

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.

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.

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.

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 21st 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

| Industry Group | Questionnaires | |
|-------------------------------------|-----------------------|-----------------|
| | Sent | Returned |
| 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 | - |
| TOTAL | 1,978 | 1,389 |

- 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 |
| TOTAL | 548 |

- 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 27th 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 14th 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 26th 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 1st November 1984.
2. On 5th 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 1st October 1999.
3. On 22nd 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 1st 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 15th 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:-

| <u>Financial Year</u> | <u>Amount</u> |
|------------------------------|----------------------|
| 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 26th 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 26th 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.

ORAL

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**

| <u>NO.</u> | <u>GRADE</u> | <u>SEX</u> | <u>NATIONALITY</u> |
|-------------------|--|-------------------|---------------------------|
| 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 30th September 2008, on 9th December 2008 and the last meeting was held on 24th 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 QUESTON 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.

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

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 |
|----------------------|------|-------|-------|-------|-------|-------|-------|-------|-------|---------|
| December 2008 | 25 | 31 | 23 | 20 | 18 | 12 | 4 | 133 | 93 | 40 |
| January 2009 | 25 | 31 | 23 | 20 | 18 | 12 | 4 | 133 | 93 | 40 |
| February 2009 | 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

| | <u>30-Nov-08</u> | <u>31-Dec-08</u> | <u>31-Jan-09</u> | <u>28-Feb-09</u> |
|--|-------------------------|-------------------------|-------------------------|-------------------------|
| <u>Fund Account –</u> | | | | |
| <u>Opening Balance</u> | £20,440,879.77 | £20,436,619.74 | £20,115,025.89 | £20,487,361.20 |
| <u>Add</u> | | | | |
| *Contribution from the Consolidated Fund | £833,333.33 | £833,333.33 | £833,333.33 | £833,333.33 |
| Contributions collected in cash (Insurance contr.) | £1,131,963.59 | £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> |
| <u>Less</u> | | | | |
| 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> |
| <u>Closing Balance</u> | <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 |
|----------------------|-------|---------|-------|-------|-------|-------|-------|
| 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 |

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 11th 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 11th 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 QUESTION 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

| | Nov 2008 | Dec 2008 |
|------------------------------|-----------------|-----------------|
| Payments - Insolvency | £0.00 | £6,275.96 |

STATUTORY BENEFITS FUND – TENTATIVE STATEMENT

| | Jan 2009 | Feb 2009 |
|------------------------------|-----------------|-----------------|
| Payments - Insolvency | £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

| | Nov 2008 | Dec 2008 |
|---------------------------------------|-----------------|-----------------|
| Payments – employment injuries | £39,456.75 | £52,036.52 |

STATUTORY BENEFITS FUND – TENTATIVE STATEMENT

| | Jan 2009 | Feb 2009 |
|---------------------------------------|-----------------|-----------------|
| Payments – employment injuries | £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 28th 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 28th 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 28th 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) |
|--|---------------------|----------------------------|---|-------------------------------------|
| EMPLOYEES on GOG Terms | | | | |
| MAIN OFFICE | | | | |
| 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 | | |
| ST. BERNADETTE'S O.T. CENTRE | | | | |
| St. Bernadette's Manager | 1 | 1 | | |
| St. Bernadette's Deputy Manager | 1 | 1 | | |
| Enrolled Nurses | 2 | 2 | | |
| Administrative Officer - Part-time (GOG) | 1 | 1 | | |
| Classroom Aides (full time) Spec. Needs | 7 | 7 | | |
| Classroom Aides (part time) (20hrs) | 7 | 7 | | |
| Vehicle/Escort | 1 | 1 | | |
| EMPLOYEES on SSA Terms | | | | |
| Chief Executive | 1 | | | 1 |
| Occupational Therapist/Strategy Co-ord. | 1 | | 1 | |
| Counsellor | 1 | | 1 | |
| Social Workers (Out of Hrs) | 2 | | 2 | |
| Community Service Officer | 1 | | 1 | |
| Finance Officer | 1 | | 1 | |
| Administrative Officers | 4 | | 4 | |
| Personal Assistant (AO) | 1 | | 1 | |
| Day Centre Co-ordinator | 1 | | 1 | |
| Shop Mobility Attendant | 1 | | 1 | |
| Handyman/driver | 1 | | 1 | |
| <i>Sub-total c/f</i> | 57 | 41 | 14 | 2 |

