member asked what the position was and I have just told him what the position was.

**HON J J BOSSANO:**

Well, I accept that the Chief Minister has given me the answer to the question, it is just that, frankly, I was surprised that it should be one year and therefore I wanted to be given confirmation of this. But now in terms of having had the information confirmed, my supplementary is really, I know that there are different categories but there is clearly a contradiction in the situation, that for example, under EU law somebody can come to seek employment and if they register and find a place to live and they are seeking employment, and after one year of seeking employment they are entitled to five years. So the spouse can also fall into any one of the other categories. Here we have got a situation where, for example, two people in identical situations in terms of category, we have the conflict that if we see them as a spouse we keep them on an annual renewal basis, but if they are somebody seeking work then they are entitled to five years and then almost indefinite, I think, after the first five years.

**HON CHIEF MINISTER:**

That could arise but I presume that such a person would apply for the most beneficial thing available. So, if one is both a spouse and a work seeker, presumably one would avail oneself of the work seeker regime. But the most that I can do is take note of the anomaly that the hon Member appears to believe exists and just see if I can make some sense of it, or if not agree with him and perhaps do something about it. But I cannot at this moment in time do that because I do not know if there is some technical reason that I am not aware of.

**HON J J BOSSANO:**

I think probably the most logical explanation is that it is something that has not been looked at and it has been there for a very long time, as he initially indicated to me. But it almost sounds, I can tell him that it affects people that have been married for 20 or 30 years, as if they are keeping watch on them every year to see if they are still married or divorced since the last renewal of the permit. I think that we are talking about a group where it is difficult to make people understand how it is that being an EU national seems to give them less rights. For example, if we are talking about the

spouse of a non-EU national who is an EU national but not a Gibraltarian, then there are clear requirements under EU law that irrespective of their nationality they are entitled by virtue of the EU requirements to be given, apparently, more favourable treatment. I am grateful to the Chief Minister if he looks into it.

ORAL

**NO. 689 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state how the figure of £111.77m is respect of gross trading profits of companies in the 2004/05 GDP was calculated?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 690 to 692 of 2009.

ORAL

**NO. 690 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state how the figure of £113.77m is respect of gross trading profits of companies in the 2005/06 GDP was calculated?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 689, 691 and 692 of 2009.

ORAL

**NO. 691 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state what was the imputed rent element in the income from rent figure of £93.89m in the 2004/05 GDP?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 689, 690 and 692 of 2009.

**NO. 692 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state what was the imputed rent element in the income from rent figure of £98m in the 2005/06 GDP?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The imputed rent element of the income from rents figure for 2004/2005 and 2005/2006 were £54.08 million and £56.48 million respectively. In respect of the other calculations that he seeks, I now hand the hon Member a schedule containing it.

**ANSWER TO QUESTION 692**

**Answer to Question 689**

GROSS TRADING PROFITS OF COMPANIES

2004/05

Corporation Tax billed = £24.59m

Assumption:

Corporation Tax billed = 22% of Gross Trading Profits

Thus,

GTP 2004/05 =  $100/22 \times £24.59m$   
= £111.77m

**Answer to Question 690**

GROSS TRADING PROFITS OF COMPANIES

2005/06

Corporation Tax billed = £25.03m

Assumption:

Corporation Tax billed = 22% of Gross Trading Profits

Thus,

GTP 2005/06 =  $100/22 \times £25.03m$   
= £113.77m

**SUPPLEMENTARY TO QUESTION NOS. 689 TO 692 OF 2009**

**HON J J BOSSANO:**

In respect of the answer to Question Nos. 689 and 690 on the gross trading profits of companies, the amount billed is the figure that he normally provides me with which is tax payable, is that correct?

**HON CHIEF MINISTER:**

I assume so but I cannot ..... This calculation is not done by the Income Tax Office who produces those answers, it is done by the Statistics Office.

**HON J J BOSSANO:**

The figure to which the GDP refers, of course, is the financial year as opposed to the tax year so does he know if, in fact ..... What I am unsure of in respect of the answer that I have been given is the use of the word "billed", I normally ask questions that ask for the amount of tax payable or paid. "Billed" presumably could mean that they are billing somebody for something which refers to a different year when the profits were earned. Could it not be the case?

**HON CHIEF MINISTER:**

Yes, but I believe that in all GDP calculations on the income method, that the Statistics Office assumes every year that the corporation tax receipts by the Income Tax Office that year relate to that year, even though we know that some of the income tax collected is in respect of previous years. I think the logic is that so long as they do this every year it should flatten out. So I would have to check this but I believe that for GDP calculation purposes there is an assumption that the year's yield, or rather, the yield during the tax year relates to, has been earned, relates to profits earned during the year to which it relates. In other words, that there is no attempt to apportion the income tax collection amounts to the years to which they relate, so that discussions we have had in the past where perhaps this year the Collector of Income Tax may collect corporation tax from two or three years ago. Well, I believe the position is that that will feature as this year's data for GDP purposes.

**HON J J BOSSANO:**

Well, I do not think that is correct because the answer that he gave me some years ago, in fact, was different from that when he told me that there was an assumption being made about the tax that was collectable in a particular year, but that this was no longer the case and that they had made an adjustment, where in fact, the figure for one year had been increased and the subsequent year that adjustment had been to reduce the amount taken into account compared to the amount that had actually been collected. I do not know if the Chief Minister remembers that exchange that he had with me.



**HON CHIEF MINISTER:**

He may not forgive me but I do not.

**HON J J BOSSANO:**

But he just mentioned, in fact, the tax year. It is important to know whether we are talking about the tax year that ends in June or the financial year that ends in March. He said that they were taking.....

**HON CHIEF MINISTER:**

That is a slightly different point.

**HON J J BOSSANO:**

Yes I know.

**HON CHIEF MINISTER:**

That is the basis period of companies.

**HON J J BOSSANO:**

But given that it says "billed" I do not know whether he means the amount that was collected in the financial year 2004/2005 or the assessments that were sent in the financial year 2004/2005, but actually in his last answer to the supplementary before I stood up, he actually used the words "tax year" as opposed to "financial year", I do not know whether it was inadvertently or he meant it.

**HON CHIEF MINISTER:**

I am sorry, I was referring or I was intending to refer to the amount of tax collected during a Government financial year, all being assumed to relate to companies profitability during that year, even if it has been collected this year in respect of a previous trading year, or tax year, or year of assessment, see what I mean? This is the question that he often asks to desegregate the yield figures in respect of the years to which they relate. I do not believe that the Statistics Office do that desegregation exercise for the purposes of using the figures, the tax collection figures, for GDP calculation on income level. Now he has then said that I think I am wrong on that. I cannot remember the discussion between us to which he is referring, but I am quite, not 100 per cent certain but I am quite close to 100 per cent certain that what I am telling him now is correct.

**HON J J BOSSANO:**

He is also telling me that when it says "corporation tax billed £24.59 million" in effect it should say "corporation tax received, or collected, £24.59 million". Is that it?

**HON CHIEF MINISTER:**

Yes, that is the implication of what I am telling him, yes. But I will check and let him know if that is not the position.

**NO. 693 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government confirm the GDP figure for 2006/07 and give the breakdown by the income and expenditure methods of calculation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 694 and 695 of 2009.

**NO. 694 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government confirm the GDP figure for 2007/08 and give the breakdown by the income and expenditure methods of calculation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 693 and 695 of 2009.

**NO. 695 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government confirm the GDP figure for 2008/09 and give the breakdown by the income and expenditure methods of calculation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The GDP figure for 2006/2007 is indeed £739.06 million and for 2007/2008, provisionally, estimated at £803.84 million. In respect of 2007/2008 the figures are still liable to some minor marginal change, with the definitive figure being available towards the end of the year. The detailed breakdown of both these GDP figures by income and expenditure method is contained in the schedules that are now being handed over to the hon Member. Although the figure is liable to change, because there are minor amounts of information still awaited, I think he can assume that the 2007/2008, although technically still a provisional estimate, is now a quite firm provisional estimate. A very different reading he should make of the provisional estimated figure for 2008/2009, which at this stage looks as if it is going to be around £850 million. This figure is still very tentative as all required financial and accounting information is not yet available. The Government, therefore, prefer not to provide the breakdown of the calculation in respect of the tentative 2008/2009 figure at this very early stage. I am told that until later on in the year there is just too much information missing for the work in progress to be really worth sharing. I hand now to the hon Member the schedule containing the calculations that he has asked for the 2007/2008 figure.

**ANSWER TO QUESTION 695**

**Answer to Question No: 693**

INCOME METHOD, (£ million)	• 2006/07
INCOME FROM EMPLOYMENT	B 440.56
INCOME FROM SELF-EMPLOYMENT	C 61.69
GROSS TRADING PROFITS OF COMPANIES	C 128.11
GROSS TRADING SURPLUS OF GOVERNMENT ENTERPRISES	A 3.28
RENT	C 106.63
TOTAL DOMESTIC INCOME	B 740.27
LESS STOCK APPRECIATION	C -1.21
GDP (FACTOR COST)	B 739.06
NET PROPERTY INCOME FROM ABROAD	C -1.50
NET FACTOR INCOME FROM ABROAD	B -79.95
GNP (FACTOR COST)	B 657.61

EXPENDITURE METHOD, (£ million)	• 2006/07
CONSUMERS' EXPENDITURE	B 261.82
GOVT. FINAL CONSUMPTION	A 203.26
GROSS DOMESTIC FIXED CAP. FMTN	C 219.69
TOTAL DOMESTIC EXPENDITURE	C 684.77
EXPORTS OF GOODS AND SERVICES	C 1,299.35
IMPORTS OF GOODS AND SERVICES	B -1,155.30
RESIDUAL ERROR	-17.84
GDP (MARKET PRICES)	B 810.98
SUBSIDIES	C 6.36
TAXES ON EXPENDITURE	A -78.28
GDP (FACTOR COST)	B 739.06
NET PROPERTY INCOME FROM ABROAD	C -1.50
NET FACTOR INCOME FROM ABROAD	B -79.95
GNP (FACTOR COST)	B 657.61

Contd.....

**CONTD ANSWER TO QUESTION 695**

**Answer to Question No: 694**

INCOME METHOD, (£ million)	*	2007/08
INCOME FROM EMPLOYMENT	B	494.97
INCOME FROM SELF-EMPLOYMENT	C	66.83
GROSS TRADING PROFITS OF COMPANIES	C	127.74
GROSS TRADING SURPLUS OF GOVERNMENT ENTERPRISES	A	4.36
RENT	C	111.19
TOTAL DOMESTIC INCOME	B	805.09
LESS STOCK APPRECIATION	C	-1.25
GDP (FACTOR COST)	B	803.84
NET PROPERTY INCOME FROM ABROAD	C	-1.66
NET FACTOR INCOME FROM ABROAD	B	-105.39
GNP (FACTOR COST)	B	696.79

EXPENDITURE METHOD, (£ million)	*	2007/08
CONSUMERS' EXPENDITURE	B	323.38
GOVT. FINAL CONSUMPTION	A	223.51
GROSS DOMESTIC FIXED CAP. FMTN	C	202.96
TOTAL DOMESTIC EXPENDITURE	C	749.85
EXPORTS OF GOODS AND SERVICES	C	1,576.23
IMPORTS OF GOODS AND SERVICES	B	-1,445.75
RESIDUAL ERROR		6.20
GDP (MARKET PRICES)	B	886.53
SUBSIDIES	C	6.55
TAXES ON EXPENDITURE	A	-89.24
GDP (FACTOR COST)	B	803.84
NET PROPERTY INCOME FROM ABROAD	C	-1.66
NET FACTOR INCOME FROM ABROAD	B	-105.39
GNP (FACTOR COST)	B	696.79

**SUPPLEMENTARY TO QUESTION NOS. 693 TO 695 OF 2009**

**HON J J BOSSANO:**

In terms of the figures that he has given me for 2007/2008 and 2006/2007 is he aware if there has been any change in the formula of calculating company profits from what he gave me in answer to Question Nos. 689 and 690, because if the formula is still the same then clearly I can work it out for myself.

**HON CHIEF MINISTER:**

No, I do not believe that there has been any change in the position as I explained to him a few moments ago. I believe that that is the position and has been the position for some time. The question now for discussion, this is why I say that I am reasonably satisfied that the answer I gave him is now accurate, because I have had a conversation about this issue with the Chief Statistician in the last day or two, the issue now for consideration is whether the Income Tax Office's information management system, given that it is producing the answers for the hon Member in his questions, whether the Statistics Office now wants to start assuming, or stop assuming, it will have to carry on assuming it is a percentage, but whether they will now use the statistics for the gross profits billed on the basis, not assuming that everything received appertains to the year in receipt, but actually taking the real figures. One of the issues that arises there is how one avoids using one set of statistics more than once as one transitions, but that is being looked at to see if there is some legitimate way of moving to a system which does not attribute to one year funds received during that year, even though they relate to several years of a company's earnings.

**HON J J BOSSANO:**

But the two years that he has just given me are still on the basis of the other one.

**HON CHIEF MINISTER:**

Yes, there has been no change.



ORAL

**NO. 696 OF 2009**

**THE HON J J BOSSANO**

**WATERPORT DEVELOPMENT – PAYMENTS TO CONTRACTOR**

Can Government state what further payments, if any, have been made to the contractors or other parties in respect of Waterport Developments since the answer to Question No. 341 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested is on the schedule that I will now hand the hon Member.

**ANSWER TO QUESTION 696 OF 2009**

<u>Date Paid</u>	<u>Contractors</u>	<u>Quantity</u> <u>Surveyors</u>	<u>Engineers</u>	<u>Architects</u>	<u>Other Parties</u>
04/03/2009	-	-	-	-	£16,666.65
05/03/2009	-	£9,000.00	£14,905.00	-	-
12/03/2009	-	-	-	£50,349.52	-
17/03/2009	-	-	-	£351,767.44	£26,559.64
20/03/2009	-	-	-	-	£4,610.00
23/03/2009	£1,723,345.00	-	-	-	-
26/03/2009	-	-	-	-	£1,670.00
27/03/2009	-	-	-	-	£7,358.40
02/04/2009	-	£9,000.00	£14,905.00	-	-
06/04/2009	-	-	-	-	£412.50
07/04/2009	-	-	-	£35,549.52	-
21/04/2009	£1,784,564.00	-	-	-	-
27/04/2009	-	-	-	-	£9,165.39
07/05/2009	-	£9,000.00	£16,065.00	£35,549.52	£24,483.90
11/05/2009	-	-	-	-	£260.00
20/05/2009	£1,560,072.00	-	-	-	-
22/05/2009	-	-	-	-	£16,103.18
28/05/2009	-	-	-	-	£119.50
	<u>£5,067,981.00</u>	<u>£27,000.00</u>	<u>£45,875.00</u>	<u>£473,216.00</u>	<u>£107,409.16</u>

**SUPPLEMENTARY TO QUESTION NO. 696 OF 2009**

**HON J J BOSSANO:**

Can the Government tell me in terms of the payment to the contractors whether there has been any problem of delay in the payments by the Government to the contractor?

**HON CHIEF MINISTER:**

No, there is a contractual matrix which requires certificates to be issued after a certain amount of time after the certificates and then the payment requires to be made within a certain number of days after the issue of a certificate. I am neither aware of any delay, nor would there be any justification for the delay because these projects are already funded, as far as the Government's liquidity is concerned. I would not expect there to be any delay.

**HON J J BOSSANO:**

But are the Government aware that parties such as transport contractors and sub contractors of the main contractor claim they are facing delay from the main contractor, which the main contractor is blaming the Government for?

**HON CHIEF MINISTER:**

That sounds like the usual story. There is no delay in the Government's payment but I have no doubt that there is plenty of delay on the part of principal contractors in paying sub contractors. That is another thing that is typical of this industry and this world of construction. But there is absolutely no ..... I mean, there may be some disputes about valuations at architect level. In other words, the architect has got to value the work done during the last period and the contractor may argue that the architect has undervalued the work. But once the architect issues the certificate, which is the contractual trigger which requires the Government to pay that sum and no other, there is then no payment in processing and actually effecting payment.

ORAL

**NO. 697 OF 2009**

**THE HON J J BOSSANO**

**NAVAL HOSPITAL BUILDING**

Can Government state whether it has any plans to make use of or dispose of the building that formerly housed the Naval Hospital, if it is Government property?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 698 and 699 of 2009.

ORAL

**NO. 698 OF 2009**

**THE HON J J BOSSANO**

**NAVAL HOSPITAL BUILDING**

Can Government state whether there are any structural problems related to the Naval Hospital building that renders it not repairable at reasonable cost?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 697 and 699 of 2009.

**NO. 699 OF 2009**

**THE HON J J BOSSANO**

**NAVAL HOSPITAL BUILDING**

Can Government confirm that the part of the Naval Hospital that has not been developed is Government property and, if so, how long has it not been put to any use?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are not aware of any structural problems that would render the building not repairable at reasonable cost. That part of the Naval Hospital which has not been developed is Government property having been transferred by the MOD in October 2008. The Government have no plans to dispose of the building and are currently assessing its suitability for a particular public use. That is to say, Governmental use.

**SUPPLEMENTARY TO QUESTION NOS. 697 TO 699**

**HON J J BOSSANO:**

I hesitate to ask the Chief Minister to put any dates on this, but does he think that they are likely to come to a conclusion say in the current financial year, as to whether it is suitable for what they have got in mind, or not?

**HON CHIEF MINISTER:**

I am intrigued by the hon Member's interest in this particular building.

**HON J J BOSSANO:**

Well simply I can tell him, because somebody has approached me on it and asked me to raise the matter.

**HON CHIEF MINISTER:**

The Government are keen to get on with the particular project which is one their flagship manifesto commitments and are keen to do it. Certainly, there is no delay

inspired by us but the administration sometimes needs to be pushed from above to get on with these things. I would hope that during this financial year it will have been decided, (a) whether it is suitable for that purpose, and if it is, actual progress will have been made in the design work, if not the start of the construction work, but at least in the project preliminaries. I do not mind telling the hon Member what the proposed use is either. We are looking at it as a possible location for a new mental health hospital in substitution of King George V Hospital.

ORAL

**NO. 700 OF 2009**

**THE HON J J BOSSANO**

**HOUSING – MARKET VALUE OF POST-WAR GOVERNMENT HOUSING ESTATES**

Can Government state how the market value of post-war rented Government housing estates was established in terms of comparisons with non-Government properties and provide the value attached as a result to the whole of the post-war housing stock giving a breakdown of the values by estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 701 and 702 of 2009.



ORAL

**NO. 701 OF 2009**

**THE HON J J BOSSANO**

**HOUSING – MARKET VALUE OF POST-WAR GOVERNMENT HOUSING ESTATES**

Can Government state who has established the estimated market value of the properties in the post-war Government housing estates and over what period of time this valuation was done?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 700 and 702 of 2009.

**NO. 702 OF 2009**

**THE HON J J BOSSANO**

**HOUSING – MARKET VALUE OF POST-WAR GOVERNMENT HOUSING ESTATES**

Can Government state, whether in arriving at the market value of Government post-war housing estates, the state of disrepair and defects in individual properties was taken into account?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government's assessed sale price for the post-war flats was not established by direct reference to any non-Government properties. There are not very many direct comparators, that is the reality.

The Government established the price at which the properties are to be sold based on the advice received from Land Property Services Limited. This was done over the months leading up to the launch of the scheme.

The state of disrepair and defects in individual properties was not taken into account when arriving at individual property prices, but the location and nature of the estate was.

**SUPPLEMENTARY TO QUESTION NOS. 700 TO 702 OF 2009**

**HON J J BOSSANO:**

Would the Government not agree that the market value of a property would normally take into account the state of repair of the property?

**HON CHIEF MINISTER:**

Yes, that theoretically would normally be the case, but the less expensive the property the less that it would be so. In other words, if one is selling a property for £50,000 or £60,000 and it needed £50,000 to repair it, it does not mean one would sell it for £10,000. In other words, what the hon Member is saying is truer the more expensive the property. One has a property worth £500,000 and it needs £50,000 worth of work, one says right £450,000. But the cheaper the property, the lower price the property the less that becomes so, otherwise one ends up in effect giving it away for the cost of the refurbishment cost, for the price of the refurbishment cost. Well,

there is a relationship, it is not as straight lined in its application to properties in all price segments of the market. That is one point. The second point is that, of course, these are properties that are being sold at a very significant discount to their assumed market value. Therefore, there is a little bit of saying, well alright, whatever may be the imbalances, are contained in the 45 per cent discount. So, yes, but then one could argue that since everybody gets the same discount that some people are being compensated for conditions more than others. But there is a lot of broad brushness to this because what we could not have is a situation where people start comparing their property with every other property and different views about condition. Who is going to be the judge of condition? They are all more or less in the same structural condition within an estate because they are all within the same building, they have all been repaired or painted more or less at the same time on the last occasion, whenever it was. There might be individual properties that have a crack on a wall or that need windows changing, but it is going to be things of that sort. It is unlikely in a post-war block that individual properties will have structural differences of condition. One could have a property that is on the roof, on the top floor, that may be more prone to roof type issues but that is one of the reasons why the Government have committed themselves to continue to effect repairs to the structural parts of the building for a number of years. I think ten or twelve, I think it was twelve, after this begins, precisely to address issues of that sort amongst others. People also need to be given some comfort that the Government are not just trying to sell a pup and walk away, that the Government will continue to invest in these properties for the next twelve years. So, yes, I am not saying that what the hon Member is saying is not theoretically strictly true to some degree or other, depending on the point, but the Government decided that they did not wish to fine tune this process to the point of distinguishing on a flat by flat basis on the question of value. We decided that it should be just the estate that should be categorised by reference to location, age and that then all the properties within it should be treated in the same way, except that they are differentiated as to size. Even that is by number of rooms and not by strict square meterage.

**HON J J BOSSANO:**

So in fact, I mean, the level of the discount clearly from an assumed market value means that there is bound to be, when we are talking about the numbers involved, quite big disparities in term of what is being offered in value for money.

**HON CHIEF MINISTER:**

We do not think so, we think that there may be some, I mean different flats in the same block, in the same estate, may well be in different internal condition. But that is very likely also to be a result of the way the tenant has looked after their flat. Some of it may not be down to the tenant, I mean, if there has been different weathering of a window at a higher level or at a wind exposed façade of the building, than in a façade of the building that is sheltered from weathering, then those sorts of things might be the case. But for the rest of it the real value of the flat is down to its internal condition, the nature of the standard of the interior decoration and condition, and that is really down to the way the tenant has been looking after it. Some of them over lifetimes and more than one generation and it is just right that tenants should not be penalised for having looked after their flat. What are the Government going to do now charge them more because they have been investing their own money over the years in laying wooden floors? It gets one into all sorts of difficulties the moment one goes down that road. Which I suppose is the way a private landlord might do it, or in

the private market, but in the case of Government it is just too complicated. I have to tell the hon Member that the schemes in the UK, where these things are a matter of statutory right, the right to purchase, it is not done on the basis that the hon Member is suggesting. It is done on the standard xxxxx basis that we have opted for.

**HON J J BOSSANO:**

The Chief Minister mentioned as well that it was not done on the basis of the floor area but on the number of rooms.

**HON CHIEF MINISTER:**

Yes, it is done on the basis of the number of bedrooms.

**HON J J BOSSANO:**

So there is a sort of, in a given estate, all the four bedrooms or three bedrooms or two bedrooms would have the same price, is that it?

**HON CHIEF MINISTER:**

Correct.

**HON C A BRUZON:**

What has been the response to the offer regarding the sale of post-war housing to date?

**HON CHIEF MINISTER:**

I think that is the subject matter of the next question on the Order Paper, or the next but one.

**NO. 703 OF 2009**

**THE HON J J BOSSANO**

**HOUSING – POST-WAR GOVERNMENT HOUSING ESTATES - OFFER OF SALE TO HOUSEHOLDS**

Can Government state how many households have been offered the sale of their homes in post-war Government housing estates and what was the total market value and sale price put on these properties and provide a breakdown by estate of the number of households, the total market value and the total sale price in each such estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The scheme for the sale of post-war housing to sitting tenants is open to all registered tenants, and in certain circumstances their descendants, children and grandchildren, even though they may not be in residence today. During the last few weeks tenants who had already formally expressed their interest to purchase have received a letter from Gibraltar Residential Properties Limited quoting the assessed value of their flat, together with the price at which the Government are willing to sell it, that is, assessed value less 55 per cent discount. A total of 1,550 such letters have been issued to date. If all of those 1,550 post-war flats were sold the proceeds would amount to £64 million.

**SUPPLEMENTARY TO QUESTION NO. 703 OF 2009**

**HON J J BOSSANO:**

The Chief Minister has only answered a very small part of the question of which I have given notice.

**HON CHIEF MINISTER:**

I should have said that the Government do not consider it appropriate to provide at this stage the breakdown by estates that he has asked. He has also asked for a breakdown of that figure by estates and we would prefer not to provide that information at this stage.

**HON J J BOSSANO:**

Is there a particular reason why they do not want to provide it? They certainly have it because if they sent out 1,550 letters.

**HON CHIEF MINISTER:**

We do have it, of course we have it. I can break down that £64 million by estate and 1,550 but at this point in time and until, I mean I am not saying that this is information that the Government are always not going to be willing to provide, but at this very early stage we will provide not to signal the possible price differentiations that could be extrapolated from the figures.

**HON J J BOSSANO:**

They have put the information in the public domain really by writing to every single household.

**HON CHIEF MINISTER:**

But not in an easily collated xxxxxx

**HON J J BOSSANO:**

Is there a particular reason why the Chief Minister does not want to give me the market value? He has given me the sale price.

**HON CHIEF MINISTER:**

Well, he can work it out for himself. Of what figures is that 45 per cent, but I can probably calculate that xxxxxx If he knows it is a 55 per cent discount and so discounts that it would produce £64 million, he can work out what the non discounted yield would be, can he not?

**HON J J BOSSANO:**

Well, I suppose I can yes, but is there a particular reason for not wanting to answer a question of which I have given notice and of which he has the information?

**MR SPEAKER:**

About £135 million.

**HON CHIEF MINISTER:**

The answer is that there is no reason it just has not been printed on paper, it is there, the information is all there. I think it is £99.2 million. That would be the undiscounted yield, xxxxxx being sold at the assumed market value.

**HON J J BOSSANO:**

The assumed market value of the post-war housing stock is £99.2 million.

**HON CHIEF MINISTER:**

No, the assumed market value of the 1,550 that have expressed an interest because the £64 million is the value only of the 1,550 that have expressed an interest.

**HON J J BOSSANO:**

But that was not my question. I mean, is the Chief Minister saying that the offer is only open to those who expressed an interest.

**HON CHIEF MINISTER:**

No, the Chief Minister is most certainly not saying that. The hon Member is then asking for what is the assumed market value on this basis of all flats.

**HON J J BOSSANO:**

Of all the Government housing stock in all the estates which are available for sale. For all I know, for example.....

**HON CHIEF MINISTER:**

Well, there is a total of 3,832 post-war Government flats. I am just trying to see if I have got that information.

**HON J J BOSSANO:**

I take it that the 3,832 ....., are they the total in the estates that have been identified. For example, Gib V might not be included as an area that is available for sale, so therefore they should not be included in the 3,832.

**HON CHIEF MINISTER:**

They are not. This is only Housing Department properties.

**HON J J BOSSANO:**

Right.

**HON CHIEF MINISTER:**

No, for some reason. I do not appear to have that with me although I know the information exists because I have seen it in the last day or two, but it just appears not to have been included amongst the papers that I have been sent here with. I am just trying to see if I can remember what the figure is. I have got a feeling it was something of the order of £150 million or £160 million I think and that would make some sense because if just under half of them is £64 million .....

**HON J J BOSSANO:**

That would be the sale price and then that sale price would be 55 per cent of the....

**HON CHIEF MINISTER:**

The hon Member is asking me for the undiscounted market value, assumed market value, yes.

**HON J J BOSSANO:**

If the information provided is limited to the people who have shown an intention of buying, there is no way of establishing from that what the value of the stock is because they could all be in one estate and there could be none in another, for all I know.

**HON CHIEF MINISTER:**

Yes, I think what has happened is that those who have put the answer together have assumed that "offered for sale" means the 1,500 written to because as a matter of the scheme the offer of sale is made only to the people that have expressed an interest. In other words, them expressing an interest to us in buying it does not generate an offer for sale. So what had happened was that some months ago people wrote in response to an invitation stating whether they had an interest in buying. Those people then received a letter from the Government saying, "you have expressed an interest, we offer to sell to you flat so and so at such and such an amount". As the hon Member's question says how many households have been offered, I think that those who are administering this have assumed that "offered" meaning offered in the technical sense as they understand it, as opposed to the fact that it is an open offer for all of them, which is why the information has been given for the 1,500 figure.

**HON J J BOSSANO:**

I think the Chief Minister on a previous occasion confirmed that the people who have not shown an interest would still be able to buy.



**HON CHIEF MINISTER:**

Some have expressed an interest subsequently to the original offer. They are still free to buy. I will have somebody communicate that information to the hon Member, what is the total assumed sale price value of the entire post-war estate.

**HON J J BOSSANO:**

Thank you.

ORAL

**NO. 704 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR LAND HOLDINGS – HEAD LEASE OF GOVERNMENT HOUSING ESTATES**

Can Government state whether Gibraltar Land Holdings is expected to pay the Government any consideration for the grant of head leases of Government housing estates and what would be the value attributed to such head leases in the balance sheet of the company?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 705 and 706 of 2009.

ORAL

**NO. 705 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR LAND HOLDINGS – HEAD LEASE OF GOVERNMENT HOUSING ESTATES**

Can Government state whether the head lease being issued to Gibraltar Land Holdings in respect of each Government housing estate is for a term of years and, if so, how long?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 704 and 706 of 2009.

**NO. 706 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR LAND HOLDINGS – HEAD LEASE OF GOVERNMENT HOUSING ESTATES**

Can Government state whether the policy of issuing a head lease for post-war Government housing estates to Gibraltar Land Holdings is limited to estates where sales take place to sitting tenants or is it the intention to issue such head leases in respect of all Government rented estates?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The precise model of the consideration for the issue of the head lease to Gibraltar Land Holdings Limited has not yet been finalised. Obviously there will be no cash payment equivalent to the asset value. The company is wholly owned by the Government. It has not been decided, yet, whether or how much additional shares will be issued to the Government, or whether there will be a nominal consideration only. The head leases from the Crown to Gibraltar Land Holdings Limited will be for a term of 150 years. It is the intention to issue head leases to Gibraltar Land Holdings of all estates and stand alone post-war buildings in preparation for a possible demand by any tenant of any flats in the future. I think we have explained before, possibly in the scheme details, that in respect of the unsold flats there will be a lease back to the Crown in the form of the Housing Department so that tenants who do not buy remain tenants of the Government on the same Housing Department tenancy terms as at present. So there is no change of anything for those who are Government tenants and who choose to remain so. In other words, people who choose not to buy will not become tenants of Gibraltar Land Holdings Limited or any other Government company. They will remain tenants of the Housing and of the Crown.

ORAL

**NO. 707 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR CAR PARKS LIMITED – RBS LEASE BACK FACILITY**

As from the 1<sup>st</sup> April 2009, how much has been drawn down by Car Parks Ltd of the lease back facility of £24.5m provided by RBS, giving a breakdown by month?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 708 of 2009.

**NO. 708 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR CAR PARKS LIMITED – RBS LEASE BACK FACILITY**

As at the 31<sup>st</sup> March 2009, how much has been drawn down by Car Parks Ltd, of the lease back facility of £24.5m provided by RBS?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The arrangements between Gibraltar Car Parks Limited and RBS do not involve a lease back facility for £24.5 million. Under the arrangements, RBS paid Gibraltar Land Holdings Limited £9.088 million for a 50 year lease of the site. RBS then sub-leased the site to Gibraltar Car Parks Limited for 50 years less seven days for a rental. Under the arrangements, RBS also bears the capital cost of the development of the car park at Devil's Tower Road, estimated at £15.4 million. Therefore, obviously, it follows that the rental payments that Gibraltar Car Parks Limited will pay to RBS reflects the fact that RBS is leasing, not just the site but the site with the car park built on it that they have paid for, which is not dissimilar, although not the same as, but not dissimilar to the model used in the new hospital.

**SUPPLEMENTARY TO QUESTION NOS. 707 AND 708 OF 2009**

**HON J J BOSSANO:**

So the actual £24 million includes a value put on the land of £9 million and that money has been paid to Gibraltar Land Holdings Limited and remains to be used by Gibraltar Land Holdings Limited, it is in their books as it were, is that correct?

**HON CHIEF MINISTER:**

Yes, whether Gibraltar Land Holdings Limited then use it to fund more car parks that is a different matter, but yes, it remains in Gibraltar Land Holdings Limited.

**HON J J BOSSANO:**

Then RBS is funding directly the construction of the car park on that land for £15.4 million and will rent it to the car company when it is finished, is that correct?

**HON CHIEF MINISTER:**

Well, no not quite correct but yes, for the purposes of what he is trying to understand at the structure yes. But it does not get released when it is finished. Actually the model involves the leasing at the front end and then the building takes place. So in other words, the lease to car parks does not come when the car park is finished, it comes at the beginning because although the bank is funding the car park, the building of it is being done by Gibraltar Car Parks Limited. So what he said was true except the last bit about the timing of the issue of the lease from RBS to Gibraltar Car Parks Limited, that has already occurred and the car park is currently being built.

**HON J J BOSSANO:**

What payments do Gibraltar Car Parks Limited have to pay to RBS before the car park is done?

**HON CHIEF MINISTER:**

I do not know whether it is, I am not sufficiently familiar with the minute detail of the scheme to know whether these payments have already started or whether they will be grossed up and paid later. But there is a rental payment based on the value of the money spent. Of course, although the question asks for drawdown against the leaseback, these are not draw downs but there is a fund there made available by RBS from which Gibraltar Car Parks Limited pays the contractor. So this happens gradually, so far for example, not that it relates to, I think there has already been £2 million or £3 million paid but this is RBS money. What I cannot tell him is whether the rental payments, from memory I cannot tell him, whether the rental payments have started already at a reduced rate, or whether there is some grossing up of something when the rent payments eventually start when the car park is finished. I am not sufficiently familiar with the building phase of the scheme to know whether at what point in time the rental payments begin. But the reality of it is that all this is a cost of finance exercise which is converted into rental income. That is the nature of the scheme. The bank is not going to put up money during the construction phase for free. So there is somehow, whether it is by payments that have already started of rent or some grossing up which increases the rental payments when they do start, to take into account the cost of finance during the construction phase, the money eventually is paid in the form of rent. If it has not already started to be paid in the form of rent.

**HON J J BOSSANO:**

That is what I am trying to .....

**HON CHIEF MINISTER:**

That is what I understand but I just do not know. I cannot .....

**HON J J BOSSANO:**

The question was drafted on assumptions as to how it was being done, based on previous information provided by the Chief Minister in previous meetings of the Parliament. Is, in fact, the rental by Gibraltar Car Parks Limited to RBS then on a value being put to the facility, which involves the £9 million and the construction cost? So that it would be a rental in respect of something assumed to be worth £24 million, is that right?

**HON CHIEF MINISTER:**

Yes because RBS is renting to Gibraltar Car Parks Limited a thing which is land for which it has paid £9 million and then paid an extra £12 million or whatever it works out at to build the thing.

**HON J J BOSSANO:**

£15 million.

**HON CHIEF MINISTER:**

Yes, in effect what they have done is refinance back to the Government company the money that the Government company has spent building the Willis's Road car park and the Sandpits car park which had already been built, so that £9 million is in effect a refinancing of that in capital terms, on the basis that the Government are going to use that revenue as well to fund this arrangement.

**HON J J BOSSANO:**

I thought his first answer was to tell me that the £9 million was for the land on which the Devil's Tower car park is being built.

**HON CHIEF MINISTER:**

Correct. I am still telling him that.

**HON J J BOSSANO:**

So where does Willis's car park come into the equation? That is not being sold to RBS.

**HON CHIEF MINISTER:**

No, but a value has been placed on the land by reference to the capital expended in respect of other projects and, in effect, that is why I said in effect what was happening in this exercise, is that these £9 million is not because the Government needed to sell the land to RBS but it was just the way of Gibraltar Car Parks Limited that is going to be funded in a free standing sort of way, the Government companies



rather, can recoup the outlay of the car parks that they funded for themselves and the mechanical way that was chosen to bring that about was this. In other words, a premium payment for this particular land and then serviced over time by rentals, from Gibraltar Car Parks Limited, which will include the rental that it has from all these other places. In other words, what income is Gibraltar Car Parks Limited going to use to finance this arrangement, answer, the income that it gets from renting out car parking spaces not just in this car park but the one up in Willis's Road and the roof in Harbour Views and the one underneath the tennis courts in Sandpits. That is how the Government intend to proceed in this, as far as possible using the company's own revenue, to raise capital to build more car parks and that way build up a free standing, as far as possible self financed, although from time to time I am sure the Government will have to help, system whereby car parking is built within a company that operates, Government-owned, but which operates both financially and operationally separate from the Government. In other words, a sort of publicly owned NCP, that is the idea.

**HON J J BOSSANO:**

The existing car parks then are currently assets in the balance sheet of the car park company not the land holdings company, is that correct?

**HON CHIEF MINISTER:**

That is correct.

ORAL

**NO. 709 OF 2009**

**THE HON J J BOSSANO**

**CATEGORY 2 STATUS – PROPERTY CRITERIA**

Can Government explain what criteria is applied to determine what properties may be bought or rented by persons seeking Category 2 status?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 710 of 2009.

**NO. 710 OF 2009**

**THE HON J J BOSSANO**

**HEPPSS STATUS – PROPERTY CRITERIA**

Can Government explain what criteria is applied to determine what properties may be bought or rented by Higher Executives with Specialised Skills?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Loose and not particularly scientific criteria, although not dissimilar for both categories. The property must be one which is available for immediate occupation. Off-plan purchases or properties in development do not count for the purposes of approved accommodation. The property must not be one that is likely to be rented or purchased by a person or persons on average income in Gibraltar. That is, the special status applicant should not be in competition with average income earners in Gibraltar. The property should be such that it can be considered to be prime residential property, whatever that might mean. The property must be large enough to accommodate the applicant and his family, where the circumstances are relevant. In other words, where he has his family here with him. In addition, a high market value or rental value does not of itself make a property qualify for Category 2 or HEPSS status, where there is not also a correlation with the prime nature of the property, size and location. If the hon Member can understand what that means then he has achieved more than I have. I am almost certain it means that it has also got to be in a particular type of development in a particular type of area. So it is not just a question of value. This is to avoid a ramping-up of other property prices. Where such ramping-up may be suspected, explanations may be requested including evidence of previous rental or market values pertaining to that and similar properties, where relevant. For similar reasons, no minimum price criteria for market value or rental value are set by the Finance Centre Department. I think he will agree loose and not very scientific criteria.

**SUPPLEMENTARY TO QUESTION NOS. 709 AND 710 OF 2009**

**HON J J BOSSANO:**

Is the minimum price or rental then different in different properties in different areas or is there an absolute minimum below which the answer is no?

**HON CHIEF MINISTER:**

I think the underlying principle is that these should be the sort of properties that ordinary residents of Gibraltar are unlikely to aspire to rent or buy because of their cost and location and things of that sort. That is the most that can be coherently said about the philosophy that informs the criteria. Then this attempt is given at deciding that by reference to rental levels and location and whether it is prime property and whether it leads to ramping-up of prices further down the property ladder, but frankly, I suspect this is something that is administered in the Finance Centre Department, I suspect that this is really done by the sort of property that it is. So there are some estates that are thought to lend themselves to this sort of allocation and others that do not and it is a combination of all those factors. Indeed, it is only when I saw the answer to this question that I realised that it was quite this imprecise, the criteria. Mind, there has not been any change it has always been this since it was High Net Worth Individuals. I do not think there has been any great change in this.

**HON J J BOSSANO:**

Yes, my supplementary was, what I was asking was, is there an absolute minimum rental level or absolute minimum property value below which the answer will be automatically no?

**HON CHIEF MINISTER:**

I have said, the last sentence that I read out to him was that there was “for similar reasons no minimum price criteria for market value or rental value are set by the Finance Centre Department”, so the answer is no. Having told the hon Member that it is properties that do not compete with local average income earners, nobody has sat down then to say well we think that that is a property that costs more than x or that can be rented for less than y pounds per month by way of rental. There is no hard and fast rule of that sort. The reality of it is that most of these individuals are at the very high lifestyle end of life and that these things sort themselves out by the laws of nature, the sort of properties that they are willing to live in tend to be the very expensive properties which would rent for several thousands of pounds a month, so there is almost an automatic ordering of the market rather than an ordering brought about by the application of these very imprecise rules, not rules, criteria.

**HON J J BOSSANO:**

Does the Chief Minister know whether, in fact, in recent times there has been a development of properties that were previously not considered to be suitable and were therefore available at the lower end of the market, having been reclassified so that they are now suitable?

**HON CHIEF MINISTER:**

I am not aware but that does not mean it has not been the case. Usually, suitability for this purpose is something that the developer seeks at the time of the development. Whether there have been any that were originally said no to and which have subsequently been reclassified as yeses, I do not know. My hon Colleague might know.

ORAL

**NO. 711 OF 2009**

**THE HON J J BOSSANO**

**CIVIL SERVICE PENSIONERS**

In the financial years 2007/2008 and 2008/2009, how many persons in receipt of a civil service pension were aged between 60 and 65 giving a breakdown by gender?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 712 and 713 of 2009.

**NO. 712 OF 2009**

**THE HON J J BOSSANO**

**CIVIL SERVICE PENSIONERS**

In the financial years 2007/2008 and 2008/2009, how many persons received a civil service pension a) under £15,000 b) between £15,000 and £20,000 and c) above £20,000 per annum, giving a breakdown by gender?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 711 and 713 of 2009.

ORAL

**NO. 713 OF 2009**

**THE HON J J BOSSANO**

**CIVIL SERVICE PENSIONERS**

Can Government state how many persons were in receipt of a civil service pension on 31<sup>st</sup> March 2008 and 31<sup>st</sup> March 2009 and what was the average annual pension paid in each financial year 2007/2008 and 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested is in the schedule I now hand to the hon Member.

**ANSWER TO QUESTION 713****Answer to Question 711**

FINANCIAL YEAR	MALES	FEMALES	TOTAL
2007/2008	224	144	368
2008/2009	260	156	416

**Answer to Question 712**

FINANCIAL YEAR	PENSION PAID	MALES	FEMALES	TOTAL
2007/2008	Under £15,000	922	645	1567
	Between £15,000 and £20,000	148	45	193
	Over £20,000	113	18	131
2008/2009	Under £15,000	889	640	1529
	Between £15,000 and £20,000	169	54	223
	Over £20,000	151	34	185

**Answer to Question 713**

The total number of persons in receipt of a civil service pension on 31<sup>st</sup> March 2008, and 31<sup>st</sup> March 2009 and the average annual pension paid in each Financial Year 2007/2008 and 2008/2009 was as follows:

DATE	NUMBER	AVERAGE ANNUAL PENSION PAID
31-Mar-08	1891	£7,946
31-Mar-09	1937	£8,828



ORAL

**NO. 714 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR CHRONICLE – FUNDING**

Can Government state what funding, if any, other than the sum provided for the purchase of the lease of the building at Governor's Parade, has been provided to the Gibraltar Chronicle?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 715 of 2009.

**NO. 715 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR CHRONICLE – PURCHASE OF LEASE BY GOVERNMENT**

Can Government state when it purchased the lease from the Gibraltar Chronicle of the building at Governor's Parade, what was the unexpired period of this lease and how was its value arrived at?

**ANSWER**

**THE HON THE CHIEF MINISTER**

A loan of £15,300 was made available to the Gibraltar Chronicle by Gibraltar Commercial Property Company Limited, which is a wholly owned Government company.

The Government have not yet purchased the lease.

The purpose of the loan to which I have referred was for the emergency purchasing of some bit of printing equipment that I would not know how to describe to him which broke down and had to be replaced and they could not do it. What I do not appear to have been provided with is the answer to the part of the first question about, or rather the second question, about what was the unexpired period of the lease. But it was very low, it was very small, I think it was less than five years or around five years. The Government hope to relocate to that building the Government archives.

**SUPPLEMENTARY TO QUESTION NOS. 714 AND 715 OF 2009**

**HON J J BOSSANO:**

But the Chief Minister has not answered what the value put on it was and how it was arrived at. The Chief Minister says they have not yet purchased the lease.

**HON CHIEF MINISTER:**

Well, it has not yet xxxxxx the assignment lease been paid. It is paid.

**HON J J BOSSANO:**

It is paid. So if it is paid it is purchased even if they have not completed it. So, and there were five years left of the lease when that happened.

**HON CHIEF MINISTER:**

Five or less, some small number of years.

**HON J J BOSSANO:**

At the time that the payment was made is that correct?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

So it is even less now. I mean, given the shortness of the time left, again on the basis that I am not learned because only lawyers are learned, how is the lease assigned if it is expired?

**HON CHIEF MINISTER:**

Well, it is not unusual for people to pay large sums of money for short leases on Main Street, for example, because one acquires the right to renew it. So when one hears on Main Street of people paying brutal sums of money for shops, what they are really saying is that they are paying the current tenant a large sum of money to stand in his shoes of a short-term lease that may only have five years to go. But because one has the right of renewal, and we are hoping to pursue that and use the old printing works building for some public purpose, how was the value arrived at? The value was arrived at by an imprecise but not unrelated attempt to marry the Chronicle's requirement, the printing works requirement mainly, for new printing equipment on the one hand, with a back of the envelope valuation of what somebody might have been willing to buy that building for. But there was no formal property valuation in the sense of that a private sector buyer might have insisted on doing.

**HON J J BOSSANO:**

Who is the lease from? Once the lease is assigned the Government will want it extended, or the Government have the lease already?

**HON CHIEF MINISTER:**

No we have not yet taken an assignment of the lease but when we do take it, it will be in the Government.

**HON J J BOSSANO:**

I accept that but if the lease is about to expire and they need to renew it, who is the lease from?

**HON CHIEF MINISTER:**

Whoever then is, it depends, if it comes up for renewal before it is assigned it will have to be renewed in the name of the Gibraltar Chronicle and then the renewed one assigned to us. If there is any unexpired portion of the existing lease before it is assigned, then that unexpired portion can be assigned and the Government can renew.

**HON J J BOSSANO:**

But is it the Government that has to renew the lease for the Chronicle if they had not bought it?

**HON CHIEF MINISTER:**

Oh as landlord, oh no, the landlords are “the officers of the Garrison” whoever that might be. I assume that they are all sitting in the Gibraltar Regiment Officer’s Mess. There are not too many other officers but there is this sort of nebulous thing, trust, called a trust for the officers of the Garrison, this is from many days gone by but I know that he is familiar with the ownership structure. So, yes, this is not the MOD. This is a trust with private trustees, some well known local people and a couple of, I do not know, the Chief of Staff or whoever, trustees of a trust for the officers of the Garrison. So they are the landlords.

**HON J J BOSSANO:**

So what is it, is it a freehold property and they hold the freehold, is that it?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

Then, presumably, the Government when they acquire and have the lease signed, will have to negotiate the renewal of that lease with that entity, is that correct?

**HON CHIEF MINISTER:**

Yes, we hope that by then we shall be on that side of the entity as well, given a discussion that we had earlier today about the Garrison Library, thus making the negotiations considerably similar.

**NO. 716 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR CHRONICLE – FINAL SALARY PENSION SCHEME**

Can Government state what part, if any, it has played in the decision to terminate the final salary pension scheme for employees of the Gibraltar Chronicle?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have played no direct part in any aspect of the decisions taken or the process that has commenced on the future of the Chronicle pension scheme. The Government's involvement arises purely in the context of the discussions Government of Gibraltar has chaired and convened between the employer and the staff, with TGWU representation, in an attempt to rescue the company from the extremely difficult economic situation that it faces. This has included a review of the costs of the organisation and how its future financial viability may be assured. Government of Gibraltar's interest in this matter is threefold. Firstly, as a major creditor in respect of various outstanding arrears of tax and social insurance. Secondly, because it attaches importance to the maintenance in Gibraltar of our longest established, and most independent newspaper publication, which continues to play a significant role in the dissemination of news and opinion in a non-partisan manner. As indeed it is required to do by the Chronicle Charter. Lastly, the Government are concerned to protect the local employment of those working in the company, both on the printing side and on the newspaper publishing side. The Government's role has therefore been one of facilitator in this process. The Government remain hopeful that a sensible restructuring of the Chronicle's operations, with whatever changes to the pension scheme may ultimately be thought appropriate by management and staff, is possible and indeed would be in the best interests of all the Chronicle staff, and indeed Gibraltar as a community, and indeed there is a broad agreement on the way forward which is currently being implemented by management and staff and outside consultants that are helping them do it.

**SUPPLEMENTARY TO QUESTION NO. 716 OF 2009**

**HON J J BOSSANO:**

Have the Government indicated in whatever informal part they have played that an agreement on the termination of the final salary scheme is a necessary condition for Government's involvement in helping to finance the company, or whatever it is they intend to do?

**HON CHIEF MINISTER:**

The Government are not offering to finance the company, but certainly, on the basis of pro-forma balance sheets and profit and loss accounts going forward, and on the basis of the snapshot of the company's financial position today, which have been prepared for the company by outside consultants and which have been shown to the Government, it is self-evident that the company is unable to continue to operate on the basis of its present cost base. Therefore, management and staff together need to correlate cost more closely with revenue. That can be done in a number of ways and it is not for the Government to dictate the ways that it can be done. It can be done by keeping the present number of employees and cutting other costs, pensions, salaries, other things, or it can be done by reducing the present number of employees and cutting other costs or keeping the same number of employees and cutting other costs. One of the main costs, other than wage costs, that can be cut is pensions. This is an insufficiently funded scheme which is too generous and therefore costs in the private market too much, more than the Chronicle company can afford to fund with its current revenue levels and its other expenses. So how that square is circled is a matter for the company. The Government are offering advice as to what might be done in relation to the company, but very much as an advisor/facilitator, both to staff and the management. But ultimately, these are calls entirely for them.

**HON J J BOSSANO:**

But is there assistance, financial assistance from the Government which is not forthcoming unless this is resolved? There is no more money coming in from the Government.

**HON CHIEF MINISTER:**

No, the Government have made it clear that they will offer no assistance going forward unless the financial position of the company is put on a viable footing. In other words, how can the Government help? The Government can help with printing, in whatever way the Government can help what the Government are not going to do is to fund an unaffordable, this is not the Buildings and Works Department, which the Government fund because it has always been there and it is too difficult to unfund, or cut costs or cut this ..... I mean, this is not a Government responsibility in that sense, these are not Government employees, this is not a Government operation, so the Government will certainly not provide any financial assistance, even if they did provide financial assistance, which is certainly not in the script at the moment. But even if they were to provide financial assistance they certainly would not do so to plug a gap in the company's financial position, which is contributed to by a pension scheme which most civil servants do not enjoy, let alone other employees in Government companies or in private sector companies. The answer to that is most certainly not, so he can extrapolate from that whatever he wishes. So does that mean that the Government are obliging them to change their pension scheme? No. But do the Government think that it would be right, if called upon to do so, to support the company with that pension scheme. The answer is no to that as well.

**HON J J BOSSANO:**

I am not sure that what the Chief Minister has said about the generosity of the pension scheme is correct. I mean, presumably the Government are aware that the pensionable salary, as opposed to the earnings, have been fixed for a very long time and that is what is used to compute people's entitlement to a pension. Is he not aware of that, having spent so much?

**HON CHIEF MINISTER:**

I am not going to sit here answering questions as if this were a Government responsibility. This is not a Government-owned company, the Government accept no responsibility for the pension scheme, it is not for the Government whether this pension scheme survives or not, this is not a Government company. This is a private sector company and the Government most certainly do not consider themselves in any shape or form bound, or even do they feel inclined to protect this pension scheme, whether it is good, bad or indifferent, at taxpayer's expense.

**HON J J BOSSANO:**

Yes, that is a very clear statement but the Chief Minister must realise that if he chooses to throw in as an offside that it is a pension scheme that is so good that civil servants would envy it, and that does not happen to be accurate .....

**HON CHIEF MINISTER:**

No, it is accurate. The terms of the scheme ....., another thing is the level of salary or imputed salary that is put through the scheme, but the terms of the scheme are very generous, which is why it is so expensive. If one had the same scheme, or rather, if one had the same imputed salary with cheaper benefits, it would be a cheaper pension scheme, and indeed one of the options that they could consider is altering the terms of the pension scheme to make it cheaper. In addition to the lower imputed salary. But these are not matters for the Government and alright, fine, if the hon Member is offended by my side comment, fine, but that is not the central point. The central point is that the Government cannot treat the pensioners of this company more generous than they would treat the pensioners of some other failing, or failed private company with an unfunded pension scheme. Or insufficiently funded, it is not entirely unfunded.

**HON J J BOSSANO:**

It is not that I am offended, it is that I think that if in the context of explaining the position of the Government, which presumably is not determined by how good or bad the pension scheme is, the Government choose to make a statement in this House which I consider to be inaccurate from my knowledge of the pension scheme, then I think it is right that I should put it to him that, in fact, a civil servant gets a final salary pension that even in the context of the Government's consideration of changing that, the Chief Minister has been at pains to point out in his answers to me that that will only apply to new entrants, that I understand the Chronicle has already applied a money purchase scheme to new entrants, a considerable period of time ago, and he is talking about the unusual situation of actually changing the terms of employment of

people who are in post, which is not something the Government would do to their own employees, and I am not sure that it can be done legally anyway.

**HON CHIEF MINISTER:**

The alternative is that this company goes bankrupt and all the members of the pension scheme lose all their pension entitlement, accrued and future. That is the alternative, that is the reality of the matter. He is perfectly welcome to have that conversation with the board of directors of the company but not with me. The Government is not in the business of rescuing the occupational pension schemes of insolvent private companies. That is the position. The Government has certainly no legal, and no moral ..... and it would be wrong that the company should do so, unless they were willing to do so for all these private companies that might find themselves in that situation. That is the position and it is not going to change, although the company is being as helpful as it can in bringing together management and staff, sub divided into printing and newspaper publishing in this organisation, that have traditionally had difficult internal chemistry. The ownership and management structure of this company is not conventional and, therefore, it makes decision making much more difficult and the Government are really using its offices to overcome the problems that flow from that, rather than making decisions on what decisions they make between them. That is the position and certainly the Government do not intend to save the pension scheme and I regret that, given that festivities down below or solemnities down below are about to start, well the Liturgy is a festivity of sorts, I now need to adjourn the House until 9.30 tomorrow morning.

**HON J J BOSSANO:**

Can I just clarify that we are in the supplementaries of this question at this point?

**MR SPEAKER:**

Yes, I think we take it as that.

**HON CHIEF MINISTER:**

Well, the hon Member may be in the supplementaries but I consider I have answered as many as I intend to answer on this. So he can certainly continue to ask which does not oblige me to answer.

**HON J J BOSSANO:**

On the supplementaries to the question of the Gibraltar Chronicle, the Chief Minister in 2006, when he provided me with information about the payment that was intended for the lease, actually said that the payment was with the condition attached to it that it would be used to sanitise the finances of the Chronicle. Can he explain how it is that having sanitised it in 2006 with a payment from the Government he is telling us now that there continues to be a problem? How is it that three years down the road he is talking as if nothing had happened in the last three years and it was still where it was in 2006?



**HON CHIEF MINISTER:**

I want to make perfectly clear that, save for the use that the Government have made of public funds in this matter, the Chronicle is not a Government entity and the Government are not accountable in this House for that, so I am not going to agree to pursue further supplementaries on issues such as pension and that, as I indicated to the hon Member at close of business yesterday. The Government have purchased a lease from the Chronicle and the Chronicle has used the proceeds of sale of that lease to purchase printing equipment, in the main, almost entirely, to modernise its printing works. That is the extent on the basis that it could not continue printing without new equipment which it could not afford from its own resources. That is the extent of the use of those particular public funds. There has now been a small loan, as I explained yesterday, and any other consultant's fees that we may have paid in the past we have already given an account in this House. That is the extent of the matter and for the rest of it these are not Government affairs.

**HON J J BOSSANO:**

Well yes, but in my supplementary I have actually quoted the answer the Chief Minister gave me and he said the loan that had been provided has the condition attached to it that it would be used to sanitise the finances.

**HON CHIEF MINISTER:**

That is how it was used.

**HON J J BOSSANO:**

I am asking him how it is that having used the money, or is it that they were not used to sanitise the finances?

**HON CHIEF MINISTER:**

I suppose he must understand that if a company that prints its own newspaper, as well as doing printing works for other people, cannot continue doing that because it has antiquated printing works, for which it is difficult to obtain spare parts and with which it is difficult to compete in the market, that investment in modernised plant is steps to sanitise its finances.

**HON J J BOSSANO:**

No, because the answer he gave me was that it had two conditions attached to it. One was to invest in modernising the plant and two to sanitise the finances. That is the answer he gave me then. I have not asked him about investing in the plant because I know that that has happened. I am asking him about the second half of the purpose of the condition attached. Unless it was not true what he told me in 2006 and there was no such condition attached.

**HON CHIEF MINISTER:**

The hon Member knows the answers to his questions and the position is perfectly clear. The Government made it a condition, as I have explained to this House many times before, that if there was to be Government assistance delivered in the way that I have just described, the Chronicle had to put its economic financial house in order. That meant that it had to address the imbalance between revenue and expenditure. It had to eliminate its chronic losses and it had to comply with its obligations to pay taxation like every other company in Gibraltar, and social insurance contributions, and that it was conditional on the Government doing what it did that the management and the staff would agree to do that, and they have done that and there is a blueprint, they engaged consultants, for which Government funds channelled through that way may also have been used to pay their fees, and there is a blueprint and it is being implemented. Therefore it is true that the Government have imposed as a condition of intervening in the way that it has intervened that the Gibraltar Chronicle should address its chronic working practices and its chronic financial issues. That is absolutely true and it would have been grossly irresponsible and reckless to have done it any other way.

**HON J J BOSSANO:**

I am not telling the Chief Minister how to do it or not to do it or what he should or should not do. Therefore whether he thinks it is irresponsible or not is irrelevant. I mean, nothing that he ever does is in his judgement irresponsible because it would be stupid for him to do it if he thought it was irresponsible. One has to assume that whatever he does he thinks is the right thing to do, whatever the judgement of other people may be about the things that he does. I am seeking information which is what Question Time is for, not passing judgement.

**HON CHIEF MINISTER:**

No, Question Time is to seek information on matters for which the Government is responsible. It is not for prying through the Government into the affairs of a private company for which the Government are not responsible. He can ask me, as he has done, about why and on what conditions the Government purchased the lease and did this and did that. I have now answered him twice and I am not going to answer him again.

**HON J J BOSSANO:**

Well, he has not answered me twice because not giving an answer and standing up and talking about something else is not answering the question. If, indeed, the money has been used to sanitise as was required then why is there still a problem?

**HON CHIEF MINISTER:**

The hon Member is being entirely disingenuous because, no doubt, without him being a million miles away from it, the sanitisation plan has not yet actually been physically implemented. But it will be physically implemented if these people want to save their jobs, which the Government want to help them do. If Gibraltar wants to save its excellent daily newspaper which the public has an interest in doing and if the

printing works is going to be retained as one of two Gibraltar based, physically Gibraltar based printing works. Those are the three issues which the Government are trying to help save and it would very much assist in the achieving of the public interest if others did not interfere like this debate across the floor of the House to encourage or to give people the impression that there is an alternative. There is not an alternative. This company, unless it rectifies its position, is in the view of everybody that has looked at it incapable of financial survival. Indeed, it is only surviving now because of Government forbearance because of the public interest elements of not allowing the newspaper, not the printing works, principally the newspaper to fail. The Government, nevertheless, have put forward ideas purely as a facilitator and purely in terms of a contributor to a debate on matters which are actually not for it to decide, have nevertheless put forward plans, accepted by both management and the workforce, to save both the newspaper and the printing works. Even though the principal public interest is in saving the newspaper and not of the printing works. There is a public interest in saving the printing works but whether it would be big enough to justify the degree of Government involvement in terms of time as a discussion facilitator is moot. But as we are devoting the time to save the newspaper we at the same time looked after the future of the printing works as well. That is the extent of the Government's involvement to the extent that the Government have been involved, it is right that the hon Member should ask me questions and it is right that I should answer them. What I am not going to do is further cross the line between that and the internal affairs of the Chronicle which are not the Government's business and are not the Government's responsibility.

**HON J J BOSSANO:**

I am not asking him to cross any lines. First of all he says he is not going to answer any more questions and then he stands up and makes a long speech in which he says lots of things that I am not asking. I am not asking him whether it is good or bad or indifferent or how well it is run or what state it is in. All those things are matters for the company not for him and I do not know why he is telling me all those things. I am asking about whether what he told me in 2006 has happened or not and in a previous supplementary he gave me the impression yes, it has been implemented and now he tells me.....

**HON CHIEF MINISTER:**

It is being implemented.

**HON J J BOSSANO:**

Being, I see, so the sanitisation is something that started in 2006 and has not yet been completed by 2009 or has any of the plan been put into place?

**HON CHIEF MINISTER:**

I am not accountable in this House for the speed or otherwise with which the Gibraltar Chronicle implements any sanitisation plan.

**HON J J BOSSANO:**

So in fact, when the Government decided that they would provide the money with that condition attached they did not suggest to the Chronicle within what sort of timescale they expected it to be put in place?

**HON CHIEF MINISTER:**

I am not going to answer any more of the hon Member's questions on this subject.

**HON J J BOSSANO:**

Well, I just want to put it on record that I am not asking about anything to do with the Chronicle, I am asking the Government about their policy on the conditions attached to the money provided.

ORAL

**NO. 717 OF 2009**

**THE HON J J BOSSANO**

**LAND AND PROPERTY SALES**

Can Government state what property or land sales, if any, there have been in the last financial year resulting in receipts to the Improvement and Development Fund since the answer to Question No. 308 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 718, 719 and 720 of 2009.

ORAL

**NO. 718 OF 2009**

**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?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 717, 719 and 720 of 2009.

**ORAL**

**NO. 719 OF 2009**

**THE HON DR J J GARCIA**

**RESIDENTIAL TENDERS AWARDED**

Can Government list the residential tenders they have awarded since the information supplied at the last Question Time in this Parliament, showing the name and the amount paid by the successful tenderer, the name of the property in question and the date on which the payment was made?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 717, 718 and 720 of 2009.

ORAL

**NO. 720 OF 2009**

**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**

Yes, the information requested is set out in the schedule that I have now handed to the hon Member.



## **ANSWER TO QUESTION 720**

### **Answer to Question 717**

#### **Detailed Breakdown Of Receipts To The Improvement And Development Fund For The Period 1st March to 31st March 2009**

Mar-09 Part Payment iro 51 Line Wall Road	£982.00
Mar-09 Part payment of GOG share iro Sale of 4E Rulander (Pd by S/O 12/03/09)	£30.00
Mar-09 Final payment of GOG share iro Sale of 4E Rulander (Pd by S/O 12/03/09)	£5.00
	<u>£1,017.00</u>

### **Answer to Question 718**

#### **Detailed Breakdown Of Receipts To The Improvement And Development Fund For The Period 1st April to 31st May 2009**

Apr-09 Part Payment iro 51 Line Wall Road	£982.00
May-09 Part Payment iro 51 Line Wall Road	£982.00
May-09 Sale of plot of land and extension of terms - 11B Naval Hospital Hill	£55,580.00
	<u>£57,544.00</u>

### **Answer to Question 719**

There has been one Residential Tender awarded since the information supplied at the last question-time in this Parliament.

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
22-May-09	Mr & Mrs K Mackie	Unit 2, 'F' Block, 14 Naval Hospital Hill	£252,525.25

Cont...

**CONTD ANSWER TO QUESTION 720**

**Answer to Question 720**

**Residential Property Sales From 1 March To 31 May 2009 (Improvement And Development Fund)**

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Mar-09	B Alvares	Part payment of GOG share with 4E Rulander	£30.00
Mar-09	B Alvares	Final payment of GOG share with 4E Rulander	£5.00
May-09	A & I Mena	Sale of plot of land & ext of term 11B Naval Hospital Hill	£55,580.00
			<u>£55,615.00</u>

**Residential Property Sales From 1 March To 31 May 2009 (Government-Owned Companies)**

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Mar-09	M & R Zammit	Sale of Flat 6, Garage 6 Sandpits	£259,500.00
Mar-09	Mr & Mrs Santos	Sale of 05:06:04 Apricot Court, Sir William Jackson Grove	£29,870.96
Mar-09	Mr & Mrs Garcia	40% Sale of GOG Share iro 1 Hawthorn Lodge, Montagu Gardens	£27,752.28
Apr-09	Mr & Mrs Monteverde	Sale of 01:04:07 Oleander Court, Sir William Jackson Grove	£22,253.00
Apr-09	K & L Mackie	Deposit for Unit 2, 'F' Block, 14 Naval Hospital Hill	£25,253.00
May-09	T & A Collado	Balance of Flat 3 & Garage 3 Sandpits	£246,500.00
May-09	K & L Mackie	Balance of Unit 2, 'F' Block, 14 Naval Hospital Hill	£227,272.25
			<u>£838,401.49</u>

Cont...

**CONTD ANSWER TO QUESTION 720**

**Answer to Question 720**

**Commercial Property Sales From 1 March To 31 May 2009 (Improvement And Development Fund)**

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Mar-09	Casino Calpe	Part Payment of 51 Line Wall Road	£982.00
Apr-09	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00
May-09	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00
			<u>£2,946.00</u>

**Commercial Property Sales From 1 March To 31 May 2009 (Government Owned Companies)**

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Mar-09	Rewa Holdings Ltd	Premium iro Unit 47, Harbours Deck	£104,328.95
Mar-09	Syvestrine Development Ltd	Premium iro Unit 12, Harbours Yard	£307,598.52
Mar-09	Chrisnick Ltd	Premium iro Unit 52, Harbours Deck	£104,328.95
Apr-09	Eastgate Express Services Ltd	Premium iro Unit 9, Harbours Yard	£319,025.47
Apr-09	A & B Butchers	Premium iro Unit 29E, Harbours Deck	£48,000.00
Apr-09	Medivic Ltd	Premium iro Unit 57, Harbours Deck	£96,803.88
Apr-09	Sharda Holdings	Premium iro Unit 45, Harbours Deck	£103,771.53
Apr-09	Berkana Trading	Premium iro Unit 54, Harbours Deck	£104,328.95
Apr-09	Balensi Trading	Premium iro Unit 46, Harbours Deck	£104,328.95
Apr-09	123 Printers Ltd	Premium iro Unit 36, Harbours Deck	£154,217.32
			<u>£1,446,732.52</u>

**SUPPLEMENTARY TO QUESTION NOS. 717 TO 720 OF 2009**

**HON J J BOSSANO:**

In respect of the £55,000 for the sale of a plot of land, it says “extension of terms – 11B Naval Hospital Hill” is that an extension of the lease, of the length of the lease or is it something else?

**HON CHIEF MINISTER:**

Well, it seems to be both, it is sale of plot and extension of terms, so it suggests that there has been a sale of a small piece of land and an extension of the term of the lease of another piece of land. But I do not have the details here.

**NO. 721 OF 2009**

**THE HON J J BOSSANO**

**MOD GENERATING STATION – EMPLOYEES**

Can Government confirm that it requires the MOD to obtain Government consent in order to approve the retirement and replacement of employees in the Services generating station?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are unwilling to comment on matters which relate to issues that remain under negotiation such as the transfer of electricity services from MOD to GOG.

**SUPPLEMENTARY TO QUESTION NO. 721 OF 2009**

**HON J J BOSSANO:**

Well, I cannot for the life of me see what this has got to do with the Government's negotiations with the MOD. I mean, if employees are being told in letters which are not confidential that they cannot take retirement because the Government do not give permission, given that it would not be the first time that the MOD say something and then the Government say it is not true, I think he ought to clear up whether in fact what the Government are telling the employees is correct or not.

**HON CHIEF MINISTER:**

This question is either related to the transfer of services by MOD to GOG, in which case the answer that I have given him stands, or it is not related to the transfer, in which case it is not the GOG's business, in which case it is the MOD's business, in which case I am not accountable for it in this House.

**HON J J BOSSANO:**

Well, I have no way of knowing what it is related to.

**HON CHIEF MINISTER:**

Exactly, that is the whole point.

**HON J J BOSSANO:**

I am not asking him to reveal what it is related to, but certainly, in my experience, the Ministry of Defence has never required the permission of the Gibraltar Government to be able to retire an employee and get a replacement. They are claiming that this is the case now and I would like to establish whether, in fact, what the MOD is saying is true or not. The Chief Minister seems to have forgotten that before he was very grateful when I raised things that were being said about the GSP which turned out not to be correct and where I was accepting the version that he gave and not the version that the MOD gave. So I am giving him an opportunity to put the record straight, if it is not. If he does not want to answer then I have to take it that it is true.

**HON CHIEF MINISTER:**

Well, I do not require the hon Member to give me opportunities to clarify things that I might wish to clarify, and the hon Member can deduce, falsely or accurately, it does not matter to me which, whatever he wants from the answer that I have given him. The answer that I have given him and which remains is that the Government are unwilling to comment on matters which relate to issues that remain under negotiation, such as the transfer of electricity services from the MOD to GOG.

**HON J J BOSSANO:**

So then I can deduce from that that this matter does relate, otherwise the Government would be willing to answer it.

**HON CHIEF MINISTER:**

Xxxxxx

**HON J J BOSSANO:**

I see, that is confirmation.

**NO. 722 OF 2009**

**THE HON J J BOSSANO**

**MOUNT ALVERNIA – SOCIAL INSURANCE PENSIONS OF PERSONS CURRENTLY HOSPITALISED**

Can Government state whether persons currently hospitalised awaiting a place in Mount Alvernia are required to handover their social insurance pension to the Elderly Care Agency or the Social Care Agency, and if so, are there any instances where this does not apply?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Nobody that is hospitalised currently forfeits their social insurance pension to anyone else.

**SUPPLEMENTARY TO QUESTION NO. 722 OF 2009**

**HON J J BOSSANO:**

That includes people who are hospitalised awaiting a place in Mount Alvernia, does it?

**HON CHIEF MINISTER:**

Nobody that is hospitalised currently forfeits their social insurance pension to anyone else.

**HON J J BOSSANO:**

Is the Government's view in answering this question that persons who are in the hospital because there is no place for them and they are awaiting a place in Mount Alvernia considered by the Government to be hospitalised or not?

**HON CHIEF MINISTER:**

Nobody that is hospitalised currently forfeits their social insurance pension to anyone else, and the Government have no intention of changing that fact in relation to people who are hospitalised.

**HON J J BOSSANO:**

Can the Government confirm that as far as they are concerned, somebody who is in the hospital but where the doctor is saying they do not need to be there and they are awaiting a place in Mount Alvernia, falls into the same category?

**HON CHIEF MINISTER:**

The answer to that question is yes, so long as he understands that the hospital means the premises operated as a hospital by the Gibraltar Health Authority and does not simply refer to the building commonly known as “the hospital” which might include in the future facilities which are not hospital facilities run by the GHA, but social services facilities run by the new Care Agency.

**HON J J BOSSANO:**

I see, so then what the Chief Minister is saying is that they intend to do it in the ward that they say they are going to open for elderly patients, is that correct?

**HON CHIEF MINISTER:**

My answers are perfectly clear, I do not need to amplify them or clarify them twice or still less three times.

**HON J J BOSSANO:**

I just want to make sure that I am not misinterpreting what the Chief Minister says, I want to be fair to him.

**HON CHIEF MINISTER:**

The degree of certainty that I wish to have is contained in the answers that I have given, which are perfectly clear and incapable of any other interpretation and any other analysis, they are perfectly clear and I am not going to add to or subtract from them.



**NO. 723 OF 2009**

**THE HON J J BOSSANO**

**DEVIL'S TOWER ROAD – USE OF FORMER READY MIX SITE**

Can Government state what is the use currently planned for the area in Devil's Tower Road that previously housed the Ready Mix production facility?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is currently envisaged that that site will be used to construct a new hostel.

**SUPPLEMENTARY TO QUESTION NO. 723 OF 2009**

**HON J J BOSSANO:**

Is it not the case that that was the intention of the Government at one stage and then, I think, they changed their view on using that site for that purpose? Is there a reason why they have decided to go back to it or is it that they did not change their view?

**HON CHIEF MINISTER:**

It is currently envisaged that that site will be used for the construction of a hostel.

**HON J J BOSSANO:**

Is it envisaged that there is any point in asking supplementaries?

**HON CHIEF MINISTER:**

Of course there would be a great political effect in asking appropriate, relevant, politically astute supplementaries but the hon Members have shown during the years that they simply lack the political acumen to formulate, to use supplementaries for the purposes for which they are intended.

**HON J J BOSSANO:**

Can the Chief Minister explain how he reconciles his view that he is the best judge of how the Opposition ought to put questions to satisfy his standard of what he considers to be political acumen and he thinks there is any point in having a Select Committee of this House in which the Opposition may want to put their inept, inaccurate and non astute views on how the Parliament should function? If he has got such a low opinion of us why does he not just go ahead and do whatever he wants, which is probably what he is trying to get us to agree to anyway?

**HON CHIEF MINISTER:**

I would not normally presume to express the view of what the hon Members should do in supplementaries. I only did because he invited me to do so. He asked me whether there was any point in doing so, and as he kindly gave me the opportunity to express my view on a matter on which I would normally not expect to be invited to express a view, I did so. There is a point in asking supplementaries, and of course, we answer interminable number of supplementaries in circumstances where he used to refuse to answer even the principal question, let alone the supplementaries. So we do not need any lectures on proper democratic parliamentary practice from the hon Member opposite to demonstrate during eight years that he had no understanding and even less commitment to it when he was sitting on this side of the House. The record of this Government in entertaining questions and debates and giving unlimited scope of information in answer to questions in unprecedented in the parliamentary history of Gibraltar, which does not mean that we voluntarily succumb to what the hon Members are engaged on, which is to use supplementary questions beyond the point that we regard is the point beyond which the Government should not be required, or do not wish to, or do not consider it is in the public interest to give information. That is not the case of this supplementary. The point of this supplementary is that if at one time in the past we have said that that site was going to be used for a hostel and subsequently we said that it might be used for something else, or that the hostel was going to go somewhere else and he now asks me again and I now tell him that we are going to use it for a hostel, it is self-evident that if all of those things are true, which is what he has said in his supplementary, it is self-evident that there must have been a change of mind somewhere on the route. The reason why I do not answer it is because his question, the answer is self-evident, it must be a rhetorical question because the answer to it is contained in his very question.

**HON J J BOSSANO:**

Well, that is not correct because my supplementary said that I understood they had originally wanted to put it there and I understood that they had changed their mind but perhaps I had understood wrongly and perhaps he could confirm it. So he cannot say it was self-evident. I was seeking confirmation that that indeed was the case, and he, even now, he does not seem to know whether it is true that they had changed their mind or not. But if the Chief Minister says that we are free to ask supplementaries, of course we are, we do not need his permission and we can phrase the supplementary as we want, that is also true. It would be a sad day if we have to pass questions on supplementaries for his approval before we put them. The point is that in the last ten minutes every supplementary has been met by a repetition of the original answer. It is almost as if the record had been caught and it keeps on

saying the same thing. That is the only reason why I was enquiring whether there was any purpose to be achieved by asking any more.

**HON CHIEF MINISTER:**

That is for Mr Speaker to decide, I certainly do not want to encourage him to ask more supplementary questions than he has to. In this case the record is still stuck because the answer is as originally given.

ORAL

**NO. 724 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR SAVINGS BANK – DEPOSITS**

Can the Government say what was the level of (a) non-Government deposits and (b) Government deposits, in the Savings Bank Fund as at the end of the month since the answer to Question No. 333 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 725 and 726 of 2009.

ORAL

**NO. 725 OF 2009**

**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 answer to Question No. 334 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 724 and 726 of 2009.

**NO. 726 OF 2009****THE HON J J BOSSANO****GIBRALTAR SAVINGS BANK – INTEREST RATES**

Can Government state what was the average rate of interest and the total amount paid on Government deposits in investment accounts with the Gibraltar Savings Bank, in the financial year 2008/2009?

**ANSWER****THE HON THE CHIEF MINISTER**

The level of Savings Bank deposits stood as follows:

	<b>Non-Govt Deposits (tentative) £'M</b>	<b>Govt Deposits (tentative) £'M</b>
<b>Mar-09</b>	102.4	105.6
<b>April-09</b>	91.9	102.2
<b>May-09</b>	89.6	246.5

All issues of Gibraltar Savings Bank debentures were closed on 10 October 2008. There have, therefore, been no further sales of Gibraltar Savings Bank debentures during the period 1<sup>st</sup> November 2008 to 31<sup>st</sup> May 2009.

The total amount paid in interest on Government deposits by the Gibraltar Savings Bank for 2008/2009 amounted to £1,176,604.34. The average rate of interest paid was 2 per cent.

**SUPPLEMENTARY TO QUESTION NOS. 724 TO 726 OF 2009****HON J J BOSSANO:**

I did not get the last figure on the interest 2. something he said?

**HON CHIEF MINISTER:**

The last figure I mentioned was 2 per cent.

**HON J J BOSSANO:**

The increase in May in Government deposits I assume that this is money that has been raised by the Government borrowing and which is there pending putting into use in the current financial year, is that correct?

**HON CHIEF MINISTER:**

No, the first bit is true but not necessarily the latter. Given that we now have a system of net public debt, the money raised is gross and is not necessarily for use by the Government. So it is true that it is the money that reflects the money raised by the issue of Government debentures and it has to be held by the Government, but not necessarily for spending at all by the Government, let alone necessarily during this financial year. So the last two elements of his questions are not necessarily correct. The Government do not have borrowing ceilings sufficient to spend that amount of money on public debt because of the difference now between gross and net public debt.

ORAL

**NO. 727 OF 2009**

**THE HON J J BOSSANO**

**GOVERNMENT DEBENTURES/BONDS**

Can Government state what sales of Government bonds or debentures to the public have taken place each month since the answer to Question No. 337 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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



**Answer to Question 727 of 2009**

**Answer to Question 727**

Government has issued the following Debentures to the public:

Month	Pensioners' Monthly Income Debentures (currently 3.5%)		Special Pensioners' Monthly Income Debentures 2010 (6%)
	Issues	Redemptions	Redemptions
March 2009	£6,178,100	£2,243,200	£207,500
April 2009	£3,681,400	£1,124,600	£0
May 2009	£3,939,700	£1,269,800	£150,500
	£13,799,200	£4,637,600	£358,000

Month	Special Pensioners' Monthly Income Debentures 2011 (4.25% Fixed)		Monthly Income Debentures (currently 2%)	
	Issues	Redemptions	Issues	Redemptions
March 2009	£5,429,900	-	£4,800	£198,600
April 2009	£3,724,700	-	£340,100	£513,200
May 2009	£3,101,400	-	£558,800	£178,200
	£12,256,000	-	£903,700	£890,000

	Total		Net Sales
	Issues	Redemptions	
March 2009	£11,612,800.00	£2,649,300.00	£8,963,500.00
April 2009	£7,746,200.00	£1,637,800.00	£6,108,400.00
May 2009	£7,599,900.00	£1,598,500.00	£6,001,400.00

**SUPPLEMENTARY TO QUESTION NO. 727 OF 2009**

**HON J J BOSSANO:**

The figures here which show net sales of debentures of £6 million in May against the fact that in May the deposits in the Savings Bank went up by £140 million would suggest that much of that borrowing was not through the sale of debentures but in fact from the banks, is that the case?

**HON CHIEF MINISTER:**

Correct, the Government have drawn down significant sums from its revolving credit facilities in order to lock in long-term to the very favourable rates at which those were negotiated long before the credit crunch fell upon us.

**HON J J BOSSANO:**

Are those related to the fixed interest swap that was tabled at the beginning of the meeting of the House?

**HON CHIEF MINISTER:**

Correct in part and it is the intention to try and do the same for the rest of it.

ORAL

**NO. 728 OF 2009**

**THE HON J J BOSSANO**

**MAXIMUM BORROWING CAPACITY**

Can Government state on what date the maximum borrowing capacity would have been exhausted but for the amendment to the Public Debt Act which introduced the concept of aggregate and net debt?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 729 to 732 of 2009.

ORAL

**NO. 729 OF 2009**

**THE HON J J BOSSANO**

**LEVEL OF AGGREGATE PUBLIC DEBT AND NET PUBLIC DEBT**

Can Government state as at 31<sup>st</sup> March 2009, what was the level of a) aggregate public debt and b) net public debt?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 728 and 730 to 732 of 2009.

ORAL

**NO. 730 OF 2009**

**THE HON J J BOSSANO**

**LEVEL OF AGGREGATE PUBLIC DEBT AND NET PUBLIC DEBT**

Can Government state as at the end of each month since 1<sup>st</sup> April 2009, what was the level of a) aggregate public debt and b) net public debt?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 728, 729, 731 and 732 of 2009.

ORAL

**NO. 731 OF 2009**

**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. 338 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 728 to 730 and 732 of 2009.

**NO. 732 OF 2009**

**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 since the answer to Question No. 339 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Prior to the latest amendment to the Public Finance (Borrowing Powers) Act, new borrowing was effectively limited to £200 million, the aggregate public debt. This sum was reached during April 2009 and it is important to bear in mind that as of now, that amendment has not increased the amount of borrowed money that the Government are free to spend.

I will now hand the hon Member a schedule with the information requested in Question Nos. 729, 730 and 731.

Indeed, the level of public debt held by Community Care Limited has decreased since the answer to Question No. 339 of 2009. It currently holds £8,921,500 in Government of Gibraltar debentures.

