



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.30 a.m. – 12.20 p.m.

Gibraltar, Thursday, 18th October 2012

The Gibraltar Parliament

The Parliament met at 9.30 a.m.

[MR SPEAKER: Hon. A J Canepa GMH, OBE *in the Chair*]

[THE PRESIDING MEMBER: Hon. Dr. J J Garcia *in the Chair, presiding over the resolution*]

[CHIEF JUSTICE: Hon. Mr Justice A E Dudley *in attendance*]

[CLERK TO THE PARLIAMENT: M L Farrell Esq RD *in attendance*]

PRAYERS

The Presiding Member

SUSPENSION OF STANDING ORDERS

**Standing Order 7(1) suspended
to proceed with Government motion**

Clerk: Suspension of Standing Orders, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): I beg to move under Standing Order 7(3) to suspend Standing Order 7(1) in order to proceed with a Government motion.

Mr Presiding Member: Those in favour. (**Members:** Aye.) Those against. Carried.

MOTION FOR THE APPOINTMENT OF THE SPEAKER

**Mr Adolfo John Canepa, GMH, OBE
appointed Speaker of the Gibraltar Parliament**

Clerk: Government motion: motion for the appointment of the Speaker of the Gibraltar Parliament, the Hon. the Chief Minister.

20 **Chief Minister (Hon. F R Picardo):** Mr Presiding Member, I have the honour to move the motion standing in my name which reads as follows:

‘That Adolfo John Canepa, GMH, OBE be appointed Speaker of the Gibraltar Parliament.’

25 Mr Presiding Member, let me start by saying that I have appointed you in keeping with the provisions of section 26(2) of the Constitution to preside over the motion of the appointment of the new Speaker in this Parliament, because your appointment today as Presiding Member follows the absence of the Hon. Mr Joe Bossano, the Father of this House, who is travelling in pursuit of his ministerial responsibilities for inward investment.

30 In deciding who should be appointed today as Presiding Member, in the absence of the Hon. Mr Bossano, I have had regard to the practice previously established in this House. Before the new Constitution, it was common for one of the two *ex officio* Members to be appointed to the Chair in the absence of Mr Speaker. After the new Constitution, when the *ex officio* Members were removed from this place, there have only in my recollection been two instances when we have required a Presiding Member. The second was the instance of Mr Bossano presiding over the appointment of Mr Budhrani as Speaker, just after the recent General Election. The first was the appointment of Mr Budhrani as Speaker after the 35 2007 General Election. In that case, on 8th November 2007, the Hon. Mr Joe Holliday, then the Deputy Chief Minister, as you are today, was appointed as Presiding Member.

Enough though, about the mechanics of appointing a Presiding Member.

The motion standing in my name reads, as I have just said:

40 ‘That the House do appoint Mr Adolfo Canepa, GMH, OBE as Speaker of this Parliament.’

What can I say of Mr Canepa’s trajectory of public service that this place is not already alive to, given that he spent most of his time in public service here?

45 From 1972 – the same year and in the same election as the Hon. Mr Joe Bossano – Mr Canepa served in this House as a Member for the Association for the Advancement of Civil Rights (AACR), a historic party in the politics of our formation, if ever there was one. For 16 years, Mr Canepa was both a Minister and, from 1987 to 1988, Chief Minister. From 1988 to 1992, Mr Canepa was Leader of the Opposition. I am delighted to propose that he now return to this place, no longer a House of Assembly but a Parliament, as its own Speaker.

50 The community as a whole knew Adolfo Canepa as one of the teachers who turned to politics when his country needed him, a grammarian who took great pride in doing everything just right. In a career that led him to the very top of politics, no-one has ever suggested that Adolfo – as he is affectionately known to his many friends – has been anything other than a gentleman at every turn.

55 Indeed, in whatever role he has fulfilled to date in this House, Adolfo Canepa has never been found wanting. I am sure that he will be more than up to the role of Speaker of this Parliament now, and I know that the whole House will want to support him in the important function he will discharge in the Chair.

60 Indeed, I think that for ex-politicians in particular, taking the Speaker’s Chair must in some ways constitute exquisite torture of a sort, given that the role involves much listening and very little intervening, however strongly one may feel on a subject. However hard a role that may be, there is no doubt in my mind that Adolfo Canepa has all the attributes necessary to discharge the functions of Speaker of this House.

65 Mr Presiding Member, the politics of 1972 to 1992 was very different to the politics of today in many ways. In some ways, the politics of those years appears in hindsight better than today’s, in the respect there was among Members and the decorum of the House, something which may appear to have been lost, perhaps through no fault of the previous incumbent of the post of Speaker, who did a sterling job himself in that seat.

70 If the appointment of Mr Canepa serves to re-establish some of that respect and decorum, by a sharing of his experience of the better politics of the 1970s and 1980s, then that alone will be a good thing. In that respect, Mr Canepa will be assured of the respect of this side of the House for his Rulings, *even* and perhaps most importantly, when we might vehemently disagree with a determination of his, unusual though I expect that to be.

75 Moreover, I am sure I speak for the whole House when I say that his political trajectory and his personal integrity is such that Mr Canepa will no doubt command the respect of the whole community in the discharge of his functions as Speaker. I am equally sure that he will be able to represent Gibraltar internationally at Commonwealth Parliamentary Association Conferences and other events perfectly, with the benefit of that experience which I have alluded to earlier.

Finally, Mr Presiding Member, in terms of sweet ironies, you will recall that the launch of our own political party in the early 1990s coincided not providentially with the announcement of the 1992 General Election by the Hon. Mr Joe Bossano, who trigged, as a result, the retirement from active politics of Mr

80 Canepa. What a pleasure it is for us on this side of the House, therefore, to now move the motion for Mr Canepa's return to Parliament. (*Applause*)

85 **Mr Presiding Member:** I now propose the question in the terms of the motion moved by the Hon. Chief Minister.

Hon. P R Caruana: It is a great privilege for me on behalf of the Opposition Members of the House to indicate our intention, as we have done publicly before today, to support this motion. Indeed, I am able to endorse everything that the Hon. the Chief Minister has said about the candidate, Adolfo Canepa, even though we have a disagreement with him about what he said about the mechanics for the appointment of the Presiding Officer, which we will not air on this occasion, so as not to tarnish or spoil, not just for Adolfo, but indeed for his family here present and indeed for this House, for which it is also a special occasion, the happy occasion that is his elevation to the Bench. Whatever we have to say on that mechanical matter can wait for another day.

95 As I say, I endorse what the Chief Minister has said about the attributes that so eminently qualify Adolfo Canepa to preside over this Chamber. It is not just because he has been a past Chief Minister and as such a leader of the Gibraltar Government and has held ministerial office, therefore not just because he has been an important part of the Executive of Gibraltar and has all the experience and all the understanding of Government and how Government works and will therefore be able to bring that to bear in the rulings and in the assessments that he makes, when this House tries to hold the Government to account as is its function; but also because, whilst a Member of this House, as a Member of Parliament, as opposed to a Member of the Government, he has sat on both its sides, both on the Government side and on the Opposition side. He therefore intrinsically understands both the needs that the Government side has for its work to be successfully done in this House, but he also I suspect has an intrinsic understanding of the needs that the Opposition side of the House has, in its no less important task of holding the Government to account. I have no doubt that Adolfo Canepa, when those political qualifications are added to his personal qualities, will be more than able to ensure that the way that he presides over this House will reflect that Parliament is not the Government; that Parliament is a different and separate institution from the Government; and that within this Parliament, the Government is not entitled to particular special treatment, even though, of course, the Speaker has to ensure the Government can do its business effectively, in steering its legislative programme through this House, but that the Parliament is a different and separate institution, in which both sides are entitled to the same equality and even-handedness of treatment, because what this House is is a Chamber of Members of Parliament. It is not a House of the Government and the Opposition; it is a Chamber of Members of Parliament, some of whom sit on the Government benches and others of whom sit on the Opposition benches.

115 In a more enlarged, indeed more developed Parliament, there would be a back bench on the Government side and they would be ordinary Members of Parliament, thereby emphasising the difference, which is sometimes lost in the context of our very small Parliament, where all the Members on the Government side are in the executive – that is to say, in the Government and all the Members on the Opposition side are on the Opposition front bench and there is no back bench on either side. That leads to a subconscious blurring of the essence that Parliament is a Chamber of Members of Parliament, each of whom is equal and each of whom is equal in the eyes of the duties of the Speaker to each other, because nobody is here other than in the capacity as a Member, some with executive responsibilities and others with the responsibilities to hold the executive to account.

125 Of course, it is inevitable that, whenever two parliamentarians have a disagreement, both feel that they are correct with equal measure of passion and certainty, and that it falls upon the Speaker to adjudicate between them, and that the person on the receiving end of an unfavourable Ruling is almost certainly left feeling a sense of grievance and a sense of wrong. That is fine. That is fine, so long as there is a balance in which the same party does not always end up on the losing side and the same party does not always end up on the winning side. I have not the remotest doubt in my mind that Adolfo Canepa is a man that is not only capable of presiding over this House in a way of which we will all approve, but that indeed will do so, as a matter of personal conviction and as a matter of personal desire.

130 I should just add, in conclusion, that we ourselves, I myself, tried to nominate Adolfo for the post of Speaker during a past term. It coincided with a less felicitous part of his life, in terms of things going on within his family, and he felt unable at that time to accept the invitation, but nevertheless, it is therefore a double delight for me to be able to support his appointment, at a time that is more convenient to him and his family circumstances.

135 I support the motion. (*Applause*)

140 **Mr Presiding Member:** If no other hon. Member wishes to speak, I will call on the mover to reply.

145 **Hon. Chief Minister:** Mr Presiding Member, a lot has been said by the hon. Gentleman with which I agree. I think the most important aspect of what he has said with which I agree, having sat on the Opposition Benches for eight years, is that all of us in this House are equal. All of us are Members of Parliament and nothing else, and I am delighted that that realisation has now alighted upon him and that we have no doubt also, on this side of the House, that because he has been on both sides of the House, but perhaps most importantly, because of his personal integrity, Adolfo Canepa will know how to rule on each occasion on which he is called upon to rule, in a manner that is in keeping with the Rules of this House, whoever and wherever the person that may be the subject of his Ruling may sit.

150 Mr Presiding Member, I think that the best way to approach the appointment of Adolfo Canepa is to thank the Hon. the Leader of the Opposition for confirming that this motion will pass with unanimity, because I think in that way we show in this Parliament that Adolfo Canepa enjoys the respect of the whole of the community for the job he is going to discharge from that Chair.

155 I would ask all Members of the House to note that, when we get a little bit hot under the collar and Mr Speaker, has to intervene, we should perhaps have less regard to how he rules, but rather to the fact that we have made him rule and perhaps we should have more pause for thought on those occasions ourselves.

Mr Presiding Member: I now put the question in the terms of the motion proposed by the Hon. Chief Minister. Those in favour. (**Members:** Aye.) Those against. Carried.

160 *The Presiding Member took his place on the Government benches.*

Clerk: Mr Speaker.

165 *There was applause as Mr Speaker, took the Chair.*

ADMINISTRATION OF OATH OF ALLEGIANCE TO THE SPEAKER

170 **Clerk:** Oath of Allegiance of the Speaker, to the Hon. Adolfo John Canepa.

The Chief Justice administered the Oath of Allegiance to Hon. A J Canepa as follows:

175 **Mr Speaker:** I, Adolfo John Canepa do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors according to law, so help me God.

ADDRESS BY THE SPEAKER

180 **Mr Speaker:** I wish to thank all hon. Members for, as it were, elevating me today to this high office, to a position that I had thought some years ago would never come my way. It is really a case of 'third time lucky', and I am overwhelmed by the realisation that I am here today amongst you, after an absence of nearly 21 years.

185 May I also thank very specially, the Chief Minister and the Leader of the Opposition for their kind words when speaking on the motion.

All Members of Parliament are servants of the people and, to some extent, the Speaker is the servant of the servants of the people. I will therefore do everything that I can to help hon. Members in the conduct of their business in this House, whenever they seek my help and advice.

190 But I also have an almost sacred duty to the august institution that is Parliament. In this regard, I will strive to protect and defend the powers and privileges of Parliament and its Members, whenever that might become necessary. Above all, I pledge myself to uphold the dignity of this House and not to allow it to be brought into disrepute.

195 An important factor in this connection is, of course, the requirement to enforce the observance of all Rules and Standing Orders for ensuring and preserving the orderly conduct of its proceedings. I am confident that, in this respect, I will be able to count on the support and help of all hon. Members.

In conclusion, may I say that I count it a privilege to have been born in a democracy; a greater one to have already served in this place for 20 years; but the greatest privilege and honour is to be given the opportunity by hon. Members to preside over the business and deliberations of our Gibraltar Parliament.

200 Thank you. (*Applause*)

Order of the Day

205

CONFIRMATION OF MINUTES; DOCUMENTS LAID

Clerk: Confirmation of Minutes: the Minutes of the last meeting of Parliament which commenced on 19th September 2012 and ended on 28th September 2012.

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Mr Speaker: May I sign the Minutes as correct?

Members voted Aye.

215

Mr Speaker, signed the Minutes.

Clerk: (iii) Communications from the Chair; (iv) Petitions; (v) Announcements; (vi) Papers to be laid. The Hon. the Minister for Justice.

220

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, I have the honour to lay on the table the Codes of Practice under section 690(2) of the Criminal Procedure and Evidence Act 2011.

Mr Speaker: Ordered to lie.

225

Clerk: (vii) Reports of Committees; (viii) Answers to Oral Questions.