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 |
| DRUGS AWARENESS CAMPAIGN | | | | |
| Drug strategy Co-ordinator * | 1 | 1 | | |
| Assistant to Drug Strategy Co-ordinator | 1 | | 1 | |
| * GoG Officer on Secondment | | | | |
| DR. GIRALDI RESIDENTIAL | | | | |
| Dr. Giraldi Manager | 1 | | 1 | |
| Deputy Manager Dr Giraldi | 1 | | 1 | |
| Administrative Officer (Part-time) | 1 | | 1 | |
| Unit Managers (40hrs) | 5 | | 5 | |
| Social Care Workers (40hrs) | 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 | |
| CHILDREN RESIDENTIAL | | | | |
| Unit Managers (40hrs) | 6 | | 6 | |
| Social Care Workers (37.5hrs) | 32 | | 32 | |
| Social Care Workers (31hrs) | 6 | | 6 | |
| INDUSTRIAL STAFF | | | | |
| Cleaner - 37 hrs per week | 2 | 2 | | |
| Cleaner - 25 hrs per week | 1 | 1 | | |
| School Attendant/Driver | 1 | 1 | | |
| <i>Total</i> | 172 | 46 | 124 | 2 |

As at 28th 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 |
|--|---------------------|--------|------|--------------|-------------|------------------|-------------------|--------------------|----------------|
| EMPLOYEES on GOG Terms | | | | | | | | | |
| MAIN OFFICE | | | | | | | | | |
| Team Leaders | 2 | 2 | | 2 | | | | 1 | 1 |
| Counselling Psychologist | 1 | 1 | | 1 | | | | | 1 |
| Senior Social Workers | 3 | 3 | | 2 | 1 | | | 2 | 1 |
| Social Workers | 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 | |
| ST. BERNADETTE'S O.T. CENTRE | | | | | | | | | |
| St. Bernadette's Manager | 1 | 1 | | 1 | | | | 1 | |
| St. Bernadette's Deputy Manager | 1 | 1 | | 1 | | | | 1 | |
| Enrolled Nurses | 2 | 2 | | 1 | 1 | | | 2 | |
| Administrative Officer - Part-time (GOG) | 1 | 1 | | 1 | | | | 1 | |
| Classroom Aides (full time) Spec. Needs | 7 | 7 | | 7 | | | | 7 | |
| Classroom Aides (part time) (20hrs) | 7 | 7 | | 7 | | | | 7 | |
| Vehicle/Escort | 1 | 1 | | 1 | | | | 1 | |
| EMPLOYEES on SSA Terms | | | | | | | | | |
| Chief Executive | 1 | | 1 | | 1 | | | 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 |
| DRUGS AWARENESS CAMPAIGN | | | | | | | | | |
| Drug strategy Co-ordinator * | 1 | | 1 | 1 | | | | 1 | |
| Assistant to Drug Strategy Co-ordinator | 1 | 1 | | 1 | | | | 1 | |
| * GoG Officer on Secondment | | | | | | | | | |
| DR. GIRALDI RESIDENTIAL | | | | | | | | | |
| Dr. Giraldi Manager | 1 | | 1 | | 1 | | | | 1 |
| Deputy Manager Dr Giraldi | 1 | 1 | | | 1 | | | | 1 |
| Administrative Officer (Part-time) | 1 | 1 | | 1 | | | | 1 | |
| Unit Managers (40hrs) | 5 | 2 | 3 | 2 | 3 | | | 4 | 1 |
| Social Care Workers (40hrs) | 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 | |
| CHILDREN RESIDENTIAL | | | | | | | | | |
| 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 | |
| INDUSTRIAL STAFF | | | | | | | | | |
| Cleaner - 37 hrs per week | 2 | 2 | | 2 | | | | 2 | |
| Cleaner - 25 hrs per week | 1 | 1 | | 1 | | | | 1 | |
| School Attendant/Driver | 1 | | 1 | 1 | | | | 1 | |
| <i>Total: Permanent Staff</i> | 172 | 138 | 34 | 115 | 41 | 14 | 2 | 134 | 38 |
| TEMPORARY STAFF | | | | | | | | | |
| 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 28th 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.