**ANSWER TO QUESTION 732****Answer to Questions 729 and 730**

	<b>Aggregate Public Debt £'M</b>	<b>Estimated Cash Reserves £'M</b>	<b>Net Public Debt £'M</b>
March	191.5	129.3	62.2
April	206.0	139.8	66.2
May	354.7	284.5	70.2

**Answer to Question 731**

The amount of outstanding Government debt in respect of the revolving loans from local banks since February 2009 has been as follows:-

<b>Date</b>	<b>Barclays</b>	<b>Natwest</b>	<b>Total</b>
March 2009	£3,500,000	£3,500,000	£7,000,000
April 2009	£3,500,000	£3,500,000	£7,000,000
May 2009	£100,000,000	£50,000,000	£150,000,000



**SUPPLEMENTARY TO QUESTION NOS. 728 TO 732 OF 2009**

**HON J J BOSSANO:**

The £100 million borrowed from Barclays in May, is that at a fixed rate of interest or floating?

**HON CHIEF MINISTER:**

No, neither are at a fixed rate of interest. Neither Barclays nor NatWest, they are both at a fixed margin above LIBOR, and because LIBOR is currently so low, in historical terms, it is possible through the combination of those favourable borrowing terms ..... Nobody, not even a Government could now borrow at the margin above LIBOR that we were able to negotiate when we did these revolving loans, when the world was a different place. But we have had a leverage opportunity by placing together the terms that we were able to negotiate, the current state of interest rates and the fact that the LIBOR has fallen back quite a long way and, thirdly, by combining both those circumstances with swap arrangements, we are able to lock in at historically very low rates of interest for a significant number of years forward, but as a result of the swap, not as a result of the fact that the original borrowing agreement provided for a fixed rate of interest. It provides for a fixed margin, which is very low, above LIBOR and that very low margin above LIBOR compared to current borrowing terms has given us good opportunity to use swap instruments to lock in to low rates of interest which are now fixed, not by the original loan agreements but by the swap arrangements.

**HON J J BOSSANO:**

That applies to the £50 million from NatWest and that is what the agreement that was tabled related to, is that correct?

**HON CHIEF MINISTER:**

Yes and we are presently seeking to do the same with the other.

**HON J J BOSSANO:**

But as I read the agreement, in fact, the locking in is only for a period of three years is it?

**HON CHIEF MINISTER:**

I do not remember if it was three or four but something like that because that is the extent of the revolving facility. The original facility is for that period of time. The Barclays facility, I think, is for longer. I think that the original facility is for more than three or four, I think it was for five, but these swap arrangements I think come in fixed periods, three, five, seven years. One cannot pick one's own length. So that was for the longest period that was available within what is left of the facility.

ORAL

**NO. 733 OF 2009**

**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. 347 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 734 and 735 of 2009.

ORAL

**NO. 734 OF 2009**

**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. 348 of 2009 from the £10 Stamp Duty on share issues?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 733 and 735 of 2009.

ORAL

**NO. 735 OF 2009**

**THE HON J J BOSSANO**

**STAMP DUTY**

Can Government state how many properties have been approved as qualifying for Zero Stamp Duty on their sale in each month since the answer to Question No. 350 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested is set out in a memorandum that I now hand the hon Member.

**ANSWER TO QUESTION 735****Answer to Question 733**

Stamp Duty collected in each month since February 2009 is as follows:

March 2009	£617,411.50
April 2009	£162,232.60
May 2009	£237,142.91

**Answer to Question 734**

The amount collected from the £10 Stamp Duty on share issues in each month since February 2009 is as follows:

March 2009	£1,610.00
April 2009	£1,265.00
May 2009	£1,270.00

**Answer to Question 735**

The number of properties which have qualified for Zero Stamp Duty on sales since February 2009 is as follows:

March 2009	31
April 2009	15
May 2009	36

**NO. 736 OF 2009**

**THE HON J J BOSSANO**

**INCOME TAX – PERSONAL ASSESSMENTS**

Can Government state as at the 31 March 2009 and 31 March 2008 which were the most recent tax years for which all personal income tax assessments had been completed?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at 3<sup>rd</sup> June 2009 the position was as follows:-

2004/2005 is the most recent tax year for which all personal income tax assessments have been completed. I am advised by the Commissioner of Income Tax that at present the assessments for the years 2005/2006, 2006/2007 and 2007/2008 are being processed and issued. That is in respect of PAYE individuals.

In respect of self-employed individuals, the tax year 2007/2008 is the most recent tax year for which all personal income tax assessments have been completed, and I am similarly advised that at present the assessments for the year 2008/2009 are being processed and issued.

**SUPPLEMENTARY TO QUESTION NO. 736 OF 2009**

**HON J J BOSSANO:**

Is it that the Chief Minister cannot provide the comparable figure for a year earlier, for 2008?

**HON CHIEF MINISTER:**

No, I am not even doing it for the year 2009. The information that I am giving him is as at 3<sup>rd</sup> June 2009, whereas I see that he has asked for it as at 31<sup>st</sup> March. It has obviously been missed. Somebody trying to be helpful has given him the most up to date information where, in fact, he might have preferred to have it less up to date, but coinciding with the end of the financial year. The answers I have given him are all as at 3<sup>rd</sup> June and neither as at 31<sup>st</sup> March nor at 31<sup>st</sup> March in either year. If he particularly wants it at the end of March in either or both years I will have to get it.

**HON J J BOSSANO:**

Well, I would be grateful if that is possible because, obviously, there are two pieces of information which I am looking at which is what has happened in the one year, and also that it is related to the information that is given in the audited accounts of the Government as to the refunds that have resulted from the final assessments, which is at 31<sup>st</sup> March.

**HON CHIEF MINISTER:**

Yes I understand that it would allow him to do that. He will no doubt recall that PAYE assessments on individuals cannot actually issue until their employers have paid fully to the income tax office the amounts deducted by them which explains the disparity in time. But I will have the information recollated as at the end of March for the two years that his question refers to.

**HON J J BOSSANO:**

I understand the problem, it is just that I picked those dates because I can then relate it to the information the Government publishes.

ORAL

**NO. 737 OF 2009**

**THE HON J J BOSSANO**

**GROSS INCOME BASED TAX SYSTEM**

Can Government state of the 131 taxpayers placed by the Commissioner of Income Tax under the Gross Income Based system for the tax year 2007/2008, as at 10 March 2009, how many had been paying PAYE during the 2007/2008 tax year by deducting from their salaries, and how many were self-employed?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 738 of 2009.



**NO. 738 OF 2009**

**THE HON J J BOSSANO**

**GROSS INCOME BASED TAX SYSTEM**

Can Government confirm that in respect of the 131 taxpayers placed by the Commissioner of Income Tax under the Gross Income Based system for the tax year 2007/2008, as at 10 March 2009, the effect of this decision was that their liability was reduced?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Well I would hope so in respect of the last question. I think I have already said in this House that the Commissioner, when I announced it, would place it on the basis that would result in lower tax, so it would be quite novel if somebody was transferred by the Commissioner to the higher tax level.

I confirm that of the 131 taxpayers placed by the Commissioner of Income Tax under the Gross Income Based system for the tax year 2007/2008, 94 had been taxed under the PAYE system and 37 were self-employed. Of course, all 131 of these taxpayers had their tax liability reduced as a result.

ORAL

**NO. 739 OF 2009**

**THE HON J J BOSSANO**

**PAYE – PAYABLE BY AREA OF EMPLOYMENT AND NUMBER OF EMPLOYEES**

Based on the 2006/2007 employers annual statement, declaration and certificate submitted to date what was the PAYE payable by area of employment and the number of employees as follows:

- (a) MOD;
- (b) Gibraltar Government;
- (c) Government owned/JV companies; and
- (d) Private sector employment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 740 of 2009.

**NO. 740 OF 2009**

**THE HON J J BOSSANO**

**PAYE – PAYABLE BY AREA OF EMPLOYMENT AND NUMBER OF EMPLOYEES**

Based on the 2007/2008 employers annual statement, declaration and certificate submitted to date what was the PAYE payable by area of employment and the number of employees as follows:

- (a) MOD;
- (b) Gibraltar Government;
- (c) Government owned/JV companies; and
- (d) Private sector employment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule setting out the information that he has requested.

#### **ANSWER TO QUESTION 740**

##### **Answer to Question 739**

Based on the 2006/2007 Employers Annual Statement, Declaration and Certificate submitted to date, the PAYE Tax payable by area of employment as indicated below, and the corresponding number of employees was as follows:

	PAYE Tax	Approximate No. of employees / Deduction cards
	£M	
(1) MOD	4.9	2,600
(2) Gibraltar Government	24.9	6,700
(3) Government owned / JV companies	3.4	600
(4) Private sector employment	54.5	22,000
	<hr/>	<hr/>
	87.7	31,900
	<hr/>	<hr/>

##### **Answer to Question 740**

Based on the 2007/2008 Employers Annual Statement, Declaration and Certificate submitted to date, the PAYE Tax payable by area of employment as indicated below, and the corresponding number of employees was as follows:

	PAYE Tax	Approximate No. of employees / Deduction cards
	£M	
(1) MOD	4.4	2,600
(2) Gibraltar Government	24.6	6,300
(3) Government owned / JV companies	3.7	650
(4) Private sector employment	56.6	22,200
	<hr/>	<hr/>
	89.3	31,750
	<hr/>	<hr/>

The difference in the number of Gibraltar Government employees / deduction cards between the tax years 2006/2007 and 2007/2008 is due to those individuals participating in the Vocational Training Scheme, which since the tax year 2007/2008, the income received under this scheme is exempt from income tax and therefore it is no longer necessary for a Return to be made in respect of these individuals.

**SUPPLEMENTARY TO QUESTION NOS. 739 AND 740 OF 2009**

**HON J J BOSSANO:**

I assume that, in fact, what the figures indicate, given that there is a discrepancy which is quite large between the number of employees here and the number of employees produced from employment surveys and so forth, that it is that individuals can appear in more than one category because they move from one employer to the other within the tax year, is that correct?

**HON CHIEF MINISTER:**

Well, which figures is the hon Member referring to?

**HON J J BOSSANO:**

For example, if we have got 6,700 in the Gibraltar Government, I know it includes pensioners, but the figure for 2,600 in the MOD seems to be surprisingly high given that there are 1,000 employees. I am assuming that it means that people can come in and go out and they may, for example, be somebody that is part of the year in the private sector and part of the year in the MOD, he would be counted twice. Is that correct?

**HON CHIEF MINISTER:**

If that were to be the case that would be correct. In other words, that would be how such a person would be treated, there are pensioners, there is a footnote on the bottom of my schedule, is it there at the bottom of his, which explains part of the difference in the figure for Gibraltar Government.

**HON J J BOSSANO:**

400 vocational cadets.

**HON CHIEF MINISTER:**

For the vocational cadets. But yes, it is the fact that it is pensioners, it is the fact that people can be doubled counted if they have moved between one sector and the other but I would not expect those to be a huge number. Now, perhaps, last year ISP people went from the MOD to SERCO, that would explain a number that stood at 100 and something, but yes, it has to be explanations of that sort.

ORAL

**NO. 741 OF 2009**

**THE HON J J BOSSANO**

**PAYE – AMOUNTS COLLECTED**

Can Government state how much was collected in PAYE each month since the answer to Question No. 326 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

In March £9.5 million; in April £7.31 million, and in May £7.2 million. Similarly, as before, net of refunds.

ORAL

**NO. 742 OF 2009**

**THE HON J J BOSSANO**

**BANKING SECTOR TAX**

Can Government state what was the amount of a) PAYE and b) Company Tax, payable in the tax year 2005/2006, 2006/2007 and 2007/2008 by employers in the banking sector?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 743 to 745 of 2009.

ORAL

**NO. 743 OF 2009**

**THE HON J J BOSSANO**

**CONSTRUCTION INDUSTRY TAX**

Can Government state what was the amount of a) PAYE and b) Company Tax, payable in the tax years 2005/2006, 2006/2007 and 2007/2008, by employers in the construction industry?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 742, 744 and 745 of 2009.



ORAL

**NO. 744 OF 2009**

**THE HON J J BOSSANO**

**GAMING INDUSTRY TAX**

Can Government state what was the amount of a) PAYE and b) Company Tax, payable in the tax years 2005/2006, 2006/2007 and 2007/2008, by employers in the gaming industry?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 742, 743 and 745 of 2009.

ORAL

**NO. 745 OF 2009**

**THE HON J J BOSSANO**

**RETAIL AND WHOLESALE INDUSTRY SECTOR TAX**

Can Government state what was the amount of a) PAYE and b) Company Tax, payable in the tax years 2003/2004 and 2004/2005, by employers in the retail and wholesale industry sector?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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

#### **ANSWER TO QUESTION 745**

##### **Answer to Question 742**

The amounts of PAYE and Corporation Tax payable in the tax years 2005/2006, 2006/2007 and 2007/2008, by employers in the banking sector was as follows:

	PAYE Tax	Corporation Tax
2005/2006	£5.24M	£9.89M
2006/2007	£5.88M	£9.82M
2007/2008	£5.73M	£9.04M

##### **Answer to Question 743**

The amounts of PAYE and Corporation Tax payable in the tax years 2005/2006, 2006/2007 and 2007/2008, by employers in the construction industry was as follows:

	PAYE Tax	Corporation Tax
2005/2006	£6.43M	£0.63M
2006/2007	£8.04M	£1.31M
2007/2008	£9.01M	£1.12M

##### **Answer to Question 744**

The amounts of PAYE and Corporation Tax payable in the tax years 2005/2006, 2006/2007 and 2007/2008, by employers in the gaming industry was as follows:

	PAYE Tax	Corporation Tax
2005/2006	£8.43M	£0.24M
2006/2007	£11.32M	£0.41M
2007/2008	£11.23M	£0.18M

##### **Answer to Question 745**

The amounts of PAYE and Corporation Tax payable in the tax years 2003/2004 and 2004/2005, by employers in the retail and wholesale industry sector was as follows:

	PAYE Tax	Corporation Tax
2003/2004	£6.09M	£3.94M
2004/2005	£6.40M	£4.23M

ORAL

**NO. 746 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

Can Government state when it expects to be able to table the Employment Survey Report for October 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As in previous years we are trying and I think we will succeed, to have it tabled before the First Reading of the Appropriation Bill.

ORAL

**NO. 747 OF 2009**

**THE HON J J BOSSANO**

**ECA – SOCIAL INSURANCE CONTRIBUTIONS**

Why was the budget for social insurance contributions of employees of the ECA fixed at £320,000 for 2008/2009 instead of the amount identified as required by the Agency of £333,000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 748 and 749 of 2009.

**NO. 748 OF 2009**

**THE HON J J BOSSANO**

**ECA – WAGES OF INDUSTRIAL WORKERS**

Can Government explain when the budget approved for the Elderly Care Agency in 2008 was reduced by £76,000 in respect of the amount required to meet the wages of the approved complement of industrial workers?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 747 and 749 of 2009.

**NO. 749 OF 2009**

**THE HON J J BOSSANO**

**ECA – OVERTIME FOR INDUSTRIAL EMPLOYEES**

Can Government state the amount required to meet weekend shift work and a minimum amount to cover overtime for emergencies and recalls for industrial employees in the ECA, which was estimated at £294,000 for 2008/2009 was cut back to £235,000, a cut of £59,000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The estimate included in Appendix D of the Budget Book for 2008/2009 was £335,000 and the forecast outturn, as he now knows, is £373,000.

The approved estimate for industrial wages in Appendix D was £940,000 and the forecast outturn, as he now knows, is £926,000.

The Elderly Care Agency overtime vote for industrial workers in 2008/2009 stated in Appendix D was £240,000. The forecast outturn, as he now knows, is £270,000.

ORAL

**NO. 750 OF 2009**

**THE HON C A BRUZON**

**HOUSING – MEDICALLY RECOMMENDED APPLICANTS ON THE 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. 751 to 753 of 2009.



ORAL

**NO. 751 OF 2009**

**THE HON C A BRUZON**

**HOUSING – MEDICALLY RECOMMENDED APPLICANTS ON THE 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. 750, 752 and 753 of 2009.

ORAL

**NO. 752 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS PLACED ON MEDICAL LISTS**

Since the answer given to Question No. 443 of 2009, 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. 750, 751 and 753 of 2009.

**NO. 753 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS REMOVED FROM MEDICAL LISTS**

With reference to the answer given to Question No. 444 of 2009, can Government state how many applicants, since that date, have been removed from the various Medical Housing Lists “A+”, “A”, “B” and “C” because a suitable dwelling has been found for them and give the dates?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

### **Answer to Question 753 of 2009**

### **Answer to Question 750 of 2009**

There are 63 applicants on the Housing Waiting List, to date, who are medically recommended, as follows:

A+	-	5
A	-	17
B	-	18
C	-	23

### **Answer to Question 751 of 2009**

There are 196 applicants, to date, who are medically recommended, apart from those who are described as applicants on the Housing Waiting List, as follows:

A+	-	26
A	-	69
B	-	41
C	-	60

### **Answer to Question 752 of 2009**

Since the answer given to Question 443 of 2009, a total of 22 applicants have been placed on the various medical lists, as follows:

Date	A+	A	B	C
June 2009 (since 5.6.09)	-	-	-	-
July 2009	-	2	1	-
August 2009	4	1	-	-
September 2009	1	8	2	3
October 2009 (up to 6.10.09)	-	-	-	-

### **Answer to Question 753 of 2009**

Since the answer given to Question 444 of 2009, a total of seven applicants have been removed from the various medical lists because a suitable dwelling has been found for them, as follows:

Date	A+	A	B	C
June 2009 (since 5.6.09)	-	1	-	-
July 2009	-	1	-	-
August 2009	1	1	-	-
September 2009	3	-	-	-
October 2009 (up to 6.10.09)	-	-	-	-

**ORAL**

**NO. 754 OF 2009**

**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. 755 to 757 of 2009.

ORAL

**NO. 755 OF 2009**

**THE HON C A BRUZON**

**HOUSING – PERSONS REMOVED FROM SOCIAL CATEGORY “A” LIST**

With reference to the answer given to Question No. 447 of 2009, 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. 754, 756 and 757 of 2009.

ORAL

**NO. 756 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS PLACED ON THE SOCIAL CATEGORY “A” LIST**

Since the answer given to Question No. 448 of 2009, 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. 754, 755 and 757 of 2009.

ORAL

**NO. 757 OF 2009**

**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 now hand the hon Member a schedule containing the information requested.



#### **Answer to Question 757 of 2009**

#### **Answer to Question 754 of 2009**

There are currently 71 persons on the Housing Social Category "A" List.

#### **Answer to Question 755 of 2009**

Since the answer given to Question 447 of 2009, a total of 14 applicants have been removed from the Housing Social Category "A" List because a suitable dwelling has been found for them, as follows:

June 2009 (since 5.6.09)	6
July 2009	2
August 2009	3
September 2009	3
October 2009 (up to 6.10.09)	-

#### **Answer to Question 756 of 2009**

Since the answer given to Question 448 of 2009, a total of nine applicants have been placed on the Housing Social Category "A" List, as follows:

June 2009 (since 5.6.09)	2
July 2009	2
August 2009	1
September 2009	3
October 2009 (up to 6.10.09)	1

#### **Answer to Question 757 of 2009**

Forty applications for housing from homeless persons are currently being dealt with by the Housing Department.

**SUPPLEMENTARY TO QUESTION NOS. 754 TO 757 OF 2009**

**HON C A BRUZON:**

I notice that in answer to Question No. 757 of 2009 regarding homeless persons, the answer is 40. Does the Minister have a breakdown of men and women? Are they mainly men?

**HON F J VINET:**

No, I do not have a breakdown. What I know is that the fact that there are 40 homeless persons that are having their applications currently dealt with, does not necessarily mean to say that there are 40 homeless applicants on the social list. In fact there are 34 of these who are already on the Social Category "A" List, whilst a further six are pending categorisation. They may or may not join the social list depending on the outcome of decisions by the Housing Allocation Committee.

ORAL

**NO. 758 OF 2009**

**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**

Answered together with Question No. 759 of 2009.

ORAL

**NO. 759 OF 2009**

**THE HON C A BRUZON**

**HOUSING – APPLICANTS ON 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**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 759 of 2009**

**Answer to Question 758 of 2009**

There are currently 1112 applicants on the Housing Waiting Lists as follows:

1RKB -	613
2RKB -	69
3RKB -	257
4RKB -	155
5RKB -	17
6RKB -	1

**Answer to Question 759 of 2009**

There are currently 330 applicants on the pre-list for Housing as follows:

1RKB -	250
2RKB -	14
3RKB -	45
4RKB -	17
5RKB -	4
6RKB -	-

**SUPPLEMENTARY TO QUESTION NOS. 758 AND 759 OF 2009**

**HON C A BRUZON:**

Yes, I notice that there are 1112 applicants on the Housing Waiting List proper and 330 on the pre-list making a total of 1442. Does the Minister have an explanation as to why the figures keep rising every time I ask the question?

**HON F J VINET:**

Well, first of all I will explain to the hon Member that if he happens to look at the figures of the housing waiting lists which are of course divided into different group compositions. In fact the only RKB list that has increased from last time is the 1RKB list. If he looks at the 2RKB, 3RKB, 4RKB, they have all gone down and the 5RKB is identical with 17 applicants. The increase has been mainly on the pre-list and there is a very clear reason for that. As the hon Member will know, on the 1<sup>st</sup> June this year the eligibility criteria was amended and now where as before you had to be 21 years of age in order to be able to apply for housing, that age has now been reduced to 18. When a similar question was asked just a week or two after the 1<sup>st</sup> June, the information had not really trickled through to potential applicants and there has been a very slight increase, but since then of course, word has got around that now 18 to 21 year olds can apply to Government housing and that is why there has been an increase in the pre-list. The hon Member will, in fact, notice that the biggest increase by far has been on the 1RKB list and that is precisely because we are talking about young applicants who may not be married, who have no children and so on.

**HON C A BRUZON:**

Does the Government not anticipate, as they knew they were going to introduce the new policy, that there would be this demand and therefore should they not have catered in a more timely way in connection with adequate housing for our people, people on the waiting list.

**HON F J VINET:**

Yes, the Government did in fact anticipate that there would be an increase in the number of people joining the waiting list and that is precisely why we are at an advanced stage on the construction works of the brand new magnificent rental estate. Not to mention the fact that there will be a very significant number of flats that are released for onward allocation to people on the housing waiting list. By those people who are either purchasing in the new co-ownership estate or who are moving to the again magnificent Albert Risso House.

ORAL

**NO. 760 OF 2009**

**THE HON C A BRUZON**

**HOUSING – DWELLINGS FOR REFURBISHMENT**

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. 761 and 762 of 2009.

ORAL

**NO. 761 OF 2009**

**THE HON C A BRUZON**

**HOUSING – JOBS REQUIRING ATTENTION BY 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. 760 and 762 of 2009.



ORAL

**NO. 762 OF 2009**

**THE HON C A BRUZON**

**HOUSING – TENANTS REQUIRING WORK IN THEIR 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 now hand the hon Member a schedule containing the information requested.

**Answer to Question 762 of 2009**

**Answer to Question 760 of 2009**

The number of flats currently with Buildings and Works requiring refurbishment is 30.

**Answer to Question 761 of 2009**

The number of jobs currently requiring the attention of Buildings and Works, as at 6<sup>th</sup> October 2009, was 4075.

**Answer to Question 762 of 2009**

The number of tenants awaiting works/repairs by the Housing Department was 1493 as at 6<sup>th</sup> October 2009.

**SUPPLEMENTARY TO QUESTION NOS. 760 TO 762 OF 2009.**

**HON C A BRUZON:**

The 30 flats that are currently being refurbished, does the Minister have any information as to the dates when they will be ready? Are there two or three just nearing completion or will they all take a long time to be ready for the housing waiting list applicants?

**HON F J VINET:**

No, I do not have the exact dates but I would not agree with the sentiments expressed that they may take a long time. The figure of the number of flats currently with Buildings and Works fluctuates greatly. This time last year there were 22, it went down to 14 and 15, but it does not mean that they are the same flats that are being addressed by the answer. In fact we now have 30 which is, I think, good news in the sense that it demonstrates a higher turnover of flats coming into the housing stock but I do not have specific dates for specific flats, no.

**HON J J BOSSANO:**

Can the hon Member say, is it that every flat that comes back necessarily requires refurbishment or...? It is not?

**HON F J VINET:**

No. In fact, what we usually try and do in order to expedite that turnover is that if the flat is in a fairly good condition, rather than sending it to Buildings and Works for refurbishment, we offer the applicant some vouchers to enable him or herself to carry out the works themselves. This is actually something that the tenants themselves often request because they know that the work will be carried out sooner than if they have to wait for Buildings and Works to carry out the refurbishment works. So usually, the only time when we involve Buildings and Works directly, is either if the flat is in such a state that really requires professional repair and refurbishment work or if the applicant happens to be an elderly person who would not really be able to undertake the works himself or herself.

**HON J J BOSSANO:**

So the third is not therefore necessarily an indication that more flats are being returned which is the reason why I asked him the question?

**HON F J VINET:**

It is not a scientific answer, but the fact is that usually, more or less, the ratio of flats that either have to go to Buildings and Works or do not have to go to Buildings and Works is more or less similar. So the fact that there are double the number of flats having to go to Buildings and Works will....., although I take the point that it is not

a scientific answer, but I would argue that it does demonstrate that there is a higher turnover and in fact it is not just my opinion. The answers to the hon Member in terms of allocation of social cases and to those on the waiting list and to medical cases demonstrates that, for whatever reason, the turnover of flats has been greater in recent times.

**HON J J BOSSANO:**

Does the hon Member have the information on how long, out of the 30, the one that has been pending refurbishment has been there? How long has it been empty as it were?

**HON F J VINET:**

No. It is not a question that I have ever been asked in a supplementary. I am more than happy to seek the information next time round. But I do not have the figures.

ORAL

**NO. 763 OF 2009**

**THE HON C A BRUZON**

**HOUSING – INSTALLATION OF NEW LIFTS AT TOWER BLOCKS**

Can Government state what is the current estimated date of completion in connection with the installation of the new lifts at Constitution and Referendum House, Glacis Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 764 to 766 of 2009.

ORAL

**NO. 764 OF 2009**

**THE HON C A BRUZON**

**HOUSING – TOWER BLOCKS**

With reference to some of the supporting pillars of the two Tower Blocks at Glacis Estate, is Government aware of the major cracks and missing masonry?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 763, 765 and 766 of 2009.

**NO. 765 OF 2009**

**THE HON C A BRUZON**

**HOUSING – TOWER BLOCKS**

With reference to the Tower Blocks at Glacis Estate, can Government state why the fire fighting equipment which was originally fitted on every floor is now missing or inaccessible?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 763, 764 and 766 of 2009.

ORAL

**NO. 766 OF 2009**

**THE HON C A BRUZON**

**HOUSING – REFERENDUM HOUSE**

Can Government state if they are aware that the staircase emergency lights in Referendum House are not working and some have loose fittings?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.



**Answer to Question 766 of 2009**

**Answer to Question 763 of 2009**

The current estimated date of completion of works in connection with the lifts at Constitution and Referendum House is December 2009.

**Answer to Question 764 of 2009**

Yes, Sir. The Government is fully aware of some superficial cracks to pillars but these are not major in nature.

**Answer to Question 765 of 2009**

The fire-fighting equipment comprises original dry risers fitted within the buildings, of which there are two in each block with two access points on each floor. These are not missing or inaccessible.

**Answer to Question 766 of 2009**

I am advised that there is no emergency lighting system fitted in the staircase of Referendum House and there never has been.

**SUPPLEMENTARY TO QUESTION NOS. 763 TO 766 OF 2009**

**HON C A BRUZON:**

Obviously we beg to differ on whether there have been or have not been emergency lights not working. However, in connection with the cracks in the pillars, what may not be major to an architect could be worrying to the tenants, so would not the Minister agree that some repair work should be done on them, at least.

**HON F J VINET:**

Yes. Had the original question asked will repair work be done, the answer would have been yes, repair work will be carried out. But I am certainly not an expert on these issues. I am told by the structural engineers who periodically look at these matters that the cracks are simply surface and superficial in nature. They do not affect the structural integrity of the building in any shape or form. I am told that there may be, in fact, due to the cleansing and flushing using salt water, slight damage to the pillars but there is nothing to be concerned about at all. But the hon Member may recall that in answer to a question in the last session relating to the painting of the entrances to both Blocks, I explained that notwithstanding the fact that we had in fact painted the entrances fairly recently, we would actually once again paint those entrances once the works to the new lifts were completed and in fact we had already planned to also repair these pillars. If I can just very briefly comment on the question of the so called emergency lighting. We can and will beg to differ because I am told that there have been and are light fittings in all communal areas in the Tower Blocks

including the stair case lifts but that they are just not defined as emergency lighting. I am told that usually what happens is if it is a bulb that has fused a report is made to the Reporting Office who in turn make a report to Master Services and the bulbs are replaced usually within a day or two. If it is something more serious, and there is a fault in a system which requires the whole fitting to be repaired or replaced that is carried out by Gibelec. But I am told that there have been no reports of faulty or loose light fittings. But in any case they do not refer to emergency lighting.

**HON C A BRUZON:**

Is the Minister quite sure that tenants have not actually written to him concerning these problems?

**HON F J VINET:**

Well I am sure as I can be in accordance with the information that has been provided to me which I assume would have taken that into account. I certainly have not had sight of such correspondence and I am told by the Principal Housing Officer that there have been no such reports. I stand to be corrected.

**HON C A BRUZON:**

In connection with the completion date for the new lifts. Did the Minister say December 2009?

**HON F J VINET:**

Yes.

ORAL

**NO. 767 OF 2009**

**THE HON C A BRUZON**

**HOUSING – COST OF SCAFFOLDING AT MAIDSTONE HOUSE**

Can Government state what is the cost, to date, of the scaffolding at Maidstone House, Laguna Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The total cost to date of the scaffolding at Maidstone House is £25,194.75.

**NO. 768 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have applied for rent relief, to date, since the answer to Question No. 454 of 2009, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 769 to 772 of 2009.

ORAL

**NO. 769 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have received rent relief, to date, since the answer to Question No. 455 of 2009, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 768 and 770 to 772 of 2009.

ORAL

**NO. 770 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households were on full rent relief, to date, since the answer given to Question No. 456 of 2009, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 768, 769, 771 and 772 of 2009.

ORAL

**NO. 771 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households on rent relief have had this benefit terminated, to date, since the answer to Question No. 457 of 2009, giving a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 768 to 770 and 772 of 2009.

ORAL

**NO. 772 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RENT RELIEF**

Can Government state how many households have had the level of rent relief reduced, to date, since the answer to Question No. 458 of 2009, 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 772 of 2009**

#### **Answer to Question 768 of 2009**

The number of households that have applied for Rent Relief, to date, is as follows:

June 2009	-	9 (7 active)
July 2009	-	4 active
August 2009	-	5 active
September 2009	-	4 (2 active)
October (up to 06/10/09)	-	3 active

#### **Answer to Question 769 of 2009**

The number of households that have received Rent Relief, to date, is as follows:

June 2009	-	943
July 2009	-	911
August 2009	-	880
September 2009	-	859
October (up to 06/10/09)	-	814

#### **Answer to Question 770 of 2009**

The number of households that were on full Rent Relief, to date, is as follows:

June 2009	-	101
July 2009	-	98
August 2009	-	99
September 2009	-	98
October (up to 06/10/09)	-	91

#### **Answer to Question 771 of 2009**

The number of households, on Rent Relief, that have had this benefit terminated, to date, is as follows:

June 2009	-	3
July 2009	-	7
August 2009	-	4
September 2009	-	1
October (up to 06/10/09)	-	2

**Answer to Question 772 of 2009**

The number of households that have had the level of Rent Relief reduced, to date, is as follows:

June 2009	-	15
July 2009	-	19
August 2009	-	14
September 2009	-	16
October (up to 06/10/09)	-	11

ORAL

**NO. 773 OF 2009**

**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, since the answer to Question No. 459 of 2009, giving a monthly breakdown, and what is the total of arrears covered by such agreements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 773 of 2009**

The total number of tenants that have entered into agreements to pay arrears of rent since the answer given to Question No. 459 of 2009, is 33.

The monthly breakdown and total of arrears covered by such agreements is as follows:

	<b>Total agreements</b>	<b>Amount</b>
June 2009 (as from 4/06/09)	17	£56,112.55
July 2009	6	£25,710.22
August 2009	4	£13,078.35
September 2009	4	£10,677.61
October 2009 (up to 6.10.09)	2	<u>£ 4,036.19</u>
		<u>£109,614.92</u>

**NO. 774 OF 2009**

**THE HON C A BRUZON**

**HOUSING – PRE-WAR UNITS ALLOCATED**

Can Government state how many pre-war housing units have been allocated, to date, since the answer given to Question No. 460 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 775 and 776 of 2009.

**NO. 775 OF 2009**

**THE HON C A BRUZON**

**HOUSING – POST-WAR UNITS ALLOCATED**

Can Government state how many post-war housing units have been allocated to social cases since the answer given to Question No. 461 of 2009, providing a monthly breakdown?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 774 and 776 of 2009.

ORAL

**NO. 776 OF 2009**

**THE HON C A BRUZON**

**HOUSING – HOMES ALLOCATED**

Can Government state how many Government homes have been allocated to applicants other than by the Housing Allocation Committee since the answer to Question No. 462 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 776 of 2009**

**Answer to Question 774 of 2009**

A total of five pre-war housing units have been allocated, to date, since the answer given to Question No. 460 of 2009.

**Answer to Question 775 of 2009**

A total of 11 post-war housing units have been allocated, to date, since the answer given to Question No. 461 of 2009.

June 2009 (since 5.6.09)	5
July 2009	1
August 2009	3
September 2009	2
October 2009 (up to 6.10.09)	Nil

**Answer to Question 776 of 2009**

Under the Housing Act, all Government homes are allocated by the Ministry of Housing and not by the Housing Allocation Committee. The Housing Allocation Committee is advisory only. Six homes were allocated without the advice of the Committee to do so since Question 462/2009.



**NO. 777 OF 2009**

**THE HON C A BRUZON**

**HOUSING – REINSTATEMENTS INTO THE HOUSING WAITING LISTS**

With reference to the answer given to Question No. 463 of 2009, 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**

A total of eight persons have been re-instated in the Housing Waiting Lists since the answer to Question No. 463 of 2009.

**NO. 778 OF 2009**

**THE HON C A BRUZON**

**HOUSING – NEW GOVERNMENT RENTAL ESTATE**

With reference to the answer given to Question No. 464 of 2009, how many of the 490 applicants who received letters of allocation in the proposed new Government Rental Estate have since been offered an existing Government flat and how many have accepted?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A total of 18 applicants have been offered an existing Government flat since the answer to Question No. 464 of 2009 and 12 of these have accepted. Perhaps I might point out that although 12 of the 18 have accepted, it does not necessarily mean that all six have declined because in fact there are three who continue to be under offer and have not yet come back to us.

**NO. 779 OF 2009**

**THE HON C A BRUZON**

**HOUSING – OVERCROWDING POINTS DISALLOWED**

Can Government state, in respect of applicants already on the Housing List, for each category of list and for each month since Question No. 465 of 2009, 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 Nos. 780 to 782 of 2009.

ORAL

**NO. 780 OF 2009**

**THE HON C A BRUZON**

**HOUSING – OVERCROWDING POINTS ALLOWED**

Can Government state, in respect of applicants already on the Housing List, for each category of list and for each month since Question No. 466 of 2009, 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**

Answered together with Question Nos. 779, 781 and 782 of 2009.

**NO. 781 OF 2009**

**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. 467 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos. 779, 780 and 782 of 2009.

**ORAL**

**NO. 782 OF 2009**

**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. 468 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 782 of 2009**

**Answer to Question 779 of 2009**

None.

**Answer to Question 780 of 2009**

None.

**Answer to Question 781 of 2009**

Two applicants were rejected; one in June 2009 and the other one in September 2009.

**Answer to Question 782 of 2009**

A total of four applicants were accepted as follows:

June 2009 (since 5.6.09)	-	1
July 2009	-	Nil
August 2009	-	1
September 2009	-	2
October (up to 6.10.09)	-	Nil

**SUPPLEMENTARY TO QUESTION NOS. 779 TO 782 OF 2009**

**HON C A BRUZON:**

With reference to the method used to decide and make these decisions, is this basically on documentary evidence or do members of the Housing Allocation Committee have a chance to discuss on a one to one basis. See the body language of the person with the problem or otherwise. How does it work?

**HON F J VINET:**

Well the answer is no to the latter part of the question. There has never been any right of audience as it were by any member on any reason to the Housing Allocation Committee and what they do..... The criteria is they have to satisfy themselves that the reason for the sale of the private property was genuine whether for financial or other reasons. So applicants are invited to provide as much documentation as possible including bank statements, mortgage details and so on. But it is entirely based on the correspondence provided.



ORAL

**NO. 783 OF 2009**

**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. 469 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

One flat has been repossessed.

**NO. 784 OF 2009**

**THE HON C A BRUZON**

**HOUSING – ANONYMOUS PHONE CALLS**

Can Government state, since they introduced the policy of inviting anonymous phone calls on the non use of Government rented dwellings:

- (a) how many phone calls have been received;
- (b) in how many cases was the information received correct,

and provide a breakdown since the answer to Question No. 470 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I now hand the hon Member a schedule containing the information requested.

**Answer to Question 784 of 2009**

- A. 178 phone calls have been received.  
B. 91 cases were found to be correct.

The breakdown as from 5<sup>th</sup> June 2009 is as follows:

Month	Calls	Correct	Incorrect	Pending further Investigation
June 2009 (as from 5.6.09)	2	-	2	-
July 2009	4	2	2	-
August 2009	3	1	1	1
September 2009	3	-	2	1
October (up to 6.10.09)	-	-	-	-

ORAL

**NO. 785 OF 2009**

**THE HON C A BRUZON**

**HOUSING ALLOCATION COMMITTEE**

Can Government state how many times the Housing Allocation Committee has met since the answer to Question No. 471 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The Housing Allocation Committee has met on five occasions and in fact they will be doing so again on Wednesday of this week.

**NO. 786 OF 2009**

**THE HON C A BRUZON**

**HOUSING TRIBUNAL**

Can Government state how many cases the Housing Tribunal:

- (a) has dealt with and completed;
- (b) is currently dealing with,

since the answer to Question No. 472 of 2009?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I am informed by the Secretary of the Housing Tribunal that since the answer given to Question No. 472 of 2009, the Tribunal has not dealt with and completed any new cases and are currently dealing with 34 cases compared to, I believe, 32 last time.

**SUPPLEMENTARY TO QUESTION NO. 786 OF 2009**

**HON C A BRUZON:**

I would like to ask a question if I may. I am not sure to what extent the Minister has knowledge of the goings on within the Tribunal. I imagine that the Minister does not get involved there because it is an independent body. However, information is reaching me which is rather disturbing and it is the length of time that it takes for, not only for the Housing..... The reason sometimes why people go to the Tribunal is because the Housing Department takes ages to answer letters from constituents. Once a form is filled in by the constituent who has a complaint and is presented to the Housing Tribunal, as happened in November last year in one case, the constituent received an answer from the Tribunal in March and was told that the Housing Department would be writing to them soon giving reasons. Now, to date, nothing has been received by this particular constituent and this is not very good. I was just wondering whether the Minister would like to make a note of this or whether he has anything to say on the matter.

**HON F J VINET:**

What I can say is that the hon Member is absolutely right. I have no direct or indirect involvement with the Tribunal for obvious reasons. In fact I was not involved even or consulted upon with regards to the composition of the Tribunal and I do not have any

involvement with them. I am aware that certain cases that have been appealed against are taking perhaps longer than they should and what I can say is that those concerns are shared by myself and by the Housing Department and there has been an element of communication with the Tribunal on that front and in fact I think the matter is very close to being resolved and cases will be heard much more quickly than they have been up to now.

ORAL

**NO. 787 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES**

Since the answer given to Question No. 473 of 2009, how many more Government flats have become available because Waterport Terraces purchasers have moved into their new homes?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

A total of seven more flats have since become available.

ORAL

**NO. 788 OF 2009**

**THE HON C A BRUZON**

**HOUSING – ALBERT RISSO HOUSE**

Can Government state how many flats will become available for applicants on the Housing Waiting Lists when senior citizens who had a flat allocated to them at Albert Risso House move into their new homes?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Ninety-two flats will become available.



**NO. 789 OF 2009**

**THE HON F R PICARDO**

**HOUSING – BISHOP CANILLA HOUSE**

How many flats at Bishop Canilla House are empty?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

There are five empty flats at Bishop Canilla House.

**SUPPLEMENTARY TO QUESTION NO. 789 OF 2009**

**HON J J BOSSANO:**

Are these flats empty because they require work done on them since they were last occupied?

**HON F J VINET:**

That is correct. I understand that out of those five, one is currently under offer. An offer has been made but we are awaiting confirmation of acceptance or otherwise, and the remaining four are, I am assured, very close to being refurbished. But yes, they had refurbishment works being carried out to.

**HON J J BOSSANO:**

So, in the light of the previous answer that the hon Member gave me which was in relation to the number of flats coming back and requiring refurbishment, he gave the impression that they have to be in a very poor state to require refurbishment. That otherwise, if they can ... Is it because these are senior citizens, is it not the case?

**HON F J VINET:**

Exactly! We do try to be considerably more flexible with regards to applicants of pensionable age. That is right. Usually the major difference between these flats and flats elsewhere in other estates is that very often or sometimes they require bath to shower conversions. That is one example of works that would not ordinarily be carried out elsewhere but are carried out there.

**NO. 790 OF 2009**

**THE HON G H LICUDI**

**PROSECUTIONS UNDER THE EMPLOYMENT REGULATIONS**

Can Government give details of any offences which have been the subject of a prosecution under the Employment Regulations (Offences) Act between June and September 2009?

**ANSWER**

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

Between June and September 2009 there were four offences under the Employment Regulations (Offences) Act subject to prosecution. These were under:

- Section 4, Schedule 1 – Regulation 13 of the Employment Regulations 1994, whereby an employer failed to notify the Director of Employment of a termination.
- Section 4, Schedule 1 – Regulation 8 (2A) of the Income Tax (Pay As You Earn) Regulations 1989, whereby an employer failed to register a person.
- Section 4, Schedule 1 – Regulation 4 of the Employment Regulations 1994, whereby an employer failed to notify the Director of Employment of a vacancy.
- Section 4, Schedule 1 – Regulation 6 of the Employment Regulations 1994, whereby an employer failed to notify the Director of Employment of his intention.
- to engage an entitled worker.

**SUPPLEMENTARY TO QUESTION NO. 790 OF 2009**

**HON G H LICUDI:**

Can the hon Member state what the state of play is in relation to these prosecutions? Are these prosecutions which have concluded or are they simply charges which are pending in court?

**HON L MONTIEL:**

I understand that these have already been concluded.

**HON G H LICUDI:**

Does the hon Member have details of any penalties which may have been imposed?

**HON L MONTIEL:**

No. I do not have the information with regards to penalties. But I can tell you that they are three employers involved.

**HON G H LICUDI:**

Three employers in respect of four offences or, for example, when the hon Member talks about failing to notify of a termination, is that one termination, one single incident in respect of one employer?

**HON L MONTIEL:**

Yes. One employer was charged under Regulation 13. Another employer... Two employers actually under Regulation 13 and a third employer was charged under Regulation 4, 6 and 8. Three offences. Three prosecutions.

**HON J J BOSSANO:**

Is there a particular reason in this instance? Are these employers that have got a very bad record of notifying termination? From the answers the Minister has given us in the past, he has told us that when he gives us the numbers who have got open contracts in the ETB we should not take that as meaning that the people are still employed because very, very frequently employers take a very long time to notify terminations.

**HON L MONTIEL:**

These were people that had been caught out by the Labour Inspectors under different circumstances and they have so been prosecuted by ... So I do not know what the hon Member wants to know about these. These are non regular registrations.

**HON J J BOSSANO:**

The hon Member has said that three employers have been taken to court for not notifying termination of employment of their employees. Now, are there some exceptional reasons in the case of these three employers, given that he has clearly indicated to us that there are hundreds of employers doing this all the time and that in fact in the last meeting of the House, he gave information to my hon Colleague of the

many hundreds of Government employees that were in breach of the law because their employment had not been terminated.

**HON L MONTIEL:**

These prosecutions for offences pertain to June and September.

**HON J J BOSSANO:**

Is there any significance in those two months?

**HON L MONTIEL:**

The significance is that that is what we have found out and so prosecuted.

**HON J J BOSSANO:**

I am afraid the hon Member is failing to explain to the House why it is, since the department is well aware, because he has given answers to this effect in this House, that there are probably at the moment two thousand people registered in the department who are no longer working and where the employer has not notified their termination and nothing is happening. What is special about these three? This is not something the department does all the time.

**HON L MONTIEL:**

All I can say is that the policy of the department is to prosecute when no notifications... The fact is that in some circumstances it is not easy to prosecute all employers because there are various reasons as to why the employer has failed to notify a termination. Sometimes you may get an employer that just disappears and does not notify the termination. It is difficult afterwards to prosecute that employer. But certainly these are specific cases that have come about and, given the nature of their record, presumably the Inspectors have decided, or the Director, has decided to prosecute accordingly.

**HON J J BOSSANO:**

This is what my first supplementary was. The hon Member says given the nature of their record. I would understand it if, in fact, what the hon Member is saying that these are people who have perhaps got a track record of being warned or having their attention brought to this requirement and not doing it because... Unless the hon Member is saying that as from this year they are actually going to start doing something about making people notify terminations as the law requires them to do which they have not been doing in the last fourteen years.

**HON L MONTIEL:**

The answer is as I have just given. For one reason or another, it was decided to prosecute these employers and so it was done. I believe that if employers refuse to do it and it comes to our notice that they persistently do this, they will be prosecuted as well.

**HON J J BOSSANO:**

But the hon Member does not know whether these are people who have been persistently doing it and that is why they are being picked on?

**HON L MONTIEL:**

I presume that in the case of these particular employers, the Director may have found sufficient cause to prosecute given the record of these employers.

**HON J J BOSSANO:**

Would the hon Member not agree that given the answer that he gave in the last meeting of the House about the numbers that appeared on the unemployment list which, my hon Colleague asked an explanation about, and the explanation given was that this was a backlog of terminations in Government departments that had not been notified. That is hardly consistent for the Government to be such a bad complier of this requirement and then for the Government to take people to court for doing what the Government is doing.

**HON L MONTIEL:**

Well, I suppose there is a lot of truth in what he is saying that some employers take a long time to bring back the terminations and it does create a problem afterwards of identifying where there are employers who are deliberately trying not to give the information. Some employers including the Gibraltar Government are not very good in terms of being very forceful in bringing terminations up to date as they should.

**NO. 791 OF 2009**

**THE HON J J BOSSANO**

**CONSTRUCTION TRAINING CENTRE – NVQ LEVEL 2 QUALIFICATION**

Can Government confirm that the NVQ Level 2 Qualification obtained by following the course in the Construction Training Centre, qualifies the person holding it as a Craftsman for employment in the Construction Industry?

**ANSWER**

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

The Government can confirm that the NVQ Level 2 qualification obtained by following the course in the Construction Training Centre does qualify the person holding it as a Craftsman.

**SUPPLEMENTARY TO QUESTION NO. 791 of 2009**

**HON J J BOSSANO:**

Then, would the Government not agree that the people who come out with this qualification should not have too much difficulty in obtaining in employment in the industry given the fact that we regularly import construction workers every single month, according to the statistics he produces.

**HON L MONTIEL:**

Well, generally speaking, one would assume that given that we have skilled workers they would find a job in industry. However, let me remind the hon Gentleman that some of these courses, some of these apprenticeships are done on the basis of qualification for a specific field. Say for example, brick laying or tiling and so forth. Now, employers may not want to employ people whose only qualification is to be a craftsman simply doing brick laying. They may decide that they are not competent enough to do the full range of duties that are required. But certainly, if an employer in the construction industry has a lot of work in brick laying and a brick layer craftsman is required to work, I would assume that it would be very useful for the employer to employ given that a brick layer craftsman would be quite capable of undertaking that particular task.

**HON J J BOSSANO:**

I am not asking the hon Member to assume anything on the part of the employer. The point is that since the Government are investing in producing these skills, is his department doing anything to make sure that once the people come out with those skills, they get employment to fill the vacancies that his department has.

**HON L MONTIEL:**

Well, may I let the hon Member know that we have very few construction craftsmen in the unemployment list. As far as I know, most craftsmen in the unemployment list get employment.

**HON J J BOSSANO:**

So, what is the policy that the ETB follows given that the craftsman that come out with an NVQ qualification are apparently having great difficulty in getting jobs directly from employers, all of whom bring their employees from across the border. Is it the policy of the department to press for those people that they have trained at public expense to be given those jobs, or not?

**HON L MONTIEL:**

The answer is yes. We do press the employers to take on craftsmen and they do.

**NO. 792 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT – DETACHED WORKERS**

Can Government state as at the end of each month since the answer to Question No. 357 of 2009, how many detached workers were in employment and provide a breakdown by industry and nationality?

**ANSWER**

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

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



**Answer to Question 792/2009**

**Detached Workers in employment providing a breakdown by industry and Nationality**

**June 2009**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					5	68	73
Other Manufacture							0
Construction		25	193	5	19	17	259
Wholesale Trade			4				4
Retail Trade		1	9	1			11
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications							0
Banking, Finance and Insurance		8	4		3		15
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services			5		1	2	8
<b>Total</b>	<b>0</b>	<b>34</b>	<b>215</b>	<b>6</b>	<b>28</b>	<b>87</b>	<b>370</b>

Cont...

.../Contd. Answer to Question 792/2009

**Detached Workers in employment providing a breakdown by industry and Nationality**

**July 2009**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					5	118	123
Other Manufacture							0
Construction		25	208	5	18	27	283
Wholesale Trade			4				4
Retail Trade			9	1			10
Hotel Trade							0
Restaurants, Bars etc.							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications							0
Banking, Finance and Insurance		9	4		3		16
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services		8	5		1	1	15
<b>Total</b>	<b>0</b>	<b>42</b>	<b>230</b>	<b>6</b>	<b>27</b>	<b>146</b>	<b>451</b>

Cont...

.../Contd. Answer to Question 792/2009

**Detached Workers in employment providing a breakdown by industry and Nationality**

**August 2009**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					5	82	87
Other Manufacture							0
Construction		26	182	5	17	27	257
Wholesale Trade			4				4
Retail Trade		1	12				13
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications							0
Banking, Finance and Insurance		6	2		2		10
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services		8			1	2	11
<b>Total</b>	<b>0</b>	<b>41</b>	<b>200</b>	<b>5</b>	<b>25</b>	<b>111</b>	<b>382</b>

Cont...

.../Contd. Answer to Question 792/2009

**Detached Workers in employment providing a breakdown by industry and Nationality**

**September 2009**

Industry	Gib	Other Brit	Spanish	Moroccan	Other EEC	Other Non-EEC	Total
Electricity Supply							0
Water Supply							0
Shipbuilding etc.					3	65	68
Other Manufacture							0
Construction		27	159	5	16	27	234
Wholesale Trade			4				4
Retail Trade		1	12				13
Hotel Trade							0
Restaurants, Bars etc							0
Repairs of Consumer Goods							0
Sea Transport and Related Services							0
Air Transport and Related Services							0
Road Transport and Related Services							0
Post and Communications							0
Banking, Finance and Insurance		6	2		1		9
Public Administration and National Defence							0
Police and Fire Service							0
Sanitary Services							0
Education							0
Medical and Health Services							0
Other Services		7				2	9
<b>Total</b>	<b>0</b>	<b>41</b>	<b>177</b>	<b>5</b>	<b>20</b>	<b>94</b>	<b>337</b>

**SUPPLEMENTARY TO QUESTION NO. 792 OF 2009**

**HON J J BOSSANO:**

Perhaps the hon Member will confirm that the way that the detached worker regime functions is that the person, as he has told me in previous meetings of the House, comes in with an employer who is not a local employer and therefore they are not recruited in Gibraltar and they are not in fact on a Gibraltar contract. And that presumably is how the 259 in the construction industry in June were, and the 283 in July, and so forth. So this will be people that would be working presumably for some sub-contractors that come in to do a job with their own workers. But I have difficulty in understanding what is happening in the retail trade. How can there be ... What is the nature of the relationship there, in the retail trade? I know the numbers are much lower, but where it is self-evident in the case of construction, I am not quite sure how it functions in the retail trade. Perhaps the hon Member can explain.

**HON L MONTIEL:**

Well, I have asked this question myself in the past and sometimes a particular retailer may wish to have a job done and it could be that he brings the labour from over the frontier and that person will work here in Gibraltar under detached worker terms. Other than that, I would have to get more specific information.

**HON J J BOSSANO:**

I see. Is the thrust of the answer that he has given me then, that it is not that the employer is a retail trader but that it could be somebody doing work on a retail shop? Should that not come under the construction then?

**HON L MONTIEL:**

Not necessarily, because these are registered by the employer.

**HON J J BOSSANO:**

Oh I see. So that the customer is the one that registers as the worker with the ETB as a detached worker! Not the employer of the detached worker, the customer of the employer?

**HON L MONTIEL:**

Yes of course.

ORAL

**NO. 793 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT – MOD DIRECT EMPLOYMENT**

Can Government state the number of persons in direct employment in the MOD as at the end of September 2009?

**ANSWER**

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

The number of persons in direct employment in the Ministry of Defence, in accordance with Employment Service records as at the end of September 2009 is 927.

**SUPPLEMENTARY TO QUESTION NO. 793 OF 2009**

**HON J J BOSSANO:**

The hon Member has said that this is the figure provided by the MOD in the Employment Survey in October, is that correct?

**HON L MONTIEL:**

I believe the answer relates to the Employment Service records.

**NO. 794 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT – MOD EMPLOYEES**

Can Government state whether the figure of 940 directly employed persons registered by the MOD in March this year, is the figure anticipated by the labour reduction in MOD jobs, as a result of the contracting out of services to Serco?

**ANSWER**

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

The figure of 940 persons in direct employment with the MOD as provided at the time in answer to Question No. 356 of 2009 is as per the employment registration records with the Employment Service.

The October 2008 Employment Survey, tabled during the Budget session in Parliament, shows the MOD to have then 773 jobs.

This figure of 773 is closer to the figure anticipated by the labour reduction in MOD jobs as a result of the contracting out of services to Serco, than the 940 figure previously quoted.

**SUPPLEMENTARY TO QUESTION NO. 794 OF 2009**

**HON J J BOSSANO:**

Is the hon Member suggesting that, in fact, there were 773 persons in October 2008 and that employment increased to 940 by March?

**HON L MONTIEL:**

The figure of 940 is the Employment Service, the MOD figures of employment are very similar to that of the Employment Service. Seven hundred and seventy three, are figures related to the way that the MOD answered the Employment Survey, meaning that they quote the jobs, the posts, as opposed to people who open contracts.

**HON J J BOSSANO:**

Well, I must say that is a very peculiar answer because if the Minister is saying that in October they were quoting the posts and not the people in jobs, which by definition implies that there might be some empty posts, I do not see how there could be 773 posts and 940 people working, and it might be that some of the jobs were not filled, which is what he has just told me.

**HON L MONTIEL:**

I think it is the opposite.

**HON J J BOSSANO:**

The opposite of what he has told me? He has just told me that the 773 figure is the way the MOD identifies the number of posts in the establishment, not necessarily the number of people working.

**HON L MONTIEL:**

That is correct.

**HON J J BOSSANO:**

So my question to him is, if there are 773 posts in the establishment how can there be 940 people working?

**HON L MONTIEL:**

Well, I have not said that there are 943 posts, I said employees.

**HON J J BOSSANO:**

The Minister has told me today that there were 927 people working in the MOD at the end of September. Now, were those 927 people sharing the 773 posts?

**HON L MONTIEL:**

Oh yes, I now understand where you are coming from. There are 773 posts, right, those are full-time posts. If you have people doing job sharing, part-time working and so forth, or even casuals, that can bring the number of bodies to the 900 mark.

**HON J J BOSSANO:**

But the figures in the Employment Survey Report which he is quoting are quite specific and the explanation in that Report is precisely the opposite of the one the Minister is giving in the House. In the Report, which he tables, it says that these are



the number of employee jobs, and in the explanatory introduction to the Report, it explains that it does not necessarily mean that there are 773 people, there are 773 jobs, which means that there could be one person doing two jobs and they appear as twice in the report, according to him. Now he is telling me that it is the opposite.

**HON L MONTIEL:**

Those are open vacancies. The Employment Service receives open vacancies, open contracts. Now the contracts can be part-timers or can be casuals as well. So what I am saying is that the MOD has so many posts available but that does not necessarily mean that the number of bodies that are opened up in the Employment Service are the same as the posts that they have. There are, in fact, more posts, more jobs, because they are open contracts for various reasons, part-time, job sharing, whatever.

**HON J J BOSSANO:**

I am afraid the Minister does not seem to understand very well how his own department works. The reality is that the Survey does precisely all the things he says. The Survey Report, in fact, shows the number who are part-time and the numbers who are full-time, and there is nothing to say that the full-timers are permanent and pensionable and not casuals. When he talks about open contracts, the open contract in the Employment Service simply means that it has not been terminated.

**HON L MONTIEL:**

Not necessarily.

**HON J J BOSSANO:**

What does it mean then?

**HON L MONTIEL:**

Well, it means that there are so many vacancies opened by the Ministry of Defence. I can tell him that the number of jobs in the MOD as per the Employment Survey statistics in the last few years are, October 2005 1,030; October 2006 1,014 and so on. They are jobs that they have opened up with the Employment Service.

**HON J J BOSSANO:**

He is not saying that. There are 927 vacancies in the MOD. It is that there are 927 people working at the end of September, even though there are only 773 jobs in October of last year.

**HON L MONTIEL:**

Posts.

**HON J J BOSSANO:**

Well, the terminology of the Employment Survey that he tables in this House, describes this as employee jobs not as posts, and it goes on to explain that an employee job can be full-time or part-time and that one individual may appear twice because he may have a full-time job in the MOD and a private part-time job, and he will appear twice in these Employment Surveys that he tables. So, in fact, his explanation that the MOD is reflecting the posts that it had is not consonant with the explanation of the Statistics Department that produces these reports, which he tables. Could it be that, in fact, the MOD may be in breach of the law by failing to notify termination, but unlike those three unfortunate employers in the private sector, nothing is done to prosecute them?

**HON L MONTIEL:**

That is not the information that I have.

**HON J J BOSSANO:**

I see, so presumably, if, in fact, the Inspectors in his department were to check whether there are 927 people working, or there are 773 people working and 150 people whose termination they have failed, the Minister will come back and inform the House, will he?

**HON L MONTIEL:**

Certainly.

**NO. 795 OF 2009**

**THE HON J J BOSSANO**

**HAYMILLS EMPLOYEES WITH OPEN CONTRACTS AT ETB**

Can Government state at the time it ceased operations, how many employees of Haymills had open contracts registered with the ETB giving a breakdown by trade and nationality, and indicate whether these registered employees were all still in the company's employment at the time?

**ANSWER**

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

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

All employees listed in the schedule were still in the company's employment when it ceased operations.

**Answer to Question 795 of 2009**

Number of employees with open contracts in Haymills registered with the Employment Service by major job occupation and nationality.

	<b>Gibraltar</b>	<b>Other British</b>	<b>Spanish</b>	<b>Moroccan</b>	<b>Other EU</b>	<b>Non EU</b>	<b>Total</b>
Administrative and Secretarial Occupations	7	4					11
Associate Professional & Technical Occupations	5	5					10
Elementary Occupations	9	5	5	8			27
Managers and Senior Officials	2	16					18
Personal Service Occupations							0
Process, Plant and Machine Operatives	2	14		2			18
Professional Occupations							
Sales and Customer Service Occupations							
Skilled Trades Occupations	6	10	20	12	4	1	53
<b>TOTAL</b>	<b>31</b>	<b>54</b>	<b>25</b>	<b>22</b>	<b>4</b>	<b>1</b>	<b>137</b>

**SUPPLEMENTARY TO QUESTION NO. 795 OF 2009**

**HON J J BOSSANO:**

The Minister has told me that all 137 employees were registered at the time. Does this in fact confirm that there was nobody registered at the time so that when they went in they found that he had left already but had not had his contract terminated, which is in fact the way the question was phrased?

**HON L MONTIEL:**

The answer that I have given is the information that I have been given. These were the people that were registered at the time when the company ceased operations.

**HON J J BOSSANO:**

The Minister, when he passed over the list, said that all the people on this list were registered. Now, I am not sure that that is the same as the answer to the question which is that before anybody knew the company was going to go down, it might have had people on the register that they had not yet got round to notifying had been terminated since this is normal practice, particularly in the construction industry. Is he saying that there were none in Haymills case?

**HON L MONTIEL:**

Not that I know of.

**NO. 796 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2008, can Government provide the number of full-time Spanish male frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 797 to 807 of 2009.

ORAL

**NO. 797 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2008, can Government provide the number of part-time Spanish male frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 and 798 to 807 of 2009.

**NO. 798 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2008, can Government provide the number of full-time Spanish female frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796, 797 and 799 to 807 of 2009.



**NO. 799 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2008, can Government provide the number of part-time Spanish female frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 to 798 and 800 to 807 of 2009.

**NO. 800 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2007, can Government provide the number of full-time Spanish male frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 to 799 and 801 to 807 of 2009.

**NO. 801 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2007, can Government provide the number of part-time Spanish male frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 to 800 and 802 to 807 of 2009.

**NO. 802 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2007, can Government provide the number of full-time Spanish female frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 to 801 and 803 to 807 of 2009.

**NO. 803 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2007, can Government provide the number of part-time Spanish female frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 to 802 and 804 to 807 of 2009.

**NO. 804 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2006, can Government provide the number of full-time Spanish male frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 to 803 and 805 to 807 of 2009.

**NO. 805 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2006, can Government provide the number of part-time Spanish male frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 to 804, 806 and 807 of 2009.

**NO. 806 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2006, can Government provide the number of full-time Spanish female frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 796 to 805 and 807 of 2009.



**NO. 807 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10 of the Employment Survey Report October 2006, can Government provide the number of part-time Spanish female frontier workers and the average earnings for each industry group?

**ANSWER**

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

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

Answer to Question 807/2009

Answer to Question 796/2009

Full-Time Spanish Male Frontier Workers Employee Jobs by Industry, October 2008

INDUSTRY	WEEKLY-PAID			MONTHLY-PAID		
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	57	£483.02	6	£2,180.34		
Other Manufacture	12	£279.86	23	£1,206.60		
Electricity and Water Supply	5	£702.56	0	£0.00		
Construction	396	£307.54	468	£1,145.27		
Wholesale and Retail Trade	166	£248.64	175	£1,652.66		
Hotels and Restaurants	95	£224.30	33	£1,345.36		
Transport and Communication	75	£390.28	26	£1,541.05		
Financial Intermediation	0	£0.00	26	£3,678.09		
Real Estate and Business Activities	103	£336.21	26	£1,699.51		
Public Administration and Defence	0	£0.00	0	£0.00		
Education	0	£0.00	0	£0.00		
Health and Social Work	0	£0.00	19	£2,319.82		
Other Services	16	£226.45	58	£2,188.57		
<b>TOTAL</b>	<b>925</b>	<b>£309.51</b>	<b>860</b>	<b>£1,466.66</b>		

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.../Contd. Answer to Question 807/2009

Answer to Question 797/2009

Part-Time Spanish Male Frontier Workers Employee Jobs by Industry, October 2008

INDUSTRY	WEEKLY-PAID		MONTHLY-PAID	
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	0	£0.00	0	£0.00
Other Manufacture	1	*	1	*
Electricity and Water Supply	0	£0.00	0	£0.00
Construction	1	*	0	£0.00
Wholesale and Retail Trade	14	£111.44	10	£448.96
Hotels and Restaurants	16	£98.25	2	£535.57
Transport and Communication	5	£100.21	8	£418.77
Financial Intermediation	0	£0.00	0	£0.00
Real Estate and Business Activities	3	£70.33	4	£748.79
Public Administration and Defence	0	£0.00	0	£0.00
Education	0	£0.00	0	£0.00
Health and Social Work	0	£0.00	0	£0.00
Other Services	0	£0.00	2	£826.59
<b>TOTAL</b>	<b>40</b>	<b>£104.38</b>	<b>27</b>	<b>£513.08</b>

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

Answer to Question 798/2009

**Full-Time Spanish Female Frontier Workers Employee Jobs by Industry, October 2008**

INDUSTRY	WEEKLY-PAID			MONTHLY-PAID		
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	0	£0.00	0	£0.00	0	£0.00
Other Manufacture	6	£208.89	1	*	1	*
Electricity and Water Supply	0	£0.00	0	£0.00	0	£0.00
Construction	17	£237.45	24	£1,300.80	24	£1,300.80
Wholesale and Retail Trade	157	£209.95	78	£895.19	78	£895.19
Hotels and Restaurants	131	£189.90	43	£1,020.39	43	£1,020.39
Transport and Communication	8	£206.40	20	£1,355.19	20	£1,355.19
Financial Intermediation	0	£0.00	36	£1,595.83	36	£1,595.83
Real Estate and Business Activities	134	£190.18	23	£1,286.52	23	£1,286.52
Public Administration and Defence	0	£0.00	0	£0.00	0	£0.00
Education	0	£0.00	0	£0.00	0	£0.00
Health and Social Work	0	£0.00	126	£1,662.99	126	£1,662.99
Other Services	26	£167.02	63	£1,366.46	63	£1,366.46
<b>TOTAL</b>	<b>479</b>	<b>£197.51</b>	<b>414</b>	<b>£1,343.53</b>	<b>414</b>	<b>£1,343.53</b>

\* Publication not allowed under Statistics Act

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...Contd. Answer to Question 807/2009

Answer to Question 799/2009

Part-Time Spanish Female Frontier Workers Employee Jobs by Industry, October 2008

INDUSTRY	WEEKLY-PAID			MONTHLY-PAID		
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	0	£0.00	0	£0.00	0	£0.00
Other Manufacture	2	£65.63	3	£636.57	3	£636.57
Electricity and Water Supply	0	£0.00	0	£0.00	0	£0.00
Construction	0	£0.00	0	£0.00	0	£0.00
Wholesale and Retail Trade	56	£89.83	28	£460.94	28	£460.94
Hotels and Restaurants	44	£86.76	27	£426.39	27	£426.39
Transport and Communication	3	£60.94	9	£841.65	9	£841.65
Financial Intermediation	0	£0.00	6	£1,043.16	6	£1,043.16
Real Estate and Business Activities	25	£102.17	9	£515.04	9	£515.04
Public Administration and Defence	0	£0.00	1	*	1	*
Education	2	£150.00	0	£0.00	0	£0.00
Health and Social Work	1	*	11	£754.40	11	£754.40
Other Services	25	£80.71	38	£665.69	38	£665.69
<b>TOTAL</b>	<b>158</b>	<b>£89.56</b>	<b>132</b>	<b>£596.40</b>	<b>132</b>	<b>£596.40</b>

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

Answer to Question 800/2009

**Full-Time Spanish Male Frontier Workers Employee Jobs by Industry, October 2007**

INDUSTRY	WEEKLY-PAID			MONTHLY-PAID		
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	41	£538.51	7	£2,068.22		
Other Manufacture	46	£254.72	9	£1,399.99		
Electricity and Water Supply	5	£768.14	1	*		
Construction	447	£308.25	189	£1,358.92		
Wholesale and Retail Trade	167	£243.68	158	£1,522.68		
Hotels and Restaurants	85	£226.77	28	£1,355.81		
Transport and Communication	78	£371.97	26	£1,517.12		
Financial Intermediation	0	£0.00	26	£3,418.63		
Real Estate and Business Activities	98	£366.80	25	£1,520.02		
Public Administration and Defence	0	£0.00	1	*		
Education	0	£0.00	0	£0.00		
Health and Social Work	3	£478.23	19	£2,113.20		
Other Services	17	£242.67	67	£1,973.24		
<b>TOTAL</b>	<b>987</b>	<b>£309.94</b>	<b>556</b>	<b>£1,628.22</b>		

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

Answer to Question 801/2009

Part-Time Spanish Male Frontier Workers Employee Jobs by Industry, October 2007

INDUSTRY	WEEKLY-PAID			MONTHLY-PAID		
	Numbers	Average Weekly Earnings	Numbers	Numbers	Average Monthly Earnings	
Shipbuilding	1	*		0	£0.00	
Other Manufacture	0	£0.00		1	*	
Electricity and Water Supply	0	£0.00		0	£0.00	
Construction	5	£160.86		2	£456.98	
Wholesale and Retail Trade	11	£105.68		8	£321.70	
Hotels and Restaurants	16	£132.65		3	£439.89	
Transport and Communication	8	£201.82		2	£715.49	
Financial Intermediation	0	£0.00		0	£0.00	
Real Estate and Business Activities	4	£136.95		3	£620.33	
Public Administration and Defence	0	£0.00		0	£0.00	
Education	0	£0.00		0	£0.00	
Health and Social Work	0	£0.00		1	*	
Other Services	0	£0.00		2	£762.94	
<b>TOTAL</b>	<b>45</b>	<b>£154.94</b>		<b>22</b>	<b>£456.91</b>	

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

**Answer to Question 802/2009**

**Full-Time Spanish Female Frontier Workers Employee Jobs by Industry, October 2007**

INDUSTRY	WEEKLY-PAID			MONTHLY-PAID		
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	0	£0.00	0	£0.00	0	£0.00
Other Manufacture	3	£246.63	1	*	1	*
Electricity and Water Supply	0	£0.00	0	£0.00	0	£0.00
Construction	10	£220.89	21	£1,060.03	21	£1,060.03
Wholesale and Retail Trade	139	£191.85	89	£1,002.39	89	£1,002.39
Hotels and Restaurants	107	£182.27	33	£860.91	33	£860.91
Transport and Communication	5	£186.42	13	£1,353.67	13	£1,353.67
Financial Intermediation	0	£0.00	35	£1,402.94	35	£1,402.94
Real Estate and Business Activities	111	£189.31	18	£1,219.69	18	£1,219.69
Public Administration and Defence	0	£0.00	0	£0.00	0	£0.00
Education	1	*	0	£0.00	0	£0.00
Health and Social Work	15	£298.60	126	£1,515.96	126	£1,515.96
Other Services	21	£226.73	54	£1,328.36	54	£1,328.36
<b>TOTAL</b>	<b>412</b>	<b>£195.34</b>	<b>390</b>	<b>£1,263.63</b>	<b>390</b>	<b>£1,263.63</b>

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

Answer to Question 803/2009

Part-Time Spanish Female Frontier Workers Employee Jobs by Industry, October 2007

INDUSTRY	WEEKLY-PAID			MONTHLY-PAID		
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	0	£0.00	0	£0.00	0	£0.00
Other Manufacture	6	£104.33	4	£604.87	4	£604.87
Electricity and Water Supply	0	£0.00	0	£0.00	0	£0.00
Construction	1	*	0	£0.00	0	£0.00
Wholesale and Retail Trade	65	£103.56	24	£484.93	24	£484.93
Hotels and Restaurants	81	£107.28	19	£554.05	19	£554.05
Transport and Communication	5	£69.47	15	£816.85	15	£816.85
Financial Intermediation	0	£0.00	5	£967.38	5	£967.38
Real Estate and Business Activities	28	£95.88	7	£354.71	7	£354.71
Public Administration and Defence	0	£0.00	1	*	1	*
Education	1	*	0	£0.00	0	£0.00
Health and Social Work	6	£176.00	4	£657.98	4	£657.98
Other Services	32	£82.96	33	£838.85	33	£838.85
<b>TOTAL</b>	<b>225</b>	<b>£102.18</b>	<b>112</b>	<b>£669.80</b>	<b>112</b>	<b>£669.80</b>

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

Answer to Question 804/2009

Full-Time Spanish Male Frontier Workers Employee Jobs by Industry, October 2006

INDUSTRY	WEEKLY-PAID			MONTHLY-PAID		
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	59	£464.63	17	£1,723.71		
Other Manufacture	12	£256.13	27	£1,161.06		
Electricity and Water Supply	4	£795.74	3	£2,420.12		
Construction	384	£341.01	134	£1,326.99		
Wholesale and Retail Trade	163	£234.05	126	£1,544.01		
Hotels and Restaurants	90	£215.87	30	£1,258.56		
Transport and Communication	63	£353.76	17	£1,483.85		
Financial Intermediation	0	£0.00	34	£2,387.55		
Real Estate and Business Activities	53	£261.86	14	£1,361.13		
Public Administration and Defence	0	£0.00	1	*		
Education	0	£0.00	0	£0.00		
Health and Social Work	0	£0.00	21	£2,316.95		
Other Services	17	£270.30	61	£1,681.37		
<b>TOTAL</b>	<b>845</b>	<b>£311.19</b>	<b>485</b>	<b>£1,561.00</b>		

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

Answer to Question 805/2009

**Part-Time Spanish Male Frontier Workers Employee Jobs by Industry, October 2006**

INDUSTRY	WEEKLY-PAID		MONTHLY-PAID	
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	2	£560.52	0	£0.00
Other Manufacture	2	£57.55	2	£316.21
Electricity and Water Supply	0	£0.00	0	£0.00
Construction	7	£116.57	0	£0.00
Wholesale and Retail Trade	18	£119.33	4	£713.30
Hotels and Restaurants	19	£90.24	5	£493.39
Transport and Communication	8	£170.97	1	*
Financial Intermediation	0	£0.00	1	*
Real Estate and Business Activities	3	£86.00	3	£578.44
Public Administration and Defence	0	£0.00	0	£0.00
Education	0	£0.00	0	£0.00
Health and Social Work	0	£0.00	1	*
Other Services	2	£95.00	1	*
<b>TOTAL</b>	<b>61</b>	<b>£126.73</b>	<b>18</b>	<b>£673.35</b>

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

Answer to Question 806/2009

Full-Time Spanish Female Frontier Workers Employee Jobs by Industry, October 2006

INDUSTRY	WEEKLY-PAID		MONTHLY-PAID	
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	1	*	0	£0.00
Other Manufacture	3	£230.46	2	£1,329.00
Electricity and Water Supply	0	£0.00	0	£0.00
Construction	0	£0.00	28	£1,126.07
Wholesale and Retail Trade	154	£195.04	80	£927.76
Hotels and Restaurants	115	£179.92	33	£848.01
Transport and Communication	4	£211.21	14	£1,254.50
Financial Intermediation	1	*	36	£1,458.90
Real Estate and Business Activities	86	£178.75	14	£1,210.98
Public Administration and Defence	0	£0.00	1	*
Education	0	£0.00	0	£0.00
Health and Social Work	1	*	113	£1,475.34
Other Services	17	£195.53	45	£1,260.57
<b>TOTAL</b>	<b>382</b>	<b>£187.67</b>	<b>366</b>	<b>£1,225.24</b>

\* Publication not allowed under Statistics Act

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.../Contd. Answer to Question 807/2009

**Answer to Question 807/2009**

**Part-Time Spanish Female Frontier Workers Employee Jobs by Industry, October 2006**

INDUSTRY	WEEKLY-PAID		MONTHLY-PAID	
	Numbers	Average Weekly Earnings	Numbers	Average Monthly Earnings
Shipbuilding	0	£0.00	0	£0.00
Other Manufacture	5	£92.00	4	£651.11
Electricity and Water Supply	0	£0.00	0	£0.00
Construction	5	£142.88	0	£0.00
Wholesale and Retail Trade	51	£92.86	18	£396.72
Hotels and Restaurants	68	£77.44	19	£434.70
Transport and Communication	2	£66.18	3	£683.99
Financial Intermediation	0	£0.00	6	£865.20
Real Estate and Business Activities	37	£88.09	6	£529.90
Public Administration and Defence	0	£0.00	1	*
Education	4	£65.13	0	£0.00
Health and Social Work	0	£0.00	8	£515.73
Other Services	30	£76.57	28	£628.53
<b>TOTAL</b>	<b>202</b>	<b>£84.78</b>	<b>93</b>	<b>£545.15</b>

\* Publication not allowed under Statistics Act

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**NO. 808 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10A of the Employment Survey Report October 1996, can Government provide the number of full-time Spanish male frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 809 to 811 of 2009.

**NO. 809 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10A of the Employment Survey Report October 1996, can Government provide the number of part-time Spanish male frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 808, 810 and 811 of 2009.

**NO. 810 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10A of the Employment Survey Report October 1996, can Government provide the number of full-time Spanish female frontier workers and the average earnings for each industry group?

**ANSWER**

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

Answered together with Question Nos. 808, 809 and 811 of 2009.



**NO. 811 OF 2009**

**THE HON J J BOSSANO**

**EMPLOYMENT SURVEY REPORT**

In respect of Table 10A of the Employment Survey Report October 1996, can Government provide the number of part-time Spanish female frontier workers and the average earnings for each industry group?

**ANSWER**

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

This information is not available. As the hon Member may recall, between October 1992 and April 1998 inclusive, the Employment Surveys were conducted from the information provided by employers in the Income Tax Office PAYE deduction cards in respect of their employees. The Income Tax Office computerised records were revised in 2000 and as a result of which information not required specifically for income tax purposes has not been maintained within the system.

**SUPPLEMENTARY TO QUESTION NOS. 808 TO 811 OF 2009**

**HON J J BOSSANO:**

Is there no information whatsoever? I appreciate that some of the information may have been lost in this process but is it that there is nothing at all?

**HON L MONTIEL:**

This is the answer that I have been advised to give.

ORAL

**NO. 812 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**NATIONAL FAIR WEEK 2009**

Can Government give a breakdown of accounts in relation to income and expenditure of the National Fair Week 2009?

**ANSWER**

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

Answered together with Question No. 813 of 2009.

ORAL

**NO. 813 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**NATIONAL DAY 2009**

Can Government state how much was spent on National Day 2009 giving a breakdown by event and items?

**ANSWER**

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

All invoices pertaining to the National Fair Week 2009 as well as National Day 2009 have not yet been received. Therefore, I am unable at this stage to provide the hon Member with any accurate details.

**NO. 814 OF 2009**

**THE HON DR J J GARCIA**

**NEW YEAR'S EVE 2010 CELEBRATIONS**

Can Government say how many entities submitted a tender for 'The Organisation, Production and Staging of the 2010 New Year's Eve Celebrations'?

**ANSWER**

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

Two entities have submitted tenders.

**SUPPLEMENTARY TO QUESTION NO. 814 OF 2009**

**HON DR J J GARCIA:**

Can the hon Member say whether the tender has now been awarded and, if so, to whom and in what amount?

**HON E J REYES:**

I am advised that the tender process is on-going. The Treasury Tender Board still has to approve recommendations that have been made either today or at the very tail end of last week after the initial meeting of the Procurement Board. So the process is on-going. The Procurement Board, I am informed, without having being privileged to any details, has made recommendations which have now been passed on to the Treasury Tender Board and I, like the hon Member, eagerly await to hear its outcome. All that both he and I know at this stage is that the Board entertained proposals by two entities.

**NO. 815 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**JUDGES OF PHOTOGRAPHIC EXHIBITION**

Can Government say whether there was any input by Government Ministers or officials which resulted in the photograph "Equality" being removed from third place in the recent photographic exhibition and also say how many judges were present at the first preliminary judgement and how many judges were present at the second final judgement?

**ANSWER**

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

No Government Minister had any input towards the judging of the National Week Photographic Competitive Exhibition organised by the Gibraltar Photographic Society. However, the Director of Culture accepted an invitation from the Photographic Society to form part of the panel of judges, which was composed of three persons.

From the information I have received, I do not agree, strictly speaking, that any photograph had a prize awarded and subsequently removed. The sequence of events indicates that a preliminary judging, by all three judges, was carried out during the morning of Friday 4<sup>th</sup> September 2009. A final decision was not taken at that stage but, however, it seems that after the first round of judging temporary classification labels were affixed to those photographs being considered at the time as potential winners.

The Judges reconvened during the course of that same afternoon in order to make their final selections but, unfortunately, only two of the three judges were available to complete the judging process.

No entry was withdrawn from the competitive Exhibition and, indeed, all photographic entries were exhibited throughout the Exhibition period open to the general public.

**SUPPLEMENTARY TO QUESTION NO. 815 OF 2009**

**HON G H LICUDI:**

Can the hon Member say whether there was any communication with him or with any other Government official by members of the panel between the first and second judging sessions?

**HON E J REYES:**

In respect of the judging process?

**HON G H LICUDI:**

Was there any communication at all between members of the panel that were judging the photographs between their first session and their second session?

**HON E J REYES:**

There was no communication to me in respect of the task being undertaken by the judges so none of those judges spoke to me during that period of time in respect of the process. I am being extra finicky. If one of the judges happens to be Director of Culture, it could well be that during that lunch hour, I did have a conversation in respect of twenty other thousand million things that my department does. In respect of the subject matter, no.

**HON N F COSTA:**

Could the hon Member tell us who was the third judge that was missing when they confirmed the decision?

**HON E J REYES:**

The judges were selected by the Gibraltar Photographic Society. I am aware that the Director for Culture was invited to form part of the panel of judges. I think it was rather courteous of the lady to mention it to me and the go-ahead was given. I am not aware of the names of the other two, although I think, I can reasonably assume because since I went to the prize giving someone introduced themselves to me, I can assume who they are but I am not connected with the selection of judges or the process and I just turned up on the day, presented prizes and know as much as anybody else does.

**HON N F COSTA:**

I am grateful to the hon Member for that information but my question was, if I understood the hon Member correctly, he said that after the preliminary judging there was a second meeting of the judges to confirm that preliminary assessment and that

there was a third judge that was missing. The question is which judge was missing? Which of the three? Was it the Director or was it the other two?

**HON E J REYES:**

No, the Director of Culture was present at both the preliminary and the final judging stages. So, one of the other two judges is the one that was missing.