Questions for Oral Answer

230

SPORTS, CULTURE, HERITAGE AND YOUTH

235

City Fire Brigade GHA Medical Priority Dispatch System

Clerk: Question 835/2012, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister with the responsibility for the City Fire Brigade commit himself to state when the Medical Priority Dispatch System of the GHA, linked in with the City Fire Brigade, will go live?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

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Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, discussions are currently in place between the Ministers of Health Service, Justice and Fire Brigade to discuss the best way forward to set up the Medical Priority Dispatch System.

250

Hon. Mrs I M Ellul-Hammond: Mr Speaker, was not the aim to implement the system and go live in October of this year? Could he explain, what has been the delay?

Hon. S E Linares: Mr Speaker, I am not aware that it was supposed to have been in October that it should have gone live.

255

Hon. Mrs I M Ellul-Hammond: Mr Speaker, could the Hon. Minister explain what the delay is in the system going live?

Hon. S E Linares: Mr Speaker, as far as I am concerned, there is no delay at all.

260 **Mr Speaker:** Does the hon. Lady have any other supplementary?
Next question.

265 **International Symposium on the ‘History of the Spanish Masonry’
Government sponsorship**

Clerk: Question 836, the Hon. E J Reyes.

270 **Hon. E J Reyes:** Mr Speaker, can the Minister for Culture and Heritage provide details of his Ministry’s sponsorship of the International Symposium on the ‘History of the Spanish Masonry’ held in Gibraltar during the month of October 2012?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

275 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the Ministry’s sponsorship for the International Symposium on the ‘History of the Spanish Masonry’ is £28,000. Government will be in a position to provide a breakdown and further information in due course.

280 **Hon. E J Reyes:** Mr Speaker, may I ask the Minister, when he says this will be provided in due course, is it something he hopes or intends to publish on the web-site, or is it something that I should seek as a question in a future meeting?

285 **Hon. S E Linares:** Both, Mr Speaker, if he wants to. It will be on the website and I can even, if he asks the question in the next Parliament, I will answer it.

290 **Parson’s Lodge
Works carried out**

Clerk: Question 837, the Hon. E J Reyes.

295 **Hon. E J Reyes:** Can the Minister for Heritage provide details of all works carried out at Parson’s Lodge since January 2012, indicating the type of work, by whom undertaken and breakdown of costs?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

300 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I now hand over to the hon. Member opposite a detailed schedule of works carried out in Parson’s Lodge since the start in January 2012.

ANSWER TO QUESTION 837

Works carried out at Parson’s Lodge since the start of January 2012.

CONTRACTOR	INV.DATE	AMOUNT	DESCRIPTION OF WORKS
J BALBAN ELECTRICAL	03/04/2012	£30.00	CHECK HEATER SUPPLY
K DESOIZA (PLUMBER)	16/04/2012	£1,270.00	REPLACE WATER HEATER & INSTALLATION OF INDIVIDUAL SHOWERS
GJBS LTD	20/07/2012	£140.00	REPAIRS TO WATER LEAK
J BALBAN ELECTRICAL	25/07/2012	£217.00	CHECK PORTABLE GENERATOR & AUXILIARIES, CHECK INSTALLATION & REPAIRS
GREENARC	30/07/2012	£350.00	SUPPLY POTS , DISHES, COMPOST & PLANTED FERNS ETC.
CIAP	13/08/2012	£125.00	SUPPLY & REPLACE DOOR LOCK - ENTRANCE
ABC CLEANING COMPANY	15/08/2012	£536.76	DEEP CLEANING PREMISES
ETB 1	15/08/2012	£550.00	REMOVE FLAKING PAINT & REPAINT EXTERIOR WALLS
	29/06/2012	£4,550.00	PAINT TERRACES, RAILING, WALL & REMOVE GRASS & BRANCHES - PHASE 1
	26/07/2012	£4,550.00	PAINT TERRACES, RAILING, WALL & REMOVE GRASS & BRANCHES - PHASE 2
	29/06/2012	£4,850.00	REPAIR RAILINGS & LOCKS, MANUFACTURE NEW STAIRS, PAINT ROOMS, DOORS, RAILING & REPLACE LOOSE TILES ON TERRACE
TOTAL		£17,168.76	

305 **Hon. E J Reyes:** Mr Speaker, can I ask the hon. Member as well, I notice one of the items being the removal of flaking paint and repainting exterior walls and so on: have these works been carried out under a licence issued, as required by legislation, by the Minister for Heritage?

310 **Hon. S E Linares:** No, Mr Speaker, because the actual scraping and re-painting is not on heritage walls. They are the actual place where all the people stay below, so it is not the actual Parson's Lodge, the one that needs painting, so there is no need for that.

Hon. E J Reyes: So, for clarification, those repair works entail parts of the site which are not necessarily the heritage building, strictly speaking?

315 **Hon. S E Linares:** Absolutely.

**Gibraltar Music Festival
Payments to Axel Media and Word of Mouth**

Clerk: Question 838, the Hon. E J Reyes.

325 **Hon. E J Reyes:** Further to Question 708/2012, can the Minister for Culture now provide details of payments made, or committed to make, in favour of Axel Media and Word of Mouth in respect of the production and organisation of the Gibraltar Music Festival?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

330 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, full details of payments have not been finalised.
Government will be in a position to do so before the next Parliament session, if not before.

**Cultural Grants
Details for financial year**

340 **Clerk:** Question 839, the Hon. E J Reyes.

Hon. E J Reyes: Further to Question 709/2012, can the Minister for Culture now provide details of Cultural Grants made, or committed to make, this financial year?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

345 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I now hand over to the hon. Member a schedule of the detailed information.

ANSWER TO QUESTION 839

Cultural Grants made for this financial year.

Bayside & Westside Drama Group	1,000.00
Wildlife Ltd - accommodation and flights for Breed 77 concert held at Alameda Gardens	1,450.00
Mrs Gina Picardo – (Jordan Picardo's Cultural Grant)	6,000.00
Allegro Music Productions	2,000.00
Gibraltar Horticultural Society	500.00
Santos Productions	10,000.00
Gibraltar Re-Enactment Society	3,000.00
Kings Chapel Singers	1,675.00
Gibraltar Arts & Crafts Assoc.	1,500.00
Janice Felices	5,000.00
Simon Bolland	6,000.00
Rock on the Rock Club	2,000.00
Gibraltar Philharmonic Society	10,000.00
Danza Academy	12,000.00
Gibraltar Photographic Society	1,200.00
Guy Valarino	2,500.00
Gibraltar Sea Scouts Pipe Band	1,750.00
S J Byrne - M O Productions	21,550.00
	<u>£89,125.00</u>

350

Victoria Stadium
Football pitch resurfacing works

355 **Clerk:** Question 840, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Sports and Leisure provide details of the football pitch resurfacing works which are currently taking place at Victoria Stadium, inclusive of costs and completion dates?

360 **Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, the works to resurface the synthetic turf pitch at the Victoria Stadium with a FIFA 2 Star system have already commenced. Expected duration of the works, weather permitting, is between four to six weeks.

365 The total cost of these works is estimated at approximately £300,000. Exact costs are not possible until the extent of the repairs, etc of the current turf is assessed.

The turf going to be installed is Limonta, the same supplier as the existing one.

370 **Hon. E J Reyes:** I am grateful for that, Mr Speaker.

When the Minister says that the completion date is estimated to be between four to six weeks, four to six weeks I take it probably from the commencement date and I would like a bit of greater detail on when it actually commenced.

I have seen for myself that the works have commenced, but I do not know *when* they actually commenced.

375

Hon. S E Linares: Mr Speaker, the contractor has assured us that it would be four to six weeks from the commencement, so therefore we are now two weeks, the second week into the works. So I am hoping that it will then take two to four weeks as from now.

380 **Hon. E J Reyes:** May I add and ask the Hon. Minister, as an inevitable consequence of this, there has been obviously a delay in the commencement, for example, of the football league and so on. Would the Sports Authority be willing to contemplate greater use during weekends, for example Sundays, when traditionally there has not been as much use of the pitch, so that sporting associations do not lose out in the amount of time available by the end of the season?

385 In other words, if the football league has not been able to commence, in order to be able to squeeze in extra matches in the remaining weeks, would there be an extension of time available when the pitch may be booked?

390 **Hon. S E Linares:** Mr Speaker, I hope that does not happen and the pitch is done on time. But should it happen, I am sure that if the associations make representation to the Sports and Leisure Authority, the Sports and Leisure Authority will be willing to accommodate whatever these sporting associations' needs are.

395

Europa Sports Ground
Development exclusively for football

400 **Clerk:** Question 841, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Sports and Leisure confirm to this House that it is Government's intention to develop the Europa Sports Ground exclusively for the sport of football?

405 **Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, the Government is currently considering with stakeholders the different uses to which the Europa grounds may be put.

410 **Hon. E J Reyes:** Mr Speaker, I have read in public statements from the Football Association, whereby they claim that the Europa Sports Ground will be exclusively developed for them. Is the Minister in a position to give or to confirm the veracity of that statement or otherwise?

415 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the hon. Gentleman, having been Minister for Sport for some time, will understand the sensitivities of some of these issues. They are UEFA issues there, in relation to whether there will be an exclusive football facility at Europa.

I am quite happy to give him the information I have about that, behind the Speaker's Chair, at any time this morning, if he wishes.

420 **Hon. E J Reyes:** I will take up the Chief Minister's offer and will discuss later.

**Gibraltar Sports and Leisure Authority
Centre Manager vacancy**

425 **Clerk:** Question 842, the Hon. E J Reyes.

430 **Hon. E J Reyes:** Can the Minister for Sports and Leisure say as from when the post of Centre Manager within the Gibraltar Sports and Leisure Authority has been vacant and by when it is expected that this position will be filled?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

435 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the Gibraltar Sports and Leisure Authority will soon be publishing an advert for a vacancy for the post of Centre Manager. It is expected to be able to fill this post by no later than the end of January 2013.

440 **Hon. E J Reyes:** Mr Speaker, the first part of my question was 'as from when the post of Centre Manager of the Sports Authority has been vacant'. Perhaps the Minister has omitted that part in his reply?

445 **Hon. S E Linares:** Mr Speaker, the post of Centre Manager has been vacant... I think it was around June, when we took over the GASA swimming pool. Therefore, the Centre Manager at the time was moved to the pool and he became the Pool Manager. Therefore the vacancy started from when he moved to the pool and I think it was in June.

I can give him the exact date later on, but it was around June, when we took over the pool.

Hon. E J Reyes: Is the Minister in a position to confirm that there has been at least another GSLA employee acting for the post of Centre Manager, since this vacancy arose in June?

450 **Hon. S E Linares:** As I understand it, yes.

**Cricket and rugby
Discussion with associations re renewed facilities**

455 **Clerk:** Question 843, the Hon. E J Reyes.

460 **Hon. E J Reyes:** Can the Minister for Sports and Leisure state if he has, further to his answer given in Question 712/2012, held discussions with the Gibraltar Cricket Association and/or the Gibraltar Rugby Football Union in respect of the provision of renewed facilities for the playing, teaching and development of their respective sports and provide details of agreements reached?

465 **Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, no further discussions have been held since my answer to Question 712/2012.

470 **Sports Grants
Details of payments made**

Clerk: Question 844 the Hon. E J Reyes.

475 **Hon. E J Reyes:** Can the Minister for Sports and Leisure provide details of payments made since his answer to Question 713/2012 in respect of 'Sports Grants' for the following: (a) Grants to Sporting Societies; (b) International Competitions; (c) Sports Development Projects; (d) Hosting of Special Sports and Leisure Events?

480 **Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

485 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I now hand over to the hon. Member opposite the details requested in relation to payments made since my answer to Question 713/2012 in respect of 'Sports Grants'.

ANSWER TO QUESTION 844

(22) Grants to Sporting Societies

Taekwondo – Competition and scoring systems	£6927.64
Hockey – Seniors Competition Portugal	£5000.00
Shooting Fed – Competition Jersey	£7000.00
Athletics – Competition in Helsinki	£1712.00
Triathlon – Competition Germany	£1000.00

(23) International Competitions

Nil.

(24) Sports Development Projects

Chess – Chess Champs UK	£1300.00
Yachting – Competition, Austria	£ 750.00
Ice Skating – Blackpool Open	£ 1096.50
Shooting Fed – Competition- Cardiff	£ 477.30
Ice Skating Schools Development	£ 550.00
Kendo Association - Junior Development resources	£ 337.69
Taekwondo Competition -	£ 6927.24

(25) Hosting of Special Sports and Leisure Events

Virtual promotions	£1950.00
RGYC Regatta	£6000.00
Strong Man League Competitors - accommodation	£3825.00

490 **Hon. E J Reyes:** Mr Speaker, in this schedule under sub-head (25), Hosting of Special Sports and Leisure Events, the £1,950 payment made to 'Virtual promotions': can I have a bit further clarification in respect of what sporting or leisure event that could pertain?

Hon. S E Linares: At this moment in time, no, Mr Speaker, but I will find out for him.

495 **Hon. E J Reyes:** I can accept the Minister does not have it there... Can I take that as a commitment that the Hon. Minister will write to me or perhaps table at some stage in this Parliament, when he does have the information available?

Hon. S E Linares: I will do it this morning.

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**Gibraltar Sports and Leisure Authority
Bookings for facilities**

505 **Clerk:** Question 845, the Hon. E J Reyes.

510 **Hon. E J Reyes:** Further to his answer to Question 715/2012, is the Minister for Sport now in a position to provide this House with details of fixed bookings and/or allocations made to sporting bodies in respect of all facilities managed or administered by the Gibraltar Sports and Leisure Authority for the 2012-13 season which has already commenced?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

515

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Yes, Mr Speaker, we are now in a position, and I now hand over to the hon. Member opposite a detailed schedule of the information requested. I hope he enjoys reading it.