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

| | | | | 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 | 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 |
| TOTAL | | | | 453 | | 34 | | 487 |

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 1st 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 1st 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 1st 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 1st April.

HON J J BOSSANO:

So the Minimum Income Guarantee will not be increased on 1st 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.

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

| Country | In-patient Allowance per week |
|----------------|--------------------------------------|
| 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:-

| | |
|-----------------------|-----------|
| January 2008 | £5,215.45 |
| February 2008 | - |
| March 2008 | - |
| April 2008 | - |
| May 2008 | £920.71 |
| June 2008 | £920.00 |
| July 2008 | £4,105.28 |
| August 2008 | - |
| September 2008 | - |
| October 2008 | £3,903.30 |
| November 2008 | £3,644.64 |
| December 2008 | - |
| January 2009 | £3,012.39 |
| February 2009 | £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:

| Month | Occasions when Spanish Ambulances have been used |
|----------------|---|
| 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.

| | Females | Males | Total |
|--------------------------|----------------|--------------|--------------|
| 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 |
| TOTAL | 410 | 215 | 625 |

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.

ORAL

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.

ORAL

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:-

| MONTH | INFORMAL | FORMAL |
|---------------|-----------------|---------------|
| 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.

ORAL

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

| | Dec 08 | Jan 09 | Feb 09 | TOTAL |
|--------------|----------|----------|----------|----------|
| Patients | 2 | 3 | 2 | 7 |
| Staff | 0 | 0 | 0 | 0 |
| Total | 2 | 3 | 2 | 7 |

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.

ORAL

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 |

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:

| | Total agreements | Amount |
|----------------------------------|-------------------------|---------------|
| 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.

ORAL

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.

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.

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:

| Date | A+ | A | B | C |
|----------------------------------|-----------|----------|----------|----------|
| 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.

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

ORAL

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 27th November 2009 is as follows:

One call in November on 27th 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 10th 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 16th 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 |
| Total Full-Time Students: | 382 | 408 | 301 | 370 | 491 |

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

| PROFESSIONAL COURSES | | | |
|---------------------------------------|--------------|--|--------------|
| ASSOCIATION OF ACCOUNTING TECHNICIANS | | | |
| AAT | Foundation | | 44 |
| AAT | Intermediate | | 31 |
| AAT | Technician | | 18 |
| Total | | | 93 |
| CHARTERED MANAGEMENT INSTITUTE | | | |
| CMI | Certificate | | 18 |
| CMI | Diploma | | 11 |
| Total | | | 29 |
| INSTITUTE OF LEGAL EXECUTIVES | | | |
| ILEX | PDL | | 14 |
| Total | | | 14 |
| PROFESSIONAL COURSES | | | Total |
| | | | 136 |

| CONTINUING EDUCATION | | 30-WEEK COURSES | |
|-----------------------------|--------------|------------------------|--------------|
| 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 |
| Total | | | 152 |
| CONTINUING EDUCATION | | 10-WEEK COURSES | |
| INTRO TO PC | LEISURE | | 11 |
| SPANISH | BEGINNERS | | 32 |
| SPANISH | INTERMEDIATE | | 12 |
| WOODWORK | LEISURE | | 5 |
| Total | | | 60 |
| CONTINUING EDUCATION | | | Total |
| | | | 212 |

| | |
|--------------------|------------|
| GRAND TOTAL | 348 |
|--------------------|------------|

Contd Answer to Question 135 of 2009

STUDENT FIGURES FOR CONTINUING EDUCATION AND PROFESSIONAL COURSES 2004 - 2005

| PROFESSIONAL COURSES | | | |
|--|--------------|--------------|------------|
| ASSOCIATION OF ACCOUNTING TECHNICIANS | | | |
| AAT | Foundation | | 30 |
| AAT | Intermediate | | 17 |
| AAT | Technician | | 20 |
| | Total | | 67 |
| CHARTERED MANAGEMENT INSTITUTE | | | |
| CMI | Certificate | | 14 |
| CMI | Diploma | | 10 |
| | Total | | 24 |
| INSTITUTE OF LEGAL EXECUTIVES | | | |
| ILEX | PDL | | 6 |
| ILEX | PHDL | | 6 |
| | Total | | 12 |
| PROFESSIONAL COURSES | | Total | 103 |