**HON N F COSTA:**

I am grateful.

**NO. 816 OF 2009**

**THE HON G H LICUDI**

**SPORTS AND LEISURE AUTHORITY – EMPLOYEES**

Can Government state how many people were employed by the Gibraltar Sports and Leisure Authority as at the end of September 2009 giving a breakdown by grade, sex, nationality and department?

**ANSWER**

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

I now hand the hon Member a schedule containing the information requested.



**ANSWER TO QUESTION NO.816/2009**

**PERSONS EMPLOYED BY SPORTS AND LEISURE AUTHORITY**  
**AS AT END OF SEPTEMBER 2009**

<b>NO</b>	<b>TITLE</b>	<b>GRADE</b>	<b>DEPT</b>	<b>SEX</b>	<b>NATIONALITY</b>
1	Chief Executive Officer	1	Admin	Male	British
1	Finance Manager	3	Admin	Male	British
1	Admin and Resources Manager	3	Admin	Female	British
1	Facilities Manager	3	Facilities	Male	British
1	Sports Development and Training Officer	3	Sports Dev. Unit	Female	British
1	Asst Sports Development and Training Officer	4	Sports Dev. Unit	Male	British
1	Asst Facilities Manager	4	Facilities	Male	British
6	Centre Managers	5	Facilities	5 Male 1 Female	British British
2	Administrative / Clerk	6	Admin	Female	British
2	Supervisory Groundsman	7	Facilities	Male	1 British 1 Moroccan
23	Sports and Leisure Officers	8	Facilities	21 Male 2 Female	British
1	Secretarial / Typist	9	Admin	Female	British
1	Support	11	Admin & Facilities	Female	British

**TOTAL – 42 Employees**

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**MR SPEAKER:**

The Hon the Minister for Culture, Heritage, Sport and Leisure has sought leave to clarify an answer he gave to Question No. 816 of 2009.

**HON E J REYES:**

Thank you very much. I distributed a schedule as part of my answer to Question No. 816 of 2009, it has later on come to all of our notices that the breakdown issued in respect of the two Supervisory Groundsmen and then the breakdown for the 23 Sports and Leisure Officers contained erroneous information. The real information should be, both Supervisory Groundsmen are males and then the 23 Sports and Leisure Officers are composed of 21 males and two females. Therefore, I have asked the Clerk that if the hon Members do kindly return the schedule I gave, which is erroneous, a new schedule will be given and likewise for the records of this Parliament. It is a swap shop. In exchange for one sheet of paper which contains the typographical errors on my part, we will swap it for another one with the correct information. Thank you Mr Speaker.

**NO. 817 OF 2009**

**THE HON G H LICUDI**

**KING'S BASTION LEISURE CENTRE – ICE-SKATING RINK**

Can Government state how many people used the ice-skating rink at the King's Bastion Leisure Centre during the months of June to September 2009?

**ANSWER**

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

A grand total of 6,887 users availed themselves of the ice-skating rink at the King's Bastion Leisure Centre during the months of June to September 2009.

Although not specifically requested, I can inform the hon Member that this total is made of the following monthly breakdown:

June 2009	-	1,039
July 2009	-	1,811
August 2009	-	1,860
September 2009	-	2,177
Total Users		6,887

ORAL

**NO. 818 OF 2009**

**THE HON DR J J GARCIA**

**CALPE CONFERENCE 2009**

What was the cost, with a breakdown, of the Calpe Conference 2009 on the theme "Human Evolution-150 years after Darwin"?

**ANSWER**

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

All invoices pertaining to the highly successful Calpe Conference 2009 on the theme "Human Evolution-150 years after Darwin" have not yet been received. Therefore once again, I am unable to provide the hon Members with any accurate information at this particular given moment in time.

**NO. 819 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR CAVES PROJECT**

What was the cost to Government of funding the hiring of a boat to provide access to the caves for those involved in the Gibraltar Caves Project with a breakdown showing the dates that the boat was hired, the payments that were made, the amount and the entity the payments were made to?

**ANSWER**

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

The costs to Government were as follows:-

15 August to 15 September 2007	£2,500	Gibraltar Sub Aqua Club
4 August to 27 September 2008	£2,000	Gibraltar Sub Aqua Club

**NO. 820 OF 2009**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY BOOKS**

Can Government say whether they have an inventory of the books and other documents currently held in the Garrison Library?

**ANSWER**

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

No, Sir. Government is not responsible for maintaining an inventory of books and other documents currently held in the Gibraltar Garrison Library. These assets are under the sole control of the Trustees of the Gibraltar Garrison Library.

**SUPPLEMENTARY TO QUESTION NO. 820 OF 2009**

**HON DR J J GARCIA:**

Is the Government still hopeful of coming to arrangements with the owners of the library in terms of what happens to the books and what happens to the building?

**HON E J REYES:**

Yes. Government are rather optimistic and hopeful that we are going to come to very good amicable understandings/agreements in respect of both the building and its assets which includes the books and so on. I think the hon Member did not have the chance of perhaps reading something that has happened after he had prepared the question here, but I did answer in a question session at the Gibraltar Heritage Annual General meeting that the Gibraltar Heritage Trust have also come on board, because we all have this vested interest of preserving our heritage. In case anyone needed reminding, perhaps because the hon Member and myself are a bit more up to date on matters, the Gibraltar Heritage Act does actually cover how assets that are over a certain period of time may be disposed of. So certainly, licences will be required if anyone wishes to remove, what is classified as an antiquity, it is over fifty years old, and I can anticipate perhaps a very, very laudable supplementary that the Shadow Member may wish to ask. We have had no requests for such licences and so on. So we are hopeful that the assets will end up in very good hands and like I said, following an amicable agreement, which we would still enjoy for the benefit of Gibraltar.

**HON DR J J GARCIA:**

In the meantime, has there been any change to the way in which the library is being administered?

**HON E J REYES:**

All I can say is that it is still administered by the Trust. If they have had some internal changes amongst themselves, I am not aware. From my dealings, I do not think there has been. I deal directly with the President of the library. Now, whether they have had changes in their own Committee Members and so on, I do not know. I am conscious that the present President is due to retire from military service and therefore will be leaving Gibraltar some time in December. The hon Member may or may not be aware, that I think, even His Excellency the Governor has been having words with them and has been more on Government side than anybody's side in wishing to have a good solution to the Garrison Library and its assets. HE would have liked it to have all been concluded by the time he left but seeing his departure is very imminent what he has been heard to say publicly is if it is not 100% completed, it is at that sort of final drafting stage where only the 'i's' needed to be dotted and the 't's' crossed and so on. So things seem to be going well and the end seems to be near by the time we come to an agreement.

**HON DR J J GARCIA:**

If anybody wants to organise a function or an event at the Garrison Library, does it require permission of the Minister to do so or not?

**HON E J REYES:**

That is a slightly different question, but, with Mr Speaker's leave, I will handle it. Someone who wishes to hold an event at the Garrison Library, if the event requires entertainment, needs to seek the authority of the Entertainment Licensing Authority which happens to be someone who wears another hat and is the Minister for Culture such as provided in the Entertainments Act.

**HON DR J J GARCIA:**

So Mr Speaker.....

**HON J J BOSSANO:**

The answer is yes.

**HON DR J J GARCIA:**

The answer to the question is, obviously, yes. Now, is it..... Can the hon Member say how many times he has exercised the powers and whether these are quite recent powers or they have been there since before he came into office?

**HON E J REYES:**

Exercise the powers..... Sorry Mr Speaker. I want to answer the question.

**HON DR J J GARCIA:**

In terms of licensing or giving permission for events to take place?

**HON E J REYES:**

Please bear in mind that I do not have any notes on that but from recollection. The Gibraltar Garrison Library Act says that the building and its usage, requires the consent and approbation of the Minister responsible for Heritage. So, part one of the question is, "was consent sought from the Minister for Heritage to use the premises at the Garrison Library for a specific purpose?" Some requests may have recently come our way, some of which have been denied because we felt that it was not in-keeping with what the real purpose of the Library is; and others may have been granted. I will give you one example that was granted, in that I was told that traditionally, the Governors who are patrons of the Garrison Library are dined out at a luncheon at the Garrison Library and they wished that to happen. Permission was granted for that with strict rules. A very strict 'No Smoking' policy within the building and so on. The main concern being, we did not wish to see its use as adding to the degradation of the building. There was some confusion on the part of the Garrison Library Committee in that they thought that they had a licence for things including its hiring out as a club. We have an obligation towards the community that clubs may operate for members under very strict conditions and so on, and here what came to my notice was that anybody could sort of make a request to the Garrison Library and say, in exchange for such a hire fee they were given a set of keys and there was not even a Garrison Library committee member there or a caretaker, someone to oversee. So we told them that that had to cease immediately. What did happen was we had at least one case that I know of, it could have been two; it could even have been stretched to three. There were certain weddings, the contracting of civil marriages were booked to take place within the library. So we honoured those because it was a bit upsetting and indeed we had one case of a bride calling me saying that, with less than twenty four hours notice, she had been told by the Garrison Library that I had withdrawn permission for the civil marriage to take place. No Sir, I would not spoil anybody's wedding day with such short notice having been given. So, I believe, it was a very, honourable thing for me to do for that. What the Garrison Library were informed was that they should update themselves in respect of all the rules and regulations and that no further bookings for weddings were to be entertained. The Civil Status and Registration Officer confirmed to me that beyond a particular date, although there may have been one or two enquiries, no-one had even paid any fees or whatever towards holding the marriage ceremony there. So we said, right, that is now going to cease. So that is the case. Certainly what has transpired is a bit of an inconvenience to those who were able to hire a place on the cheap to have a self-catering type of holiday but what has happened is we have ensured that the law will be adhered to in respect of the use of the Library and the entertainments licence.



**HON DR J J GARCIA:**

Can the hon Member say when did this policy come into effect of actually taking decisions in terms of the events that are going to take place at the library? When did it start?

**HON E J REYES:**

Again from memory, I think this goes back to April this year, when I had a meeting with the President of the Garrison Library where I first expressed Government's concerns about the use of the library. It so transpired and I have to accept that he had not quite fully understood what I said. It has been applied a bit more rigorously whenever we have been informed about it. I shall use one example that some members might find amusing. It came to my notice, more by accident than by anything else, that the past Worshipful Mayor intended to have a Mayor's Ball in the Garrison Library and, after he had printed invitations and sent those out, it came to our notice and Mr Levy received a phone call saying, are you aware that by attending the Ball you will be contributing towards the breaking of the law and therefore Mr Levy immediately changed venues. So, since then, I know it affected an event planned for early July. I believe one or two events may have taken place unknown to me, but certainly if it came to my attention, prior to the event or on the day itself, the RGP have even turned up on location the day itself requesting the entertainment licence. May I add, not just in respect of the Garrison Library. I was also present, for example, on the Rock on the Rock Club which is in Town Range during Fair Week and having been there as one of the guests, I actually witnessed the RGP turning up there on the day and asking for the licence. So the RGP seems to be using its resources in trying to monitor that entertainment events are properly licensed in accordance with the Entertainments Act. Not just specifically with the Garrison Library but I believe it is happening in respect to other locations as well.

**HON DR J J GARCIA:**

Are the Government aware of the financial effect on the funds of the Library or the Trust of the Government's policy decision in April to actually give permission to events or refuse permission to events?

**HON E J REYES:**

It is not a policy decision. It is the law. What the financial consequences are towards the Library, are exactly the same consequences as they apply to me given that I am not allowed to hire my house out for a party for which rent is charged or for a hire fee. The Entertainments Act requires people to have a licence. It was not a question of taking a policy decision. It was a question of the law enforcement agencies enforcing a law that have been in existence for quite some time.

**HON DR J J GARCIA:**

There are two things. One is the Entertainments Act and permission under that law. The other one is the Garrison Library Act and the Minister giving permission not under the Garrison Library Act which is, if I have understood him correctly, the new policy that started in April. Is that correct?

**HON E J REYES:**

It was not a new policy. No Sir. I said, I remember having spoken with the President in April whereby I was trying to bring him up to speed with what his obligations were under the Garrison Library Act; and his obligations are that the building is used for purposes deemed by the Committee with the consent and approbation of the Minister for Heritage. So having reviewed that, he has contacted me after that sort of saying, can I use it for this? I have given one example of a case where I said he could use it. There are cases when I have said, no, it may not be used for that purpose. The reason I have behind not allowing it is because we felt that the event might contribute towards the degradation of the building, something that we are concerned about. We want to preserve its heritage value.

**HON DR J J GARCIA:**

The point which I am trying to make is very simple. Can the hon Member say whether the fact that the Government is to an extent now controlling the purse-strings of the library through the functions and income that the Committee receives, have a bearing or not, on the willingness of the Committee to negotiate the transfer of the Library and the books.

**HON E J REYES:**

No Sir, I am not trying at all to control the purse-strings or to do things in such a manner that would sort of indirectly force someone to do one thing or another, no. What I am doing as Minister for Heritage is; one, bringing directly to the President's attention which is what I did in April, the Government's concerns about the manner in which the building was being used. The biggest concern was that it was being used without supervision. Look at what has happened here. There was that huge concern. Just before that I had actually approved the Garrison Library being a listed building. There was also a request by the Committee to carry out the repairs to the roof and so on, in keeping with the Heritage Act, and I consulted the Heritage Trust as required and so on. We approved the particular material and so on. They must have had their own business plan as to how they wished to fund raise towards that. That is a responsibility for the Committee but certainly our actions were not meant to, somehow or other, force the Committee into having to take some decisions or not. It was more a question of as custodian of the law, making sure that the Library was aware of its obligations.

**HON DR J J GARCIA:**

If the law in question was commenced in June 2007, why did the Minister realise in April 2009 that he needed to remind the Library of its functions and obligations?

**HON E J REYES:**

Sorry. What was the question?

**HON DR J J GARCIA:**

The law in question was commenced in June of 2007. Why did it take the Minister until April of 2009 to remind the Garrison Library of its obligations?

**HON E J REYES:**

Because in April 2009 is when I had an opportunity to sit down with the President and I brought it to his notice. Rather than mumbling under breath, I am willing to entertain questions from any hon Member.

**HON DR J J GARCIA:**

In relation to the structure of the building, has the Garrison Library been given notice to keep the premises in good repair, and if so, when?

**HON E J REYES:**

I would need notice to be able to check if they have been given notice and when.

**HON DR J J GARCIA:**

In terms of the arrangement with the present owners we spoke about earlier, which would lead to a transfer of the books or of the Library or both, can the Minister say what timescale is envisaged for this arrangement to materialise?

**HON E J REYES:**

The Government of Gibraltar and the Garrison Library Committee are working together to see if we can come to the best possible arrangement whereby the Library building and its assets will be transferred to the Government of Gibraltar. We would like this to happen as soon as possible. I did hint before that since the present President is due to retire and leave Gibraltar in December, I would ideally like it to conclude before then. It may or may not be possible. One or both of the parties may wish to seek advice, in respect of the library, from the general membership, and they may be tied up to having to give notice of an annual general meeting. They may wish to propose something our way under certain terms and conditions that we may, as Government wish to seek legal advice. All that could delay things by a week or two, a month or so. But certainly I would like it to happen as soon as possible.

ORAL

**NO. 821 OF 2009**

**THE HON DR J J GARCIA**

**HERITAGE ACTION COMMITTEE**

How often and on what dates has the Heritage Action Committee met since 19<sup>th</sup> May 2009?

**ANSWER**

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

The Heritage Action Committee has met once and that was on 29<sup>th</sup> September 2009.

**NO. 822 OF 2009**

**THE HON DR J J GARCIA**

**GORHAM'S CAVE**

Can Government say whether and if so on what dates they have made representations to the Ministry of Defence in respect of the steps which provide the land access to Gorham's Cave and if so can they say what the nature of the representations has been?

**ANSWER**

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

The Government's Heritage Division first wrote to Commander British Forces on 15<sup>th</sup> July 2004 expressing concerns that, for the first time ever, land access to Gorham's Cave via the steps would no longer be granted to the Gibraltar Museum and our Caves Project archaeological teams. The reply from Commander British Forces dated 22<sup>nd</sup> July 2004 states that, due to regulations beyond his control, land access will continue to be denied until the rock face above has been stabilised by the Ministry of Defence. Further correspondence and representations, through which Government continually requests a solution to the access problem be found, have ensued to date. Among the correspondence is a request, dated 19<sup>th</sup> October 2004, from the then Minister for Heritage asking that Gorham's Cave site be transferred to the Government of Gibraltar and that access concessions via the land steps be agreed upon. As Minister for Heritage, I have personally reminded the present Commander British Forces of Government's pending request, and that I did on 21<sup>st</sup> April 2009. On 30<sup>th</sup> September 2009, the MOD's Defence Land Agent made contact with Land Property Services in order to exchange views leading towards producing an agreement through which Gorham's Cave, and its land access route, could be transferred to Government. This recent development now needs to be carefully looked into and Government waits to be advised by Land Property Services and our Caves Project archaeological team.

**NO. 823 OF 2009**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – ALLOWANCES**

Can Government explain why the cost of allowances in the Sports and Leisure Authority was budgeted at £65,000 in 2008/2009 and £160,000 in the current financial year, giving a breakdown of the allowances and the numbers and grades of employees affected in each year?

**ANSWER**

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

Answered together with Question No. 824 of 2009.

**NO. 824 OF 2009**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – ALLOWANCES**

Can Government provide a breakdown of the allowances payable in the Sports and Leisure Authority which were estimated to cost £65,000 in 2008/2009 and which according to the forecast outturn have cost £118,000 instead?

**ANSWER**

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

The Gibraltar Sports and Leisure Authority staff are paid three types of allowances:-

- a) Shift Disturbance – that is based upon 12½ % of basic salary and is payable to 6 Centre Managers and 23 Sports and Leisure Officers.
- b) Substitution/Acting allowance – payable to cover absences.
- c) Attendance Related Bonus – works upon a maximum of £1,060 per annum payable to each employee and is payable across the board, depending on established and agreed criteria.

The reason for the increase from £65,000 to £118,000 in 2008/2009 and to an estimated budget now of £160,000 for 2009/2010 is due to the employment of extra staff required for the provision of services at the Kings Bastion Leisure Centre.

**SUPPLEMENTARY TO QUESTION NOS. 823 AND 824 OF 2009**

**HON J J BOSSANO:**

Does the Estimates Book not show that the complement is 45 in 2008/2009 and 45 in 2009/2010 and in fact does the figure that the hon Member has produced today not show that there are three vacancies which have not been filled. There are 42 in employment, that is in Grade 8, there are 23 employed instead of the 26 for which there is provision in the budget. So how does he reconcile the explanation for the increase to £160,000 with the fact that there are less bodies that there were in the budget and that the total complement has not changed.

**HON E J REYES:**

It is correct to say that the Estimates Book provides for a total number of 45 employees and yet moreso if we look at the schedule provided to the other hon Member earlier on. The official approved establishment of employees under the Gibraltar Sports Leisure Authority is three short of the figure contained in the schedule. Part of the reason is there are still three employees who were once employed by the Ministry for Sport, in other words, under general Government employee terms who exercised their right and opted, not to be transferred to Gibraltar Sports and Leisure Authority. So the number of people working within the whole area does equal 45. What the Estimate does is it makes provision for these gentlemen, should they every leave their current position. The provision is there so that the Sports and Leisure Authority can then recruit people so that overall manning levels are maintained. What should also be shown, if we look at past returns, is that in 2007 the Gibraltar Sports and Leisure Authority had a total of 26 employees and then from 2008, later on it increases to 25. The reason for this increase in numbers is that when King's Bastion Leisure Centre opened towards the end of the financial year that ended in 2008, certain services within would be provided by employees of the Gibraltar Sports and Leisure Authority, hence the need to have an increase in the number of employees within the Authority. By having a greater number of employees you have greater salary cost but also greater cost in respect of allowances, which is what the hon Gentleman was justifiably trying to ask. So those allowances went into the Shift Disturbance and there are now 6 Centre Managers and 23 Sports and Leisure Officers not only to run the Bayside Sports complex facilities but also the King's Bastion Leisure Centre which is open seven days a week. And these allowances kick in whenever a person has to work certain hours or certain days of the week. That is further explained later on in another question that the hon Member asks and he will get greater details in how those allowances are paid.

**HON J J BOSSANO:**

Well the fact that the hon Member has said that it is related to the salaries but in fact the salaries do not show an equal increase. The original estimate for salaries was £970,000. The outturn was £985,000 and in the column where there was £970,000 for salaries there was £65,000 for allowances. So the salaries went up by £15,000 in almost a million and the allowances were almost double, from £65,000 to £118,000. That does not suggest the relationship the hon Member has just given in terms of explaining that the allowances are 12½% of the salaries and more people were employed therefore the wages bill went up. The wages bill did not go up. Because I am not referring to any figure from 2007. I am talking about the estimate made in the budget of 2008 and the outturn reported at the end of that financial year in 2009; and the estimate for this year. Now, in that period is not when the increases took place. The increases took place between 2007 and 2008; and 2008 and 2009 when the salaries went up from £738,000 to £985,000, that is, by something like a quarter of a million pounds. Now, if that had been triggered at that time I could understand the explanation because that would fit. Wages go up by a quarter of a million pounds therefore 12½% of that quarter of a million will be reflected in the allowances. But this is the budget he asked the House to approve in April of 2008 and at the end of the year, the wages had not gone up by anything like the ratio that the allowances have. I just wondered if it was that some of these allowances were introduced during the course of the year or were they there from the beginning?



**HON E J REYES:**

In the budget for 2008/2009, we were taking into account that there would probably have to be an increase in the number of employees. Therefore an increase in the amount of salary that was to be payable. What in effect had happened is when we fine tuned and came to an agreement of how our services were going to be provided within the King's Bastion Leisure Centre, it so happened, the services were required over a seven-day week period and the shift disturbance allowance criteria kicks in whenever the employees are required to work within the Saturday and/or Sunday. Therefore there was more conditioned overtime hours required and that gave rise to a greater need to cover for that respect.

**HON J J BOSSANO:**

I have not asked about the overtime. This is about the allowances and in the breakdown that he gave me of the allowances, overtime is not included. The sums that I am talking about do not include overtime. The overtime is shown in the appendix as a separate amount where there is a discretionary overtime which has gone up from £200,000 to £269,000 and I think there is a separate question on that. So this has nothing to do with the overtime.

**HON E J REYES:**

We go back to the answer as it was. The allowances payable were in respect of shift disturbance, substitutions and attendance related bonuses. Because we took on more employees, therefore you end up having more attendance related... By taking in more employees amongst which are managers and so on you have more substitution payable, and greater number of employees were subject to the entitlement of the 12½% of basic salary and all that adds up to the increase.

**HON J J BOSSANO:**

The explanations that the hon Member is providing the House with are not consistent with the information that is put before the House when we come to vote this money. Because it is not the case that the complement was one thing at the beginning of the year and another thing at the end of the year. It is the case that at the beginning of the year they voted to increase wages at the beginning of the year. On the 1<sup>st</sup> April 2008 they voted to increase wages from £738,000 to £970,000. Now, is it that they did not know that the number of employees they would employ for £970,000 could not be paid with allowances of £65,000. All the allowances. Or is it that the allowances were introduced later on after the budget during the course of the year? Because if they were there at the beginning of the year then the wage level at the beginning of the year is not consistent with the explanations the hon Member is giving. Otherwise we would have seen a much lower level of pay voted at the beginning and then people being employed during the year and at the end of the year the wage bill is higher and the allowance is higher because it is 12½% of the wage bill for people who do shift work. I know that people who do shift work should be paid shift allowance quite rightly. I am the person who negotiated most of them.

**HON E J REYES:**

We predicted we were going to need more employees. Therefore for the salaries, the amount of money required to cover salaries, that was taken into account and from an estimate of £970,000 what the forecast outturn was £985,000. So there, the figure that was out was not too much.

**HON J J BOSSANO:**

Right.

**HON E J REYES:**

At the time that we presented the budget it was not known, because it came into effect much later on, that these employees would also have to work at weekends and therefore we were not aware of the amount of shift disturbance allowance that was going to kick in. I think that is what the hon Member is asking and therefore I am able to confirm to him that we were not aware of the extent that the shift allowance would be required. So we had only catered for salaries.

**HON J J BOSSANO:**

So the original figure provided for a lower incidence of shift work, is that correct?

**HON E J REYES:**

That is correct. We had not predicted what transpired at the end and that was that we were going to offer services to cover both Saturday and the Sunday to that extent. We had underestimated that because perhaps at the time it was still pie in the sky and it was not included.

**NO. 825 OF 2009**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – SWIMMING POOL EXPENSES**

Can Government explain why it provided £172,000 in the current financial year for swimming-pool expenses by the Sports and Leisure Authority given that these expenses amounted to £208,000 in 2008/2009 and £217,000 in 2007/2008?

**ANSWER**

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

Government has estimated the annual costs of running the swimming pools for the year 2009/2010 at £172,000, which is the same as that provided for the year 2008/2009. The increased expenditure that arose in the years 2007/2008 and then in 2008/2009 was in respect of works and other capital expenses for which separate provision had not been made. These works were required in order to bring the older facilities up to adequate standards and then we also wanted to further improve both facilities. These works were carried out, and we decided to carry them out, as a result of direct assessments that were made by the Gibraltar Sports and Leisure Authority once it had taken over the pools under its management. So they were not known beforehand, only after they came under management that then the assessments were made, then the works were carried out, hence why no provision had been made for them previously.

**SUPPLEMENTARY TO QUESTION NO. 825 OF 2009**

**HON J J BOSSANO:**

I see. So, now that we are over six months into the financial year, the hon Member is still of the view that £172,000 is going to be enough for this year. Is it?

**HON E J REYES:**

Yes Sir, because the financial provision for the works and equipment being required during the 2009/2010 year have been made through separate funding that we have catered for under the Improvement and Development Fund. That will be found in Head 101 Departmental, Subhead 1(d) Gibraltar Sports and Leisure Authority.

**HON J J BOSSANO:**

So the answer is that these maintenance works have been moved from the recurrent budget to the capital account? That is the answer why the figure is lower?

**HON E J REYES:**

The answer is that these works are now under the Improvement and Development Fund and when we look at Head 101, Subhead 1(d), we will find there that there is an estimated provision of £400,000 with a footnote that says that that also includes provision for other things.

**HON J J BOSSANO:**

So it means that it is no longer considered to be annually recurrent?

**HON E J REYES:**

That is right. It is now considered to be Improvement and Development Fund and not necessarily annually recurrent.

**NO. 826 OF 2009**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – GENERAL EXPENSES**

Can Government explain why general expenses of the Sports and Leisure Authority in 2008/2009 were £50,000 higher than the estimated budgeted amount of £110,000 and give a breakdown of this £50,000 additional expenditure?

**ANSWER**

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

The general expenses of the Gibraltar Sports and Leisure Authority increased by £50,000 in 2008/2009 in order to meet the cost of the general expenses of running the new Ice Rink, the Fitness Gym and the Youth Lounge at the King's Bastion Leisure Centre. The Authority was made responsible for these after the 2008/2009 Estimates had been approved by Parliament. The Authority has recovered these extra expenses by invoicing King's Bastion Leisure Centre Ltd for the full amount. This is reflected in the increase receipts of the authority for that financial year. As from 1 April 2009, King's Bastion Leisure Centre Ltd has been directly meeting these costs.

**NO. 827 OF 2009**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – DISCRETIONARY OVERTIME**

Can Government explain the requirement for an extra £69,000 to meet discretionary overtime in 2008/2009, in excess of the estimated amount originally provided for the Sports and Leisure Authority?

**ANSWER**

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

The extra £69,000 for discretionary overtime in 2008/2009 was required to meet the cost of new additional staff engaged to provide services at the King's Bastion Leisure Centre and for which the Authority became responsible after the 2008/2009 Estimates had been approved by Parliament.

**NO. 828 OF 2009**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – CONDITIONED OVERTIME**

Can Government explain the nature of the conditioned overtime in the Sports and Leisure Authority, by grade and number of employees engaged in performing conditioned overtime, and the average number of hours each employee has to do during the week when the conditioned overtime applies?

**ANSWER**

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

The payments made to the Gibraltar Sports and Leisure Authority staff charged as conditioned overtime are solely in respect of weekend work premia to which shift workers, that is the 6 Centre Managers and 23 Sports and Leisure Officers, are entitled to receive. This entitlement comes into effect whenever they are rostered to work on a Saturday and/or Sunday which forms part of their basic 40 hours / 5 days a week condition.

**SUPPLEMENTARY TO QUESTION NO. 828 OF 2009**

**HON J J BOSSANO:**

So the position then is that it is not overtime in the sense that they worked over the 40 hours, but that they get paid premium rates for working their eight hours on a Saturday or a Sunday. Is that correct?

**HON E J REYES:**

That is correct. Under the agreements that the Authority had reached with the representatives of the workforce there, although they are working within their forty hours in a five day week, if those five days means that they have to work on a Saturday or a Sunday, then they are entitled to receive an extra remuneration reflected as conditioned overtime.

**HON J J BOSSANO:**

This is a definition of conditioned overtime which is peculiar to the conditions that apply in the Sports and Leisure Authority. Is it?

**HON E J REYES:**

In xxxxxx to the Sports and Leisure Authority this is how it is accounted for by the Authority.

**HON J J BOSSANO:**

Do the people who are on Government terms also have these conditions or are they paid in a different way?

**HON E J REYES:**

Is the question referring to the three employees who are not part of the.....?

**HON J J BOSSANO:**

That is right.

**HON E J REYES:**

I do not have prior notice of that question so I have not been able to check it up. But from my recollection, if they have to work at weekends or whatever, they are still being paid as they were before the Authority came into existence. That I know of, their previous terms and conditions have not been altered.

**HON J J BOSSANO:**

But when the hon Member says that there are 23 Sports and Leisure Officers, the three that are employed in the Authority but shown in the Estimates because they are civil servants, are still doing the same kind of work as these 23? Or is it that there is a separate kind of job for the three that remain as Government employees?

**HON E J REYES:**

The three that remain as Government employees do not carry out exactly the same duties. For example, from what I can recall, they do not form part of the posting, shall we call it that, to work within King's Bastion Leisure Centre. Their work is exclusive within Bayside Sports Centre and even within that Centre there are some areas of work that they do not touch upon. So their workload is mainly contained to work in the older part of the facilities which are the ones that were in existence prior to the establishment of the Authority; the Victoria Stadium part of the premises which is the main football pitch and the Victoria Sports Hall facilities that have been built and therefore operational only after the existence of the Authority. Work in those areas do not apply to these three gentlemen since they chose not to join the workforce. They just keep to the old part. Exactly the same conditions as they were before.



**NO. 829 OF 2009**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – EMPLOYEES ON BASIC CONDITIONED HOURS**

Can Government confirm whether there are any employees in the Sports and Leisure Authority employed on basic conditioned hours of more than 39 hrs per week?

**ANSWER**

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

Yes, I can confirm that there are. I will give you details. The employees of the Gibraltar Sports and Leisure Authority employed on basic conditioned hours of more than 39 hours per week are the following. A total of 6 Centre Managers and 23 Sports and Leisure Officers. They are employed on 40 hours per 5-day working week. What in effect they do there is that they work five days in shifts of eight hours. Eight times five is forty and that is how they came to that magical figure. In addition to that, there are 2 Supervisory Groundsmen who work 62 hours per 6-day working week. It is intended that as retirement comes along and therefore, through natural wastage, we will phase out these two 62 hour per 6-day working week posts.

**SUPPLEMENTARY TO QUESTION NO 829 OF 2009**

**HON J J BOSSANO:**

If I am not mistaken, I seem to recall that when the hon Member produced the breakdown of the Supervisory Groundsmen, it shows these two to be females and one is a Moroccan. Is that correct? Maybe it should be called Groundspersons as opposed to Groundsmen. Or maybe the information is incorrect.

**HON E J REYES:**

Can I apologise on behalf of the typist. There are two Supervisory Groundsmen, Grade 7. They come under the Facilities Department and it should read there, two male, I am sorry. The one male and two female is definitely a typing error.

**HON G H LICUDI:**

The 21 male and two female are probably the 23 Sports and Leisure Officers.

**HON E J REYES:**

Yes. That is what I think has happened there. Can I, make sure that this is corrected and sent over in a few minutes time to pass on. But the hon Member has a legitimate question. One is British and one is Moroccan, yes.

**HON J J BOSSANO:**

These are the two.

**HON E J REYES:**

Those are the two and I think they are well known to us. We can work out exactly who they are by walking round the Stadium.

**HON J J BOSSANO:**

Are these positions now included in the Sports and Leisure Authority or are these the ones that remained in the Government? The ones with the 62 hours.

**HON E J REYES:**

No, they are. It says down here at the very bottom total 42 employees, so including those two Supervisory Groundsmen form part of the approved established of the Sports and Leisure Authority.

**HON J J BOSSANO:**

Of the complement?

**HON E J REYES:**

They do form part of that. I think I am deducing from there, that what will eventually happen, is that the Sports and Leisure Officers number there of 23, the day will come when the actual number of post holders of that Grade 8 will rise to 26. That is how I read the Estimates which were approved. I will just recap, that it is 26 at Grade 8 and from my table it shows that there is only 23 employed. The reason why the three vacancies are not being advertised is we are waiting to see what happens with the other three gentlemen.

**HON J J BOSSANO:**

My other question was the 62 hours was what they were doing in the Government and that has been transferred to the Leisure Authority. Is that right?

**HON E J REYES:**

That is right. I am informed that in the negotiations for the transfer and so on these two gentlemen were happy at the time with those terms and conditions and therefore they transferred across the board on that basis.

**NO. 830 OF 2009**

**THE HON J J BOSSANO**

**VESSELS ARRESTED IN PORT OF GIBRALTAR**

Can Government state how many vessels have recently been arrested in the port of Gibraltar, and in respect of each, what costs have been incurred on a weekly or monthly basis, during the period of their arrests?

**ANSWER**

**THE HON THE MINISTER FOR JUSTICE**

This year there have been 14 vessels arrested in the port of Gibraltar. The arresting parties on requesting the warrant of arrest for the ship also give an undertaking through their lawyers, in the form of an indemnity, to pay all of the costs of the arrest. In addition, the Admiralty Marshall seeks in advance of arrest, monies on account to pay any expenses beforehand. Therefore, costs are effectively paid by the arresting party even if the Admiralty Marshall has incurred an underlying liability. The costs incurred to-date per ship on a monthly basis is detailed in the table I now hand to the hon Member.

**ANSWER TO QUESTION NO 830 OF 2009**

<b>EXPENSES INCURRED TO DATE FOR EACH SHIP (2009)</b>									
<b>Name of Ship</b>	<b>June</b>		<b>July</b>		<b>August</b>		<b>September</b>		
	£	\$	£	\$	£	\$	£	\$	
MV Astoria	-	-	3,223.29	-	81,250.37	-	214,971.68	-	
MV K-Spirit	-	-	121.19	-	2,572.00	-	1,815.77	-	
MV Catalina Del Mar	-	-	409.77	-		-	49,204.00	-	
MV Arafura Wind	-	-		-	7,103.98	52,006.90	2,888.31	99,316.33	
MV Lister	351.02	-	6,158.13	-	146,363.43	89,339.09	9,069.00	17,051.13	
MV Skif	15,724.92		127.93	-	2,850.01	-	2,082.40	-	
MV EW Jackson	-	-	-	-	751.51	-	1,682.52	-	

**Contd.....**

CONT ANSWER TO QUESTION NO 830 OF 2009

EXPENSES INCURRED TO DATE FOR EACH SHIP (2009)									
Name of Ship	June		July		August		September		
	£	\$	£	\$	£	\$	£	\$	
MV Kyria	-	-	-	-	-	-	40.00	-	-
MV Antisana Jorf	-	-	-	-	-	-	300.01	-	-
MV Calypso III	-	-	-	-	-	-	4,022.59	-	-
MV Logan	-	-	-	-	713.48	-	1,815.77	-	-
MV Cape Mor	-	-	1,194.11	-	4,748.75	-	14,057.14	-	-
MV Sibuyan Wind	-	-	-	-	-	-	-	-	-
MY Lady	-	-	-	-	-	-	-	-	-

**SUPPLEMENTARY TO QUESTION NO. 830 OF 2009**

**HON G H LICUDI:**

In respect of all these vessels, have all these been the subject of private arrest or has there been any Government involvement or Port Authority involvement, for example because a port due has not been paid or anything like that, for all these private matters?

**HON D A FEETHAM:**

My understanding is that they are all private arrests but I could not be one hundred per cent certain about this.

ORAL

**NO. 831 OF 2009**

**THE HON C A BRUZON**

**STATUTORY BENEFITS FUND**

Can Government state what was the monthly income, expenditure and balance of the Statutory Benefits Fund since the answer given to Question No. 385 of 2009?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question No. 832 of 2009.



**NO. 832 OF 2009**

**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, since the answer to Question No. 386 of 2009, 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 HEALTH AND CIVIL PROTECTION**

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

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

## **ANSWER TO QUESTION 832 OF 2009**

### **Answer to Question No. 831**

The monthly Income, Expenditure and Balance of the Statutory Benefits Fund as from June 2009 to September 2009 is as per the following tentative statement:

(\*The approved Contribution from the Consolidated Fund is £8.5M 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**

	<u>30-Jun-09</u>	<u>31-Jul-09</u>	<u>31-Aug-09</u>	<u>30-Sep-09</u>
<b>Fund Account -</b>				
<b><u>Opening Balance</u></b>	£20,579,923.32	£20,434,024.10	£20,545,315.63	£20,460,745.38
<b><u>Add</u></b>				
*Contribution from the Consolidated Fund	£708,333.33	£708,333.33	£708,333.33	£708,333.33
Contributions collected in cash (Insurance contr.)	£1,261,237.42	£1,481,095.84	£1,160,704.24	£1,293,734.73
Misc Receipts	£16,824.67	£20,377.54	£13,159.28	
	<u>£22,566,318.74</u>	<u>£22,643,830.81</u>	<u>£22,427,512.48</u>	<u>£22,462,813.44</u>
<b><u>Less</u></b>				
Payments	<u>(£2,132,294.64)</u>	<u>(£2,098,515.18)</u>	<u>(£1,966,767.10)</u>	<u>(£2,072,059.17)</u>
<b><u>Closing Balance</u></b>	<u>£20,434,024.10</u>	<u>£20,545,315.63</u>	<u>£20,460,745.38</u>	<u>£20,390,754.27</u>

Cont'...

**Cont'd ANSWER TO QUESTION 832 OF 2009**

**Answer to Question No. 832**

The following pensioners were being paid or with entitlement to payment from the Statutory Benefits Fund for the months of June to September 2009.

	<b>Jun-09</b>	<b>Jul-09</b>	<b>Aug-09</b>	<b>Sep-09</b>
<b><i>Pre-1969 Spanish Pensioners</i></b>	282	281	280	275
<b><i>British Pensioners (Gib/UK Nat.)</i></b>	5442	5465	5499	5507
<b><i>Moroccan Pensioners</i></b>	1990	1997	2003	2006
<b><i>Other Nationalities</i></b>	620	628	642	665
<b>Total</b>	<b>8334</b>	<b>8371</b>	<b>8424</b>	<b>8453</b>

**NO. 833 OF 2009**

**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 to date, since the answer given to Question No. 387 of 2009, giving a monthly breakdown of their age and sex?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question Nos. 834 and 835 of 2009.

**NO. 834 OF 2009**

**THE HON C A BRUZON**

**SOCIAL ASSISTANCE**

Can Government state what was the number of persons receiving Social Assistance, to date, since the answer to Question No. 389 of 2009, giving a monthly breakdown by age and sex?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth and Community Affairs**

Answered together with Question Nos. 833 and 835 of 2009.

**NO. 835 OF 2009**

**THE HON C A BRUZON**

**SOCIAL ASSISTANCE**

Can Government state how many persons receiving Social Assistance, to date, since the answer given to Question No. 390 of 2009, 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 HEALTH AND CIVIL PROTECTION**

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

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

### **Answer to Question 835 of 2009**

### **Answer to Question 833 of 2009**

Persons receiving Disability Allowance under the Social Assistance arrangements as from June to September 2009 giving a monthly breakdown of their age and sex.

2009	0-10	11-20	21-30	31-40	41-50	51-60	61-70	Total	Males	Females
June	24	30	25	21	16	16	3	135	94	41
July	24	30	25	21	16	16	3	135	94	41
August	24	30	26	21	16	16	3	136	95	41
September	24	30	26	22	16	16	3	137	96	41

### **Answer to Question 834 of 2009**

Persons receiving Social Assistance for the months of June to September 2009 by month, sex and age.

2009	Males	Females	Total	18/25	26/35	36/45	46/60
June	181	320	501	81	144	126	150
July	181	324	505	81	148	124	152
August	193	320	513	85	156	122	150
September	189	324	513	86	156	125	146

### **Answer to Question 835 of 2009**

Persons in receipt of Social Assistance for the months of June to September 2009.

2009	Males	Females	Total	18/25	26/35	36/45	46/60
June	181	320	501	81	144	126	150
July	181	324	505	81	148	124	152
August	193	320	513	85	156	122	150
September	189	324	513	86	156	125	146
As at 6 October	187	318	505	85	152	124	144

Persons employed during the months of June to September 2009

2009	Males	Females	Total	18/25	26/35	36/45	46/60
June	1	3	4	0	3	1	0
July	2	2	4	1	1	2	0
August	1	4	5	3	1	1	0
September	1	4	5	2	2	0	1

**NO. 836 OF 2009**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE CONTRIBUTIONS NOT PAID BY EMPLOYER**

Can Government state what procedure is followed when a person reaches pensionable age and the relevant social insurance contributions have not been paid in by his/her former employer?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

When a person reaches pensionable age and the relevant social insurance contributions have not been paid by their former employer the matter is immediately referred for investigation to the Contributions Section of the Income Tax Department. Once the actual periods of employment have been established, prompt action is taken to recover the unpaid contributions from the employer concerned. If any delay in recovering the contributions is envisaged or the employer no longer exists, the relevant periods of contribution will be treated as if paid, if the Director is satisfied that the failure in making the contributions was not with the consent or connivance of, or attributable to any negligence on the part of the insured person. The application for benefit would then be processed immediately and the case referred to the Arrears Unit of the Income Tax Department for the recovery of the unpaid contributions.

**SUPPLEMENTARY TO QUESTION NO. 836 OF 2009**

**HON J J BOSSANO:**

Can the hon Member say what order of timescale we are talking about before the department decides, in trying to recover this money, that the person should not have to wait any longer for the assessment of his entitlement to be made. Is this something that can take up to a month or several months? What are we talking about?

**HON MRS Y DEL AGUA:**

I would not be able to say. I assume that it depends on the complexity of each individual case, the ability of the relevant department in chasing up the employer. But I would think that everything is done as expeditiously as is humanly possible in order not to cause any, sort of, grievance to the employee concerned.



**HON J J BOSSANO:**

I accept that the civil servants will be conscious of the need to expedite this and will do things as quickly as possible but presumably if something is taking a very long time there must be a policy to trigger some mechanism. There may be the run of the mill cases and the bulk of them are resolved in a couple of months but if you come to a protracted situation where it is difficult to get to grips with it, is it a policy that after a certain time the calculations should proceed even if the avenues have not all been exhausted? Surely there must be..... People cannot be made to wait indefinitely presumably?

**HON MRS Y DEL AGUA:**

I cannot give him a precise answer to that question of whether there is a deadline by which all these transactions have to be completed. What I can say is that if an employee is not satisfied, once the decision is taken there is an appeals process that you can go to. I am sure that the hon Member is aware of that.

**HON J J BOSSANO:**

I know of the right of appeal against a decision not to grant, or to grant less than anticipated. But if there is no answer you cannot appeal. You cannot appeal until you get rejected. If people are told you have to wait until we make the investigation, surely if the thing is taking longer than..... If the average is it normally takes a month or six weeks or whatever, surely there must be, within the department, some kind of guideline that if this is going to drag on for a very long time, the person cannot be made to wait indefinitely. Will the Minister look into this and see if such a mechanism exists?

**HON MRS Y DEL AGUA:**

Certainly. I will ask my colleague who is absent from the House to provide that information to the hon Member.

**NO. 837 OF 2009**

**THE HON G H LICUDI**

**STATUTORY BENEFITS FUND – EMPLOYMENT INJURIES**

Can Government state what payments were made out of the Statutory Benefits Fund for each month from June to September 2009 in respect of Employment Injuries?

**ANSWER**

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

**On behalf of the Minister for Family, Youth and Community Affairs**

Answered together with Question No. 838 of 2009.

ORAL

**NO. 838 OF 2009**

**THE HON G H LICUDI**

**STATUTORY BENEFITS FUND – INSOLVENCY PAYMENTS**

Can Government state what payments were made out of the Statutory Benefits Fund for each month from June to September 2009 arising from the insolvency of any employer?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

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

## **ANSWER TO QUESTION 838 OF 2009**

### **Answer to Question No. 837 of 2009**

Payments from the Statutory Benefits Fund from June 2009 to September 2009 in respect of employment injuries have been as follows:-

#### **STATUTORY BENEFITS FUND – TENTATIVE STATEMENT**

	<b>Jun 09</b>	<b>Jul 09</b>	<b>Aug 09</b>	<b>Sept 09</b>
<b>Payments:</b>				
<b>Employment Injuries</b>	£52,465.94	£49,606.16	£43,553.70	£67,299.67

### **Answer to Question No. 838 of 2009**

The following payments were made out of the Statutory Benefits Funds from June to September 2009 from the employers' insolvency:

<b><u>Month</u></b>	<b><u>Amount</u></b>
June 2009	nil
July 2009	nil
August 2009	nil
September 2009	£17,023.50

**SUPPLEMENTARY TO QUESTION NOS. 837 AND 838 OF 2009**

**HON G H LICUDI:**

In relation to the answer to question No. 838 of 2009 where there is an amount of £17,000 paid out of the Statutory Benefits Fund for September 2009 arising from the employers insolvency, does the hon Member know whether this is in connection with one employer or more than one employer?

**HON MRS Y DEL AGUA:**

The payment is in respect of two employees from one employer.

**NO. 839 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND – PENSIONERS**

Can Government state in respect of the pensioners with entitlement to a payment from the Statutory Benefits Fund as at the 1<sup>st</sup> April 2008, how many had ceased to have such an entitlement during the course of the financial year, giving a breakdown by each of the four categories of pensioners?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question Nos. 840 to 844 of 2009.

**NO. 840 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND – PENSIONERS**

Can Government state as regards the pensioners with entitlement to a payment from the Statutory Benefits Fund for the month March 2009, how many in respect of each of the four identified categories became entitled to such payment for the first time during the financial year 2008/2009?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question Nos. 839 and 841 to 844 of 2009.

**NO. 841 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND – PRE-1969 SPANISH PENSIONERS**

In respect of the 290 pre-1969 Spanish pensioners with entitlement to a payment from the Statutory Benefits Fund for the month of March 2009, can Government state how many were resident in a) Gibraltar; b) Spain; c) UK; d) elsewhere?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question Nos. 839, 840 and 842 to 844 of 2009.



**NO. 842 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND – BRITISH PENSIONERS**

In respect of the 5,377 British pensioners with entitlement to payment a from the Statutory Benefits Fund for the month of March 2009, can Government state how many were resident in a) Gibraltar; b) Spain; c) UK; d) elsewhere?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question Nos. 839 to 841, 843 and 844 of 2009.

**NO. 843 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND – MOROCCAN PENSIONERS**

In respect of the 1,969 Moroccan pensioners with entitlement to a payment from the Statutory Benefits Fund for the month of March 2009, can Government state how many were resident in a) Gibraltar; b) Spain; c) UK; d) elsewhere?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question Nos. 839 to 842 and 844 of 2009.

**NO. 844 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND – PENSIONERS OTHER NATIONALITIES**

In respect of the 577 pensioners of other nationalities with entitlement to a payment from the Statutory Benefits Fund for the month of March 2009, can Government state how many were resident in a) Gibraltar; b) Spain; c) UK; d) elsewhere?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

The Department of Social Security is still not fully computerised and consequently, the information requested cannot be provided. I should explain that the information previously provided regarding British, Spanish, Moroccans and pensioners from other nationalities with entitlement to a payment from the Statutory Benefits Fund for the month of March 2009, was compiled from an excel spreadsheet. As this is constantly updated for example, when there is a change of residence, the historic information for the month of March 2009 cannot be retrieved as it has already been replaced by more current information. However, I can provide the hon Member with the same information requested but as at the end of September 2009. I now hand the hon Member lists giving the information requested.

### **ANSWER TO QUESTION NO. 844 OF 2009**

#### **Answer to Question No. 839 of 2009**

Pensioners who ceased to have an entitlement from the Statutory Benefits Fund during the course of the financial year 2008/2009:

Pre-1969 Spanish Pensioners	10
British Pensioners (Gib/UK Nat.)	203
Moroccan Pensioners	57
Other Nationalities	<u>23</u>
Total	<u><b>293</b></u>

#### **Answer to Question No. 840 of 2009**

Pensioners who were entitled to a first time payment from the Statutory Benefits Fund during the financial year 2008/2009:

Pre-1969 Spanish Pensioners	17
British Pensioners (Gib/UK Nat.)	305
Moroccan Pensioners	179
Other Nationalities	<u>70</u>
Total	<u><b>571</b></u>

#### **Answer to Question No. 841 of 2009**

Pre-1969 Spanish pensioners with entitlement to payment from the Statutory Benefits Fund as at end September 2009 who were resident a) Gibraltar; b) Spain; c) UK; d) elsewhere:

a) Resident in Gibraltar	1
b) Resident in Spain	232
c) Resident in UK	6
d) Resident elsewhere	<u>36</u>
	<u><b>275</b></u>

#### **Answer to Question No. 842 of 2009**

British pensioners with entitlement to payment from the Statutory Benefits Fund as at end September 2009 who were resident a) Gibraltar; b) Spain; c) UK; d) elsewhere:

a) Resident in Gibraltar	4838
b) Resident in Spain	186
c) Resident in UK	435
d) Resident elsewhere	<u>48</u>
	<u><b>5507</b></u>

**Cont'd ANSWER TO QUESTION NO. 844 OF 2009**

**Answer to Question No. 843 of 2009**

Moroccan pensioners with entitlement to payment from the Statutory Benefits Fund as at end September 2009 who were resident a) Gibraltar; b) Spain; c) UK; d) elsewhere:

a)	Resident in Gibraltar	284
b)	Resident in Spain	26
c)	Resident in UK	3
d)	Resident elsewhere	<u>1693</u>
		<b><u>2006</u></b>

**Answer to Question No. 844 of 2009**

Pensioners from other nationalities with entitlement to payment from the Statutory Benefits Fund as at end September 2009 who were resident a) Gibraltar; b) Spain; c) UK; d) elsewhere:

a)	Resident in Gibraltar	71
b)	Resident in Spain	488
c)	Resident in UK	11
d)	Resident elsewhere	<u>95</u>
		<b><u>655</u></b>

**NO. 845 OF 2009**

**THE HON J J BOSSANO**

**ELDERLY CARE AGENCY – CLINICAL WASTE**

Can Government state to whom the sum of £330,000 in respect of clinical waste is payable by the Elderly Care Agency or its successor in the current financial year?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question No. 846 of 2009.

**NO. 846 OF 2009**

**THE HON J J BOSSANO**

**ELDERLY CARE AGENCY – CLINICAL WASTE**

Can Government state what has been the amount spent by the Elderly Care Agency in each previous financial year on clinical waste and under what item of expenditure was the sum included in each financial year?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

I will now hand the hon Member a schedule giving the information requested.

**Answer to Question No. 845 of 2009.**

The sum of £330,000, which is the estimated expenditure for 2009/10, is payable to Environment and Waste Management Services Ltd (EWMS).

**Answer to Question No. 846 of 2009.**

The expenditure by the Elderly Care Agency on clinical waste in previous years was as follows:

2006/07	£142,395
2007/08	£153,991
2008/09	£241,917

This expenditure has been charged as follows:

<u>Elderly Care Agency</u> <u>(Appendix D)</u>	<u>2006/07</u> <u>Actual</u>	<u>2007/08</u> <u>Actual</u>	<u>2008/09</u> <u>Actual</u>	<u>2009/10</u> <u>Estimated</u>
(13) Hardware, Uniforms & Linen (Purchase of bins only)	£42,310.00	£50,076.00	£59,241.00	-
(14) Clinical Waste	-	-	-	£330,000
Head 4A – Environment – 5(b)(i) Disposal of Refuse (Disposal fee)	£100,085.09	£103,915.12	£182,676.18	-
	£142,395.08	£153,991.12	£241,917.18	£330,00.00



ORAL

**NO. 847 OF 2009**

**THE HON N F COSTA**

**MOUNT ALVERNIA – WAITING LIST**

Can Government state how many elderly citizens are waiting for a place at Mount Alvernia, and how many of these are occupying a bed at St Bernard's Hospital, as on 30 September 2009?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

As at the 30<sup>th</sup> September 2009 there are 402 elderly citizens who have applied for a place at Mount Alvernia. On the 30<sup>th</sup> September 2009 there are 41 of these applicants who are occupying a bed at St Bernard's Hospital.

**NO. 848 OF 2009**

**THE HON J J BOSSANO**

**CHILDREN IN CARE**

Can Government state how many children in care are staying in Merlot House, what is the total occupancy, including carers, and what is the size of the flat?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

There are currently seven children living in Merlot House, two of whom are having overnight stay at weekends with their family. The flat is a three bedroom, kitchen, two bathroom and sitting room, terrace/balcony. In terms of staff there is one unit manager, three care workers on shift during the day and two care workers at night.

**SUPPLEMENTARY TO QUESTION NO. 848 OF 2009**

**HON J J BOSSANO:**

So in fact at night there could be nine people sleeping in the flat. The two carers and seven children, is that correct?

**HON MRS Y DEL AGUA:**

The carers do not actually sleep.

**HON J J BOSSANO:**

Well, on duty anyway.

**HON MRS Y DEL AGUA:**

They do not use a bedroom, put it that way.

**HON J J BOSSANO:**

They do not use a bedroom. Is the size of the flat intended for this level of occupation or is it that they have had to put in people there because there is no other place available? Is that the intended level of occupancy?

**HON MRS Y DEL AGUA:**

It is not the ideal situation. But that would happen in any household. A family who has six children and lives in a three bedroom flat, they have to share bedrooms. It is not the ideal situation but I presume that the situation we have at the moment is because there was no other immediate accommodation to place these children and this was the only thing available at the time.

**HON J J BOSSANO:**

Is there any problem in terms of..... I know what the hon Member says about any family with large..... but normally in terms of housing, for example, account is taken of whether they are all the same sex or not the same sex and the ages and that kind of thing. Is there any difficulty in the composition of the seven children of that order?

**HON MRS Y DEL AGUA:**

I think they are accommodated as best as possible. But what I can tell the hon Member is that, if I am not mistaken, they are all siblings of the same family. So sharing is not so much a problem as if they did not know each other.

**NO. 849 OF 2009**

**THE HON J J BOSSANO**

**CARE AGENCY CLINICAL MANAGER**

Can Government state the duties of the Care Agency Clinical Manager and what qualifications, if any, and experience, applicants for the post are required to have?

**ANSWER**

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

**On behalf of the hon the Minister for Family, Youth & Community Affairs**

The Care Agency does not employ a Clinical Manager. I assume the hon Member is referring to the Clinical and Standard Compliance Director.

**SUPPLEMENTARY TO QUESTION NO. 849 OF 2009**

**HON J J BOSSANO:**

No.

**HON MRS Y DEL AGUA:**

And in that case, the qualification required is the First Level Nurse and evidence of training in the following is also required: Management Skills; Mentorship in Training; Experience in Teaching and Assessing; Experience in Implementation of Policies and Procedures; Experience in Elderly Care; Young Disabled Disability Homes and Children in Care; Evidence of Proven Track Record.

**HON J J BOSSANO:**

Would the evidence of proven track record be something that would be required from outside Gibraltar or would the record of people from within the Agency be considered to be relevant to this job?

**HON MRS Y DEL AGUA:**

I do not have the answer to that but I assume that it would be irrespective of whether from the UK or from Gibraltar or elsewhere as long as they can prove that they have

a track record in the field and that they meet the requirements. It does not really matter. But I am only presuming. I am not 100% certain, but I can find out.

**HON J J BOSSANO:**

The reason for the question is that if it is too specific in terms of what is the track record required then presumably it would be difficult for a lot of persons within the Agency in what is a new set up to be able, however competent they may be, to produce a record if it is made too specific to the new job. Whereas they may have a record in the other positions they may have held before in the Agency and whether that is something that counts as the equivalent.

**HON MRS Y DEL AGUA:**

If I had a list in front of me of people who had applied, and been short listed, and looked at their nationalities, I would be in a better position to reply. But I am afraid I have not.

ORAL

**NO. 850 OF 2009**

**THE HON J J BOSSANO**

**SOCIAL WORKERS**

Can Government state what is the job description of out of hours Social Workers and on what basis they are paid and how much?

**ANSWER**

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

**On behalf of the hon the Minister for Family, Youth & Community Affairs**

Answered together with Question Nos. 851 and 852 of 2009.

ORAL

**NO. 851 OF 2009**

**THE HON J J BOSSANO**

**SOCIAL WORKERS**

Can Government state whether there have been any instances of out of hours Social Workers declining to attend call out requests from a) Care Workers and/or b) the Police?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question Nos. 850 and 852 of 2009.

**NO. 852 OF 2009**

**THE HON J J BOSSANO**

**SOCIAL WORKERS**

Can Government confirm whether there is a requirement for out of hours Social Workers to be resident in Gibraltar?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

In answer to Question No. 850 of 2009, I now hand the hon Member a Social Worker – Out of Hours Job Description.

The Out of Hours Social Workers work on alternate weeks. Their salary as at April 2009 is £18,280 per annum. They are on-call after office hours i.e. 5.30pm to 9.00am in winter and 2.30pm to 9.00am in summer and 24 hours during Saturdays and Sundays. Their salary has been calculated as working 3.5 days per week.

In answer to Question No. 851 of 2009, yes, at times they have declined as it was considered to be inappropriate referrals and they have been referred to the established protocol.

In answer to Question No. 852 of 2009, there is a requirement that they should reside within a radius of 20 minutes travelling time.



## **Cont'd ANSWER TO QUESTION NO. 852 OF 2009**

### **Answer to Question No. 850 of 2009**

#### **JOB DESCRIPTION**

JOB TITLE: Social Worker – Out of Hours  
SECTION: Emergency Team  
DEPARTMENT: The Care Agency  
REPORTS TO: Team Leader Responsible for Out of Hours Service  
JOB PURPOSE:

1. To provide an emergency social work service at expert level outside of daily operating hours.
2. To provide a seamless service to people in the residential settings for accommodated children and young people or people with learning disabilities.
3. To provide a link between daytime services and emergency services.

#### **PRINCIPLE ACCOUNTABILITIES**

1. To undertake complex case arrangements for assessment and care planning which involve risk, complexity and the safety of service users and others. This to include all service user groups that are the responsibility of the Care Agency.
2. To complete risk assessments and make independent decisions around the actions required in line with the agreed written policies set down in the different residential settings for children and young people and people with learning disabilities.
3. To provide an emergency service to be accessed via the Police for people living in the community at risk of significant harm.
4. To represent the Care Agency in inter-agency networks, working jointly with the different agencies in assessing, planning and implementing care to promote independence.
5. Prepare regular reports and make recordings, within the areas of responsibilities covered in the post, in line with the Care Agency policy and the Data Protection Act.
6. Taking joint responsibility in the development of information systems.
7. Ensuring lines of communication between the out of hours team and the different daytime team are effective.

8. To maintain knowledge regarding social policy and social work practice and to be fully informed of the Care Agency policy and procedures and relevant legislation.
9. To attend regular team meetings, reviews and case conferences and play an active role, as required.
10. Undertake training and supervision as identified and set down.
11. Ensure the rota is covered and in the event of this not being feasible as a result of unforeseen circumstances, notifying the relevant team leader.
12. To ensure that the Team Leader is advised of shortcomings in the out of hours service.
13. Undertake any other responsibilities delegated by the Team Leader, commensurate with the level of the post, in order to ensure the smooth operation of the out hours service.

**SUPPLEMENTARY TO QUESTION NOS. 850 TO 852 OF 2009**

**HON J J BOSSANO:**

Twenty minutes on the other side of the frontier on the days that there are no queues. Is that the criteria?

**HON MRS Y DEL AGUA:**

Twenty minutes from wherever. They could take..... if we have traffic jams in Gibraltar they could take twenty minutes from Europa Point as well.

**HON J J BOSSANO:**

I accept they would. But my question was are they required to be resident in Gibraltar? So the answer is that if it takes them longer because of the traffic chaos of the Government to get from the South than it does to get from Estepona, then they could meet the criteria in Estepona and not in the South. Is that the supplementary answer?

**HON MRS Y DEL AGUA:**

If that were a real scenario, which I doubt very much, it would be yes.

**HON J J BOSSANO:**

So the preferred option is that they should be resident in Gibraltar and then presumably that means that if there are equally well qualified or experienced people applying for these jobs it is made clear to them that on a level playing field the Gibraltar resident gets preferential treatment because obviously it is better for the department to have people here, more readily available.

**HON MRS Y DEL AGUA:**

It is obvious that these..... I assume that these things are monitored and a log of social worker call outs, when they are required, is kept. I would presume that if they do not meet the criteria of being where they need to be in 20 minutes, and live outside Gibraltar, the requirement would need to be changed to ensure that they are resident in Gibraltar. But I am only assuming. I cannot vouch that that is the case. At least that was the case when I was Minister for Social Services.

**HON J J BOSSANO:**

The instances that there were where people have not in fact attended to the calls. Are these instances after the hon Member changed to her new responsibilities or are they from the time that she was there?

**HON MRS Y DEL AGUA:**

I believe this is historical, since this post was established. It was during my time.

**HON J J BOSSANO:**

It was also the case then?

**HON MRS Y DEL AGUA:**

Yes.

ORAL

**NO. 853 OF 2009**

**THE HON J J BOSSANO**

**CARE AGENCY – CASES OF ABUSE**

Can Government confirm whether there have been any cases of alleged abuse referred to the Care Agency by the CID in September, and if so, how many?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question No. 854 of 2009.

**NO. 854 OF 2009**

**THE HON J J BOSSANO**

**CHILDREN IN CARE**

Can Government state how many children were in care in September 2008 and September 2009?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

The answer to Question No. 853 of 2009 is no.

In answer to Question No. 854 of 2009, in September 2008 there were 23 children being looked after. In September 2009 there were 29 children being looked after, out of which three are being looked after in the UK and one in St Bernard's Hospital.

**SUPPLEMENTARY TO QUESTION NOS. 853 TO 854 OF 2009**

**HON J J BOSSANO:**

Would the hon Member consider, on the basis of the increase in numbers, that there is any indication that this kind of problem is getting worse? That there are more instances that there have been or is this just a blip as it were?

**HON MRS Y DEL AGUA:**

I think this is the latter because these numbers fluctuate. This is not the first time that we have had 29 children in care. So numbers fluctuate.

**HON J J BOSSANO:**

So it is not an indication of a trend?

**HON MRS Y DEL AGUA:**

I do not think so.

**NO. 855 OF 2009**

**THE HON J J BOSSANO**

**MINIMUM INCOME GUARANTEE**

Can Government provide a breakdown of the number of pensioners who have been granted the Minimum Income Guarantee showing the number receiving the single and married rates in bands of £5 to the full amount since the answer to Question No. 401 of 2009?

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

Answered together with Question No. 856 of 2009.

**NO. 856 OF 2009**

**THE HON J J BOSSANO**

**MINIMUM INCOME GUARANTEE**

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

**ANSWER**

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

**On behalf of the Hon the Minister for Family, Youth & Community Affairs**

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



## **ANSWER TO QUESTION 856 of 2009**

### **Answer to Question No. 855**

NUMBER OF PENSIONERS WHO HAVE BEEN GRANTED THE MINIMUM INCOME GUARANTEE,  
RECEIVING THE SINGLE AND MARRIED COUPLE RATES IN BANDS OF £5 UP TO THE FULL AMOUNT  
FOR THE MONTHS OF JUNE TO SEPTEMBER 2009.

				SINGLES		COUPLES		TOTAL
				No		No		No
FROM	£151.00	TO	£155.00	0		0		0
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	3		0		3
FROM	£106.00	TO	£110.00	0		0		0
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		0		0
FROM	£76.00	TO	£80.00	0		0		0
FROM	£71.00	TO	£75.00	0		0		0
FROM	£66.00	TO	£70.00	0		0		0
FROM	£61.00	TO	£65.00	0		0		0
FROM	£56.00	TO	£60.00	0		0		0
FROM	£51.00	TO	£55.00	2		0		2
FROM	£46.00	TO	£50.00	0		0		0
FROM	£41.00	TO	£45.00	0		0		0
FROM	£36.00	TO	£40.00	0		0		0
FROM	£31.00	TO	£35.00	0		0		0
FROM	£26.00	TO	£30.00	0		0		0
FROM	£21.00	TO	£25.00	0		0		0
FROM	£16.00	TO	£20.00	6		0		6
FROM	£11.00	TO	£15.00	0		0		0
FROM	£6.00	TO	£10.00	1		0		1
FROM	£0.00	TO	£5.00	0		1		1
TOTAL				12		1		13

Cont'...

## **Cont'd ANSWER TO QUESTION 856 of 2009**

### **Answer to Question No. 856**

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 SEPTEMBER 2009.

				<b>SINGLES</b>		<b>COUPLES</b>		<b>TOTAL</b>
				<b>No</b>		<b>No</b>		<b>No</b>
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	32		0		32
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		0		1
FROM	£71.00	TO	£75.00	15		0		15
FROM	£66.00	TO	£70.00	1		0		1
FROM	£61.00	TO	£65.00	2		0		2
FROM	£56.00	TO	£60.00	2		5		7
FROM	£51.00	TO	£55.00	19		1		20
FROM	£46.00	TO	£50.00	10		2		12
FROM	£41.00	TO	£45.00	13		1		14
FROM	£36.00	TO	£40.00	18		0		18
FROM	£31.00	TO	£35.00	11		2		13
FROM	£26.00	TO	£30.00	19		1		20
FROM	£21.00	TO	£25.00	19		1		20
FROM	£16.00	TO	£20.00	236		2		238
FROM	£11.00	TO	£15.00	19		6		25
FROM	£6.00	TO	£10.00	21		7		28
FROM	£0.00	TO	£5.00	8		1		9
TOTAL				449		33		482

**SUPPLEMENTARY TO QUESTION NOS. 855 AND 856 OF 2009**

**HON J J BOSSANO:**

The answer to Question No. 855, do the 13 people become entitled to this between June and September. Does the hon Member know whether in fact the numbers shown here, the 13, are all the applicants or whether there are some applicants xxxxxx that applied that do not xxxxxx?

**HON MRS Y DEL AGUA:**

I am afraid I do not know the answer to that question. If he really wants the information I shall ask my colleague to forward it to him.

**HON LT-COL E M BRITTO:**

For the record, my colleague the Minister for Health has been answering questions on behalf of the Minister for Family, Youth and Community Affairs who is not able to be here in the House for medical reasons and not for any other reason. That is why he has not been present and why my colleague has been answering. And done a very good job too if I may say so.

**MR SPEAKER:**

Thank you.

**HON MRS Y DEL AGUA:**

Thank you.

**NO. 857 OF 2009**

**THE HON N F COSTA**

**GHA – VISITING HOURS CONSULTATION EXERCISE**

Can Government provide the list of questions that were asked in the consultation exercise that preceded the change of visiting hours at the hospital?

**ANSWER**

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

Questions were divided into 3 sections.

Section A centred on the adequacy of visiting times as follows:

Are changes to the visiting times required?  
How are the present visiting hours rated?  
What types of visiting patterns are preferred?  
Weekday and weekend visiting preferences?  
Are patients/visitors tired after visiting?  
Do visitors feel obliged to lengthen their visits?

Section B centred on visitor numbers as follows:

What is the preferred number of visitors?  
Should visiting occur during mealtimes?  
What should the children's age limit be for visiting?  
Do patients feel obliged to entertain their visitors?

Section C centred on visiting policy compliance and enforcement as follows:

How do you rate compliance with policy?  
How do you rate policy enforcement?  
Are patients inconvenienced after visiting?  
Do visitors affect nursing care?

ORAL

**NO. 858 OF 2009**

**THE HON N F COSTA**

**GHA – MRSA INFECTION**

Can Government say whether any cases of MRSA infection were detected at St Bernard's Hospital, on a monthly basis, since June 2009 inclusive?

**ANSWER**

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

I now hand the hon Member the information requested.

**Answer to Question No. 858 of 2009**

	<b>June 2009</b>	<b>July 2009</b>	<b>August 2009</b>	<b>Total</b>
<b>Patients</b>	2	3	2	<b>7</b>
<b>Staff</b>	0	0	0	<b>0</b>
<b>Total</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>7</b>

There were no deaths in this period.

ORAL

**NO. 859 OF 2009**

**THE HON N F COSTA**

**GHA – ELECTIVE SURGERY**

Can Government state the average waiting time for persons undergoing elective surgery?

**ANSWER**

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

Answered together with Question No. 860 of 2009.

**NO. 860 OF 2009**

**THE HON N F COSTA**

**GHA – WAITING TIME FOR SURGICAL INTERVENTION FOR CANCER**

Can Government state the average waiting time for patients needing to undergo surgical intervention for cancer?

**ANSWER**

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

As explained in an identical question 4 months ago, Question 407 of 2009, the average waiting times for patients undergoing elective surgery are influenced by a number of factors. This can vary from day to day and for a number of reasons namely urgent cases, cancellations by patients, medical reasons, bed availability, Bank Holidays, surgeons' sickness and annual leave, etc. Therefore any average would not portray a true figure.

Again, as explained in answer to an identical question 4 months ago, Question 409 of 2009, once a cancer diagnosis is made, and a surgical intervention is required, the first determination is whether the procedure will be carried out in Gibraltar or elsewhere. If the procedure is to be carried out in Gibraltar the procedure is carried out without delay. If patients require the procedure carried out elsewhere then they are referred to the UK's NHS system or the Spanish SAS system.



**NO. 861 OF 2009**

**THE HON N F COSTA**

**GHA – CANCELLED KEYHOLE SURGERY OPERATIONS**

Can Government state how many keyhole surgery operations have been cancelled between June 2009 to date on a monthly basis and the reasons for the cancellations?

**ANSWER**

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

Answered together with Question No. 862 of 2009.

**NO. 862 OF 2009**

**THE HON N F COSTA**

**GHA – CANCELLED OPERATIONS**

Can Government list the dates between June 2009 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**

Two keyhole surgery procedures were cancelled in June due to non-availability of beds.

I hand the hon Member the information requested.

**Answer to Question No. 862 of 2009**

**Cancellations June 2009**

Reason for Cancellation	Otorhinolaryngology	Gynaecology	Ophthalmology	Orthopaedics	General Surgery/ Minor ops	Oral Surgery	Pain Relief	Psych	Total
Medical	1							1	2
Bed Availability				3	5				8
Per Patient		1	3		1				5
No longer required			2	2					4
Total	1	1	5	5	6			1	19

( ) minor ops

Contd ...

**Continued Answer to Question No. 862 of 2009**

**Cancellations July 2009**

Reason for Cancellation	ENT	Gynae	Ophthalmology	Orthopaedics	General Surgery	Oral Surgery	Pain Relief	Psych	Total
Medical			1	7	2				10
Bed availability				1	2				3
Per patient			2		1 (1)		1		4 (1)
No show			2		(1)	3	1		6 (1)
No longer required			1	1	1 (1)				3 (1)
Anaesthetist sick/unavailable				1		5			6
Surgeon sick/unavailable		2							2
No records								1	1
Total	-	2	6	10	6 (3)	8	2	1	38

( ) Minor ops

Contd ...

**Continued Answer to Question No. 862 of 2009**

**Cancellations August 2009**

Reason for Cancellation	ENT	Gynae	Ophthalmology	Orthopaedics	General Surgery	Oral Surgery	Pain Relief	Psych	Total
Medical	1		1						2
Bed availability					2				2
Per patient			3	5	(2)		3		11 (2)
No show			1				1		2
No longer required		3	2		(1)		1		6 (1)
Require instruments Not delivered			1						1
Due to emergency								1	1
Patient transfer problem								2	2
Anaesthetist Sick/Unavailable	2								2
Total	3	3	8	5	2 (3)	-	5	3	32

( ) Minor ops

**NO. 863 OF 2009**

**THE HON N F COSTA**

**GHA – MAMMOGRAPHY SERVICE**

Can the Government tell Parliament at what stage is the establishment of a routine mammography service by the GHA?

**ANSWER**

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

The contract for the mammography equipment has been signed. The equipment is in the process of commissioning.

The contract for the new RICS/PACS system has been awarded.

The mammographer and the clerical support have been recruited.

The breast care nurse has been recruited.

The recruitment of the radiologist is continuing.

The commencement date is contingent on the successful recruitment of the 3<sup>rd</sup> radiologist.

**NO. 864 OF 2009**

**THE HON N F COSTA**

**GHA – CANCER SCREENING PROGRAMMES**

Can Government say what is the waiting time at present for a patient who has had an x-ray or a scan with the radiology department of the GHA to receive their results?

**ANSWER**

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

Current average waiting time for results is 4 weeks for x-rays and 2 weeks for scans.

**NO. 865 OF 2009**

**THE HON N F COSTA**

**GHA – RADIOLOGIST**

Can Government say whether the GHA has now recruited a third radiologist and if so on what date?

**ANSWER**

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

The GHA is currently in negotiations with a Consultant Radiologist in finalising the terms and conditions pertaining to his offer of appointment. If the offer is accepted the proposed commencement date is January 2010.



**NO. 866 OF 2009**

**THE HON N F COSTA**

**GHA – CANCER SCREENING PROGRAMMES**

Can the Government say whether the GHA team review panel has now reported its recommendations to the Government in relation to new cancer screening programmes and if so what were the recommendations made?

**ANSWER**

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

No recommendations have yet been made.

**SUPPLEMENTARY TO QUESTION NO. 866 OF 2009**

**HON N F COSTA:**

Could the hon Member give us an estimate of when recommendations may be made to the Government?

**HON MRS Y DEL AGUA:**

An estimate of when they will be made?

**HON N F COSTA:**

Yes. The state of play of when the recommendations will be made to Government?

**HON MRS Y DEL AGUA:**

I am afraid I cannot give a definite timescale. What I can say is that the logistics because this requires a lot of planning, administrative work and seeing where the necessary equipment is going to be placed. The logistics of screening will be fully tested once the breast screening programme is implemented and we see how that goes.

ORAL

**NO. 867 OF 2009**

**THE HON N F COSTA**

**GHA – HOUSE CALLS LOGGED BY GP'S**

Can Government say the actual number of house calls logged by GPs in respect of June 2009 to date?

**ANSWER**

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

I now hand the hon Member the information requested.

**ANSWER TO QUESTION NO. 867 OF 2009**

	June 2009	July 2009	August 2009	September 2009
House Calls	155	193	233	225

ORAL

**NO. 868 OF 2009**

**THE HON N F COSTA**

**GHA – ANAESTHETISTS**

Can Government confirm whether the terms and conditions of employment of all six anaesthetists employed by the GHA are the same?

**ANSWER**

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

Yes.

**NO. 869 OF 2009**

**THE HON N F COSTA**

**GHA – CLINICAL NURSE SPECIALISTS**

Can Government say whether the two posts of Clinical Nurse Specialists for Adults and Children (Diabetic Nurse Specialist) have now been filled and how many persons applied for the posts?

**ANSWER**

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

The two posts have been recruited to. Three persons applied.

**NO. 870 OF 2009****THE HON N F COSTA****GHA – SUPPLIERS OF SURGICAL AND MEDICAL EQUIPMENT**

Can Government say how many of the 1046 suppliers of surgical and medical equipment listed on the GHA's central database are based in Gibraltar, how many are based in Spain, how many in the United Kingdom, how many in the rest of the EU and how many outside the EU?

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

<b>Country</b>	<b>Total</b>
Gibraltar	356
Spain	125
UK	535
The rest of the EU	21
Outside the EU	9
<b>Total</b>	<b>1046</b>

**NO. 871 OF 2009**

**THE HON N F COSTA**

**GHA – COMPLAINTS LOGGED**

Can the Minister for Health say what is the number of formal and informal complaints logged against the GHA since June 2009 to date on a monthly basis?

**ANSWER**

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

Month	Formal	Informal
June	6	11
July	6	7
August	4	15
September	5	12

**NO. 872 OF 2009**

**THE HON N F COSTA**

**GHA – REPEAT PRESCRIPTIONS**

Can the Government say whether the GHA has now come to a conclusion as to what are the changes which will be made to the system for the issue of repeat prescriptions in the Primary Care Centre?

**ANSWER**

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

Not yet.

**SUPPLEMENTARY TO QUESTION NO. 872 OF 2009**

**HON N F COSTA:**

May the hon Member tell us how much more work is required in order for the system to be implemented?

**HON MRS Y DEL AGUA:**

It is not a question of the system being implemented. There are several strands to this. I think I explained the last time that I personally believe that the final solution for Gibraltar..... because when the hon Member asked these questions originally, he kept on referring to the UK systems. I believe that the final solution for Gibraltar will include an enhanced roll in clinical pharmacy. As the hon Member knows we have a manifesto commitment to recruit a Clinical Pharmacist. So obviously that is one strand. Until we recruit the Clinical Pharmacist, we cannot get on with this and other things and linking the current role of the PPAU with the recruitment of the pharmacist and indeed we need legislative changes to allow nurse practitioners to prescribe. So there are several strands that need to be implemented either simultaneously or in stages, and we are not there yet.



**NO. 873 OF 2009**

**THE HON N F COSTA**

**GHA – ADVANCE APPOINTMENTS**

Can the Government say what is the earliest date available for someone who telephones asking for an advance appointment with each of the GPs at the Primary Care Centre?

**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 that he will see on the lists, GP's each have five slots a day for patients who attend the Centre for an appointment on the day, which totals an additional 80 slots per day in addition to what he will see on the lists.

**ANSWER TO QUESTION NO. 873 OF 2009**

Dr Bentata	3 days
Dr Poyatos	2 weeks
Dr Risso	2 weeks
Dr Penrice	3 weeks
Dr Pinto	3 weeks
Dr Thoppill	3 weeks
Dr Pincho	3 weeks
Dr Robles	3 weeks
Dr Fitzpatrick	4 weeks
Dr Negrette	6 weeks
Dr Jones	7 weeks
Dr Gupta	8 weeks
Dr Nerney	9 weeks
Dr Galloway	12 weeks
Dr Chichon	13 weeks
Dr Ferrera	13 weeks
Dr Mena	14 weeks

**NO. 874 OF 2009**

**THE HON N F COSTA**

**GHA – VACCINATION AGAINST CERVICAL CANCER**

Can Government confirm to Parliament the procedure which is currently in place for the administration of the vaccination against cervical cancer in Gibraltar?

**ANSWER**

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

Answered together with Question No. 875 of 2009.

**NO. 875 OF 2009****THE HON N F COSTA****GHA – VACCINATION AGAINST CERVICAL CANCER**

Can Government say how many females were administered the vaccination against cervical cancer in 2008 and in 2009 to date, with a breakdown by month?

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

The GHA HPV vaccination programme which commenced in September 2008, is aimed at vaccinating all girls between the ages of 12 and 18 years. This includes school years 8 to 13 and college students.

During 2008 and 2009 there is a catch up phase for all girls aged between 13 and 18 at the start of the programme in September.

In answer to Question No. 875 of 2009:

<b>September</b>	2008	636
<b>November</b>	2008	629
<b>May</b>	2009	583
<b>September</b>	2009	506

ORAL

**NO. 876 OF 2009**

**THE HON N F COSTA**

**GHA – SWINE FLU HOTLINE**

How many calls have been received by the Swine Flu hotline since it was set up with a breakdown per month?

**ANSWER**

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

Answered together with Question Nos. 877 to 884 of 2009.

ORAL

**NO. 877 OF 2009**

**THE HON N F COSTA**

**GHA – SWINE FLU HOTLINE SUPPLY OF TAMIFLU**

What is the procedure in place to supply Tamiflu to a patient who telephones the Swine Flu hotline with flu-like symptoms?

**ANSWER**

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

Answered together with Question Nos. 876 and 878 to 884 of 2009.

ORAL

**NO. 878 OF 2009**

**THE HON N F COSTA**

**GHA – SWINE FLU CLINIC COURSES OF TAMIFLU**

Can Government say how many courses of Tamiflu have been prescribed by the Swine Flu clinic to patients who telephoned with symptoms since the clinic was set up with a breakdown per month?

**ANSWER**

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

Answered together with Question Nos. 876, 877 and 879 to 884 of 2009.

**NO. 879 OF 2009**

**THE HON N F COSTA**

**GHA – REQUISITIONING OF TAMIFLU COURSES**

Can Government say how many courses of Tamiflu were requisitioned from local pharmacies and how much the Government paid for these courses?

**ANSWER**

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

Answered together with Question Nos. 876 to 878 and 880 to 884 of 2009.



**NO. 880 OF 2009**

**THE HON N F COSTA**

**GHA – SWINE FLU SUSPECTED CASES**

How many suspected cases of Swine Flu which were not laboratory tested have there been in Gibraltar as on 30 September 2009?

**ANSWER**

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

Answered together with Question Nos. 876 to 879 and 881 to 884 of 2009.

ORAL

**NO. 881 OF 2009**

**THE HON N F COSTA**

**GHA – SWINE FLU CASES CONFIRMED**

How many laboratory cases of Swine Flu have been confirmed in Gibraltar as on 30 September 2009?

**ANSWER**

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

Answered together with Question Nos. 876 to 880 and 882 to 884 of 2009.