ANSWER TO QUESTION 845

Fixed bookings and/or allocations made to sporting bodies in respect of all facilities managed or administered by the Gibraltar Sports and Leisure Authority season 2012/2013.

(1) ARCHERY

Day	Time	Association /School
Monday	9.00 – 3.30pm	School Use
	4.00 – 6.00pm	Gib Rugby Union
	6.00 - Daylight	Special Olympics
Tuesday	9.00 – 3.30	School Use
	4.00 – 6.00	Gib Rugby Union
Wednesday	9.00 – 3.30	School Use
	3.30 - Daylight	Free for allocation
Thursday	9.00 – 3.30	School Use
	4.00 – 6.00	Gib Rugby Union
Friday	9.00 – 3.30	Free for allocation
	3.30 - Daylight	Free for allocation

(2) BAYSIDE SCHOOL HALL

DAY	TIME	ASSOCIATION/SCHOOL
MON	6.00 – 7.30pm	Gibfit
	7.30 – 9.00pm	
	9.15 – 11pm	Gibyellows Stars Basketball
TUES	6.00– 7.30pm	Gibfit
	7.30 – 9.00pm	Valmar Redwood
	9.15 – 11.00pm	
WED	6.00– 8.00pm	Special Olympics - Boccia
	9.15 – 11.00pm	
THURS	6.00– 7.30pm	Gibfit
	7.30 – 9.00pm	Helene's Fitness Group
	9.15 – 11.00pm	Valmar Redwood
FRI	6.00– 7.30pm	
	7.30 – 9.00pm	Fitness Training
SAT		FREE FOR ALLOCATION
SUN		FREE FOR ALLOCATION

(3) BAYSIDE SCHOOL OUTDOOR

Day	Time	Game	Team
MON	6.00 - 7.15 pm	Football	Maccabi Juniors
	7.15 - 8.30pm	Football	Glacis Utd
	8.30 - 9.45pm	Football	Lincoln FC
TUES	6.00 - 7.15pm	Football	Lions FC
	7.15 - 8.30pm	Football	Manchester Utd
	8.30 - 9.45pm	Football	St Josephs
WED	6.00 - 7.15pm	Football	Lincoln FC
	7.15 - 8.30pm	Football	Lions FC
	8.30 - 9.45pm	Football	College Cosmos
THURS	6.00 - 7.15pm	Football	Manchester Utd
	7.15 - 8.30pm	Football	St Josephs
	8.30 - 9.45pm	Football	Glacis Utd
FRI	6.00 - 7.15pm	Football	Glacis Utd
	7.15 - 8.30pm	Football	Lions FC
	8.30 - 9.45pm	Football	FREE FOR ALLOCATION

(4) BISHOP FITZGERALD SCHOOL

DAY	TIME	SPORT	ORGANISATION
MON	6pm - 8pm	Calanetic	Calanetic Club
	8pm - 10pm	Taekwondo	Gib Taekwondo Assoc
TUES	6pm - 8pm	Calanetic	Calanetic Club
	8pm - 10pm	Taekwondo	Gib Taekwondo Assoc
WED	6pm - 10pm	Taekwondo	Gib Taekwondo Assoc
THURS	6pm - 8pm	Calanetic	Calanetic Club
	8pm - 10pm	Taekwondo	Gib Taekwondo Assoc
FRI	6pm - 10pm	Taekwondo	Gib Taekwondo Assoc

(5) GIBRALTAR COLLEGE – JOHN MACKINTOSH HALL GYM

Day	Time	Game	Team
Mon	6 - 8pm	Fitness	Fitness Training
	8 - 10pm		FREE ALLOCATION
Tues	6 - 8pm	Dance	GNDO
	8 - 10pm		FREE ALLOCATION
Wed	6 - 8pm	Fitness	Fitness Training
	8 - 10pm		FREE ALLOCATION
Thurs	6 - 8pm		FREE ALLOCATION
	8 - 10pm		FREE ALLOCATION
Fri	6 - 8pm	Dance	GNDO
	8 - 10pm		FREE ALLOCATION
Sat			FREE ALLOCATION
Sun			FREE ALLOCATION

(6) GOVERNOR'S MEADOW SCHOOL

DAY	TIME	GAME	ORGANISATION
MON	6pm – 9pm	Fitness Class	N. Martinez Fitness
TUES	6pm – 9pm	Fitness Class	N. Martinez Fitness
WED	6pm – 9pm	Fitness Class	Helene's Fitness
THURS	6pm – 9pm	Fitness Class	N. Martinez Fitness
FRI	6pm – 9pm		FREE ALLOCATION

(7) HARGRAVES

Day	Time	Game	Team
Mon	4.00 to 5pm	Football	Gibraltar Secondary Boys School
	5pm to daylight	Football	Lincoln
Tues	4.00 to 5pm	Football	Gibraltar Secondary Boys School
	5pm to daylight	Football	Man United
Wed	5pm to daylight	Football	St Josephs
Thur	5pm to daylight	Football	College
Fri	5pm to daylight	Football	Lions
Sat			FREE ALLOCATION
Sun			FREE ALLOCATION

(8) HOCKEY TRAINING JUNIOR PITCH

DAY	TIME	ASSOCIATION / SCHOOL
MON	9.00 – 3.30pm	School Use
	3.30 – DAYLIGHT	Gibraltar Hockey Association
TUES	9.00 – 12.30	School Use
	3.30 - DAYLIGHT	Gibraltar Hockey Association
WED	9.00 – 10.00	School Use
	10.00 – 12.30	School Use
	3.30 – DAYLIGHT	Gibraltar Hockey Association
THURS	9.00 – 10.00	School Use
	10.00 – 11.00	
	11.00 – 3.30	
	3.30 –DAYLIGHT	Gibraltar Hockey Association
FRI	9.00 – 3.30	School Use
	3.30 – DAYLIGHT	Gibraltar Hockey Association
SAT	9.00 – DAYLIGHT	Gibraltar Hockey Association
SUN	9.00 – DAYLIGHT	Gibraltar Hockey Association

(9) MAIN HOCKEY PITCH

DAY	TIME	ASSOCIATION / SCHOOL
MON	9.00 – 10.00	School Use
	10.00 – 12.30	School Use
	12.30 – 3.30	School Use
	3.30 – 5.00	Gibraltar Hockey Association
	5.00 – DAYLIGHT	
TUES	9.00 – 12.30	School Use
	1.30 – 3.30	School Use
	3.30 - DAYLIGHT	Gibraltar Hockey Association
WED	9.00 – 10.00	School Use
	10.00 – 3.30	School Use
	3.30 – DAYLIGHT	Gibraltar Hockey Association
THURS	9.00 – 3.30	School Use
	3.30 –DAYLIGHT	Gibraltar Hockey Association
FRI	9.00 – 1.30	School Use
	1.30 – 3.30	School Use
	3.30 – DAYLIGHT	Gibraltar Hockey Association
SAT	9.00 – DAYLIGHT	Gibraltar Hockey Association
SUN	9.00 – DAYLIGHT	Gibraltar Hockey Association

(10) VICTORIA STADIUM MAIN PITCH

DAY	TIME	ASSOCIATION / SCHOOL	REMARKS
MON	9.00 – 10.00	Maintenance	
	10.00 – 3.30	School Use	
	3.30 – 5.00	Bayside School	Inter House
	6.00 – 7.30	GAAA Athletics Track	
	5.00 – 6.00	Junior Pitches	(Behind Main Pitch goals)
	5.00 – 9.45	GFA Football Matches	
TUES	9.00 – 12.30	School Use	
	12.30 – 2.30	Maintenance	
	2.30 – 3.30	School Use	
	3.30 – 5.00	Bayside School	Inter House
	6.00 – 7.30	GAAA Athletics	
	5.00 – 6.00	Junior Pitches free for Allocations	(Behind Main Pitch goals)
WED	9.00 – 10.00	School Use	
	10.00 – 1.30	Maintenance	
	1.30 – 3.30	School Use	
	3.30 – 5.00	Bayside School	Inter House
	5.00 – 6.00	Junior Pitch free for Allocation	(Behind Main Pitch goals)
	6.00 – 7.30	GAAA Athletics Track	
THURS	9.00 – 12.30	School Use	
	12.30 – 1.30	Maintenance	
	1.30 – 2.35	School Use	
	2.35 – 4.00	Maintenance	
	4.00 – 5.00	Bayside School	
	5.00 – 6.00	Junior Pitches free for allocation	(Behind Main Pitch goals)
	6.00 – 7.30	GAAA Athletics Track	
	5.00 – 9.45	GFA Football Matches	
FRI	9.00 – 12.30	School Use	
	12.30 – 1.30	Maintenance	
	1.30 – 3.30	School Use	
	3.30 – 5.00	GFA Football Junior Development	
	6.00 – 7.30	GAAA Athletics Track	
	5.00 – 9.45	GFA Football Matches	
SAT	9.00 – 1.00	GFA JNR Football	
	1.30 – 9.45	GFA Football Matches	
SUN	9.00 – 11.00	GAAA Athletics Track	
	9.00 – 2.00	GFA Matches	
	2.00 – 4.00	Maintenance	
	4.00 – 8.30	GFA Matches	

(11) VICTORIA STADIUM SPORTS HALL

DAY	TIME	ASSTN/SCHOOL
MON	10.00 – 1.00	School Use
	12.30 – 1.30	School Use
	1.30 – 3.30	SDU
	3.30 – 8.00	Rhythmic Gymnastics
	8.30 – 11.00	GTTA ½ Hall / Badminton Bookings ½ hall
TUES	9.00 – 12.30	SCHOOL USE
	12.30 – 1.30	BAYSIDE SCHOOL 5 –A – SIDE
	1.30 – 3.30	SCHOOL USE
	3.30 – 8.00	Rhythmic Gymnastics
	6.00 – 8.00	GTTA ½ Hall
	8.30 – 11.00	Netball Association
WED	9.00 – 12.30	SCHOOL USE
	12.30 – 1.30	BAYSIDE SCHOOL 5 –A – SIDE
	1.30 – 3.30	SCHOOL USE
	3.30 – 11.00	GIBRALTAR NETBALL ASSOCIATION
THURS	9.00 – 11.30	SPORTS DEVELOPMENT UNIT (Aerobics)
	11.30 – 1.30	SCHOOL USE
	1.30 – 3.30	SCHOOL USE
	3.30 – 6.00	GIBRALTAR BOYS SECONDARY SCHOOL
	6.15 – 8.15	GIBRALTAR BADMINTON ASSTN
	8.30 – 11.00	GIBRALTAR BADMINTON ASSTN
FRI	9.00 – 12.30	SCHOOL USE
	12.30 – 1.30	BAYSIDE SCHOOL
	1.30 – 3.30	SCHOOL USE
	3.30 – 8.00	RHYTHMIC GYMNASTICS
	8.30 – 9.30	BADMINTON BOOKINGS
	9.40 – 11.00	PUBLIC BOOKINGS
SAT	9.00 -1.00	Rhythmic Gymnastics
	1.30-2.30	Badminton Bookings
	3.00 – 5.00	Special Olympics
	5.30 – 11.00pm	PUBLIC BOOKINGS
SUN	9.00 – 10.50pm	PUBLIC BOOKINGS

(12) PITCH No. 2

DAY	TIME	ASSOCIATION / SCHOOL
<i>MON</i>	9.00 – 3.30	School Use
	3.30 – 9.30	GFA
<i>TUES</i>	9.00 – 12.30	School Use
	12.30 – 2.30	School Use
	2.30 – 3.30	School Use
	3.30 – 9.30	GFA
<i>WED</i>	9.00 – 3.30	School Use
	3.30 – 5.00	GFRU
	5.00 – 9.30	GFA
<i>THURS</i>	9.00 – 12.30	School Use
	12.30 – 1.30	School Use
	1.30 – 3.30	School Use
	3.30 – 9.30	GFA
<i>FRI</i>	9.00 – 3.30	School Use
	3.30 – 9.30	GFA
<i>SAT</i>	9.00 – 9.30	GFA
<i>SUN</i>	10.00 – 1.00	GFRU
	1.00 – 5.00	FREE ALLOCATION

(13) QUEENSWAY TENNIS COURTS

DAY	TIME	GAME	TEAM
<i>MON</i>	4pm – 9pm	TENNIS	Gibraltar Tennis Association
<i>TUES</i>	4pm – 9pm	TENNIS	Gibraltar Tennis Association
<i>WED</i>	4pm – 9pm	TENNIS	Gibraltar Tennis Association
<i>THURS</i>	4pm – 9pm	TENNIS	Gibraltar Tennis Association
<i>FRI</i>	4pm – 9pm	TENNIS	Gibraltar Tennis Association
<i>SAT</i>	10 – 1pm 2pm – Daylight	TENNIS	Gibraltar Tennis Association FREE FOR BOOKINGS
<i>SUN</i>	10.00 – Daylight		FREE FOR BOOKINGS

(14) ST. ANNE'S SCHOOL SPORTS HALL

Day	Time	Game	Team
Mon	6 – 11PM	Netball	GNA
Tues	6 – 11pm	Basketball	GABBA
Wed	6 – 11pm	Badminton	GBA (Leagues & Dev 4 Crts)
Thurs	6 – 11pm	Basketball	GABBA
Fri	6 – 11pm	Basketball	GABBA