| CONTINUING EDUCATION | | 30-WEEK COURSES | |
|-----------------------------|--------------|------------------------|------------|
| 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 |
| | Total | | 99 |
| CONTINUING EDUCATION | | 10-WEEK COURSES | |
| ART | LEISURE | | 8 |
| SPANISH | BEGINNERS | | 12 |
| SEWING | LEISURE | | 8 |
| | Total | | 28 |
| CONTINUING EDUCATION | | Total | 127 |

| | |
|--------------------|------------|
| GRAND TOTAL | 230 |
|--------------------|------------|

Contd Answer to Question 135 of 2009

STUDENT FIGURES FOR CONTINUING EDUCATION AND PROFESSIONAL COURSES 2005 – 2006

| PROFESSIONAL COURSES | | | |
|--|--------------|--------------|------------|
| ASSOCIATION OF ACCOUNTING TECHNICIANS | | | |
| AAT | Foundation | | 35 |
| AAT | Intermediate | | 18 |
| AAT | Technician | | 15 |
| | Total | | 68 |
| CHARTERED MANAGEMENT INSTITUTE | | | |
| CMI | Certificate | | 18 |
| CMI | Diploma | | 5 |
| | Total | | 23 |
| INSTITUTE OF LEGAL EXECUTIVES | | | |
| ILEX | PDL | | 8 |
| ILEX | PHDL | | 8 |
| | Total | | 16 |
| PROFESSIONAL COURSES | | Total | 107 |

| CONTINUING EDUCATION | | 30-WEEK COURSES | |
|-----------------------------|--------------|------------------------|------------|
| ENGLISH | GCE | | 11 |
| FRENCH | GCSE | | 5 |
| ITALIAN | GCSE | | 30 |
| SPANISH | GCSE | | 17 |
| SOCIOLOGY | AS | | 7 |
| MATHS | GCSE | | 25 |
| ENGLISH | ESOL | | 23 |
| | Total | | 118 |
| CONTINUING EDUCATION | | 10-WEEK COURSES | |
| 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 |
| | Total | | 147 |
| CONTINUING EDUCATION | | Total | 265 |

| | |
|--------------------|------------|
| GRAND TOTAL | 383 |
|--------------------|------------|

Contd Answer to Question 135 of 2009

**STUDENT FIGURES FOR CONTINUING EDUCATION AND
PROFESSIONAL COURSES 2006 – 2007**

| PROFESSIONAL COURSES | | |
|---------------------------------------|--------------|--------------|
| ASSOCIATION OF ACCOUNTING TECHNICIANS | | |
| AAT | Foundation | 36 |
| AAT | Intermediate | 27 |
| AAT | Technician | 17 |
| Total | | 80 |
| CHARTERED MANAGEMENT INSTITUTE | | |
| CMI | Certificate | 8 |
| CMI | Diploma | 12 |
| Total | | 20 |
| INSTITUTE OF LEGAL EXECUTIVES | | |
| ILEX | PDL | 8 |
| ILEX | PHDL | n/a |
| Total | | 8 |
| PROFESSIONAL COURSES | | Total |
| | | 108 |

| CONTINUING EDUCATION | | 30-WEEK COURSES |
|-----------------------------|--------------|------------------------|
| ENGLISH | GCE | 9 |
| FRENCH | GCSE | 8 |
| ITALIAN | GCSE | 20 |
| SPANISH | GCSE | 12 |
| SPANISH | A | 10 |
| MATHS | GCSE | 25 |
| ENGLISH | ESOL | 36 |
| Total | | 120 |
| CONTINUING EDUCATION | | 10-WEEK COURSES |
| ART | LEISURE | 5 |
| INTRO TO PC | LEISURE | 32 |
| MICROSOFT WORD | INTERMEDIATE | 7 |
| ITALIAN | CONVERSATION | 14 |
| SPANISH | BEGINNERS | 34 |
| SEWING | LEISURE | 7 |
| WOODWORK | LEISURE | 9 |
| Total | | 108 |
| CONTINUING EDUCATION | | Total |
| | | 228 |