**NO. 882 OF 2009**

**THE HON N F COSTA**

**GHA – SWINE FLU VACCINATIONS**

Can Government say from what supplier they ordered vaccinations against Swine Flu and give the total cost of the order, the number of vaccinations ordered and the cost per vaccination?

**ANSWER**

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

Answered together with Question Nos. 876 to 881, 883 and 884 of 2009.

ORAL

**NO. 883 OF 2009**

**THE HON N F COSTA**

**GHA – SWINE FLU VACCINATIONS**

What delivery date has the Government been given for the arrival in Gibraltar of their order for vaccinations against Swine Flu?

**ANSWER**

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

Answered together with Question Nos. 876 to 882 and 884 of 2009.

**NO. 884 OF 2009****THE HON N F COSTA****GHA – SWINE FLU VACCINATION PRIORITY GROUPS**

Can the Government say whether and if so when they intend to publish their list of priority groups for vaccination against Swine Flu?

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

Total calls to the Swine Flu Hotline since 1<sup>st</sup> May: 1139

<b>May</b>	87
<b>June</b>	10
<b>July</b>	344
<b>August</b>	393
<b>September</b>	267

Patients who phone the flu line with symptoms are medically assessed, swabbed and tested for Influenza A. If positive, they and their contacts are treated with Tamiflu.

No Tamiflu has been prescribed to those who have telephoned with symptoms.

The following number of patients have been medically assessed, have tested positive for Influenza A and have been prescribed Tamiflu by the Flu Clinic:

	<b>Influenza A</b>	<b>Contacts</b>
<b>July</b>	3	9
<b>August</b>	14	40
<b>September</b>	4	14
<b>Total</b>	<b>24</b>	<b>72</b>

One hundred and sixty six packs of Tamiflu were requisitioned from local pharmacies at a cost of £3,890.17.

All suspected cases have been subjected to laboratory testing.

In answer to Question No. 881 of 2009, 17.

Government have a contract with Glaxo Smith Kline for the supply of 60,000 doses of pandemic (Swine influenza A) vaccine. The cost per dose is 7 Euros. The total cost therefore is 420,000 Euros.

The first batch of vaccines should be received in Gibraltar before the end of this month. Initially averaging around 2000 doses per week, then picking up in the new year and expecting completion by the end of March.

Should Government consider it necessary to publish such a list, the Government will do so when it considers it appropriate.

#### **SUPPLEMENTARY TO QUESTION NOS. 876 to 884 OF 2009**

##### **HON N F COSTA:**

In respect of Question No. 884 of 2009, given that there have been various EU countries who have published such a priority list, can the Government explain why it does not consider it appropriate in the case of Gibraltar.

##### **HON MRS Y DEL AGUA:**

Gibraltar does not always have to follow practices in other places in Europe especially when it has been shown that such practices are not working as they should. Gibraltar is unique in the sense that the Swine Flu has not hit as it has hit Spain, for example, and the UK. We only have, out of 875 I believe cases tested, 17 confirmed cases. We have an excellent containment strategy which I believe is the reason why there are only 17 cases and we have taken a totally different approach to that taken elsewhere, very successfully may I add. For example, in the UK, they are in treatment mode. They have abandoned containment mode altogether. We are still in containment mode. Vaccines are round the corner and I think the strategy we have adopted is second to none, if I may say so.

##### **HON N F COSTA:**

Taking into account what the Minister has said, in the event that we were unfortunate enough to have this sort of increase in numbers like has been experienced in the UK or in Spain and we move from a containment strategy to a treatment strategy, do the Government have, at least, in its own mind the priority groups that it would administer in the event that say the outbreak would take place at the end of the month and has only 2000 vaccinations.

##### **HON Y DEL AGUA:**

Absolutely, but the hon Member is wrong in the premise of his question because if we were to move from containment to treatment mode, the treatment mode would not be the Tamiflu.

**HON N F COSTA:**

I was asking about the vaccinations.

**HON Y DEL AGUA:**

Yes we do have priority lists. We have a proper pandemic response plan within the GHA itself and everything has been very carefully planned should the need arise as, I assume it will be, to vaccinate the whole population, or rather those who want to be vaccinated.

**HON N F COSTA:**

The question that springs to mind is that if the Government do have their priority list and has been carefully planned. It has an excellent strategy. What is the harm in publishing the list?

**HON MRS Y DEL AGUA:**

It is not that it will cause harm. It is just that there is no benefit to the general public in knowing what those, if any, priority lists will be. In my opinion and in the opinion of the experts who advise me, it will only cause confusion. It will cause alarm. There will be ... I can give you an example. Taxi drivers, for example, are already calling the Swine Flu hotline asking whether they will be first in receiving the ... I do not see any benefit in informing the general public what the priority list will be. If Government decide that it needs to prioritise it will issue and give information when it considers it appropriate to do so.

**HON N F COSTA:**

Is it possible to conceive that if the list had been published, the taxi drivers would not have been cornered into asking whether they were first in the list?

**HON MRS Y DEL AGUA:**

Well I suppose so. They would be very disappointed because they are certainly not the first on the list. But of course that situation would not have arisen. If anybody needs to be prioritised it would be children and those who need it, not taxi drivers I can assure you.

**HON DR J J GARCIA:**

Can I ask the Minister, at what point would the Government consider, in view of the incidents last week with the school, closing the school in terms of the strategy which she has outlined?

**HON MRS Y DEL AGUA:**

I am advised by the Director of Public Health that there would need to be evidence of a sustained transmission within schools. What has happened recently in the case of Governor's Meadow is nowhere near that. Well in fact it turned out not to be Swine Flu at all. The three children tested positive for Influenza A and negative for Swine Flu. They would have to be a sustained transmission, there is a criteria to follow, and we are nowhere near that and in fact I know of a school in the UK where they have had 100 cases of Swine Flu and there has been no need to close the school down. So we are nowhere near that situation.

**HON N F COSTA:**

Surely, as the Minister herself said, it is not necessarily the case that Gibraltar should follow the practice of the UK following her own admission to me, so at what point would that strategy kick into place. At what point would the Government consider it necessary to close our schools in Gibraltar.

**HON MRS Y DEL AGUA:**

When we are advised by the Director of Public Health that it is necessary.



ORAL

**NO. 885 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

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

**ANSWER**

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

The Development Appeals Tribunal has not met since this question was last asked.

ORAL

**NO. 886 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**CITY FIRE BRIGADE – HEALTH AND SAFETY AUDIT REPORT**

Can Government state how many of the 16 recommendations from the health and safety audit into the City Fire Brigade carried out by management which were still to be implemented when Question 86 of 2009 was asked, have now been implemented?

**ANSWER**

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

Answered together with Question Nos. 887 to 889 of 2009.

ORAL

**NO. 887 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**CITY FIRE BRIGADE – HEALTH AND SAFETY AUDIT REPORT**

Can Government state how many of the 16 recommendations from the health and safety audit into the Fire Brigade carried out by management that were not implemented when this question was last posed?

**ANSWER**

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

Answered together with Question Nos. 886, 888 and 889 of 2009.

ORAL

**NO. 888 OF 2009**

**THE HON N F COSTA**

**On behalf o the Hon S E Linares**

**CITY FIRE BRIGADE – INDUCTION TRAINING**

Can Government state how many new recruits entering the City Fire Brigade have been sent abroad to conduct induction training since the year 2000 to date and how much has this cost giving a breakdown by year and cost per year?

**ANSWER**

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

Answered together with Question Nos. 886, 887 and 889 of 2009.

**NO. 889 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**CITY FIRE BRIGADE – TRAINING OF NEW RECRUITS BUDGET**

Can Government state whether the cost of sending new recruits to UK has been paid from the existing training budget of the City Fire Brigade?

**ANSWER**

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

Ten further recommendations have been implemented since Question No. 86 of 2009 was asked.

As I informed the hon Member, or his colleague, in answer to Question No. 86 of 2009, Government does not consider it appropriate to make public the contents of internal departmental reports that have been commissioned by Management.

The information requested in Question No.888 of 2009 is contained in the schedule that I now hand to him.

Yes. In answer to Question No. 889 of 2009, this has been the case since the Brigade began sending its recruits to the UK in 2001.

**Answer to Question No. 889 of 2009**

**Answer to Question 888 of 2009**

Year	Recruits	Total Cost Including Course/flights/subsistence etc
2000-01	0	UK courses started 2001
2001-02	4	£22,935.15
2002-03	1	£ 5,797.15
2003-04	3	£19,524.90
2004-05	2	£12,885.60
2005-06	3	£21,188.40
2006-07	1	£ 8,468.00
2007-08	2	£18,322.55
2008-09	5	£38,459.00
2009-10	3	£36,464.14

**NO. 890 OF 2009**

**THE HON J J BOSSANO**

**CITY FIRE BRIGADE – FIRE SIMULATOR**

Can Government state the area required for the operation of the fire simulator?

**ANSWER**

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

Answered together with Question Nos. 891 to 895 of 2009.

**NO. 891 OF 2009**

**THE HON J J BOSSANO**

**CITY FIRE BRIGADE – FIRE SIMULATOR**

Can Government identify the location of the site originally identified as suitable for the operation of the fire simulator, when it was so identified and by whom?

**ANSWER**

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

Answered together with Question Nos. 890 and 892 to 895 of 2009.



ORAL

**NO. 892 OF 2009**

**THE HON J J BOSSANO**

**CITY FIRE BRIGADE – FIRE SIMULATOR**

Can Government state when the fire simulator was ordered and when it arrived in Gibraltar?

**ANSWER**

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

Answered together with Question Nos. 890, 891 and 893 to 895 of 2009.

ORAL

**NO. 893 OF 2009**

**THE HON J J BOSSANO**

**CITY FIRE BRIGADE – FIRE SIMULATOR**

Can Government state when it was discovered that the site originally identified for the operation of the fire simulator was no longer available?

**ANSWER**

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

Answered together with Question Nos. 890 to 892, 894 and 895 of 2009.

ORAL

**NO. 894 OF 2009**

**THE HON J J BOSSANO**

**CITY FIRE BRIGADE – FIRE SIMULATOR**

Can Government state what was the alternative use to which the site originally identified for the operation of the fire simulator was put, who took the decision that it should be put to this other use, and when?

**ANSWER**

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

Answered together with Question Nos. 890 to 893 and 895 of 2009.

**NO. 895 OF 2009**

**THE HON J J BOSSANO**

**CITY FIRE BRIGADE – FIRE SIMULATOR**

Can Government state what the cost of the fire simulator has been and in which financial year the cost was charged to the Government accounts?

**ANSWER**

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

The actual minimum area required for the installation of the simulator is 18 x 9 metres (162 M<sup>2</sup>). Additionally an area around the unit for appliances etc would be required.

The Windmill Hill Lathbury Parade Ground area was the site originally identified in September 2006 as suitable by the then Chief Fire Officer for the operation of the fire simulator.

The simulator was ordered on 3<sup>rd</sup> October 2006. As already confirmed in answer to Question No. 433 of 2009, it arrived in Gibraltar on 30<sup>th</sup> January 2007.

On arrival of the fire simulator to Gibraltar.

The site originally identified was subsequently allocated for another Government priority project around the time that the fire simulator arrived in Gibraltar.

As confirmed in answer to Question No. 433 of 2009, the cost of the simulator was £139,600. The cost was charged in the financial year 2006-2007 to the Improvement and Development Fund, Subhead 102 – Central Public Administration, Fire Department Equipment.

**SUPPLEMENTARY TO QUESTION NOS. 890 TO 895 OF 2009**

**HON J J BOSSANO:**

In answer to Question No. 894 of 2009, the Minister has said that it was put to an alternative use which is already implicit in the question but has not said what that use was.

**HON MRS Y DEL AGUA:**

Well I just basically answered..... no the Opposition Member is right. I said it was sort of identified for another Government priority project without identifying what that was. The truth is that I am not aware of what it was at the time. I can tell him that it was later earmarked for the new Generating Station. I do not know whether at the time that was being mooted as well.

**HON J J BOSSANO:**

So in 2006 it was earmarked for the fire simulator and ordered and then just when it was about to arrive, the Government decided that instead of the fire simulator, they would put something else, which may or may not be the Generating Station and subsequently it was thought that the Generating Station should be there. Well given the fact that the Government has known it needed to put the Generating Station there somewhere for a long time, is it that they had another site for the Generating Station in 2006.

**HON MRS Y DEL AGUA:**

I do not know. I am assuming that the site, when it was sort of removed from, or no longer offered to the City Fire Brigade for the fire simulator, had already been earmarked for the Generating Station. But the information that I have with me at the moment is that it was subsequently known to the City Fire Brigade. The use to which the site had been put subsequently, that information was passed on to the City Fire Brigade later. Not at the time that it happened which means that it could have been the case that it was identified or earmarked for the Generating Station at the time but it was not known to the City Fire Brigade until a few months later. But I am speculating.

**HON J J BOSSANO:**

Question No. 894 of 2009 also asked who took the decision to remove it from the planned use of putting the fire..... Presumably, once the decision was taken to order the simulator because the site had been found, that goes into the system so that people know that that site is no longer free because it is already, sort of, earmarked for something that has been ordered, involves public spending and is on its way. So, the decision that was taken subsequently not to put the simulator there even though it was already on its way there, who was it that took that decision? That is part of Question No. 894 of 2009.

**HON MRS Y DEL AGUA:**

I assume that by the answer that has been provided to me, it is implicit in the answer, when we say that it was allocated for another Government priority project. It is implicit that it was a Government decision. I am not aware of the person within Government who took the decision.

**HON LT-COL E M BRITTO:**

If I may, Government were engaged at that time, in the period of a year or two years leading up to this stage, in consultancies and studies of what to do with the Generating Stations at Waterport and the MOD Station at OESCO and the Opposition Member asked before whether the Europa Parade Ground was the only site that had been identified and therefore should have been known. This is not the case. The consultancy that took place actually studied over a period of time, if I remember, something like five different locations around Gibraltar and eventually came up with this particular site of the Europa Parade Ground as the only viable location. So the decision cannot be pin pointing one individual or group of individuals. It de facto became the case that the Generating Station had to go there.

**HON J J BOSSANO:**

And that coincided with the arrival of the simulator? Or was it later?

**HON LT-COL E M BRITTO:**

That I do not know. I do not have that information in front of me. I am speaking from memory of the events leading up to the decision where to put the new Generating Station.

**HON J J BOSSANO:**

But I think from the original answer from his colleague, the thing that we have been told in the House is that the intended use of the site now is the Generating Station but that it was not necessarily the intended site when it was, as it were, removed from being available for the Fire Service. So, there could have been another use that preceded the use of the Generating Station.

**HON MRS Y DEL AGUA:**

No. I did not say that it was not necessarily the case. I said that I was not aware. That I was speculating that it was also earmarked at the time but that I did not have a definite answer for the hon Member. I do not know the answer to his question. I was only speculating and I qualified my answer by saying that.

**HON J J BOSSANO:**

Well, the information that I am seeking is contained in the original question of which I have given notice. I accept that the Minister may not have the answer but it is not something that I am asking in a supplementary on the basis that I am reacting to information she has given me. The question is very clear. What was the alternative use to which the site originally identified for the simulator was put? I was assuming that it had been put to something else. It appears that in fact no use has been made of that site since 2007 from what we are being told. So that it is not that something else ... I could understand it if between the ordering of the equipment and the arrival of the equipment, a need for something had arisen and you had to make use of it. But it would appear from the information provided to date that, so far nothing has

happened on that site and that in 2007 the Fire Service was informed that it was no longer available but we do not know why because the Minister is not able to confirm clearly that the reason was the Generating Station or whether there was a different reason in 2007 and that reason was then changed to the Generating Station at a later stage. We do not know the answer to that. But in fact the original question was drafted in a way which I do not think is capable of more than one interpretation. It was to what alternative use. I do not think it is sufficient to say, to another use by the Government. I would hope it would be for another use by the Government given that the Government owns the place.

**HON MRS Y DEL AGUA:**

I have a supplementary that was prepared for me by the City Fire Brigade. I do not know whether it will be useful or not, if it is not I will be more than happy to go back and ask for more specific information. It says here that the City Fire Brigade was informed by Technical Services that Lathbury Parade Ground site was to be used for another project and in a paragraph I have got here, later informed that this was for the Generating Station. Now another site was offered somewhere by the Guard House, wherever that may be, which the City Fire Brigade found unsuitable due to the gradient of the ground. Subsequently two other locations were offered to site the fire simulator but proved not suitable for different reasons. One was in British Lines and another in Coaling Island; and finally the site where it is now housed was allocated. Whether that is useful to the Opposition Member or not, or he wants more specific information?

**NO. 896 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – ST BERNARD’S SCHOOL**

Can Government say whether the repairs at St Bernard's School have now been completed?

**ANSWER**

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

The hon Member's question may be referring to the question asked during the last Question and Answer session by the Hon Steven Linares and that one then sought information on repairs to shutters, I believe. If that is the case, yes. Those works have been completed.



ORAL

**NO. 897 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – SUPPLY TEACHERS**

Can Government state what criteria are being used to offer supply teachers long-term work to cover for absent teachers in the event of illness, maternity or anything else?

**ANSWER**

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

Answered together with Question No. 898 of 2009.

**NO. 898 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – SUPPLY TEACHERS**

Can the Minister state how many teachers are currently covering as supply for six months, one year, two years or three years respectively?

**ANSWER**

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

In respect of Question No. 897 of 2009, the criteria can be one or more of the following: subject specialism; the age group being covered; availability of the teacher for the period in question or any specific needs identified by the school.

In answer to Question No. 898 of 2009, five teachers are providing supply cover for periods ranging from 6 to 10 months as from this September. Nine are covering for a one-year period. Ten are starting their second year on supply. Four are starting their third year on supply.

**SUPPLEMENTARY TO QUESTION NOS. 897 AND 898 OF 2009**

**HON G H LICUDI:**

Can the Minister give the reasons why, for example, in the case of the third year supply, why a teacher is required to be kept on supply work for a period of up to three years?

**HON C G BELTRAN:**

It does not mean that a teacher because he has been on the list..... What we call a list. There is not an official list. Just a number of teachers who are qualified out there who put their names down as being available for supply work and the fact that somebody may have been doing supply work for us for three years is what I say that four are starting their third year on supply. It does not necessarily mean that they have been doing it for three full years.

ORAL

**NO. 899 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – MANDATORY GRANTS**

Can Government state how many mandatory grants have been awarded this past academic year?

**ANSWER**

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

Answered together with Question No. 900 of 2009.

ORAL

**NO. 900 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – DISCRETIONARY GRANTS**

Can Government state how many discretionary grants have been awarded this past academic year?

**ANSWER**

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

This past academic year, one hundred and seventy three mandatory grants were awarded.

Sixty discretionary grants have been awarded this past academic year.

**NO. 901 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – LOAN SYSTEM OF PAYMENT FOR STUDENTS**

Can Government state whether they have had representations from students as to any delays in obtaining the monies in relation to the loan system of payment which is in place in the UK?

**ANSWER**

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

Government have received no such representations from our students. Delays recently experienced by UK students in obtaining monies in the UK from the loans company and recently reported in the media relates to their maintenance grants in the UK for UK students which in the case of Gibraltar students are paid directly to students by the Department of Education and Training at the start of the academic year. There have been no delays in the payment of maintenance grants to Gibraltar students.

ORAL

**NO. 902 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – TRANSFERS**

Can Government state how many transfers of children to schools outside their designated catchment area have been entertained from 2003/2004 to date giving a breakdown by school where child is designated, to schools where child was transferred to and by academic year respectively?

**ANSWER**

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

Information on requests for transfers is kept in the Department of Education for a period of four years which is the time a student spends in any one school in the Primary sector. The relevant statistical information is set out in the schedule for the period 2006 to 2009 which I now hand to the hon Member.

**Answer to Question 902 of 2009**

**SCHOOL TRANSFERRED TO**

First Schools 09/10								
DESIGNATED SCHOOL	ST.JOSEPH'S	ST.MARY'S	G.MEADOW	ST.PAUL'S	N.DAME	ST.BERNARD'S	HEBREW	TOTAL
G.MEADOW	3	1		17	2	1	2	26
ST.JOSEPH'S		1	3	5	1			10
ST.MARY'S	10		2	1	2		14	29
ST.PAUL'S	3	1	10		5	1	2	22
N.DAME	2	6	7	6		1	2	24
ST.BERNARD'S	3	11	2	3	8		1	28
TOTAL	21	20	24	32	18	3	21	139

**SCHOOL TRANSFERRED TO**

First Schools 08/09								
DESIGNATED SCHOOL	ST.JOSEPH'S	ST.MARY'S	G.MEADOW	ST.PAUL'S	N.DAME	ST.BERNARD'S	HEBREW	TOTAL
G.MEADOW	5	2		22	3		1	33
ST.JOSEPH'S		3	1	5	2			11
ST.MARY'S	12		2	3			14	31
ST.PAUL'S	2	2	6		2			12
N.DAME	3	4	5	7			2	21
ST.BERNARD'S	6	13	1	6	3		1	30
TOTAL	28	24	15	43	10		18	138

**SCHOOL TRANSFERRED TO**

First Schools 07/08								
DESIGNATED SCHOOL	ST.JOSEPH'S	ST.MARY'S	G.MEADOW	ST.PAUL'S	N.DAME	ST.BERNARD'S	HEBREW	TOTAL
G.MEADOW	5	1		12	3		2	23
ST.JOSEPH'S		2		3		1	3	9
ST.MARY'S	7		2		1	2	9	21
ST.PAUL'S	9		8		4			21
N.DAME	2	4	2	4				12
ST.BERNARD'S	3	12	5	5	1		3	29
TOTAL	26	19	17	24	8	3	17	115

**SCHOOL TRANSFERRED TO**

First Schools 06/07								
DESIGNATED SCHOOL	ST.JOSEPH'S	ST.MARY'S	G.MEADOW	ST.PAUL'S	N.DAME	ST.BERNARD'S	HEBREW	TOTAL
G.MEADOW	3	1		26	6			36
ST.JOSEPH'S		4		2			1	7
ST.MARY'S	5		4		1	1		11
ST.PAUL'S	2	1	6		3		1	13
N.DAME		1	5	4			1	11
ST.BERNARD'S	6	11	1		2			20
TOTAL	16	18	16	32	12	1	3	98

Continued Answer to Question 902 of 2009

MIDDLE SCHOOL TRANSFERS 09/10

SCHOOL TRANSFERRED TO

DESIGNATED SCHOOL	HEBREW	SACRED HEART	BISHOP FITZ	ST JOSEPH'S	ST ANNE'S	TOTAL
ST ANNE'S			21	2		23
ST JOSEPH'S		1	1	4	2	8
BISHOP FITZGERALD	1			9	6	16
SACRED HEART			7	8	3	16
TOTAL	1	1	29	21	11	63

MIDDLE SCHOOL TRANSFERS 08/09

SCHOOL TRANSFERRED TO

DESIGNATED SCHOOL	HEBREW	SACRED HEART	BISHOP FITZ	ST JOSEPH'S	ST ANNE'S	TOTAL
ST ANNE'S			13	2		15
ST JOSEPH'S			1		2	3
BISHOP FITZGERALD	1	6		11	6	24
SACRED HEART	5		7	7	13	32
TOTAL	6	6	21	20	21	74

MIDDLE SCHOOL TRANSFERS 07/08

SCHOOL TRANSFERRED TO

DESIGNATED SCHOOL	HEBREW	SACRED HEART	BISHOP FITZ	ST JOSEPH'S	ST ANNE'S	TOTAL
ST ANNE'S			9	6		15
ST JOSEPH'S			1			1
BISHOP FITZGERALD		1		2	4	7
SACRED HEART			5	10	4	19
TOTAL		1	15	18	8	42

MIDDLE SCHOOL TRANSFERS 06/07

SCHOOL TRANSFERRED TO

DESIGNATED SCHOOL	HEBREW	SACRED HEART	BISHOP FITZ	ST JOSEPH'S	ST ANNE'S	TOTAL
ST ANNE'S	2	3	7	8		20
ST JOSEPH'S	1	1		1		3
BISHOP FITZGERALD	6	1		11	12	30
SACRED HEART	7		2	2	13	24
TOTAL	16	5	9	22	25	77



ORAL

**NO. 903 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – SUSPENSIONS**

Can Government state what criteria are used by schools before they decide to suspend a child and whether these criteria are set by the school or directed by the Department of Education?

**ANSWER**

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

Answered together with Question No. 904 of 2009.

**NO. 904 OF 2009**

**THE HON N F COSTA**

**On behalf of the Hon S E Linares**

**EDUCATION – SUSPENSIONS**

Can Government state how many children were suspended in the last academic year giving a breakdown by school?

**ANSWER**

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

The criteria used by schools when suspending a pupil are set by the school and monitored closely by the Department of Education. The criteria will vary somewhat from sector to sector but in general terms they include actions such as a serious breach of the school's behaviour policy, for example, or when it is felt that allowing the pupil to remain in school could seriously harm the education and/or welfare of the pupil or others in the school.

The statistical information requested is set out in the schedule which I now hand to the hon Member. I am happy to report an overall decrease over the last five years.

**Answer to Question No. 904 of 2009**

SCHOOL		NUMBER OF CHILDREN SUSPENDED  ACADEMIC YEAR 2008/09
SECONDARY	Westside	6
	Bayside	33
MIDDLE	St Joseph's	0
	Bishop Fitzgerald	2
	Sacred Heart	2
	St Anne's	1
FIRST	St Mary's	0
	St Bernard's	0
	Notre Dame	0
	St Paul's	0
	St Joseph's	0
	Governor's Meadow	0
Hebrew School		0
<b>TOTAL</b>		<b>44</b>

**SUPPLEMENTARY TO QUESTION NOS. 903 AND 904 OF 2009**

**HON N F COSTA:**

When the Minister talks about that the criteria used varies according to sectors, does he mean by sector, the type of school, primary or secondary?

**HON C G BELTRAN:**

Yes.

ORAL

**NO. 905 OF 2009**

**THE HON J J BOSSANO**

**EDUCATION – TEACHER POST VACANCIES**

Can Government state at the start of the academic year how many teacher posts were vacant and in which subjects?

**ANSWER**

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

At the start of this academic year there were 11 teacher posts vacant. Ten were posts for general Primary subject teachers and one was for mathematics at Secondary level.

**NO. 906 OF 2009**

**THE HON J J BOSSANO**

**EDUCATION – QUALIFIED TEACHERS SEEKING POSTS**

Can Government state at the start of the academic year how many qualified teachers were seeking a post in teaching and in which subjects?

**ANSWER**

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

Ninety three qualified teachers applied for posts this year. Of these, 43 were Primary qualified which means that they are trained to offer general subjects across the Primary Curriculum. Fifty were Secondary qualified offering between them the full range of Secondary subjects covered by the National Curriculum and at GCSE and A-level. So between those 50 Secondary qualified teachers, some had mathematics, others were offering the, sort of, full range of subjects at secondary level, which is English, Maths, Science, Design and Technology, ICT, History, Geography, Modern Foreign Languages, Art and Design, Music, PE & RE, PSHC which is Personal, Social, Health and Citizenship education. It is not a statutory subject but it is also a recommendation to be taught. So those who apply for secondary....., there were 50 qualified teachers in the secondary sector who between them had a combination of all these subjects.

**SUPPLEMENTARY TO QUESTION NO. 906 OF 2009**

**HON J J BOSSANO:**

So effectively there were 43 applicants for eleven vacancies and 50 for one vacancy which had to be in Maths at the Secondary level?

**HON C G BELTRAN:**

Yes. 43 were for Primary. Yes. That is right.

**HON J J BOSSANO:**

Taking the answer to the preceding question this is the..... I am trying to establish the supply and the demand.

**HON C G BELTRAN:**

The supply far exceeds the demand.

**HON J J BOSSANO:**

Are these people that have been sent by the Government to train as teachers and have come back and want to be here or does that include people who would simply like to come to Gibraltar and are applying from outside?

**HON C G BELTRAN:**

I would say that 99.99 of them are Gibraltarians who have gone off to study and they return.

**HON G H LICUDI:**

Can the Minister confirm that of the posts that were available in answer to the previous question, all those posts were actually filled by some of the applicants.

**HON C G BELTRAN:**

All 11 posts were filled. Yes.

**NO. 907 OF 2009**

**THE HON F R PICARDO**

**EPIDEMIOLOGICAL STUDY**

What progress has been made on the epidemiological study commissioned by the Government?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 908 of 2009.



**NO. 908 OF 2009**

**THE HON F R PICARDO**

**EPIDEMIOLOGICAL STUDY**

Has the “optional item” in respect of the epidemiological study that, according to the answer given in supplementaries to Question Nos. 484 to 487, was still being negotiated, now been finalised and what was that “optional item”?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The consultants appointed by the Government to carry out an epidemiological study are continuing with their work. The consultants are still at the data gathering stage of the assessment and are working closely with Government technical representatives to ensure that the various data needs for this project are met.

The consultants have advised that there will be a delay in the delivery of the study because the data sets are large and complex and their preparation have taken longer than envisaged. Delays in studies such as these are not uncommon given the volumes of data that needs to be gathered and analysed.

The optional item being considered was the possible GIS mapping of the results of the study. In discussions with the consultants, it was established that it would not affect the delivery of quality of the study so it was decided not to proceed with this option.

**SUPPLEMENTARY TO QUESTION NOS. 907 AND 908 OF 2009**

**HON F R PICARDO:**

What is GIS. Does the Minister have anything more than the initial for that?

**HON LT-COL E M BRITTO:**

Geographical Information System.

**HON F R PICARDO:**

Obliged. Now, the Minister has said there is likely to be a delay, and I think I will agree across the floor of the House that a study like this is better done properly than quickly. Does he have an indication of when the delivery of the final study will be?

**HON LT-COL E M BRITTO:**

Not at this stage. All that has been signalled is that there is likely to be a delay.

**HON F R PICARDO:**

In terms of xxxxxx is this a study that takes a year. Is it a study that takes months just so that we have an idea and I will not be holding him to it because I know that this is something which is not empirical if we want the results to be empirical?

**HON LT-COL E M BRITTO:**

No, I think I have said publicly that the original estimate of the delivery date was early next year and early meaning January or February. So we are looking to a study that would take six/seven months. Now likely to take more but I have not yet been told how much more.

**HON F R PICARDO:**

Is it likely to be double the time or is it likely to be slippage of months. Any idea of that at all?

**HON LT-COL E M BRITTO:**

No idea at this stage.

**HON F R PICARDO:**

Obliged.

**NO. 909 OF 2009**

**THE HON F R PICARDO**

**ZEBRA CROSSING AT LINE WALL ROAD**

When will the audible alarm on the zebra crossing at Line Wall Road, by the American War memorial, be fixed?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The audible alarm at Line Wall Road by the American War memorial is operational. It was last reported broken on 11 August 2009 and repaired the next day. It was again checked on 4 October 2009 at 15.30 hrs and was found to be working satisfactorily.

**SUPPLEMENTARY TO QUESTION NO. 909 OF 2009**

**HON F R PICARDO:**

Does the Minister know whether the audible alarm is the same level of volume there as it is in all the other pelican crossings in Gibraltar?

**HON LT-COL E M BRITTO:**

This is not really my field of expertise but I understand that these are standard units and therefore the answer should be, yes. I have not been aware of any indications that it should be different. However, there are frequent complaints throughout Gibraltar because I see it from the looks on peoples faces. I can guess what they are thinking and I wonder if they are going to voice it or not voice it. But I can tell them that there have been complaints throughout Gibraltar about people who are disturbed by these audible signals which go on through the night as the hon Member is aware and there are particular persons who are identified as complaining periodically. Not necessarily who live in a particular area but who happen to pass through the particular area.

**HON F R PICARDO:**

The hon Gentleman has not survived in politics for twenty years in this House without being able to give an answer like that.

**NO. 910 OF 2009**

**THE HON F R PICARDO**

**APES**

Has any progress been made in respect of the possibility of exporting 60 to 70 apes?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Our contractor, who established the initial contact with technical sources close to the African Government concerned, has still not managed to obtain an official confirmation from that African Government of acceptance of such import of Barbary Macaques. The issue is still on-going at technical level, but until the African Government's agreement to importation is confirmed to the Gibraltar Government, it is impossible for the matter to progress.

I would remind the hon Member that Government have previously stated, and this continues to be the position today, that Government will fund the costs to be incurred in the transfer of these monkeys.

**SUPPLEMENTARY TO QUESTION NO. 910 OF 2009**

**HON F R PICARDO:**

I just want to understand a little bit more about that. The hon Gentleman has said, our contractor, can I take it that is the local contractor for the management of the apes which is GONHS.

**HON LT-COL E M BRITTO:**

That is correct.

**HON F R PICARDO:**

And that contact has been established with, or at a technical level, with the African Government involved. Is that what the hon Gentleman said, I did not quite hear that part of his answer.

**HON LT-COL E M BRITTO:**

What I said was with technical sources close to the Government. In other words, the equivalent of GONHS in the African country have been talking to each other. The people in the African country are keen to import Macaques. Are keen to set up an area for them to breed and to live, they are the ones lobbying the African Government. But as one who has just returned from Africa, I can tell you that things in Africa take longer than in Europe.

**HON F R PICARDO:**

The hon Gentleman should not set himself up as the Minister for Government that does things quickly. Is there any reason why we will not be told why or what the African Government in question is?

**HON LT-COL E M BRITTO:**

No. There is no particular difference. I am quite happy to tell the hon Member on a direct personal basis. It is just that I do not think it is appropriate to mention a country by name until such time as there has been contact Government to Government. But there is no hidden agenda.

**HON F R PICARDO:**

I appreciate that that is another sign of diplomacy that he has displayed this afternoon. Can I take it then that there has been absolutely no request from that Government? That this comes from a source outside the Government in the relevant country?

**HON LT-COL E M BRITTO:**

Correct.

**HON F R PICARDO:**

Is the hon Gentleman of the view that it is likely that this is going to happen or not?

**HON LT-COL E M BRITTO:**

I am hopeful, but I would not put it any more strongly than that. There have been no official indications as yet.

**HON F R PICARDO:**

I would imagine, not as hopeful as the monkeys because my next question is, absent to the exportation does the existing strategy, if I can call it that, continue?

**HON LT-COL E M BRITTO:**

Despite the buttering up that the hon Member has been doing in the lead up to this part of the question, I will remind him of what I said in the past. I have answered questions on exporting the apes. I do not intend to stray into other matters with regard to the Barbary Macaques.

**HON F R PICARDO:**

Well straying is what it is about. Is it not? The hon Gentleman has told us before, although he has not wanted to give us the numbers, that the management strategy, if I can loosely call it that, which is in place at the moment, absent exportation is ... We have called it killing. I do not know whether he preferred it to be called extermination or not. Can we take it as a given that absent exportation, the killing extermination of, however he wants to clothe the word for shooting, is the strategy that is continuing?

**HON LT-COL E M BRITTO:**

The hon Member can carry on with his line of questioning for as long as he likes. The hon Member has said at the beginning, as a preamble to his question, that he already knows the answer, and he does because I have given it before. I have detailed what the Government policy is and the Government policy puts things in an order of priority and that has been given in answer to questions in the past. He knows what the Government policy is. So if he admits he knows it, there is no need to answer the question. It is in the public domain.

**HON F R PICARDO:**

No. That is not the position. What I am asking the hon Gentleman is that he has now told the House that there is an attempt to export Barbary Macaques and what I am asking him is and is a question which alludes to what he has told us previously but does not rely on that as the answer. What I am asking him is, absent of that exportation, or progress in respect of that exportation, is the strategy what it was before, namely killing the apes, or a number of apes, a number which he will not disclose? Now, he has never been shy of saying that that is what he has done before. I am simply asking him if one does not manage to export these numbers of apes, or if one does not manage to export them before a particular time, does one revert to the strategy of killing them? Is the strategy of killing them perhaps even on-going as we speak? Or do you have another alternative which does not involve the loss of life?

**HON LT-COL E M BRITTO:**

Once again the hon Member knows the answer to that. The policy of the Government clearly is not to kill the apes in the absence of the exportation being available. Clearly not! That is not the policy. He knows what the policy is. He knows it has four priorities or five priorities. It has been explained in this House many times and I have no intention of explaining it again.

**HON F R PICARDO:**

Is that reticence because the hon Gentleman is now starting to realise that the strategy is wrong?

**HON LT-COL E M BRITTO:**

I have nothing further to add except to say that the strategy that the Government are carrying out is to the satisfaction of the Government.

**HON F R PICARDO:**

I see, with that being said we will leave it at that.

**NO. 911 OF 2009**

**THE HON F R PICARDO**

**SEAGULLS**

What was the cost to the Government of each and any contract granted for the killing of seagulls?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The Government has an on-going contract with GONHS for the culling of Yellow Legged Gulls for which it currently pays £74,062.26 per annum.

Apart from this annual agreement with GONHS, Government also contracted the services of the Central Science Laboratory for a period of six weeks during 2009 to carry out a concentrated population management exercise for a fee of £99,000.

**SUPPLEMENTARY TO QUESTION NO. 911 OF 2009**

**HON F R PICARDO:**

Is either of those contracts on a cost plus basis or were they for a particular amount?

**HON LT-COL E M BRITTO:**

Not on a cost plus basis. The GONHS one has been on-going for quite some time and the other one was negotiated.

**HON F R PICARDO:**

That figure that the hon Gentleman has given us includes all the disbursements involved?

**HON LT-COL E M BRITTO:**

Yes indeed.



**HON F R PICARDO:**

Is the make up of those figures calculated in any way. Are they calculated as to time? For example, is the GONHS one something paid per month? Is the Central Science one something paid per week? How are the figures calculated? Or are they just round figures negotiated in respect of an agreement.

**HON LT-COL E M BRITTO:**

I am not sure how the GONHS one is paid. It is a figure per annum and it appears in the estimates and the administration of it is by the Department of the Environment. At this particular moment, I do not know whether it is paid on a monthly basis or on a six-monthly basis. The other contract, as I said was negotiated, and I heard only today, to my surprise, that the payment had not yet been made claimed. An invoice had not yet been presented. So it will be a one-off payment but the invoice has not yet been claimed, presumably because the final report has not yet been submitted.

**HON F R PICARDO:**

It is the intention of doing this on an annual basis. To have this ad-hoc agreement become an annual agreement for the period in March/April?

**HON LT-COL E M BRITTO:**

No decision has been made on that. It is not even under active consideration until such time as the final report is presented and then we will make an assessment of whether we should or we should not. The initial recommendations are that, predictably it may be, it should carry on for a period of two or three years. You know, all consultants tend to work that way.

**HON F R PICARDO:**

I will ask the hon Gentleman whether he thinks it is value for money to pay that amount for that period once we have got the report. I do not think it is fair to ask him before then. But can I ask him, though, whether he knows the costs of the alternative strategy in respect of the apes, mainly the killing of them, of the top of his head as well or not?

**HON LT-COL E M BRITTO:**

In respect of value for money for the seagulls, the figures are interesting. The figures that GONHS has given us over the years are 2003 – 5025, 2004 – 4003 odd, 2005 – 4300. So we are talking in that area although it came down to 2006 – 3047 over a period of a year. The figure for the contractor was 3723 in a period of six weeks. Obviously a much more..... I am not trying to make comparisons one with the other, I am just trying to give you the information. The contractors from UK put in much more resources and try a number of different methods and had more people on the ground for a concentrated period than GONHS who work with fewer resources over an extended period. So in terms of the numbers removed, time will tell. I did not notice any letters in the media saying, oh my goodness there are four thousand

fewer gulls. I am told it takes a three year cycle for the effects to come through. We will have to wait and see. I am not really qualified on my feet to make a judgement whether it is value for money. We shall have to decide that, I think in conjunction with the people of Gibraltar over the next couple of years.

**HON F R PICARDO:**

Very well! What about the cost of the extermination of apes is that also something which is included in the contracts with GONHS or is it dealt with otherwise.

**HON LT-COL E M BRITTO:**

Nothing further to add.

**HON F R PICARDO:**

I accept that the hon Gentleman might not want to tell me the numbers of apes that are exterminated etc, etc, but he cannot hide from a question that tries to address the issue of cost; and that is what we are here for to hold the Government to account for tax payers and is a fairly straight forward question. If he tells me he does not have notice of the question and he wants me to ask him next time round, I will do that but I do not think he can tell me he simply has nothing to add.

**HON LT-COL E M BRITTO:**

I can, I have nothing to add.

**HON F R PICARDO:**

In that case, let me put it to him this way. Is the policy of extermination of apes now even in the hon Gentleman's mind so discredited that he does not even want to account for how much it costs?

**MR SPEAKER:**

I think before the hon Minister is given the opportunity to reply, the hon Member will appreciate this is now straying from the question of seagulls. We are going back to the apes. Right! I will allow this question to be put but you will have to accept the Minister's answer rather than go backwards.

**HON LT-COL E M BRITTO:**

May be he would like to repeat the question. I cannot remember what he said. So I will give him another chance to use the magic words he is so fond of throwing out to the airwaves thinking that it will have a political effect on his electoral chances.

**HON F R PICARDO:**

The hon Gentleman must obviously judge me by his standards, if he believes that everything we do in this place is just for electoral effect. But, you never know, somebody might be tuning in right now. The question was this. Is the policy of extermination of apes now so discredited, even in the hon Minister's own mind, that he does not even want to account to the House for what it has cost?

**HON LT-COL E M BRITTO:**

I have nothing further to add other than to say that I do not accept that the policy is either discredited or wrong or different to what it ought to be.

**NO. 912 OF 2009**

**THE HON F R PICARDO**

**RUBBISH DUMPS AT TANKERVILLE, TANK RAMP AND CASTLE STEPS**

Why has nothing happened “on site” about the relocation of the rubbish dumps at Tankerville and Tank Ramp and at the foot of Castle Steps, opposite the entrance to St Bernard’s School?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Nothing has happened on site at Tankerville and Tank Ramp in respect of the facilities which the hon Member mentions because nothing has been planned to happen at this stage.

As explained in reply to previous questions the facilities to which the hon Member refers to and describes as “rubbish dumps” were in fact designed and provided by hon Members Opposite when they were in administration, when the GSLP was in administration.

As I have also said in answer to previous questions, the new facility of which the construction is about to start, next to the Plater Youth Club, is intended to replace the existing facilities.

**SUPPLEMENTARY TO QUESTION NO. 912 OF 2009**

**HON F R PICARDO:**

The thrust of the debate last time was that the hon Gentleman would not tell us when works would start and he would tell us that they were at the planning stage. It has now been a long summer and some extra months since then. The hon Gentleman has cast aspersions, I think, unfairly on the Governments of another continent because things are not happening quickly there. Is it not fair to visit at his door also a criticism of moving slowly, at least in relation to this project?

**HON LT-COL E M BRITTO:**

Well, it is question at this moment in time of whether we trigger the existing quotation that we have, whether we trigger the existing contractor who has quoted and spend more money than in the judgement of the people who advise me, we should be spending, and the work would start tomorrow. Or whether we do what we are going

to do which is to seek more competitive quotes in order to get value for money for the tax payer. So, the short answer to his question is I cannot tell him it is going to start tomorrow, it could, but it will not because I agree with the policy of the department that we get good value for money. But apart from that everything is ready to go. The plans are ready. Everything is ready other than the appointment of the contractor. So it could end up with having to go back to the tender process.

**HON F R PICARDO:**

Is the hon Gentleman telling us that it is going to the tender process or that you are presently negotiating with the existing party, the existing contractor that has quoted trying to get that amount down with the threat, rightly, that if it is not value for money it will be going to the tender process?

**HON LT-COL E M BRITTO:**

That is absolutely correct. That is exactly what is happening. If the negotiations do not produce a reduction in price then we will revisit the process.

**HON F R PICARDO:**

How did the contractor obtain the contract? Through the tender process was it not?

**HON LT COL E M BRITTO:**

No contractor has obtained the contract. The quote is from the Government's own company GJBS and despite my personal intervention, the quote that has been given is, in the judgement of those technical people who advise me, too high. So, we are now in the process of deciding whether to accept it or not to accept it. My feeling is that we ought not to accept it and try and find whether a lower price can be sought.

**HON F R PICARDO:**

If the matter does go to tender, as the hon Gentleman seems to be indicating may inevitably have to go to tender, when does he think that the construction work will actually start on site? I know I reminded him of this in his first incarnation as Minister for the Environment and now again. It is very, very unsightly and very unwieldy now. The hon Gentleman says it was there since 1996 at least, and it might have been but I assure him that it is now well past its sell by date.

**HON LT-COL E M BRITTO:**

I would be the first to be very happy to be able to say start tomorrow and finish by next week. It is not going to happen. If we go down the route of the full tender process, we are talking about months. Not about days or weeks. It depends on how quickly the tender process happens. So again, I cannot predict a date. I have learnt not to predict dates that are outside my control because invariably you get the predictions wrong. But this is the process that is being triggered at the moment if the negotiations do not work.

**HON F R PICARDO:**

Can I ask the hon Gentleman what these plans entail? I know that in other areas where I pressed the Government to take action, all that has happened and it has been very effective, is that walls have been rebuilt where they have not been rebuilt for the past twelve or thirteen years. Wire has been added in a sort of very basic rudimentary cage and a door with a human operable lock or sliding bolt has been fixed. It is not exactly rocket science and when it starts being done it is done in a matter of a couple of days or a week. Is that the sort of facility that is being envisaged down in the area of the small car park by the Plater Youth Club?

**HON LT-COL E M BRITTO:**

I think the hon Member casts his mind to the facility that was provided at Catalan Bay, at the entrance to Williams Way Tunnel. It would be a smaller version of that as opposed to the more rudimentary, just making the walls higher and putting some wire netting round the sides of an existing site. We are starting with a flat piece of ground and we would have to build the whole structure as opposed to enhancing something that is already there.

**HON F R PICARDO:**

I really do not mean to labour the point but, if I may say so, for any company, especially one as experienced and able as the Government contractor GJBS, we are talking literally about building four man height level walls and the cage. Surely, can the hon Gentleman give us an indication of what the proposed cost for that is and of what he thinks the proposed cost should have been because I cannot imagine it is going to bankrupt the Government to pay for this to be done as soon as possible? I must tell him it is in a very, very precarious state and it is dangerous to children in particular and let alone any resident of the area who might fall and this is at the exit of the Tankerville Estate.

**HON LT-COL E M BRITTO:**

The hon Member will understand that for us to exchange figures over the floor of the House would not be conducive to a good tender process. If one gives an indication of figures. But I am surprised at the levels that have been quoted and that were quoted for Catalan Bay for that matter when I took over this job again and I found out what that had cost. But it would not be appropriate to give figures or advise him.

**HON F R PICARDO:**

I appreciate that and actually I am sorry I put the question because I should have focussed on that. The hon Member is right. Can I ask him whether at Catalan Bay it was built for that quote?

**HON LT-COL E M BRITTO:**

Sorry, for what quote?

**HON F R PICARDO:**

For the quote that the hon Gentleman thought was higher or whether it was then built for a considerably lower quote.

**HON LT-COL E M BRITTO:**

I do not know. When I took over as Minister for the Environment after the last election, Catalan Bay was either already finished or about to be finished. I think already finished. So, I have no idea what happened in the... or how. I do not even know who built it, never mind ... I have got a figure at the back of my mind of what it cost and ten years, fifteen years back you could have built a three bedroom flat for that price.

**HON F R PICARDO:**

Finally, can I just urge the hon Gentleman to agree with me that this is something that is becoming increasingly urgent and whether it goes to tender or not, is something that should be at the top of what, I am sure is a large pile, that it should be fairly near or at the top of that pile because of the hygiene issues that arise?

**HON LT-COL E M BRITTO:**

I agree with him one hundred per cent. It is at the top of the pile. It is urgent in my book and I just wish I had the ability to make it happen quicker.

**NO. 913 OF 2009**

**THE HON G H LICUDI**

**WORKS IN THE AREA BETWEEN CONVENT PLACE AND REFERENDUM GATE**

Can Government give details of all the bidders and of the successful bidder for the road works in the area between Convent Place and Referendum Gate?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 914 to 916 of 2009.



ORAL

**NO. 914 OF 2009**

**THE HON G H LICUDI**

**WORKS IN AREA BETWEEN CONVENT PLACE AND REFERENDUM GATE**

Can Government state the cost of the road works in the area between Convent Place and Referendum Gate?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 913, 915 and 916 of 2009.

ORAL

**NO. 915 OF 2009**

**THE HON G H LICUDI**

**WORKS IN THE AREA BETWEEN CONVENT PLACE AND REFERENDUM GATE**

Can Government state when the road works in the area between Convent Place and Referendum Gate will be completed?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 913, 914 and 916 of 2009.

**NO. 916 OF 2009**

**THE HON G H LICUDI**

**WORKS IN THE AREA BETWEEN CONVENT PLACE AND REFERENDUM GATE**

Can Government state the date when works on the road works in the area between Convent Place and Referendum Gate started?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The tender for the works in the area between Convent Place and Referendum Gate was awarded to AMCO (Gibraltar) Ltd in the sum of £1,932,116.23

No other bids were received.

The anticipated final cost for the project encompassing the section of Main Street from the junction with Secretary's Lane up to Referendum Gate inclusive of the section of Line Wall Road adjacent to Ince's Hall and of Convent Ramp is £2,100,000.

Work on the road works between Convent Place and Referendum Gate started on the 6 May 2008 and are programmed for completion on the 6 November 2009.

**SUPPLEMENTARY TO QUESTION NOS. 913 TO 916 OF 2009**

**HON G H LICUDI:**

Can the hon Member say how the extra, around £200,000, from the award of the tender to the final cost, is accountable?

**HON LT-COL E M BRITTO:**

I am told that a number of variations have arisen due to unforeseen works and to changes in the design arising from unforeseen site conditions. In other words we did not cater for all the eventualities at a technical level.

**HON G H LICUDI:**

The works started on 6<sup>th</sup> May 2008 and is the 6<sup>th</sup> November 2009 the date when the works were originally planned to finish or is that the date that is now seen as the completion date?

**HON LT-COL E M BRITTO:**

The Government put out a press release on 6<sup>th</sup> March 2009 which said that the completion date was mid October 2009 and so it is only marginally later than that. Whether that is the original date that was predicted or not I do not have here before me. I thought I had. At the beginning of this year we were predicting October. It is now November.

**HON G H LICUDI:**

The upshot is that it will take around 18 months to complete a rather small stretch of road, barely what 200 metres, 250 metres. Does Government consider it satisfactory that a stretch of road in Gibraltar of barely 250 metres should take 18 months to complete with all the traffic disruption that that brings over that 18 months period?

**HON LT-COL E M BRITTO:**

Firstly to correct what I have said before, I do have the information here. The original completion date was mid October 2009. So it is not..... although it was published in March..... but that was the original..... so the delay has only been a month. I have asked the same question of the technical people that the hon Member is asking and I am assured that it is not, although I would have shared his view from a personal point of view, but I am assured that from a technical point of view because of the restriction, because of the number of services, because we have taken the opportunity to relay the sewers both in Lovers Lane or what used to be Lovers Lane, Line Wall Road and along that stretch of road, because of the difficulties in doing the work and keeping the traffic flowing, because of the difficulties of having businesses and commerce and residents in the area living and working and selling in the middle of all the work, I am told that it is not an undue length of time for this work to have taken place; and more so if the original date was October and the final date is November, the technical people, again not a political decision, but the technical people on the Government side must have agreed with the contractor when the bids were made.

**HON G H LICUDI:**

The perception certainly is that this is a very small stretch of road. It is taking unduly long. It may have been the date that was originally planned. Does the hon Member not agree that having regard also to the fact that works are going on for 18 months, causing traffic disruption in the area, and at the same time we have works starting on the other side of Referendum Gates also causing disruption, and this is a double whammy which the Gibraltar motorist is having to put up with at an unfortunate time. Does the hon Member have any explanation for the coincidence of the works and why was it not planned properly?

**HON LT-COL E M BRITTO:**

Well, there are two ways of looking at it. Alternatively, one could say that it has been very well planned so that you have the inconvenience in a double whammy coinciding with each other. If we had one set of roads done this year and the Trafalgar interchange done next year one would have the inconvenience in two separate years. Whereas if one has it as is happening now coinciding and..... well concurrent and subsequent to each other, one is in fact minimising the inconvenience to the public. But the question of the Trafalgar interchange is the subject of another question.

**NO. 917 OF 2009**

**THE HON G H LICUDI**

**WORKS IN THE AREA BETWEEN REFERENDUM GATE AND BOYD STREET**

Can Government give details of all the bidders and of the successful bidder for the road works in the area between Referendum Gate and Boyd Street?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 918 to 920 of 2009.

ORAL

**NO. 918 OF 2009**

**THE HON G H LICUDI**

**WORKS IN THE AREA BETWEEN REFERENDUM GATE AND BOYD STREET**

Can Government state the total cost of the road works in the area between Referendum Gate and Boyd Street?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 917, 919 and 920 of 2009.

ORAL

**NO. 919 OF 2009**

**THE HON G H LICUDI**

**WORKS IN THE AREA BETWEEN REFERENDUM GATE AND BOYD STREET**

Can Government state when the road works in the area between Referendum Gate and Boyd Street started?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 917, 918 and 920 of 2009.



**NO. 920 OF 2009**

**THE HON G H LICUDI**

**WORKS IN THE AREA BETWEEN REFERENDUM GATE AND BOYD STREET**

Can Government state when the road works in the area between Referendum Gate and Boyd Street will be completed?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The tender for the works in the area between Referendum Gate and Boyd Street was awarded to Haymills (Gibraltar) Ltd in the sum of £2,867,618.64.

One other bid was received in the sum of £3,133,273.75.

The anticipated final account for the road works in the area between Referendum Gate and Boyd Street is £2,950,000.

The works in the area between Referendum Gate and Boyd Street started on the 6<sup>th</sup> May 2009 and are programmed for completion in July 2010.

**SUPPLEMENTARY TO QUESTION NOS. 917 to 920 OF 2009**

**HON G H LICUDI:**

The tender, as I understand it, was awarded to Haymills. Can the Government state what has happened with those works after the collapse of Haymills?

**HON LT-COL E M BRITTO:**

Well, I can say that there have been no substantial delays to the project arising from the demise of Haymills. The decision taken by Government on all the ex-Haymills projects have served to mitigate that disruption that would normally be expected in these situations. Continuity of work has been maintained to a large extent on this project. Although minor delays have arisen, it should be possible to eliminate these between now and the end of the project. So basically it has been a question of one contractor taking over from the other. Some minor delay and hopefully we will pick up between now and the end of July if we do not strike oil in the meantime or find an unexploded bomb.

**HON F R PICARDO:**

So, who is actually doing the works now?

**HON LT-COL E M BRITTO:**

I cannot remember what the name of the company is but it is a subsidiary of GJBS who has taken over the work from the.....

**HON G H LICUDI:**

The Gibraltar construction company that has taken..... A Government owned company?

**HON LT-COL E M BRITTO:**

Well indirectly I suppose it is. It is a subsidiary of GJBS.

**HON G H LICUDI:**

Again with regard to the time, it is, will the hon Member not agree, a relatively short stretch of road that is being re-laid and with minor changes as I see them to the traffic layout. Why does that take over a year? Anywhere else it takes a couple of weeks.

**HON LT-COL E M BRITTO:**

I empathise with the question but I do not think that I am technically qualified to answer it in the way it is being put. Again, like we said in answer to the previous question, this is what the tender process has produced. This is what the Government technical advisers have agreed to, so presumably it is an adequate period of time, but, I say again, I realise what the hon Member is saying.

**HON G H LICUDI:**

The question of whether it is an adequate amount of time is relative and perhaps objective. Does the hon Member not agree that the greater the resources that are put in, in terms of manpower, towards completing the resurfacing programme and traffic interchange programme in a relatively short, small short stretch of road, that is what makes a difference between something that takes maybe a month, two months, to taking ten months or twelve months. Is the hon Member satisfied with the level of resources that are put into these two projects? This one and the one in the previous question such as to account for; on the one side of Referendum Gate eighteen months for about 250 to 300 yards and on the other side of Referendum Gate another year or thirteen or fourteen months for again a stretch of 250 or 300. So for over half a kilometre, we have got a combined time of over two years in terms of the works. That surely cannot be justified. How long will it take to resurface the whole of Gibraltar?

**HON LT-COL E M BRITTO:**

The question from the hon Member reminds me of mathematics in school at the age of ten or twelve when the typical question used to be something like, if it costs x number of pounds for 10 men to build a house in 20 days, how much would it cost for the same house to be built in double the time or half the time? At the end of the day, you pay for what you ask for and you pay for what you get. Yes, it is correct to say that if the Government in its tender specifications had said, we want it done in five weeks, that the successful tenderer would have had to bid at a price level to put in the resources to do it in five weeks. But that would have meant a much higher cost to the Government and a much higher cost to the tax payer. So, like in all these projects, and that is why Government has a very capable department like Technical Services working for it who are extremely conscientious and extremely well qualified and they are the ones who advise the Government on how to weigh up the speed of the project, the consequent inconvenience to the public and the desirability of doing it quicker and eliminating that inconvenience but at the same time inconveniencing the tax payer by making it pay ten million instead of five million. So it is a question of swings and roundabouts and trying to find an equitable balance between the cost and the speed. Now, how long is a piece of string? One could argue that you should spend a million more and take six weeks less or six months less. All I can say is that these things are judged by the technical people, not by the politicians. They are then accepted by the politicians based on the technical advice and it is that question of balance.

**HON G H LICUDI:**

It may be a question of balance, but clearly there is political input here having regard to a number of factors. Firstly, we have two small stretches of road and I would emphasise that again, that are costing the tax payer over £5 million. A relatively small stretch of road, barely half a kilometre for 600 metres long, costing £5 million, essentially to redo. So we are not talking here of the Government trying to save money because substantial amounts of tax payers money are being spent on these two small, short resurfacing programmes. Secondly, as a matter of political priority, does the Government not agree that one of the most serious problems that there is in Gibraltar at the moment is the traffic problem. Is it not the case that even the Chief Minister announced at the beginning of the year in his New Year message that the Government was taking unprecedented measures of historic nature. Well, where is the priority given when the resources are not put in to make sure the disruption is kept to a minimum; and when a small stretch of road takes 18 months to complete it means that the political priority is simply not there. We have words from the Government but not actions. When will we get the actions?

**HON LT-COL E M BRITTO:**

The hon Member can be forgiven for doing what he usually does, it is to make, at some stage in the questions, a party political broadcast. He is wrong in a number of assumptions. I am certainly not going to go down the road of traffic which is not reflected, that word is not reflected in any of the questions and therefore it is not to my mind and it is up to you to judge as legitimate.....

**HON G H LICUDI:**

If the hon Member will give way. The question specifically relates to road works. If road works have nothing to do with that.....

**HON LT-COL E M BRITTO:**

No no no. I am not giving way. I am not giving way.

**MR SPEAKER:**

Order, order. The Minister is answering the question.

**HON LT-COL E M BRITTO:**

It is not as if he does not have a chance to get up again. If he did not have a chance, I would gladly give way. But he has asked me a question and I am trying to answer it. Firstly, there seemed to be, although he did not develop it, an implication at the beginning of his question that there was political influence in matters technical which there is not. These matters are judged and assessed and decided by the technical people who then advise the Government of what the decision is. And secondly, as I said before, I do not want to repeat again at this time of the evening. At the end of the day, it is a balance of whether it takes 18 months at a certain cost or whether it takes nine months at double the cost, and that is a political judgement. I agree.

**HON G H LICUDI:**

Yes. As is the political judgement of this Government in spending £50 million in an airport at full speed ahead to have it ready for the next General Election in two year's time. That is the political judgement that this Government makes and usually turns out to be wrong. I was not suggesting that there was political influence in the technical side. What I was suggesting, and what I do maintain, will the hon Member not agree that there is a lack of political priority being given to projects such as this about traffic flow in Gibraltar, and I do mention traffic flow, despite the reluctance of the hon Member to get into a debate or discussion on traffic matters. The question is addressed to the Government. Not to the hon Member as Minister for the Environment or in any other capacity and is a question concerning road works. It is a question concerning clearly the effect of those road works on the circulation of traffic in Gibraltar which is dismal as a result of the lack of priority given by this Government. Will the Government recognise that that priority is simply not there and when will this Government wake up to the reality that Gibraltarians live day in day out. Not just Gibraltarians, but anybody that comes into Gibraltar, whether it is tourists, or whether it is workers across the frontier, everybody has to live with this problem, day in day out. The hon Members may go straight to their offices and may not encounter this problem but they seem to be oblivious to what the reality is in Gibraltar.

**HON LT-COL E M BRITTO:**

I drive past that inconvenience twice a day or three times a day. The Government does not agree that it does not give priority to these matters. On the contrary, if I were to go down the party political broadcast which I am very tempted to do, but I will not, other than to say, that only in these two projects the Government is spending more money than the GSLP spent on roads in the whole of their term of office, only.....

**HON C G BELTRAN:**

Here, here. That is the point. That is the point.

**HON LT-COL E M BRITTO:**

.....Only in those two roads. But I retract that, so as not to be accused of making a political broadcast. We are where we are. This is the cost of the project. This is the length of time it has taken to do. Projects like this, as I have said before, can be done faster at greater cost to the tax payer. It can be done on a 24 hour a day basis at a cost of sleep to the people living in the area. That is the political judgement that is made and the Government stands by its judgements. Like the one of building a new air terminal which will be superb and will take Gibraltar into.....

**HON G H LICUDI:**

Does the hon Member not agree that the Government not just stands but the Government may fall as a result of its lack of political judgement in this case?

**HON LT-COL E M BRITTO:**

The hon Member agrees that the Government stands and it is up to the people of Gibraltar to decide if and when it falls.

**HON J J BOSSANO:**

The hon Member said that Gibraltar General Construction Company, whose name he could not remember, is the one that has taken over delivery of this work from Haymills and this is a wholly owned Government company. So in fact has not the Government now got a situation where they can no longer blame the contractor, because in fact they are running this company? Is that no the case?

**HON LT-COL E M BRITTO:**

For a start, let me qualify what I have said before. I am not a hundred per cent certain that it is the Gibraltar construction company and not AMCO. I would need to check that information. But on the assumption that it is the General Construction Company, I am not sure I understand the point the hon Member is trying to make. The company is a company. It has taken over the contract that was there in the hands of Haymills. It has been asked to meet the conditions of the contract that

Haymills had. So other than it being indirectly a Government company and working like GJBS does for a number of other projects, like for example, the multi storey garage in Devil's Tower Road. Yes, it is a Government company indirectly.

**HON J J BOSSANO:**

Yes, but it is not just a question of indirectly. It is a wholly owned subsidiary of GJBS because the Government chose to structure it that way. When it was originally created, almost overnight, it was created with civil servants as Directors and it offered eight weeks of employment to the people who had been made redundant by the closure of Haymills. Now, is the situation now, the hon Member says he does not know, well then in fact that company which originally only offered eight weeks employment is now in fact contracted to complete the work that Haymills was doing with the same people who were there but now with an input where the Government is no longer dependent on somebody outside its control to deliver the product because they actually are in a position to put in as Manager whomever they want in charge of that project.

**HON LT-COL E M BRITTO:**

The Government have agreed to a term which ends in July next year for this project to be done. The Government reacted very swiftly, as the hon Member has said, practically overnight in fixing the big black hole created by the disappearance of Haymills and the work not only there but on other projects has, not only continued unimpeded and uninterrupted, almost, but the jobs of a large number of people have been safeguarded. Now, to ask me at this stage, without notice who is going to be the Manager or how the Government is going to deal with the contract, whether it is eight weeks, I would need notice for all those questions. I agree that it is a Government-owned company through GJBS but the Government has not seen fit to announce a speeding up of the process because the same thing would happen, whether it is a Government company or whether it is an outside contractor the cost to the tax payer will still rise.

**HON J J BOSSANO:**

No, the hon Member cannot argue that because he knows full well that he has given explanations that when one comes along to a contractor who gets a tender and then one starts having deviations from the original, one is totally at the mercy of what they charge for the deviation. Presumably, the Government would not be doing that to itself in its one hundred per cent owned contractor. So it is not the same situation. The situation surely gives the Government an opportunity of doing something about it directly in a way that would not be possible with a third party that had a contract. Now, since he actually mentioned in his supplementary that the Government-owned company had taken over the contract and I accept that the original action made sense in the sense of stepping in rather than allowing a vacuum when some of the workers might have disappeared. Some of the plant might have got damaged because things like that can happen when people suddenly find themselves overnight dumped. They stepped in with the offer of an eight week contract in Gibraltar General Construction simply so as to act quickly. But now, presumably, whoever is there is there not just for those eight weeks since Haymills went bust but for the completion of that contract. Now the hon Member is not a hundred per cent

sure whether it is a construction company or not. I thought his original answer had indicated that he knew that they were the ones who were doing it.

**HON LT-COL E M BRITTO:**

I think I qualified it. But if I did not I should have qualified it or maybe I assumed it was and then realised that it might not be. I say that purely because GJBS, to my knowledge, has not a lot of expertise in road construction and that is why I thought maybe it was not. But let us just say what I said, again. I am not sure who the contractor who has taken over is but at the end of the day I do not know here on my feet today what will happen after the eight weeks. That is part of the overall situation with the post Haymills situation and we shall have to discuss this at a later stage. I cannot forecast what will happen. But what I do say again is what I said before, if the Government was satisfied with an end of July target date for this project I do not see that there will be a lot of encouragement for the Government to suddenly say, let us finish by Christmas. But I may be wrong.

**HON J J BOSSANO:**

No. But I mean they have got a possibility now, that would not exist if they were tied into a contractor with a fixed contract with a fixed date.

**HON LT-COL E M BRITTO:**

At a cost!

**HON J J BOSSANO:**

Surely, not at the kind of cost that the contractor puts to the Government. If the hon Member is telling us that it may well be the case that the thing is almost being done by direct labour, because at the end of the day what you have done is take the people who have been made redundant and offered them a contract to complete the work there, they are now able, surely, if they choose to, do things that would not be possible even if they were persuaded without the contractor that had originally been engaged being able to extract a penalty or a price. So, would the hon Member be able to confirm, one way or the other, whether it is the Government company that is still there or whether it has gone out to somebody else? Would he be able to do that when we come back tomorrow and tell us which way it is?

**HON LT-COL E M BRITTO:**

Yes, I can try to do that.

.....

**MR SPEAKER:**

The Hon the Minister for the Environment and Tourism.

**HON LT-COL E M BRITTO:**

Mr Speaker with your permission, I would like to go back to questions, the last questions that were answered 913 to 920 of 2009 where I undertook to give further information to the Leader of the Opposition in respect of the Trafalgar interchange and the contractor involved. I have been able to establish the actual situation and it is as follows. On the demise or disappearance of Haymills, the contract has been subsumed or taken over by GJBS as a whole. GJBS has passed it on to its subsidiary company, fully owned subsidiary company, the Gibraltar Construction Company. The Gibraltar Construction Company has in fact carried on the same situation for all practical purposes that existed under Haymills in that Haymills had subcontracted the work to Topgem. So effectively, the Gibraltar Construction Company have taken the same workforce or the same subcontractor Topgem with them with the same workforce to carry out the work. With the added, not changed, but the added factor that the senior management people from Haymills who were directly involved with the project have been re-deployed, extracted, are now working on the Trafalgar Interchange as they were under Haymills. So effectively you have no or very little change. The same workforce, the same management team on site. The only thing that changes is the headline of the contract name of the contractor undertaking the work.

**HON J J BOSSANO:**

I am grateful to the hon Member for coming back with that information. Can I ask him is it then the case that the senior management is working for the Gibraltar General Construction Company but there was no workforce of Haymills on that project and therefore all the workforce is in fact in Topgem. That is how I have understood it. Is that the case?

**HON LT-COL E M BRITTO:**

That is correct, as far as the workforce of Topgem is concerned in respect of the management team, previously with Haymills, whether it is employed by GJBS or by the construction company, I am not sure, but effectively it is the same thing. I presume the construction company.

**HON G H LICUDI:**

Is the hon Member able to confirm and I understand he indicated as much yesterday, I am not sure whether he was absolutely certain, that as a result of these changes it would not affect the cost price to the Government. In terms of the tender that was awarded to Haymills initially and that when the contract was subsumed by GJBS or the subsidiary, I assume that that will include for the same cost. Can the hon Member confirm that?

**HON LT-COL E M BRITTO:**

Yes, I can confirm that. As I say, there was an existing contract with Haymills. That contract, without any change, has been passed over to GJBS. So nothing changes.



**HON G H LICUDI:**

We assume also that completion dates are also the same?

**HON LT-COL E M BRITTO:**

Yes. I also did a little bit of investigation into that so as to make sure the information I had given yesterday was absolutely correct, and I can add to what I said yesterday..... First of all let me say yes to the question of the hon Member that the final date June, or whatever it is, remains unchanged. When such a date is arrived at, I am not sure whether I made this absolutely clear yesterday, this date is arrived at before the tender is published and before a contractor is appointed and it is arrived at by the Government's advisers, in this case the Technical Services Department, and in this particular case with the advice to the Technical Services Department of external consultants. They look at the work involved and they are the ones who make the estimates of how long the period should be, how long it should take and all the other technical specifications of the project. This goes into the tender documentation and the contractor bidders for the tenders work towards those specifications. So you do not have one contractor saying, I can do it for 'x' pounds in 'y' months and another one doing it for 'a' pounds in 'b' months. They are all working to the same time period, in other words, on a level playing field. So that contract period is established before one starts. Secondly, in terms of trying to shorten it, as was suggested by the Leader of the Opposition yesterday, the top priority in this project, like in the south end of Main Street, has been to maintain traffic flows and that has been a key factor in determining the period concerned. There is no doubt that if the traffic flow could be stopped then the period of the contract could be shortened. But if the hon Member will stop a moment and think he will realise that Gibraltar's traffic flow system is such that if you are travelling north to south or south to north for long enough there are two points in Gibraltar that you have to go through. One of them is the sundial roundabout and the other one is the Trafalgar, what I would call the Trafalgar roundabout as it used to be, using the whole of the Trafalgar, the cinema and the Trafalgar bar and the hotel as a roundabout. So, all traffic has to go through those two points. So stopping traffic at any given point at Trafalgar would be unthinkable. So that has had to be maintained and that has been a key factor in the length of the contract. Finally, a smaller factor but one that is always important is that I am told that in working out the contract period, attention is paid and a factor that is taken into account is the number of people that can work in the space available. So if we are planting a flower bed the size of that table, obviously you can have one, two or three people but you cannot have twenty five. So there is..... Well you can, but 20 would be sitting and watching the other five, work. So just adding human resources does not necessarily speed up the..... There is a law of diminishing return. Once you get to a certain point, adding extra human resources does not improve the situation and in arriving at the tender specifications that is one of the things taken into account on what the limiting numbers should be.

**HON G H LICUDI:**

In arriving at those tender specifications, is it correct that the technical side of the Government also advises as to, before any tenders are received, what the estimated cost should be so that the Government has an idea as to what it should pay. What would be value for money in these projects?

**HON LT-COL E M BRITTO:**

Yes indeed. That is part of the process. The Quantity Surveyors, on behalf of the Government, do provide estimates of what the costs should be but market forces at the end of the day, dominate. In a situation where the QS's, be they Government or be they independent, decide the cost of the project is 'x', if one goes to tender and the tender produces 'x plus' and there are five tenders and they are all 'x plus' whatever the QS's have said, one then has the decision whether to accept 'x plus' or whether not to agree on the project. Fortunately, sometimes it is 'x plus' and other times it is 'x minus', but you are in the hand of market forces when it comes to a tender process.

**HON G H LICUDI:**

Is it not correct that it is certainly true but only to a certain extent. Yesterday we had the example of, I understand it was in connection with the relocation of the bin area in Tankerville where a tender had been received which was considered by the hon Member to be too high and therefore there was a renegotiation process. In this particular case where we do not have a multitude, apparently of tenderers for these works, for example in the works to the north of Referendum Gates towards Convent Place. The information given yesterday by the hon Member was that there was one tender of around £2 million and for the Trafalgar interchange there were two tenders; one for almost £3 million which was the Haymills one that was awarded and the other one for over £3 million. Is the hon Member able to say whether these amounts, given the limitations in the amounts of tender that were received, constitute value for money, having regard to the Government's own estimates?

**HON LT-COL E M BRITTO:**

I will answer that question in two parts. The short answer is no I do not know. Ministers do not get involved in the tender process so I do not know what the QS's estimates were and how they bear relationship to what the tender figures have been. But as I did yesterday, let me say that, even if I knew, even if I had advance notice of the question and I had been told that, even if I knew, I would not give those figures publicly because all that that does is give information to, would be, tenderers for future projects of the thinking and the calculations of the Government. So if the Government's QS's come to a figure of so much and the tenderers are going below it, it will influence their thinking the next time they prepare a tender. So I would not release those figures.

**HON G H LICUDI:**

I laugh because the question was based on the assumption that these figures appear to be quite high for a limited amount of road stretch in Gibraltar, barely a few hundred metres, and one would have thought that the Government's estimates would have been less than the amounts tendered and therefore the question was aimed, primarily at ascertaining, whether in fact these were value for money or whether the Government had the opportunity of renegotiating, but negotiating it down. Not because the Government's estimates would have been £4 million or £5 million for works of £2 million but on the assumption that the Government's estimates would have been much less. In that case, certainly, the information to future bidders would be, hang on a second, the Government considers that these works have been

overpriced so do not do the same for future projects. So there is a public interest in publishing that information.

**HON LT-COL E M BRITTO:**

Be that as it may. For the reasons I said before, we do not publish that information but the hon Member can rest assured that the process as he has described it, is actually what takes place. When the tenders come in, the tender board has sitting on it, as advisers, technical people who evaluate..... The evaluation has happened before but who then advise the board on whether it is value for money or whether it is not. On the assumption that it is value for money, then fine. Obviously no problem, the lowest tender is chosen. On the assumption that it is not value for money, then there are two, more than two possibly. But there are a number of courses open to the Government: (1) Not to award the tender and not to carry on with the project; and (2) To make the award, in principle, to usually the lowest tenderer and then undertake a process of negotiation with the lowest tenderer to try and lower the price. Having awarded to the lowest tenderer that is then legally correct and you can then say to the..... and it happens quite often that you then say to the successful tenderer, you bid for so much, Government is prepared to do it and then a negotiation process starts to bring the price down to a level acceptable to the Government. So if it is not considered value for money it is not done, unless it is essential; and if it is considered value for money it is done; and if it is not value for money an attempt is made to reduce it anyway.

**HON G H LICUDI:**

I understand and I agree entirely that that is the theory. My main interest is in the practice. In practice, does that actually happen and in this particular case, given the limited numbers of tenders received, did the Government consider that there was a need to negotiate the prices down?

**HON LT-COL E M BRITTO:**

I am not aware whether there was a negotiation down in this particular case. As I say, there usually is and there probably would have been in this case but I do not know whether there was.

ORAL

**NO. 921 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government state whether Dudley Ward Tunnel will reopen to vehicular traffic before the eighth anniversary of its closure?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 922 to 926 of 2009.

**NO. 922 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government state whether the tender or tenders for all the works necessary to reopen Dudley Ward Tunnel have now been awarded?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 921, 923 to 926 of 2009.

**NO. 923 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government give details of all the bidders and of the successful bidder for the removal of the rubble from the area near Dudley Ward Tunnel and depositing of the same in the area between Eastern Beach and Catalan Bay?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 921, 922 and 924 to 926 of 2009.

**NO. 924 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government give details of all bidders and of the successful bidder for the works necessary to reopen Dudley Ward Tunnel?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 921 to 923, 925 and 926 of 2009.

ORAL

**NO. 925 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government state the cost of moving all the rubble from the area near Dudley Ward Tunnel and depositing the same in the area between Eastern Beach and Catalan Bay?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 921 to 924 and 926 of 2009.



**NO. 926 OF 2009**

**THE HON G H LICUDI**

**DUDLEY WARD TUNNEL**

Can Government state why it has been necessary to remove all the rubble from the area near Dudley Ward Tunnel and deposit the same in the area between Eastern Beach and Catalan Bay?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The hon Member has been informed in answers to previous questions that Dudley Ward Tunnel would reopen within 18 months from the start of works. The tunnel is now expected to reopen in July 2010 which is only 14 months after the start of the works in June 2009 and therefore well ahead of the completion date originally predicted.

As stated in answer to Question No. 502 of 2009, the works necessary to re-open Dudley Ward Tunnel comprise three separate contracts.

The first contract for the construction of rockfall catch fences was awarded in May 2009 to CAN Geotechnical Ltd in the sum of £991,568.52.

Three other bids were received in the sums of £1,241,605.40, £1,333,010.40, and £1,703,162.93.

The second contract for the advance earthworks and demolitions, which includes the removal of rubble from the area near Dudley Ward Tunnel, was awarded in July 2009 to Sharrock Shand in the sum of £1,954,707.32.

One other bid was received in the sum of £2,322,699.24.

The third contract for the construction of the rockfall canopy and road was put out to tender in August 2009. It is currently under consideration as part of the tender process and hence no further details can be given at this stage.

As stated in my reply to Question No. 502 of 2009, the Dudley Ward Tunnel project as originally designed was reappraised due to technical issues, amongst which was a change in the physical characteristics of the site arising from the designation of the area as a facility to receive construction rubble. The new design incorporates the material deposited there into the project, using it as part of the rockfall protection strategy for the area. However, not all the rubble can be retained hence the need to deal with the surplus which has resulted in it being removed from site. The operation

is included in the advance earthworks and demolition contract and will cost £1,160,000.

#### **SUPPLEMENTARY TO QUESTION NOS. 921 TO 926 OF 2009**

**HON G H LICUDI:**

I understand, I hope I am not wrong with this, but this is the first time that we have a date for the reopening of the tunnel. Previously we have always been told 18 months from whenever the contracts are awarded. The last time this matter was raised in the House we were told that one of the contracts had been awarded but that other contracts were in the pipeline, therefore a definite date could not be given. So it certainly welcome that we have a definite date for opening. Unfortunately the answer to the question whether it will open before the eighth anniversary of its closure is no. The tunnel will have been closed for over eight years, and that is regrettable. It has caused a great deal of inconvenience to the motoring public in Gibraltar and that will continue. So, on the one hand, we welcome we have a date but we do not welcome the fact that it has taken so long and it is symptomatic of the way this Government have been doing things, particularly with regards to traffic matters and the lack of priority which has been given. The hon Member mentioned three contracts. One for £990,000; the other one £1,900,000; and the third one, where the tender process closed in August 2009 and is under consideration. Can the hon Member confirm, first of all, that the granting of that tender will have no effect on the time-scale in terms of the reopening of the tunnel?

**HON LT-COL E M BRITTO:**

Yes. I can confirm that.

**HON G H LICUDI:**

Can the hon Member just repeat, because I missed it, what that third tender is for?

**HON LT-COL E M BRITTO:**

The third contract is for the construction of the rockfall canopy and road, and although I said a moment ago that I can confirm that the date would not be affected, that is of course subject to all other..... The contract itself, assuming that everything moves at the way it is supposed to move, will not affect the final date but in a project of this size any factor can affect the final date. But the contract is..... The third contract is designed to take the final date into account.

**HON G H LICUDI:**

The hon Member also mentioned a separate figure of £1,160,000 or £1,100,060. Is that an amount that is included in the other figures that were given? In contract number two awarded to Sharrock Shand of £1,954,000, I understood that that included the removal of rubble. So is the £1 million figure which was given

subsequently already included as part of the £1,900,000 or is it a separate amount that has to be paid?

**HON LT-COL E M BRITTO:**

Yes indeed. The figure of £1,160,000 is included in the second contract the one for the advance earthworks and demolitions.

**HON G H LICUDI:**

So the situation, and the hon Member will confirm if this is correct, is that there has been rubble deposited there which is not to be used for this particular project and it is costing over £1 million pounds simply to move the rubble from one area to another. Is that correct?

**HON LT-COL E M BRITTO:**

Putting it in those terms, I suppose it is. The rubble has been deposited there in conjunction with the redesign of the road taking place and once the final design has been arrived at, part of that rubble is not necessary. It cannot be just tipped over the cliff and dumped into the sea as the hon Members used to do when they were in office. The EU regulations and laws have been tightened up considerably since then and therefore has to be moved and is being moved to a place where it does not contravene EU regulations.

**HON G H LICUDI:**

This is not a project that the Government have undertaken in any haste. It is a project that has been eight years in the planning and in its making and we do not still have the project finalised. Why is it that we have had systematic depositing of rubble in that area when it was not necessary for this project and there is now a huge burden to the tax payer of over £1 million in simply moving rubble from 'a' to 'b' when that rubble could have been put in place 'b' in the first place.

**HON LT-COL E M BRITTO:**

No. That is the whole point. It would not have been put in place 'b' in the first place. Gibraltar is limited in the number of places where it can deposit rubble, firstly. Secondly, the amount of rubble necessary for the works was not established until a given point in time and, in parallel, negotiations were being carried out to put the rubble elsewhere and that is the combination of factors that came into play in the way things developed.

**HON G H LICUDI:**

The hon Member says that there are limited number of places where rubble can be deposited. The hon Member will know that the place where the rubble is being deposited now has been available for the last twelve years. In fact ...

**HON LT-COL E M BRITTO:**

That is not correct.

**HON G H LICUDI:**

Well perhaps the hon Member will correct me if I am wrong. As I understand it, in the area between Eastern Beach and Catalan Bay there has been a mountain of rubble there for the last twelve years and all that is being done now is there is a bigger mountain of rubble in that area.

**HON LT-COL E M BRITTO:**

No, the hon Member is not correct in everything that he says. The area to which he is referring is the area of the East Side development. Am I correct?

**HON G H LICUDI:**

Yes.

**HON LT-COL E M BRITTO:**

That area is the subject of a commercial deal for development between the Government and the East Side developers of which I am not directly involved. But at a given point in time that area was handed over or became part of the arrangements of the East Side development, and therefore it was no longer open to the Government as an area on which to deposit rubble. So at a given point in time, a date which I do not have in front of me, as from that point it was not possible for the Government to continue to deposit rubble in that area.