(15) ST. JOSEPH'S MIDDLE SCHOOL

Day	Time	Game	Team
Mon	6 – 9pm	Badminton	GBA
	9 – 11pm	GKKA	Gibraltar Kendo Kenjutsu Association (Martial Arts)
Tues	6 – 11pm	Netball	GNA
Wed	6 – 7.15pm	Netball	888.com
	7.15 – 8.30pm	Netball	Natwest Bells
	8.30 – 9.45pm	Netball	Stan James
	9.45 – 11pm	Netball	MSE Consulting
Thurs	6 – 11pm	Netball	GNA
Fri	6 – 7pm	Badminton	Badminton Association
	7 – 8 pm	Badminton	
	8 – 9 pm	Badminton	Badminton Association
	9 – 10 pm		
	10 – 11pm		

(16) ST. JOSEPH'S FIRST SCHOOL – SPORTS HALL

Day	Time	Game	Team
MON	6 – 9pm	Badminton	GBA
TUES	6 – 9pm	GKKKA	Gibraltar Kendo Kenjutsu Association (Martial Art)
WED	6 – 9pm	Rhythmic Gymnastics	GRGA
THURS	6 – 9pm	Rhythmic Gymnastics	GRGA
FRI	6 – 10pm	Cheerleading	Cheerleading Association

(17) TRICENTENARY SPORTS HALL

DAY	TIME	ASSOCIATION/SCHOOL	COURT 1	COURT 2
MON	10.00 – 12.30	School Use		
	1.30 – 3.30	School Use		
	3.30 – 5:00pm	Bayside & Bishop Fitz Schools		
	5:00 – 6:30pm	GABBA Jnrs.		
	7.00 – 11.00	GABBA / Gib Volleyball Assoc.	GABBA	GVA
TUE	9:00– 12.30	School Use		
	12:30 – 1:30	School Use		
	2.30 – 3.30	School Use		
	3.30 – 5.00	Bayside / Sacred Heart Schools		
	5.00 – 6.30	GABBA Jnrs.		
	7.00 – 11.00	GABBA / Gib Volleyball Assoc.	GABBA	GVA
WED	9.00 – 10.00	School Use		
	10:00 –1.30	School Use		
	1.30 – 3.30	School Use		
	3.30 – 9.00	GABBA		
	9.00 – 11.00	GABBA / Gib Volleyball Assoc.	GABBA	GVA
THU	9.00 – 12.30	School Use		
	1.30 – 3.30	School Use		
	3.30 – 5.00	Bayside Badminton Club		
	5.30 – 11.00	GNA		
FRI	9.00 – 12.30	Bayside School		
	1.30 – 3.30	Bayside School		
	3.30 – 5.00	GABBA/ Badminton club		
	5.15 – 7.00	Netball Jnrs / Squads		
	7.15 – 11.00	GABBA / Gib Volleyball Assoc.	GABBA	GVA
SAT	9.00 – 12.00	Mini Basket Ball		
	1.00 – 5.00	GABBA		
	9.30 – 11.00			
SUN	9.00 – 2.00	GABBA		
	2.00 – 3.00	FREE FOR ALLOCATION		
	3.00 – 4.00	FREE FOR ALLOCATION		
	4.00 – 5.00	FREE FOR ALLOCATION		
	5.00 – 6.00	FREE FOR ALLOCATION		
	6 – 11PM	GVA		

(18) TERCENTENARY SPORTS CENTRE – STUDIO

Day	Time	Association / School
Mon	4.00 – 6.00PM	FREE FOR ALLOCATION
	6.00 – 8.00PM	Boxercise
	8.00 – 10.00PM	FREE FOR ALLOCATION
Tues	4.00 – 6.00PM	
	6.00 – 8.00PM	Cowgirls & Kisses
	8.00 – 10.00PM	
Wed	4.00 – 6.00PM	Gibraltar Cheerleading Association
	6.00 – 8.00PM	Rock Kickers
	8.00 – 10.00PM	Rock Kickers
Thurs	4.00 – 6.00PM	Gibraltar Cheerleading Association
	6.00 – 8.00PM	Gibraltar Cheerleading Association
	8.00 – 10.00PM	Boxercise
Fri	4.00 – 6.00PM	FREE FOR ALLOCATION
	6.00 – 8.00PM	FREE FOR ALLOCATION
	8.00 – 10.30PM	Sequence Dance
Sat	09.00 – 12.00PM	Cheerleading Association

(19) WESTSIDE SCHOOL SPORTS HALL

Day	Time	Game	Team
Mon	6 – 8pm	Netball	Gibraltar Netball Association
	8 – 11pm	Volleyball	Gibraltar Volleyball Association
Tues	6 – 11pm	Badminton	Gibraltar Badminton Association
Wed	6 – 8pm	Table Tennis	Gibraltar Table Tennis Association
	8 – 9pm	Cricket	Gibraltar Cricket Association
	9 – 10pm	Cricket	Gibraltar Cricket Association
	10 – 11pm	Cricket	Gibraltar Cricket Association
Thurs	6 – 11pm	Volleyball	Gibraltar Volleyball Association
Fri	6 – 11pm	Cricket	Gibraltar Cricket Association

(20) WESTSIDE SCHOOL OUTDOOR PITCH

Day	Time	Game	Team
Mon	6 – 8pm	Football	St Josephs
	8 – 9pm	Football	Lincoln
	9 – 10pm (1)	Football	Leo Parilla
	9 – 10pm (2)	Football	Customs FC
	10 – 11pm (1)	Football	Quick Fit
	10 – 11pm (2)	Football	Boca Juniors
Tues	6 – 8pm	Football	Lincoln
	8 – 9pm	Football	Man United
	9 – 10pm (1)	Football	St Josephs
	9 – 10pm (2)	Football	Glacis Utd
	10 – 11pm (1)	Football	Lions FC
	10 – 11pm (2)	Football	Fc Britannia
Wed	6 – 8pm	Football	Man United
	8 – 9pm	Football	Glacis Utd
	9 – 10pm (1)	Football	Cannons Fc
	9 – 10pm (2)	Football	Sporting Saints
	10 – 11pm (1)	Football	Lions FC
	10 – 11pm (2)	Football	Chelsea
Thurs	6 – 8pm	Football	Lions FC
	8 – 9pm	Football	St Josephs
	9 – 10pm (1)	Football	College Cosmos
	9 – 10pm (2)	Football	Britannia
	10 – 11pm	Football	Glacis United
Fri	6 – 8pm	Football	College Cosmos
	8 – 9pm (1)	Football	Special Olympics
	8 – 9pm (2)	Football	FC Hound Dogs
	9 – 10pm (1)	Football	HMP
	9 – 10pm (2)	Football	RGP
	10 – 11pm (1)	Football	GHA
	10 – 11pm (2)	Football	Ambulance

(21) 25 METRE GASA SWIMMING POOL

TIME	MON	TUES	WED	THURS	FRI	SAT	SUN
7.30 – 10am	PUBLIC USE	PUBLIC USE	PUBLIC USE	PUBLIC USE	PUBLIC USE	9am – 3pm	CLOSED
10.00 – 12.30	----- SCHOOL USE ----- -----					GASA + Waterpolo	
12.30 – 5pm	PUBLIC USE	PUBLIC USE	PUBLIC USE	PUBLIC USE	PUBLIC USE	3pm – 5pm Public Use	
	4pm – 5pm Special Olympics	4pm – 5pm 1 Lane DSSGG	4pm – 5pm 1 Lane DSSGG	4pm – 5pm Special Olympics	4pm – 5pm 1 Lane DSSGG	1 Lane DSSGG	
5.00 – 10.15pm	GASA	GASA	GASA	GASA	GASA	GASA	

(22) POOL FOR THE ELDERLY, DISABLED AND TEACHING

TIME	MON	TUES	WED	THURS	FRI	SAT	SUN
9 – 10am	School Use	PAAMOA	Pool Maintenance	School Use	School use	GHA Parent & baby	CLOSED
10am – 12	St Martins	Elderly exclusively					
12 – 1pm	GHA Parent & baby	GHA Parent & baby	GHA Parent & baby	GHA Parent & baby	Sports Dev	Elderly Exclusively	
1 – 2pm	St Martins	School Use		School Use	PAAMOA		
2 – 3pm				1.30 – 2.15			
3 – 4pm	GASA Mother & Toddler	GASA Mother & Toddler	PAAMOA	Disabled Exclusively	GHA Parent & baby	Disabled Exclusively	
4 – 5pm	GASA Mother & Toddler	Disabled Exclusively	GASA Mother & Toddler				
5 – 7.30pm	GASA	GASA	GASA	GASA	GASA	CLOSED	

(23) THE MOUNT TENNIS COURT

DAY	TIME	GAME	TEAM
MON	9.00 am to Daylight	Tennis	Gibraltar Tennis Association
TUES	9.00 am to Daylight	Tennis	Gibraltar Tennis Association
WED	9.00 am to Daylight	Tennis	Gibraltar Tennis Association
THURS	9.00 am to Daylight	Tennis	Gibraltar Tennis Association
FRI	9.00 am to Daylight	Tennis	Gibraltar Tennis Association
SAT	10.00AM - daylight	FREE FOR BOOKINGS	
SUN	10.00AM - daylight	FREE FOR BOOKINGS	

(24) WESTSIDE SCHOOL VOLLEYBALL COURT

Day	Time	Game	Team
Mon	4pm onwards	Volleyball	Gibraltar Volleyball Association
Tue	4pm onwards	Volleyball	Gibraltar Volleyball Association
Wed	4pm onwards	Volleyball	Gibraltar Volleyball Association
Thurs	4pm onwards	Volleyball	Gibraltar Volleyball Association
Fri	4pm onwards	Volleyball	Gibraltar Volleyball Association

(25) KING'S BASTION LEISURE CENTRE ICE RINK

Day	Time	Organisation
Mon	9.00am-6.00pm	Public Skating
	6.00 – 9.00pm	Gibraltar Rock Stars Figure Skating Club
	9.00pm-11.00pm	Public Skating
Tues	9.00am- 4.30pm	Public Skating
	4.30-7pm	Gibraltar Ice Skating Association Learn to Skate Programme
	7.00pm-11.00pm	Public Skating
Wed	9.00am-6.00pm	Public Skating
	6.00-9.00pm	Rock Ice Skating Academy
	9.00pm-11.00pm	Public Skating
Thurs	9.00am-4.30pm	Public Skating
	4.30pm-7.00pm	Gibraltar Ice Skating Association Learn to Skate Programme
	7.00pm-11.00pm	Public Skating
Fri	9.00am-11.00pm	Public Skating
Sat	9.15am-12.15pm	Gibraltar Rock Stars Figure Skating Club
	12.15pm-11.00pm	Public Skating
Sun	9.15am-12.15pm	Rock Ice Skating Academy
	12.15pm-11.00pm	Public Skating

(26) KING'S BASTION LEISURE CENTRE RECREATIONAL SUITES

DAY	Suite No	Time	Organisation
Mon	1	10.00 – 12.30	Yoga Group Session
		3.30 – 5.30	Sing & Sign Baby Classes
		6.30 – 8.30	Tai Chi Class
		8.30 – 10.00	Salsa Class
	2	10.00 – 12.30	Yoga Group Session
		5.00 – 7.00	Tango Classes
	4	10.00 – 4.00	Connect Counselling Services Agency
		6.00 – 8.00	Connect Counselling Services Agency
		8.30 – 11.00	Rock Fusion Dance Group
	5	4.00 – 7.00	Gib's Got Talent (upto 22/10/12)
		8.30 – 11.00	Rock Fusion Dance Group
	Tues	1	6.00 – 7.00
2		6.30 – 8.30	Tai Chi Class
4		2.00 – 4.00	Connect Counselling Services Agency
		6.00 – 8.00	Connect Counselling Services Agency
5		4.00 – 7.00	Gib's Got Talent (upto 23/10/12)
	3.00 – 5.00	Pop up Theatre (from 6/11/12 to 4/12/12) Re-start in January 2013	
Wed	1	4.00 – 7.00	Gib's Got Talent (upto 24/10/12)
		8.30 – 10.00	Salsa Class
	2	10.00 – 11.00	Yoga Class
		5.00 – 7.00	Tango Class
		7.30 – 9.30	Salsa and Latin Dance Class
	4	2.00 – 3.00	Connect Counselling Services Agency
		6.00 – 8.00	Connect Counselling Services Agency
		8.00 – 11.00	Table Soccer
	5	10.00 – 6.30	Weight Loss Challenge
		7.00 – 9.30	Group Meditations (Shri Ram Chandra Mission)
Thurs	1	10.00 – 12.30	Yoga Group Session
		3.30 – 5.30	Sing & Sign Baby Classes
		6.30 – 8.30	Tai Chi Class
		8.30 – 10.00	Salsa Class
	2	10.00 – 12.30	Yoga Group Session (re-start on 11/10/12)
		3.00 – 5.00	Pop Up Theatre (from 8/11/12 to 6/12/12 – restart in January 2013)
		6.00 – 8.00	Connect Counselling Services Agency
		8.00 – 10.00	Gibraltar Slimming Club
	4	4.00 – 10.00	Calpe Chess Club (Junior Elite Section)
		10.00 – 4.00	Connect Counselling Services Agency
	5	4.00 – 8.00	Calpe Chess Club (Junior Elite Section)
		8.00 – 11.00	Rock Fusion Dance Group

(27) CONTD. KING'S BASTION LEISURE CENTRE RECREATIONAL SUITES

Fri	1	10.00 – 11.30	Yoga Class
	2	10.00 – 3.00	Connect Counselling Services Agency
		6.00 – 8.00	Connect Counselling Services Agency
5	4.00 – 7.00	Gib's Got Talent (upto 26/10/12)	
Sat	2	4.00 – 7.00	Gib's Got Talent (upto 27/10/12)
	4	10.00 – 1.00	Creative Works
		4.00 – 9.00	Warhammer Club
	5	10.00 – 1.00	Creative Works
4.00 – 9.00		Warhammer Club	

520 **Hon. E J Reyes:** I am very grateful for this schedule, which obviously requires some time to look further, but it has come to my notice in a quick perusal, Mr Speaker, in the Estimate Book, there is a responsibility assigned to the Sports and Leisure Authority for the Old Garrison Gymnasium and yet there is no schedule here that comes under the heading of the Garrison Gymnasium, therefore I have no first sight of indication of any allocation made in respect of that particular asset.