| | |
|--------------------|------------|
| GRAND TOTAL | 348 |
|--------------------|------------|

STUDENT FIGURES FOR CONTINUING EDUCATION AND PROFESSIONAL COURSES 2007 – 2008

| PROFESSIONAL COURSES | | | |
|--|--------------|--|--------------|
| ASSOCIATION OF ACCOUNTING TECHNICIANS | | | |
| AAT | Foundation | | 36 |
| AAT | Intermediate | | 27 |
| AAT | Technician | | 19 |
| Total | | | 82 |
| CHARTERED MANAGEMENT INSTITUTE | | | |
| CMI | Certificate | | 11 |
| CMI | Diploma | | 9 |
| Total | | | 20 |
| INSTITUTE OF LEGAL EXECUTIVES | | | |
| ILEX | PDL | | n/a |
| ILEX | PHDL | | n/a |
| Total | | | 0 |
| PROFESSIONAL COURSES | | | Total |
| | | | 102 |

| CONTINUING EDUCATION | | 30-WEEK COURSES | |
|-----------------------------|--------------|------------------------|--------------|
| ENGLISH | GCE | | 18 |
| FRENCH | GCSE | | 17 |
| ITALIAN | GCSE | | 14 |
| SPANISH | GCSE | | 16 |
| SPANISH | A | | 10 |
| MATHS | GCSE | | 17 |
| ENGLISH | ESOL | | 20 |
| Total | | | 112 |
| CONTINUING EDUCATION | | 10-WEEK COURSES | |
| 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 |
| Total | | | 178 |
| CONTINUING EDUCATION | | | Total |
| | | | 290 |

| | |
|--------------------|------------|
| GRAND TOTAL | 392 |
|--------------------|------------|

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.

ORAL

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 16th 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 16th 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 16th 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 16th December 2008.

No minor works have been carried out since 16th December 2008 but scheduled maintenance and repairs carried out after 16th 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 16th 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.

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:-

| YEAR GROUP | NO. OF CHILDREN |
|-------------------|------------------------|
| 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 |
| TOTAL | 25 |

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:

| Financial Year | Fee Collected (k) |
|-------------------------|--------------------------|
| | |
| 2000/2001 | £14,724 |
| 2001/2002 | £14,779 |
| 2002/2003 | £13,981 |
| 2003/2004 | £12,827 |
| 2004/2005 | £15,074 |
| 2005/2006 | £13,965 |
| 2006/2007 | £12,654 |
| 2007/2008 | £12,363 |
| 2008 to end of Jan 2009 | £11,032 |
| | |
| Total | £121,399 |

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_{10s} 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_{10s} 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 PM₁₀ 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 60PM₁₀ exceedences of the daily mean limit value of 50 μ gm⁻³ (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 PM₁₀ 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 PM₁₀ 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 PM₁₀ 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_{10s} 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 PM₁₀ 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 PM₁₀ 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 PM₁₀, it is always PM₁₀ is it?

HON LT-COL E M BRITTO:

I think it is PM₁₀ and it could be PM_{22.5} as well. But the infraction proceedings are in respect of PM₁₀ only, so let us concentrate on PM₁₀.

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 PM₁₀ and PM_{2.5} 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 10th January 2009. Construction of the main building works started on 17th 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

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 28th 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 16th December 2008 and is next due to meet on 30th 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 |
| | | | |
| | | | |
| TOTAL | £ 370,844.28 | £ 16,415.52 | £ 7,732.59 |
| | | | |

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 Elliott 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 Elliott 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 |
| | |
| GRAND TOTAL | £9,706.78 |

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 |
| | |
| GRAND TOTAL | £53,770.45 |

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 |
| | |
| | |
| GRAND TOTAL | £23,238.88 |

Contd.....

Contd Answer to Question 179

Answer to Questions 170, 172, 178 and 179

| | <u>Edinburgh Road Show</u> | <u>FITUR</u> | <u>London Boat Show</u> |
|----------------------|-----------------------------------|--------------------------|--------------------------------|
| | | | |
| | <u>Q 170/2009</u> | | <u>Q 178/2009</u> |
| GTB London | Ian Leyde | | Ian Leyde |
| | Tracey Poggio | | Claire Lerner |
| | Claire Lerner | | Daniel Lerner |
| | | | Tracey Poggio |
| | | | Sarah McFadyen |
| | | | |
| GTB Gibraltar | | <u>Q 172/2009</u> | |
| | | 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 28th January to 1st February. Mr Banda assisted on Saturday 31st January and Sunday 1st 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 13th 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.