**HON G H LICUDI**

Why is it that that area was not available previously for depositing rubble and it is available now?

**HON LT-COL E M BRITTO:**

Well, if he had listened to the answer to the question instead of talking to his colleague next to him he would have heard the answer. I have just told him.

**HON G H LICUDI:**

No. I have heard the answer. The hon Member has said that there was a commercial deal being done or done. It was available to developers and is now available to the Government. The question is why was it not available to the Government before because there was a commercial development thing going on and why is it available now. The hon Member has not answered the question.

**HON LT-COL E M BRITTO:**

Yes he has. So I will say again what I said before because obviously he did not hear me. The area was handed over to the East Side developer and therefore it was no longer available to the Government. Since then, recently, a renegotiation has taken place with the East Side developer which has allowed the Government to deposit more rubble there.

**HON G H LICUDI:**

Well, this is new information that the hon Member is giving now and did not give previously.

**HON LT-COL E M BRITTO:**

I gave it two minutes ago.

**HON G H LICUDI:**

Does this mean..... is that area now firmly back in the Government's hands?

**HON LT-COL E M BRITTO:**

No, that is not what I have said.

**HON J J BOSSANO:**

Can the hon Member say when these three negotiations with the owners of the site took place and was anything paid to the owners for being allowed to use their side to deposit rubble?

**HON LT-COL E M BRITTO:**

No, as I indicated in answer to a previous supplementary, I do not know the date, I do not have it here in front of me so I cannot tell him when. I can say recently but do not ask me what recently means. It does not mean yesterday and it does not mean five years ago. I am not aware, again, because I have not been involved in the details of whatever arrangements have been made.

**HON J J BOSSANO:**

Does the hon Member know how long the rubble has been deposited? That would give us an indication of when it was ... Have they been putting rubble there for six months or for a year, or.....?

**HON LT-COL E M BRITTO:**

Off the top of my head, for a couple of months.

**NO. 927 OF 2009**

**THE HON G H LICUDI**

**WORKS AT DEVIL'S TOWER ROAD**

Can Government give details of all the bidders and of the successful bidder for the road works at Devil's Tower Road?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 928 to 931 of 2009.

**NO. 928 OF 2009**

**THE HON G H LICUDI**

**WORKS AT DEVIL'S TOWER ROAD**

Can Government state when the road works to the whole of Devil's Tower Road will be completed?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 927 and 929 to 931 of 2009.



ORAL

**NO. 929 OF 2009**

**THE HON G H LICUDI**

**WORKS AT DEVIL'S TOWER ROAD**

Can Government state the total cost of the road works to the whole of Devil's Tower Road?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 927, 928, 930 and 931 of 2009.

**NO. 930 OF 2009**

**THE HON G H LICUDI**

**WORKS AT DEVIL'S TOWER ROAD**

Can Government state the date when the road works at Devil's Tower Road in the area of the sundial roundabout started?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 927 to 929 and 931 of 2009.

**NO. 931 OF 2009**

**THE HON G H LICUDI**

**WORKS AT DEVIL'S TOWER ROAD**

Can Government state when the road works at Devil's Tower Road in the area of the sundial roundabout will be completed?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Work on the Devil's Tower Road project, which extends from the sundial roundabout up to the new roundabout to be constructed in the area of the Aerial Farm, started on the 16 June 2009. Completion of the full project is programmed for June 2011. This project is being undertaken by AMCO under the Government's Annual Highway Maintenance Term Contract. The total value of the work will be in the order of £7 million.

**SUPPLEMENTARY TO QUESTION NOS. 927 TO 931 OF 2009**

**HON G H LICUDI:**

Given the nature of the works and that smaller works which we discussed yesterday and then earlier this morning in the area of Referendum Gates have come out to tender, is there any reason why this particular project did not come out to tender?

**HON LT-COL E M BRITTO:**

Once again, I am not involved in those processes but my understanding is that it was thought that as part of the Highways Term Contract it could be that the contract could be negotiated in a better way than through the complete tender process.

**HON G H LICUDI:**

One of the questions 931 of 2009 was specific about the completion of the works in the area of the sundial roundabout. The reason for that is that works for this project started near the sundial roundabout and, as I understand it, they are working their way towards Eastern Beach along Devil's Tower Road. Is the hon Member aware of the serious traffic problems that there are. I assume that the hon Member is aware of the serious traffic problems that are being created, in particular because in the area of the roundabout the traffic now has to converge onto one lane creating a bottle neck and therefore creating a great deal of congestion as happened during the summer and as apparently will happen for the next two years. So the question was specific. Whether there was any completion date in respect of the works near the sundial roundabout to open up that bottle neck and therefore relieve congestion in the area.

**HON LT-COL E M BRITTO:**

Yes. The work is divided into four main phases primarily for traffic management purposes. The Government does give a lot of thought to these matters before they come into play and what actually happens on the ground is the result of what the Government are advised by the technical people, is the best option to cause the minimum of inconvenience. The first phase to which the hon Member refers, the sundial roundabout up to the Lady Williams Centre is scheduled to be completed by May 2010. The length is such as the hon gentleman will see is that it was unavoidable that we would eat into a part of a summer, whether it be summer 2009 or summer 2010. In the interest of the project as much as anything else, it was decided to eat into this summer but most of the work will be done over the winter period where the traffic congestion in the area is likely to be less. But the Government is confident that the people of Gibraltar are aware of the magnitude of this project. They are aware of the purposes behind it and they are aware that when the project is finished it will be worth the relatively minor inconvenience that is being suffered now at the sundial when traffic flows through Devil's Tower Road and under the tunnel to and from the Spanish frontier will be immeasurably improved including traffic to the new magnificent air terminal that the Government is building.

**HON G H LICUDI:**

Well, we will leave that latter debate about the air terminal for another day. The hon Member I am sure is not intending, although clearly he recognises that there is inconvenience, to describe it as, relatively minor inconvenience, is to belittle ...

**HON LT-COL E M BRITTO:**

Relatively minor.

**HON G H LICUDI:**

Relatively minor. That is very subjective but it is certainly not, either relatively or otherwise, it is not minor inconvenience. It is a great deal of inconvenience. The hon Member says that the works are divided into four phases with a first being completed in 2010 and stretching up to the Lady Williams Centre. Can the hon Member give details of the other three phases?

**HON LT-COL E M BRITTO:**

Yes, but not the completion dates. So I do not have that information. The second phase will proceed..... Sorry the other phases, not the second phase, the remaining three phases will be proceeding concurrently. The second phase will be extending from the aerial farm to the motor vehicle showroom in that area, the Bassadone showroom. The third phase is from the Lady Williams Centre to the hostel; and the fourth phase is from the hostel to the Bassadone showroom. I anticipate the question that the hon Member is going to ask me what happens beyond Bassadone's. I am afraid I do not have that information in front of me. I am not sure whether Bassadone's showroom includes all the way to the roundabout or whether it does not.

**HON G H LICUDI:**

I understand the hon Member has given the information, the aerial farm is beyond Bassadone Motors. So as I understand it, first the area of the sundial has been dealt with and then the area of Eastern Beach and then the bits in between is that correct?

**HON LT-COL E M BRITTO:**

No, the way I understand the information that has been provided to me is that the first phase, the sundial phase, is proceeding on its own and that once that is finished the other phases will proceed concurrently. Then I have given him the details of the phases. From Bassadone's garage onwards is considered, I am told, part of the new road project. From there onto the frontier and that is why this..... In other words the Devil's Tower Road project as such by name ends at the Bassadone showroom. From there the roundabout is part of the next one.

**HON G H LICUDI:**

But is it not the case that the other part which is the link between that roundabout towards the airport, that will also take place concurrently with phases 2, 3 and 4?

**HON LT-COL E M BRITTO:**

No, the information I have given the hon Member is in relation to the project from the sundial as far as the new roundabout at the aerial farm but falling short of it. In other words up to the Bassadone showroom. From Bassadone showroom onwards, including the new roundabout, that is a different project altogether and I have been given no information on that and I do not have any information in front of me.

**HON G H LICUDI:**

Yes, I understand that and although the hon Member said that he does not have the information, maybe somebody else does. Given that this is a project that will continue until 2011 one assumes that we do not have to wait for the completion of Devil's Tower Road in order to start the next phase which is from the aerial farm parallel to Eastern Beach. Does the hon Member know whether that will take place concurrently with these works?

**HON LT-COL E M BRITTO:**

The questions specifically refer to the Devil's Tower Road and the answers have referred to the Devil's Tower Road project. In the way this is structured, the remaining road is a new project. As far as I am concerned, I need notice of questions relating to..... I am not saying it is not available but I do not have the information. My colleague was about to intervene, he may have further information but I certainly do not.

**HON J J HOLLLIDAY:**

No, all I just wanted to add to that was that the phase that is going on from the roundabout to the tunnel is all part of the tunnel project and is already on-going and will be constructed..... I do not have the actual phasing or the timetabling but I just wanted to clarify that it is not part of the Devil's Tower Road project but part of the road with the tunnel project.

**HON G H LICUDI:**

Yes but, presumably, both projects are being co-ordinated rather than the left hand not knowing what the right hand is doing and I am not suggesting that that is the case. I am just trying to find out that there is an element of co-ordination so that both projects are completed at the same time.

**HON LT-COL E M BRITTO:**

Well, if the hon Member takes a drive down Eastern Beach Road he will see that there is already preparatory work going on for the new road. So obviously there is an element of parallelism taking place. All we are saying to the hon Member is that it is a different project and we need notice of the question. That is all we are saying. Not that it is not happening.

**NO. 932 OF 2009**

**THE HON G H LICUDI**

**WORKS AT TRANSPORT ROAD**

Can Government state whether and when it proposes to carry out road works to Transport Road?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

The resurfacing of Transport Road has been included in the highway maintenance schedule for 2010.

**SUPPLEMENTARY TO QUESTION NO. 932 OF 2009**

**HON G H LICUDI:**

The answer again suggests a lack of urgency and lack of priority being given. Transport Road is a relatively very short stretch of road. The hon Member will recall that this is an issue which I raised some time ago in this Parliament and although I was mocked and derided by Members opposite because I described it as Transport Lane and therefore got my lanes and my roads wrong, the hon Member certainly got the gist at the time of the concerns that were being expressed in respect of that particular stretch of road and the dangerous nature of that road. Given that those concerns appear to have fallen on deaf ears, does the hon Member actually know what the state of the road is? Has he been there? Does he know that it is in a dangerous state? Does he know that only a couple of weeks ago a motor cycle fell over and that it is a particularly perilous area for mothers with buggies given the construction works and the pot holes that exist, and there is an urgent need of resurfacing of barely fifty metres.

**HON LT-COL E M BRITTO:**

First of all let me say that I totally disagree, from the information made available to me, with the statements just made by the hon Member which are inaccurate, alarmist and not factual.

**HON G H LICUDI:**

Will the Member give way because he has suggested that I have given information which is not factual? The information I have given is information which is given to us in respect of accidents which happened quite recently. That as far as I am concerned is factual information and suggests that there is a problem with the road.

**MR SPEAKER:**

Order, order. The hon Minister should be allowed to conclude his answer. I am permitting supplementaries. So allow the Minister to complete.

**HON LT-COL E M BRITTO:**

Yes indeed, the fact that there may have been an accident there is factual and not is that what I meant. What I meant was and I am quoting him. He has said the "dangerous state of that particular road".....

**HON F R PICARDO:**

Perilous!

**HON LT-COL E M BRITTO:**

He has said it is "particularly perilous" and he has said that it is in "urgent need of repair" and those are the statements that I have said are not factual that they are alarmist and that I am challenging. The hon Member did indeed raise the matter back in 2008 I think, Question No. 192 of 2008 and he was told then what I am about to tell him now, that it was considered necessary to await the completion of the construction works in that area before undertaking the resurfacing of the road otherwise you have a chicken and egg situation. You resurface the road before the construction works in the area are finished. The road gets damaged again and you have to put the expense to the tax payer again of resurfacing the road. Now, in the meantime, and again the hon Member asked that question and he was given the answer so he should not make the alarmist statement he has made. He was told that the condition of the road continues to be monitored and kept in a reasonably safe state until the resurfacing is undertaken and this was told to him in answer to Question No. 192..... well a number of questions culminating in Question No. 192 of 2009, I think Question Nos. 183 to 192 of 2009. He was told then and he asked how is the issue of safety determined and I told him then and I tell him now, because he asks me whether I have gone down, whether I have looked at the pot holes, whether I have looked at the road, the short answer is, yes I have been there because I have used the road as a road user. Yes, I am aware of the condition it is in but I do not go there to check the pot holes. That is up to what I said to him back in 2008. It is ascertained and certified by the technical people in the field. That is the Highways Section of the Department of Technical Services and they are the ones who do the monitoring and they are the ones who have not said, as the hon Member has said, that there is an urgent need. If there had been an urgent need from the technical point of view, then the Government would have repaired it even if it had needed to repair it twice due to the construction.



**HON C G BELTRAN:**

It is called scare mongering.

**HON LT-COL E M BRITTO:**

So in a nutshell..... I know it is a pet subject for the hon Member but in a nutshell I refute the statement made in terms of danger as particularly perilous. The Government have this situation under control. It is being continuously monitored and the resurfacing will be undertaken as part of the 2010 works.

**HON G H LICUDI:**

It is not in my nature to be alarmist or scare mongering. It is in my nature to try and give facts and to draw from those facts. It is a fact that we get constant reports and that is why I posed the question initially in 2008 which, at the time, the hon Member did not give the information that he is now purporting that he gave because.....

**HON LT-COL E M BRITTO:**

It is in Hansard. What do you mean I did not give the information?

**HON G H LICUDI:**

As I recall the debate on the first occasion when the name was given as something else. There was little or no information given at all and therefore it was a matter which, certainly we got the impression the Government was not taking seriously from a political point of view, and is this not a case. It is certainly not a case of being alarmist, it is a case of bringing to this Parliament concerns and reports which are given to us by the citizens and the residents of the area who use this road on a daily basis and they are concerned. They are concerned about the state of the road and although there is a development beside it, will the hon Member not agree that if there is a road that is in need of repair and there is a development beside it which is going to take maybe one, two, three, five years, one does not wait until everything is done in order to do the necessary works. If a resurfacing has to take place over a weekend and then repeated in two years time then that is what needs to happen and what the hon Member cannot do and he does constantly is shirk political responsibility, simply by hiding behind officials and technical officials in his department. What the hon Member should do, is take a grip of the situation, grasp that political responsibility and say that what needs to be done in Gibraltar is done and political decisions are taken. That is not what we get from this Government.

**HON LT-COL E M BRITTO:**

This hon Member does not shield behind technical officials. On the contrary, he does what the hon Member across the way does not do. He does not rely on statements made by those who are not qualified. He does not rely on his own impressions when he is not a technical expert.

**HON G H LICUDI:**

A hole is a hole.

**HON LT-COL E M BRITTO:**

We agree.....

**HON G H LICUDI:**

A hole is a hole and quite a big hole.

**MR SPEAKER:**

Order, order.

**HON LT-COL E M BRITTO:**

The issue here is not as it has been meted out to me. The issue here is not whether the road needs to be resurfaced. The Government accept that the road needs to be resurfaced and I have said so and I have said that it is going to be done. The issue here is that since the answer to Question No. 183 of 2008, the hon Member opposite has been saying that there is an “urgent need” to do it. The Government are telling them that it is monitoring the situation and that there is no urgency of the extent that the hon Member is saying. There is a need to do it. No one is disputing. So the bottom line is, and after that I will sit down, the Government accept there is a need for resurfacing, it is monitoring the situation. It does not accept that there is an urgent need for repairs as the hon Member has said. It does not accept that it is particularly perilous and therefore the resurfacing will be done once the works are completed to avoid further damage to the road and as part of the contract.

**HON G H LICUDI:**

It seems that urgency is a matter of perspective and there is a totally different perspective from the Government’s point of view towards everybody else Gibraltar might see as urgent and, certainly, if the hon Member had been the one who fell off his bike a couple of years ago after going through a hole, after all a hole is a hole in the road and you do not have to be a technical expert to see that there is a hole in the road and if the hon Member had fallen off his bike, then his perception of urgency might be slightly different. Will the hon Member confirm that that resurfacing will be done before the eighth anniversary of the time when I first raised it in this House?

**HON LT-COL E M BRITTO:**

I do not think it is worth insulting the intelligence of the listeners by answering the question.

**NO. 933 OF 2009**

**THE HON DR J J GARCIA**

**GTB – HOTEL STAYS**

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**

Answered together with Question Nos. 934 to 940 of 2009.

ORAL

**NO. 934 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR OFFICE IN MADRID**

Can Government give the cost to date of the Gibraltar office in Madrid, with a breakdown by financial year since it opened?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 933 and 935 to 940 of 2009.

ORAL

**NO. 935 OF 2009**

**THE HON DR J J GARCIA**

**CITY UNDER SIEGE EXHIBITION**

Is Government now in a position to say what the estimated cost of repairing the City Under Siege exhibition is, give the date when the damage was caused and list what has been damaged and needs to be repaired?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 933, 934 and 936 to 940 of 2009.

ORAL

**NO. 936 OF 2009**

**THE HON DR J J GARCIA**

**GTB – RUNNING OF THE UPPER ROCK**

Has Government now taken a policy decision to involve the private sector in the running of the Upper Rock?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 933 to 935 and 937 to 940 of 2009.

**NO. 937 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR'S TOURISM ASSETS**

Can Government say whether they are considering the matter or whether they have taken a decision to franchise the operation of Gibraltar's tourism assets to the private sector and if so which assets would be affected?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question Nos. 933 to 936 and 938 to 940 of 2009.

ORAL

**NO. 938 OF 2009**

**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**

Answered together with Question Nos. 933 to 937, 939 and 940 of 2009.



**NO. 939 OF 2009**

**THE HON DR J J GARCIA**

**GTB – TOURISM MINISTER’S TRAVEL AWAY FROM GIBRALTAR**

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. 933 to 938 and 940 of 2009.

**NO. 940 OF 2009**

**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**

An estimate provided by the specialist company from the UK who originally manufactured the City Under Siege exhibits and who maintain them, shows that the cost of repairs will be just over £15,000.

The following items were damaged and are in need of repair:

1. The main door which was completely pulled off its hinges.
2. Wooden fences were broken in three separate areas.
3. Clay pots were broken.
4. Wooden information panels were kicked in and broken.
5. A wooden cart carrying some of the display figures was damaged, with the axle ripped off the main structure; and
6. And by far the most expensive item of repair is that eight of the static display figures have been extensively damaged.

The Government have not taken a policy decision to involve the private sector in the running of the Upper Rock, and the Government are not considering the matter of franchising the operation of Gibraltar's tourism assets to the private sector, and therefore, have not taken a decision to do so.

One meeting of the Tourism Advisory Council has been held on 7<sup>th</sup> July 2009.

I have been away from Gibraltar once between 29<sup>th</sup> June and 1<sup>st</sup> July, to attend a meeting of the UK GTA and meetings for the marketing budget for the GTA in London during the dates I have given. The remainder of the information requested by the hon Member is statistical and is contained in the schedules which I now hand over to him.

**Answer to Question 936 and 937**

The Government has not taken a policy decision to involve the private sector in the running of the Upper Rock.

The Government is not considering the matter of franchising the operation of Gibraltar's tourism assets to the private sector and therefore have not taken a decision to do so.

**Answer to Question 938**

One meeting of the Tourism Advisory Council has been held on 7<sup>th</sup> July 2009.

**Answer to Question 933, 934, 939 and 940**

The remainder of the information requested by the Hon Member is statistical and is contained in the schedules which I now hand over to him.

# ANSWER TO QUESTION 940

## Answer to Question 933 of 2009

### 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
May 2009	1413	2	2	2.0	-	-	-	-
June 2009	1810	29	28	5.3	1	4.0	-	-
July 2009	1252	3	-	-	3	3.0	-	-

### b) Not stayed at Hotel

	Total Interviews Not Stayed at Hotel	Airport	Port	Frontier	Waterport	Marina	Coach Park
May 2009	1411	24	25	1319	-	-	43
June 2009	1781	248	80	1267	-	6	180
July 2009	1249	-	-	1249	-	-	-

# Answer To Question 940

## Answer to Question 934 of 2009

### MADRID OFFICE COSTS

	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09	09/10
OFFICE RENT	£15,695.47	£14,956.58	£15,609.72	£15,195.43	£17,945.45	£19,618.08	£21,843.04	£36,697.04	£39,652.86	£47,329.69	£32,695.14
REFURBISHMENT OF NEW OFFICE							£31,443.66	£56,394.87			
SALARIES	£39,560.50	£39,208.73	£35,298.15	£18,536.29	£32,437.98	£43,853.73	£26,710.34	£34,355.78	£33,007.37	£27,945.67	£4,804.35
CORPORATE TAXES						£4,750.39	£7,676.96	£4,433.84	£7,525.05	£11,731.73	£3,395.92
PAYE						£4,398.27	£5,232.64	£6,296.33	£6,703.44	£4,706.97	£982.14
SOCIAL INSURANCE (1)					£9,008.35	£18,571.47	£11,186.84	£14,587.07	£14,401.81	£11,921.13	£2,074.57
GENERAL EXPENSES (2)	£27,315.25	£19,410.05	£24,491.95	£21,895.41	£30,031.30	£15,310.20	£32,387.11	£21,918.95	£18,950.29	£18,731.11	£11,912.68
<b>TOTAL</b>	<b>£82,571.22</b>	<b>£73,575.36</b>	<b>£75,399.82</b>	<b>£55,627.13</b>	<b>£89,423.08</b>	<b>£106,502.14</b>	<b>£136,480.59</b>	<b>£174,683.88</b>	<b>£120,240.82</b>	<b>£122,366.30</b>	<b>£55,864.80</b>

(1) THIS INCLUDES BOTH EMPLOYER AND EMPLOYEE CONTRIBUTIONS

(2) THIS RANGES FROM UTILITIES TO TRAVEL, STATIONERY ETC.

NOTE: THERE MAY BE SOME OUTSTANDING EXPENDITURE IN THE CURRENT FINANCIAL YEAR INCLUDING LEGAL FEES, TAXES ETC IN CONNECTION WITH THE CLOSURE OF THE OFFICE.

Answer To Question 940

Answer to Question 939 of 2009

DATES	EVENT/FUNCTION	VENUE	CITY	COUNTRY
29/06/09 TO 01/07/09	MEETING OF THE UKGTA & MARKETING BUDGET MEETING	GIBRALTAR GOVERNMENT OFFICE	LONDON	UK

Answer to Question 940 of 2009

MONTH	UPPER ROCK	COACH PARK	MUSEUM
April 2009	£ 281,097.22	£ 5,580.00	£1329.85
May 2009	£277,154.60	£6,390.00	£1015.42
June 2009	£273,437.61	£5,580.00	£1972.82
July 2009	£339,162.80	£5426.00	£1317.68
August	Not yet available	£4,854.00	£1383.45
September	Not yet available	£7,717.00	Not yet available
<b>TOTAL</b>	<b>£1,170,852.23</b>	<b>£35,547.00</b>	<b>£7,019.22</b>

**SUPPLEMENTARY TO QUESTION NOS. 933 TO 940 OF 2009**

**HON DR J J GARCIA:**

Are the Government considering any proposals from the private sector in relation to the running of the Upper Rock?

**HON LT-COL E M BRITTO:**

I have already answered the question. Government are not considering and has not made policy decisions in respect of involving the private sector in the Upper Rock.

**HON DR J J GARCIA:**

I wish to correct him, the answer was given in relation to the second question to do with the franchising but not the first question to do with the policy. Is that correct?

**HON LT-COL E M BRITTO:**

For the avoidance of doubt, I will read that particular part of the answer again, which is in answer to Question Nos. 936 and 937 of 2009. What I said before was, "the Government have not taken a policy decision to involve the private sector in the running of the Upper Rock". That was in answer to the question that asked "has the Government now taken a policy decision to involve the private sector in the Upper Rock". That was the answer. The second answer, in reply to Question No. 937 of 2009, which was "can Government say whether they are considering the matter or whether they have taken a decision to franchise the operation of Gibraltar's tourism assets to the private sector, and if so which assets would be affected", the answer that I gave and I repeat is, "the Government are not considering the matter of franchising the operation of Gibraltar's tourism assets to the private sector, and have therefore not taken a decision to do so".

**HON DR J J GARCIA:**

The Government are not considering franchising the assets to the private sector and have not taken a policy decision on whether or not to involve the private sector in the running of the Upper Rock. My supplementary was, "are the Government considering or are there any proposals on the table from the private sector in relation to the running of the Upper Rock".

**HON LT-COL E M BRITTO:**

I have replied in answer to previous questions that the Government continuously receive proposals from the private sector, from outside Gibraltar and from inside Gibraltar, for many things including tourism matters like the Upper Rock. So, there are proposals that the Government have received, but in answer to his questions whether they are being considered and whether policy decisions have been made to do it, the answer is no. They are not under active consideration and no policy decisions have been made.

**HON DR J J GARCIA:**

Can the Government then say whether they have held discussions with any interested parties who may be interested in getting involved in the running of the Upper Rock?

**HON LT-COL E M BRITTO:**

When there are proposals made, sometimes they are accompanied with meetings to explain those proposals. Now, those are not negotiations, those may be informative meetings. I do not know how the hon Member defines "discussions". If he defines "discussions" in the sense of negotiations, then the answer is no. If he defines "discussions" in the sense of providing information, then the answer, not just in tourism, but throughout the whole of the proposals to the Government, is obviously yes.

**HON DR J J GARCIA:**

He is quoted as having told one of the magazines that there have been private sector proposals in the past which are still on the table. Now, when I asked him whether these proposals were on the table, are these the ones he is referring to or is it something which is happened in the past and which is not relatively recent? When did the Government receive the proposals that are still on the table and how many are there?

**HON LT-COL E M BRITTO:**

I am not responsible for whatever I am quoted to in the media, but in reply to the hon Member's particular question, if proposals are received by the Government, the Government deal with them in a variety of ways, either they may be rejected outright, or, as is more normal, the proposer is told it is not going forward at the moment but it will be kept on file in case we need to look at it at a later stage. So, I cannot speak for every single proposal over the years, some of which have happened before my time, but specifically to the question of whether there is any proposal under consideration, or whether any policy decision has been made, the answer is no Sir, as I have already said.

**HON DR J J GARCIA:**

Are there any proposals which are still on the table? That is the question, on the table. Are there any proposals on the table and how many? That is the question.

**HON LT-COL E M BRITTO:**

I only have one table in my office and that is the board room table and there are no papers on it.



**HON DR J J GARCIA:**

I am quoting the words used by the Minister.

**HON LT-COL E M BRITTO:**

No, correction, the words used in the magazine not by the Minister.

**HON DR J J GARCIA:**

If it is not what he said he will presumably be writing to the magazine and correcting what they have published. What he is quoted as having said is, and this is in inverted commas, "there have been private sector proposals in the past which are still on the table. We are looking at what we would like to see and then looking at how best to do it". Now, those proposals which are still on the table, this magazine is called "Gibraltar International", are those proposals still on the table? He said this a couple of months ago, are they still on the table? The second question was, how many proposals are there and from how many different entities? Is it only one set of proposals from one company or are there more than one set of proposals?

**HON LT-COL E M BRITTO:**

The hon Member seems determined not to listen to what he has been told, but he seems determined to listen to what he has been told outside this House. He should concentrate on the second half of the quote attributed to me and not on the first half. The second half of the quote which he has read, is that the Government are considering the whole issue of tourism and looking at how to take things forward. In relation to "on the table", his words not mine, I cannot remember the words I used in that interview, but I will put them in words here that I can defend. That is, that when proposals, as I said a moment ago, are received by the Government, unless they are rejected out of hand, which sometimes happens, they remain on file and, therefore, in theory open. But one thing is for them to be on file and in theory open, and the other is for them to be actively pursued and considered and policy decisions made. So, proposals that may have been made over the years are on file and theoretically can be revived. But none of those proposals are actively being considered as I stand on my feet, no policy decisions have been made on any of them, as I stand on my feet.

**HON DR J J GARCIA:**

I understand that the Minister is saying that no policy decision has been made. I think the difficulty lies in understanding what he meant when he gave this interview and what he is telling the House now. I think that there is a slight contradiction. But can I ask, is it the view of the Minister that the private sector should be involved in the running of the Upper Rock?

**HON LT-COL E M BRITTO:**

I am not prepared to answer that question, in the sense that whatever my view may be or not be, it is not the basis on which political decisions are made by this Government. If the Government were at some stage to consider involving the private

sector, my opinion would be one amongst ten people and, therefore, what I think now is neither here nor there and I am not prepared to answer that question.

**HON DR J J GARCIA:**

So, when he gets quoted again as saying, I will just read the paragraph so as not to leave anything out, this has Britto believes, then inverted commas, "the private sector can often market and do things a lot better than Government agencies can. Rather than prepare a five year plan with built-in costings, Britto aims first to establish policy, including whether to involve the private sector. He is warm on the idea of franchising operation of tourism assets, in much the same way as the Government did with King's Bastion". Now, there are two issues, one is franchising the assets and the other issue is whether the private sector should be involved or not. If the Minister makes a statement, he is obviously going to be questioned on them.

**HON LT-COL E M BRITTO:**

I have said it before and I will say it again, I am not prepared to defend in this House the statements made in the press which may be accurate or not accurate. The hon Member, better than anybody else, should know that one should never believe what one reads in newspapers. So I am not here to defend what that article says, but in answer to specific questions, I am here to defend the answers that I have given, and the answers are quite simply that there are no proposals actively under consideration, and no decisions have been made, but the Government are looking at the whole of tourism in Gibraltar, not in relation to any particular proposals from the private sector at this stage, looking at the whole situation in Gibraltar before making decisions in principle, and then at that stage is when the private sector or the public sector comes into play. At this moment in time, we are not about to rush off, as the hon Member will have been told, to hand over the Upper Rock to Mr So and So.

**HON DR J J GARCIA:**

The only person who can get this information from is from him as quoted in the newspaper.

**MR SPEAKER:**

I must put a stop to this. The Minister has answered his question, the same theme several times. With respect, there has to be a limited number of times when it is quizzing him on articles appearing in the press. Supplementaries must arise from answers given in this House.

**HON J J BOSSANO:**

The answer we want is, is that his view or not? If he tells us that is not his view then we take his word for it and not the newspapers. But he does not seem to be given us an answer, yes or no.

**HON LT-COL E M BRITTO:**

As the hon Member knows, according to Standing Orders, I do not have to give views or opinions, so that is why I said I am not prepared to do it.

**HON DR J J GARCIA:**

Can I ask this, is it the view of the Minister that the private sector can often market and do things a lot better than Government agencies can?

**HON LT-COL E M BRITTO:**

I am sorry, there is too much talking, can he ask the question again?

**HON DR J J GARCIA:**

Is it the view of the Minister that the private sector can often market and do things a lot better than Government agencies can?

**HON LT-COL E M BRITTO:**

Again, I am being asked for an opinion, under Standing Rules, I am asked to defend something that has been written in an article. But nevertheless, as far as that statement goes, and not speaking about any particular project, and not speaking about tourism but speaking as a general principle, there is no doubt that there are some things that the private sector can do better than the public sector. In my mind there is no doubt about that. Similarly, there are some things that the public sector can do better than the private sector.

**NO. 941 OF 2009**

**THE HON J J BOSSANO**

**CEMETERY KEEPER POST**

Can Government state if the position of Cemetery Keeper has been filled temporarily since 2005, on an acting basis, from within the Cemetery workforce, and, if so, how has the cover been provided in the workforce as a whole?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

Answered together with Question No. 942 of 2009.

**NO. 942 OF 2009**

**THE HON J J BOSSANO**

**CEMETERY KEEPER POST**

Can Government state when in 2005 the post of Cemetery Keeper became vacant and how the duties of the post have been carried out since?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

As given in answer to Question No. 513 of 2009, the post of Cemetery Keeper became vacant in November 2005 and the post has not been filled since then. The Superintendent of the Cemetery has been carrying out the duties during this time. The matter is subject to a review currently in progress of all issues connected with the Cemetery.

**SUPPLEMENTARY TO QUESTION NOS. 941 AND 942 OF 2009**

**HON J J BOSSANO:**

So in fact the Superintendent has been carrying out the job of the person that was previously Cemetery Keeper for four years as well as doing his own job in the same time and from the same salary. Is that the position?

**HON LT COL E M BRITTO:**

Yes.

**NO. 943 OF 2009**

**THE HON J J BOSSANO**

**STREET CLEANSING**

Can Government confirm that street cleansing is carried out using portable water rather than brackish water, and if so, what was the quantity of water used and the cost incurred in the financial year 2008/2009?

**ANSWER**

**THE HON THE MINISTER FOR THE ENVIRONMENT AND TOURISM**

All street cleansing is done with water that is portable i.e. carried or taken to the location where it is required by the Government's contractor.

However, on the assumption that the question is intended to apply to POTABLE water rather than to PORTABLE water, I can confirm that wherever high pressure washing equipment needs to be used for cleansing, these streets are cleaned using potable water rather than brackish water because such high pressure washing equipment can only use potable water to avoid damage.

The quantity of water used for 2008/2009 was 3 million litres approximately and the cost was £18,500 approximately.

**NO. 944 OF 2009**

**THE HON N F COSTA**

**GHA – PARKING AT EUROPLAZA FOR HOSPITAL USERS**

Can the Government explain what they meant when they told this Parliament in June that the provision of car parking for the hospital at Europlaza “will happen very, very shortly”, given that four months have now elapsed since the answer and the car park is still not available?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

As stated in Question No. 518 of 2009, the Government will be making a statement on the car park at Europlaza at the time of the announcement of the new traffic and transport policy, which is expected to be made sometime during the next 14 days.

**NO. 945 OF 2009**

**THE HON F R PICARDO**

**IMPORTATION OF QUAD BIKES**

Can the Government confirm that it is aware that importation of quad bikes is occurring in breach of the Import and Export Act and has the Government approved this?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Government are aware that there was one temporary importation of quadbikes on 24<sup>th</sup> August 2009 for the Gibraltar Fair 2009. Government approved the importation.

**SUPPLEMENTARY TO QUESTION NO. 945 OF 2009**

**HON F R PICARDO:**

Can I just ask the Minister to clarify the tense of that; one temporary importation of quad bikes. So it is one importation of more than one bike?

**HON J J HOLLIDAY:**

Yes. There was one importation for more than one bike for the fair ground attraction for small kiddies.

**HON F R PICARDO:**

How many bikes were imported?

**HON J J HOLLIDAY:**

I do not know, but there were probably a dozen or so.



**HON F R PICARDO:**

Is it correct to say that that importation was contrary to the Imports and Exports Act, absent consent from the Government?

**HON J J HOLLIDAY:**

Well strictly speaking it was, but seeing that the quad bikes were only to be used on the fair ground for small kids and not on the public highway the Customs Authority consulted me as acting Chief Minister and recommended that this should be allowed and I agreed to that.

**HON F R PICARDO:**

The Minister is saying that Customs themselves recommended that this be allowed?

**HON J J HOLLIDAY:**

The Customs Authority contacted my Department. I did not speak to them directly. They spoke to one of my Private Secretaries and they said that they had this issue and whether the Government were willing to approve this and I agreed to that. I am not really privy to the conversation so I do not know whether they actually asked or whether they suggested it or whatever. But I thought it made sense to allow a small attraction of quad bikes for kids to be allowed in.

**HON F R PICARDO:**

I see. Can the Minister tell us whether he believed he was exercising a power that he had available to him to allow an importation to occur in breach of an Act or whether it was simply a collective turning of an institutional blind eye?

**HON J J HOLLIDAY:**

No. I think the spirit of the law in this respect is to not allow quad bikes for use in the public highway. The fact that this was an attraction for young kids that was not going to be used on the public highway and was meant to be here for a week or ten days, I felt that the interpretation of the law was not that it could not be allowed in.

**NO. 946 OF 2009**

**THE HON G H LICUDI**

**ABANDONED VEHICLES**

Can Government state what steps it has taken from June 2009 to date to address the problem of abandoned vehicles?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Traffic Management Division of the Department of Transport is tasked with an annual programme of identifying and removing abandoned vehicles in accordance with the Abandoned Vehicles (Removal) Regulations 2004. These vehicles are either removed to a safe place of custody or alternatively a notice is affixed to the vehicle stating that the vehicle appears to have been abandoned and that the vehicle will be disposed of or removed to a safe place of custody after 14 days unless removed by the owner.

The Traffic Management Division has removed a total of 193 abandoned vehicles from June to September. In addition Government will, when it is ready to do so, announce changes to this legislation and programme to improve its effectiveness.

**SUPPLEMENTARY TO QUESTION NO. 946 OF 2009**

**HON G H LICUDI:**

I will not ask when that announcement will be made but clearly the Minister is saying or recognising that the legislation is not working perhaps as it should in order to address this particular problem. Can the Minister tell us what the Government's position is in respect of the shortcomings of the legislation and how in the Government's view it can be improved?

**HON J J HOLLIDAY:**

What the Government recognises is the fact that the present system is very cumbersome and is not effective enough to deal with the number of abandoned vehicles that are currently on our roads and become abandoned on a daily basis. So when the Government is in a position to do so, it will be making an announcement in respect of the legislation and practice that will be put into place in order to address

the issue and have a far more effective and proactive system in place which removes cars from the public highway at very short notice.

**NO. 947 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LIMITED – PAYING PASSENGERS**

Can Government state the number of paying passengers that were transported and the value of fares from these passengers by the Gibraltar Bus Company Limited in the months of June to September 2009 giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The number of passengers transported and the value of fares collected by the Gibraltar Bus Company in the months of June to September 2009, are as follows:

	<u>No of Passengers</u>	<u>Total Revenue</u>
JUNE	189,093	£79,074
JULY	211,357	£91,510
AUGUST	212,316	£95,869
SEPTEMBER	185,736	£79,570

**NO. 948 OF 2009**

**THE HON G H LICUDI**

**BUS STOPS**

Can Government give details of all works of repair or maintenance carried out to the bus stops between June and September 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No works have been carried out during the time in question.

**SUPPLEMENTARY TO QUESTION NO. 948 OF 2009**

**HON G H LICUDI:**

Dealing specifically with the bus shelters which are on the bus stops. We have had this debate in the past and, as I understood it the Minister recognised that there was a need to do something. There was a programme which was going to be implemented in order to replace or and in the meantime possibly repair and maintain those which were in a pretty bad condition. Can the Government enlighten us as to where we are with regard to that programme?

**HON J J HOLLIDAY:**

Well, the Government have now identified the bus shelters that it intends to purchase. As you know, this is not a product that you can actually go out to tender for and to come back with anything of substance because of the peculiarities of actually having bus stops, in different locations, requiring different xxxxxx, so we basically have gone through a wide range of bus shelters. We have identified the shelters that we feel meet the criteria that we want for Gibraltar and we are now in the process of engaging the manufacturer in order to completely refurbish all bus stops in Gibraltar.

**HON G H LICUDI:**

Does the Minister have an idea of the timescale involved? When can we see the new bus shelters in place?

**HON J J HOLLIDAY:**

No. I cannot give him that information today because it is too early on in the negotiations but hopefully we will have something to be able to say shortly.

**HON G H LICUDI:**

Can the Minister confirm what happens in the meantime because it seems that every time I ask this question about repair and maintenance the answer is no repair and maintenance has been carried out. As we understand it this has been included in the Highway Maintenance contract which the Government has awarded to a private company and there are some bus shelters which are, as I said before, in a pretty bad state either rusty or with some loose canopies. Why is it, is there a policy decision not to carry out these works when there are clearly bus shelters which are in need of repair.

**HON J J HOLLIDAY:**

The Government has taken a view that it would not undertake any repairs because it was in the process of renovating and putting in new bus shelters all along. On the point made about the Highway Term contract, I will have to check that because I know at one time, I think it was, but I am not sure whether it is..... It is not something that my department actually deals with but it is the Technical Services Department but I will check on that and if it was I will tap into that. I will definitely do that. But I do not think that that is the case and it is basically a situation where everything, the whole development seems to be going to happen fairly soon and delays do occur and therefore I think that..... but hopefully we are now in the last lap of a long marathon.

**HON G H LICUDI:**

Just in relation to the contract, this has been the subject of questions in the past and I know in fact the Minister has actually written to me on this particular issue, so the Minister will have on record a letter which he sent me specifically to do with the contract. My understanding is that there was a contract in place which the Government could tap into and given that the answers have generally been, no works are done, I was simply wondering whether there was a quality issue rather than a contractual issue?

**HON J J HOLLIDAY:**

If I have understood his question..... I am not sure what the situation is. I would like to check on this Highway Term Contract. I know it existed at the time and I do not think that it no longer applies to bus shelters but I will be checking this to make sure that we can tap into it. We will, because there are some bus shelters which could do with some work more from a health and safety aspect than just for beautification purposes.

ORAL

**NO. 949 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LIMITED – NEW BUS FOR ROUTE NO. 2**

Can Government state what the position is in connection with the purchase of new buses for route number 2?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No bus was found suitable from the tender received in September 2007. The tender was therefore cancelled. The Gibraltar Bus Company has again carried out an exhaustive evaluation of possible vehicles and has identified two suitable vehicles. As a result of this, a new tender will shortly be issued. This will be carried out using the selective tender procedure. In other words, rather than go out to tender, both parties that have been identified will be asked to submit quotes based on specifications that will be prepared by the Gibraltar Bus Company.

**NO. 950 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LIMITED – BUS ROUTES**

Can Government state why bus routes 2, 3 and 4 did not operate along Line Wall Road during the weekend of 5<sup>th</sup> and 6<sup>th</sup> September 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Buses travelling North bound could not use Line Wall Road due to the scheduled closure of Main Street for programmed road works. These works are on-going.

This closure at weekends does not affect south bound buses on Line Wall Road.

**SUPPLEMENTARY TO QUESTION NO. 950 OF 2009**

**HON G H LICUDI:**

Is the Minister saying that this is an on-going programme which will affect buses at weekends on a regular basis and if so is there a public announcement which has been or will be made as to what the alternative arrangements are and whether the alternative bus stops can be found?

**HON J J HOLLIDAY:**

These diversions and changes have occurred on a few weekends and a public notice was issued explaining the bus routes and not just on the weekend of the 5<sup>th</sup> and 6<sup>th</sup> September 2009. It has actually occurred and affected that area of Main Street while the road works that are being undertaken in the area between the Convent and the Referendum Gate for at least four or five weekends but the public has been informed and a press release has been issued.



**NO. 951 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LIMITED – SCHEDULES**

Can Government give details of the extent to which buses operated by the Gibraltar Bus Company Limited keep to their scheduled times at each bus stop?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There are no scheduled timings for specific bus stops.

**SUPPLEMENTARY TO QUESTION NO. 951 OF 2009**

**HON G H LICUDI:**

I simply cannot understand the answer. Do buses have schedules or do they not?

**HON J J HOLLIDAY:**

Buses have schedules when they start their route but then there are no actual schedules. There is a frequency depending on the route but there are no scheduled timings at each bus stop because unfortunately it would be very very difficult to maintain due to traffic flow implications, especially on some of the bus routes.

**HON G H LICUDI:**

Given that there is a frequency, do buses generally keep to their frequency?

**HON J J HOLLIDAY:**

Definitely on departure they do but not ... I am told for example that route 2 has sort of 90% success rate. Route 3 has 90%. Route 4, 80% and Route 9, 92%. These are rough figures based on monitoring of certain bus routes that have been undertaken of late.

**HON G H LICUDI:**

Why is it that the Minister says that specific schedules at each bus stop..... The problem is people go to a bus stop and really do not know when the next bus is coming. That is generally the position in Gibraltar because there is no information as to whether buses do arrive at that particular bus stop. The Minister says that that would be difficult to maintain because of traffic conditions or traffic congestion. Does the Minister not know that bus stops in other places in the world, in major cities, in London, in Oxford Street, in Regent Street, have specific times when each bus is scheduled to arrive at each specific bus stop with time of arrival, even displayed now electronically; one minute, two minutes, in the same way as the underground in London. If that can happen in a place as the centre of London where there is a great deal of traffic going through. Why can it not happen in a small place like Gibraltar?

**HON J J HOLLIDAY:**

I think you should wait for our announcement on our traffic and transport policy with possibly the new bus shelters having that sort of information available but I mean you can have a bus saying that, for example, the No. 3 bus will go through Line Wall every fifteen minutes and that schedule is not necessarily kept. However, the information on the bus shelters themselves will anticipate when the next bus will come, whether in five minutes or six minutes or in seven minutes but not necessarily keeping to the schedule but that information is something that is part of the negotiations that we are doing with the new bus shelters.

**HON G H LICUDI:**

Is this the same announcement that the Chief Minister referred to in the New Year's Message this year and said that it would happen in the next few weeks, or words to that effect?

**HON J J HOLLIDAY:**

That is the same announcement. It will be worth waiting for.

**HON G H LICUDI:**

If the announcement was made by the Chief Minister, is the Minister saying that the Chief Minister is not to be believed when he says that something will happen in the next few weeks and now the Minister says nine months, ten months down the line, we just have to wait.

**HON J J HOLLIDAY:**

No, what I have said is that we will be making an announcement in the next fourteen days.

**HON G H LICUDI:**

Ah..... fourteen days now.

**HON J J HOLLIDAY:**

What you have not heard my answer? I have said it twice already. Obviously you do not listen to my answers.

**NO. 952 OF 2009**

**THE HON G H LICUDI**

**GIBRALTAR BUS COMPANY LIMITED – BUS ROUTES**

Can Government state whether any new bus routes are planned?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

In this answer you will get another confirmation of the fourteen day notice. The Government are planning new bus routes as part of its traffic and transport policy, to be announced, as has already been said, during the next 14 days.

ORAL

**NO. 953 OF 2009**

**THE HON G H LICUDI**

**WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many applications for weight exemption certificates were turned down during the months of June to September 2009 giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 954 and 955 of 2009.

**NO. 954 OF 2009**

**THE HON G H LICUDI**

**WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many companies have been issued with monthly weight exemption certificates between the months of June to September 2009 giving a breakdown between heavy traffic roads and other roads?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 953 and 955 of 2009.

**NO. 955 OF 2009**

**THE HON G H LICUDI**

**WEIGHT EXEMPTION CERTIFICATES**

Can Government state how many applications for weight exemption certificates were granted during the months of June to September 2009, giving a breakdown by month?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

In respect of weight exemptions only one application was turned down in June 2009.

Eighteen companies have been issued with monthly weight exemption certificates between the months of June and September 2009. All these monthly weight exemptions certificates have only been granted for heavy traffic roads.

I am also handing over to the hon Member a schedule giving a breakdown of weight exemption certificates granted during the months of June to September 2009.

**SCHEDULE TO QUESTION NO. 955 of 2009**

<b>2009</b>	<b>Cranes</b>	<b>Goods Vehicle [Trucks]</b>	<b>Motor Vehicles designed for excavation or shovelling work</b>	<b>Total</b>
<b>June</b>	7	22	3	32
<b>July</b>	9	6	4	19
<b>August</b>	5	9	1	15
<b>September</b>	5	12	3	20



**NO. 956 OF 2009**

**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) Manchester;
- (e) Madrid;
- (f) Barcelona (since flights commenced),

since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 957 and 961 to 967 of 2009.

**NO. 957 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – FLIGHTS DELAYED**

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) Manchester;
- (e) Madrid;
- (f) Barcelona (since flights commenced),

since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 956 and 961 to 967 of 2009.

ORAL

NO. 958 OF 2009

THE HON DR J J GARCIA

QUESTION WITHDRAWN

ORAL

NO. 959 OF 2009

THE HON DR J J GARCIA

QUESTION WITHDRAWN

ORAL

NO. 960 OF 2009

THE HON DR J J GARCIA

QUESTION WITHDRAWN

ORAL

**NO. 961 OF 2009**

**THE HON DR J J GARCIA**

**ANDALUS AIRLINES**

Can Government say whether they have been approached by Andalus Airlines with a request for a subsidy, direct or indirect, apart from the joint marketing campaign, in respect of its routes from Gibraltar to Madrid and Barcelona before the latter was suspended?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 956, 957 and 962 to 967 of 2009.

**NO. 962 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – TRANSIT PASSENGERS FROM MADRID**

Can Government say, of the passengers who arrived in Gibraltar by air from Madrid since the information supplied during the last Question Time in this Parliament, on a monthly basis, how many were deemed to be in transit through Gibraltar and how many stayed in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 956, 957, 961 and 963 to 967 of 2009.

**NO. 963 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – TRANSIT PASSENGERS FROM BARCELONA**

Can Government say of the passengers who arrived in Gibraltar by air from Barcelona since flights commenced, on a monthly basis, how many were deemed to be in transit through Gibraltar and how many stayed in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 956, 957, 961, 962 and 964 to 967 of 2009.



**NO. 964 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – BUS FROM LA LINEA FOR DEPARTING PASSENGERS**

Can Government say how many departing passengers on the flight from:

- (a) Gibraltar to Madrid;
- (b) Gibraltar to Barcelona,

arrived at the Air Terminal on the bus from La Linea on a monthly basis since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

Answered together with Question Nos. 956, 957, 961 to 963 and 965 to 967 of 2009.

**NO. 965 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – BUS TO LA LINEA FOR ARRIVING PASSENGERS**

Can Government say how many arriving passengers on the flights from:

- (a) Madrid to Gibraltar;
- (b) Barcelona to Gibraltar,

boarded the bus to La Linea after landing here on a monthly basis since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 956, 957, 961 to 964, 966 and 967 of 2009.

**NO. 966 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – PASSENGERS ON GIBRALTAR/MADRID ROUTE**

What was the total number of passengers carried on the Gibraltar/Madrid route, showing inward and outward bound on a monthly basis since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 956, 957, 961 to 965 and 967 of 2009.

**NO. 967 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – PASSENGERS ON GIBRALTAR/BARCELONA ROUTE**

What was the total number of passengers carried on the Gibraltar/Barcelona route, showing inward and outward bound on a monthly basis since flights were commenced by Andalus?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Andalus Airlines approached the Government with a request for a subsidy before it began operating the Gibraltar-Madrid service. The Government did not entertain the request. No similar request was made by Andalus before the start of the Gibraltar-Barcelona service.

The statistical information requested by the hon Member in the rest of the questions, is set out in the schedule that I now hand to him.

**SCHEDULE TO QUESTION NO 967/2009****ANSWER TO QUESTION NO. 956/2009**

	June		July		August		September	
	Time Tabled	Cancelled	Time Tabled	Cancelled	Time Tabled	Cancelled	Time Tabled	Cancelled
LGW (BA)	30	0	31	0	31	0	30	0
LGW (EZY)	52	0	52	0	52	0	52	0
LTN	25	0	26	0	27	0	25	0
MAN	13	0	13	0	13	0	13	0
MAD	47	5	52	4	52	6	30	4
BCN	-	-	12	0	14	0	17	7

**ANSWER TO QUESTION NO. 957/2009**

	JUNE	JULY	AUGUST	SEPTEMBER
LGW (BA)	3	5	3	1
LGW (EZY)	16	20	4	7
Luton	2	4	3	1
Manchester	0	0	1	0
Madrid	0	2	3	2
Barcelona	0	0	1	3

**ANSWER TO QUESTION NO. 962/2009**

	Staying in Gibraltar	In Transit	Total
June	82	743	825
July	113	1073	1186
August	71	851	922
September	102	514	616

**ANSWER TO QUESTION NO. 963/2009**

	Staying in Gibraltar	In Transit	Total
July	24	208	232
August	81	314	395
September	60	122	182

**ANSWER TO QUESTION NO. 964/2009**

	(a) GIB to MAD	(b) GIB to BCN
June	6	n/a *
July	11	2
August	8	3
September	0	0

\* OPS started in July

**ANSWER TO QUESTION NO. 965/2009**

	(a) GIB to MAD	(b) GIB to BCN
June	3	n/a *
July	21	0
August	20	3
September	1	0

\* OPS started in July

**ANSWER TO QUESTION NO. 966/2009**

	Arriving	Departing
June	825	880
July	1186	1086
August	922	1038
September	616	642

**ANSWER TO QUESTION 967/2009**

	Arriving	Departing
July	232	196
August	395	447
September	182	226

Note: Ops started in July

**SUPPLEMENTARY QUESTION NOS. 956, 957 AND 961 TO 967 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say what the procedure is in terms of the £50,000 for joint marketing? Is that money paid to the airline in advance and how does it work? What is the procedure?

**HON J J HOLLIDAY:**

No. This is a budget that is part of the general advertising and marketing budget of the Gibraltar Tourist Board. It is not handled by myself or the Ministry of Transport or... Basically, this is a joint advertising and marketing budget which the Government puts on the table to all the airlines. It is not exclusive to Air Andalus. It does to Monarch as it does to British Airways and Easyjet and they are expected to put pound for pound to this. So the budget in itself is £100,000 in total. The whole idea is that there is a pre agreed marketing budget or marketing campaign agreed with the marketing people in the airline between the Tourist Board and the airlines concerned and this includes press trips to Gibraltar. It includes workshops with tour operators. It includes workshops with travel agents. It involves above the line advertising and the whole purpose of this is not only for promoting the route but actually promoting Gibraltar itself in the advert. So every single advert or every single initiative that is used under this budget is jointly agreed between the Tourist Board and the airline concerned and once that is done the payment of that is done as the spending takes place. In other words, there is no advance of money put through to the airline or given as a gift at the beginning or anything like that. This is very much paid for retrospectively once the expenditure has been incurred and approved and the evidence is supplied by the airline which is in most cases the ones that lead on a lot of the advertising, above the line advertising, in this respect because they form part of a wider campaign like British Airways or Easyjet. They have a wide, say Pan European advertising campaign and we actually target and plug into the Gibraltar route only.

**HON DR J J GARCIA:**

Is it paid per airline or is it paid per route?

**HON J J HOLLIDAY:**

I beg your pardon. No. Per airline. In the case of Monarch who operate from Manchester they actually get £50,000.

**NO. 968 OF 2009****THE HON DR J J GARCIA****GIBRALTAR AIRPORT – OPERATIONAL COST OF GIBRALTAR/LA LINEA BUS SERVICE**

What was the operational cost, with a breakdown, on a monthly basis of the bus service that runs between Gibraltar airport and La Linea since the information supplied at the last Question Time in this Parliament?

**ANSWER****THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

The cost of providing the bus service, including the requirement by a GibAir Service Agent on the inbound bus, equates to £65.50 per round trip – the La Linea Bus Terminal, to the Gibraltar Airport and back to the La Linea Bus Terminal.

The breakdown of cost is as follows:

<b>June</b>	£3,144.00
<b>July</b>	£4,126.00
<b>August</b>	£2,620.00
<b>September</b>	£2,500.00
<b>October (up to 4 Oct)</b>	£ 190.50



**NO. 969 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – LANDING CHARGES**

Can Government list the amounts outstanding in respect of landing charges due by each of the commercial airlines that use Gibraltar airport as on 30 September 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 970 and 971 of 2009.

ORAL

**NO. 970 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – LANDING FEES**

Can Government list the landing fees charged to each of the commercial airlines that use Gibraltar airport, showing the payments in respect of a single landing by each airline, and a breakdown giving the total amounts that have been paid in 2009 to date, the date of payment and the amount paid?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 969 and 971 of 2009.

**NO. 971 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – CHARGE FOR OVERNIGHT STAY OF ANDALUS AIRLINES AIRCRAFT**

Can Government say how much Andalus Airlines is charged for the overnight stay of its aircraft in Gibraltar and can they give details of the payments that have been made to date with a breakdown showing the date of payment and the amount paid?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

The information requested by the hon Member in Question Nos. 969 and 970 of 2009 is set out in this schedule that I now hand over to him.

However, on reviewing the question as prepared last night I have noticed that there must be a clerical error and they have omitted part of the question which is in respect of Question No. 971 of 2009 when it says, ‘how much Andalus Airlines has been charged for overnight stay?’. The answer is they are not being charged for the overnight stay. So that is not included in the schedule that has been supplied to him.

In addition to that, I would just like to add because looking at the schedule to Question No. 971 of 2009, if you look at Andalus Airline, you will realise that they have started, I think it is on the second page, their are landing fees and the amount paid and you will see that it shows that there has not been any amount paid.

Since the drafting of this question, they have paid the month of April and May and they now have agreed with Terminal Management the repayment in order to bring them up to date. That follows the meeting that I had with them in Gibraltar which was announced in the media quite extensively last week where I pointed this out that they had to keep up with their monthly payments and I do not think they are used to that in Spain. I think they get slightly more relaxed and flexible payments then and now they have started to bring it in line with the rest of the other airlines.

**SCHEDULE TO QUESTION NO 971****GIBRALTAR AIRPORT - LANDING FEE CHARGES****ANDALUS AIRLINES**

MONTH	LANDING FEE	AMOUNT PAID	DATE
JAN	-	-	-
FEB	-	-	-
MAR	-	-	-
APR	£ 536.31	£ -	
MAY	£ 6,302.97	£ -	
JUN	£ 5,352.48	£ -	
JUL	£ 6,695.91	£ -	
AUG	£ 6,679.98	£ -	
SEP	£ 4,837.41		
TOTAL	£ 30,405.06	£ -	

**AMOUNT OUTSTANDING    £ 30,405.06****BRITISH AIRWAYS**

MONTH	LANDING FEE	AMOUNT PAID	DATE
JAN	£ 9,265.95	£ 9,265.95	30-Mar-09
FEB	£ 7,418.07	£ 7,418.07	30-Apr-09
MAR	£ 9,706.68	£ 9,706.68	29-May-09
APR	£ 10,620.00	£ 10,620.00	30-Jun-09
MAY	£ 10,981.08	£ 10,981.08	30-Jul-09
JUN	£ 10,832.40	£ 10,832.40	26-Aug-09
JUL	£ 11,193.48	£ 11,193.48	30-Sep-09
AUG	£ 11,166.93		
SEP	£ 10,444.77		
TOTAL	£ 91,629.36	£ 70,017.66	

**AMOUNT OUTSTANDING    £ 21,611.70**

## GIBRALTAR AIRPORT - LANDING FEE CHARGES

### EASYJET

MONTH	LANDING FEE	AMOUNT PAID	DATE
JAN	£ 12,781.17	£ 12,781.17	06-Mar-09
FEB	£ 14,257.35	£ 14,257.35	17-Apr-09
MAR	£ 17,544.24	£ 17,544.24	01-May-09
APR	£ 17,873.46	£ 17,873.46	19-Jun-09
MAY	£ 18,335.43	£ 18,335.43	24-Jul-09
JUN	£ 18,505.35	£ 18,505.35	14-Aug-09
JUL	£ 18,648.72	£ 18,648.72	18-Sep-09
AUG	£ 18,181.44		
SEP	£ 17,268.12		
<b>TOTAL</b>	<b>£ 153,395.28</b>	<b>£ 117,945.72</b>	

**AMOUNT OUTSTANDING    £ 35,449.56**

### MONARCH

MONTH	LANDING FEE	AMOUNT PAID	DATE
JAN	£ 11,374.16	£ 11,374.16	06-May-09
FEB	£ 11,730.03	£ 11,730.03	06-May-09
MAR	£ 15,069.89	£ 15,069.89	25-Jun-09
APR	£ 16,296.50	£ 16,296.50	29-Jul-09
MAY	£ 15,850.53		
JUN	£ 15,266.36		
JUL	£ 15,861.13		
AUG	£ 15,462.86		
SEP	£ 14,634.52		
<b>TOTAL</b>	<b>£ 131,545.98</b>	<b>£ 54,470.58</b>	

**AMOUNT OUTSTANDING    £ 77,075.40**

**SCHEDULE TO QUESTION NO 971**

**GIBRALTAR AIRPORT - LANDING FEE CHARGES**

Aircraft are charged depending on their Maximum Take-Off Weight (MTOW). The following is a breakdown of the different types used by the operators since January 2009

**ANDALUS AIRLINES**

<b>MTOW (kgs)</b>	<b>AMOUNT</b>
20000	£ 106.20
21000	£ 111.51
22000	£ 116.82

**BRITISH AIRWAYS**

<b>MTOW (kgs)</b>	<b>AMOUNT</b>
58000	£ 307.98
63000	£ 334.53
68000	£ 361.08

**EASYJET**

<b>MTOW (kgs)</b>	<b>AMOUNT</b>
60500	£ 323.91
64000	£ 339.84
66000	£ 350.46
68000	£ 361.08
77000	£ 408.87

**MONARCH**

<b>MTOW (kgs)</b>	<b>AMOUNT</b>
75500	£ 403.57
77000	£ 408.87
114000	£ 605.34

**SUPPLEMENTARY TO QUESTION NOS. 969 TO 971 OF 2009**

**HON DR J J GARCIA:**

The position is then or was that Andalus Airlines had £30,000 outstanding. So they had not paid at all since they started flight to Gibraltar but they have now paid £6,500 is that right?

**HON J J HOLLIDAY:**

Yes that is right. They have paid the landing fees for the month of April and May and passenger tax as well which is a separate..... I just wanted to avoid a headline in Panorama saying "Andalus has not paid any landing fees per passenger" because they have paid and I just wanted to avoid that because I do not think it would be fair on all of us to treat them in this way.

**HON DR J J GARCIA:**

In relation to the landing charges, we know they have paid £6,500 out of the £30,000 that they owed. Now in relation to being charged, the Government said the airline is not being charged for the overnight stay of its aircraft. Is the MOD charging the Government for the overnight stay of the aircraft.

**HON J J HOLLIDAY:**

No. That is revenue that is dictated and approved to the Government and in fact during the time..... I was doing some research on that, at the time when the decision was taken. We are talking of £12.33 for 24 hours. So we are not talking big money here. But even in the times when the MOD were responsible for that and GB Airways used to overnight in Gibraltar, the MOD exempted them because we wanted to encourage the airlines to actually overnight in Gibraltar because it has a knock-on effect in having personnel here, in having people staying overnight. There is a knock-on effect. If we could encourage more aircraft to overnight in Gibraltar, the £12.33 per 24 hours really is irrelevant. It is really something that has been there right from the beginning for many many years and really it is relevant today.

**HON C A BRUZON:**

Are the security measures in place in the airport and the terminal areas the same whether or not there is an aircraft on the actual territory?

**HON J J HOLLIDAY:**

You mean overnight?

**HON C A BRUZON:**

Overnight? Yes.

**HON J J HOLIDAY:**

Yes I believe so. That is..... the security is constant whether there is an aircraft or not.



**NO. 972 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – OPERATIONAL LENGTH OF THE RUNWAY**

Can Government confirm why the operational length of the runway has been shortened by painting a large “X” on the surface so that aircraft do not land beyond that point?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

In order to effect the construction of the new road tunnel under the eastern end of the runway, the operational length of the runway has been shortened by 51 metres.

The first stage of the construction requires that the current services which are routed under the tunnel construction area are diverted. Amongst the services which require to be diverted are the red runway end lights and these have now been moved to their new temporary position. As a result, both military and civil regulations require that signage is put in place to indicate to pilots that the portion of the runway short of the runway end lights is no longer useable. This has been achieved by the painting of a single cross on the ground and the promotion of the changes via the NOTAM (or Notice to Airmen) system, which warns any pilot using the airfield of the change in circumstances.

Once the diversion of services is complete, the construction of the tunnel will commence and the cross will disappear as that area of runway is removed in preparation for the construction of the tunnel. When the tunnel construction is complete, the runway will be reinstated to its full length and the runway end lights restored to their original position.

**SUPPLEMENTARY TO QUESTION NO. 972 OF 2009**

**HON J J BOSSANO:**

Given the decision to invest in those changes, has any thought been given to using that opportunity to produce some extension of the runway? Given that the length of the runway can sometimes be an obstacle to larger aircraft coming in.

**HON J J HOLLIDAY:**

No. There has not been consideration given to this.

**NO. 973 OF 2009****THE HON DR J J GARCIA****SHIP CALLS AT GIBRALTAR**

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**

Ships that have called at Gibraltar for bunkering, cargo, repairs and the tonnes of bunker fuels sold on a monthly basis, since the information supplied at the last Question Time in this Parliament on a monthly basis is as follows:

	<b>June</b>	<b>July</b>	<b>August</b>	<b>September</b>
<b>Bunkers</b>	607	600	617	556
<b>Cargo</b>	20	18	14	16
<b>Repairs</b>	16	9	8	8
<b>Bunker Fuel</b>	404,330	417,967	404,045	372,712

**NO. 974 OF 2009**

**THE HON DR J J GARCIA**

**BUNKERING LICENCES**

Can Government say whether any new bunkering licences have been issued, or whether any application for such a licence has been made since the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There has not been any new bunker licences issued or no applications for bunker licences made since the last Question Time in the House.

**NO. 975 OF 2009**

**THE HON DR J J GARCIA**

**VESSELS FROM SPANISH PORTS SUPPLYING BUNKERS IN GIBRALTAR WATERS**

Can Government say what procedures are in place in respect of port, customs and immigration controls for vessels who come from Spanish ports to supply bunkers to ships:

- (a) in Gibraltar's territorial waters;
- (b) inside the waters of the Port?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

Procedures are the same for all vessels entering the territorial waters on international voyages. The vessels must produce:

- International Ship & Port Security Code
- Declaration of Waste
- Declaration of Health

All vessels have to be cleared in and are subject to standard immigration and customs procedures for foreign going vessels.

They are also subject to inspections by the Gibraltar Maritime Administration under Port State Control and for inspections by the Gibraltar Port Authority for bunkering activities.

**NO. 976 OF 2009**

**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**

I do not know why I always get to answer this question but anyway the successful Calpe 2009 Conference, with a record over 200 delegates, ended on the 20<sup>th</sup> September 2009. Even though a number of invoices remain pending, it is not expected that the cost of the Conference will be in excess of budget. The Conference was organised by my colleague, the Minister for Culture, Heritage, Sport and Leisure, Edwin Reyes.

**NO. 977 OF 2009**

**THE HON DR J J GARCIA**

**ADVISORY COUNCIL MEETINGS**

How often and on 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**

Meetings have been held as follows:

- a) Port Advisory Council – 30<sup>th</sup> June.
- b) Business and Commerce Advisory Council – 22<sup>nd</sup> September.
- c) E-Business Advisory Council – 22<sup>nd</sup> September.

**NO. 978 OF 2009**

**THE HON DR J J GARCIA**

**PORT FEES – INCREASES**

Can Government confirm, since the last meeting of Parliament whether they have received further representations from Port Operators following their decision to increase Port Fees in May 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Gibraltar Port Authority has not received further representations from Port Operators, since the last meeting of Parliament.

**SUPPLEMENTARY TO QUESTION NO. 978 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say whether all the representations received by the Department in relation to this subject have now been answered or addressed or not?

**HON J J HOLLIDAY:**

Well no, because the representations that were made were not considered valid by the Port Authority. They were based on false premises and the information that was supplied was not accurate when it related to things like competitive rates in other ports etc. So we did reply saying that the information that had been made available was not correct but nobody has come back with any further representations.



**NO. 979 OF 2009**

**THE HON DR J J GARCIA**

**REVENUE FROM VESSELS USING EAST SIDE ANCHORAGE**

Can Government say how much revenue has been collected from vessels using the east side anchorage, 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 revenue that has been collected from vessels using the east side anchorage, on a monthly basis is as follows:

June	£22,866.98
July	£31,361.85
August	£29,151.76
September	£18,913.66

**NO. 980 OF 2009**

**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 that are still pending?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY AND TRANSPORT**

Only one party has applied for EU funding, since the last Question Time in this Parliament is as follows:

**ERDF C&EO 2007-2013 PROGRAMME**

Project No.	Sponsor	Status	ERDF	GOG	PS	Purpose of Grant
12	Gache & Co Ltd	Pending	£29,945.20p (30%)	£0.00p (0%)	£69,872.14p (70%)	Building works, purchase of equipment & furniture & Import Duty

**NO. 981 OF 2009**

**THE HON DR J J GARCIA**

**FERRY LINK GIBRALTAR/ALGECIRAS**

Can Government say whether the renewal and establishment of the ferry link between Gibraltar and Algeciras requires any further permits or licences from the Gibraltar side or the Spanish side and if so what are they?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

In Gibraltar, the ferry operation is required to be licensed by a Port Operators Licence and a craft is required to meet the safety requirements established by the Gibraltar Maritime Administration.

**SUPPLEMENTARY TO QUESTION NO. 981 OF 2009**

**HON DR J J GARCIA:**

These two conditions have not been met as yet, or not?

**HON J J HOLLIDAY:**

Well, the actual application for the Port Operator Licence was published in the Gazette on 1<sup>st</sup> October 2009 dated the 23<sup>rd</sup> and that has to go to a 21 day consultation of public participation. Then there is consideration given by the Port Authority, or Licensing Committee and the various safety criteria that have to be established by the Maritime Administrator. I know that they have already been in contact with the vessel and have carried out certain surveys and things and I am told that there is no issue really of significance at this stage. Remember that in this particular case, talking about the actual Transcoma proposal, it is a new vessel so therefore it should meet all the European safety requirements.

**HON DR J J GARCIA:**

If I remember correctly the vessel was due to start operations on the 15<sup>th</sup>. Does that meet it will not meet that deadline?

**HON J J HOLLIDAY:**

Well, if you remember when they announced their project in Gibraltar, I was then subsequently interviewed by GBC and I said that the 15<sup>th</sup> October was something I considered very optimistic because I know that these procedures do take longer than that. I believe that they will be issuing a statement tomorrow to the effect that the process is slightly delayed by a few weeks but they are very much committed and on track to start. Even our local operator licence will not be able to be considered until 14<sup>th</sup> October and that will not happen until probably a few days after that. So, they have not really got a licence as we speak today. We do not anticipate any problems because I think that we do want the service to start and flourish.

**HON DR J J GARCIA:**

Can the Minister say whether there are any formalities pending on the Spanish side? Is he aware whether there are any left pending or not?

**HON J J HOLLIDAY:**

No. My understanding is that, as at last Friday, all issues had now been resolved on the Spanish side.

**NO. 982 OF 2009**

**THE HON DR J J GARCIA**

**FERRY LINK GIBRALTAR/ALGECIRAS**

Can Government say whether they have had any further contact since the last meeting of Parliament with the two Spanish entities which were interested in establishing ferry links between Gibraltar and Algeciras, and on what date was the last contact and can they confirm that one of the two entities is the one starting a service on 15 October?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There has been further contact since the last meeting of Parliament with the two Spanish entities which are interested in establishing ferry links between Gibraltar and Algeciras. The last meeting with me was on 15<sup>th</sup> September with one entity and on the 24<sup>th</sup> September with the other even though they have been in contact with officials on an on-going basis. One of these entities is the one that will be launching a service on 15<sup>th</sup> October, even though this may experience some delay as I explained at the time of the announcement.

**SUPPLEMENTARY TO QUESTION NO. 982 OF 2009**

**HON DR J J GARCIA:**

Is the second entity, the one that is not as advanced, are they also interested in establishing the service even though they may have a competitor on the route?

**HON J J HOLLIDAY:**

I do not think I am in a position to make public a lot of the information but just to say that the second operation actually includes other ports apart from Algeciras and Gibraltar and therefore they are not targeting the same type of market as the Transcoma one is. So in Gibraltar it never rains but it pours. We do not have a xxxxxx, now we have got two.

ORAL

**NO. 983 OF 2009**

**THE HON DR J J GARCIA**

**PORT OF ALGECIRAS – NEW ANCHORAGE AREAS IN THE BAY**

Can Government say whether it was formally notified by the Port of Algeciras of its decision to establish new anchorage areas in the Bay and if so on what date?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Port Authority of Algeciras formally notified the Gibraltar Port Authority of the new anchorage areas in the Bay of Gibraltar on the 24<sup>th</sup> July 2009.

**NO. 984 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID ADVISORY COMMITTEE**

Can Government list the date of the meetings of the Development Aid Advisory Committee since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Since the last Question Time, the Development Aid Advisory Committee has not met. It last met on 9<sup>th</sup> June 2009.

**NO. 985 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID LICENCES 1/2009, 2/2009, 3/2009**

Can Government say in respect of which developments the following Development Aid Licences were granted on 9 June 2009, giving the address (or the location) where the developments will be constructed:

- (a) No 1/2009 – Marina Properties Ltd – 19 houses on reclaimed land;
- (b) No 2/2009 – Ocean Village Properties Ltd – 122 apartments plus 870m<sup>2</sup> of commercial space plus landscaped gardens;
- (c) No 3/2009 – Ocean Village Marinas Ltd – 60 apartments plus 755m<sup>2</sup> of commercial space plus landscaped gardens?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Development Aid Licence No. 1/2009 issued to Marina Properties Ltd has been issued for the construction of 19 houses on reclaimed land off Queensway Quay known as The Island.

Development Aid Licence No. 2/2009 issued to Ocean Village Properties Ltd has been issued for the construction of 122 apartments plus 870m<sup>2</sup> of commercial space plus landscaped areas on the site of the former BP Garage on Glacis Road.

Development Aid Licence No 3/2009 issued to Ocean Village Marina Ltd has been issued for the construction of 60 apartments plus 755m<sup>2</sup> of commercial space plus landscaped areas on the site adjacent to the Lucas Imossi Ford garage at Waterport.



**NO. 986 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID LICENCE 2/2006**

Can Government say on what date Peak Developments Ltd applied for an amendment to Development Aid Licence 2/2006 to extend the completion date of the project in question to 27 February 2009?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Peak Developments Ltd applied for an amendment to Development Aid Licence 2/2006 to extend the completion date of the project on 8<sup>th</sup> October 2008.

The expiry date of the licence was 30<sup>th</sup> November 2008.

**NO. 987 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AID LICENCES 3/2008 AND 4/2006**

Can Government explain the background to its decision to amend Development Aid Licences 3/2008 and 4/2006 issued to Monaco Ocean Village Ltd in order to allow the transfer of the capital costs of the commercial part of the project to Ocean Village Commercial Properties Ltd?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The decision to amend Development Aid Licences 3/2008 and 4/2006 issued to Monaco Ocean Village Ltd in order to allow the transfer of the capital costs of the commercial part of the project to Ocean Village Commercial Properties Ltd, follows a request received from Monaco Ocean Village Ltd, who were in the process of splitting up their assets on a commercial and residential basis. Their commercial assets were being assigned to Ocean Village Commercial Properties Ltd. The Development Aid Advisory Committee, after considering the request and establishing that this split would not cause an increase to the financial benefits derived from Development Aid, and after noting that both companies had common beneficial ownership and were part of the same group of companies, recommended approval which was duly granted by Government.

**NO. 988 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION FOR 26/28 GEORGE'S LANE**

Can Government say whether planning permission has been granted to Rosmel Ltd to erect a 3-storey new build development at 26/28 George's Lane and how many representations have been received in respect of this project?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No decision has been taken in respect of this planning application. No representations have been received and the application is currently being considered by DPC.

**NO. 989 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION APPLICATIONS**

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**

Answered together with Question No. 990 of 2009.

**NO. 990 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION FOR DETACHED VILLAS IN AREA OF MARINA BAY**

Can Government say whether the application for planning permission by the developers of Ocean Village for the construction of 36 detached villas in the area of Marina Bay, has been approved and if so on what date, what is the exact location of the project and what is its surface area in square metres?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Currently there is no application for the construction of 36 detached villas in the area of Marina Bay. An application for the construction of 72 villas dates back to 20 June 2007 when DPC requested further details from the applicants but to date this has not been forthcoming.

The information requested by the hon Member in Question No. 989 of 2009 is set out in the schedule that I now hand over to him.

**SCHEDULE TO QUESTION NO. QUES 990/2009**  
**APPLICATIONS RECEIVED BETWEEN:**

**04/06/09 AND 04/10/09**

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11169	Roy R Walker	Extending roll out canopy over front of premises.	Approved	2/2 Watergate House Casemates Square
11170	Technical Services Department	Proposed demolition of structures.	Government Project	Pumping Station Building Sir Herbert Miles Road Both Worlds
11171	Vineyards (Management) Limited	Proposed change of use from shop to a residential store.	Approved	Vineyards Estate
11172	Tiberius Holdings Limited	Proposed new roof level office extension.	Approved	237 Main Street
11173	Mr M Alecio	Proposed alterations to flat.	Approved	29 Aspen Lodge Montagu Gardens
11174	Mr Stephen Valarino	Proposed conservatory and associated works.	Pending	25A Elliot's Battery
11175	Christian Sanchez	Internal alterations.	Approved	14 Evening Primrose House Waterport Waterport Terraces
11176	BSS Limited	Proposed new rear porch.	Approved	13 Town Range
11177	Ocean Village Investments	Proposed installation of floating pontoons.	Approved	Ocean Village
11178	Monalisa Ltd.	Proposed internal alterations and new external signage.	Approved	Watgardens
11179	Mr K Mackie	Proposed internal modifications and external west façade refurbishment.	Approved	Block F Naval Hospital Road
11180	Eurolinx Gibraltar Ltd	Proposed internal alterations.	Approved	26 Victoria House Main Street
11181	Gibraltar Taxi Association	Proposed extension and internal alterations.	Pending	19 Waterport Wharf
11182	L Martinez for Camelot Holdings	Proposed use of vault for churreria/cafeateria (Class A3) and associated internal alterations.	Approved	Chatham Counterguard
11183	Tiberius Holdings Ltd.	Proposed redevelopment of building with additional storey.	Approved	6/8 Library Street
11184	Ms C Ramagge	Proposed alterations to unit.	Approved	ICC Main Street
11185	Shawn Ramos	Removal of partial wall separating living room/kitchen	Approved	15 Iris House

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<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11186	Ocean Village Investments	Proposed construction of storage facility and sales/HQ for yachting brand (Marine Centre).	Approved	boardwalk Ocean Village
11187	Space Interiors Ltd.	Proposed shop front renewal including new signage.	Approved	235A Main Street
11188	Ocean Village Commercial	Proposed change of use from leisure to offices for part of the 4th floor.	Withdrawn	Leisure Island Building Ocean Village
11189	Mr Gregory Butcher	Proposed installation of sun/wind shade structure with invisible glazing and pergola.	Approved	42 Royal Ocean Plaza Ocean Village Avenue Ocean Village
11190	Ocean Village Investments	Proposed temporary mobile kiosks for retail.	Refused	Ocean Village
11191	Ernest Felipes	Proposed re-positioning of pedestrian doorway leading onto Western Beach.	Approved	Ex-Safeway Building Winston Churchill Avenue
11192	Mr & Mrs R Matto	Proposed internal alterations.	Approved	10 The Anchorage
11193	Pablo Rojas Ruiz	Proposed division of existing office in four little offices and one common area.	Approved	Waterport Place
11194	Mr Rosendo Lima Esq	Proposed new height of boundary wall.	Approved	1 South Pavillion Court South Pavillion Road
11195	Gibtelecom Ltd	Proposed cabinet to house telecommunications equipment/terminations.	Approved	45 North Mole Road
11196	J J De La Paz Consulting	Proposed demolition of single storey load bearing masonry structures, concrete water tanks, bunker and boundary walls.	Approved	British Lines Road
11197	Mr & Mrs R Roberts	Proposed internal alterations.	Approved	Naval Hospital Road Admiral's Place
11198	G.JBS Ltd	Demolition of building.	Government Project	Gibraltar Pilots House North Mole Road
11199	AI International Couriers Ltd	Proposed internal alterations.	Approved	11/13 Engineer Lane
11200	Mr D Podesta	Proposed internal alterations.	Approved	Rock Rose House Waterport Terraces
11201	J.J De La Paz Consulting	Proposed advanced demolition works.	Approved	Sir Herbert Miles Road
11202	Eaton Resources Ltd	Proposed internal fitout of coffee shop.	Approved	Leisure Island Business Centre Ocean Village
11203	Rosmel Ltd	Proposed three storey new build development.	Pending	26/28 George's Lane

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<i>App No</i>	<i>Applicant Name</i>	<i>Description</i>	<i>Decision</i>	<i>Site Address</i>
11204	Ocean Village Commercial	Proposed change of use from bar/restaurant to yachting centre for international companies.	Approved	Ocean Village
11205	William Serfaty & Co Ltd.	Proposed alterations to office.	Approved	66 Main Street
11206	Government of Gibraltar	Proposed relocation and construction of new sunrise view garages and workshop.	Approved	Eastern Beach Road
11207	Mr Victor Calderon	Proposed demolition of braced steel tower.	Approved	North Mole Road
11208	Queensway Quay Marina Limited	Proposed extension of existing Sub Station.	Approved	The Tower Queensway Quay
11209	Mrs J.C. Bossino	Proposed external spiral staircase linking upper & lower garden areas, with modification & beautification of the existing parapet wall along the upper floor terrace/pool area.	Pending	30 A Battery Close Rosia Road
11210	Mr B Gallagher	Proposed alteration to Media Room.	Approved	Caleia Hotel Sir Herbert Miles Road
11211	Nicholas Cruz Esq.	Proposed alterations and extension to existing property.	Pending	17/19 Scud Hill
11212	A.V. Stagnetto Q.C.	Proposed demolition of laundry building and store.	Approved	Loreto Convent School St Bernard's Road
11213	Music Corner Ltd (Music Corner)	Proposed new shop front and security shutters.	Approved	114/116 Main Street
11214	Calms Limited	Proposed extension to shop front and interior alterations.	Pending	1 Main Street
11215	Trustees of Loreto Convent	Proposed construction of annexe consisting of 12 classrooms of east side of existing building.	Pending	Loreto Convent School St Bernard's Road
11216	Marina Properties Limited	Proposed construction of new ground level car park.	Approved	Queensway Queensway Quay
11217	Mr Justin Broton	Proposed change of use from retail outlet to residential.	Approved	14 South Barracks Ramp
11218	Hillside (Gibraltar) Ltd.	Proposed office fit out.	Approved	Waterport Place North Mole Road
11219	Dawn McHard	Proposed internal alterations.	Approved	Crown Daisy House North Mole Road Waterport Terraces
11220	Gilman Holdings Limited	Proposed construction of commercial premises with retail units at ground floor.	Pending	12/22 Turnbull's Lane
11221	Mrs A M Alman	Proposed interior alterations to fit out unit as a sandwich bar cafeteria.	Approved	Chatham Counterguard

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<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11222	Mr Y & Mrs S Stein	Proposed additional storey.	Pending	12 Mount Road
11223	Gibtelecom Ltd	Proposed interior alterations.	Approved	Mount Pleasant South Barracks Road
11224	Ocean Village Investments Ltd	Proposed floating pontoon and gangway.	Pending	Ocean Village Avenue Ocean Village
11225	Gino Jimenez	Proposed alterations and re-decoration.	Approved	79 Corks Wine Bar Irish Town
11226	WM Morrison Supermarkets	Proposed personnel escape gate from existing service yard.	Approved	Europa Avenue Morrisons
11227	Deaver Holdings Ltd.	Proposed extension to building.	Approved	30 Cornwalls Lane
11228	101 Limited	Proposed refit of unit for general offices and boardroom.	Approved	New Harbours
11229	Mr G Sheriff	Proposed internal alterations.	Approved	Iris House North Mole Road Waterport Terraces
11230	Andrews Kent & Stone	Proposed phase 1 demolition.	Approved	Town Range
11231	J J De La Paz Consulting	Proposed demolition of single storey boat sheds.	Government Project	Royal Gibraltar Yacht Club Queensway
11232	J J De La Paz Consulting	Proposed demolition of garages.	Government Project	Eastern Beach Road
11233	Mr J J De La Paz Consulting	Proposed demolition of single storey life guard/stores block building.	Government Project	Northern Life Guard/Stores Block Eastern Beach Road
11234	Andrews, Kent & Stone	Proposed demolition of four storey masonry building.	Pending	47 Line Wall Road
11235	Basewell Limited	Proposed installation of new mobile concrete plant.	Pending	65A Devils Tower Road
11236	Juan Luis Duarte	Proposed alterations to flat.	Approved	Honeysuckle House North Mole Road Waterport Terraces
11237	Mr Victor Figueras	Proposed conversion of office into a fast food outlet.	Pending	3 Market Lane
11238	Mr Charles Bear Esq	Construction of extra floor over existing single-storey property including taking over of extra land to provide 2hr residential units and two-car garage.	Pending	4 Scud Hill
11239	Cloud 9 Mobile (Gibraltar) Ltd.	Proposed office refurbishment.	Pending	Ground floor Regal House Queensway
11240	J J De La Paz Consulting	Demolition of Audibert warehouse and changing room block.	Government Project	Audibert Warehouse Queensway

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<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11241	Mr M.L. Camilleri	Proposed alterations to flat	Approved	16 Asphodel House Waterport Terraces
11243	Emma Peralta	Proposed internal alterations.	Pending	25 Bell Lane
11244	J J De La Paz Consulting	Proposed demolition of electrical room.	Pending	Devils Tower Road Aerial Farm Site
11245	J J De La Paz Consulting	Proposed demolition of bunker.	Pending	Bunker and Toilet Block Coaling Island
11246	Gibtelecom Ltd	Proposed installation of GSM antennas (2) for the supply of mobile telecommunications.	Approved	30 Devils Tower Road Filomena House
11247	Bristol Holdings Ltd	Proposed flat roof over existing structure and essential repairs to existing arches. New window to one arch, infill second arch, independent lightweight structure to exist.	Pending	2 Cathedral Square
11248	Susan Mir	Proposed extension to existing building.	Pending	29A/2 Hospital Ramp
11249	Mark Betridge	Proposed restaurant/Bar.	Pending	The Boardwalk Trade Winds
11250	Mark Betridge (Bridge Contracts)	Proposed internal alterations and external refurbishment.	Pending	256 Main Street
11251	HHW Holdings Limited	Proposed extension at 3rd floor with internal and external alterations.	Pending	68 Irish Town
11252	Mr B Callaghan	Proposed demolition of roof structure to Media Room.	Pending	Caleta Hotel Sir Herbert Miles Road
11253	Swerford Holdings Limited	Proposed internal alterations.	Pending	Waterport Place North Mole Road
11254	Mr and Mrs D Thomas	New security wall, door and adjacent roof.	Pending	11 Catalan Gardens Sir Herbert Miles Road
11255	Gibraltar Homes	Proposed alterations and repairs to Phase 1 - Mimosa Lodge.	Pending	Montagu Gardens
11256	Crestfield Properties	Conversion and alteration of existing buildings to form 4 semi-detached houses.	Pending	45 Engineer Lane
11257	Unit 3A Hadfield House	Proposed change of use and new exterior signs.	Pending	Hadfield House Library Street
11258	Casemates Procurement Ltd	Proposed demolition of 3 storey structure.	Pending	177 Crutchett's Ramp

<i>App No</i>	<i>ApplicantName</i>	<i>Description</i>	<i>Decision</i>	<i>SiteAddress</i>
11259	Admiral Bridge Investments	Demolition of the central part of the building facing casemates square and rebuilding a new retail office development and part residential comprising a new 5 storey structure and an additional floor on the buildings retained on the main street side and on the north side. The 4th floor will be set back from all the facades.	Pending	1,3,5 & 7 Crutchett's Ramp
11260	Francis Trading Ltd	Proposed replacement of sliding doors and windows.	Pending	Admirals Walk Marina Bay
11261	The Kop Limited	Proposed temporary bar canopy.	Pending	Trade Winds
11262	Brian M White ESQ	Proposed internal alterations.	Pending	Queensway Quay
11263	Alfred Benady & Co. Ltd	Proposed internal and external refurbishment to retail shop.	Pending	271 Main Street
11264	Flipten Ltd 57/63 Line Wall Road	Proposed office refurbishment at ground, first and second floors.	Pending	21/23 Engineer Road
11265	CTS (Gibraltar) Ltd	Installation of 3G antennas & equipment.	Pending	O'Hara's Battery Upper Rock
11266	Pipework Ltd	Proposed division of two units and a new access door.	Pending	New Harbours

**SUPPLEMENTARY TO QUESTION NO. 989 AND 990 OF 2009**

**HON DR J J GARCIA:**

Are the Government aware that this project for 36 villas is already being marketed by estate agents?