525 **Hon. S E Linares:** Well, Mr Speaker, the fact is, as he well knows – he was the Minister for Sport – that the Garrison Gymnasium is under the auspices of GABA and therefore all the allocations that are appertaining to the Garrison Gymnasium are to do with GABA.

He has asked for the allocations; he has not asked for specific amounts as to how much the expenditure is. This is a completely different question. Had he asked what the expenditure was and where that money goes – and I am sure he already knows where it does go – I would have supplied it to him.

530 But the fact is that the Garrison Gymnasium is under the auspice of GABA and all the allocations, which is the question that he has asked, are GABA's.

535 **Hon. E J Reyes:** Mr Speaker, my question was, I wanted details of fixed bookings and allocations. What I now interpret from the supplementary answer offered by the Minister is that the Garrison Gymnasium, lock, stock and barrel, is assigned to GABA who then in turn may sub-allocate out or whatever. At least, I think I now have that confirmation that the Garrison Gymnasium is a fixed allocation given to GABA – is that not the case?

540 **Hon. S E Linares:** Yes, Mr Speaker, it continues to be, from many years ago, actually – I think it was transferred by the previous administration, way back in 1998 or 2000. So yes, it does continue to be.

Mr Speaker: I take it that 'GABA' means the Gibraltar Amateur Basketball Association.

Hon. S E Linares: Gibraltar Amateur Basketball Association.

545 **Hon. E J Reyes:** Mr Speaker, I am not trying to [*inaudible*] I think I now have the reply. It continues to be, therefore I can confirm or I take the Minister is confirming that for the 2012-13 season, as in previous years, it is allocated to GABA. (**Hon. S E Linares:** Yes, Sir) That suffices, Mr Speaker.

550

EQUALITY AND SOCIAL SERVICES

Care Agency

New Chief Executive Officer

555

Clerk: Question 879, the Hon. J J Netto.

560 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services confirm that Mr Albert Bruzon is the new Chief Executive Officer of the Care Agency and if so, whether this is on a permanent basis or for a specified period in time?

Clerk: Answer, the Hon. the Minister for Equality and Social Services.

565 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, Mr Bruzon has been seconded to the Care Agency to carry out the functions of the CEO for a period of 12 to 18 months.

570 **Hon. J J Netto:** Is it the view, perhaps, of the Minister that, following the secondment between 12 to 18 months, Mr Bruzon will then perhaps become the permanent Chief Executive Officer; or perhaps the Minister is thinking that the position itself will be trawled either internally within the Care Agency or perhaps even externally as well?

575 **Hon. Miss S J Sacramento:** Mr Speaker, any post for any permanent appointment position, Mr Speaker, would be advertised. It would not be assumed that anyone would fill any permanent post.

Hon. J J Netto: Can I just clarify when the hon. Lady says 'advertise', it means advertise within the Care Agency or advertise in Gibraltar PLC?

580 **Hon. Miss S J Sacramento:** Mr Speaker, at this stage, it is too early to say.

Hon. J J Netto: Can I just ask a further supplementary question, Mr Speaker?

Mr Speaker: Yes.

585 **Hon. J J Netto:** Given that we have a situation where there was somebody acting on that particular post, I think almost round about the time of the last Election, so obviously that particular person... Sorry, it seems that my voice needs to get a bit...

590 I am just thinking that given the fact that there was somebody already acting on the job, presumably that person has now reverted back to their substantive position and Mr Bruzon is now acting on a seconded purpose.

Is there any particular reason or review that Mr Bruzon will be conducting over this particular period for which he has been seconded, that perhaps the other person who had been acting for round about 12 months could not have done?

595 **Hon. Miss S J Sacramento:** Mr Speaker, the person who was acting in post when we came into Government has been acting for a period of approximately 10 months. I understand, when that person was appointed to be acting was asked to act for a couple of months. There was then a transition in Government and I asked that person to stay on a little bit longer for purposes of continuity.

600 That person approached me and said that she wanted to stand down from the post and, on that basis, Mr Bruzon was seconded to cover.

HOUSING AND THE ELDERLY

605

Empty flats Breakdown of repairs awaited

610 **Clerk:** Question 880, the Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can the Minister for Housing state how many flats are currently empty and awaiting repairs, giving a breakdown in respect of: (a) pre-war and post-war homes; (b) flat size composition; (c) dates from when these homes have been empty; and (d) nature of repairs required to be undertaken?

615

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

620 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Yes, Mr Speaker, the information requested is available in Tables H30 and H31 on the Government's website as part of the On-Line Monthly Statistics.

625 **Hon. E J Reyes:** Mr Speaker, I may require a bit of guidance from you in this respect. When the deadline arose to give notice of Questions for this session of Parliament, that table was not actually available then. So therefore, Mr Speaker, I had of necessity to pose this Question, in order to obtain the answer.

The publication has appeared since I gave notice of the Question, so is it not the case that, although they are available on line, the Hon. Minister is obliged to provide that information now in this House?

630 **Chief Minister (Hon. F R Picardo):** Mr Speaker, if I may be of assistance. The Government would accept that the moment when information is deemed to be public for the purposes of whether or not an Opposition Member can ask a question about publicly available information in this House is the moment when the deadline for putting Questions expires and that if a table has not been published on-line by then, then the hon. Member is entitled to ask the question and he is entitled to have that information given to him in the House.

635 So if that makes your role easier in respect of this Ruling, the Government would accept that. It is only matters which are public at the time that the deadline for posing Questions expires, that you cannot ask questions about and you do not get the information on, so if that particular table was not uploaded in the lexicon at the time that the deadline for Questions passed, then the hon. Gentleman should have it in this House. If it is not available here today – which it appears it is – he would have it brought to him.

640

Hon. C A Bruzon: Mr Speaker, as it happens, I have the information which we drew out of the website. I am happy to pass it over to the hon. Gentleman.

645 **Hon. E J Reyes:** Yes, Mr Speaker, I am grateful for that – the problem being that unless the Minister tables it now and I have a look at it, had there been a need to make a supplementary, then I cannot legitimately introduce some sort of questioning that has had no due notice given.

So I will have a quick look at the tables and confirm to you in a second, Mr Speaker, whether there is a need or not for a supplementary.

650 **Mr Speaker:** The only problem is of course that information will not be recorded in *Hansard*. The information which has just been handed over by the Hon. the Minister may not be recorded in *Hansard* because it has not been as scheduled to the answer.

655 **Hon. Chief Minister:** Mr Speaker, if I may be of assistance, when this has happened in the past – and I think it is before our time – when the hon. Members used to pass tables, much more frequently than we do now because now the information is published, there were occasions when the tables were passed not in answer to a Question, but in answer to a supplementary. I believe the practice of the House then was to have a copy made available to it of the table and to record it as part of the *Hansard* when published with the supplementary, unless the Leader of the Opposition has any views to the contrary, I am happy for that process to continue.

660 **Mr Speaker:** If that continues to be, I am sure there will be no problem in trying to arrange for that to continue to be the case. It makes sense.

Hon. E J Reyes: Thank you, Mr Speaker. The information provided suffices for now.

Table H.30

Number of pre-war and post-war empty flats for cleaning/refurbishment by room composition

Composition	Refurbishment Technical Decision		Cleaning		Total
	Pre-War	Post-War	Pre-War	Post-War	
6RKB	3	-	-	-	3
5RKB	3	-	-	-	3
4RKB	14	7	1	-	22
3RKB	27	26	3	1	57
2RKB	16	7	-	1	24
1RKB	4	9	1	-	14
Total	67	49	5	2	123

Updated 15 October 2012

Source: Ministry for Housing and the Elderly

Number of pre-war and post-war empty flats for cleaning/refurbishment by room composition

Composition	Refurbishment Technical Decision		Cleaning		Total
	Pre-War	Post-War	Pre-War	Post-War	
6RKB	3	-	-	-	3
5RKB	3	-	-	-	3
4RKB	15	6	-	-	21
3RKB	25	8	2	3	38
2RKB	17	9	-	3	29
1RKB	4	6	1	1	12
Total	67	29	3	7	106

Updated 3 September 2012

Source: Ministry for Housing and the Elderly

Number of pre-war and post-war empty flats for cleaning/refurbishment by room composition

Composition	Refurbishment Technical Decision		Cleaning		Total
	Pre-War	Post-War	Pre-War	Post-War	
6RKB	3	-	-	-	3
5RKB	3	0	-	-	3
4RKB	16	5	1	-	22
3RKB	25	25	4	-	54
2RKB	15	12	1	-	28
1RKB	4	7	-	-	11
Total	66	49	6	-	121

Updated 26 July 2012

Source: Ministry for Housing and the Elderly

Table H.31

Number of empty flats awaiting refurbishment/cleaning per year and room composition

Composition	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	Total
6RKB	2	-	-	-	-	-	1	-	-	-	-	3
5RKB	-	1	1	-	-	-	-	-	-	-	1	3
4RKB	2	11	3	4	1	1	-	-	-	-	-	22
3RKB	16	30	6	1	-	2	2	-	-	-	-	57
2RKB	6	10	4	2	-	-	-	-	2	-	-	24
1RKB	4	5	2	1	-	-	-	-	-	1	1	14
Total	30	57	16	8	1	3	3	0	2	1	2	123

Updated 15 October 2012

Source: Ministry for Housing and the Elderly

665

**Housing Waiting Lists
Allocations since Q773/2012**

670

Clerk: Question 882, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing state how many applicants on the Government's Housing Waiting Lists have, since his answer to Question 773/2012, been allocated a flat, giving a breakdown of the size of home as well as indicating if they pertained to either the Social or Medical Waiting Lists category?

675

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

680

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, since the answer given to Question 773/2012, 31 applicants have been allocated a flat, of which two pertained to the Medical List and eight to the Social List.

I will now hand over to the hon. Member the details on the printed sheets that I am offering him.

ANSWER TO QUESTION 882

Since the answer given to Question No. 773 of 2012, 31 applicants have been allocated a flat of which, two pertained to the Medical List and eight to the Social List.

The breakdown of the 31 applicants who have been allocated a flat is as follows:-

1RKB	2
2RKB	6
3RKB	12
4RKB	11
5RKB	-
6RKB	-
TOTAL	31

The breakdown with regards to the Medical and Social Lists is as follows:-

	Medical A+	Medical B	Social A	Social C
1RKB	-	-	2	-
2RKB	-	1	-	-
3RKB	-	-	1	-
4RKB	1	-	4	1
5RKB	-	-	-	-
6RKB	-	-	-	-

Housing Waiting Lists
Applicants buying own homes since Q774/2012

685

Clerk: Question 883, the Hon. E J Reyes.

690

Hon. E J Reyes: Can the Minister for Housing state how many applicants on the Government's Housing Waiting Lists, since his answer to Question 774/2012, – been removed from the Waiting Lists due to purchasing their own homes and if any, indicating if they pertained to either the Social or Medical Waiting Lists categories?

695

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, since the answer given to Question 774/2012, two applicants have been removed from the Waiting Lists due to purchasing their own homes. Neither pertained to the Social or Medical Lists.

700

Government rental housing units
Plans for construction

705

Clerk: Question 884 the Hon. E J Reyes.

710

Hon. E J Reyes: Can the Minister for Housing update this House by signifying the number and size of rental housing units Government intends to construct, indicating the location(s), estimated commencement of construction and completion dates, as well as estimated costs?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

715

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, the Government intends to construct a sufficient number of housing units to be able to fulfil its manifesto commitments on housing. The details will be announced when we are ready to do so.

Hon. E J Reyes: Mr Speaker, when the Hon. Minister says that they intend to build 'sufficient', is that all in respect of rental?

720

Hon. C A Bruzon: It is in respect of our manifesto commitment which says that everyone on the Housing Waiting List as on 11th December 2011 will be housed within our first term in office.

725

Hon. E J Reyes: Yes, Mr Speaker, but I am homing in now on the number of houses that will be made available for the rental system. Despite their commitment that everyone will be housed, from a previous announcement made, I believe the Government intends to offer options of purchasing and rental. Does the Government have any commitment of how many rental homes it is envisaged will be constructed in their term in office?

730

Hon. C A Bruzon: Mr Speaker, there will be a blend of rental accommodation and also 50/50 purchase. Those who buy 50/50 will obviously make available homes for rental for people on the waiting lists. So there will be a mix of both rental accommodation and affordable housing made available.

735

Hon. E J Reyes: Yes, Mr Speaker, but although some may wish to buy on the 50/50, not all those who are buying the 50/50 are going to release Government rental accommodation. Despite that, can I have some sort of indication towards figures of how many rental homes are projected to become available?

Hon. C A Bruzon: Mr Speaker, that information will be made available when we are ready.

740

Bath-to-shower conversions
In-house technical estimates

745

Clerk: Question 885, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, could the Minister for Housing provide me with the information to my supplementary question in Question 776/2012, which relates to the total sums of money reflected in the in-house technical estimates carried out by the Ministry's own civil servants with regard to the 44 bath-to-shower conversions mentioned by my hon. Colleague, Mr Reyes in the original Question?

750

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Yes, Mr Speaker, I understand that I wrote to the Minister and I trust he has received my letter, but I am happy to give him a copy of the letter now, if he wishes.