ORAL

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

| Incident No. | Date | Duration | Areas affected | Reason |
|---------------------|--|----------------------------|---|--|
| 1 | Mon 1 st 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 th 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 nd 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 th 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 th 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 th 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 th 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 29th 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 20th 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:-

| | Passengers | Fares |
|----------|-------------------|--------------|
| 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

| 2008 | Cranes | Goods Vehicles (Trucks) | Motor vehicles designed for excavation or shovelling works | Total |
|-------------|---------------|--|---|--------------|
| November | 10 | 18 | 3 | 31 |
| December | 4 | 7 | 2 | 13 |
| 2009 | | | | |
| 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 26th February 2009.

Planning permission to AKS Architects for 47 Line Wall Road was refused on 19th 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 27th 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 – 26th November 2008 to 10th March 2009

Compiled by Director of Civil Aviation, 10th March 2009

| MOR Ref. | Date | Airline/Aircraft | Brief Description |
|-----------------|-------------|-------------------------|--|
| 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**

| | Nov (25th) | Dec | Jan | Feb | Mar (9th) |
|------------|------------------------------|------------|------------|------------|-----------------------------|
| 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

| | | Nov (25th) | Dec | Jan | Feb | Mar (9th) |
|------------|------------|------------------------------|------------|------------|------------|-----------------------------|
| 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

| | November | December | January | February |
|---------------|-----------------|-----------------|----------------|-----------------|
| (a) Bunkering | 551 | 542 | 503 | 446 |
| (b) Cargo | 15 | 29 | 14 | 13 |
| (c) Repairs | 13 | 11 | 15 | 10 |

Bunkers sold (Tonnes)

| November | December | January | February |
|-----------------|-----------------|----------------|-----------------|
| 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 15th 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

| Project No. | Sponsor | Status | ERDF | GOG | Purpose of Grant |
|--------------------|--------------------------|---------------|----------------------|---------------|--|
| 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:

5th January 2009;
5th February 2009; and
26th 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

Page 1 of 3

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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

| App. No. | Prop. No. | App. date | Date rcvd | Site address | Estimated cost |
|-----------------|------------------|------------------|------------------|--------------------------------------|-----------------------|
| 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

| App. No. | Prop. No. | App. date | Date rcvd | Site address | Estimated cost |
|-----------------|------------------|------------------|------------------|--------------------------------------|-----------------------|
| 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

| App. No. | Prop. No. | App. date | Date rcvd | Site address | Estimated cost |
|-----------------|------------------|------------------|------------------|---------------------------------------|-----------------------|
| 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

| App. No. | Prop. No. | App. date | Date rcvd | Site address | Estimated cost |
|----------|-----------|------------|------------|---|----------------|
| 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

| App. No. | Prop. No. | App. date | Date rcvd | Site address | Estimated cost |
|------------------|------------------|------------------|------------------|------------------------------------|-----------------------|
| 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 |
| Subtotal: | | | | | £4,447,871 |

GOVERNMENT OF GIBRALTAR
Department of Enterprise and Development
Town Planning & Building Control Section

Estimated cost for applications received January – December 2008

Demolition building application

| App. No. | Prop. No. | App. date | Date rcvd | Site address | Estimated cost |
|------------------------|------------------|------------------|------------------|------------------------------------|-----------------------|
| 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 |
| Subtotal: | | | | | £541,500 |
| No. of records: | | | | | 9 |

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.

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 31st 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.

ORAL

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> | | | | | | | | | | | |
|---------------------|---------------------------------------|----------|-----------|----------|-----------|-----------|-----------|----------|----------|----------|-----------|------------|
| | 50:50 | 55:35 | 60:40 | 65:35 | 70:30 | 75:25 | 80:20 | 85:15 | 90:10 | 95:05 | 100:0 | Total |
| 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 |
| Total: | 50 | 2 | 33 | 2 | 65 | 11 | 15 | 3 | 0 | 0 | 95 | 276 |

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 19th and 22nd 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 2nd 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 30th 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 rd Oct 2008 | £ 2.6M | 1.27 | 0.02 | 1.25 | €3,249,220 |
| 3 rd Nov 2008 | £ 2.6M | 1.24 | 0.02 | 1.22 | €3,231,540 |
| 3 rd Dec 2008 | £ 2.6M | 1.19 | 0.02 | 1.17 | €3,042,780 |
| 3 rd Jan 2009 | £ 2.6M | 1.19 | 0.02 | 1.17 | €3,042,780 |
| 3 rd Feb 2009 | £ 2.6M | 1.19 | 0.02 | 1.17 | €3,042,780 |
| 3 rd 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 27th 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 |
| Overall Total | 261 | 878 | 110 | 450 | 1699 |

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 1st 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.