**HON J J HOLLIDAY:**

Yes. Unfortunately this particular developer has a tendency to do this, but all I can say is that we have written, the Development Planning Commission, has written to him as it has done in the past warning him about the fact that this development has not even come near the Development and Planning Commission and so therefore what he cannot do is market it and then come to the Development and Planning Commission and say, yes but this you have got to allow me to do because I have already sold 90% and taken deposits. The Government or the Development and Planning Commission are not going to be put in that position and we have written to this particular developer putting him on notice again as to that effect.

**NO. 991 OF 2009**

**THE HON DR J J GARCIA**

**PREMIUM TO BE PAID BY DEVELOPERS OF OCEAN VILLAGE**

Can Government say whether any premium has to be paid to the Government by the developers of Ocean Village, were the project for the construction of 36 villas in the areas of Marina Bay to materialise and if so how much?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

If a project to construct 36 villas in the area of Marina Bay were to materialize the Government would have to consider the premium to be paid for such development rights, but as we speak we only can go by an article, an advertorial, I think it was that appeared in the Gibraltar Chronicle.

ORAL

**NO. 992 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – 65a DEVIL’S TOWER ROAD**

Can Government say whether the application for planning permission by Basewell Ltd to install a new mobile concrete plant at 65a Devil’s Tower Road has been approved and how many representations have been received in respect of this project?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

No decision has been taken. The application is pending a decision as it is going through the process of public participation. Two representations have been received from lawyers on behalf of members of the public.

ORAL

**NO. 993 OF 2009**

**THE HON DR J J GARCIA**

**PLANNING PERMISSION – 22 MAIN STREET**

Can Government say whether planning permission has now been granted to Breckland Trading Co Ltd for the construction of a two-storey extension over existing property at 22 Main Street?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Planning permission has been granted on the 29<sup>th</sup> September 2009.

**NO. 994 OF 2009**

**THE HON DR J J GARCIA**

**DRAFT DEVELOPMENT PLAN**

Can Government say whether the meeting with the two entities who made representations to the DPC in respect of the amendments to the draft development plan has now taken place and if so on what date?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The two entities who requested to appear before the DPC did so at a meeting held on 22<sup>nd</sup> June 2009.

**SUPPLEMENTARY TO QUESTION NO. 994 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say whether any changes have been made to the plan as a result of that meeting?

**HON J J HOLLIDAY:**

No.

**HON DR J J GARCIA:**

He cannot say or there were no changes?

**HON J J HOLLIDAY:**

There were no changes.



**NO. 995 OF 2009**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

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**

Since the 10<sup>th</sup> June 2009 there have been four meetings held on the following dates:

- 1) 16<sup>th</sup> June
- 2) 1<sup>st</sup> July
- 3) 13<sup>th</sup> August
- 4) 16<sup>th</sup> September

In addition to that, it is not in the question, but we did have a meeting on the 22<sup>nd</sup> June 2009 in order to deal with the Development Plan hearings etc. So it was not quite a formal Development and Planning Commission normal meeting but.....

**NO. 996 OF 2009**

**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 April 2009 was as follows:

	Value of Computers (£ thousands)
April 2009	1,981
May 2009	830
June 2009	805

**NO. 997 OF 2009**

**THE HON DR J J GARCIA**

**IMPORTS – GOODS VEHICLES**

What was the value and number of goods vehicles imported by:

- (a) individuals;
- (b) licensed dealers,

on a monthly basis since the information supplied at the last Question Time in this Parliament?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 998 of 2009.

**NO. 998 OF 2009**

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

## **SCHEDULE TO QUESTION NO. 998/2009**

### **Answer to Question No. 997/2009**

The number and value of goods vehicles imported by individuals and licensed dealers on a monthly basis since April 2009 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>
April 2009	1	2	1	3
May 2009	-	-	8	65
June 2009	2	1	2	8

### **Answer to Question No. 998/2009**

The number and value of private motor vehicles imported by individuals and licensed dealers on a monthly basis since April 2009 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 (£ millions)</u>
April 2009	23	73	429	8.1
May 2009	23	70	203	4.7
June 2009	24	75	345	5.9

**NO. 999 OF 2009**

**THE HON DR J J GARCIA**

**SITE FOR THE ESTABLISHMENT OF HILTON MANAGED HOTEL**

Can Government confirm whether the site that is currently being managed by the Hilton group for the establishment of a Hilton managed hotel in Gibraltar is currently Government-owned and say what site is it?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The site that is currently being considered for the establishment of a Hilton managed hotel in Gibraltar is currently Government-owned. The Government is unable to inform the House of the proposed site as this is commercially-sensitive information.

**SUPPLEMENTARY TO QUESTION NO. 999 OF 2009**

**HON DR J J GARCIA:**

Can the Minister tell the House when was his last contact with the Hilton group?

**HON J J HOLLIDAY:**

When was the last contact? Remember, as I explained in this House, this is a joint venture between investors and Hilton manage and there is an investment group that works closely with them and have done a number of projects together. Basically, the ones at the leading end of the negotiations are the investors side at the moment, although Hilton is very slowly but surely coming onto the stage of the negotiation when they need to participate but the last contact was, I think, in mid September some time and we have another meeting due next week.

ORAL

**NO. 1000 OF 2009**

**THE HON DR J J GARCIA**

**GTB – SEATRADE EUROPE CONFERENCE**

How many persons made up the Gibraltar delegation to the Seatrade Europe Conference in Hamburg and what posts do they hold?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 1001 of 2009.

ORAL

**NO. 1001 OF 2009**

**THE HON DR J J GARCIA**

**GTB – SEATRADE EUROPE CONFERENCE**

What was the cost, with a breakdown of Gibraltar's attendance and participation at the Seatrade Europe Conference which took place in Hamburg in September?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

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



### **SCHEDULE TO QUESTION NO. 1001 OF 2009**

Three people attended Seatrade Hamburg.

They were: Captain Peter W Hall – Chief Executive GPA  
Albert Poggio – Director London Office  
Sarah McFayden – Personal Assistant

### **Seatrade Europe Conference – Hamburg, September 2009**

-	Stand Construction Design and Artwork Freight Charges	£2,644.87
-	Stand Space Hire	£5,493.47
-	Airfares / Hotels	£3,518.75
-	Meals	£ 187.95
-	Conference Registration	£1,422.16
-	Reception on Stand	£ 287.32
-	Advertising	£ 879.62
	<b>Total</b>	<b>£14,434.14</b>

**NO. 1002 OF 2009**

**THE HON DR J J GARCIA**

**CONTROLS ON REFUELLING VESSELS**

Can Government say what security, immigration or customs controls are carried out on vessels and their occupants who come for refuelling at the petrol stations located near the rear of the Watergardens area?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The berths are an isolated area which prevents vessel occupants from access to the town. These arrangements have been approved by Transec which is the UK Security Authority.

Occupants requiring gaining access to Gibraltar must report to the approved point of entry in marinas, where clearance and security is provided.

**SUPPLEMENTARY TO QUESTION NO. 1002 OF 2009**

**HON DR J J GARCIA:**

Is the Minister aware that people are coming off the yachts and going shopping and returning to the yachts with no kind of controls on them?

**HON J J HOLLIDAY:**

Well, if they are they should not be doing so.

**HON DR J J GARCIA:**

Are the Government planning to do anything about this? The last time I raised this issue in the House was a few years ago now and the Chief Minister said he was going to look into the matter. I think there were even photographs at the time.

**HON J J HOLLIDAY:**

Well, the only thing I can say is that in respect of the new CEPESA refuelling station there is no access from the seaside, if I can call it that. It is totally partitioned. I am not sure whether the other two comply 100% even though they should be doing so but I will have that checked but nobody has raised any alarms with me as a result of this but if anybody is coming into town and avoiding customs and immigration that should not be allowed and is something that should not be happening.

**HON DR J J GARCIA:**

There is also a serious security issue as well apart from the Customs and checks on people or goods and this is a security issue as well but certainly our information is that this is happening on a regular basis. People are getting off the yachts, they are going shopping to nearby supermarkets and other establishments and coming back to the yachts and then going without any kind of checks being conducted on them.

**HON J J HOLLIDAY:**

Well, I shall report the matter and have it looked into.

ORAL

**NO. 1003 OF 2009**

**THE HON DR J J GARCIA**

**PORT DEPARTMENT – VTS SYSTEM**

Has the tender for an upgraded Vessel Traffic Management and Information System (VTS) for the Port Department, now been awarded and if so on what date and to whom?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 1004 of 2009.

**NO. 1004 OF 2009**

**THE HON DR J J GARCIA**

**PORT DEPARTMENT – VTS SYSTEM**

Can Government say how many entities submitted a tender for the supply, development, installation and commissioning of a vessel traffic system incorporating a database and an automated exchange of information system for the Port Authority which closed on 3<sup>rd</sup> July?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The tender for the upgrade of the Vessel Management and Information System (VTS) for the Port Authority was awarded on the 10<sup>th</sup> August 2009 to Transas.

Two companies submitted fully documented proposals for the supply, development, installation and commissioning of a vessel traffic system incorporating a database and an automated exchange of information system for the Port Authority which closed on 3<sup>rd</sup> July 2009.

**SUPPLEMENTARY TO QUESTION NOS. 1003 AND 1004 OF 2009**

**HON DR J J GARCIA:**

Can the Minister say whether Transas is a Gibraltar Company or where is it based?

**HON J J HOLLIDAY:**

No. Both companies are UK based. Both specialise in the same.

**NO. 1005 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS ALLOCATED**

Can Government say whether the following tenders have been allocated, and if so to whom, in what amount and was the allocation made to the highest bidder in each case:

- (a) the commercial unit at Ironside House, Glacis Estate;
- (b) a garage, previously a shop at 15B Naval Hospital Road;
- (c) Unit F15 Europa Business Centre;
- (d) 3 garages at Vineyards?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The information requested by the hon Member is set out in the schedule which I now hand over to him and all bidders were the highest bidders.

**SCHEDULE TO QUESTION NO. 1005 of 2009**

- a) Tender was allocated to Cotton Leisure Ltd in the sum of £4,000.00 plus a rent of £300.00 per month. Cotton Leisure Ltd were the highest bidders.
- b) Has yet not been allocated.
- c) Tender was allocated to Carwill Catering Services in the sum of £10,000.00. Carwill Catering Services were the highest bidders.
- d) Garage 96 – Tender allocated to Mr & Mrs Reyes of 2D Riesling in the sum of £25,000.00.  
Garage 117 – Tender allocated to Mr & Mrs Clinton of 2F Riesling in the sum of £25,000.00.  
Garage 132 – Tender allocated to Mr & Mrs Chichon of 6C Bellevue in the sum of £30,100.00.

All were the highest bidders.

ORAL

**NO. 1006 OF 2009**

**THE HON DR J J GARCIA**

**OCEAN VILLAGE – LEASE OVER AREA OF SEA**

Can Government provide the precise coordinates of the lease over the area of sea which was assigned to Ocean Village, in front of the Marinas covering some 38,000m<sup>2</sup> of surface area at approximately £37 a square metre?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question No. 1007 of 2009.



**NO. 1007 OF 2009**

**THE HON DR J J GARCIA**

**OCEAN VILLAGE – RIGHTS ACQUIRED OVER AREA OF SEA**

Can Government provide details of the rights that Ocean Village acquired by purchasing a lease over the sea in front of the marinas covering some 38,000m<sup>2</sup> of surface area at approximately £37 a square metre:

- (a) how long is the lease for, and
- (b) is the area of sea private property as a result?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The lease boundary has not been identified by reference to precise coordinates. It was identified on plan by reference to existing lease boundaries, and to the physical constraints of the Commercial Mole and the Airport Runway.

The rights acquired by Ocean Village are for the construction of a permitted scheme as approved by the Development and Planning Commission including any variation or modification as may be approved by the Commission and by the Government as lessor.

The lease is for 150 years and, as the term lease implies, the area of water covered by it has become private property but for use only as the approved scheme so provides.

**SUPPLEMENTARY TO QUESTION NOS. 1006 AND 1007 OF 2009**

**HON J J BOSSANO:**

Is the area of sea which Ocean Village now owns inclusive of that part for which they had a temporary licence while the construction was going on and which at the time the Government said would revert back to the Government once the construction was finished.

**HON J J HOLLIDAY:**

I am not sure what area you mean? Could you give me an indication of what area within the marina you are referring to.

**HON J J BOSSANO:**

Well, given that he cannot give us an indication of what area of sea he is talking about, it is difficult for me to give him..... There was an area where the small boat owners were and the approach to that area which during the time prior to the election that this matter was being publicly debated, the Government confirmed that what they had was a temporary licence while they were reclaiming land for the expansion of the Ocean Village complex and that temporary licence for that area did not give them any rights. Is it the area of the sea which the Minister is not able to give us the co-ordinates of so that we can work it out for ourselves. Is the area of the sea that he now says is private property include that area that previously was not.

**HON J J HOLLIDAY:**

If you are referring to the Watergardens small boat area, that is in Government's land and the sea belongs to the Government. It has not been xxxxxx to Ocean Village in any shape or form.

**HON J J BOSSANO:**

Can the Government say where is the boundary of the sea that is part of the lease of Ocean Village because he told us he could not give us the co-ordinates.....

**HON J J HOLLIDAY:**

I have got a little map here. I do not know whether that.....

**HON J J BOSSANO:**

If that is possible!

**HON J J HOLLIDAY:**

If you can do that then we may be able to refer to it but If I give you mine, I do not have one. So maybe if you could photocopy! Give him the coloured one and let us hope that I can work with the black and white one because I am probably more conversant than you are with the site itself.

**HON J J BOSSANO:**

Can I ask, the area that is shown within the green boundary which is the sea area that.....

**HON J J HOLLIDAY:**

No..... Not in my .....Below you have the colours which I do not have anymore. But I do have the different..... and I know which area is which. So if you.....

**HON J J BOSSANO:**

The area next to the runway.....

**HON J J HOLLIDAY:**

Yes.

**HON J J BOSSANO:**

At the moment there is nothing there. Is it that they are able to berth boats just there next to the runway?

**HON J J HOLLIDAY:**

Yes. That is right. There was a plan to be able to berth boats along that stretch of the runway so long as they kept the way clear, one can see just next to it, in order for boats to be able to have access into the Victoria Stadium sports facility because of sports area. What was acquired, the one that you refer to as the 38,000m<sup>2</sup>.....

**HON J J BOSSANO:**

Yes.

**HON J J HOLLIDAY:**

.....Is actually that area, which I do not know in what colour it is, but it is the one that is actually adjacent to the runway and if it one goes round to the front of the Marina Bay and Shepherds Marina, if I can identify the three areas.

**HON J J BOSSANO:**

So that is the additional area and the other bits were there ones that were there already. Is that correct?

**HON J J HOLLIDAY:**

That is right. Marina Bay obviously was there and has been acquired as a result of the fact that Ocean Village purchased Marina Bay. The Shepherds Marina waters were the waters that were already there when they acquired Shepherds Marina and then the Ocean Village waters was the additional area that was acquired, which is, I think in green according to what you said, but as you can see there is a clear way in between and the Watergardens small boats are not included in any shape or form in any of this. It has always been Government waters.

ORAL

**NO. 1008 OF 2009**

**THE HON DR J J GARCIA**

**STATIONING OF TUG IN GIBRALTAR BY STEELMAC**

Can Government confirm whether it is in discussion with Steelmac over the provision of a subsidy to station a tug in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Steelmac has met the Government to inform them of their intention to operate a tug in Gibraltar. There has been no discussion on the provision of a subsidy.

**SUPPLEMENTARY TO QUESTION NO. 1008 OF 2009**

**HON J J BOSSANO:**

The fact that there has been no discussion does not mean that a request has been made and it has not been discussed or does it mean that.....?

**HON J J HOLLIDAY:**

There has not been any request. At least not to me or that I am aware of. But I have had a meeting because they had a business proposal to put forward on what they intended to do and although it included the intention to purchase a tug and operate in Gibraltar there was no asking for money as a result of it.

**NO. 1009 OF 2009**

**THE HON DR J J GARCIA**

**TERRITORIAL AIRSPACE – APPLICATION OF CIVIL AVIATION ACT 2009**

Can Government confirm that the Civil Aviation Act 2009 applies to the territorial air space of Gibraltar and provide a geographical description and the geographical coordinates of Gibraltar's territorial airspace?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

I can confirm that the Civil Aviation Act 2009 applies to the territorial airspace of Gibraltar, which consists of the airspace above the land mass of Gibraltar and the territorial waters of Gibraltar.

The geographical coordinates of the territorial waters are contained in the schedule which is now being handed to the hon Member.

**SCHEDULE TO QUESTION NO 1009/2009**

**Gibraltar 3M Territorial Sea Limit**

Datum Information:

Datum Name: WGS84  
Major Axis: 6378137.000  
Minor Axis: 6356752.314  
Shifts (x,y,z): 0.000 0.000 0.000  
Rotation (x,y,z): 0.000 0.000 0.000  
Scale factor: 1.000000

36-09-16.46222N	5-21-05.98195W
36-09-16.30487N	5-21-06.52363W
36-09-16.02293N	5-21-07.22701W
36-09-15.74100N	5-21-07.96273W
36-09-15.32793N	5-21-08.89249W
36-09-14.98043N	5-21-09.67672W
36-09-14.69849N	5-21-10.56605W
36-09-14.31820N	5-21-11.61708W
36-09-14.01004N	5-21-12.46599W
36-09-13.84613N	5-21-12.93491W
36-09-13.72155N	5-21-13.86466W
36-09-13.72155N	5-21-14.56804W
36-09-13.81990N	5-21-15.26334W
36-09-13.87891N	5-21-15.84545W
36-09-14.10184N	5-21-16.42756W
36-09-14.38377N	5-21-17.05009W
36-09-14.66571N	5-21-17.43816W
36-09-14.98043N	5-21-17.78581W
36-09-15.45250N	5-21-18.10112W
36-09-15.89180N	5-21-18.32749W
36-09-16.55402N	5-21-18.79641W
36-09-17.09166N	5-21-19.07130W
36-09-17.56373N	5-21-19.54022W
36-09-18.35052N	5-21-20.23552W
36-09-18.88816N	5-21-20.73678W
36-09-19.45202N	5-21-21.44016W
36-09-20.02244N	5-21-21.94142W
36-09-20.48795N	5-21-22.64480W
36-09-20.99280N	5-21-23.38052W
36-09-21.47143N	5-21-24.04347W
36-09-21.75336N	5-21-24.62558W
36-09-22.22542N	5-21-25.43407W
36-09-22.50735N	5-21-26.17787W
36-09-22.78928N	5-21-27.03486W
36-09-23.07776N	5-21-27.92420W
36-09-23.29413N	5-21-29.12884W
36-09-23.32691N	5-21-29.97775W
36-09-23.39247N	5-21-30.99643W
36-09-23.51705N	5-21-31.88577W
36-09-23.51705N	5-21-32.54064W
36-09-23.60884N	5-21-33.72911W
36-09-23.76619N	5-21-35.00651W

36-09-23.82520N	5-21-36.37285W
36-09-24.02189N	5-21-37.88472W
36-09-24.17269N	5-21-39.55019W
36-09-24.36283N	5-21-41.45821W
36-09-24.46117N	5-21-43.13178W
36-09-24.55296N	5-21-44.40918W
36-09-24.64475N	5-21-45.10448W
36-09-24.86767N	5-21-46.08274W
36-09-25.21516N	5-21-47.31972W
36-09-25.52987N	5-21-48.56479W
36-09-25.77901N	5-21-49.72900W
36-09-28.17208N	5-22-00.31206W
36-09-27.37877N	5-22-07.11140W
36-09-28.19831N	5-22-13.99969W
36-09-27.47055N	5-22-22.13303W
36-09-25.23483N	5-22-42.13492W
36-09-20.54041N	5-22-54.86854W
36-09-09.23675N	5-23-26.78748W
36-09-00.42430N	5-23-51.67261W
36-09-00.26693N	5-23-53.33808W
36-08-54.49672N	5-24-02.40119W
36-07-50.66896N	5-23-50.32244W
36-07-45.21214N	5-23-49.60289W
36-07-21.66525N	5-23-48.11528W
36-07-08.84153N	5-23-44.35583W
36-06-39.31523N	5-23-27.20789W
36-06-36.23187N	5-23-25.42114W
36-06-32.57773N	5-23-23.51312W
36-06-27.91977N	5-23-21.45149W
36-06-22.03489N	5-23-20.83704W
36-06-20.38815N	5-23-20.62683W
36-06-15.78248N	5-23-19.76175W
36-06-12.55453N	5-23-19.00178W
36-06-01.66976N	5-23-16.12358W
36-05-56.72260N	5-23-14.87851W
36-05-54.47863N	5-23-14.40959W
36-05-51.42759N	5-23-13.27771W
36-05-49.40667N	5-23-12.45306W
36-05-47.66131N	5-23-11.73351W
36-05-42.81233N	5-23-09.65571W
36-05-40.41733N	5-23-08.55617W
36-05-35.69289N	5-23-06.34092W
36-05-32.93693N	5-23-04.99884W
36-05-32.41854N	5-23-04.74013W
36-05-28.59952N	5-23-02.79977W
36-05-25.44977N	5-23-01.25556W
36-05-22.39841N	5-22-59.67093W
36-05-18.48082N	5-22-57.39101W
36-05-16.45966N	5-22-56.11360W
36-04-24.75767N	5-22-20.32203W
36-04-09.58915N	5-22-09.81982W
36-03-51.59066N	5-21-57.96745W
36-03-39.02648N	5-21-49.55114W



36-09-10.12191N	5-20-20.88472W
36-09-09.84653N	5-20-19.00096W
36-09-07.53198N	5-19-49.41854W
36-09-07.97129N	5-19-45.10932W
36-09-07.52542N	5-19-22.48794W
36-09-06.68615N	5-19-08.05651W
36-09-01.43407N	5-17-37.87823W
36-08-59.08667N	5-16-54.02607W
36-08-58.01132N	5-16-36.27177W

You should be aware that from Point 36° 03' 39".02648N 05° 21' 49".55114W to 36° 08' 58".01132N 05° 16' 36".27177W the 3M TW limit is liable to change if the low water line changes on the largest scale Admiralty chart of the area.

**NO. 1010 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR AIRPORT – DOCUMENTATION IN RESPECT OF PLANS**

Can Government confirm whether the documentation in respect of the plans of Gibraltar Airport referred to in Section 25 of the Civil Aviation Act 2009 has now been signed?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Discussions continue with the Ministry of Defence regarding the remaining transfer of land at the Airport around the tunnel / road project. Once this final Lands Agreement is signed, a plan of the Airport will be published as required by Section 25 of the Civil Aviation Act 2009.

**SUPPLEMENTARY TO QUESTION NO. 1010 OF 2009**

**HON DR J J GARCIA:**

The Minister told me on the 3<sup>rd</sup> July 2009 that, in respect of this matter the documentation had been agreed and was now in the process of being prepared for signature. Is it that something new has come up?

**HON J J HOLLIDAY:**

No. I think it is a matter of summer holidays and people, I think change of personnel as well in the MOD which has led to administrative delays but nothing extraordinary. It is procedural, but I am told that this should now happen ... It is fairly imminent.

**HON DR J J GARCIA:**

If I heard him correctly, the answer now was that there are discussions on some final land issues that are pending. Is that what he said?

**HON J J HOLLIDAY:**

No. Yes, but that was always there in the actual demarcation of land and accuracy due to the tunnel project which needed to be assessed as to the extent to which it was going to impact on MOD land and transferability of land etc. But it is a matter of logistical procedures.

**HON DR J J GARCIA:**

Is there a timescale within which it is envisaged this is going to happen?

**HON J J HOLLIDAY:**

I am not directly dealing with this matter but I am told that it will be dealt with fairly shortly.

ORAL

**NO. 1011 OF 2009**

**THE HON J J BOSSANO**

**PORT BUNKERING CHARGES**

On what basis has Government estimated that the receipts from port bunkering charges will go up by £40,000 from £260,000 to £300,000 in the current financial year?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 1013 to 1015.

**NO. 1012 OF 2009**

**THE HON J J BOSSANO**

**BUNKERING OUTSIDE GIBRALTAR'S TERRITORIAL WATERS**

Can Government state whether bunkering that is provided offshore outside the territorial limits of 3 miles of Gibraltar waters from vessels that bring the fuel loaded to Gibraltar already for this purpose, have to pay bunkering fees to the Gibraltar Government and, if so, what is the rate and is this the same rate as that in respect of bunkers supplied from within Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

There is no bunkering carried out outside the 3 mile territorial limit.

**SUPPLEMENTARY TO QUESTION NO. 1012 OF 2009**

**HON J J BOSSANO:**

Is the Minister saying that it is not the case that there are vessels that arrive in Gibraltar with fuel and then supply that fuel to other vessels outside the 3 mile limit and that they hire from Gibraltar the necessary equipment to do this?

**HON J J HOLLIDAY:**

Yes, but I think we need to define, I am not trying to be pedantic, the word "bunkering". Bunkering is the supply of fuel for its own use, right. Whilst what you are describing is the supply of cargo, right. There is a difference between cargo fuel and cargo being fuelled. There is a difference between coming up to the petrol station and filling up the ship for your own supplies and actually coming in or doing the ship to ship transfer to which you are referring to, which is the transfer of cargo. When that happens, as you clearly have pointed out incorrectly, there are two operators in Gibraltar that actually have the ability to be able and are licensed to assist with things like fenders and hoses and things in order to make the transaction or transfer of cargo possible. Under the new fees, we are charging for the transfer of the fuel in the same way as we do when they come alongside. Previous to the 9<sup>th</sup> May 2009, that was not charged. We felt that Gibraltar needed to benefit financially from these transactions which, at the end of the day, always give a risk by actually happening near Gibraltar.

**HON J J BOSSANO:**

Is the introduction of that new fee for that operation included in the figures that the Minister has given me?

**HON J J HOLLIDAY:**

Yes, but do not think that these are huge volumes, they are not. These transactions take..... there may be a handful a month, so the actual volumes as such, are not significant. What I am saying is, do not think that we are sort of charging these now and that is how we have managed to make our business plan work. It is a very insignificant part of the overall revenue generating measure.

**HON J J BOSSANO:**

Is the fee shown in the element of the breakdown that he has given me under "bunkers" or somewhere else?

**HON J J HOLLIDAY:**

Under "bunkers".

**HON J J BOSSANO:**

Notwithstanding that it is not bunkering and he has just corrected my original question.

**HON J J HOLLIDAY:**

Yes, the hon Member is probably correct but we did not want to add more..... and I wanted to give comparative figures under the different headings.

ORAL

**NO. 1013 OF 2009**

**THE HON J J BOSSANO**

**PORT BERTHING CHARGES**

On what basis has Government estimated that the receipts from port berthing charges will go up by £60,000 from £340,000 to £400,000 in the current financial year?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 1011, 1014 and 1015 of 2009.

ORAL

**NO. 1014 OF 2009**

**THE HON J J BOSSANO**

**PORT ARRIVAL AND DEPARTURE TAX**

On what basis has Government estimated that the receipts from port arrival and departure tax will go up by £50,000 from £350,000 to £400,000 in the current financial year?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

Answered together with Question Nos. 1011, 1013 and 1015 of 2009.



**NO. 1015 OF 2009**

**THE HON J J BOSSANO**

**TONNAGE DUES**

On what basis has Government estimated that the receipts from tonnage dues from ships calling at Gibraltar will go up by 278% from £850,000 to £2,366,000 in the current financial year?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The Government estimates that receipts from tonnage due from ships calling at Gibraltar will go up by 278% from £850,000 to £2,366,000; from Port arrivals and departure tax will go up by £50,000 from £350,000 to £400,000; from Port berthing charges will go up by £60,000 from £340,000 to £400,000; and from Port bunkering charges will go up by £40,000 from £260,000 to £300,000, in the current financial year as a result of the new fees introduced on 9<sup>th</sup> May 2009 and/or increased business.

**SUPPLEMENTARY TO QUESTION NOS. 1011 AND 1013 to 1015 OF 2009**

**HON J J BOSSANO:**

So what is it that the 278 thousand assumes no increase in traffic and that means that fees went up by 278%?

**HON J J HOLLIDAY:**

Could he repeat that again?

**HON J J BOSSANO:**

In respect of Question No. 1015 of 2009, is it then that the tonnage dues went up by 278% as an increased fee and that the estimate is based on an assumption that the same number of ships will call as did the previous year and pay 278% more for so doing?

**HON J J HOLLIDAY:**

No, as I have said in my original answer, part of this increase is due to the estimated increase in business as well. So part of this increase is actually the increase in the fees structure but we are also assuming that it would be an element of increase in business as well as has been the case in subsequent or previous years.

**HON J J BOSSANO:**

Well yes, but in previous years there has been an increase in business when there was no increase in prices.

**HON J J HOLLIDAY:**

Right!

**HON J J BOSSANO:**

The normal assumption, as a businessman I am sure he knows that, is that if one increases prices you are more likely to lose business than to gain it and you are lucky if you stay the same.

**HON J J HOLLIDAY:**

Well.....

**HON J J BOSSANO:**

Has the Minister an indication of what the impact of the increased fees is as opposed to the possibility of increased business which is speculative?

**HON J J HOLLIDAY:**

No. The assumption that the hon Member had made that business would actually decrease as a result of an increase in fees is not necessarily correct. I think it also has to do with the competitiveness of your product in competition with other ports in the area. So when we actually did the analysis to consider whether business was going to be affected by these increases, in most cases we found that we were conservative in what we were expecting the increase to be but we were expecting an increase and I think the figures actually prove that. We have already done an assessment, which we do regularly, and the first half of this financial year from April to the end of September shows that our estimates are actually conservative. So there has been increased business and obviously increased income as a result of the fees that were increased on the 9<sup>th</sup> May 2009.

**HON J J BOSSANO:**

Is that true of the tonnage dues which is the bulk of the increase?

**HON J J HOLLIDAY:**

I do not have the calculator here to..... but I can give the hon Member, if he wants, a comparative income assessment for the first six months of this financial year under the different categories compared to the first six months of the previous year which will give him... It is not quite scientific but will give the hon Member an indication at least of whether one is on the right track. In terms of tonnage dues, in 2008, 1<sup>st</sup> April to end of September 2009, the revenue collected was £396,551. In this year it is £1,113,087. In berths, last year's first six months for 2008 £143,969 and this year it is £389,541. Passenger tax, where there is no change and that is purely attributable to increased business the figure in 2008 was £209,977 and in 2009 it is £282,699. Harbour crafts and port operator licences, the figure in 2008 was £148,764 and this year it is £160,399. The bunkering levy in 2008 was £106,579 and in 2009, £152,092. Miscellaneous, in 2008 was £15,204 in 2009, £32,668. So the total of 2008 for the six months in 2008 was £1,021,024. In the six months of 2009, it was £2,130,486. Now if you compare the six months with the estimates that we put in for the whole year, one can see that the figures are very much on track and probably going to be underestimated. So our decision to increase the fees was obviously a good one and it also means that the port operators who complained at the time probably no longer complain because they have increased their business which is what I was telling them all the time. But anyway.....

ORAL

**NO. 1016 OF 2009**

**THE HON J J BOSSANO**

**GEA – ELECTRICITY SUPPLIED BY MOD**

Can Government state what was the amount of electricity supplied by MOD in 2008/2009 and how much of it was repaid by electricity supplied by the Gibraltar Electricity Authority and how much was paid for in cash and at what cost?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The amount of electricity supplied in 2008/2009 by the MOD was 5,612,733 units of which 1,548,595 units were repaid in kind and 4,064,138 units repaid in cash at a cost of £440,289.80.

**NO. 1017 OF 2009**

**THE HON J J BOSSANO**

**GEA – RECEIPTS FROM COMMERCIAL WORK**

Can Government explain the increase in receipts from commercial work in the Gibraltar Electricity Authority from the estimated amount of £1.2 million to a forecast outturn of £2.3 million in 2008/2009 and identify the nature of the works covered by this £1.1 million extra payment and state when the work was carried out, and who were the payments from?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The £1.1 million extra payment refers to payments in the year of ongoing projects and new projects that were not included in the Estimates.

The nature and extent of the commercial work carried out varies with each project but can be classified as either minor or major works associated with the provision of electrical power. Details of the names of the project, revenue and expenditure for 2008/2009 are set out in this schedule which I now hand to the hon Member.

**SCHEDULE TO QUESTION 1017/2009**  
**GEA COMMERCIAL WORKS 2008-2009**

Project No.	Project Name	REVENUE		Estimated
		ACTUAL		
		2008-2009	Financial Yr	
		Total Amount	Received	
<b>FY 2008/09</b>				
PROJECT 14/04	LITTLE GENOA - CONSTRUCCIONES POERTA REYES LTD	£	3,246.96	
PROJECT 3-05/06	MONACO OCEAN VILLAGE - MARINA BAY	£	57,979.04	
PROJECT 19-05/06	TRADE WINDS - MARINA BAY	£	9,714.07	
PROJECT 31-05/06	GENISTA HOUSE - EUROPA ROAD	£	48,916.78	
PROJECT 56-05/06	MAJESTIC OCEAN PLAZA - GLACIS ROAD	£	277,809.49	£277,809.49
PROJECT 19-06/07	ANCHORAGE PROJECT - ROSIA ROAD	£	54,403.04	
PROJECT 20-06/07	TSD - WILLIS'S ROAD CAR PARK	£	71,098.65	
PROJECT 27-06/07	GOG-NELSON'S VIEW - ROSIA PARADE	£	450,237.17	£450,237.17
PROJECT 30-06/07	GOG-CUMBERLAND TERRACES	£	454,770.23	£454,770.23
PROJECT 37-06/07	TSD - METERING NEW HARBOURS	£	48,104.66	£48,104.66
PROJECT 39-06/07	TSD - PELICAN CROSSING QUEENSWAY	£	1,944.78	
PROJECT 45-06/07	GIBTELECOM - OFFICES JOHN MACKINTOSH SQUARE	£	60,850.97	
PROJECT 46-06/07	ST. PETER'S SCHOOL - CATALAN BAY	£	1,391.58	
PROJECT 47-06/07	THE ISLAND PROJECT - QUEENSWAY	£	3,553.08	
PROJECT 56-06/07	WATERPORT PLACE -	£	1,464.84	
PROJECT 14 07/08	GTB - FLOODLIGHTS AT CAMP BAY	£	8,703.55	
PROJECT 20 07/08	AQUAGIB - NEW R.O. PLANT - GOVERNOR'S COTTAGE	£	26,028.18	
PROJECT 28 07/08	FILOMENA HOUSE - 30 DEVIL'S TOWER ROAD	£	24,946.59	
PROJECT 46 07/08	GOG-BAYVIEW TERRACES - ROSIA ROAD (LV)	£	61,258.50	
PROJECT 49 07/08	ROWING CLUBS BOAT SHEDS	£	2,334.21	
PROJECT 50 07/08	TSD-TRAFFIC LIGHTS - PELICAN CROSSINGS	£	52,701.07	
PROJECT 52 07/08	SAPPHIRE NETWORKS - HARBOUR VIEWS	£	17,395.63	
PROJECT 53 07/08	GTB - ST. MICHAEL'S CAVE - RGR SHOW	£	353.30	
PROJECT 55 07/08	GIBTELECOM - MOUNT PLEASANT	£	82,164.83	
PROJECT 01 08/09	EDUCATION DEPT - BAYSIDE COMPREHENSIVE SCHOOL - DIVERSION OF EXISTING	£	2,005.18	
PROJECT 03 08/09	GJBS - GUNWHARF	£	5,500.57	
PROJECT 04 08/09	J. BALBAN ELEC. CO. LTD - 17 MAIN STREET	£	159.32	
PROJECT 05 08/09	GTB - ST. MICHAEL'S CAVE - POLICE DINNER	£	284.88	
PROJECT 06 08/09	BRUCES Y FERNANDEZ - OCEAN VILLAGE SITE SUPPLY	£	1,235.17	
PROJECT 08 08/09	CIVIL PRISON - LATHBURY BARRACKS	£	138,360.85	
PROJECT 09 08/09	SHARROCKSHAND LTD - THE CLIFFTOPS (PEAK HOUSE)	£	114,903.75	
PROJECT 10 08/09	CAFÉ ROJO - 54 IRISH TOWN	£	1,199.02	
PROJECT 11 08/09	INT. FRANCHISES LTD - SUITE 9/2 I.C.C.	£	270.19	

GEA COMMERCIAL WORKS 2008-2009

Project No.	Project Name	REVENUE		Estimated
		ACTUAL	2008-2009	
		Financial Yr	Total Amount	
		Received		
<u>FY 2008/09</u>				
PROJECT 13 08/09	BELISH BEACONS FOR ZEBRA CROSSINGS	£ 6,930.80		
PROJECT 14 08/09	BANG & OLUFSEN	£ 311.37		
PROJECT 15 08/09	GTB - ST. MICHAEL'S CAVE - GIB. PHIL. SOC. SHOW	£ 388.63		
PROJECT 16 08/09	EFG BANK - 1 CORRAL ROAD	£ 1,733.90		
PROJECT 17 08/09	GTB - ST. MICHAEL'S CAVE - JEWISH MALE CHOIR	£ 282.64		
PROJECT 18 08/09	C. GARCIA - 92 IRISH TOWN	£ 1,662.81		
PROJECT 19 08/09	OWEN SMITH - CALENTITA CASEMETES SQUARE	£ 16.80		
PROJECT 20 08/09	BARCLAYS BANK - MAIN STREET	£ 1,947.64		
PROJECT 21 08/09	MARINA SHEDS - MONACO OCEAN VILLAGE	£ 7,759.65		
PROJECT 22 08/09	GTB - ST. MICHAEL'S CAVE - DANISH BRASS BAND	£ 282.64		
PROJECT 23 08/09	FAIR, NATIONAL DAY & YOUTH PAVILION 2008 - MIN. OF CULTURE	£ 51,207.56		
PROJECT 24 08/09	GIBALTAR SPORTS AUTHORITY - REGGAE CONCERT VICTORIA STADIUM	£ 575.89		
PROJECT 25 08/09	PISA INT. GROUP OF COMPANIES - 7/9 J.M. SQUARE	£ 304.05		
PROJECT 26 08/09	TP TOWAGE CO. LTD - BERTH 9 NORTH MOLE	£ 1,521.69		
PROJECT 27 08/09	MINISTRY OF CULTURE - GIB. PHIL. ORCHESTRA - NATIONAL WEEK	£ 397.50		
PROJECT 28 08/09	AMAR'S BAKERY - 7/9 BOMB HOUSE LANE	£ 15,995.00		
PROJECT 31 08/09	GTB - SONG FESTIVAL - ST. MICHAEL'S CAVE	£ 848.00		
PROJECT 32 08/09	AQUAGIB LTD - NORTH MOLE EMERGENCY LIGHTING	£ 2,252.24		
PROJECT 35 08/09	FAIRHOMES (GIBALTAR) Ltd - leisure island	£ 884.50		
PROJECT 36 08/09	CTS MKL CONSULTING ENG - OCEAN VILLAGE POWER UPGRADE	£ 25,762.23		
PROJECT 37 08/09	MTI LTD - 12/2 tuckey's lane	£ 328.69		
PROJECT 39 08/09	GTB - ST. MICHAEL'S CAVE - RGR DINNER	£ 353.30		
PROJECT 40 08/09	GOG - RETRENCHMENT BLOCK - LATHBURY BARRACKS	£ 21,005.65		
PROJECT 41 08/09	GTB - ST. MICHAEL'S CAVE - RGR DINNER	£ 423.96		
PROJECT 42 08/09	GTB - SUMMER NIGHTS 2008	£ 491.82		
PROJECT 43 08/09	GIBALTAR SPORTS AUTHORITY - VICTORIA STADIUM FLOODLIGHTS	£ 5,383.43		
PROJECT 44 08/09	LAW COURT - SERVICE CABLE	£ 401.52		
PROJECT 45 08/09	GTB - GIB. PHILARMONIC SOC. SHOW	£ 494.62		
PROJECT 46 08/09	MID HARBOUR HOUSING DEVELOPMENT	£ 11,906.88		
PROJECT 48 08/09	MIN. OF EDUCATION - ELECTRICAL INSPECTIONS SCHOOLS	£ 3,090.60		
PROJECT 49 08/09	ODETTE BENATAR - NEW YEAR CELEBRATIONS 2008	£ 88.06		
PROJECT 50 08/09	GIBALTAR PORT AUTHORITY - STREET LIGHTING IMPROVEMENTS	£ 75,000.00		
PROJECT 51 08/09	E. ABUDARHAM - 24/28 PARLIAMENT LANE - NEW SERVICE FEEDER	£ 1,292.17		
PROJECT 53 08/09	DRAGADOS SA - NEW AIR TERMINAL	£ 8,942.63		
PROJECT 55 08/09	GHA - LAYING FIBRE OPTIC CABLE	£ 8,006.50		

GEA COMMERCIAL WORKS 2008-2009

Project No.	Project Name	REVENUE	Estimated
<u>FY 2008/09</u>		<u>ACTUAL</u>	
PROJECT 57 08/09	LOOK HAIR & BEAUTY SALON - 1.0.7 EUROTOWERS	2008-2009	
PROJECT 58 08/09	GTB - CAVE SHOW - ROYAL MARINE BAND	Financial Yr	
PROJECT 59 08/09	HALE LTD - 267 & 269 MAIN STREET	Total Amount	
PROJECT 60 08/09	MIN. OF EDUCATION - UPGRADE BAYSIDE SCHOOL	Received	
PROJECT 61 08/09	CONNECT DIRECT - 4/4 CORNWALL'S LANE - 3 PHASE METER	£ 377.43	
PROJECT 62 08/09	HAYMILLS GIB LTD - CUMBERLAND TERRACES - 3 PHASE METER	£ 468.65	
PROJECT 63 08/09	MIN. OF CULTURE - INCE'S HALL SERVICING WORKS	£ 21,445.80	
PROJECT 65 08/09	MRS. A BROOKS - 75 GOVERNOR'S STREET	£ 4,632.31	
PROJECT 66 08/09	CEPSA (GIB) LTD - REFUELLING TERMINAL SERVICE WORKS	£ 348.74	
PROJECT 67 08/09	WILLIAM HILL GIB (INT) LTD - WATERPORT PLACE	£ 873.38	
PROJECT 69 08/09	JBS - DAMAGE TO SOUTH DISPERSAL SUBSTATION	£ 202.80	
		£ 411.32	
		£ 3,322.25	
		£ 10,669.19	
		£ 2,753.90	
		£ 2,389,071.27	£1,230,921.55
		-£ 26,231.00	
		<b>£ 2,362,840.27</b>	
	Note Refund deducted from expenses project 30-06/07		
	True position as refund should have been debited from revenue		
	Total Income received in 2008-2009	£ 2,362,840.27	
	Total Income Estimated for 2008-2009	-£ 1,230,921.55	
	Extra Income received over and above of that Estimated	<b>£ 1,131,918.72</b>	



**SUPPLEMENTARY TO QUESTION NO. 1017 OF 2009**

**HON J J BOSSANO:**

From looking at this schedule, is it in fact that more work was actually completed during the financial year than had originally been estimated when the figure was put at the £1.2 million?

**HON J J HOLLIDAY:**

I think that it is not quite correct because what happens is that there could be actual revenue coming in but the works are not being done because the Gibraltar Electrical Authority when it is supplying electrical power to a particular project or site that needs electrical power..... What happens is that there may be a costing done of the project, which could be £300,000 for the sake of argument, and there is a percentage of that which is paid up front by the developer and therefore there is an income but not necessarily an expenditure. The work may actually come subsequently and the balance may actually be much smaller in subsequent financial years. So you cannot really tally one thing with the other in as per what you have described earlier on.

**NO. 1018 OF 2009**

**THE HON J J BOSSANO**

**GEA – NATURE OF COMMERCIAL WORKS**

Can Government state what was the nature of commercial works undertaken by the Gibraltar Electricity Authority in 2007/2008 to the value of £1,541,537, and to what extent were the receipts of £852,934 for works carried out in 2007/2008, and if it included work carried out in previous years, what was the value of such previous work included?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The nature and extent of the commercial work carried out varies with each project but can be classified as minor or major associated with the provision of electrical power. Details of the names of the projects, revenue and expenditure for 2008/2009 are set out in this schedule which I now hand over to the hon Member, and this is exactly the same position. The other way round with the revenue.

**SCHEDULE TO 1018/2009**  
**GEA COMMERCIAL WORKS 2007-2008**

Project No. FY 2007/08	Project Name	EXPENDITURE		REVENUE	
		2007-2008 Financial Yr Total Amount Charged	2007-2008 Financial Yr Amount Received	ACTUAL	
PROJECT 10/03	EUROPLAZA	£ 1,676.24	£ -		
PROJECT 8/04	*NORTH FRONT - CARTERING UNIT GH	£ -	£ -		
PROJECT 12/04	TAYLOR WOODROW LTD - ROCK GARDENS	£ -	£ -		
PROJECT 13/04	SAND HOUSING PROJECT	£ 381,293.42	£ -		
PROJECT 14/04	LITTLE GENOA - CONSTRUCCIONES POERTA REYES LTD	£ 781.18	£ 1,167.06		
PROJECT 3-05/06	MONACO OCEAN VILLAGE - MARINA BAY	£ 123,089.52	£ 48,021.39		
PROJECT 19-05/06	TRADE WINDS - MARINA BAY	£ 68,655.96	£ 4,440.08		
PROJECT 22-05/06	EUROPORT - NEW SUBSTATION	£ 66,250.98	£ -		
PROJECT 31-05/06	GENISTA HOUSE - EUROPA ROAD	£ -	£ -		
PROJECT 33-05/06	ENTRECANALES & TRAVORA - 55 LINE WALL ROAD	£ 7,023.33	£ 4,219.92		
PROJECT 43-05/06	SAPPHIRE NETWORK - SUITE 303 EUROTOWERS	£ 392.52	£ 322.98		
PROJECT 54-05/06	GIB. COMMERCIAL PROPERTY LTD & MTI LTD - KING'S BASTION LEISURE CENTRE	£ 67,493.61	£ 79,790.02		
PROJECT 12-06/07	STAN JAMES - MARINA BAY	£ 904.00	£ -		
PROJECT 19-06/07	ANCHORAGE PROJECT - ROSIA ROAD	£ 76,707.08	£ -		
PROJECT 20-06/07	TSD - WILLIS'S ROAD CAR PARK	£ 198,574.92	£ 153,726.29		
PROJECT 27-06/07	GOG-NELSON'S VIEW - ROSIA PARADE	£ 5,286.97	£ -		
PROJECT 30-06/07	GOG-CUMBERLAND TERRACES	£ 17,641.89	£ -		
PROJECT 37-06/07	TSD - METERING NEW HARBOURS	£ 12,919.15	£ -		
PROJECT 39-06/07	TSD - PELICAN CROSSING QUEENSWAY	£ 1,892.99	£ -		
PROJECT 41-06/07	No. 6 - BRITISH LINES NEW STREET LIGHTING LAMPS (FOR NEW TERMINAL)	£ 702.92	£ 7,473.71	£ -	2,123.10
PROJECT 44-06/07	THOMSON COTTAGE - NAVAL HOSPITAL HILL	£ -	£ -		
PROJECT 45-06/07	GIBTELECOM - OFFICES JOHN MACKINTOSH SQUARE	£ 92,977.10	£ -		
PROJECT 46-06/07	ST. PETER'S SCHOOL - CATALAN BAY	£ 120.00	£ -		
PROJECT 47-06/07	THE ISLAND PROJECT - QUEENSWAY	£ 10,602.36	£ -		
PROJECT 48-06/07	GIBALTAR COMMERCIAL PROPERTY LTD ( c/o LPS) - CASEMATES CURTAIN & ROPE LIGHTS	£ -	£ 2,417.19	£	2,417.19
PROJECT 49-06/07	MORRISONS SUPERMARKET - WESTSIDE SUPERSTORE	£ 59,294.57	£ 29,204.88		
PROJECT 50-06/07	J BALBAN ELECTRICAL CO. LTD - CAR WASH SHELL PETROL STATION	£ -	£ -		
PROJECT 51-06/07	MANSION (GIB) LTD - EUROPORT	£ -	£ -		
PROJECT 52-06/07	A.A. SHERIFF & SONS LTD - CHILLERS EUROPORT	£ 612.90	£ -		
PROJECT 53-06/07	OCEAN VILLAGE - HERITAGE HOUSE - 235 MAIN STREET	£ 1,275.00	£ -		
PROJECT 54-06/07	BIANCAS RESTAURANT - 67 ADMIRAL'S WALK, MARINA BAY	£ -	£ -		
PROJECT 55-06/07	GLEN PEARCE - 24 CRUTCHETT'S RAMP	£ -	£ -		
PROJECT 56-06/07	WATERPORT PLACE -	£ 179,482.18	£ 42,561.45		
PROJECT 57-06/07	PORT'S HIGH MASTS	£ 187.35	£ 187.35		
PROJECT 58-06/07	GIB TOURIST OFFICE -ST. MICHAEL'S CAVE 13/2/07	£ 168.16	£ 333.00		
PROJECT 59-06/07	GIB TOURIST OFFICE -ST. MICHAEL'S CAVE 16/3/07	£ 164.56	£ 333.00		
PROJECT 07/08	CALETA HOTEL	£ 72,496.05	£ 114,588.04		

**SCHEDULE TO 1018/2009**  
**GEA COMMERCIAL WORKS 2007-2008**

Project No.	Project Name	EXPENDITURE		REVENUE	
		2007-2008		ACTUAL	
		Financial Yr	Total Amount Charged	Financial Yr	Amount Received
PROJECT 2 07/08	GIB TOURIST OFFICE - ST. MICHAEL'S CAVE - 2/4/07	£	134.52	£	266.40
PROJECT 3 07/08	VOLKER STEIN LTD - KING'S WHARF	£	3,531.63	£	7,406.97
PROJECT 4 07/08	GIB TOURIST OFFICE - ST. MICHAEL'S CAVE - 19/04/07	£	-	£	199.80
PROJECT 5 07/08	GIB TOURIST OFFICE - ST. MICHAEL'S CAVE - 23/04/07	£	224.82	£	399.60
PROJECT 6 07/08	SHARROCK SHAND - SANDPITS CARPARK	£	-	£	8,334.20
PROJECT 7 07/08	GIB RALTAR TOURIST OFFICE - ST. MICHAEL'S SCOUTS BAND - 12/5/07	£	199.84	£	199.84
PROJECT 8 07/08	GIB RALTAR TOURIST OFFICE - ST. MICHAEL'S SCOUTS BAND - 12/5/07	£	1,082.07	£	1,733.64
PROJECT 9 07/08	C & P GALLIANO - REFURBISHMENT OF PRINCE EDWARD'S ROAD	£	-	£	500.00
PROJECT 10 07/08	GIB RALTAR TOURIST OFFICE - ST. MICHAEL'S SCOUTS BAND - 12/5/07	£	1,271.28	£	2,054.40
PROJECT 11 07/08	ITALTEC (Antonio Frigutti) - UNIT 5, CASEMATES HOUSE	£	-	£	271.80
PROJECT 12 07/08	GIB RALTAR TOURIST OFFICE - ST. MICHAEL'S CAVE - GIB. PHIL. SOC. - 22/5/07	£	168.16	£	333.00
PROJECT 13 07/08	GIB RALTAR TOURIST OFFICE - FLOODLIGHTS AT ST. MICHAEL'S CAVE AREA	£	1,690.00	£	4,658.97
PROJECT 14 07/08	GIB RALTAR TOURIST OFFICE - FLOODLIGHTS AT CAMP BAY	£	5,006.63	£	-
PROJECT 15 07/08	DESELEC LTD - UNIT G8 ICC BUILDING	£	-	£	840.62
PROJECT 16 07/08	GIB TOURIST OFFICE - GREAT SIEGE TUNNELS (POLISH FILM TEAM)	£	308.88	£	466.20
PROJECT 17 07/08	GIB TOURIST OFFICE - ST. MICHAEL'S CAVE WEDDING 29.06.07	£	265.66	£	466.20
PROJECT 18 07/08	GIB RALTAR TOURIST OFFICE - ST. MICHAEL'S CAVE JEWISH COMMUNITY PLAY	£	770.88	£	1,332.00
PROJECT 19 07/08	ESTELLA HOUSE - EUROPA ROAD	£	-	£	2,357.85
PROJECT 20 07/08	AQUAGIB - NEW R.O. PLANT - GOVERNOR'S COTTAGE	£	13,151.73	£	97,249.77
PROJECT 21 07/08	MINISTRY FOR HOUSING - 51 PRINCE EDWARD'S ROAD	£	-	£	3,855.29
PROJECT 22 07/08	DESELEC LTD - UNIT 16 WATERGARDENS	£	640.05	£	188.59
PROJECT 23 07/08	SHERIFF ELECTRICAL CONTRACTORS LTD - WATERPORT PLACE	£	-	£	1,221.77
PROJECT 24 07/08	PRESCOTT LTD - IMOSHI HOUSE, IRISH TOWN	£	-	£	225.89
PROJECT 25 07/08	GIB TOURIST OFFICE - ST. MICHAEL'S CAVE RECEPTION 29/9/07	£	-	£	282.64
PROJECT 26 07/08	GIB TOURIST OFFICE - ST. MICHAEL'S CAVE RECEPTIONS 3/10/07 & 4/10/07	£	-	£	635.94
PROJECT 27 07/08	FAIR & NATIONAL DAY 2007 - No. 6 Convent Place	£	39,472.74	£	53,112.80
PROJECT 28 07/08	FILOMENA HOUSE - 30 DEVIL'S TOWER ROAD	£	-	£	2,986.31
PROJECT 29 07/08	TSD - BELISH BEACONS - AT LORETO CONVENT	£	596.14	£	794.86
PROJECT 30 07/08	GIB TOURIST OFFICE-ST.MICHAEL'S ROOKE BAND CONCERT-27/10/07	£	190.24	£	282.64
PROJECT 31 07/08	TOPGEM LTD - 34 DEVIL'S TOWER ROAD	£	-	£	517.80
PROJECT 32 07/08	GIB TOURIST OFFICE-ST.MICHAEL'S PHILHARMONIC ORCHESTRA-5/11/07	£	285.36	£	565.28
PROJECT 33 07/08	DESELEC LTD - 34 PARLIAMENT LANE	£	-	£	238.62
PROJECT 34 07/08	MINISTRY OF CULTURE - BREED 77 CONCERT 17/11/07	£	297.39	£	318.00
PROJECT 35 07/08	GIB TOURIST OFFICE - DINNER FUNCTION - ST. MICHAEL'S CAVE 21/11/07	£	160.52	£	388.63
PROJECT 36 07/08	NORWICH & PETERBOROUGH - XMAS TREE	£	51.36	£	388.29
PROJECT 37 07/08	CREMATORIUM - GOVERNOR'S COTTAGE CAMP, EUROPA ADVANCE ROAD	£	8,984.83	£	15,083.70
PROJECT 38 07/08	SAPPHIRE NETWORKS - INFRASTRUCTURE - EUROPORT TO RAGGED STAFF GATES	£	616.13	£	46,890.89

SCHEDULE TO 1018/2009  
GEA COMMERCIAL WORKS 2007-2008

Project No. FY 2007/08	Project Name	EXPENDITURE		REVENUE	
		2007-2008		ACTUAL	
		Financial Yr Total Amount Charged	Financial Yr Amount Received	2007-2008 Financial Yr Amount Received	2007-2008 Financial Yr Amount Received
PROJECT 39 07/08	SUNNYMEDE - 4 RED SANDS ROAD	£ -	£ 1,383.34	£ 1,383.34	£ 1,383.34
PROJECT 40 07/08	S & S COLD STORE - LANCASTER ROAD	£ 13,640.08	£ 17,757.44	£ 17,757.44	
PROJECT 41 07/08	LAND HOLDINGS LTD - 37/6 LINE WALL ROAD	£ -	£ 232.04	£ 232.04	£ 232.04
PROJECT 42 07/08	GIBFIRST MANAGEMENT LTD (RYHALL LTD) - LEANSE PLACE	£ -	£ 47,286.08	£ 47,286.08	£ 47,286.08
PROJECT 43 07/08	OWEN SMITH - NEW YEAR'S CELEBRATIONS 2007, CASEMATES SQAURE	£ 128.78	£ 353.40	£ 353.40	
PROJECT 44 07/08	EXPRESS CATERING LTD - 33A CUMBERLAND ROAD	£ -	£ 318.03	£ 318.03	£ 318.03
PROJECT 45 07/08	MATCHBOX TAKEAWAY - 4B SOUTH BARRACK ROAD	£ -	£ 533.49	£ 533.49	£ 533.49
PROJECT 46 07/08	GOG-BAYVIEW TERRACES - ROSIA ROAD (LV)	£ -	£ -	£ -	
PROJECT 47 07/08	CALPE MARRIED QUARTERS - REFURBISHMENT & CONVERSION - No. 6 CONVENT PLACE	£ -	£ -	£ -	
PROJECT 48 07/08	LADBROKES - NEW POWER SUPPLY - EUROPORT	£ -	£ 1,234.80	£ 1,234.80	£ 1,234.80
PROJECT 49 07/08	ROWING CLUB BOAT SHED	£ -	£ 2,028.95	£ 2,028.95	£ 2,028.95
PROJECT 50 07/08	TSD-TRAFFIC LIGHTS - PELICAN CROSSINGS	£ -	£ 32,979.99	£ 32,979.99	£ 32,979.99
PROJECT 51 07/08	FISH MARKET ROAD - NEW ELECTRICAL ROOM	£ -	£ 2,800.90	£ 2,800.90	£ 2,800.90
PROJECT 52 07/08	SAPPHIRE NETWORKS - HARBOUR VIEWS	£ -	£ -	£ -	
PROJECT 53 07/08	GIBRALTAR TOURIST OFFICE - ST. MICHAEL'S CAVE - RGR SHOW	£ -	£ -	£ -	
PROJECT 54 07/08	NATWEST BANK - 55 LINE WALL ROAD	£ -	£ 189.72	£ 189.72	£ 189.72
		£1,541,536.63	£852,933.74	£ 110,716.78	2008-09
				£ 2,123.10	2006-07
				£ 740,093.86	2007-08
				£ 852,933.74	Total

**NO. 1019 OF 2009**

**THE HON J J BOSSANO**

**SHIPPING REGISTRATION – SHORTFALL IN REVENUE**

To what does Government attribute the shortfall in revenue from shipping registration of £60,000 as between the estimated amount of £850,000 and the forecast outturn of £790,000 for the last financial year?

**ANSWER**

**THE HON THE MINISTER FOR ENTERPRISE, DEVELOPMENT, TECHNOLOGY  
AND TRANSPORT**

The estimated revenue for the Maritime Administration as a whole was a forecast which was submitted based on the number of ships on the registry and the number of staff in post.

The number of ships increased in 2007/2008 by over 8%, while the overall Gross Tonnage increased by 12%. Nevertheless, the sudden and unexpected resignation of two surveyors during the year resulted in an increase in the number of tasks which had to be delegated to the International Classification Societies, in accordance with the agreements with these Classification Societies. This resulted in a decrease in the fees charged by the Gibraltar Maritime Administration, affecting the proposed figures.

In other words, we had to delegate some of our surveys and things to the Classification Societies and therefore they accrued the income and not ourselves. They do it on our behalf and that is normal practice in the industry and it just happened to be that during that year two surveyors went off and before we recruited we found ourselves, for a number of months, having to delegate the work to the Classification Societies.

**HON J J BOSSANO:**

What the Minister is saying is that when that happens, the ship owners pay the Classification Society so the money does not come in and go out?

**HON J J HOLLIDAY:**

Absolutely! Basically, they act as our agent in that and they take the fees by actually undertaking the work. On production of their survey report, we then proceed with whatever needs to be done in terms of registration or whatever but the loss of

revenue has been lost as a result of that work on the surveys etc of ships have been undertaken on our behalf.

ORAL

**NO. 1020 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**ACCEPTANCE OF REPORTS FROM PRIVATE MEDICAL PRACTITIONERS**

What is the policy of the Government as regards the acceptance of reports from private medical practitioners on the medical condition of their employees?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The position is that reports from private medical practitioners on the medical condition of Government employees are accepted subject to the recommendations of the Government's Medical Adviser, the Director of Public Health. The Government have the right to have an individual examined by its own doctors.



ORAL

**NO. 1021 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**CUSTOMS DEPARTMENT – REPORT BY UK CUSTOMS AND EXCISE**

Now that the negotiations with the staff side of the Customs Department have concluded without agreement, will Government be making public the two reports conducted by the experts from Customs and Excise in the UK?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, Sir.

ORAL

**NO. 1022 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**THEATRE ROYAL**

Can Government state whether they have had any formal or informal meetings with the owners of the site where the Theatre Royal was, with a view to purchase the said property and if so on what date and with what result?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1023 of 2009.

**NO. 1023 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**THEATRE ROYAL**

Can Government state whether any further monies have been spent on the site where the Theatre Royal was located, and if so how much and for what purpose, since this question was last answered in this Parliament?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The option to purchase the Theatre Royal has been exercised by the Government. Documentation has been drafted for the conveyance and completion of the purchase should follow shortly. It is in the hands of lawyers.

Approximately £2,500 has been additionally spent on the site of The Theatre Royal on its general maintenance and safety since this question was last answered.

**SUPPLEMENTARY TO QUESTION NOS. 1022 AND 1023 OF 2009**

**HON J J BOSSANO:**

Can the Government say how much it has paid for the site?

**HON CHIEF MINISTER:**

I have not got that information with me but it is the figure produced by the original lease which contained the formula and the option strike price which I think increased every year by the index. I hesitate even from memory. I think it is somewhere in the order of over a million or something like that.

**HON J J BOSSANO:**

Will the cost of this be charged to the Improvement and Development Fund or is it being done through a Government company?

**HON CHIEF MINISTER:**

I believe it is being done through the Government but I cannot be certain how the transaction has been structured. Whether it may be purchased through a commercial property company, I do not know, but certainly the funding I will expect will come, whichever way it happens, through the Improvement and Development Fund because currently there are no company balances. So whichever way it is structured the hon Member will see it.

ORAL

**NO. 1024 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**MOD – NEGOTIATIONS IN RELATION TO SUPPLY OF ELECTRICITY/WATER**

Can Government state whether they have conducted any further negotiation with the MOD in relation to the supply of electricity and water and if so on what date and with what result?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Negotiations remain on-going.

ORAL

**NO. 1025 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**NEW POWER STATION**

Can Government state whether they are now in a position to give a target date when the new power station will commence operations?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1026 of 2009.

**NO. 1026 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**NEW SEWAGE TREATMENT PLANT**

Can Government give a target date when it is envisaged that the construction of the new sewage treatment plant will be completed and confirm where it will be located?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The statutory consultation process in relation to the Environmental Impact Assessment certificate application for the new power station project is still on-going, as is also the case with the Integrated Pollution Prevention and Control certificate application. Until, and only if and when the necessary consents are granted, until then the Government will not be able to give a date for the commencement of this project and therefore its estimated completion date.

No date can yet be given for the commencement of the sewage treatment works project. The Brewery Crusher site remains the Government's preferred site for that project with this again being subject to the necessary consents being granted in the context of the consultation and EIA processes.

**NO. 1027 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**EDUCATION – REPAYMENT OF LOANS OWED BY STUDENTS**

Can Government state what is the procedure for the Department of Education to actually re-pay the loans owed by the students to the company conducting the UK student loan system?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are at present considering the method to be used for the repayment of tuition fees as and when these become repayable by the students to the Student Loan Company in the UK and indeed the Government will at the same time review whether it wishes to carry on participating in the loan scheme or simply make provision. Government are conscious of the fact that what in effect used to be an annual charge in the Consolidated Fund, in effect has become a contingent accumulating liability. We may decide to eliminate that by just either, not participating in the loan scheme at all, which has potential disadvantages because there are circumstances in which the loan is not repayable and we will be forfeiting those and we have to put that in the balance against the fact that, theoretically, you have got three years worth of loans accumulating. After three or four years you would expect the first batch of students affected by it to come through the system. They will get their job. They will start earning the minimum threshold and then there should be a pretty even, thereafter, annual Government liability. So we are going to be considering both of these issues in parallel now that the matter is two or three years old.

**SUPPLEMENTARY TO QUESTION NO. 1027 OF 2009**

**HON J J BOSSANO:**

I take it from that answer, that in fact so far none of the loans have had to be paid. That is to say, we have yet to come up with the first one. Is that the case?

**HON CHIEF MINISTER:**

Well, I think we have not yet come across any which have become repayable by the Government through the student in the context that it was envisaged, but we have



had one or two cases where students or their parents have, without referring the matter to the Government, repaid the loan in England directly because they have given up the course or whatever and then come here asking to be and in fact there is such a case on the Minister's table as we speak. It will have to be dealt with but it is not the norm on this. It has happened a little bit off beat.

**HON J J BOSSANO:**

In cases like that, what the persons concerned are doing is approaching the Government to be refunded what they have repaid to their loan agents, is that the idea?

**HON CHIEF MINISTER:**

Yes, which is not how it is envisaged should happen in the first place. The scheme envisages that when the student has to repay, the Government will provide the funding not that they should have to disburse it and then come and seek a refund but that is how it has happened in this first isolated case which has slightly unusual circumstances attached to it.

ORAL

**NO. 1028 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**EDUCATION – ST BERNARD’S SCHOOL**

Is Government now in a position to say when St Bernard's School will be relocated and whether it is still the intention to relocate it to the old site of St Bernard's Hospital?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No and yes. We are not yet in a position to say when the school will be relocated but it is still the intention, a firm intention, to relocate it to St Bernard's Hospital.

ORAL

**NO. 1029 OF 2009**

**THE HON F R PICARDO**

**On behalf of the Hon S E Linares**

**CITY FIRE BRIGADE – RELOCATION OF STATION**

Can Government state whether it is their policy to move the existing City Fire Brigade Station to another location and if not will they be refurbishing the existing station?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There is no existing project to these effects at this time.

ORAL

**NO. 1030 OF 2009**

**THE HON C A BRUZON**

**HOUSING – SALE OF GOVERNMENT 50% SHARE OF CO-OWNERSHIP HOMES**

Can Government state if there has been any sale of the Government 50% share of co-ownership homes since the answer to Question No. 590 of 2009, providing a breakdown by month and estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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

**Answer to Question of 1030 of 2009**

**Sales of Government- Co Ownership share of Properties**

	SWJG	Montagu Gardens	West View Park	Harbour Views	Montagu Crescent	Totals
Jun-09	Monies Received	£0.00	£0.00	£0.00	£0.00	£0.00
Jul-09	Monies Received	£0.00	£0.00	£9,623.56	£0.00	£54,225.26
Aug-09	Monies Received	£10,304.78	£0.00	£52,755.84	£0.00	£63,060.62
Sep-09	Monies Received	£0.00	£0.00	£0.00	£0.00	£0.00
Totals		£10,304.78	£44,601.70	£62,379.40	£0.00	£117,285.88

ORAL

**NO. 1031 OF 2009**

**THE HON C A BRUZON**

**HOUSING – ALBERT RISSO HOUSE COMPLETION**

Can Government state what is the current estimated date of completion of Albert Risso House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1032 to 1035 of 2009.

ORAL

**NO. 1032 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES COMPLETION**

Can Government state what is the current estimated date of completion of the remaining flats at Waterport Terraces and give a breakdown by block name?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1031 and 1033 to 1035 of 2009.

ORAL

**NO. 1033 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES COMPLETION**

Can Government state how many flats, currently, are still awaiting completion at Waterport Terraces?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1031, 1032, 1034 and 1035 of 2009.



**ORAL**

**NO. 1034 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES**

In connection with Waterport Terraces, can Government state if any of the intending purchasers have withdrawn, and if so, state how many?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1031 to 1033 and 1035 of 2009.

**NO. 1035 OF 2009**

**THE HON C A BRUZON**

**HOUSING – WATERPORT TERRACES**

Can Government state if there is a reserve list for the purchase of a flat at Waterport Terraces, and if so, how many are on the list?

**ANSWER**

**THE HON THE CHIEF MINISTER**

According to the contractor, he expects to complete Albert Risso House in early 2010.

Candytuft House, Rock Rosen House and Buttercup House are expected to be handed over to purchasers during the next 10 to 14 days. Amaryllis House, Sea Daffodil House and Freesia House are expected to be snagged by purchasers in November, with a view to completion notices being issued shortly thereafter.

Completion notices therefore have not yet been issued in respect of 168 properties.

Some prospective purchasers have withdrawn almost from the very first day of this process. Information regarding exactly how many have withdrawn since the original allocation is not easily obtained from the records kept by the GRP Sales Unit. However, it is estimated, that from the date of original allocation, around 120 properties have been surrendered and reallocated for a variety of different reasons affecting the purchasers.

There is no reserve list now for the purchase of a property at Waterport Terraces.

**SUPPLEMENTARY TO QUESTION NOS. 1031 TO 1035 OF 2009**

**HON C A BRUZON:**

In connection with the answer given to Question No. 1031 of 2009 concerning Albert Risso House, does the Chief Minister not consider that it is quite disgraceful that having made a serious commitment before the elections in 2007 that Albert Risso House would be completed in early 2008?

**HON CHIEF MINISTER:**

Well, it depends what the hon Member means by serious commitment. If he wants we can have the debate all over again, that we had last time about the difference between conveying information to people on the basis of best information available on the one hand and allegedly breaking promises made which is how he, suits him to see it presented and see it on the other. I have no intention of having that debate with him again. Otherwise we shall have it every time there is a question session in this House. Every time that we have been asked and all the information that we have been given, has been on the basis of the commitment at that time contractual of the contractor. It is true, as he knows, that the contractor has suffered significant delays. No doubt he will continue to hold us politically accountable for that and indeed physically responsible for that. Most people in Gibraltar, like the Government, regret the delays. Understand nevertheless that it is physically outside of the control of the Government and that there is no point in blaming the Government for things which it cannot do anything about. The most that the Government can do is contract a reputable building contractor to do work. Thereafter, when the finished product is handed to the Government, is not in the Government's control and I suppose that you will continue to make political capital out of this issue until the last house is given. If I were him I might try and do the same. But to do it every three months is perhaps squeezing the lemon just a little bit too much but as often as he asks me I will give him the same answers.

ORAL

**NO. 1036 OF 2009**

**THE HON C A BRUZON**

**HOUSING – BAYVIEW TERRACES, CUMBERLAND TERRACES AND NELSON'S VIEW**

With reference to Bayview Terraces, Cumberland Terraces and Nelson's View, can Government give a breakdown of the current sales details for each, 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**

Yes, it is a great pleasure for me to give the hon Member the information that he seeks.

**ANSWER TO QUESTION 1036**

**Breakdown of sales details at Nelson's View, Bayview Terraces and Cumberland Terraces by purchaser share**

Development	50%		55%		60%		65%		70%		Purchaser share				88%		100%		Total
	21	3	16	1	22	4	1	5	1	1	75%	78%	80%	85%	88%	100%	100%	100%	
Nelson's View	21	3	16	1	22	4	1	5	1	1							49	123	
Bayview Terraces	7		8	3	24	2		3									30	77	
Cumberland Terraces	41		23		25	4		5	1	1							30	130	
<b>Total</b>	<b>69</b>	<b>3</b>	<b>47</b>	<b>4</b>	<b>71</b>	<b>10</b>	<b>1</b>	<b>13</b>	<b>2</b>	<b>1</b>	<b>109</b>	<b>109</b>	<b>109</b>	<b>109</b>	<b>109</b>	<b>109</b>	<b>109</b>	<b>330</b>	

ORAL

**NO. 1037 OF 2009**

**THE HON C A BRUZON**

**HOUSING – SOUTH DISTRICT HOME OWNERSHIP SCHEMES**

Can Government give an update on the current state of play in connection with the construction of the three home ownership schemes in the South District?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1038 and 1039 of 2009.

ORAL

**NO. 1038 OF 2009**

**THE HON C A BRUZON**

**HOUSING – BAYVIEW TERRACES, CUMBERLAND TERRACES, NELSON'S VIEW COMPLETION**

With reference to Bayview Terraces, Cumberland Terraces and Nelson's View, can Government state what is the current estimated date of completion for each of these home ownership schemes?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1037 and 1039 of 2009.

**NO. 1039 OF 2009**

**THE HON C A BRUZON**

**HOUSING – RESERVE LISTS FOR PURCHASE OF BAYVIEW TERRACES,  
CUMBERLAND TERRACES AND NELSON'S VIEW**

Can Government state how many persons are currently listed as applicants on the reserve list for the purchase of a flat at each of Bayview Terraces, Cumberland Terraces and Nelson's View?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, since the second of those two questions asks specifically for the current estimated completion date, the first that asks for "the current state of play" must be asking for something other than the current date for completion and it is really not possible for me to guess what the hon Member might mean by "the current state of play" in connection with the construction of the three homes. I have therefore done my best to crawl around inside the hon Member's head and wonder what it is that he may have in mind.

Assuming that I have done so with some modest degree of success, and that he meant by "current state of play" what the situation is relating to the contracts following the termination of the Haymills' contracts after the going of that company into liquidation. Then and assuming that that is what he is aiming at, the position is that as I think is now well known, new contracts were entered into by the Government with Gibraltar Joinery and Building Services Limited for completion of these projects. Gibraltar Joinery and Building Services Ltd is an excellent construction company and the Government is very proud to be its shareholder and I wanted to take this opportunity to place on record the Government's admiration and appreciation to the management and staff of GJBS for the consummate professionalism with which they have stepped into the breach to complete these three complex projects in order to minimise the delay that purchasers might suffer as a result of the financial failure of the appointed contractors Haymills.

The Government's consultants believe that Cumberland Terraces are likely to be completed in November and Nelson's View and Bayview Terraces by Easter.

There are currently 119 applicants on the reserve list for a flat at these developments.



**NO. 1040 OF 2009**

**THE HON C A BRUZON**

**HOUSING – SOUTH DISTRICT HOME OWNERSHIP SCHEMES**

Can Government state what is the criteria in order to qualify for the purchase of a flat within the Government's home ownership schemes in the South District?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The criteria are as published at the time by OEM with the approval of the Government in the published terms and conditions and if the hon Member has mislaid the copy of those that I have no doubt he has had, I am very happy to pass a copy of those to him now if he wants it. Would he like that? Again, I am delighted to be able to assist him.

**SUPPLEMENTARY TO QUESTION NO. 1040 OF 2009**

**HON J J BOSSANO:**

Is it not the case that the original OEM offer, was not related to people having to be eligible for Government housing. That it was open to any residents. Is that the case?

**HON CHIEF MINISTER:**

No. I believe that is not the case. I would have to check. The hon colleague has passed a document..... to that side..... pass it on to him. I believe that it was limited and there may have been provision, although I do not remember if we introduced this for the first time in Waterport Terraces or there was one estate where we introduced this long term resident but I do not think it was.....

**HON C A BRUZON:**

The reason why I ask that question is because there has been a case, I think more than one, where people were successfully balloted for the purchase of a home in the South District and were later told that they did not qualify because there was some technical problem with regards to their status and of course this constituent of ours came to explain the situation to me and of course I thought I would try to put a question, in general terms, to see exactly who the offer to purchase applied. I can

look through that document again which I have somewhere in my office. It is just that I wanted to make absolutely sure that the Government was aware, by way of asking supplementary questions, that there have been cases of people who were successfully balloted and then were told that they did not qualify. Yesterday, I got a phone call from one of them to say that they had been called and told that they could go and choose a flat so obviously something must have happened.