755



HM GOVERNMENT OF GIBRALTAR
OFFICE OF THE MINISTER FOR HOUSING AND THE ELDERLY
The City Hall
Gibraltar

10th October 2012

The Hon J J Netto MP
Parliament House
156 Main Street
Gibraltar

In response to your letter requesting information concerning Question No.776/2012, I am now able to provide you with the following additional data which has been forwarded to me by the Technical Department for your attention.

Forty-four requests was the historical list but some tenants have either passed away or others require OT specifications. Only 35 conversions have been carried out at a total cost of £114,183, so the average cost is approx £3,262 each. Therefore the sum of £185,817 will be used for OT requirements.

Please note that the total amount will be in the region of £300,000 but we will not know for sure until GJBS invoices us.

Yours sincerely

Charles Bruzon
Minister for Housing and the Elderly

Telephone No.: (350) 20075039, Centrex 3794; Fax No.: (350) 20043887, Centrex 2454

Hon. J J Netto: Mr Speaker, yes I do have the copy of the letter which he stated, which I received on Thursday, 11th October, round about one o'clock, which was obviously outside or beyond the cut-off time for me to submit Questions.

760

But in any event, Mr Speaker, with respect to the Minister, I do not think that the letter answered my questions. I think for the sake of clarity, I should say what I have been asking for and why I think that the letter does not answer what I have been requesting.

765

What I have been requesting, Mr Speaker, was not the breakdown as he seems to have given me from the 44 bath-to-shower conversions, which we now know, 35 of which have been done by the Housing Works Agency and nine will be done externally by the specifications of the OT Department in the Health Authority. What I was asking for is not what the Government has invoiced or is going to pay for... Sorry not Housing Works Agency; by GJBS. GJBS was the one that did the 35, not the Housing Works Agency.

I was not asking, because we know that figure and we know that figure was what the Government seems to have been paying for the 35 of the 44 to GJBS, but what I was asking was, what was the civil

770 servants' in-house estimate in relation to those particular works? Unfortunately, the answer is not reflected in the letter.

I think I make my point quite clear, both in my supplementary question and in my letter to him and this is what I am asking.

775 **Hon. C A Bruzon:** Mr Speaker, the reality is that it is GJBS who actually does this work and that is why there is no specific estimate given per case, because obviously, it is a Government owned company and they know what they are doing. We trust them and they do not over-charge us, so that is my understanding, Mr Speaker.

780 **Hon. J J Netto:** Mr Speaker, I cannot accept that answer. I cannot accept that answer because estimators and it does not have to be the estimators with a TG1; you can be an estimator and be a PTO1 or a PTO or a HPTO and it is routine work for them, whether they are building surveyors... They normally, or habitually, do estimates which are then carried out. They are carried out either in-house by their own staff or somebody else out there in the private sector providing those services, so it is something that certainly happened when I was there and I was the one... At that time, we employed so many building surveyors, structural engineers, quantity surveyors and all the rest of it, so I know how the system operates.

785 In fact, we even went to the extent that in order to corroborate that we had value for money – which is at the end of the day what we tend to scrutinise in Parliament, which is accountability of public funds – we even went to the extent of having a recognised schedule of rates which was the UK Carillion schedule of rates to ensure that the works that get done in terms... and what we have to pay matches, more or less, what our estimate is. So I cannot accept the answer that the hon. Gentleman is providing.

790 In fact, the Hon. Minister seems to be saying to Parliament that we trust GJBS because it is a private company. Well, I do not think, Mr Speaker, that the Housing Ministry as such should have a policy where you say, 'We trust whatever amount of money GJBS, or any other contractor for that matter, may wish to invoice the Government.' I think the Government has to have, like in any other place in the world but particularly in developed countries, a system which gives us value for money and is accountable against an in-house estimate. It seems to me, Mr Speaker, that perhaps... I do not know whether I have been saying this previously and perhaps the Hon. Minister has not understood what I am saying, but I do know, Mr Speaker, that, as a matter of course, it happens.

795 Now, I am willing to sit down and perhaps even discuss it further with him outside the realm of this question-and-answer session, so at least there is clarity between me and him as to what I am talking about, and I am *sure*, that the people that work for him would have done the estimates.

800 **Chief Minister (Hon. F R Picardo):** Mr Speaker, if I may say, I think that helps to clarify what it is that the hon. Gentleman is getting at. I think that what we are saying is, because this work is done by GJBS and not done by the Housing Works Agency, there is not a Housing Works Agency estimate. There is a GJBS estimate and the hon. Gentleman will know, from his time as a Minister, that when something is being dealt with by GJBS, the estimators that we will rely on, much as they would have relied on them also, are the estimators in GJBS who we would trust – not as if they were a Government Department because they are not a Government Department; they are a wholly owned company of the Government – but he will know, I am sure, from his time in Government, that you would not have a Government estimator checking a GJBS estimate.

805 So if what he wants is what is the estimate that was given and relied upon at the time by the Ministry, the answer I think he has been given is it was the GJBS estimate and if that is the information that he wants, that is not the information that is available here today, and perhaps we can obtain that for him.

810 **Hon. J J Netto:** Mr Speaker, again with respect to the Chief Minister, I do not think it is right and proper to go and say... or have a system in place where we say –

815 **Mr Speaker:** If I may, the hon. Member has asked that he should have a meeting with the Hon. the Minister. Surely that should be the end of the matter. You have an opportunity to have a meeting with him and thrash the matter out.

820 I have been liberal with the hon. Member, but really, he is supposed to be asking supplementary questions and not making a speech or a statement. I do not wish to curtail him, particularly in my first morning, but I would commend to him the practice of asking short and sharp questions.

825 I really think that he has received as much of an answer as he is going to get in the House today and he has been given an opportunity to pursue the matter further outside the House. I would commend him to that course of action.

830 Next question.

**Housing Works Agency and Ministry for Housing
Comprehensive review**

835 **Clerk:** Question 886, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing provide this House with details of the comprehensive review currently being undertaken of the Housing Works Agency and the Ministry for Housing, inclusive of specific matters being reviewed and by whom, as well as the dates by when he expects this exercise to be completed?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

845 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, not yet.

Hon. E J Reyes: Mr Speaker, not yet in respect of, for example, by whom the review is being undertaken and so on? Is that what the Minister is referring to?

850 **Hon. C A Bruzon:** Mr Speaker, an announcement will be made when we are ready.

Hon. E J Reyes: So, Mr Speaker, is the Minister not in a position to disclose by whom the review is being undertaken?

855 **Hon. C A Bruzon:** I think that subject was covered some months ago, Mr Speaker. There was a review being undertaken by people within my staff who were asked to report back to the Minister and to the Cabinet, and when we are ready to announce the final conclusions, we will do so.

860 **Hon. E J Reyes:** So Mr Speaker, am I correct in assuming that the review is being undertaken in-house, internally, by a member of staff without any external consultations and so on?

Hon. C A Bruzon: Mr Speaker, I have already answered the question, in the Parliament before, when we have spoken about this and I have been asked about it.

865 **Hon. E J Reyes:** And what I am asking now, Mr Speaker, is confirmation that the review is just being undertaken internally by those working within the Housing Works Agency, Ministry for Housing and that there are no external consultants being brought in for that purpose?

870 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the hon. Member has asked a question which was answered. Then he said 'Can I assume that the answer you have given is correct?' So the answer is, 'Well, the answer has been given.' Now he asks for confirmation again of the answer he has been given twice. That is not a new question.

875 **Hon. E J Reyes:** I am sorry, Mr Speaker, I may have said it, I do not quite recall having said, I assume it is correct. What I am asking, Mr Speaker, perhaps I can put it quite clear. If in a previous answer I have been told that an exercise is being carried out by those within the Housing Works Agency and the Ministry for Housing, that has been said before. What I am asking now is, can the Hon. Minister confirm that there are no external consultants or advisors also being involved in the exercise?

880 **Hon. C A Bruzon:** Yes, I can confirm that, Mr Speaker.

HEALTH AND ENVIRONMENT

885 **Urban green areas around Gibraltar
Government maintenance contracts**

Clerk: Question 855, the Hon. S M Figueras.

890 **Hon. S M Figueras:** Yes, Mr Speaker, would the Minister for the Environment please provide details of all Government contracts currently in place for the maintenance of urban green areas around Gibraltar,

but excluding the Upper Rock Nature Reserve broken down by area, contractor cost, term of contract and the nature of work contemplated by said contracts?

895 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

900 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, Government does not currently have any contracts for the maintenance of what we term 'urban green areas'. The Department of the Environment has a number of agreements for planted areas in Gibraltar. Other green areas have until now not had any form of management, resulting in issues related for example to safety arising from trees. Government has recently passed responsibility for these areas to the Department of the Environment from Land Property Services, which have no budget for it, and the Department will now be monitoring these areas and assessing whether any works are necessary.

905 **Hon. S M Figueras:** Mr Speaker, would the Minister be able perhaps... and there is a Question further along the Order Paper in relation to trees that I have asked. I recall that in May this year, in a similar Question, the Minister answered that there had been something in the order of a hundred trees planted since they had taken office, or rather since January of this year. Could the Minister confirm whether or not there are management plans or agreements or contracts in place for the maintenance of at least those trees?

915 **Hon. Dr. J E Cortes:** Mr Speaker, those are the areas which we refer to as planted areas. Urban green areas we tend to refer to as those areas which have not up to now had any formal maintenance. Those are planted areas.

920 The situation there is as it was in December last year at the time of the Election, in which there are a number of agreements but the contracts that had existed had all expired some time ago and therefore they are now on a month-to-month basis for the most part. In fact, my information tells me that all three contractors involved are on month-to-month agreements. This is not satisfactory for the contractors and it is not satisfactory for the Government, and we are looking at reviewing the way that planted areas are managed, with a view to entering more formal contracts with the contractors. But the situation at the moment is as we inherited with no formal contract any longer in place, because they expired some time ago and they were not renewed by the last Administration, which dealt with it on a month-to-month basis.

925 **Hon. S M Figueras:** Mr Speaker, the purpose of the Question is to elicit information in the context of concerns that have been articulated to me by concerned individuals, in relation to the maintenance of all these planted areas – planted and urban areas. Obviously, there seems to be a difference in our definition of those areas and perhaps we can agree one, moving forward, in order to make things easier.

930 Is the Minister able to provide the House with any kind of timeframe in relation to when... because obviously, this is a matter which is rather urgent, because obviously, as the concerns raised are that there are certain planted areas which are not taken care of. This is something that, obviously, the longer it goes on, the worse it gets and I acknowledge that the Minister has said it is unsatisfactory.

Is he able to provide this House with any kind of timescale to which we might be able to hold him?

935 **Hon. Dr. J E Cortes:** Mr Speaker, those problems that the hon. Member is referring to are exactly the problems that have been in existence for quite a number of years now and it is certainly not of this Government's making. I am aware that there are certain concerns by certain people who work in this area as to the way that the planted areas are divided up.

I share those concerns and therefore, the Department of the Environment is engaged in re-assessing them all.

940 I hesitate to give a date, because this is a process that will involve different contractors looking at all the planted areas in Gibraltar and setting up a process for them to be managed. I would have hoped that the logical date would be the beginning of the coming financial year. That would be the aim, but I cannot hold myself to that. If it is able to do it before then, then well and good, if it slips slightly, but I think that the logical time to introduce a new system would be the beginning of the next financial year.

945 **Hon. S M Figueras:** I am grateful for the answer from the Minister and obviously, subject of course to the fact that he has had the opportunity of course for the last 10 months of revisiting the situation, it is a situation that has been his responsibility for the last 10 months. Will he confirm that he will deal with this as a matter of some priority in his portfolio for the Environment?

950 **Hon. Dr. J E Cortes:** Mr Speaker, I have a huge number of priorities that I have to deal with as a result of matters that have come to my attention over the last 10 months, and this is one of them.

955 **Clerk:** Question 856 –

Hon. S E Linares: Mr Speaker, with your indulgence, may I just intervene at this moment in order to answer fully the Question 844, of which the hon. Member asked me for some information, and I said that I would provide it to him this morning. I just... but I would like this to be noted in *Hansard*, if anything. (Interjection) Or should I wait until he comes into the Chamber? It is up to you, sir.

960 **Mr Speaker:** I have no problem really in allowing it. It is going to look odd in *Hansard*, but then hon. Members should know the reason why. So I will allow him to provide the information.

965 **Chief Minister (Hon. F R Picardo):** Mr Speaker, could I just invite that we wait for Mr Reyes to return to the Chamber, in the event that he might want to say something?

Mr Speaker: Okay.

970

**Trees planted in Gibraltar
Details since May**

975 **Clerk:** Question 856, the Hon. S M Figueras.

Hon. S M Figueras: Further to the previous Question, which I foreshadowed, can the Minister for the Environment provide details of trees planted in Gibraltar since he last answered a similar question in May this year, with a breakdown of cost, suppliers and tender processors relevant to them?

980 **Clerk:** Answer, the Hon. Minister for Health and the Environment.

985 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the only trees that have been planted since May 2012, as part of this programme – I hope that other people, Mr Speaker, are planting trees otherwise! – are those that had been replacements for a few trees that may have been vandalised or perished, the replacement trees have been planted at a cost to the contractor and not to the Government.

990

**Coastline survey
Details**

Clerk: Question 857, the Hon. S M Figueras.

995 **Hon. S M Figueras:** Mr Speaker, can the Minister for the Environment say whether the Government is conducting a coastline survey and provide this House with details?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

1000 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, no, sir. At present, Government is not conducting a coastline survey.

1005

**Commonwealth Park proposals
Government's intentions**

Clerk: Question 858, the Hon. S M Figueras.

1010 **Hon. S M Figueras:** Mr Speaker, in light of the breaking of ground at the site of the proposed Commonwealth Park, can the Minister for the Environment confirm that it is his Government's policy to deliver said park in accordance with the Budget established as part of the costing of the GSLP/Liberal Alliance manifesto for the 2011 Election campaign? If so, will the Minister for the Environment now provide this House with such figures, in the context of the commencement of works?