ORAL

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.

ORAL

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)

| Post-Box ref | Issuing Agency | Receiving Agency | Notification / Request for Information |
|---------------------|--|--|---|
| 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 10th 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 | Tourafica |
| 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.

ORAL

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 13th 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 6th 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

| <u>UNIT</u> | <u>SUCCESSFUL TENDERER</u> |
|--------------------|---|
| 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 |
| TOTAL | | 11 | 11 |

| YEAR | NATIONALITY | | WHETHR GRANTED |
|--------------|-------------|-----------|----------------|
| 2000 | BRAZILIAN | 1 | YES |
| | FRENCH | 1 | YES |
| | INDIAN | 12 | YES |
| | PORTUGUESE | 3 | YES |
| | SPANISH | 4 | YES |
| TOTAL | | 21 | 21 |

| 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 |
| TOTAL | 40 | | 40 |

| 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 |
| TOTAL | | 19 | 19 |

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 |
| TOTAL | | 37 | 37 |
| 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 |
| TOTAL | | 41 | 41 |
| 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 |
| TOTAL | | 15 | 15 |

| YEAR | NATIONALITY | | WHETHER GRANTED |
|--------------|---------------------------|----|------------------------|
| 2006 | 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 |
| TOTAL | 36 | | 36 |

| YEAR | NATIONALITY | | WHETHER GRANTED |
|--------------|--------------------|-----------|------------------------|
| 2007 | AMERICAN | 1 | YES |
| | ALGERIAN | 1 | YES |
| | AUSTRALIAN | 1 | YES |
| | BANGLADESHI | 2 | YES |
| | BRAZILIAN | 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 | |
| TOTAL | | 30 | 30 |

| YEAR | NATIONALITY | | WHETHER GRANTED |
|-------------|--------------------|---|------------------------|
| 2008 | 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 |
| TOTAL | | 30 | 30 |

| | | | |
|--------------|--------------------|----------|----------------------------|
| YEAR | NATIONALITY | | WHETHER GRANTED |
| 2009 | VENEZUELA | 1 | YES |
| TOTAL | | 1 | 1 |

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**

| <u>DEPARTMENT</u> | <u>GRADE</u> | <u>NO. OF VACANT POSTS</u> |
|----------------------------|--------------------------|-----------------------------------|
| 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:-

| <u>DEPARTMENT</u> | <u>GRADE</u> | <u>NO. OF POSTS FILLED</u> |
|--------------------------|-----------------------------|-----------------------------------|
| 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 10th March, that is to say, the last two the 1125 taxpayers and the £20.1m, those were at 10th March.

SUPPLEMENTARY TO QUESTION NOS. 322 TO 325 OF 2009

HON J J BOSSANO:

Well, if the answer to Question No. 325 is at 10th 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 10th March, so it must include the people after June.

HON CHIEF MINISTER:

Yes, as at 10th 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 10th March, if they had elected by 30th June they were either resident or not resident by that date, and after, I do not know. Yes, I think the “as at 10th 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:

| | PAYE Tax | Corporation Tax |
|---------|-----------------|------------------------|
| 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:

| | PAYE Tax | Corporation Tax |
|---------|-----------------|------------------------|
| 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:

| | PAYE Tax | Corporation Tax |
|---------|-----------------|------------------------|
| 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.

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, 1st 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.

| <u>Date Paid</u> | <u>Contractors</u> | <u>Quantity</u> <u>Surveyors</u> | <u>Engineers</u> | <u>Architects</u> | <u>Other Parties</u> |
|------------------|--------------------|-------------------------------------|------------------|-------------------|----------------------|
| 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/> | | | | | |
| <u>£3,700,259.00 £118,917.45 £97,676.90 £115,083.56 £128,541.40</u> | | | | | |

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 1st 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 |