**HON CHIEF MINISTER:**

Well, unlikely though it is he should just console himself with the thought that it was his intervention in the House that had that result although I doubt it because these things are normally looked at objectively. There are many people who, I do not know what he means by successfully balloted in the context that it is usually what happens in an industrial dispute, apply for a house and they do not comply and those would not normally go into the draw. Those would normally be weeded out before they went into the draw and then there are some occasions, of which I have been made aware, when someone was eligible for a particular house by virtue of a particular circumstance, for example, that he was planning to get married and that they were a couple, and that circumstance might suddenly change thereby rendering them no longer compliant. There have been a number of cases like that including at Waterport Terraces. So, there may be an explanation why somebody is once eligible and then becomes ineligible in accordance with the criteria. When he looks at the criteria, I think the hon Member will see that there are some of them that one can sort of cease to be and that has happened quite a lot. I am surprised he has only had one or two people complaining about that.

**HON J J BOSSANO:**

I appreciate the Chief Minister does not have the criteria because he has passed it over to this side of the House but in fact in the first clause of eligibility, paragraph 1(d), the fourth category is a person who has been residing in Gibraltar for at least ten years at the time of application. That would indicate that in fact it does not have to be..., never mind not being a Gibraltarian or being on the housing list, it can be anybody of any nationality that has been here for ten years according to this. So, it would seem ...

**HON CHIEF MINISTER:**

If that is what it says. What I have said in my answer is that those are the conditions that currently prevail and they have not been changed. So whatever that says. I am not personally familiar with the intricacies of them. I was at the time, but whatever it says there, is the position.

**HON J J BOSSANO:**

I do not think we have ever sort of discussed this but it does seem peculiar that when the Government approved this it says here that in order to buy you must be on the Government of Gibraltar housing list excluding the pre-list. So that means if you are on the pre-list you are excluded but if you are not on any list at all, you are included.

**HON CHIEF MINISTER:**

No. Even if it were capable of being read that way, that is not the intention and it would not work like that.

**ORAL**

**NO. 1041 OF 2009**

**THE HON C A BRUZON**

**HOUSING – BAYVIEW TERRACES, CUMBERLAND TERRACES AND NELSON'S VIEW**

Given the answer to Question No. 591 of 2009 showing a total sales of 331 flats, what is the position concerning the balance of 77 flats which is the figure required to bring the total being constructed in the South District to 408?

**ANSWER**

**THE HON THE CHIEF MINISTER**

These flats are in the process of being allocated to the successful applicants who took part in the final draw of the second round of allocation.

**NO. 1042 OF 2009**

**THE HON F R PICARDO**

**GBC REVIEW**

What progress if any has been made in respect of the review of GBC?

**ANSWER**

**THE HON THE CHIEF MINISTER**

When Government is in a position to make a public announcement about the future of GBC, it will do so. In the meantime the status quo will continue to prevail. We do not see this as a matter in which it is appropriate to give an account of work in progress. I do however, do not mind to telling the hon Member that at the moment our target date for having a Government position on how we would like GBC to go forward is the end of this year.

**SUPPLEMENTARY TO QUESTION NO. 1042 OF 2009**

**HON F R PICARDO:**

It has been the end of this year for some time. The Chief Minister has been telling me that in answers to questions now, I think at least for the two sessions we have already had this year. Does the Chief Minister expect to make a public statement in relation to that or is it that he is going to progress the review internally at GBC before the end of the year?

**HON CHIEF MINISTER:**

Well no. Just to answer the last bit first. It is not the intention for the Government just to get on quietly with implementing whatever it decides. When the Government has a position it will share it first of all with stakeholders, the board and staff at GBC and then we will make a public statement with what it's preferred way forward is. We have had a discussion before about what he calls delays. The review of GBC is something that the Government has decided to do. In the meantime, the only thing different is that there is a triumvirate leadership, a rotating leadership instead of a single fixed leadership. That does not place the Government under the sense that it needs to get on quickly. I know that there are people who are critical of the rotating leadership. It is a management model which is applied elsewhere. We do not think it is that bad. We think that this is something that we would all like to put behind us but as I think I have also told him in the past, this is a file that sometimes slips down the priority list when other more urgent matters overtake it and we invest time in it as we

can. So whilst we would like to finish the review, as soon as possible, and announce what the Government's position will be, unlike the hon Member, as he shows through his persistent questioning on this, we are not here labouring under the view that this is something that is very urgent and all this delay and why is it not being done already and when is it going to be done and that sort of thing. Although we do understand that it is probably better that it should not linger indefinitely.

**HON F R PICARDO:**

The Chief Minister knows that we take the view that the triumvirate at the top of GBC is an issue that needs to be resolved sooner rather than later and I acknowledge that he acknowledges that in the way that he has replied initially. Has he considered further at all the possibility of making available not just for the Opposition but to the community at large the provisions of the review document that was provided to the Government by its consultant Mr King which would inform the whole of the community on what it is that the Government is itself or is informing the Government's consideration of this review?

**HON CHIEF MINISTER:**

The Government would certainly not publish that document in advance of formulating its own position but certainly has not made any decision that it will not publish the report at the appropriate time, that is after it has formulated its own position, but there is no question of the Government publishing the report at this stage when the report is still informing the Government's internal decision-making process.

**HON F R PICARDO:**

Can he confirm to us now that the report is now in final form? It is no longer a draft report. It is now a final report which is therefore informing the Government.

**HON CHIEF MINISTER:**

Well I have assumed that it is in final form. No one has suggested to me that it is still in draft or that there may be further versions coming. It is frankly... Time has passed. I assume it is final. I have not looked on it to see if it says final but I am proceeding on the assumption that it is final.

**HON F R PICARDO:**

Have the costs of that report now being paid to the consultant or are there still further payments to be made?

**HON CHIEF MINISTER:**

Again, I assume that it has all been paid. I think the invoices were submitted at the time. I cannot be certain of this so if he would please, gratefully not hold me to it but I assume that it has all been paid.

**NO. 1043 OF 2009**

**THE HON F R PICARDO**

**COST OF SUPPLEMENT PUBLISHED IN SPANISH NEWSPAPER “EXPANSION”**

What was the cost to the Government of the Gibraltar supplement published in the Spanish newspaper ‘Expansion’ on 26<sup>th</sup> August 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government paid €16,500. Perhaps if I can just add to that! The way that that particular publication does its reports is that it either offers the principle sponsor the opportunity to advertise which we did not take up. We took the other alternative which is that one can pay instead for images of your country, of Gibraltar. So, in effect, this is the cost of one full colour page spread throughout. So I think the photograph on the front page and the five or six photographs on page three, I think, he will see makes up a whole page and we opted for photographs, images of Gibraltar, rather than advertorial text or things of that sort. We preferred to leave the text to their editorial assessments and to the interviewees of which there are many from the private sector.

ORAL

**NO. 1044 OF 2009**

**THE HON F R PICARDO**

**FINANCIAL SERVICES – CONFERENCES**

Can Government give the cost, with a breakdown, of attendance at all and any conferences which related or were considered to relate to financial services in the months from the last answer in this House to date, giving the name of the conference, the offices of those who might have attended as part of the Government delegation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, the information the hon Member has requested is on the schedule that I now hand over to him.



## **ANSWER TO QUESTION NO. 1044 OF 2009**

The Finance Centre Department attended the following conferences in the months from the last answer in this House to date.

### **14<sup>th</sup> – 19<sup>th</sup> June 2009**

#### **Global Alternative Investments Management (GAM) 2009 in Monaco.**

Attended by: Francis Sanchez – Executive Officer

Flights and Hotel Accommodation	£ 1,834.00
Conference costs	£18,762.40
Expenses	<u>£ 876.08</u>
	£21,472.48

The private sector's contribution towards the costs of the exhibition is £8,000; the contribution consisting of £2,000 per attendee from local firms. The net cost to Government is therefore £13,472.48.

### **16<sup>th</sup> – 19<sup>th</sup> June 2009**

#### **Funds and Wealth Management and Insurance Seminars in London.**

Attended by: Mrs Nyoka Catania – Administrative Officer  
Miss Mireille Alsina – Administrative Officer

Flights	£ 440.00
Hotel Accommodation	£ 1,914.75
Subsistence	£ 307.32
Expenses	£ 138.79
Courier	£ 204.10
Conference Costs	<u>£17,857.62</u>
	£20,862.58

The private sector's contribution towards the costs of the seminars in London is £13,675; the contribution consisting of £250 per attendee from Gibraltar and £25 per guest. The net cost to Government is therefore £7,187.58.

### **28<sup>th</sup> September – 2<sup>nd</sup> October 2009**

#### **Funds and Wealth Management Seminars in Zurich and Geneva**

Attended by: Mr James Tipping – Finance Centre Director  
Mrs Sabrina Ramagge – Executive Officer

Flights	£ 1,354.00
Hotel Accommodation	£ 1,652.92
Subsistence	£ 103.88
Expenses	£ 460.47
Courier	£ 300.00
Conference costs	<u>£21,567.31</u>
	£25,438.58

We are in the process of billing the private sector for £16,300 being their contribution towards the costs of the seminars in Zurich and Geneva; the contribution consisting of £250 per attendee from Gibraltar and £25 per guest. The net cost to Government will be £9,138.58.

ORAL

**NO. 1045 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 2 STATUS**

Can Government state how many individuals joined the register of people with Category 2 status in Gibraltar as at the end of each of the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1046 to 1051 of 2009.

ORAL

**NO. 1046 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 2 STATUS**

How many individuals have surrendered Category 2 status since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1045 and 1047 to 1051 of 2009.

ORAL

**NO. 1047 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 2 STATUS – APPROVED PROPERTIES IN MAIN STREET**

How many properties in Main Street have been approved for use by Category 2 individuals?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1045, 1046 and 1048 to 1051 of 2009.

ORAL

**NO. 1048 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 3 STATUS**

Can Government state how many individuals joined the register of people with Category 3 status in Gibraltar in each month since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1045 to 1047 and 1049 to 1051 of 2009.

ORAL

**NO. 1049 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 3 STATUS**

How many individuals have surrendered Category 3 status since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1045 to 1048, 1050 and 1051 of 2009.

ORAL

**NO. 1050 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 4 STATUS**

Can Government state how many individuals joined the register of people with Category 4 status in each month since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1045 to 1049 and 1051 of 2009.



**NO. 1051 OF 2009**

**THE HON F R PICARDO**

**CATEGORY 4 STATUS**

How many individuals have surrendered Category 4 status since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The monthly number of persons joining the Category 2 register are as follows:

June 09	5
July 09	3
Aug 09	1
Sept 09	0
Up to 6 Oct 09	0

A total of five individuals have surrendered their Category 2 Status since that date, since the question was last answered.

It is impossible, within the time-frame available, to give an accurate figure on how many properties in Main Street have been approved for use by Category 2 individuals since the status began in 1999.

However, as from 2006 records indicate that one property in Main Street has been approved for use by Category 2 individuals.

No individuals have joined the register of people with Category 3 or 4 status since the last answer was given since these no longer exist.

A total of 43 individuals surrendered Category 3 status and there are no remaining Category 4 status individuals in Gibraltar.

ORAL

**NO. 1052 OF 2009**

**THE HON F R PICARDO**

**COMPANIES REGISTER**

How many companies have been removed from the companies register in each of the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1053 and 1054 of 2009.

ORAL

**NO. 1053 OF 2009**

**THE HON F R PICARDO**

**COMPANIES REGISTER**

Can Government list the companies formed in Gibraltar in each of the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1052 and 1054 of 2009.

ORAL

**NO. 1054 OF 2009**

**THE HON F R PICARDO**

**COMPANIES REGISTER**

Can Government state how many companies have been re-domiciled out of Gibraltar in each of the months since the last answer in this House and how many of these asked for their registrations to be cancelled?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information the hon Member has requested is on the schedule that I now hand to him.

## **ANSWER TO QUESTION NO. 1054 OF 2009**

### **Answer to Question No. 1052 of 2009**

The companies removed from the companies register in each of the months since the last answer in this House are as follows:

June 09	111
July 09	130
August 09	176
September 09	133

### **Answer to Question No. 1053 of 2009**

The companies formed in Gibraltar in each of the months since the last answer in this House are as follows:

June 09	123
July 09	179
Aug 09	108
Sept 09	141

### **Answer to Question No. 1054 of 2009**

The companies re-domiciled out of Gibraltar in each of the months since the last answer in this House are as follows:

The register gives consent 30 days after the notice is issued and consent is given almost without exception.

June 09	1
July 09	1
Aug 09	1
Sept 09	2

ORAL

**NO. 1055 OF 2009**

**THE HON F R PICARDO**

**BANKING SECTOR**

Can Government state how many persons were employed in the banking sector in Gibraltar, giving a breakdown by bank and by nationality (showing how many are Gibraltarian) in the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1056 of 2009.

ORAL

**NO. 1056 OF 2009**

**THE HON F R PICARDO**

**INSURANCE INDUSTRY**

What is the total number of persons employed in the insurance industry in Gibraltar giving a breakdown by company and by nationality (showing how many are Gibraltarian) in the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information the hon Member has requested is on the schedule that I now hand to him.

## **ANSWER TO QUESTION 1056 OF 2009**

### **Answer to Question 1055**

#### **Banking**

Month	No. of Employers	No. of Employees	Gib	Other British	Spanish	Moroccan	Other EEC	Other Non-EEC
June 09	14	683	436	149	40	0	56	2
July 09	14	675	431	148	39	0	55	2
August 09	14	674	430	147	39	0	56	2
September 09	14	673	429	147	40	0	55	2

### **Answer to Question 1056**

#### **Insurance**

Month	No. of Employers	No. of Employees	Gib	Other British	Spanish	Moroccan	Other EEC	Other Non-EEC
June 09	28	219	115	88	5	0	10	1
July 09	28	219	117	87	5	0	9	1
August 09	28	219	116	87	5	0	10	1
September 09	28	221	116	89	5	0	10	1

These figures have been provided by the ETB and might be slightly inflated as some employers do not always deregister employees once they leave the company. However, we have been informed by the ETB that the insurance industry and banking sector are generally compliant.



ORAL

**NO. 1057 OF 2009**

**THE HON F R PICARDO**

**BANKING LICENCES**

Can Government state whether any new banking licences have been issued in the months since the last answer in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1058 and 1059 of 2009.

ORAL

**NO. 1058 OF 2009**

**THE HON F R PICARDO**

**FINANCIAL SERVICES (BANKING) ACT**

Has Government made any decision in exercise of its powers under section 23 (3) (i), (j) or 3A of the Financial Services (Banking) Act, and if so how many?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1057 and 1059 of 2009.

**NO. 1059 OF 2009**

**THE HON F R PICARDO**

**FINANCIAL SERVICES (BANKING) ACT**

Has the Government refused consent for any application made under section 74A of the Financial Services (Banking) Act, and if so how many?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No new banking licences have been issued since the last answer in this House.

As at today, I have not formally withheld consent in exercise of powers in Section 23 of the Financial Services (Banking) Act but there are two cases of the sort that would require my consent in the pipeline and are under consideration.

**SUPPLEMENTARY TO QUESTION NOS. 1057 TO 1059 OF 2009**

**HON F R PICARDO:**

The Chief Minister answered in respect of Section 23. Is it the same answer for Section 74?

**HON CHIEF MINISTER:**

Yes. It had not been exercised. If he will refresh my memory, the other sections are about shareholders and names. So it is yes.

**HON F R PICARDO:**

When he says that there are two cases of the sort that would require or that might engage those sections in one way or the other, is it that those are already with him or that they are still with the regulator and he is just aware of them?

**HON CHIEF MINISTER:**

Well they would be with the licensor, not with the regulator but one is with me and in respect of the other, it is not clear whether it is with me, and I have asked for that clarification.

**NO. 1060 OF 2009**

**THE HON F R PICARDO**

**CHIEF MINISTER'S OFFICIAL TRAVEL COSTS**

Can the Government give a breakdown of the cost of all travel by the Chief Minister since the last answer in this House to date stating:

- (a) what the purpose of travel was;
- (b) who travelled with the Chief Minister
- (c) who the Chief Minister intended to meet on each of the journeys undertaken;  
and
- (d) a breakdown of the travel expenses incurred?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1064 and 1065 of 2009.

ORAL

**NO. 1061 OF 2009**

**THE HON F R PICARDO**

**CHIEF MINISTER – ACCOMMODATION AND SUBSISTENCE COSTS IN  
RESPECT OF LONDON TRIP**

Can the Government provide a breakdown of the accommodation costs of £1,151.90 and the subsistence costs of £1,892.18 charged in respect of the 3 day trip to London by the Chief Minister between 30<sup>th</sup> March and 1<sup>st</sup> April 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1062 and 1063 of 2009.

ORAL

**NO. 1062 OF 2009**

**THE HON F R PICARDO**

**CHIEF MINISTER – ACCOMMODATION AND SUBSISTENCE COSTS IN  
RESPECT OF LONDON TRIP**

Can the Government provide a breakdown of the accommodation costs of £1,164.40 and the subsistence costs of £2,083.13 charged in respect of the 3 day trip to London by the Chief Minister between 11<sup>th</sup> May and 13<sup>th</sup> May 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1061 and 1063 of 2009.

**NO. 1063 OF 2009**

**THE HON F R PICARDO**

**CHIEF MINISTER – SUBSISTENCE COSTS FOR TRIP TO LONDON**

Can the Government provide a breakdown of the subsistence costs of £1,552.50 charged in respect of the 1 day trip to London by the Chief Minister between 1<sup>st</sup> June and 2<sup>nd</sup> June 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The £1,151.90 comprised of £1,092.50 room charge; £0.80 in respect of newspapers; and £58.60 for room service.

The £1,892.18 comprised two uses of the Gatwick VIP Lounge at £776.25 a time; £248.88 for care hire; £41.00 for Gatwick Express tickets and £49.80 for dinner.

The £1,164.40 comprised £1,092.50 room charge; £0.90 newspapers; and £71.00 room service. The £2,083.13 comprised two uses of the Gatwick VIP Lounge at the aforementioned rate per go; £163.20 for the use of a car, and there was £367.43 which was included in the last answer from which he derived this question which was not subsistence costs relating to the Chief Minister's travel, and therefore should not have been included as such in the answer to Question No. 280 of 2009.

The £1,552.50 was two uses of the Gatwick VIP Lounge at the aforementioned rate.

**SUPPLEMENTARY TO QUESTION NOS. 1061 to 1063 OF 2009**

**HON F R PICARDO:**

Does the Chief Minister have the information of what the £367.43 that should not have been charged actually was?

**HON CHIEF MINISTER:**

I do not have it here with me but I think it is an event that I hosted at the Gibraltar Office.

ORAL

**NO. 1064 OF 2009**

**THE HON F R PICARDO**

**COST OF VIP LOUNGE AT GATWICK**

What has been the exact cost charged to the Government in respect of the use by the Chief Minister of the VIP lounge at Gatwick on each occasion that the use of the lounge has been charged for since 2005, giving a breakdown by each occasion on which the said lounge has been used?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1060 and 1065 of 2009.



**NO. 1065 OF 2009**

**THE HON DR J J GARCIA**

**CHIEF MINISTER/MINISTERS' OFFICIAL AIR TRAVEL COSTS**

Can Government list the cost to the taxpayer of air travel 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**

Yes, the information requested by the hon Member is in the schedule which I now hand to him.

I should just point out to him that this week's use of the lounges are not included because they have not yet been invoiced.

**ANSWER TO QUESTION 1065**

**Answer to Question 1060**

Date	Purpose	Persons Travelling With CM	Met With	Air Fares	Accommodation	Subsistence & Other Costs
5th - 7th July	Trilateral Forum of Dialogue - Madrid	Mr R Garcia. Mr R Armstrong Mr P Montegriffo Mr F Cantos Mr D Tilbury Mr E Lopez	Trilateral Forum	£367.00	£736.64	£526.53
2nd September	New Air Terminal Meeting Under Trilateral Process Madrid	Mr R Garcia. Mr R Armstrong Mr N Pardo Mr C Purkiss Mr D Tilbury Mr C Sanchez	Trilateral Forum	£443.00	N/A	N/A
27th - 28th September	Labour Party Conference	Mr J Reyes	GoG Reception	£1,197.50	Not Yet Invoiced	Not Yet Invoiced
30th September - 1st October	Finance Centre Seminar Geneva	Mr J Reyes	Senior Executives From Credit Suisse Lombard Odier	£2,067.00	£1,010.44	Not Yet Invoiced
5th - 6th October	Conservative Party Conference	Mr J Reyes	GoG Reception	£170.50	Not Yet Invoiced	Not Yet Invoiced
6th - 8th October	United Nations	Mr R Garcia	UN Address to the 4th Committee	Not Yet Invoiced	Not Yet Invoiced	Not Yet Invoiced

Contd.....

**ANSWER TO QUESTION 1065**

**Answer to Question 1064**

**Use of VIP Facilities at Gatwick**

No charge prior to June 2006

07.06.06	VIP Suite Gatwick	165.00
08.09.06	VIP Suite Gatwick	165.00
28.09.06	VIP Suite Gatwick	165.00
03.10.06	VIP Suite Gatwick	165.00
05.10.06	VIP Suite Gatwick	165.00
05.10.06	VIP Suite Gatwick	165.00
29.10.06	VIP Suite Gatwick	165.00
13.10.06	VIP Suite Gatwick	165.00
17.10.06	VIP Suite Gatwick	165.00
16.12.07	VIP Suite Gatwick	165.00
20.12.07	VIP Suite Gatwick	165.00
01.02.08	VIP Suite Gatwick	165.00
04.03.08	VIP Suite Gatwick	165.00
06.03.08	VIP Suite Gatwick	165.00
07.05.08	VIP Suite Gatwick	793.13
10.05.08	VIP Suite Gatwick	793.13
17.06.08	VIP Suite Gatwick	793.13
23.06.08	VIP Suite Gatwick	793.13
01.07.08	VIP Suite Gatwick	793.13
03.07.08	VIP Suite Gatwick	793.13
08.07.08	VIP Suite Gatwick	793.13
09.07.08	VIP Suite Gatwick	793.13
28.09.08	VIP Suite Gatwick	793.13
19.10.08	VIP Suite Gatwick	793.13
22.10.08	VIP Suite Gatwick	793.13
06.11.08	VIP Suite Gatwick	793.13
19.01.09	VIP Suite Gatwick	776.25
21.01.09	VIP Suite Gatwick	776.25
16.02.09	VIP Suite Gatwick	776.25
22.02.09	VIP Suite Gatwick	776.25
24.02.09	VIP Suite Gatwick	776.25
26.02.09	VIP Suite Gatwick	776.25
30.03.09	VIP Suite Gatwick	776.25
01.04.09	VIP Suite Gatwick	776.25
11.05.09	VIP Suite Gatwick	776.25
13.05.09	VIP Suite Gatwick	776.25
01.06.09	VIP Suite Gatwick	776.25
02.06.09	VIP Suite Gatwick	776.25

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£21142.56

Contd.....

**CONTD ANSWER TO QUESTION 1065**

**Answer to Question 1065**

**CHIEF MINISTER'S AIR TRAVEL**

Destination	Dates	Amount	Airline	Seat Category	Travel Agent
Madrid	5th - 7th July	£367.00	Andalus	Economy	Bland
Madrid	2nd September	£443.00	Andalus	Economy	Bland
London/Brighton	27th - 28th September	£1,197.50	BA	Business	Bland
Geneva	30th September - 2nd October		Andalus Iberia Swissair	Economy Business Business	
Manchester	5th - 7th October	£2,067.00	Monarch	Economy	Bland
New York	6th - 8th October	£170.50	BA	Business	N/A Online Bland

**MINISTER'S AIR TRAVEL**

Minister	Destination	Dates	Amount	Airline	Seat Category	Travel Agent
The Hon. E Britto	Guernsey	14th - 18th June	£1,243.20	BA	Business	Bland
The Hon. E Britto	London	29th June - 1st July	£1,502.20	FlyBe	Business	Bland
The Hon. E Britto	Tanzania	27th September - 7th October	£4,924.80	BA	Business	Bland
The Hon. J Netto	Tanzania	28th September - 7th October	£5,151.10	Precision Air KLM	Economy Business	Bland
The Hon. C Beltran	Guernsey	14th - 18th June	£1,012.40	Transavia BA	Economy	Bland
The Hon. E Reyes	Brussels	18th - 21st June	£1,543.10	FlyBe BA	Economy	Bland
The Hon. E Reyes	Aland	29th June - 4th July	£2,045.98	Brussels Air BA Air Aland	Business Business Economy	Bland Bland and Charter through Gibraltar Island Games Association

ORAL

**NO. 1066 OF 2009**

**THE HON F R PICARDO**

**NEW TAX REFORM LEGISLATION**

Given that the Government has now missed its intended publication date of June (and its "slippage" date of September) for the text of the new proposed tax legislation, when does Government expect to publish the Bill or consultation document for the new tax reform legislation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Well, the telegraphic answer is as soon as we are ready to do so. The matter is under intense drafting work by lawyers as he may be aware with whom I meet regularly and it is just not yet ready. When it is, it will be detailed and comprehensive but there is nothing that I can do to speed up the completion of the legal drafting process but it is very advanced now.

**NO. 1067 OF 2009**

**THE HON F R PICARDO**

**HAYMILLS – PAYMENTS BY GOVERNMENT**

What is the total sum paid by Government to Haymills (or any associated company) in respect of each of the following projects, giving a breakdown by project and the dates when the payments were made:

- (a) Bayview;
- (b) Nelsons View;
- (c) Cumberland;
- (d) Trafalgar Interchange; and
- (e) any other project?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand to the hon Member a schedule containing almost all of that information but because he has not given a date in the question, the “(e) any other project” theoretically goes back to the very first day that Haymills was established in Gibraltar which is not just doable. So I think there is information there going back to the last few financial years. Certainly all the payments made for the projects listed by name at (a) to (d).

**Answer to Question 1067/2009:**

**Schedule of contract payments to Haymills by project in the financial years 2007/08 to 2009/10:**

<b>Summary:</b>	Nelson's View	9,748,405	
	Cumberland Terraces	11,822,127	
	Bayview Terraces	6,513,712	
			<b>£28,084,244</b>
	Public Market		<b>£30,102</b>
	Trafalgar Interchange		<b>£201,821</b>
	Fish Market Road - Phase 3		<b>£1,098,343</b>

**Project: Nelson's View**

Date	Certificate No.	Certificate Amt.
		<b>£</b>
18/12/2007	44	1,010,899
18/02/2008	45	174,185
13/03/2008	46	221,373
18/03/2008	47	417,075
31/03/2008	48	152,699
15/04/2008	49	190,350
02/05/2008	50	453,985
15/05/2008	51	184,385
27/05/2008	52	139,212
09/06/2008	53	598,885
27/06/2008	54	41,260
10/07/2008	55	178,309
22/07/2008	56	76,858
01/08/2008	57	111,403
20/08/2008	58	424,435
09/09/2008	59	658,833
19/09/2008	60	327,586
29/09/2008	61	210,090
16/10/2008	62	43,794
31/10/2008	63	94,253
14/11/2008	64	242,801
26/11/2008	65	205,490
06/12/2008	66	188,235
09/12/2008	67	206,656
23/12/2008	68	355,582
19/01/2009	69	452,745
05/02/2009	70	560,185
12/02/2009	71	156,730
26/02/2009	72	367,241
10/03/2009	73	264,613
13/03/2009	74	264,613
03/04/2009	75	81,986
09/04/2009	76	76,544
17/04/2009	77	81,172
23/04/2009	78	47,402
01/05/2009	79	143,432
08/05/2009	80	76,569
15/05/2009	81	67,001
22/05/2009	82	66,569
28/05/2009	83	108,483
30/07/2009	84	2,489
30/07/2009	85	22,000
		<b>£9,748,405</b>

**Project: Cumberland Terraces**

Date	Certificate No.	Certificate Amt. £
18/12/2007	47	1,093,648
21/12/2007	48	232,917
06/02/2008	49	712,435
18/02/2008	50	723,130
13/03/2008	51	564,154
18/03/2008	52	171,808
31/03/2008	53	346,962
15/04/2008	54	289,265
02/05/2008	55	227,812
15/05/2008	56	227,954
27/05/2008	57	173,757
09/06/2008	58	561,295
27/06/2008	59	274,927
10/07/2008	60	237,497
22/07/2008	61	304,631
01/08/2008	62	213,822
20/08/2008	63	487,767
09/09/2008	64	458,912
09/09/2008	65	317,343
09/09/2008	66	286,973
09/09/2008	67	390,829
31/10/2008	68	51,428
14/11/2008	69	394,631
26/11/2008	70	359,665
06/12/2008	71	303,057
09/12/2008	72	180,689
23/12/2008	73	519,756
19/01/2009	74	359,729
05/02/2009	75	454,875
12/02/2009	76	148,216
26/02/2009	77	228,975
10/03/2009	78	9,100
13/03/2009	79	36,690
30/03/2009	80	73,380
03/04/2009	81	36,690
09/04/2009	82	14,676
17/04/2009	83	14,676
23/04/2009	84	14,676
01/05/2009	85	14,676
08/05/2009	86	14,676
15/05/2009	87	14,676
22/05/2009	88	14,676
28/05/2009	89	14,676
19/06/2009	90	50,000
25/06/2009	91	50,000
03/07/2009	92	50,000
13/07/2009	93	50,000
17/07/2009	94	50,000
		<b>£11,822,127</b>



**Project: Bayview Terraces**

Date	Certificate No.	Certificate Amt. £
18/12/2007	25	240,933
18/02/2008	26	78,341
13/03/2008	27	126,794
18/03/2008	28	124,616
31/03/2008	29	101,243
15/04/2008	30	106,664
02/05/2008	31	104,671
15/05/2008	32	149,132
27/05/2008	33	133,614
09/06/2008	34	233,308
26/06/2008	35	122,871
10/07/2008	36	264,579
22/07/2008	37	493,081
08/08/2008	38	345,358
20/08/2008	39	506,961
09/09/2008	40	104,005
16/10/2008	41	26,682
31/10/2008	42	291,227
14/11/2008	43	45,625
26/11/2008	44	147,879
06/12/2008	45	105,369
09/12/2008	46	359,556
19/01/2009	47	387,526
05/02/2009	48	326,839
12/02/2009	49	104,421
26/02/2009	50	240,031
10/03/2009	51	46,149
13/03/2009	52	79,737
30/03/2009	53	185,150
03/04/2009	54	60,464
09/04/2009	55	206,780
17/04/2009	56	99,284
23/04/2009	57	33,113
01/05/2009	58	116,232
08/05/2009	59	65,602
22/05/2009	60	7,083
28/05/2009	61	44,606
02/07/2009	62	57,221
13/07/2009	63	73,403
17/07/2009	64	43,043
30/07/2009	65	106,520
30/07/2009	66	18,000
		<b>£6,513,712</b>

**Project: Public Market**

Date	Certificate No.	Certificate Amt. £
29/07/2009	1	£30,102

**Project: Trafalgar Interchange**

Date	Certificate No.	Certificate Amt. £
28/05/2009	1	47,025
25/06/2009	2	73,102
23/07/2009	3	81,694
		<b>£201,821</b>

**Project: Fish Market Road - Phase 3**

Date	Certificate No.	Certificate Amt. £
27/02/2007	1	59,474
15/03/2007	2	122,780
26/04/2007	3	85,490
24/05/2007	4	12,832
26/06/2007	5	62,083
19/07/2007	6	34,873
30/08/2007	7	75,576
02/10/2007	8	76,710
30/10/2007	9	68,724
04/12/2007	10	159,387
15/01/2008	11	86,271
29/01/2008	12	11,629
26/02/2008	13	12,981
01/05/2008	14	32,996
08/05/2008	15	16,335
05/06/2008	16	31,020
26/06/2008	17	27,345
24/07/2008	18	41,033
02/09/2008	19	10,205
25/09/2008	20	5,165
29/10/2008	21	1,102
28/11/2008	22	2,035
22/01/2009	23	3,750
30/03/2009	24	10,772
05/05/2009	25	13,234
28/05/2009	26	32,517
25/06/2009	27	2,024
		<b>£1,098,343</b>

**SUPPLEMENTARY TO QUESTION NO. 1067 OF 2009**

**HON F R PICARDO:**

The Chief Minister is right of course. In respect of the other projects, there was a date when OEM was no longer in the picture and the Government stepped in. So I am grateful for the information that has been provided which I will ...

**HON CHIEF MINISTER:**

*[Inaudible]*

**HON F R PICARDO:**

No that's right. Absolutely! But in respect of the first three there was that date which brought the Government into the equation.

**HON CHIEF MINISTER:**

xxxxxx Government project.

**HON F R PICARDO:**

And (d) is a Government project. That's right. I appreciate that. Grateful for the information.

ORAL

**NO. 1068 OF 2009**

**THE HON DR J J GARCIA**

**RUNWAY WORKS**

Can Government say whether any tests have been carried out to ascertain whether any work needs to be done on both ends of the runway to allow for its continued use for commercial flights and if so when and with what results?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government is not aware that there is a need for any works to be done. The Government is currently installing so called "simple approach lighting" at both ends of the runway.

**NO. 1069 OF 2009**

**THE HON DR J J GARCIA**

**TENDERS FOR ARENGO'S PALACE AND GEORGE'S LANE**

Can Government say how many tenders have been received for the sale of:

- (a) 10 Arengo's Palace; and
- (b) 14-16 George's Lane and 18 George's Lane,

and whether these tenders have been allocated and if so to whom and in what amount?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Fifteen bids have been received for No. 10 Arengo's Palace; 12 bids for 14-16 George's Lane and nine bids for 18 George's Lane. In addition, two bids were received for all of the George's Lane properties jointly. These tenders have not yet been allocated. They are under consideration and therefore it is not appropriate to provide any more information.

**NO. 1070 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR IDENTITY CARD**

Are Government aware of the recommendation by the ICAO (International Civil Aviation Organisation) to have a nine digit serial number on identity documents and do Government think that any changes need to be made to the Gibraltar Identity Card as a result?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Government are aware of the recommendations of the International Civil Aviation Organisation regarding the technical specifications of identity documents accepted for travel purposes. These recommendations go well beyond the 9 character position limit in relation to the document number. Government are also mindful of applicable EU specifications which may also need to be incorporated.

These specifications are currently being studied in order to determine the extent to which the Gibraltar Identity Card may need to be changed.

ORAL

**NO. 1071 OF 2009**

**THE HON DR J J GARCIA**

**REPORTING OF VESSELS PASSING THROUGH THE STRAIT**

Can Government say when they were made aware and by whom of the decision of the International Maritime Organisation to adopt a new system for the reporting of vessels passing through the Strait of Gibraltar which makes it compulsory for these to report to Spain and Morocco only?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1072 of 2009.

**NO. 1072 OF 2009**

**THE HON DR J J GARCIA**

**REPORTING OF VESSELS PASSING THROUGH THE STRAIT**

Are Government aware of the basis of the objection by the United Kingdom to the adoption of a new system for the mandatory reporting of vessels passing through the Strait of Gibraltar by the International Maritime Organisation and if so can they give details to this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government was made aware of the proposal to amend the IMO traffic reporting system on the 14<sup>th</sup> July 2009 by the UK Maritime and Coastguard Agency (MCA).

The UK raised an objection at our instigation at the IMO to the adoption of a new system for the mandatory reporting scheme because Gibraltar had not been consulted and was not included in the parties relevant to the adoption of that scheme.

I think it is also worth, just pointing out to the hon Members in case they were not aware of it, that this agreement to which the question relates actually diminishes rather than increases Spain's role. In other words, until that agreement, only Spain was the reporting authority for traffic in both directions. As a result of this agreement the traffic going, I think, let me see if I get it right now, into the Mediterranean which goes along the coast now reports to a port near Tangier; and the other one, the outgoing traffic, reports to Spain. We thought it was an appropriate opportunity to acknowledge the fact that there were three maritime jurisdictions in the vicinity and regrettably our view did not prosper.

**SUPPLEMENTARY TO QUESTION NOS. 1071 AND 1072 OF 2009**

**HON DR J J GARCIA:**

Has the matter now been finished? Is it not possible for any amendments to be made at this stage?

**HON CHIEF MINISTER:**

No. The form that this takes is that Morocco and Spain do an agreement between them and then table it for approval or rejection at the IMO and the IMO has approved



it. Spain who had the lot offers to share half of it with Morocco. It is unlikely that anyone is going to reject it. We thought that it was an opportunity to say, well if there is going to be a re-sharing out, how about doing it on three. At the end of the day it is most unusual for a Strait to have more than one passage through reporting. This is ships that are passing in international waters. It does not raise any issue. It is just a logistical thing but still we thought we should at least have been consultees as being a maritime jurisdiction in the area.

**NO. 1073 OF 2009**

**THE HON DR J J GARCIA**

**MARITIME RESOURCES CAPABILITY**

Can Government say, following the details supplied at budget time, how many larger vessels it intends to purchase to increase the capability of its maritime resources, at what cost and indicate which department these vessels would come under?

**ANSWER**

**THE HON THE CHIEF MINISTER**

These matters are currently under consideration.

**SUPPLEMENTARY QUESTION NO. 1073 OF 2009**

**HON DR J J GARCIA:**

Can I just ask the Chief Minister whether we actually voted any money specifically for this project in the budget or not?

**HON CHIEF MINISTER:**

No.

**NO. 1074 OF 2009**

**THE HON DR J J GARCIA**

**AIR TERMINAL – STAFFING LEVELS**

Can Government list the staffing levels by post in the existing air terminal and the projected staffing levels that are envisaged in the new terminal building?

**ANSWER**

**THE HON THE CHIEF MINISTER**

All staff working in the air terminal, except for the Royal Gibraltar Police and Customs Officers, are employed by private companies, who are contractors to the Government.

The staffing levels of these companies are:-

Terminal Management Limited 34.

Security and Immigration Limited 40 in two shifts of 20.

Blands Ltd trading as GibAir handling, who employ 52 people.

It is not possible at this stage to assess what the impact of the splendid new terminal will be on staffing levels.

ORAL

**NO. 1075 OF 2009**

**THE HON DR J J GARCIA**

**POST-BOXING – BETWEEN SPAIN AND GIBRALTAR THROUGH UK**

Can Government list the communications between Spain and Gibraltar, both incoming and outgoing, that were made through the UK post-box since the last Question Time in this Parliament, showing the date of the communication, the issuing authority and the receiving authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1076 of 2009.

ORAL

**NO. 1076 OF 2009**

**THE HON DR J J GARCIA**

**POST-BOXING – BETWEEN GIBRALTAR AND SPAIN THROUGH UK**

In respect of the communications between Gibraltar and Spain made through the UK post-box since the last Question Time in this Parliament, can Government say which were notifications between competent authorities and which were requests for information?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes Mr Speaker, the information the hon Member requests, is on the schedule that I now hand to him.

# ANSWER TO QUESTION 1076

## Answer to Questions 1075 & 1076

### Year 2009 (Incoming)

Post Box ref & Date	Issuing Agency	Receiving Agency	Notification or Request for Information
(1)PB/30/09 29th June 2009	Ministerio de Justicia, Madrid	Attorney General	Request for Information
(1)PB/33/09 9th July 2009	Ministerio de Economia y Hacienda	Financial Services Commission	Notification
(1)PB/42/09 20th Aug 2009	Oficina Nacional de Investigacion del Fraude	Commissioner of Income Tax	Request for Information
(1)PB/43/09 20th Aug 2009	Oficina Nacional de Investigacion del Fraude	Commissioner of Income Tax	Request for Information
(1)PB/47/09 27th Aug 2009	Junta de Andalucia, Spain	Environmental Agency	Notification
(1)PB/62/09 18th Sept 2009	Servicio Ejecutivo de la Comision de Prevencion del Blanqueo de Capitales e Infracciones Monetarias	Gibraltar Financial Intelligence Unit	Request for Information

### Year 2009 (Outgoing)

Post Box ref & Date	Issuing Agency	Receiving Agency	Notification or Request for Information
PB/97/09 22nd June 2009	Environmental Agency	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/100/09 8th July 2009	Environmental Agency	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/101/09 23rd July 2009	Environmental Agency	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/102/09 29th July 2009	Attorney General Chambers	Ministerio de Justicia	Request for Information
PB/104/09 18th Aug 2009	Environmental Agency	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification
PB/109/09 11th Sept 2009	Environmental Agency	Direccion General de Prevencion y Calidad Ambiental, Sevilla	Notification

**NO. 1077 OF 2009**

**THE HON DR J J GARCIA**

**GIBRALTAR HOUSE IN LONDON**

Can Government say on how many occasions the facilities at the Gibraltar Business Suites at Gibraltar House in London have been booked and used and what amounts have been paid for their use since the last Question Time in this Parliament?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The facilities at the Gibraltar House Business Suites have been used on six occasions by fee paying commercial members of the business community. The total amount received has been £3,045. It has of course been used on many more occasions by non-fee paying users, including charities, tourist bodies and Government departments and agencies.

ORAL

**NO. 1078 OF 2009**

**THE HON DR J J GARCIA**

**DIVING ACTIVITIES IN BRITISH GIBRALTAR TERRITORIAL WATERS**

Has Government now taken a policy decision to licence and regulate diving activities in British Gibraltar territorial waters by individuals and/or commercial entities?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It has indeed and it is decided that it is desirable to do so and will do so and is now currently considering the options for doing so.

**SUPPLEMENTARY TO QUESTION NO. 1078 OF 2009**

**HON DR J J GARCIA:**

This is for both commercial entities and for individuals or is it just for one or for both?

**HON CHIEF MINISTER:**

No. The answer and the question relates to diving activities. It is for both. The answer applies to both.



**ORAL**

**NO. 1079 OF 2009**

**THE HON DR J J GARCIA**

**TENDER FOR 19 SCUD HILL**

Can Government say whether the tender for 19 Scud Hill has now been allocated, to whom and in what amount and whether this was the highest bidder and by how much?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes. The tender for 19 Scud Hill was awarded to Nick Cruz and his wife Leigh Anne in the sum of £731,250 and this was indeed the highest bidder. Government is concluding the sale with Mr Cruz and therefore cannot at this stage disclose the difference between his bid and the next highest bids.

ORAL

**NO. 1080 OF 2009**

**THE HON DR J J GARCIA**

**ALLOCATION OF – 14 ROSIA COURT AND UNITS AT SANDPITS BLOCK**

Can Government say whether the following have now been allocated, and if so to whom, in what amount, whether this was the highest bidder (where applicable), and by how much:

- (a) 14 Rosia Court;
- (b) 1, 2 and 8 Sandpits Block?

**ANSWER**

**THE HON THE CHIEF MINISTER**

14 Rosia Court was allocated but the bidder did not proceed with the purchase. The property will now be re-allocated by way of a draw.

Numbers 1, 2 and 8 Sandpits have been allocated and are due to be completed in November 2009.

Details of the purchasers in all of the above cases will be made available on completion.

ORAL

**NO. 1081 OF 2009**

**THE HON DR J J GARCIA**

**NON-RECOGNITION BY SPAIN OF DOCUMENTATION ISSUED BY GIBRALTAR  
MARITIME ADMINISTRATION**

Can Government say how the problem with the non-recognition by Spain of documentation issued to ships registered in Gibraltar by the Gibraltar Maritime Administration was resolved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1082 of 2009.

**NO. 1082 OF 2009**

**THE HON DR J J GARCIA**

**NON-RECOGNITION BY SPAIN OF DOCUMENTATION ISSUED BY GIBRALTAR MARITIME ADMINISTRATION**

Can Government say whether the resolution of the problem created by Spain's non-recognition of documents issued by the Gibraltar Maritime Administration to vessels registered in Gibraltar was solved by changing any wording in these documents and if so what was the old wording and what is the new one?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The issue of the format of ships' certificates issued by all Red Ensign Group ships including Gibraltar, which was the subject of discussion within the Red Ensign Group, was resolved by agreeing that the following new text in the form of a factual statement would be carried at the footnote of certificates:

"This certificate is issued by (Name of the Overseas Territory/Crown Dependency, in our case Gibraltar), under the responsibility of the United Kingdom as flag-State under the Convention".

This statement sets out the position as it has always in fact been.

No wording on the ships' certificates has been changed.

**NO. 1083 OF 2009**

**THE HON DR J J GARCIA**

**GTB – GIBRALTAR OFFICE IN MADRID**

Can Government confirm that the Gibraltar Office in Madrid is no longer operational and has therefore been closed and state the reasons for the closure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I confirm that the Gibraltar Government Tourist Office in Madrid has now been closed. Its activities can now be carried out from Gibraltar given the developments at this end and the advent of electronic communications and contacts. The establishment of contacts now with journalists and it has been thought that the cost of running the office no longer justifies whatever advantage there may have been in having a physical presence there.

**SUPPLEMENTARY TO QUESTION NO. 1083 of 2009**

**HON DR J J GARCIA:**

Is the Government tied to a lease or a rental contract which they have to see through?

**HON CHIEF MINISTER:**

There was a lease that could not be changed without a severe penalty until a certain number of years had passed. Thereafter, it could be stopped at relatively short notice and when that date came we exercised the power to do it.

**NO. 1084 OF 2009**

**THE HON DR J J GARCIA**

**JOB LOSSES EXPECTED AT 888.COM**

Can Government confirm whether they are aware of the number of job losses expected at 888.com following the state of collective redundancy declared at the company in May/June and if so what are the numbers involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government was notified at the time that around 40 jobs would be lost as a result of redundancies arising principally out of the international recession but also out of the business reorganisation by the company.

Casava has confirmed that in fact there were 39 voluntary redundancies and only one person was made compulsorily redundant. These redundancies affected its business to clients' side of the business. The business to business side of the business was not affected by the redundancies at the time and indeed further recruitment has taken place in that division.

Casava continues to be one of the major and therefore very welcome employers in the gaming industry in Gibraltar. In fact, the net loss, after redundancies in one division and additional recruitment in the other, is 27.

**ORAL**

**NO. 1085 OF 2009**

**THE HON DR J J GARCIA**

**BETTING INDUSTRY**

Can Government say what is the total 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 dates when the figures apply?

**ANSWER**

**THE HON THE CHIEF MINISTER**

A total of 1877 persons were employed by 20 remote gambling companies as at 30<sup>th</sup> September 2009. I am sure the hon Member will recognise that figure as the highest ever level of employment in the remote gaming industry in Gibraltar. One thousand, eight hundred and seventy seven as at the 30<sup>th</sup> September 2009.

I am now happy to give the hon Member a schedule setting out the breakdown of that information.

## REMOTE GAMBLING COMPANIES - EMPLOYMENT STATISTICS AS AT 30TH SEPTEMBER 2009

	Gibraltar	Other British	Spanish	Other	Total
Ladbrokes (Gibraltar) Limited	30	60	4	6	100
Victor Chandler (International) Limited	56	162	21	42	281
Stan James (Gibraltar) Limited	17	195	14	38	264
bwin International Limited	24	42	18	104	186
Eurobet (Gibraltar) Limited	6	14	1	2	23
Carmen Media Group Limited	7	2	2	3	14
32 Red Plc	1	25	0	3	29
St Minver Limited	24	38	15	51	128
Digibet Limited	0	1	0	10	11
888 Holdings Plc	45	91	24	102	262
Globet.com Group Limited	2	3	1	8	14
International Betting Association Limited	0	0	0	8	8
PartyGaming Plc	36	105	12	72	225
Mansion (Gibraltar) Limited	18	53	3	30	104
Prosperads Ltd (formerly Futuresbetting)	1	9	0	0	10
Partouche Interactive (Gibraltar) Limited	2	3	1	6	12
William Hill (Gibraltar) Limited	1	78	0	12	91
Hillside (Gibraltar) Limited	2	52	3	8	65
Petfre (Gibraltar) Limited	7	29	0	2	38
Entertaining Play Ltd	3	6	1	0	10
Overall Total	282	968	120	507	1877

Source: Ministry of Finance, Gambling Division



**SUPPLEMENTARY TO QUESTION NO. 1085 OF 2009**

**HON J J BOSSANO:**

Unlike the figures just provided for banking, this is from the employers themselves is it? This information, the source!

**HON CHIEF MINISTER:**

Yes. This is a head count by the Licensing Authority, my staff in the gambling division of the Ministry of Finance on the basis of returns sought from the licensees directly.

**NO. 1086 OF 2009**

**THE HON DR J J GARCIA**

**GAMING INDUSTRY**

Have Government received any indication from the gaming industry in Gibraltar about the effects of the ruling by the European Court in the case of Bwin against Lisbon's national gaming monopoly?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No Sir. The effect of the ruling is self evident from a mere reading of it.

ORAL

**NO. 1087 OF 2009**

**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. 1088 of 2009.

**NO. 1088 OF 2009**

**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**

The amount of import duty paid on building materials on a monthly basis since June 2009 is as follows:

June 09	£175,194.40
July 09	£165,282.81
August 09	£124,615.28
September 09	£125,528.01

The amount of import duty collected from persons entering Gibraltar through the non-commercial gate at the land frontier on a monthly basis since June 2009 is as follows:-

June 09	£13,100.88
July 09	£14,496.41
August 09	£11,013.82
September 09	£14,726.50

**NO. 1089 OF 2009**

**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**

Tenders for 1, 2 and 8 Sandpits and 19 Scud Hill have been awarded. These purchases have not yet been completed. Unit 2, F Block, was awarded to Mr K & Mrs L Mackie in the sum of £252,525.25. Ten per cent of which has been received by way of deposit on 23<sup>rd</sup> April 2009 and the balance was received on the 22<sup>nd</sup> May 2009.

ORAL

**NO. 1090 OF 2009**

**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**

I now hand the hon Member schedules containing the information that they have asked.

Answer to Question 1090

Residential Property Sales From 1 June To 30 September 2009 (Improvement And Development Fund)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Jul-09	S & M Peliza	Sale of 10 North Pavilion Road	£81,070.00
Jul-09	N & L Cruz	10% Deposit iro Tender for 19 Scud Hill	£73,125.00
Aug-09	J Fa	Sale of 22 Flat Bastion Road	£20,730.00
			<u>£174,925.00</u>

Cont'd...

Cont'd Answer to Question 1090

Residential Property Sales From 1 June To 30 September 2009 (Government-Owned Companies)

<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Jun-09	M Sanchez & T Holmes	Reservation fee 10% sale of Flat 1, 14 Flat Bastion Road	£500.00
Jul-09	Mr Vallejo & Ms Walker	10% Sale of GOG Share 10% 24 Rotterdam Court, Harbour Views	£9,623.56
Jul-09	Mr & Mrs Bromfield	50% Sale of GOG Share 10% 3 Ebony Lodge & CPS15, Montagu Gardens	£44,601.70
Aug-09	Mr & Mrs Thompson	10% Sale of GOG share 10% 05:06:04 Apricot Court, Sir William Jackson Grove	£10,304.78
Aug-09	Mr Corbacho & Mrs Rodriguez	40% Sale of GOG Share 10% 7 Plymouth Court, Harbour Views	£27,069.92
Aug-09	Mr & Mrs Langston	40% Sale of GOG Share 10% 6 Vancouver Court, Harbour Views	£25,685.92
Aug-09	Mr & Mrs Rodriguez	5% Deposit 10% tender for Flat 8 & Garage 8 Sandpits	£13,000.00
Sep-09	E Smart	Sale of Poca Roca	£51,200.00
Sep-09	Mr & Mrs Reyes	10% Deposit 10% Garage 96 Vineyards	£2,500.00
Sep-09	Mr & Mrs Chichon	10% Deposit 10% Garage 132 Vineyards	£3,010.00
			<u>£187,495.88</u>

Cont'd...



Cont'd Answer to Question 1090

<u>Commercial Property Sales From 1 June To 30 September 2009 (Improvement And Development Fund)</u>				
<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>	
Jun-09	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00	
Jul-09	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00	
Aug-09	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00	
Aug-09	Cotton Leisure	Premium iro tender for premises at Ironside House, 5 Glacis Estate	£4,000.00	
Sep-09	Casino Calpe	Part Payment iro 51 Line Wall Road	£982.00	
			<u>£7,928.00</u>	

Cont'd...

Cont'd Answer to Question 1090

<u>Commercial Property Sales From 1 June To 30 September 2009 (Government Owned Companies)</u>			
<u>Date</u>	<u>Tenant</u>	<u>Address</u>	<u>Amount Paid</u>
Jun-09	A. Boulaich	Premium 10 Unit 13, Chatham Counterguard	£12,500.00
Jun-09	Camelot Holdings	Premium 10 Unit 7, Chatham Counterguard	£10,000.00
Sep-09	Techtrolec Ltd	Premium 10 Unit 44B, Harbours Deck	£22,296.48
Sep-09	Markson Ltd	Premium 10 Unit 38, Harbours Deck	£166,294.58
Sep-09	Patton Ltd	Premium 10 Vault 8, Chatham Counterguard	£10,600.00
Sep-09	Evensong Ltd	Premium 10 Vault 5, Chatham Counterguard	£8,000.00
			<u>£229,691.06</u>

ORAL

**NO. 1091 OF 2009**

**THE HON G H LICUDI**

**HEALTH AND SAFETY INSPECTORATE**

Can Government state when it will bring the health and safety inspectorate to full manning levels?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1092 and 1093 of 2009.

ORAL

**NO. 1092 OF 2009**

**THE HON G H LICUDI**

**HEALTH AND SAFETY INSPECTORATE**

Can Government state whether it has now concluded the review of the health and safety inspectorate which it announced in April 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1091 and 1093 of 2009.

**ORAL**

**NO. 1093 OF 2009**

**THE HON G H LICUDI**

**HEALTH AND SAFETY INSPECTORATE**

Can Government state whether it has now decided to accept the recommendation of a jury following an inquest into the death of a worker at Waterport Terraces to the effect that the health and safety inspectorate should be strengthened?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As the hon Member is aware, the general review of all aspects of health and safety in Gibraltar which has been conducted is not limited to staffing levels of the Inspectorate. The Government will not increase staffing levels whilst the general review of options is on-going, which remains the case, as was the case indeed last time he asked that question.

ORAL

**NO. 1094 OF 2009**

**THE HON G H LICUDI**

**TRAFFIC IMPROVEMENT PLAN**

Can Government state when it will publish the traffic improvement plan which the Chief Minister promised in his New Year message of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As I believe has already been indicated by one of my colleagues earlier today or yesterday, the Government plan to make a policy statement during the next 14 days.

**NO. 1095 OF 2009**

**THE HON G H LICUDI**

**BERTHS FOR SMALL BOATS**

Are Government now in a position to state when it will deliver the additional berths for small boats which it promised at the time of the 2007 elections?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government will make its policy deployment announcements when it is ready to do so. The GSD is the only Government in Gibraltar's recent political history to have cared for local boat owners. The Camber facility is testimony to that, following years of failure by the GSLP Government to heed boat owners' plea to be relocated from the "temporary" and unsuitable Western Beach facility and they had to await the arrival of the so called "Yacht Club Member loving GSD Government" for that to be remedied.

This Government will continue to invest heavily in the sport and leisure needs of our community and our citizens as no Government before it has done, and is as we have already done at the Coaling Island Boat Club, at the Bayside Sports Centre, at the Kings Bastion Leisure Centre, at the Sandpits Tennis Club, amongst others.

**SUPPLEMENTARY TO QUESTION NO. 1095 OF 2009**

**HON G H LICUDI:**

I was accused yesterday of making a party political broadcast and certainly the Chief Minister will welcome the opportunity I have given him with this particular question to do the same today.

Going back to the original question which is the additional berths which were promised at the time of the last elections, we have had a number of statements in this House over the last two years to the effect that the Government propose to carry out that promise within the next two years, in other words, during the life of this Parliament. Certainly we will hold the Government to that promise. What we are particularly interested is seeing what progress is being made and in particular whether additional sites or alternative sites have been identified because the Chief Minister will be aware of the plight of boat owners, particularly those who have their boats on land and have had their boats on land for many, many years. So quite apart from any political issues and differences which there might be of which we can both make capital on this matter, what we are interested in particular are the facts

and when boat owners were suffering as a result of this problem, will see their problem addressed.

**HON CHIEF MINISTER:**

No, he and his henchmen do indeed make political capital out of this matter and when I tell the Government's very good story on this he accuses me of making a party political broadcast. Well I cannot help it if the Government's performance on sport and leisure facilities is so good that whenever I simply answer the question that I am asked, it sounds like a party political broadcast. It simply reflects the fact, as I have said in my answer, that no Government have the record of this Government in providing first class leisure facilities, including boating facilities for local ... like this one. There is no escaping that fact and however many people choose to write letters to the Chronicle, clearly politically motivated, simply by the vitriol that they betray, however many individuals write such letters, it does not alter the fact and most people in Gibraltar know it. The Government are aware that there are more boat owners in Gibraltar that would like the Government, that is to say, the tax payer, to provide berths for them. As I have said before, there are lots of people in Gibraltar waiting for the tax payer to provide leisure facilities for their sport and leisure activity of choice. The Government does it fairly and in turn around all the various resources and amenities for which there is demand. The Government know that there are more people that would like the Government to produce better berthing facilities than they have enjoyed in the past or indeed that they enjoy at all today. That is why there is the manifesto commitment to provide more. That is what the answer referred to when we said that when we have got policy statements to make we will announce them. However, I should say the hon Member may not be aware, that a significant number of the people who now make the most noise are in the position that they are as a self-inflicted wound because they refused to move from Western Beach to Coaling Island when they had the opportunity to do so. The hon Member does not know that?

**HON G H LICUDI:**

The Chief Minister shows the great annoyance that he gets from these letters in the media and he should certainly not take it out on the boat owners. Whether or not they write in the media which is their free democratic right, they should not bear the brunt of this Government's annoyance by not being provided with facilities which have been promised. These are facilities, which is not just a question of waiting as other tax payers are waiting for improved facilities or for better facilities or for the Government to provide any facilities at all, that have actually been promised. Has the Government now identified a site on which those additional berths will now be located?

**HON CHIEF MINISTER:**

I have already answered that question. We will make policy announcements in our own good time and when we are ready to do so and look, the Government, I thought I had made clear, far from being annoyed to be asked questions on this subject, welcomes the opportunity to tell, what he calls a party political broadcast which is actually a simple statement of the very good news story of this Government's performance on this matter. If he asks me the question, I will continue to answer him. Of course people have an opportunity, a democratic right to write letters in the



local press, even in a democracy, letters filled with untruths from beginning to end but that does not deprive the Government of its democratic right to comment on the content of those letters. What, does the hon Member think that democracy applies to everybody except to the Government?

**HON G H LICUDI:**

Certainly not, but the Government does not have a monopoly of the truth and certainly if the Government do not consider certain matters which are aired to be true, does not mean that people are not entitled to air those views notwithstanding that the Government might not agree with the comments which have been made by those..... The position then, simply for confirmation, that we are two years yesterday after the last election when this promise was made and we are no nearer to finding a solution to this problem.

**HON CHIEF MINISTER:**

It is true that we are two years into our fourth term of office and that we have not yet provided our second excellent new facility for local boat owners. By my simple mathematical calculations, these two years about which he complains, is precisely one quarter of the time that they were in office and provided no facilities at all.

**NO. 1096 OF 2009**

**THE HON G H LICUDI**

**TRAFFIC CHAOS AT EUROPA POINT**

Can Government state why it failed to plan for and avoid the traffic chaos that occurred in the morning of and in connection with the Red Arrows display at Europa Point?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Traffic management on a day to day basis is the responsibility of the Royal Gibraltar Police. The Royal Gibraltar Police have informed the Government that their plan did not work on the day as well as they had hoped and expected. This was as a result of a number of factors that worked against it, including an under estimation on their part on the appeal of the Red Arrows to the general public, especially from Spain, which resulted in greater volumes of traffic than they had expected. Road works at Trafalgar Interchange and the closure of Main Street south meant that all north bound traffic had to be channelled down Queensway as the only north bound exit after the event. All of this was compounded by airport operations requiring the obligatory lowering of the barriers at the runway and the result was, as the hon Member has noted, a very significant traffic problem which spoiled for many, many people, this event.

**NO. 1097 OF 2009**

**THE HON J J BOSSANO**

**WORKERS PAID IN EUROS**

Can Government confirm that frontier workers other than detached workers, cannot be paid the Euro equivalent of their local wages in sterling, without their agreement and does this agreement have to be in writing, and furthermore what protection is available to any such worker that does not wish to be paid in Euros when asked to give this consent by the employer?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Well Mr Speaker, leaving to one side the fact that the hon Member should not be asking for me to express legal opinions across the floor, I shall attempt to give the fullest answer that I can to, what I think, is the point that he is getting to.

Frontier workers, in common with all other workers in Gibraltar, are paid in sterling, as far as the Government is aware I should add. The Notice of Terms of Engagement that an employer needs to register with the Employment and Training Board in accordance with the provisions of the Employment Regulations of 1994 require that an employer should specify the remuneration of the worker as a weekly or annual figure, indicating the method of calculation of that amount but the law does not specify currency.

If a Notice of Term of Engagement is presented by an employer to the Employment and Training Board with the remuneration of the worker set out in a currency other than sterling, the long-standing practice of the ETB is not to accept the form but to return it to the employer with a request that it be resubmitted with the remuneration shown in sterling. This is done on the basis that the pound Sterling, or the Gibraltar pound, is the only legal tender in Gibraltar.

All employers comply with this practice of the ETB. The Government are not aware of any complaints having been made by any employer in relation to this long-standing practice.

The fact that an employer registers with the ETB the remuneration expressed in pounds does not impede or prevent the employer from entering into a private arrangement with an employee for payment of his remuneration in a currency other than sterling. This would be a purely private arrangement between the employer and the employee, in which the ETB would not be involved and of which he would have no notice following this practice.

I do not believe that there is any legal impediment although I am not expressing an authoritative legal statement or position. I do not believe, having had the matter looked into, that there is any legal impediment to people not being paid in sterling.

### **SUPPLEMENTARY TO QUESTION NO. 1097 OF 2009**

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

Can I just say, in view of the remark with which he prefaced the answer that I was not asking the Chief Minister to give me a legal opinion in his capacity as a lawyer. I am asking this question because I asked similar questions at the last meeting of the House and I did not get very satisfactory answers from the Minister for Labour who is supposed to know more about this than he does. The answer that I was given the last time, after a number of supplementaries, was that the payment in Euros was as a result of the workers requesting it or an agreement with the Union. Now, I am aware that there are people who have been told that either they accept payment in Euros or they do not get the job and therefore I am not sure what advice I can give these people as to what their rights are. This is why I thought the Government would be able to clarify. I think he has done that by saying that the contracts are turned down if they come in Euros and I think he has done that by saying that they have got a right to be paid in the legal tender of Gibraltar but clearly they are not in a very strong bargaining position. Really, what I was seeking was some kind of indication that whether people were protected by the Labour Inspectorate or whatever if they were not happy with the situation where they were being asked to accept payment in Euros. In some instances it appears that where the majority of the employees are from across the border, the minority that is from this side of the border is in difficulties.

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

I mean I have no doubt that there are lots of people being paid in Euros but the ETB because of the practice that it adopts of not approving contracts in Euros only ends up with pound contracts on its files. So officially, the Government have no visibility of the practice which I am sure is existent. Of course, this is a matter of swings and roundabouts because depending on currency fluctuations and provided the employers do not adjust the quantum of the salary with exchange rate fluctuations, it can actually operate hugely to the advantage of people who work in Gibraltar and live in Spain. So, for example, at a time when the pound is falling and therefore buys fewer Euros on the way home to the border on a Friday night, if you have got a fixed salary in Euros then those workers take home pay is improved. Commensurately, if the pound should strengthen in relation to the Euro they lose the opportunity to take even more Euros home. So, I am not sure, I am just trying to sort of play this ball back with a straight bat. I am not sure that there is anything particularly bad about people being paid in Euros provided that it is a genuine bargain. In other words, that that is what they have genuinely agreed. I believe that people should not be obliged in Gibraltar to accept a salary in currency other than the pound if they do not want to. I cannot really see any harm in them agreeing to be paid in some other currency. I think if people were being obliged to accept payment in another currency, I think that would be something that the Government would perhaps want to take a view about and consult about because one thing is freedom and another thing is obligation.

**HON J J BOSSANO:**

That was the element of the question which relates to what protection they have if they refuse to give the consent for them to be paid in Euros instead of Gibraltar pounds, when requested by the employer.

**HON CHIEF MINISTER:**

Subject to the bargaining point, they have registered a contract at the ETB which is in pounds. They therefore have a contractual right to be paid in pounds. If they are not paid in pounds, theoretically the employer is in breach of contract. Now, again we come back to the sort of the balance, the equality of arms or to the inequality of arms issue. Who is going to resign or allege constructive dismissal from an increasingly rare job for many of these people, particularly if they live in Spain, in order to take the nice legal point of suing your employer for breach of contract on what is presumably a relatively small amount of money in relation of the cost of xxxxxx? So, I think there is a huge difference here between the theoretical rights of the individual and the prospect and likelihood of them converting that into enforced rights because, as is so often the case, these things cost a lot of money.

**HON J J BOSSANO:**

But it would not be then something that, for example somebody could complain to a Labour Inspector about, and a labour inspector has got any powers under the labour protection legislation to intervene?

**HON CHIEF MINISTER:**

That is a legal question and I think it requires careful study. I am not sufficiently familiar with the Act to be able to sort of think of that but I suppose that it must be some sort of offence against the regulations to be xxxxxx for an employer to be doing things differently to what his registered contract with the ETB dictates. So, I suppose one could get people for something technical of that sort as opposed to the substantive thing which may not be an offence of paying in Euros. So rather than paying in Euros, the offence would be I suppose, your registered contract says so many pounds a week. You are not doing it in accordance with what you filed. You are therefore in breach of something presumably that requires you to submit accurate filings in respect of ... I am thinking on my feet. That is the best I can come up with right now.

**ORAL**

**NO. 1098 OF 2009**

**THE HON J J BOSSANO**

**OLD NAVAL HOSPITAL**

Has Government now come to a decision as to whether the part of the Old Naval Hospital that it owns is suitable to house the KGV facility, and if so, has it contracted for the design work to be done?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government believes that the site is suitable.

Initial studies are being completed which will allow Government to consider how best to develop the site and establish order of costs and phasing of works. These studies have been contracted out to a project management team.

ORAL

**NO. 1099 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state what was the imputed rent element in the income from rent figure of £111.19 million in the 2007/2008 GDP?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1100 of 2009.

**NO. 1100 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state what was the imputed rent element in the income from rent figure of £106.63 million in the 2006/2007 GDP?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The value of imputed rent contained within the Rent component of £106.63 million of the National Income Accounts for 2006/2007 was £63.09 million. The rent estimate of £111.19 million for 2007/2008 has been revised to £111.38 million with the value of imputed rent remaining unchanged at £65.58 million.



ORAL

**NO. 1101 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state how the figure of £127.74 million is respect of gross trading profits of companies in the 2007/2008 GDP was calculated?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1102 to 1104 of 2009.

ORAL

**NO. 1102 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government state how the figure of £128.11 million is respect of gross trading profits of companies in the 2006/2007 GDP was calculated?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1101, 1103 and 1104 of 2009.

ORAL

**NO. 1103 OF 2009**

**THE HON J J BOSSANO**

**GNP CALCULATION**

Can Government state how the figure of minus £79.95 million from net income from abroad in the GNP calculation of 2006/2007 is arrived at?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1101, 1102 and 1104 of 2009.

**NO. 1104 OF 2009****THE HON J J BOSSANO****GNP CALCULATION**

Can Government state how the figure of minus £105.39 million from net income from abroad in the GNP calculation of 2007/2008 is arrived at?

**ANSWER****THE HON THE CHIEF MINISTER**

The Gross Trading Profits of Companies of £127.74 million for 2007/2008 was calculated by grossing up the corporation tax collected in that period. The grossing up rate was changed in 2006/2007 to 19 per cent from 22 per cent in 2005/2006 due to the results of the updated Input Output model which indicated that both corporate profits and income from self-employment were being underestimated by some £40 million. After further discussion with the consultants the underestimate was identified to be in the order of £20 million. The grossing up assumption on which these components are based was thus adjusted to accommodate the shortfall.

The Gross Trading Profits of Companies of £128.11 million for 2006/2007 was calculated by grossing up the corporation tax collected in that financial year by 19 per cent.

The Net Factor Income from Abroad figure of minus £79.95 million for 2006/2007 was estimated as follows:

Non-resident employees:	<u>£ Million</u>
UK-based	-1.95
Spanish	-33.91
UK British	-29.65
Other EU	-12.20
Other	-2.26

TOTAL NET FACTOR INCOME FROM ABROAD -79.95

The figure of minus £105.39 million for 2007/2008 has been revised and is now estimated at minus £104.84 million. This figure includes an estimate for earnings of detached workers and is estimated as follows:

Non-resident employees:	<u>£ Million</u>
UK-based	-1.37
Spanish	-39.45

UK British	-38.19
Other EU	-15.73
Other	-2.38
Detached workers	-7.72

TOTAL NET FACTOR INCOME FROM ABROAD -104.84

### **SUPPLEMENTARY TO QUESTION NOS. 1101 TO 1104 OF 2009**

**HON J J BOSSANO:**

The figure for detached workers is being introduced then for the first time in 2007/2008. Is that correct?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

In respect of the 19%, when the Chief Minister gave me the answer in fact the last time I asked in the House in June, he told me it was 22% and that was not changing. So is it that this has happened after June this year?

**HON CHIEF MINISTER:**

I do not recall what I said to him last time. The grossing up rate was changed in 2006/2007. Presumably that means in respect of the period 2006/2007 to 19% from 22%. No. The grossing up rate was changed in 2006/2007 to 19% from 22%. Yes. Yes, as I first said in respect of the period 2006/2007, that is the period in respect of which..... What I cannot tell him is when those figures were calculated. Well, it must have been before June. I cannot recall what I said to him but if I had led him to believe that they would not change..... No one has consulted me. Mind you, I am not consulted about these things but I am not aware that there has been any change since June.

**HON J J BOSSANO:**

When I asked him in June and he gave me the figure of 22% I asked, does that mean that I can do the calculation myself now by using that formula and he said yes that is not going to change for the years that were not yet available. That is why when I saw the figure I was surprised that it was 19% and not 22%. The explanation that the Chief Minister gives mixes up the self-employed with the 22% which I do not quite follow because in fact the self-employed element in the GDP is a completely separate entry. It has nothing to do with the level of company tax. One has no relevance to the other. The Chief Minister has said the grossing up rate changed in 2006/2007 to 19% due to the results of the updated Input/Output model which indicated that both corporate profits and income from self-employed were underestimated by £40 million.

**HON CHIEF MINISTER:**

It is part of the explanation for the change which xxxxxx apparently the two factors of being underestimated not..... I do not think the answer is intended to suggest that the self-employment is relevant to the corporate but rather that the update of the model indicated that both corporate profits and income from self-employment were both being underestimated and then £20 million was the underestimation attributed to this.

**HON J J BOSSANO:**

But given the fact that..... When the Chief Minister explained to me in the meeting in June how this was being calculated, the explanation he provided was that the collection of tax in the year was assumed to be 22% of the profits and that therefore by grossing up the amount of tax collected I could arrive at the figure of profits. Right! It now appears that instead of 22%, the assumption is that the average corporate tax is 19%. It is not possible for the average to be 19% because the minimum is 20%.

**HON CHIEF MINISTER:**

There are many things that reduce profit. There are many variables that reduce the effective rate of tax to below 20% of profit. There is capital allowances, all manner of things that have that effect. I do not think he can make that deduction. In other words, how can it be 19% if the minimum tax rate for small companies is 20%. That I think is the point the hon Member has just made.

**HON J J BOSSANO:**

The average that has been used in the past was always above the minimum. This is the first time, I think in the history of the GDP, that the multiplier that has been used is less than the minimum rate of tax.

**HON CHIEF MINISTER:**

I do not think that is true. The small company tax rate has not existed for that many years and when there was only one company tax rate and it was 35%, they were still using 22%.

**HON J J BOSSANO:**

No. Mr Speaker, he explained to me in June that it had come down to 22% precisely because the corporate rate of tax had come down. That is the explanation that he gave me in June.

**HON CHIEF MINISTER:**

Yes of course, but not in the sense of being higher or lower than the minimum. It was not coming down by the same amount. I do not know what the exact

extrapolation is. All I am saying is that his statement that it is not legitimate to use a figure which is lower than the minimum rate is not applicable because it assumes that companies..... The effective rate of tax is the profit times the tax rate and that is not the way tax calculations are done on a profit and loss account. There is profit and then there is taxable profit which is profit minus capital allowance rules etc. which reduce the tax computation to give an effective tax rate on the whole profit amount perhaps way below the 27% or the small company rate of 20%. That is the only point I am addressing.

**HON J J BOSSANO:**

I appreciate that, but the Chief Minister is saying that what you cannot do is assume that the profit is just the amount of tax that as an average tax rate paid by the entire structure of companies in Gibraltar. Well that is precisely the formula that he explained to me in June. That it was assumed that on average and that by implication means including whatever deductible allowances they have before they arrive at taxable profit..... Is he saying.....

**HON CHIEF MINISTER:**

That is why the figure is lower.

**HON J J BOSSANO:**

Yes, but it is lower because somebody has said that they estimate based on no apparent identifiable criteria..... We are told that this is from the Input/Output study. Well what is it that.....

**HON CHIEF MINISTER:**

The hon Member knows that the lions share of the corporate tax yield is not from small companies paying the small company rate but from companies paying the full rate which is still 27%. So why did he not ask me why was it 22% when the tax rate was 27%. How can it be less than the tax rate? He knows that 60% or 65% of the tax yield, or even a bit more, is collected from the top 40 or 45 tax payers in the companies sector. It further illustrates the point that there is no correlation between the multiplier attached for the purposes of the extrapolation and the minimum, as he calls it, tax rate. They have always used the figure which is lower than the company tax rate applicable to the vast majority of tax payers that produce the corporate tax yield. This has always been the case.

**HON J J BOSSANO:**

So then can the Chief Minister explain why it is 19% and not 18% or ... What is the scientific basis for having concluded that it should be 19% because obviously the entire size of the gross domestic product of Gibraltar depends on whether one chooses to think that the rate to apply is 10% or 20%. One can double the company profit element in the GDP by simply using a different multiplier. The explanation that he gave the last time was that it had come down from 25% to 22% because it reflected the change in the rate of company taxation and when it came down to 25%

from an earlier figure, he had given the same explanation. This is the first time that I have come across an explanation which relates it to an estimate made in the Input and Output model frankly.

**HON CHIEF MINISTER:**

Of course it is possible to fiddle the books by manipulating statistics. That is why the Government goes to recognised external consultants who are experts in small country accounts and seeks their view. This is their doing. This is not a political decision to change from 22% to 19%. I do not know whether it is 22% or 19%. Precisely because this is a very technical area, the Government have recourse to experts who have advised the Government Statistician to accommodate an alleged underestimation of profits in this way. What is certainly not legitimate is for the Government to be writing the formula to produce the results and the only fair way of doing it is to have external consultants, external experts saying to the Government what are the assumptions that the Government should be making when it is putting these figures together and that is what the Government Statistician does. It is not for me to explain them or justify them or even to understand them. There are some of these things that I understand and there are other things which are just simply too statistical and too mathematical for me to consider it to be worth my while to get stuck in. These are the way national accounts are measured. This is what Professor Fletcher has said the Government Statistician should do. The Government Statistician has chosen to take his advice and has done this and this is all that there is to it.

**HON J J BOSSANO:**

So the Chief Minister is saying that Professor Fletcher suggested that the figure should be brought down to 19%. Is that the case?

**HON CHIEF MINISTER:**

The hon Member said what the hon Member has said. It is not for me to now deny the next 20 things that he chooses to allege I may or may not have imputed. The answer says, after discussion with the consultants, the underestimate was identified to be in the order of £20 million. The grossing up assumption on which these components are based was thus adjusted to accommodate the shortfall.

**HON J J BOSSANO:**

So what the Chief Minister is then saying, on the basis of his original answer and not his subsequent explanations, is that..... I do not ask the hon Member to understand or not to understand but I am entitled, in supplementaries, to seek further clarification of the original answer. I do not know why he should get so uptight about this.

**HON CHIEF MINISTER:**

The hon Member is entitled to ask me questions and to produce information about the public affairs of Gibraltar which I have done. What he is not entitled to do is to



debate with me the basis upon which external experts and consultants have chosen to construct the formula for the detailed calculation of Gibraltar's national accounts. If he wants to have a debate with me on that subject, he needs to give me notice and I am not prepared to submit to cross examination by him of the sort.

**HON J J BOSSANO:**

It is quite obvious the Chief Minister is not prepared to submit to cross examination on anything that he does not understand because he does not want to show ignorance. But if he volunteers information, as he did in June, and he then tells me at the end of the exercise, three months ago, when I ask him does this mean that now the 22% is what I can use to gross up and he says yes that is not going to change, I am entitled to think, in September, that it is something that has happened between June and September. This has nothing to do with anybody outside. It has to do with the answer he gave me in this House which is there in Hansard for him to look at. Four months ago. He now tells me that it is 19% instead of 22%. Having been told only three months ago that it was 22%, I am entitled to seek an explanation as to why it is now 19%. The answer is, as I understand his original answer, that if it had been kept at 22%, the income from company profits would have been £20 million less than at 19% and that therefore the move from 22% to 19% is supposed to increase the figure by £20 million. Is my understanding of his answer correct?

**HON CHIEF MINISTER:**

I have given him the answer that I have given him. What he chooses to understand from it is a matter entirely for him.

**HON J J BOSSANO:**

Well, can the Chief Minister confirm that had the multiplier been retained at 22%, the figure from company tax would have been £20 million less in the calculation of the GDP?

**HON CHIEF MINISTER:**

The answer to that supplementary is contained in my original answer which I have been good enough to give him in print so that he has it in front of him.

**HON J J BOSSANO:**

I am grateful that he is being so good to me but now that I have got it he must let me use it. He gives it to me presumably.....

**HON CHIEF MINISTER:**

Well that is the whole point. I will not let the hon Member.

**HON J J BOSSANO:**

I see. He wants me to take it home and read it.

**HON CHIEF MINISTER:**

Exactly!

ORAL

**NO. 1105 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government provide a breakdown of the £3.28 million figure in respect of trading surplus of Government enterprises for the 2006/2007 GDP?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1106 of 2009.

**ORAL**

**NO. 1106 OF 2009**

**THE HON J J BOSSANO**

**GDP FIGURE**

Can Government provide a breakdown of the £4.36 million figure in respect of trading surplus of Government enterprises for the 2007/2008 GDP?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested in respect of 2006/2007 and 2007/2008 is shown in the tables that I am now making available to the hon Member. The figure for 2007/2008 has been revised from £4.36 million to £4.68 million.

**ANSWER TO QUESTION 1106**

**Answer to Question 1105**

**Gross Trading Surplus of Government Enterprises 2006/07**

	<u>£(m)</u>	<u>£(m)</u>	<u>£(m)</u>
	<u>Receipts</u>	<u>Expenditure</u>	<u>Balance</u>
(a) Potable Water Dividend	£0.05	£0.00	£0.05
(b) Electricity	£24.24	£24.24	£0.00
(c) Savings Bank	£11.51	£9.89	£1.62
(d) Coinage	£0.49	£0.10	£0.39
(e) Lottery	£4.61	£4.58	£0.03
(f) Port/Ship Registry	£2.43	£2.86	-£0.43
(g) Giblecom Dividend	£2.90	£0.00	£2.90
(h) Post Office	£1.00	£2.28	-£1.28
<b>TOTAL GROSS TRADING SURPLUS OF GOVERNMENT ENTERPRISES</b>			<b>£3.28</b>

**ANSWER TO QUESTION 1106**

**Answer to Question 1106**

**Gross Trading Surplus of Government Enterprises 2007/08**

	<u>£(m)</u>	<u>Receipts</u>	<u>Expenditure</u>	<u>Balance</u>
(a) Potable Water Dividend	£0.22	£0.22	£0.00	£0.22
(b) Electricity	£27.45	£27.45	£27.45	£0.00
(c) Savings Bank	£13.83	£13.83	£12.34	£1.49
(d) Coinage	£0.47	£0.47	£0.12	£0.35
(e) Lottery	£4.84	£4.84	£3.86	£0.98
(f) Port/Ship Registry	£2.71	£2.71	£3.01	-£0.30
(g) Giblecom Dividend	£3.15	£3.15	£0.00	£3.15
(h) Post Office	£1.47	£1.47	£2.68	-£1.21
<b>GROSS TRADING SURPLUS OF GOVERNMENT ENTERPRISES</b>				<b>£4.68</b>

**SUPPLEMENTARY TO QUESTION NOS. 1105 AND 1106 OF 2009**

**HON J J BOSSANO:**

Is the Chief Minister aware whether there has been any change in the methodology in respect of the calculation of this element of the GDP?

**HON CHIEF MINISTER:**

No I am not.

**HON J J BOSSANO:**

It is just that I do not recall the Post Office ever having been shown as having a deficit because of expenditure exceeding revenue. Is that something that..... I do not suppose the Chief Minister can throw any light on that?

**HON CHIEF MINISTER:**

Certainly, I am not willing to have a debate on the basis of the introduction to his supplementary which is I do not seem to recall. Well if he does not recall it, why should I?

**HON J J BOSSANO:**

Well, because he accuses me of having amnesia. I think he is completely wrong because he seems to forget what he told me in June never mind 14 years ago which is why he expects me to remember. Is it not the case, in fact, that in the past that the element of the Post Office actually contributed a profit to the..... I am just wondering whether this is something to do with the change that the Government has brought about in the nature of the operation of the Post Office Savings Bank?

**HON CHIEF MINISTER:**

I do not know. I doubt it because the Savings Bank is separately accommodated under Item (C) and does not form part of the Post Office figure.

**NO. 1107 OF 2009**

**THE HON J J BOSSANO**

**HOUSING – SALE VALUE OF THE POST-WAR ESTATE**

Can Government state what is the total assumed sale price value of the entire post-war housing estate?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The entire post-war estate is made up of around 3,800 dwellings. The estimated 'hypothetical' market value of all these properties, based on the 100% sale price, in other words market price of similar properties in the market, is around £320 million.