1015

Clerk: Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the concept of the Commonwealth Park as proposed in the manifesto will be delivered and is being realised.

1020 Some elements of the original design have changed since then as we are not afraid to improve the features, provided it enhances the experience it will provide for the public.

Regarding the costs, the situation remains as stated in my reply to Question 740/2012.

1025 May I remind the hon. Gentleman that we are not answerable in this House for a budget that we may have assigned to something during the Election campaign.

Hon. S M Figueras: Mr Speaker, two issues arise out of that answer, which I would like to deal with in turn.

1030 Firstly, he refers to the previous Question which he answered. This Question was phrased precisely as it was because at the time when I last asked the Question, works had not commenced and no contractors were in place and therefore the Government was nervous about disclosing any figures, according to the answer given back then, because he did not want potential contractors to get greedy in the tender process and I understood that and I left the issue there as it was.

1035 I phrased the Question purposefully this time round, because there has been breaking of ground at the proposed site and C K Transport were at the site, conducting some kind of works in relation to what will eventually be the Commonwealth Park. It is therefore for that reason that I am now asking whether the... and I think I will deal with the second point before he rises, simply because I think it all comes together. So in relation to that issue, works have begun and I think it becomes relevant.

1040 In relation to the second issue and whether they are bound by the costing of the manifesto, I would ask the Minister is the Government willing to adopt the figures that they say they have, in relation to the costing of the whole of the manifesto, as the Budget or as certainly an indicative figure for the budget for the creation of the Commonwealth Park?

Hon. Dr. J E Cortes: Mr Speaker, I think I will start with the second part first, if I may.

1045 The budget for the Commonwealth Park or the *estimate* for the Commonwealth Park is being assessed now and in Government, one has knowledge of more of the detail – for example, enabling works that may require the diversion of a pipe and so on. Therefore the budget has to be reassessed in that knowledge.

1050 To the first part, absolutely, I understand and accept the difference. Works have in fact started, but let me just explain that the works that have been started are enabling works, of which I will give details. The full costing of the construction – if you can construct a park – is the figure that I am still not able to provide, but certainly the enabling works which are the breaking of the ground and the removal of the tarmac and digging down to a level, the complete works and start, have been carried out over approximately 50% of the existing area. The cost of this, which was carried out by GJBS, was £87,952.11.

1055 But that is not, Mr Speaker, part of the final contract; it was a separate enabling work contract.

1060 **Hon. S M Figueras:** Mr Speaker, I really would rather avoid this exchange becoming any more technical than it has to, because the point I am trying to make really is very simple. The Government has contended on many occasions in this House before, in respect of many other projects, that their manifesto was fully costed. The issue that I am raising and have raised publicly, and raise again in this House, is that the Government seems unwilling – to be generous – to provide that figure in any kind of way that the public may be able to consume, in order that they are not held to it.

1065 Now, whilst I understand the point that the Minister has made, that upon entering Government they have had a number of realisations – one of which is that perhaps what they had considered would be an appropriate figure for the Park may no longer be the case – in the context of the Chief Minister's mention of the fact that the project was proceeding ahead of schedule and under budget – also bearing in mind the contributions from the Kusuma Trust which the Hon. Minister referred to in the previous answer – does the Minister not concede that it is entirely reasonable for the public to think, 'I would like to know what the budget is before we conclude the contract, so that I can then make an assessment of whether or not we were genuinely under the budget'?

1070 Does the Minister not concede that point?

1075 **Chief Minister (Hon. F R Picardo):** Mr Speaker, neither the Government nor the Minister concedes that point, because what the hon. Gentleman wants to do is ask questions about what the GSLP/Liberal's views when they were preparing their manifesto was. We are here as a Government to answer questions as a Government.

The hon. Gentleman is perfectly entitled to ask questions about whether we are within the budget that we assigned to this in the Budget Book. There has been a Budget, an Appropriation Bill and a debate on

the Appropriation Bill since the last Election. That Appropriation Bill and the Budget Book, as it is called, have been published and debated in this House and he can ask us about that.

1080 At no Question Time, when I have been a Member of this House, have we asked the hon. Members when they were in Government, 'How much did you think it was going to cost when you were preparing your manifesto?' That is not a question that we are going to answer in Parliament.

1085 Mr Speaker, it may be that the hon. Gentleman wants to insist on this. There have been a number of public exchanges on the subject. We are going to tell the public, because we are accountable to them, in press releases or in answers from the hon. Members opposite in this House, exactly what everything costs, because that money that we are spending which is not ours to spend other than as representatives of the Taxpayer.

1090 When it comes to budget, the questions on budget that we are going to answer in this House are the ones which relates to the Estimates Book published by the Government. That is a fairly straight forward way of proceeding in my view; it is the honest and appropriate way of proceeding and is the way that they proceeded in Government.

I do not believe that we are under any obligation whatsoever to share with the hon. Members our working out to be able to put before the people of Gibraltar the magnificent manifesto which we put before them, to deliver the equally magnificent projects that we will deliver before the next General Election to them. Therefore, if he carries on asking this question, he is going to get the same answer.

1095 He is of course going to be told what everything costs. He will of course also be told how that compares to the budget assigned to cost at the beginning of each financial year. He is not going to get the information that he seems to hanker over so much, which is 'What did you think in GSLP Headquarters it was going to cost before the Election?'

1100 **Hon. S M Figueras:** Mr Speaker, with all due respect to the Hon. the Chief Minister, it has been, there have been, a number of occasions in this House where the Government has adopted for its own policy, matters that were alluded to in their manifesto. They have done that specifically in relation to specific initiatives.

1105 Is the Government adopting their costing, which is surely part of the manifesto which they have spoken of so much in this House; is the Government happy to adopt the cost as they estimated, as the GSLP/Liberal Alliance in Opposition before the 9th December 2011, as the original budget for the construction of the Commonwealth Park, in office?

1110 **Hon. Chief Minister:** Mr Speaker, the hon. Member has been in Parliament now almost for a year. He has lived through at least one Budget debate. The Budget that we have adopted in respect of Commonwealth Park is the one that we have brought to this House and voted on, on the Appropriation Bill. Is that the same Budget that we had assigned to it when we were sitting in our political offices, not as Members of this House but as candidates in the campaign? Well, Mr Speaker, that is for me to know and for him to guess.

1120 **Hon. D A Feetham:** Mr Speaker, I think the analysis of the Chief Minister is in respect of him, fundamentally flawed for this reason. It is not in relation to every single project, every aspect of Government spending that is budgeted to the last penny in the Estimate Book; it does not work that way and I will just give him one example. In relation to the cladding on the so-called forgotten estates, the Government's estimate in the budget was £1 million. I told him across the floor at Committee Stage that I thought it would be closer to £50 million. Sometimes there are token figures, so it does not necessarily... you cannot just simply say, 'Look at the Budget Book.' In this particular instance, my understanding is the Budget Book does not actually give us the answer, otherwise the hon. Member would not be asking the questions that he is asking.

1125 But of course there is another point and it is this: that it is Members on that side of the House – the Government – that keep on saying the public finances in Gibraltar are a disaster and that we left a disaster. Well, look, if you are making a point that the public finances of Gibraltar are a disaster – and I am coming to my question in a moment – then of course we are entitled to ask, 'Well, hang on a minute!' and we are entitled to put to people, 'Well, they can't be a disaster if they are spending all these millions of pounds on these projects.'

1130 But can he answer this: is this a project that is going to be undertaken by GJBS or is it a project that is going to go out to tender?

1135 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman has not pursued further what the Hon. Mr Figueras was asking about, and I think I will take it from that that he understood my answer.

Of course, in some instances in the Budget Book, there will be a token put in because a project is not going to be completed in a particular year. In fact, we are now very close to the end of the financial year, April is just around the corner and at Commonwealth Park, what has happened has been the breaking of

1140 ground, which has cost £87,000, as the hon. Gentleman, the Minister for the Environment has told the House, and not the development of the whole project, Mr Speaker.

1145 This is not a question of trying to avoid the scrutiny of the Opposition or the public, because we are giving *exactly* the information, down to the penny, of the cost. I know that is what they want to pretend it is for their own political purposes and each one is entitled to pursue their politics as they wish; but we are giving pounds, shilling and pence of every penny that every project is going to cost.

Whether or not this project is going to be dealt with by tender or otherwise – and the hon. Member has just asked, ‘Will it be done by GJBS or by tender?’ – they will be alerted to that as soon as decisions are made about it.

1150 **Hon. D A Feetham:** So is the answer, then, that no decision has been made as to whether this project will be dealt with by GJBS or going out for tender? Is that the answer?

1155 **Hon. Dr. J E Cortes:** Yes, Mr Speaker, we are currently looking at the options. There is a lot of specialised work which has not been carried out before in Gibraltar, so we have to be absolutely sure that we know how these works will be allocated and both – and possibly more than those – are possibilities for the actual laying out of the Park.

1160 **Street cleaning
Details of contracts**

Clerk: Question 859, the Hon. S M Figueras.

1165 **Hon. S M Figueras:** Mr Speaker, can the Government provide details of contracts currently in place for street cleaning in Gibraltar for the last 18 months, identifying the contractor, the length of the term, the cost and date of renewal?

1170 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, Master Service (Gibraltar) Ltd has the street cleaning contract for a period of 10 years. The cost of the contract for street cleaning is £5 million for this financial year, and the date of renewal is 1st April 2017.

1175 Mr Speaker, although I am providing the information, of course, this is a contract entered into by his Party a few months before the 2007 Election, so if he has any concerns about the terms of the contract, he may wish to raise them elsewhere.

1180 **MINISTRY FOR THE ENVIRONMENT
Trainees on placements**

Clerk: Question 860, the Hon. S M Figueras.

1185 **Hon. S M Figueras:** Mr Speaker, can the Minister for the Environment provide details providing a breakdown by age, gender and nationality of all trainees on placements within the Ministry for which he has responsibility, indicating the Department, Agency or Authority where they are placed, as well as showing the type of work that they are engaged in?

1190 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, for the avoidance of doubt I have a similar question in relation to the GHA, which I will answer later, so this answer does not include the GHA.

1195 So, Mr Speaker, there are presently no trainees on placement within the Environment Ministry or its Departments, Agencies and Authorities.

1200

**Barbary Macaque Management Plan
Details and costs**

1205 **Clerk:** Question 861, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Minister for the Environment confirm that the Barbary Macaque Management Plan is now in place and provide details of the cost to the taxpayer for the application of this new plan?

1210

Clerk: Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): No, sir, it is not yet in place.

1215

Hon. S M Figueras: Mr Speaker, can the Minister now confirm – in the context of, of course – the statement issued by his office last week, not more than a few hours after I had filed the Question in Parliament, announcing that an announcement was imminent to the public about the Barbary Macaque Management Plan? Could he now confirm to this House when that plan is expected to be put into operation once and for all?

1220

Hon. Dr. J E Cortes: No, sir, I am not able to say that at this point in time.

Hon. S M Figueras: Well, Mr Speaker, I would ask the Minister what the point of the press release then was, because it seems really rather suspect that I file a Question at 9.30 last week on Thursday, and not a few hours later, there is a statement out in the public domain which is, literally, that an announcement is imminent.

1225

Why is it the case then, Mr Speaker, that the Minister has issued the press release – (*Interjections*) I do not need to read anything about the last 16 years; we are talking about today and moving forward, thank you very much. (*Interjections*)

1230

Mr Speaker, the question I am asking – (*Interjections*)

Mr Speaker: Order!

Hon. S M Figueras: Mr Speaker, the question I am asking is what was the point of that announcement, when he cannot in fact, in this House – this House to which he is answerable – tell us when the plan is due to be put into operation?

1235

Hon. Dr. J E Cortes: Mr Speaker, I am not absolutely sure that I am familiar or aware of the specific press release that he is referring to.

1240

Hon. S M Figueras: Mr Speaker, whether it was a press release or an announcement, it is not something I have imagined. There was an announcement that an announcement is imminent for the Barbary Macaque Management Plan, on the Thursday. (*Interjections*) There was an announcement by the – (*Interjections*) I will be happy to look for it and come back. Obviously, I do not have it with me right now – (*Interjections*)

1245

Mr Speaker: Since the hon. Member is going to check on the source of that and he is responsible for the statements that he makes, I think that this is a convenient moment for us to have a short recess, for 10 minutes.

1250

The House adjourned at 11.05 a.m. and resumed its sitting at 11.20 a.m.

1255 **Mr Speaker:** The Hon. Mr Selwyn Figueras.

Hon. S M Figueras: Thank you, Mr Speaker.

The Hon. Minister and myself have already had an exchange across the floor, whilst we were in recess which was of mutual benefit to both of us.

1260

The announcement was published in GBC, but the point really of the question, Mr Speaker, is to understand why there is no end in sight, or rather no specific date by which the Management Plan will be published and put into operation. That is what I would like the Minister to provide some more information about.

1265 **Hon. Dr. J E Cortes:** Mr Speaker, I confirm that we had a chat about it during recess. I do not recall... Certainly, I think the hon. Member concedes that there was not a press release. I do not recall talking to GBC about the macaques in recent weeks, so I do not know where this report came from, whether it was radio or television or whatever. I honestly do not know and I do not recall. Maybe they thought they were referring to the Barbary Macaque Management Plan going to be *eminent* and not *imminent*. (*Laughter*) Be that as it may, I do not recall that.

1270 However, let me say that the completion of the report is likely to be very, very soon. However between completion of the report and then it being implemented, or rather the Plan and it then being implemented, could take time because obviously the Plan has to be translated into action. That is the reason why I do not want to commit myself to an implementation date.