The Government have offered sitting tenants the opportunity to purchase their properties at a discount of 55% of this 'hypothetical' market value.

This brings the sale price of the entire post-war housing estate, on the basis of the Government's discount scheme, to £144 million.



ORAL

**NO. 1108 OF 2009**

**THE HON J J BOSSANO**

**WATERPORT DEVELOPMENT – PAYMENT TO CONTRACTORS**

Can Government state what further payments, if any, have been made to the contractors or other parties in respect of the Waterport Developments since the answer to Question No. 696 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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

**Answer to Question 1108 of 2009**

<u>Date Paid</u>	<u>Contractors</u>	<u>Quantity</u> <u>Surveyors</u>	<u>Engineers</u>	<u>Architects</u>	<u>Other Parties</u>
03/06/2009					£2,803.20
04/06/2009					£26,806.50
09/06/2009		£9,000.00	£16,065.00	£35,549.52	
12/06/2009					£18,610.00
25/06/2009	£517,240.00				
07/07/2009		£9,000.00		£35,549.52	£29,873.00
09/07/2009			£18,105.23		£8,550.00
24/07/2009	£447,488.00				
28/07/2009		£9,000.00	£16,065.00		
30/07/2009			£7,500.00		
04/08/2009					£18,630.00
06/08/2009					£4,600.00
13/08/2009		£9,000.00	£16,065.00	£35,549.52	
18/08/2009	£208,652.00			£35,549.52	
17/09/2009					£13,200.00
23/09/2009	£149,710.00				
25/09/2009	£1,171,373.63				
	<u>£2,494,463.63</u>	<u>£36,000.00</u>	<u>£73,800.23</u>	<u>£142,198.08</u>	<u>£123,072.70</u>

**SUPPLEMENTARY TO QUESTION NO. 1108 OF 2009**

**HON J J BOSSANO:**

Is it that the payment to architects is sort of in fixed instalments throughout the period of this contract because I notice that it is the same amount given in pennies on different dates?

**HON CHIEF MINISTER:**

Yes. It must be so. I am not familiar with the detail of it but if there is a coincidence of figures as there appears to be also for Quantity Surveyors it must be that there is some monthly or quarterly, monthly plan, yes.

**HON J J BOSSANO:**

There is a payment on the 9<sup>th</sup> June 2009 and a payment on 7<sup>th</sup> July 2009 so it appears to be a on a monthly basis. Then in August there is one on 13<sup>th</sup> and one on the 18<sup>th</sup>. The Chief Minister does not know what the nature of these payments to architects are because presumably the architects are at the front end of these contracts not towards the completion?

**HON CHIEF MINISTER:**

Sorry!

**HON J J BOSSANO:**

I would have thought the architects would be paid early on in the process not rather than at this stage.

**HON CHIEF MINISTER:**

No. Most members of the design team have an on-going monitoring and supervision function through the course of the contract. Whilst they probably do get the lions share at the front end, there is then a part which is reserved whilst they carry out their supervision and monitoring functions throughout.

**NO. 1109 OF 2009**

**THE HON J J BOSSANO**

**CATEGORY 2 STATUS – PROPERTY CRITERIA**

Given the answer to Question Nos. 709 and 710 of 2009, can Government confirm that no properties in any of the following estates which are intended for average income local residents, have been made available to or for higher executives with specialist skills as residents?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, the question as we have had it is not as just read out by the hon Member.

The question refers to “the following estates” not “estates” but none are actually specified. It is therefore not possible to answer the question exactly. However, if the question was referring to Government estates or shared ownership housing then the answer is that, no properties in such developments have been made available to HEPSS individuals.

ORAL

**NO. 1110 OF 2009**

**THE HON J J BOSSANO**

**DEVIL'S TOWER ROAD CAR PARK SITE**

Can Government state with effect from what date did Gibraltar Land Holdings Limited grant a 50 year lease on the site at Devil's Tower Road for £9,088,000, what is the area of the site, how was the valuation done, is the lease restricted to using the site as a car park and does it revert to Gibraltar Land Holdings Limited on expiry of the term?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1111 and 1112 of 2009.

ORAL

**NO. 1111 OF 2009**

**THE HON J J BOSSANO**

**DEVIL'S TOWER ROAD CAR PARK SITE**

Can Government state if under the terms of the lease for the Devil's Tower Road site on which RBS is responsible for building a car park for £15.4 million, the bank is also responsible for meeting any additional cost incurred in the construction of the car park?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1110 and 1112 of 2009.

**NO. 1112 OF 2009**

**THE HON J J BOSSANO**

**DEVIL'S TOWER ROAD CAR PARK SITE**

Can Government state what are the terms for the rental of the Devil's Tower Road car park whether the rental becomes payable on completion of the construction and handing over of the car park and whether the rental is related to the cost of construction and can be increased should the construction cost exceed the estimated £15.4 million?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Under the Lease and Leaseback arrangement with The Royal Bank of Scotland International Ltd, which was entered into on 3<sup>rd</sup> March 2009, Gibraltar Land (Holdings) Ltd will grant the 50-year lease to RBSI in respect of the 'Park and Ride' site at Devil's Tower Road once the construction of this car park has been completed. This will then be added to the Underlease already in place for the car parks at New Harbours, Willis's Road and Sandpits. There is a user clause restricting the use of the sites as car parks.

The lease premium of £9,088,000 is not in respect of the 'Park and Ride' site at Devil's Tower Road nor related to any sort of per square metre valuation of the land but rather on the cost of construction of the three car parks at New Harbours, Willis's Road and Sandpits which the Government had already built.

Under the terms of the leasing arrangements, the amount payable by RBSI to meet the cost of construction of the 'Park and Ride' car park is limited to £15.476 million. No cost overrun is expected.

The arrangement provides for bi-annual rental payments to be made by Gibraltar Car Parks Limited, in accordance with an agreed rent schedule over a 25-year period. The first bi-annual rent payment of £846,000 was paid on 2<sup>nd</sup> September 2009. The leasing arrangements provide for annual rent increases of 3%. This rental is payable in respect of all four car parks covered by the leasing arrangement.

At the end of the 25-year period, the company has the option to purchase RBSI's interest in all four car parks at a call option price of £1.

**NO. 1113 OF 2009**

**THE HON J J BOSSANO**

**CIVIL SERVICE PENSIONS**

Can Government explain why it has not provided any increase in the cost of the Civil Service Pensions in this year's Estimates of Expenditure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The amount provided in the Estimates for 2009/2010 in respect of Civil Service Pensions is £17million, which is £1million higher than the Approved Estimate for 2008/2009 and £2million higher than the actual expenditure in the year 2007/2008.

The provision for Gratuities under the Pensions Act for 2009/2010 is £4million, which is £1million lower than the Estimate for 2008/2009 but is in line with the forecast out-turn for 2008/2009.

Overall, therefore as the question implies, the provision for Pensions and Gratuities, under Consolidated Fund Charges, Head 03, for 2009/2010, has been retained at around £21 million.

There are a number of factors that affect the cost of annual pensions, which are taken into account by the Treasury in arriving at the estimate.

Firstly, account is taken of the pension increases payable in line with the Index of Retail Prices. Secondly, account is taken of the estimated increase in the number of new pensioners, as civil servants retire. A third factor, is the estimated decrease in the cost of pensions as pensioners die and cease to receive their pension.

The cost of gratuities payable under the Pensions Act can also fluctuate from year to year, as this depends on the number of civil servants who retire during the year and the level of their gratuities which is related to their years of service and their final salary.

The reduction in the estimated level of gratuity payments has also been factored in by the Treasury in arriving at their estimate for pensions payments for 2009/2010.



**SUPPLEMENTARY TO QUESTION NO. 1113 OF 2009**

**HON J J BOSSANO:**

I am aware that the gratuities are in line with the actual outturn. So I could understand that if in fact last year the estimate provided to the House at budget time included a provision of £5 million and £4 million was spent in gratuities, the fact that there is £4m again this year is not surprising because that is what the actual result was. If we look at the actual pensions themselves. In the budget in 2008, the amount provided was £16 million even though the preceding year the actual was just over £15 million and the result in fact at the end of the year has been £17.1 million and in the year we are now in, the provision is £100,000 less than the outcome. So in fact it does not follow the kind of pattern that we have had here where the Chief Minister has recognised and made reference to the fact that it grows every year.

**HON CHIEF MINISTER:**

I agree. I would be surprised if it came in at the same amount as last year but they do these calculations. They get the numbers of pensioners that are going to come in. The number of pensioners that have died and they do this calculation and then it is I suppose whatever it is. I do not think there is a great precedent for the numbers coming in flat even over a one-year let alone over a two-year period. These are things that are calculated on a per head basis by the number of people that have given notice of their intention to retire. The grade of the person compared to last year. This is not something that one can monitor from a political height. These are a series of variables which are number crunched in the Treasury. I would be as surprised as he plainly would be if at the end of this financial year it comes out at more or less the same figure as the previous year which is what the estimate suggests. We shall see. My money would tend to be with him on this point rather than on the calculations.

**NO. 1114 OF 2009**

**THE HON J J BOSSANO**

**GOVERNMENT DEBENTURES**

Can Government state whether the level of debentures issued in the last financial year, reached £100 million as shown in the Estimates of Revenue and Expenditure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at 31 March 2009 they stood at £184.5 million.

**SUPPLEMENTARY TO QUESTION NO. 1114 OF 2009**

**HON J J BOSSANO:**

The question is that the figure, not the actual figure reached, but the figure issued in the financial year which I think has gone up from £93 million to £193 million and therefore there was an increase of £100 million. So in the way the thing is drafted is.....

**HON CHIEF MINISTER:**

Oh I see.

**HON J J BOSSANO:**

The level of debentures issued in the financial year was expected to be £100 million. I take it that the £184 million is not the figure issued. It is the figure reached.

**HON CHIEF MINISTER:**

Understood! How much did you say it had been before then?

**HON J J BOSSANO:**

It had been £93 million before.

**HON CHIEF MINISTER:**

So it is £93 million and it has gone up to £184 million is not quite £100 million is it? It is just under a £100 million.

**NO. 1115 OF 2009**

**THE HON J J BOSSANO**

**PUBLIC DEBT INTEREST ON BANK LOANS**

Can Government explain why the public debt interest on bank loans for the current financial year, is estimated at £500,000, given that the amount of Government debt owed to the local banks in May rose to £150 million?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The estimate of £500,000 was based on a debt of £7 million. The drawdowns from banks on the revolving facilities occurred after the Estimates had been prepared. In fact, I can indicate to him that the revised estimated interest payable for the current financial year is £3.2 million.

**SUPPLEMENTARY TO QUESTION NO. 1115 OF 2009**

**HON J J BOSSANO:**

I take it for the revolving loans from the two banks.

**HON CHIEF MINISTER:**

Yes.

ORAL

**NO. 1116 OF 2009**

**THE HON J J BOSSANO**

**GOVERNMENT OWNED COMPANIES – LOSSES**

Can Government specify whether and if so when, prior to the financial year 2008/2009, losses in Government owned companies at the close of the financial year, were covered by advances from the Consolidated Fund and identify the companies involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There were none.

**SUPPLEMENTARY TO QUESTION NO. 1116 OF 2009**

**HON J J BOSSANO:**

None before this year! This is the first time.

**NO. 1117 OF 2009**

**THE HON J J BOSSANO**

**SPORTS AND LEISURE AUTHORITY – CONDITIONED OVERTIME**

Can Government explain why there was no provision in the Estimates of Expenditure of the Sports and Leisure Authority for conditioned overtime in 2008/2009, yet the forecast expenditure for the year was £90,000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The 2008/2009 forecast outturn relates specifically to the payment of weekend work premiums. These payments had until 2007/2008 been classified as discretionary overtime. The increase in the Gibraltar Sports and Leisure Authority complement and weekend services provided namely at the King's Bastion Leisure Centre has resulted in a marked increase in weekend work premium payments.

**SUPPLEMENTARY TO QUESTION NO. 1117 OF 2009**

**HON J J BOSSANO:**

The Chief Minister said that it had been shown as discretionary overtime in 2007/2008. Is that right?

**HON CHIEF MINISTER:**

That is what I said.

**HON J J BOSSANO:**

That is what I thought you said.

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

It is just that the figure for the discretionary overtime in 2008/2009 is no different from the figure in 2007/2008. So presumably the £90,000 or whatever would have been included then in the £200,000 which in fact has gone up to £269,000.

**HON CHIEF MINISTER:**

I think it has been an increase in both. I think the weekend premium for conditioned overtime is shown now as a £90,000 with effect from 2008/2009 in the forecast outturn and there is also an increase in overtime payments arising from the fact that there are more people providing more services and more venues over a..... I think both have gone up. Certainly, showing it separately was not at the time of the estimate for 2008/2009 but it was reported in that way at the forecast outturn at the end of the year. So, the decision was obviously made during the course of the year to break it up for more clarity. I think the hon Member will recall that this new formulation of breaking down the overtime payment into the four different kinds of overtime is now standard throughout the budget book.

**HON J J BOSSANO:**

In fact, I asked in relation to that when the Minister responsible was giving me answers to similar questions earlier on and I was informed that in fact this was, although it is called "conditioned overtime" it was not really conditioned overtime at all. In the sense that it was people working on a roster on Saturdays and Sundays within a forty-hour week.

**HON CHIEF MINISTER:**

This is premium. It is a weekend premium.

**HON J J BOSSANO:**

It is a premium payment for standard hours as opposed to conditioned hours.

**HON CHIEF MINISTER:**

Yes, it is a premium..... Yes, that is what conditioned..... Yes, this is just jargon. The Saturday and Sunday premium is usually earned, well it is earned by all shift workers in respect of when they are rostered to work on a Saturday or a Sunday or a public holiday for that matter but those are conditioned hours for them, not hours over and above the conditioned number of hours. I suppose people also work normal extra hours overtime at weekends. I do not know and I do not know whether it is then called "conditioned" or whether it is then paid under "discretionary" in respect of the Saturday and Sunday premium element. I suspect the latter.

**HON J J BOSSANO:**

Well, I asked because in fact it appears on a number of instances in different authorities. I asked in fact whether there was a standard definition of "conditioned overtime" because my understanding.....

**HON CHIEF MINISTER:**

The standard definition is Government wide not the Authorities. There are people in the Government who also get Saturday and Sunday conditioned overtime premium.

**HON J J BOSSANO:**

Well, my understanding of the terminology is that "conditioned overtime" is when people are required to work more than their basic week but they have no choice and therefore it is "conditioned overtime".

**HON CHIEF MINISTER:**

Correct. Like shift workers.

**HON J J BOSSANO:**

When people work shift work but do not do more than 40 hours then what they get is premium payment for working on Saturdays and Sundays even though they work eight hours. So if they work eight hours on a Sunday as part of the 40, they get paid 16.

**HON CHIEF MINISTER:**

It is the same people. It is the same xxxxxx.

**HON J J BOSSANO:**

What I am saying is that treatment..... What I am trying to establish..... After the explanation that I was given that it was not overtime at all because overtime requires you to do more than 40 hours, can I then assume that wherever it says "conditioned overtime" in the book it means that people are not doing overtime but that they are working Saturdays and Sundays? That is the explanation that I was given earlier.

**HON CHIEF MINISTER:**

I think on the whole he can make that assumption. I have only one doubt and that is whether there may be people out there who work overtime on a Saturday or Sunday without being shift work and without being on a roster who then presumably also become entitled to the Saturday and Sunday premium rate. I do not know whether for that category of people, not the rostered shift workers but for the casual overtime



worker that just happens to work overtime at the weekend, their premium is then put under “conditioned” or under “discretionary”. Logically it would go under “discretionary” which is where the bulk of the payment would go because it is discretionary overtime. Because it is discretionary overtime, it would be illogical to put the bulk of the payment under “discretionary” and just put the little bit that relates to the Saturday and Sunday premium under “conditioned”. So, I think that what the hon Member says is the case. I have only a partial doubt which I would resolve in the way that I have just said which is to think that it should not be that everybody in “conditioned” means that they are shift workers working on rosters over the weekend.

**NO. 1118 OF 2009**

**THE HON J J BOSSANO**

**GOVERNMENT COMPANIES – ACCUMULATED DEFICIT**

Can Government provide a breakdown of the Government companies that had accumulated a total deficit of £30 million as at the 31 March 2009, which was covered at the time by advances from the Consolidated Fund?

**ANSWER**

**THE HON THE CHIEF MINISTER**

All advances from the Consolidated Fund to the Government-wholly owned companies are made to one company the Gibraltar Investment (Holdings) Ltd. This company then provides short-term loans to its subsidiaries, as and when necessary, in order to meet any temporary financing requirements. Advances to the Government owned companies are not made in order to cover any losses in Government owned companies. Advances are mainly to cover short-term financing of capital expenditure, some of which is recoverable by the companies from sale of assets in the future. For example, the construction costs of Cumberland, Nelson and Bayview will eventually provide capital revenues when those flats are finished and sold off. So it is not so much operating deficits as funding for the companies capital projects.

ORAL

**NO. 1119 OF 2009**

**THE HON J J BOSSANO**

**HEAD 1B TRANSPORT – EXPENDITURE**

Can Government provide a breakdown of the £45,000 employers' contribution approved expenditure under Head 1B Transport for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1120 to 1133 of 2009.

ORAL

**NO. 1120 OF 2009**

**THE HON J J BOSSANO**

**HEAD 3A HOUSING ADMINISTRATION – EXPENDITURE**

Can Government provide a breakdown of the £18,000 employers' contribution approved expenditure under Head 3A Housing Administration for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 and 1121 to 1133 of 2009.

**ORAL**

**NO. 1121 OF 2009**

**THE HON J J BOSSANO**

**HEAD 4A ENVIRONMENT – EXPENDITURE**

Can Government provide a breakdown of the £7,000 and £4,000 employers' contribution approved expenditure under Head 4A Environment for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119, 1120 and 1122 to 1133 of 2009.

**ORAL**

**NO. 1122 OF 2009**

**THE HON J J BOSSANO**

**HEAD 4C TOURISM – EXPENDITURE**

Can Government provide a breakdown of the £70,000, £1,000, £90,000 and £21,000 employers' contribution approved expenditure under Head 4C Tourism for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1121 and 1123 to 1133 of 2009.

ORAL

**NO. 1123 OF 2009**

**THE HON J J BOSSANO**

**HEAD 5A FAMILY AND COMMUNITY AFFAIRS – EXPENDITURE**

Can Government provide a breakdown of the £11,000 employers' contribution approved expenditure under Head 5A, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1122 and 1124 to 1133 of 2009.

ORAL

**NO. 1124 OF 2009**

**THE HON J J BOSSANO**

**HEAD 6A ENTERPRISE – EXPENDITURE**

Can Government provide a breakdown of the £6,000 employers' contribution approved expenditure under Head 6A, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1123 and 1125 to 1133 of 2009.



ORAL

**NO. 1125 OF 2009**

**THE HON J J BOSSANO**

**HEAD 6B TRANSPORT - PORT AND SHIPPING – EXPENDITURE**

Can Government provide a breakdown of the £22,000 employers' contribution approved expenditure under Head 6B, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1124 and 1126 to 1133 of 2009.

ORAL

**NO. 1126 OF 2009**

**THE HON J J BOSSANO**

**HEAD 6D TRANSPORT - VEHICLE, TRAFFIC AND PUBLIC TRANSPORT –  
EXPENDITURE**

Can Government provide a breakdown of the £75,000 and £3,000 employers' contribution approved expenditure under Head 6D, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1125 and 1127 to 1133 of 2009.

ORAL

**NO. 1127 OF 2009**

**THE HON J J BOSSANO**

**HEAD 8A NO 6 CONVENT PLACE – EXPENDITURE**

Can Government provide a breakdown of the £6,000, £5,000, £4,000, £18,000 and £7,000 employers' contribution approved expenditure under Head 8A, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1126 and 1128 to 1133 of 2009.

ORAL

**NO. 1128 OF 2009**

**THE HON J J BOSSANO**

**HEAD 9D INCOME TAX – EXPENDITURE**

Can Government provide a breakdown of the £3,000 employers' contribution approved expenditure under Head 9D, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1127 and 1129 to 1133 of 2009.

ORAL

**NO. 1129 OF 2009**

**THE HON J J BOSSANO**

**HEAD 9E FINANCE CENTRE – EXPENDITURE**

Can Government provide a breakdown of the £29,000 employers' contribution approved expenditure under Head 9E, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1128 and 1130 to 1133 of 2009.

ORAL

**NO. 1130 OF 2009**

**THE HON J J BOSSANO**

**HEAD 10 EMPLOYMENT, LABOUR AND INDUSTRIAL RELATIONS –  
EXPENDITURE**

Can Government provide a breakdown of the £67,000 employers' contribution approved expenditure under Head 10, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1129, 1131 and 1133 of 2009.

ORAL

**NO. 1131 OF 2009**

**THE HON J J BOSSANO**

**HEAD 11A JUSTICE MINISTRY – EXPENDITURE**

Can Government provide a breakdown of the £1,000 employers' contribution approved expenditure under Head 11A, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1130, 1132 and 1133 of 2009.

ORAL

**NO. 1132 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PORT AUTHORITY – EXPENDITURE**

Can Government provide a breakdown of the £1,000 employers' contribution approved expenditure of Gibraltar Port Authority, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1119 to 1131 and 1133 of 2009.



ORAL

**NO. 1133 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR CAR PARKS LIMITED – EXPENDITURE**

Can Government provide a breakdown of the £20,000 employers' contribution approved expenditure of Gibraltar Car Parks Ltd, for the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Employers' Contribution figure reflected in Appendix B of the Gibraltar Development Corporation are composed of the employers' element of the Pension contribution and Social Insurance contributions.

The breakdown requested by the hon Member is set out in the Schedule which I now hand him.

**ANSWER TO QUESTION 1133****ANSWER TO QUESTIONS 1119 TO 1133****Gibraltar Development Corporation - Projected Employer's Contributions 2009/2010**

	Employer's Contribution		
	Social Insurance	Pension Contribution	Total
<b>Head 1B - Training</b>	£16,000	£29,000	£45,000
<b>Head 3A - Housing - Administration</b>	£9,000	£9,000	£18,000
<b>Head 4A - Environment</b>			
Environmental Monitoring	£2,000	£5,000	£7,000
Apes Management	£3,000	£0	£3,000
<b>Head 4C - Tourism</b>			
Main Office	£36,000	£34,000	£70,000
Lifeguards	£1,000	£0	£1,000
Sites	£45,000	£45,000	£90,000
Industrial Staff	£11,000	£10,000	£21,000
<b>Head 5A - Family and Community Affairs</b>			
Community Advisory Service	£6,000	£5,000	£11,000
<b>Head 6A - Enterprise</b>	£4,000	£2,000	£6,000
<b>Head 6B - Transport - Port and Shipping</b>			
Terminals	£12,000	£10,000	£22,000
<b>Head 6D - Transport - Vehicle, Traffic and Public Transport</b>			
Traffic Management	£39,000	£36,000	£75,000
Transport Inspection	£1,000	£2,000	£3,000
<b>Head 8A - No. 6 Convent Place</b>			
Urban Renewal Development Project	£2,000	£4,000	£6,000
Personnel	£1,000	£4,000	£5,000
Staff Services - No 6	£2,000	£2,000	£4,000
EU Programmes Secretariat	£7,000	£11,000	£18,000
Office Security	£3,000	£4,000	£7,000
<b>Head 9D - Income Tax</b>	£1,000	£2,000	£3,000
<b>Head 9E - Finance Centre</b>	£6,000	£5,000	£11,000
<b>Head 10 - Employment</b>	£30,000	£37,000	£67,000
<b>Head 11A - Justice Ministry</b>	£1,000	£0	£1,000
	£238,000	£256,000	£494,000
<b>Gibraltar Port Authority</b>	£1,000	£0	£1,000
<b>Gibraltar Car Parks Ltd</b>	£10,000	£10,000	£20,000
	£249,000	£266,000	£515,000

**SUPPLEMENTARY TO QUESTION NOS. 1119 TO 1133 OF 2009**

**HON J J BOSSANO:**

Can the Chief Minister confirm that these pension contributions are all to the No. 2 Pension Fund?

**HON CHIEF MINISTER:**

I am almost certain that they are. The only reluctance that I have to confirm it, in the absence of a note to that effect, is whether there might be any employees here lurking which belong in the problem No. 1 Scheme which is closed. That was the one that related to people that moved some time ago, at the time of the xxxxxx, and they had a slightly different term. I believe the answer to that is no. There may be one or two in employment in Head 10 but I would not know. The answer is yes minus any of those that there might be there in the No. 1 Scheme in these closed arrangements.

ORAL

**NO. 1134 OF 2009**

**THE HON J J BOSSANO**

**GHA – GRATUITY SUB-FUND**

Can Government state in respect of how many employees was the GHA Gratuity Sub-Fund credited with £277,098 in 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1135 of 2009.

**NO. 1135 OF 2009**

**THE HON J J BOSSANO**

**GHA – GRATUITY SUB-FUND**

Can Government state to how many GHA Gratuity Sub-Fund employees was the sum of £222,595 in miscellaneous payments paid in 2008/2009, and other than gratuities, what payments were involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The £277,098 was credited in respect of 10 employees. That was as the question acknowledges in 2007/2008.

The £551,947 in 2008/2009 was credited in respect of 21 employees.

The sum of £225,595 to the Gratuity Sub-Fund in 2007/2008 was in respect of five.

The figure of £127,321 in 2008/2009 to the same Gratuity Sub-Fund was in respect of three employees.

ORAL

**NO. 1136 OF 2009**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE EMPLOYERS' CONTRIBUTION FROM THE  
CONSOLIDATED FUND**

Can Government state whether the sum of £3.5 million estimated for Social Insurance Employers' Contributions from the Consolidated Fund in the current financial year, includes the cost of increases in contribution rates introduced this year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes.

ORAL

**NO. 1137 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR DEFENCE ESTATES AND GENERAL SERVICES LTD PENSION SCHEME**

Can Government state what is the nature of the pension entitlement which is secured by the accumulated fund of £151,098 as at the 31<sup>st</sup> March in the Gibraltar Defence Estates and General Services Ltd. Pension Scheme and for how many beneficiaries?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1138 and 1139 of 2009.

ORAL

**NO. 1138 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR DEFENCE ESTATES AND GENERAL SERVICES LTD PENSION SCHEME**

Can Government state on behalf of how many employees was the sum of £156,654 paid to the Gibraltar Defence Estates and General Services Ltd. Pension Scheme Sub Fund?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1137 and 1139 of 2009.



**NO. 1139 OF 2009**

**THE HON J J BOSSANO**

**SAFETY NET EMPLOYEES SUB FUND**

Can Government state in respect of how many employees was the contribution to the Safety Net Employees Sub Fund of £121,471 made in 2008/2009 and by whom?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Gibraltar Defence Estates Pension Scheme is a final salary pension scheme that provides benefits that are broadly comparable, in fact, practically identical and is so certified by the UK Government Actuary, to the pension scheme that the members enjoyed in MOD prior to their transfer. These are the ISP people, that is prior to their secondment, to their transfer to Gibraltar Defence Estates and their secondment by this company on to Serco.

The Scheme currently covers 95 seconded employees.

The amount paid is in respect of 95 employees.

The contribution is in respect of one employee. This refers to a redundancy payment, which requires to be held by Gibraltar Defence Estates and General Services Ltd as a pre-condition of employment.

**SUPPLEMENTARY TO QUESTION NOS. 1137 TO 1139 OF 2009**

**HON J J BOSSANO:**

This is in answer to Question No. 1139.

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

This is a redundancy payment to one employee based on the MOD redundancy terms. Is that correct?

**HON CHIEF MINISTER:**

Yes. Quite generous! The hon Member will recall that as a condition of going in to the safety net as opposed to walking away with the money and taking it home you had to deposit it and not get it until later.

**HON J J BOSSANO:**

So this is the money the employee got from the MOD and it is kept there.....?

**HON CHIEF MINISTER:**

Yes, because he opted to stay in employment.

**HON J J BOSSANO:**

To stay on!

ORAL

**NO. 1140 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND**

Can Government state the balance of the Insolvency Fund transferred to the Statutory Benefits Fund on the 1<sup>st</sup> July 2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1141 and 1142 of 2009.

ORAL

**NO. 1141 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND**

Can Government state how much was collected as contributions to the Statutory Benefits Fund, that is, since 1<sup>st</sup> July 2008, in the tax year 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1140 and 1142 of 2009.

ORAL

**NO. 1142 OF 2009**

**THE HON J J BOSSANO**

**STATUTORY BENEFITS FUND**

Can Government state how much was credited to the Statutory Benefits Fund in the tax year 2008/2009 in respect of sums collected in contributions due prior to 1<sup>st</sup> July 2008 to a) Social Insurance Short-Term Benefits Fund b) Social Insurance (Open) Long-Term Benefits Fund c) Industrial Injuries Fund and d) Development Corporation Insolvency Fund?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member two statements giving the information requested.

**ANSWER TO QUESTION 1142**

**Answer to Question 1140**

The balance of the Insolvency Fund transferred to the Statutory Benefits Fund on the 1<sup>st</sup> July 2008 was £2,258,200.92.

**Answer to Question 1141**

The amounts collected as contributions to the Statutory Benefits Fund, since 1<sup>st</sup> July 2008, in the Tax Year 2008/09 is as follows :-

Month	Contribution
July 2008	£1,432,207.86
August 2008	£1,139,430.94
September 2008	£1,214,633.36
October 2008	£1,299,999.08
November 2008	£1,131,963.59
December 2008	£1,072,004.55
January 2009	£1,326,233.66
February 2009	£1,372,047.01
March 2009	£1,538,649.41
April 2009	£1,154,669.44
May 2009	£1,251,578.72
June 2009	£1,261,237.42
	<hr/>
	£15,194,655.04

Contd...

**CONTD ANSWER TO QUESTION 1142**

**Answer to Question 1142**

The amount credited to the Statutory Benefits Fund in respect of contributions collected prior to 1<sup>st</sup> July 2008 by a) Social Insurance Short Term Benefits Fund, b) Social Insurance (Open) Long Term Benefits Fund c) Industrial Injuries Fund and d) Development Corporation Insolvency Fund is as follows:-

**a) Social Insurance Short Term Benefits Fund**

<b>April 2008</b>	<b>£68,874.06</b>
<b>May 2008</b>	<b>£100,890.50</b>
<b>June 2008</b>	<b>£88,976.25</b>

**b) Social Insurance (Open) Long Term Benefits Fund**

<b>April 2008</b>	<b>£849,603.69</b>
<b>May 2008</b>	<b>£1,245,188.90</b>
<b>June 2008</b>	<b>£1,097,552.56</b>

**c) Industrial Injuries Fund**

<b>April 2008</b>	<b>£7,634.04</b>
<b>May 2008</b>	<b>£11,200.16</b>
<b>June 2008</b>	<b>£9,871.81</b>

**d) Development Corporation Insolvency Fund**

<b>April 2008</b>	<b>£1,218.26</b>
<b>May 2008</b>	<b>£11,200.28</b>
<b>June 2008</b>	<b>£9,871.43</b>

ORAL

**NO. 1143 OF 2009**

**THE HON J J BOSSANO**

**PCG GROUP (OVERSEAS) LIMITED**

Can Government confirm that PCG Group (Overseas) Limited, currently in creditors voluntary winding up, rented its registered offices at Gun Wharf from the Government, and if so at what rent, since when has it rented the premises and is the rent currently in arrears?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1144 to 1147 of 2009.



ORAL

**NO. 1144 OF 2009**

**THE HON J J BOSSANO**

**PCG GROUP (OVERSEAS) LIMITED**

Did PCG Group (Overseas) Limited have arrears of PAYE in respect of its employees, and if so, what is the level of arrears, giving a breakdown by number of employees and tax years?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1143 and 1145 to 1147 of 2009.

ORAL

**NO. 1145 OF 2009**

**THE HON J J BOSSANO**

**PCG GROUP (OVERSEAS) LIMITED**

Did PCG Group (Overseas) Limited have arrears of social insurance contributions in respect of its employees, and if so, what is the level of arrears, giving a breakdown by number of employees and tax years?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1143, 1144, 1146 and 1147 of 2009.

ORAL

**NO. 1146 OF 2009**

**THE HON J J BOSSANO**

**PCG GROUP (OVERSEAS) LIMITED**

Can Government say how many employees have been made redundant by PCG Group (Overseas) Limited on account of it being placed in liquidation and are there any payments due to employees that could fall to be met by the Insolvency Fund, and if so, how much and in respect of how many employees?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1143 to 1145 and 1147 of 2009.

**NO. 1147 OF 2009**

**THE HON J J BOSSANO**

**PCG GROUP (OVERSEAS) LIMITED**

Can Government state whether PCG Group (Overseas) Limited was working on any Government contract, as main or sub contractor prior to its being put in liquidation, and if so, identify the contracts and state whether there were any sums due to PCG Group (Overseas) Limited in respect of work done on such contracts?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Gun Wharf is not owned by the Government of Gibraltar and therefore they are not a tenant of the Government. This is a site that we swapped with the MOD and this company came to Gibraltar and carried on business as an MOD term contractor. The MOD put them in there.

The Government do not, as a matter of policy, disclose, publicly, information in connection with any individual taxpayer although I do not mind indicating to the hon Member that there are substantial arrears and their status as an MOD contractor is something that is being pursued.

Thirty two employees were made redundant by PCG Group (Overseas) Limited on account of it being placed in liquidation. Employees have submitted claims against the Insolvency Fund. These are in the process of being considered for any payment to be met from this Fund.

PCG Group (Overseas) Limited was not working on any Government contract at the time when it was put into liquidation.

**SUPPLEMENTARY TO QUESTION NO. 1143 TO 1147 OF 2009**

**HON J J BOSSANO:**

In relation to the point that the Government does not make public what it is owed. Presumably if this company goes to Court in insolvency proceedings that information will then become public and there will be no difficulty in...

**HON CHIEF MINISTER:**

It could emerge in that route but that is very different from me standing up in the House giving figures. There are lots of companies in arrears. One does not have to be in liquidation, as you know, to be in arrears and it would just be unfair to start brandishing the name but they are substantial six figure sums.

**NO. 1148 OF 2009**

**THE HON J J BOSSANO**

**ARMADURAS DEL SUR SL**

Can Government explain which work Armaduras del Sur SL has been contracted to undertake in the construction of the tunnel and at the airport, in respect of which they applied for a trade licence on the 19 August?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The question appears to imply that this company may have been contracted by the Government and if that is the implication of the question, then of course, the answer is that this company has not been contracted by the Government. They are however, an intended sub-contractor of the main contractor that the Government has contracted for the tunnel works and we understand that they are the proposed sub-contractor for the supply and manufacture of reinforcement steel to be incorporated in reinforced concrete elements forming part of the tunnel.

**SUPPLEMENTARY TO QUESTION NO. 1148 OF 2009**

**HON J J BOSSANO:**

Does the fact that they are applying for a trade licence mean that they will be doing more than supplying stuff. They will actually be working there and employing people.

**HON CHIEF MINISTER:**

I think you need a trade licence to work in Gibraltar as a construction company whether you are a principal contractor or a sub-contractor. Now, whether it employs people in Gibraltar or whether it goes down the detached worker route, I have no knowledge of that and I would need notice of that question. As the hon Member knows, most of the detached workers are now to be found in the construction industry whether any of them are here..... I am not sure whether this company has actually started the work yet. I do not think they have actually started because the answer says proposed sub-contractor.

**NO. 1149 OF 2009**

**THE HON J J BOSSANO**

**HAYMILLS – FORMER EMPLOYEES**

Can Government state how many former employees of Haymills were offered employment in Gibraltar General Construction Company Ltd, for 8 weeks, and how many took up the offer giving a breakdown by trade and nationality?

**ANSWER**

**THE HON THE CHIEF MINISTER**

All of the former employees of Haymills were offered employment in Gibraltar Construction Company Limited. Of the 230 in total, 196 took up the offer. I now hand to the hon Member a breakdown of these by trade and nationality, but not by name of individual.

One employee who was in fact a Director of the company, the offer was made conditional on nothing transpiring that made the employment inappropriate. The original offer included the Director and in the light of events that subsequently emerged, in fact, that offer to the Director was withdrawn.

So when the answer to the question says that all of them were offered employment, that is technically correct because the offer letter went out but in respect of this one individual did not have the opportunity to accept it. In fact, he did accept it but it was withdrawn.

ANSWER TO QUESTION 1149

Employees of Gibraltar General Construction Company Limited  
Split by Occupation and Nationality

Occupation	Total	Nationality												
		British	Moroccan	Spanish	Estonian	Latvian	Lithuanian	Polish	Romanian	Russian	Slovakian	Slovenian	Czech	Portuguese
Apprentice Joiner/Carpenter	2	2												
B.C.E.	1		1											
Bricklayer	1	1												
Canteen Manager	1	1												
Carpenter	5	1	2	2										
Chargehand	1	1												
Concrete Finisher	2	1												
Crane Driver	1		1											
Driver/Labourer	3	2	1											
Dryliner	17	5			1	4	1	2	1	2	1			
Electrical Supervisor	1	1												
Electrician	11	5					5	1						
Electrician's Mate	3	2					1							
Fixer	7	2	1				3					1		
Foreman	2	2												
Foreman/Painter	1	1												
Forklift Driver	1	1												
Ganger	1	1										1		
General Operative	1													
Joiner	1		1											
Junior Labourer	1	1												
Labourer	22	10	7	4		1								
Logistics Manager	1	1												
Mason	5	1	3	1										
Monocuche Renderer	4			4										
Office Cleaner	1	1												
Painter	9	1	3	5										1
Plasterer	1													
Plumber	8	5	1	1			1							
Renderer	4	1						3						
Scaffolder	17	13	3	1										
Screder	6	1						5						
Screeder	0													
Semi-skilled operative	4	3	1											
Semi-skilled Labourer	2	1	1											
Site Security	2	1	1											
Site Supervisor	1									1				
Skilled Operative	1	1												
Steel Fixer/Labourer	1		1											
Storeman	2	2												
Supervisor/Mechanic	1	1												
Systems Erector	1	1												
Taper & Joiner	5	5												
	196	83	27	24	2	2	9	22	14	2	4	2	4	1



**SUPPLEMENTARY TO QUESTION NO. 1149 OF 2009**

**HON J J BOSSANO:**

Can I ask while I am waiting for that information? My impression, I think from the original announcement made by the Government, was that the offer was being made to all employees who were working on Government contracts. Is that the case or was it to the entire workforce of Haymills, irrespective of what project they were on?

**HON CHIEF MINISTER:**

For the initial eight week period because it was not possible for the Government to find out... A lot of them were office staff who were just working generally on the contract of the company. The company, I think, only had one non-Government contract and that was a building in Catalan Bay called "St Peters". All the other substantial contracts were Government. So I think, yes, it was in the event everybody and then during those eight weeks an attempt was made to work out which were actually working on the Government contracts and which were therefore necessary, with an element of support staff proportionately so to speak, and those are the people who have been kept on and the others have been let go now recently.

**HON J J BOSSANO:**

I know it is not in the original question but are the Government then in a position to say how many they have kept of the 196?

**HON CHIEF MINISTER:**

I do know that. It is somewhere at the back of my mind because I have been told over the last two or three days. I do not have a note but I think it is well over 100. I think it is all the industrial workforce, some of the technical workforce and some of the administrative workforce. So I think it is.....

**HON J J BOSSANO:**

About 100!

**HON CHIEF MINISTER:**

Well no. I think it is substantially over 100. I am being told it is nearer to 130 or 140.

**HON J J BOSSANO:**

In terms of those that were not retained. At the end of the eight week period what was the nature of ... They got paid those eight weeks at whatever pay they were getting but then if they have got any entitlement for the time they did in Haymills, do they have to claim that against the receiver in the Haymills liquidation?

**HON CHIEF MINISTER:**

No. Their rights to the Insolvency Fund were preserved even though they transferred for these eight weeks to the Government's subsidiary company. So long as it was matters covered by the Insolvency Fund, the fund will continue to look after them.

**HON J J BOSSANO:**

Are the Government aware, as they were in the case of PCG, whether claims have been put from former Haymills employees to the Insolvency Fund?

**HON CHIEF MINISTER:**

Yes. They all have.

**HON J J BOSSANO:**

They all have!

**HON CHIEF MINISTER:**

Yes. By "former" you do not mean people that had already ceased to be employees at the time of the collapse? You mean people who were employees at the time of the collapse and then lost their jobs. Yes, because the former is also possible. Former employees who were no longer employees but who had not been paid off for one reason or another can also come forward.

**HON J J BOSSANO:**

If they are owed money, yes.

**HON CHIEF MINISTER:**

Yes.

ORAL

**NO. 1150 OF 2009**

**THE HON J J BOSSANO**

**HAYMILLS – ARREARS OF PAYE**

Can Government state whether Haymills had any arrears of PAYE in respect of its employees at the time it ceased operations, and, if so, how much, in respect of which tax years and in respect of how many employees?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1151 and 1152 of 2009.

ORAL

**NO. 1151 OF 2009**

**THE HON J J BOSSANO**

**SAFETY AND RISK MANAGEMENT LIMITED – ARREARS OF PAYE/SOCIAL INSURANCE**

Can Government state how many employees of Safety and Risk Management Ltd had when it ceased trading and whether there were any arrears of PAYE and/or social insurance contributions, and, if so, how much and in respect of which tax years?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1150 and 1152 of 2009.

**NO. 1152 OF 2009**

**THE HON J J BOSSANO**

**M & E (GIBRALTAR) LIMITED – ARREARS OF PAYE/SOCIAL INSURANCE**

Can Government state how many employees of M & E (Gibraltar) Ltd had when it ceased trading and whether there were any arrears of PAYE and/or social insurance contributions, and, if so, how much and in respect of which tax years?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Same point about the individual tax payer. I believe the hon Member is referring to Warners M & E (Gibraltar) Limited in his question. This company, in fact, changed its name some time ago to EMserv M & E (Gibraltar) Limited. In fact, the change of name took place in May 2008.

EMserv had 28 employees when it ceased trading. EMserv was part of this group. I think the hon Member has just got the wrong name. The hon Member is referring to the company that was part of the Haymills group. That is called EMserv M & E (Gibraltar) Limited and they had 28 employees.

Safety Risk Management Limited had one employee when it ceased trading and although the company with the Haymills name did not owe a huge amount of money in PAYE, there is one subsidiary called Labour Hirer (Gibraltar) Limited which the hon Member has not mentioned in his question which owes a very, very substantial sum of money. Very, very substantial. Not a million miles from a seven figure sum.

ORAL

**NO. 1153 OF 2009**

**THE HON J J BOSSANO**

**CURRENCY NOTE INCOME ACCOUNT**

Can Government explain why there is no provision for management charges in connection with the operation of the Currency Note Income Account in the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1154 and 1155 of 2009.

ORAL

**NO. 1154 OF 2009**

**THE HON J J BOSSANO**

**NOTE SORTING MACHINE – REPLACEMENT**

Can Government state whether it is now able to say what the cost of the replacement of the note sorting machine is and whether it is expected to be in use in the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1153 and 1155 of 2009.

**NO. 1155 OF 2009**

**THE HON J J BOSSANO**

**CURRENCY NOTES**

Can Government state how much it expects the issue of currency notes to be in the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It was decided to discontinue charging the Currency Note Income Account with the actual management charges because the net receipts of the Currency Note Income Account are, in any case, transferred to the Consolidated Fund. What is the point of making a credit simply to claw it back as a transfer of surplus! So it was eliminated for that reason.

The cost of the replacement of the Note Sorting Machine is £115,119. This has been purchased and is already in use.

It is not clear what the hon Member means by “how much it expects the issue of currency notes to be”. We could not work out whether he was asking what was the value of currency notes that will be issued or whether he was referring to the item in the estimates, issue of currency notes.

**HON J J BOSSANO:**

It says, a token of £1.

**HON CHIEF MINISTER:**

A token of £1! The Financial Secretary's Office actually assumed that he meant the latter and the answer is, on that basis, that there is not expected to be any expenditure incurred during the current financial year.



**SUPPLEMENTARY TO QUESTION NOS. 1153 TO 1155 OF 2009**

**HON J J BOSSANO:**

So the Government expects not to incur any expenditure in obtaining new currency notes in the current financial year even though it was previously running at £350,000?

**HON CHIEF MINISTER:**

Correct.

**HON J J BOSSANO:**

That means that they have enough of a supply and they do not need to print any this year.

**HON CHIEF MINISTER:**

As the hon Member knows, this is a question of release and redemptions which usually fluctuates. For example, last year the figure for issue was £43 million but that is almost entirely balanced by redemptions. The amount of currency in issue remains pretty static. Pretty stable.

ORAL

**NO. 1156 OF 2009**

**THE HON J J BOSSANO**

**LEVEL OF AGGREGATE AND NET PUBLIC DEBT**

Can Government state as at the end of each month since May 2009, what was the level of a) aggregate public debt and b) net public debt?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1157 and 1158 of 2009.

ORAL

**NO. 1157 OF 2009**

**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. 731 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1156 and 1158 of 2009.

ORAL

**NO. 1158 OF 2009**

**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 since the answer to Question No. 732 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The table, which I now hand to the hon Member, shows the tentative aggregate and net Public Debt at the end of each month since May 2009 and also the balances drawn down on the two revolving loan facilities.

**Answer to Question No. 1158 of 2009**

**Answer to Question No. 1156 of 2009**

	<b>Aggregate Public Debt £'M</b>	<b>Cash Reserves £'M</b>	<b>Net Public Debt £'M</b>
<b>June 2009</b>	348.3	256.4	91.9
<b>July 2009</b>	359.2	257.7	101.5
<b>August 2009</b>	364.5	252.2	112.3
<b>September 2009</b>	371.4	249.1	122.3

**Answer to Question No. 1157 of 2009**

The amount of outstanding Government debt in respect of the revolving loans from local banks since May 2009 is as follows:-

<b>Date</b>	<b>Barclays</b>	<b>Natwest</b>	<b>Total</b>
June 2009	£100,000,000	£50,000,000	£150,000,000
July 2009	£100,000,000	£50,000,000	£150,000,000
August 2009	£100,000,000	£50,000,000	£150,000,000
September 2009	£100,000,000	£50,000,000	£150,000,000

**Answer to Question No. 1158 of 2009**

Gibraltar Community Care Limited currently holds £4,961,900 in Government of Gibraltar Debentures.

**SUPPLEMENTARY TO QUESTION NOS. 1156 TO 1158 OF 2009**

**HON J J BOSSANO:**

I seem to remember that in May it was £75 million from Barclays and £75 million from Natwest. Is there a particular reason why Natwest has gone down and Barclays has gone up?

**HON CHIEF MINISTER:**

No. I think on this occasion his memory must be failing him. The Natwest facility is £50 million. It could not have been £75 million.

**HON J J BOSSANO:**

I know this. Now!

**HON CHIEF MINISTER:**

No. I think it has never been more than £50 million. I think that is the limit of the facility. The Barclays is for £100 million and the Natwest is for £50 million and they have both now been fully drawn down in order to lock in to a favourable ...

Does the table that he has say, at the bottom, the bit about Community Care?

**HON J J BOSSANO:**

Yes.

**HON CHIEF MINISTER:**

It does.

**NO. 1159 OF 2009**

**THE HON J J BOSSANO**

**DEPOSITS WITH THE BANK OF ENGLAND**

Can Government confirm whether it is now operating the facility with the Bank of England for holding deposits of excess borrowed funds and if so, as from what date and how much is currently on deposit?

**ANSWER**

**THE HON THE CHIEF MINISTER**

That account by the Gibraltar Government at the Bank of England has been operational since November 2008. As at 30 September 2009, the balance held at the Bank of England by the Gibraltar Government in that account was £195 million.

**SUPPLEMENTARY TO QUESTION NO. 1159 OF 2009**

**HON J J BOSSANO:**

I think at the time that the Chief Minister explained how this would operate, he said that the proceeds of loans that the Government did not need from the bank would be re-deposited with the bank with a contract that would allow them to offset any difficulty that the bank might have in repaying that and that therefore it would be the money from the debentures that would go into the Bank of England account. Is that the case now? Is the £195 million the proceeds of the debenture?

**HON CHIEF MINISTER:**

The Barclays money is still there because we have not yet obtained satisfactory confirmation from Barclays of the right to set off. That is currently under negotiation. So, of those £195 million some of it is what we drew down from Barclays the last time. I think it was £7.5 million or £5 million originally.

**HON J J BOSSANO:**

Originally it was £7.5 million.

**HON CHIEF MINISTER:**

Well the balance up to £100 million is all in here. The original balance may have been spent.

**HON J J BOSSANO:**

The rest of it is money raised by the Government from sale of debentures locally. Is that right?

**HON CHIEF MINISTER:**

Yes.



**NO. 1160 OF 2009**

**THE HON J J BOSSANO**

**CIRCULATING COINAGE**

Can Government explain how the purchase of circulating coins in 2008/2009, relates to the issue of such coins to the value of £1,204,000?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The amount received from the issue of circulating coinage in any year represents the face value of such coins. The purchase of circulating coinage in any year represents the cost of production of such coins and may include coins required to replenish stock levels.

**SUPPLEMENTARY TO QUESTION NO. 1160 OF 2009**

**HON J J BOSSANO:**

So in terms of the value of the circulating coins of £1.204 million, the purchase of the coins is £113,000. Now, how come that at the start of the year the issue of coins was estimated as £750,000 and the cost at £120,000? It struck me as odd that the cost had come down and the actual purchase of coins had gone up by almost 80%.

**HON CHIEF MINISTER:**

On what page is that on?

**HON J J BOSSANO:**

This is in Appendix "M" on page 154.

**HON CHIEF MINISTER:**

Its working out..... What was the.....

**HON J J BOSSANO:**

If we look at what happened in 2007/2008, there was a cost of £122,833 and an issue of £740,685 so the estimate for 2008/2009 follows very closely what actually happened in the preceding financial year.

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

The outturn shows a lower cost than estimated and a vastly higher issue than estimated which does not tie in with what I would have expected which is the answer that I got that it is related to the cost of producing coins.

**HON CHIEF MINISTER:**

I can only assume... I do not think there has been any reduction in the cost of coin production. So I can only assume that it is the face value of the coins. In other words, that the cost of production is not a directly straight line extrapolation of the face value. For example, if you produce ...

**HON J J BOSSANO:**

Pennies and pounds they cost the same. Yes. Except for the metal content.

**HON CHIEF MINISTER:**

Yes and therefore it produces a much higher issue value for a relatively lower acquisition production cost. Purchase cost. If you buy 50p coins or 10p coins you can end up paying a proportionately higher purchase cost.

**HON J J BOSSANO:**

I know the most profitable coin is the £1 which costs 20p and makes 80p profit. I know that. It loses money on the pennies actually but the point is that this forecast outturn for 2008/2009 actually stands out. If the Chief Minister looks at the successive years there are all more or less the same except for this year. There is a spike this year. On the basis of his explanation, the logic of that would be that we have produced many many more high value coins this year than in preceding or subsequent years. Is that what has happened?

**HON CHIEF MINISTER:**

I do not know. I cannot think of any other explanation. Why the estimate of issue should rise from £750,000 estimated to £1.2 million forecast and the cost actually comes down from the estimated £120,000. They must have been estimating to issue

£750,000 worth of relatively low denomination coins and actually went on to purchase much higher denomination coins. There is no other logical explanation.

**NO. 1161 OF 2009**

**THE HON J J BOSSANO**

**ARREARS OF ESTATE DUTY WRITTEN-OFF**

Can Government state whether it has given authorisation for the sum of £839,381 in arrears of estate duty as at the end of 2008 to be written-off?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes. An application for the write-off of these arrears was made by the Commissioner of Income Tax during the current financial year 2009/2010 and the application is currently being processed and considered by the Financial Secretary.

I am told in fact that the original estate duty liability is about £50,000 and the rest of it is all these sort of penalties that chalk up like a speeding meter. Actually, the write off is of an original death duty bill of £50,000 only.

**SUPPLEMENTARY TO QUESTION NO. 1161 OF 2009**

**HON J J BOSSANO:**

The answer is that it is expected to happen in the current financial year.

ORAL

**NO. 1162 OF 2009**

**THE HON J J BOSSANO**

**ARREARS OF RATES WRITTEN-OFF**

Can Government provide a breakdown of the £850,000 arrears of rates written-off in 2007/08, showing the amounts in respect of a) domestic and b) commercial premises and the years in which the rates were payable?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1163 of 2009.

**NO. 1163 OF 2009**

**THE HON J J BOSSANO**

**ARREARS OF RATES WRITTEN-OFF**

Can Government state on what grounds arrears of rates amounting to £850,000 were deemed to be irrecoverable and written-off in 2007/2008?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Breakdown of Write-offs for Financial Year 2007/2008**

Classification	No. of A/C's	Amount Written-off	Range of debt period	Remarks
a) Domestic	15	£25,059.76	1989 to 2005	This amount includes £19K in penalties out of the £25K. The debts were written-off on the grounds of the debt being statute-barred.
b) Commercial	44	£829,442.11	1989 to 2003	This amount includes £584K in penalties. The debts were written off on the grounds of either the companies being liquidated or the debt being statute-barred.

**SUPPLEMENTARY TO QUESTION NOS. 1162 AND 1163 OF 2009**

**HON J J BOSSANO:**

Does he have the information of how many of the 44 were liquidated and how many were statute-barred or not?

**HON CHIEF MINISTER:**

I do not but I would have thought that most of the ones that have become statute-barred have also been liquidated. I would be astonished if debts were allowed to

become statute-barred in respect of companies that continue to trade. Why would the administration have allowed those debts to become statute-barred, presumably.....

**HON J J BOSSANO:**

I thought there was no choice. That if they were statute-barred, they were statute-barred by the statute not by choice.

**HON CHIEF MINISTER:**

Yes. Yes, but you have time to recover them. Normally, they sit on their hands because there is no point in trying to collect them. The idea that there is a debt that has been allowed to become statute-barred, in respect of a company that is not going to go into liquidation, or is not in liquidation, and is merrily trading along or continues to have assets, would be a serious dereliction of collection of public revenue.

ORAL

**NO. 1164 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

Can Government state how much was received by way of pension contributions by the Gibraltar Provident Trust No.2 Pension Fund in 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1165 to 1170 of 2009.



ORAL

**NO. 1165 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

Can Government state how much was received by way of interest by the Gibraltar Provident Trust No.2 Pension Fund in 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1164 and 1166 to 1170 of 2009.

ORAL

**NO. 1166 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

Can Government state the value of investments of the Gibraltar Provident Trust No.2 Pension Fund as at the 31 March 2009, and what was the capital gain or loss during 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1164, 1165 and 1167 to 1170 of 2009.

ORAL

**NO. 1167 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

Can Government state how many persons were covered by the contributions made to the Gibraltar Provident Trust No.2 Pension Fund during 2008/2009 and how much was the contributions by employees?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1164 to 1166 and 1168 to 1170 of 2009.

ORAL

**NO. 1168 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

Can Government state how many persons were covered by the contributions made to the Gibraltar Provident Trust No.2 Pension Fund during 2007/2008 and how much was the contributions by employees?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1164 to 1167, 1169 and 1170 of 2009.

ORAL

**NO. 1169 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

Can Government state what was the total amount paid to beneficiaries of the Gibraltar Provident Trust No.2 Pension Fund in 2008/2009, and how many persons received such payments?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1164 to 1168 and 1170 of 2009.

**NO. 1170 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

Can Government state as at the end of March 2008, how many persons were receiving pension payments from the Gibraltar Provident Trust No.2 Pension Fund and what was the average monthly pension?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The questions tend to gloss over some important points that I think I need to make even though I imagine the hon Member knows.

The Gibraltar Provident Trust (No 2) Pension Scheme is a “defined contribution” scheme and that the contributions are not actually received by the fund.

The contributions are paid into the account of the individual scheme members. So it is not as if the fund receives the contribution as its revenue rather like the Government’s own fund does for social insurance contributions, for example.

The funds come in by employers or employees with an employee’s name on it and it goes and gets credited to that employees account. It is true that all those premiums are then put together and invested jointly and the investment proceeds are then allocated to the funds in proportion to their entitlement. On that basis, because for example, “can Government state how much was received by way of pension contribution by the Gibraltar Provident No 2 Pension Scheme?” The contributions are not actually received by the Trust for its own or for any collective account. They are paid by and received straight into the account of each individual member.

So on that basis, during the year 2008/2009, pension contributions by members totalled £2.817 million. Interest and other dividends received from the investment of the funds held on behalf of members amounted to £483,000. This was offset by a capital loss on investments of £177,000 during the year leaving net investment income at £306,000. This was apportioned accordingly to each member’s interests.

This aggregation of figures is terribly misleading because the members have four investment funds that they can choose; cash, bond, equity and they choose their risk profile. So, that £177,000 capital loss will not have been evenly spread. The brunt will fall on the investors that chose the risk profile fund that generated those losses. I am just trying to emphasise that there is relatively little forensic value in lumping up all these figures together because there is not one common fund producing one common rate of benefit. There is not a common rate of contribution and there is not a common rate of benefit unlike the Government’s own Old Age Pension Fund.

On 31<sup>st</sup> March 2009, the total value of investments held by the Trust on behalf of members stood at £13.471 million. On that date, there were 917 members in the scheme and the employee element of their contributions during the year amounted to £1.048 million. That £1.048 million was the employees' contribution during the year.

In the previous year on 31<sup>st</sup> March 2008, there had been 778 members in the scheme and the employee element of contributions during the year had amounted to £899,000.

As regards the question on the "beneficiaries" of the Gibraltar Provident Trust (No 2) Pension Scheme, the only payment due to members under the scheme is the return of their accumulated pension fund on a member's retirement. There were 37 members who retired during the year ended 31<sup>st</sup> March 2009 and the total of their accumulated fund paid out to them was £485,000.

No members are in receipt of a pension from the scheme.

The hon Member will recall that we abolished the obligation to purchase an annuity in the budget a couple of years. So although they can theoretically opt to get an annual payment they also have the right, like all other such schemes, to collect the whole capital and that is what most people choose to do. That is why there are none collecting a pension as such.

#### **SUPPLEMENTARY TO QUESTION NOS. 1164 TO 1170 OF 2009**

**HON J J BOSSANO:**

These are all public sector employees, are they not? All in Government owned entities. Like the Gibraltar Development Corporation or the Electricity Authority, or the.....?

**HON CHIEF MINISTER:**

Yes. The companies, yes! Electricity Authority new employees!

**HON J J BOSSANO:**

Does the Government not think there is an element of risk in this system that people will take their money and we will find that people are not making provision for their retirement which is the whole purpose of having put the Pension Scheme in place, concerned that if the scheme was not there, people would not do it?

**HON CHIEF MINISTER:**

Yes. There is a risk of that. The Government have thought about that but it is the same risk implicit in the abolition of the need to purchase an annuity scheme with all defined contribution schemes even in the private sector. There is just no getting away from the fact that annuities are not purchasable in Gibraltar. Service providers withdrew from this market and you cannot lock people into an obligation that they cannot consummate. They cannot deliver on. Yes, the danger does exist.

Theoretically, somebody could collect a large lump sum and blow it that night in the Casino. They have the option of doing it the other way. They are not obliged to take the capital so they do have the option to do it the other way but so far no one has chosen that. Perhaps, because necessarily, given that this has not been going on for so many years, the 37 people that have so far collected must have been people that have worked relatively few years. In other words, have joined the scheme late and probably the lump sum that they had accumulated was not, did not buy a pension. I suppose the youngsters that are going in now will be in a slightly different position. Their drawable pension value may be worth their while saying, I will leave it there for a rainy day and I will not help myself to it all in the first year. Some of them are, maybe sophisticated individuals who feel that they can improve the investment performance of the fund, manage themselves, than in this way. They will be different people with different profiles.



ORAL

**NO. 1171 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

Can Government state whether anyone in the Civil Service is currently on terms of employment that include membership of the No.2 Pension Fund?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1172 of 2009.

**NO. 1172 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 2 PENSION FUND**

As at the end of March 2009, how many Public Servants were covered by the No.2 Pension Fund, giving a breakdown by the Agency or Statutory body in whose employment they are?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There are currently no Civil Servants under the Provident Trust No. 2 Pension Scheme. Civil Servants in the strict sense of the word.

As regards the other Public Servants, Public Servants defined in the widest term, I now hand to the hon Member a statement giving him the information that he asks.

There are about 15 entities there. The one with the most members is the Care Agency with 244. The Gibraltar Development Corporation has 116. GJBS has 88. Community Projects has 84.

These are all the people to whom he promised permanent pensions at the last two elections.

**Answer to Question No. 1172 of 2009**

**Gibraltar Provident Trust Fund No. 2 Pension Scheme**

**Breakdown of active members by Agency or Statutory Body**

<b>Agency Statutory/Body</b>	<b>Active Members as at 31<sup>st</sup> March 2009</b>
Citizen Advice Bureau	4
Europa Incinerator Ltd.	4
Gib. Defence Estate & General Services Ltd.	1
Gibraltar Broadcasting Corporation	12
Gibraltar Bus Company Ltd.	37
Gibraltar Community Projects Ltd.	84
Gibraltar Development Corporation	116
Gibraltar Electricity Authority	67
Gibraltar Health Authority	67
Gibraltar Industrial Cleaners Ltd.	15
Gibraltar Joinery & Building Services	88
Gibraltar Regulatory Authority	15
GRP Investments Ltd.	3
Land Property Services Ltd.	9
The Office of the Ombudsman	4
The Care Agency	244
Sports & Leisure Authority	24
Wildlife (Gibraltar) Ltd.	18
Women In Need	2
	<b>814</b>

**SUPPLEMENTARY TO QUESTION NOS. 1171 AND 1172 OF 2009**

**HON J J BOSSANO:**

Which are not pensions any more!

**HON CHIEF MINISTER:**

I beg your pardon.

**HON J J BOSSANO:**

Which are not pensions any more! Can I ask is the position in respect of these employees that it is an individual choice whether they join or not or that they are required to join the scheme as part of the conditions of employment?

**HON CHIEF MINISTER:**

No. They are required to join. What I am not 100% certain is whether their contribution is obligatory. In any case they are required to join because the employer always has to make a minimum contribution of..... I believe that in the majority of these, their contribution is obligatory too.

**HON J J BOSSANO:**

The Chief Minister is not telling me that he knows that. He thinks.

**HON CHIEF MINISTER:**

I believe it. I believe it but I do not know it for a fact.

ORAL

**NO. 1173 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 3 PENSION FUND**

Can Government state how many employers contributed to the Gibraltar Provident Trust Fund No.3 Pension Fund in 2007/2008, and in respect of how many employees in the case of each employer?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1174 to 1176 of 2009.

ORAL

**NO. 1174 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 3 PENSION FUND**

Can Government state how much was received by way of pension contributions by the Gibraltar Provident Trust No.3 Pension Fund in 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1173, 1175 and 1176 of 2009.

ORAL

**NO. 1175 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 3 PENSION FUND**

Can Government state how much was received by way of interest by the Gibraltar Provident Trust No.3 Pension Fund in 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1173, 1174 and 1176 of 2009.

**NO. 1176 OF 2009**

**THE HON J J BOSSANO**

**GIBRALTAR PROVIDENT TRUST NO. 3 PENSION FUND**

Can Government state the value of investments of the Gibraltar Provident Trust No.3 Pension Fund as at 31 March 2009, and what was the capital gain or loss during 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As the hon Member knows this is a “defined contribution” scheme, similar to the (No 2) Scheme except that this one is only for employees of private sector companies as opposed to Government owned companies.

In 2007/2008, there were 15 employers participating in the scheme, that is employers who made contributions on behalf of their employees. On 31<sup>st</sup> August 2008, there was a total of 196 members, that is employees. Fifteen employers, 196 members, employees. The number of members by employer is as follows:

Does the hon Member want the names of the companies?

**HON J J BOSSANO:**

If he wants to give it to me, yes.

**HON CHIEF MINISTER:**

Well. Yes. Give him a copy.



**Answer to Question No. 1176 of 2009**

<b>Employer</b>	<b>Number of Members as at 31<sup>st</sup> March 2008</b>
Companies House	3
Fidux Trust Co. Ltd.	2
Financial Services Commission	21
Gedime Motors Ltd.	2
Gibraltar Chronicle Ltd.	1
Grant Thornton	11
Helvetic Trust Co. Ltd.	2
Ladbroke Int. Ltd.	17
Newcastle Building Society	2
Marine Industrial	1
Serco Ltd.	108
Xanthos Asset Management	1
Marr Co. Ltd. T/A The Paint Shop	6
Gibraltar Duty Free Shop	1
Sharrock Shand	18
	<b>196</b>

During the financial year 2008/2009, pension contributions by members totalled £557,000. Interest and other dividends received from the investment of the funds held on behalf of members amounted to £30,000. This was offset by a capital loss on investments of £65,000 during the year leaving a net reduction from the investments of £35,000. This was apportioned accordingly to each member's account.

**SUPPLEMENTARY TO QUESTION NOS. 1173 TO 1176 OF 2009**

**HON J J BOSSANO:**

These are the good employers, are they not?

**HON CHIEF MINISTER:**

These are, yes, these are the employers who...

**HON J J BOSSANO:**

You can publish those.

**HON CHIEF MINISTER:**

Sorry!

**HON J J BOSSANO:**

I said these are the goods ones so the Chief Minister can publish those. These are not the guys who keep the PAYE and the...

**HON CHIEF MINISTER:**

I will pass him over a copy of the answer to save him having to make the list but there are 15.

**HON J J BOSSANO:**

I am not sure whether it is that the answer has got the wrong year by mistake or that in fact the figures are for 2008 but the question is about 2009 and the answer is about 2008. Some information is about 2007/2008 and some is about 2008/2009.

**HON CHIEF MINISTER:**

I think he has asked in respect of 2007/2008, how many employees in the case of each employer and that is set out there.

**HON J J BOSSANO:**

Right!

**HON CHIEF MINISTER**

In the case of 2009, he has only asked how much was received by way of pension contribution by...

**HON J J BOSSANO:**

And interest.

**HON CHIEF MINISTER:**

Right!

**HON J J BOSSANO:**

And then the value of the investments!

**HON CHIEF MINISTER:**

And then the value of the investments for 2009! For 2009, he has been taken literally. For 2009 he has not asked.

**HON J J BOSSANO:**

Fair enough. Is the value of the investments in the answer? I cannot seem to ...

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

It is.

**HON CHIEF MINISTER:**

Yes. It is at the bottom...

**HON J J BOSSANO:**

The £557,000 is the contribution?

**HON CHIEF MINISTER:**

During the financial year 2008/2009, pension contribution by members totalled £557,000. Interest and other dividends received from the investments of the fund

amounted to £30,000. So that last paragraph. The narrative paragraph at the bottom contains both the pension contribution and the revenue from investments.

**HON J J BOSSANO:**

Not the value as at 31<sup>st</sup> March 2009?

**HON CHIEF MINISTER:**

Of the fund! Can the Government state the value of investments as at 31<sup>st</sup> March 2009? The value of investments as at 31<sup>st</sup> March 2009 I can tell him was £1,087,186 million.

**HON J J BOSSANO:**

Thank you.

ORAL

**NO. 1177 OF 2009**

**THE HON J J BOSSANO**

**CIVIL SERVICE PENSION FUND**

Can Government state whether any further meetings have taken place with the Civil Service Union to discuss whether the Civil Service Pension Fund should continue to apply to new entrants or not?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes. Meetings are on going on this and other strategic issues on a monthly basis.

**NO. 1178 OF 2009**

**THE HON J J BOSSANO**

**CIVIL SERVICE PENSION SCHEME**

Can Government state what was the most recent date when a Civil Servant became permanent and pensionable under the existing Civil Service Pension Scheme and for how long prior to this date had the individuals concerned been employed on non-pensionable terms?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The most recent date when Civil Servants employed on non-pensionable terms have subsequently been made permanent and pensionable under the Pensions Act, dates back to 16 September 2008. Five officers concerned had been employed on non-pensionable terms for three years and two months, two years and four months, two years and five months and the remaining two officers, for one year and nine months, respectively. They were social workers.

**SUPPLEMENTARY TO QUESTION NO. 1178 OF 2009**

**HON J J BOSSANO:**

In terms of the on-going discussions that the Chief Minister is having which we both know is about what may or may not be applied for new entrants. Presumably it would be for new entrants after an agreement is reached. That is to say the people who are in the interregnum would fall under the old system. Is that the case or not?

**HON CHIEF MINISTER:**

Yes. Anybody recruited into the Civil Service, until there is a change, goes into the present system.

ORAL

**NO. 1179 OF 2009**

**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. 733 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No. 1180 and 1181 of 2009.

ORAL

**NO. 1180 OF 2009**

**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. 734 of 2009 from the Stamp Duty on share issues?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1179 and 1181 of 2009.



ORAL

**NO. 1181 OF 2009**

**THE HON J J BOSSANO**

**STAMP DUTY**

Can Government state how many properties have been approved as qualifying for Zero Stamp Duty on their sale in each month since the answer to Question No. 735 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information that the hon Member requests, is in the schedule that I am now having passed to him.

### **ANSWER TO QUESTION NO. 1181 OF 2009**

#### **Answer to Question No. 1179 of 2009**

Stamp Duty collected in each month since June 2009 is as follows:

June 2009	£344,925.17
July 2009	£259,257.49
August 2009	£365,219.14
September 2009	£300,893.04

#### **Answer to Question No. 1180 of 2009**

The amount collected from the £10 Stamp Duty on share issues in each month since June 2009 is as follows:

June 2009	£1,440.00
July 2009	£1,760.00
August 2009	£1,535.00
September 2009	£1,380.00

#### **Answer to Question No. 1181 of 2009**

The number of properties which have qualified for Zero Stamp Duty on sales since June 2009 is as follows:

June 2009	19
July 2009	27
August 2009	11
September 2009	67

ORAL

**NO. 1182 OF 2009**

**THE HON J J BOSSANO**

**PAYE – PAYABLE BY AREA OF EMPLOYMENT AND NUMBER OF EMPLOYEES**

Based on the 2008/2009 employers annual statement, declaration and certificate submitted to date, what was the PAYE payable by area of employment as follows:

- (a) MOD;
- (b) Gibraltar Government;
- (c) Government owned/JV companies; and
- (d) Private sector employment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information is contained on the statement I am now handing to him. A total of £88.39 million broken down as appears on the statement.

**Answer to Question No. 1182 of 2009**

Based on the 2008/09 Employers Annual Statement, Declaration and Certificate submitted to date, the PAYE tax payable by area of employment is as follows:

	<b>£M</b>
(a) MOD	4.01
(b) Gibraltar Government	26.43
(c) Government owned/JV companies	3.55
(d) Private sector employment	54.40
	<hr/>
	88.39
	<hr/>

ORAL

**NO. 1183 OF 2009**

**THE HON J J BOSSANO**

**PAYE – AMOUNTS COLLECTED**

Can Government state how much was collected in PAYE each month since the answer to Question No. 741 of 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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

**Answer to Question No. 1183 of 2009**

The PAYE tax collected (net of refunds) in each month since the answer to Question No 741 of 2009 is:

	<b>£M</b>
June 2009	7.93
July 2009	9.70
August 2009	7.72
September 2009	7.96

**NO. 1184 OF 2009****THE HON J J BOSSANO****TAX ASSESSMENTS**

Can Government state the most recent tax year in respect of which final assessments for personal taxation have now been completed, establishing tax payable and resulting in refunds of tax collected and what has been the total of refunds paid and tax collected for this particular year?

**ANSWER****THE HON THE CHIEF MINISTER**

Yes. The most recent year is 2004/2005 in respect of PAYE individuals and 2007/2008 in respect of self-employed individuals.

The figures are as follows:

	<u>PAYE</u>	<u>Self-employed</u>
	<u>Individuals</u>	<u>Individuals</u>
	£M	£M
Total tax payable	2.24	9.23
Tax collected	1.09	8.49
Tax refunds	3.37	0.45
Total refunds paid	3.29	0.44

**SUPPLEMENTARY TO QUESTION NO. 1184 OF 2009****HON J J BOSSANO:**

What was the figure that the Chief Minister said was the total for PAYE payable in 2004/2005?

**HON CHIEF MINISTER:**

Yes, £2.24 million. No. Not total tax payable. That is not the total tax payable. That is in respect ... The question is ...

**HON J J BOSSANO:**

The final assessment completed establishing in the tax payable and therefore resulting in either more tax having to be collected or refunds having to be paid.

**HON CHIEF MINISTER:**

Yes, because I think this is..... Sorry! I think the question has been misunderstood. I think the information given of total payable at £2.24 million I think is total payable.....

**HON J J BOSSANO:**

As a shortfall!

**HON CHIEF MINISTER:**

Yes. Over and above xxxxxx which may not be what the hon Member was getting at. The hon Member may have been getting at well what was the ...

**HON J J BOSSANO:**

The final figure!

**HON CHIEF MINISTER:**

Yes. The final gross figure! I have just not been given that. Obviously, we would be in difficulty if the total was £2.24 million.

**HON J J BOSSANO:**

Well! I would think so. I see. Can the Chief Minister explain ... In fact, the £2.24 million then is the amount that individual PAYE payers had to pay in addition to what had already been deducted! Is that correct?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

The £1.09 million is what then?

**HON CHIEF MINISTER:**

That is how much it has been collected of that.



**HON J J BOSSANO:**

Of the amount that is due!

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

The £3.37 million and £3.29 million are the same thing. The refunds!

**HON CHIEF MINISTER:**

No. Those are refunds. The £3.37 million is monies that these assessments show was due and payable in the other direction.

**HON J J BOSSANO:**

Of which the Government has paid £3.29 million.

**HON CHIEF MINISTER:**

Yes. So we are slightly better payers than the tax payer.

ORAL

**NO. 1185 OF 2009**

**THE HON J J BOSSANO**

**PAYE – COLLECTED/ARREARS**

Can Government state what was the PAYE collected in 2008/2009 and the PAYE arrears as at 31 March 2009, showing how much of the arrears due from employers was for each of the following tax years: 2007/2008, 2006/2007, 2005/2006?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes. I propose to answer this with Question Nos. 1186 to 1191 of 2009 and the questions are all about PAYE figures and things.

ORAL

**NO. 1186 OF 2009**

**THE HON J J BOSSANO**

**TAX ON INDIVIDUALS – COLLECTED/ARREARS**

Can Government state what was the amount of tax, other than PAYE, collected in 2008/2009 from individuals and the tax arrears as at 31 March, showing how much of the arrears due from employers was for each of the following tax years: 2007/2008, 2006/2007, 2005/2006?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1185 and 1187 to 1191 of 2009.

ORAL

**NO. 1187 OF 2009**

**THE HON J J BOSSANO**

**CORPORATION TAX PAYABLE**

Can Government state what was the amount of tax payable by companies collected in 2008/2009 and the tax arrears as at 31 March, showing how much of the arrears due from employers was for each of the following tax years: 2007/2008, 2006/2007, 2005/2006?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1185, 1186 and 1188 to 1191 of 2009.

ORAL

**NO. 1188 OF 2009**

**THE HON J J BOSSANO**

**CONSTRUCTION SUB CONTRACTORS TAX**

Can Government state the amount of tax collected in respect of construction subcontractors in 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1185 to 1187 and 1189 to 1191 of 2009.

ORAL

**NO. 1189 OF 2009**

**THE HON J J BOSSANO**

**REFUNDS OF PERSONAL TAXATION**

Can Government state the amount of refunds of personal taxation in the financial year 2008/2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1185 to 1188, 1190 and 1191 of 2009.

ORAL

**NO. 1190 OF 2009**

**THE HON J J BOSSANO**

**CORPORATION TAX COLLECTED**

What was the amount of company tax collected in each month since February 2009?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos. 1185 to 1189 and 1191 of 2009.

ORAL

**NO. 1191 OF 2009**

**THE HON J J BOSSANO**

**RETAIL AND WHOLESALE INDUSTRY SECTOR TAX**

Can Government state what was the amount of a) PAYE and b) Company Tax, payable in the tax years 2005/2006, 2006/2007 and 2007/2008, by employers in the retail and wholesale industry sector?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I now hand the hon Member a schedule containing all the information requested.



**Answer to Question No. 1191 of 2009**

**Answer to Question No. 1185 of 2009**

The amount of PAYE tax collected in the financial year 2008/09 was £96.06M.

The level of PAYE tax arrears as at 31 March 2009 was £7.01M.

The analysis of the PAYE tax arrears position as at 31 March 2009, between the tax years 2005/06, 2006/07 and 2007/08 is as follows:

<u>Tax Year</u>	<u>PAYE tax arrears</u>
	<b>£M</b>
2005/06	0.65
2006/07	0.92
2007/08	1.93

**Answer to Question No. 1186 of 2009**

The total amount of tax collected from individuals in the financial year 2008/09 was £14.19M. Out of this total, £0.95M was in respect of individuals under PAYE and the balance of £13.24M was in respect of self-employed individuals.

The level of tax arrears as at 31 March 2009 in respect of individuals was £21.23M. Out of this total, £7.91M was in respect of individuals under PAYE and the balance of £13.32M was in respect of self-employed individuals.

The analysis of the tax arrears position as at 31 March 2009, between the tax years 2005/06, 2006/07 and 2007/08 is as follows:

	<u>2005/06</u>	<u>2006/07</u>	<u>2007/08</u>
	£M	£M	£M
PAYE individuals	0.27	0.21	0.05
Self-employed individuals	1.20	1.49	3.83

**Answer to Question No. 1187 of 2009**

The amount of Corporation Tax collected in the financial year 2008/09 was £26.37M.

The level of Corporation Tax arrears as at 31 March 2009 was £13.64 million.

The analysis of Corporation Tax arrears position as at 31 March 2009, between the tax years 2005/06, 2006/07 and 2007/08 is as follows:

<u>Tax Year</u>	<u>Corporation tax arrears</u>
	£M
2005/06	1.18
2006/07	1.82
2007/08	2.77

**Answer to Question No. 1188 of 2009**

The amount of tax collected in respect of construction sub-contractors in the financial year 2008/09 was £1.74M.

**Answer to Question No. 1189 of 2009**

The amount of refunds of personal taxation paid in the financial year 2008/09 was £2.70M.

**Answer to Question No. 1190 of 2009**

The Corporation Tax collected (net of refunds) in the months of March 2009 to September 2009 is:

	£M
March 2009	4.62
April 2009	2.80
May 2009	0.44
June 2009	2.00
July 2009	0.49
August 2009	4.65
September 2009	0.18

**Cont'd Answer to Question No. 1191 of 2009**

**Answer to Question No. 1191 of 2009.**

The amount of PAYE and Corporation Tax payable in the tax years 2005/06, 2006/07 and 2007/08 by employers in the retail and wholesale industry was as follows:

	PAYE Tax £M	Corporation Tax £M
2005/06	7.01	4.80
2006/07	7.25	5.24
2007/08	7.34	5.85

**SUPPLEMENTARY TO QUESTION NOS. 1185 to 1191 OF 2009**

**HON J J BOSSANO:**

Does the Chief Minister know of any reason why the figure for August 2009 is much higher than it normally is, given the fact that there is now a pattern established? That they tend to bunch the payments in February with the changes that were introduced. Would he know whether this is in fact that there has been a large payment of arrears or something like that in August?

**HON CHIEF MINISTER:**

I am speculating but I am almost certain I am right. Most of that, or the unusual element of that I think is a payment, by one recent, one new Gaming Company that is not on an exempt basis. There is a Gaming Company that came in after the grandfather provisions ended and is paying tax at the full rate and this was the tax in respect of its first year. Not all of it, but the bulk of that, almost all of that.

**NO. 1192 OF 2009**

**THE HON J J BOSSANO**

**GRIEVANCES OF SPANISH FRONTIER WORKERS**

Can Government confirm whether it has received, formally or informally, any representations regarding the grievances of Spanish frontier workers in relation to deductions from their wages and/or eligibility to payment, compared to residents, and if so by whom and when were the representations made?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have received no such representation that I am aware of. Of course, I read some of the wilder cases put in the newspapers and things of that sort. I do not know whether that is how they communicate to the Government formally or informally. I have not had that I am aware of. I say, I am not aware of in case somebody has written to somebody and there is a letter lurking somewhere but no one has engaged with me or any of my ministerial colleagues on this. Except to the extent that I think I have said before that in the last trilateral meeting, I think there was a public statement about it, that a member of the Spanish delegation said that they want to put some ideas and proposals to us in relating to this area but not specifically in the terms of the question. Nothing has materialised yet.

**SUPPLEMENTARY TO QUESTION NO. 1192 OF 2009**

**HON J J BOSSANO:**

So there have been indications of a desire to put some ideas but this has not happened?

**HON CHIEF MINISTER:**

No, it has not happened.

**NO. 1193 OF 2009**

**THE HON J J BOSSANO**

**INCURSION INTO GIBRALTAR BRITISH WATERS BY SPANISH FISHERIES VESSEL**

Can Government confirm that the information on the incursion of the Spanish fisheries vessel into Gibraltar British waters, which was provided on Monday 11<sup>th</sup> of May 2009, came from the Commissioner of Police?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There has been some confusion about the phrase which was provided on Monday 11<sup>th</sup> of May 2009 as to which incident that specifically related to provided by whom and where. So it is not possible to answer the question specifically but almost all the information that the Government receives, in almost every case, about incursions comes from the Royal Gibraltar Police.

**SUPPLEMENTARY TO QUESTION NO. 1193 OF 2009**

**HON J J BOSSANO:**

It is just that the last time, in supplementaries, the Chief Minister said he thought it was the Commissioner but he was not 100% sure. So I was just checking who it was. The last time he answered it was in relation to the incident on the 11<sup>th</sup> May 2009.

**HON CHIEF MINISTER:**

Whether it was the Commissioner personally or not, I do not know, but certainly it would have been the RGP. From time to time, individual members of the public ring in but usually we get a report from the RGP who now log all these incidents and keep a record of them.