1275 **Hon. S M Figueras:** Mr Speaker, could the Minister confirm to this House whether, at the time when the Plan is complete, it will be made public?

1280 **Hon. Dr. J E Cortes:** Mr Speaker, I think that the concepts of the Plan and the main tenets of the plan can be made public without doubt. Perhaps its translation into being carried out would be a more detailed consideration of how this is being done, but in principle, I think that with the main Plan, actually, it would be beneficial to the public to be aware of the plans in place.

1285 **Hon. S M Figueras:** Mr Speaker, I do not want to be drawn – and thankfully the Hon. the Chief Minister is not in the Chamber at the moment – into a further discussion about the Budget Book, because I do recall that there was some reference to costs in relation to Barbary... the management of the population.

Is the Minister in a position today to provide any detail whatsoever in relation to the additional cost which this Plan might represent?

1290 **Hon. Dr. J E Cortes:** No, Mr Speaker, as I explained, the Plan will deal with concepts and the way things have to be done. That – and there is a parallel process – has to be translated into exactly what costs would be applied as for personnel, equipment and so on, and that process is not complete.

1295 **Hon. S M Figueras:** Mr Speaker, I speak on behalf of the many concerned individuals who continually make reports to me, and I have seen some horrifying pictures of apes in rather vicious circumstances.

1300 I just want to ask the Minister whether he is not concerned about the frequency of the unwanted interactions with the apes and the impact that has on people's everyday lives, and also in relation to the impact it might have on tourism in Gibraltar, simply because they are very fun to look at, but not as fun when they are trying to latch onto a plastic bag, when you are walking in and out of the Caleta Hotel.

I would ask the Minister to comment on that, but also specifically on whether he is able to tell us if the Barbary Macaque Management Plan contemplates the local experts participating in its application?

1305 **Hon. Dr. J E Cortes:** Mr Speaker, I share those concerns, some of them have come to my attention. Certainly, I did answer this question some time ago. Local experts have been and will be involved and what I can say is that we are not working in a vacuum. I have had discussions with the Gibraltar Veterinary Clinic over recent weeks, with a view to in advance of the Plan enhancing the amount of contraception provided for female macaques and slight enhancement of monitoring, so we are working.

1310 The reason why we are enhancing contraception at this point of time in advance of the Plan is because this is the mating season and if we miss this mating season and we do not implant any contraceptives, then obviously there is going to be a large birth rate again next year. So with my encouragement, the Veterinary Clinic is actually enhancing the amount of contraception to females, in advance of the plan.

1315 **Hon. S M Figueras:** One final question Mr Speaker, is the Minister still satisfied that his Party's policy of not resorting to culling as a measure of last resort is the responsible one? Will he be open to reconsidering it, if the measures that he and his Government apply, in the attempt at resolving the issue, do not yield the solution acceptable to the community?

1320 **Hon. Dr. J E Cortes:** Mr Speaker, the Government's policy remains one of not culling. I have, however, said in the past that, on occasion, particular individuals, for a number of management reasons, have to be put down; but the policy remains that there shall be no culling on a large scale.

1325

SPORTS, CULTURE, HERITAGE AND YOUTH

Question 844
Supplementary information

1330

Mr Speaker: I call upon the Hon. Minister, Mr Steven Linares.

1335

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, it is in relation to Question 844, which the hon. Member asked me specifically if I could give him more details in 25, Hosting of Special Sports and Leisure Events, Virtual Promotions.

1340

I can confirm to the hon. Member that this relates to catering services for the event of the Strong Man League. It relates to catering at the Retreat Centre for the competitors and judges and there were 15. I can assure the hon. Member that they are people who eat a lot and therefore the amounts there might seem a lot, but they are strong men and the amount they eat is exorbitant.

But that is what the breakdown is of that.

1345

Hon. E J Reyes: I am most grateful for that.

Mr Speaker, can I, just for the sake of clarity, this £1,950 is in addition to the figure he provided last time, which I think was £20,000 for sponsorship contributions.

1350

Hon. S E Linares: Yes Mr Speaker, in fact there are two figures there. There is the Virtual Promotion, which is for the catering service and also, the Strong Man accommodation, which we hoped we did not have to pay for, but unfortunately, the men were so big that they did not fit in the bed and could not get in the shower in the Retreat Centre, so we had to put them up specifically, all of them. They were not happy; they could not sleep, so we had to get them double beds.

These are things I hope that we learn for the next year, so it does not happen. But yes, they are two costs, over and above the £20,000.

1355

HEALTH AND ENVIRONMENT

Environmental Feedback Unit
Details of reports made

1360

Clerk: Question 862, the Hon. S M Figueras.

1365

Hon. S M Figueras: Mr Speaker can the Minister for the Environment provide details of the number of reports made to the Environmental Feedback Unit since its creation, with details of the nature of the reports made, response time and action taken?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

1370

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, there have been 91 reports logged up to 9th October, ranging from nesting of birds, noise pollution, dog howling, roaming cats, dead or injured seagulls and pigeons, street cleaning, smells, graffiti, accumulation of bulky items, loose paving stones, water and sewage leaks, refuse collection, street lamp hazards, public toilets, rat infestation, roads and fencing, abandoned vehicles, mosquitoes, palm weevil and tobacco-related litter.

1375

Response time has been within 24 hours in all instances reported during the working week and the action taken has varied depending on the matter and the related service provider. Details are provided in the schedule which I now hand over to the hon. Member.

1380

May I add, while the schedule goes across, that the action taken is not included in that schedule because of the large number of different agencies involved who are tasked with them, with carrying out the responses and not all of them have reported back on them and therefore that is information that will have to follow.

Answer to Question 862 of 2012

no.	Report Date	Nature of Complaint	Service Provider
1	25/06/2012	Noise Pollution	Environmental Agency
2	25/06/2012	Nesting	GONHS
3	25/06/2012	Dog Fouling	Housing
4	25/06/2012	Cat's	GONHS
5	25/06/2012	Pollution	Environmental Agency
6	25/06/2012	Public toilets	Master Service/Dept. of Env.
7	26/06/2012	Seagulls	GONHS
8	27/06/2012	Flushing	Master Service
9	27/06/2012	Cleaning	Silvia Land Properties
10	27/06/2012	Foul Smell	Environmental Agency
11	28/06/2012	Foul Smell/Graffiti	Environmental Agency
12	28/06/2012	Dead Seagulls	Gibraltar Veterinary Clinic
13	28/06/2012	Information Purposes Only	Env. Feedback Section
14	28/06/2012	Beach Cleaning	Tourism/Master Service
15	28/06/2012	Dead Seagulls	Gibraltar Veterinary Clinic
16	28/06/2012	Flushing	Master Service
17	29/06/2012	Foul Smells	Environmental Agency
18	29/06/2012	Dead Seagull	Gibraltar Veterinary Clinic
19	29/06/2012	Dead Seagull	Gibraltar Veterinary Clinic
20	29/06/2012	Accumulation	Housing
21	29/06/2012	Injured Seagull	GONHS
22	29/06/2012	Dead Seagull	Gibraltar Veterinary Clinic
23	29/06/2012	Cleanings	Master Service
24	02/07/2012	Dead Seagull	Gibraltar Veterinary Clinic
25	02/07/2012	Loose paving stones	Technical Services
26	04/07/2012	Accumulation	Master Service
27	04/07/2012	Foul Smell	Environmental Agency
28	05/07/2012	Injured Seagulls	Michael Informed
29	05/07/2012	Exposed Metal Bolard	Technical Services
30	05/07/2012	Salt Water Leak	Aquagib

Answer to Question 862 of 2012

31	06/07/2012	Fly tipping	Master Service
32	09/07/2012	Sewage Leak	Environmental Agency
33	09/07/2012	Foul Smell	Environmental Agency
34	09/07/2012	Rubbish Accumulation	Environmental Agency
35	09/07/2012	Litter Bins	Environmental Agency
36	09/07/2012	Asbestos	Environmental Agency
37	09/07/2012	Refusce Collection	Master Service
38	09/07/2012	Dead Seagull	Gibraltar Veterinary Clinic
39	09/07/2012	Dog Lice	Housing
40	09/07/2012	Cats Roaming	Environmental Agency
41	10/07/2012	Rubbish Accumulation	Master Service
42	10/07/2012	Rubbish Accumulation	Master Service
43	11/07/2012	Exposed Street Lamp	GEA
44	11/07/2012	Accumulation (Sundays)	Master Service
45	11/07/2012	Sewer leakage	Tecnhical Sevices
46	11/07/2012	John Mackintosh Toilets	RGP
47	11/07/2012	Broken Water Meter Cover	Aquagib
48	11/07/2012	Broken Water Meter Cover	Aquagib
49	12/07/2012	Graffiti	Master Service
50	12/07/2012	Accumulation	Master Service
51	12/07/2012	Rats	Environmental Agency
52	12/07/2012	Broken Fencing/Rubbish	Unclear Responsibility
53	12/07/2012	Dead pegion	General Veterinary Clinic
54	13/07/2012	Line Wall Road Toilets	Dept. of Env.
55	16/07/2012	Salt Water	M.O.D
56	16/07/2012	Accumulation	Master Services
57	16/07/2012	Noise Pollution	Environmental Agency/RGP
58	16/07/2012	Dead Seagull	Gibraltar Veterinary Clinic
59	16/07/2012	Building Colours	Town Planning
60	17/07/2012	LPS	Unclear Responsibility

Answer to Question 862 of 2012

61	19/07/2012	Abandoned Vehicles	RGP
62	19/07/2012	Blocked Sewer	Environmental Agency
63	20/07/2012	Noise Pollution	Environmental Agency
64	20/07/2012	Overgrown Tree & Mosquito Infestation	EA/Housing
65	24/07/2012	soiled pavement	Master Service
66	03/08/2012	Graffiti	Unclear Responsibility
67	06/08/2012	Refuse	Dept. of Env.
68	06/08/2012	Dumping of WEEE	Environmental Agency
69	13/08/2012	Stained/smelly litter bin surrounds	Master Service
70	16/08/2012	Dead Cat/Seagull	Gibraltar Veterinary Clinic
71	17/08/2012	Foul Smells	Environmental Agency
72	20/08/2012	Stained Pavement	Morrison's
73	20/08/2012	Public Toilets	Dept. of Env.
74	21/08/2012	Obnoxious Smells	Environmental Agency
75	24/08/2012	Cleaning	Environmental Agency
76	27/08/2012	Refuse	Dept. of Env.
77	27/08/2012	Dismantling of Scaffolding	JBS
78	31/08/2012	Cleaning of Beaches	Master Service
79	03/09/2012	Tree affected by Palm Weevil	Dept. of Env. - Planted Areas
80	11/09/2012	Tobacco-related Littering	RGP/Environmental Agency
81	11/09/2012	Accumulation	Dept. of Env.
82	12/09/2012	Refuse Cubicle	Dept. of Env.
83	20/09/2012	Park Toilets	Sports & Leisure Authority
84	24/09/2012	Access Obstruction & Lack of Lighting	Dept. of Env.
85	26/09/2012	Seal at Coaling Island	Dept. of Env.
86	28/09/2012	Obnoxious Smells	Environmental Agency
87	02/10/2012	Rubbish Accumulation	Housing
88	03/10/2012	Litter	Master Service/Greenarc
89	04/10/2012	Dead plants	Dept. of Env.
90	08/10/2012	Accumulation	Master Service
91	09/10/2012	Skip	Environmental Agency

Hon. S M Figueras: Mr Speaker, it would be very helpful if the Minister... Oh, you have provided the schedule – sorry, I did not know you were providing one, I apologise.
I am grateful for the answer, thank you.

1385

**Queensway car parks
Solar powered lighting**

1390

Clerk: Question 863, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Minister for the Environment confirm whether any issues have arisen out of the installation and operation of the solar powered lighting at the new car parks in Queensway?

1395

Clerk: Answer, the Hon. the Minister for Health and the Environment.

1400

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, two of the lights were not functioning earlier this week. However, as they are within the warranty period, they will be replaced or repaired at no cost to the Government.

1405 **Hon. S M Figueras:** I am grateful, Mr Speaker. The reason for the question was I had received representations that there had been, at least on the one occasion, an issue in relation to the power being stored by the unit not being enough for the lights to be on throughout the duration of the night. Is the Minister aware of any of that?

1410 **Hon. Dr. J E Cortes:** Mr Speaker, it appears that on one particular day after a succession of cloudy days, there seems to have been an issue, but because it is within the warranty period, the Electricity Authority is looking at the batteries. It may be that the batteries have to be slightly different, so that they retain more power. That issue is being addressed.

1415 **Climate Change Forum
Meetings 2012**

Clerk: Question 864, the Hon. S M Figueras.

1420 **Hon. S M Figueras:** Can the Minister for the Environment provide details of meetings of the Climate Change Forum during 2012 and information about its work so far.

Clerk: Answer, the Hon. the Minister for Health and the Environment.

1425 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the Climate Change Forum, which had not met since 2008, has met on three occasions this year, with the next meeting already scheduled for early January. It has been expanded to include the Technical Services Department and a representative of the Health Authority, two organisations with a crucial role to play in this team.

1430 The forum is concentrating on a revision of the 2008 Climate Change Programme to reflect the new initiatives that this Government is spearheading, in terms of climate change mitigation, as well as to include a section on adaptation to climate change.

The forum is also working on the calculation of a carbon footprint for Gibraltar and is in contact with a number of universities and research bodies to develop this idea.

1435 **Clerk:** Question 865, the Hon. –

Hon. J J Netto: Mr Speaker, if I may, (**Mr Speaker:** Yes.) just a quick supplementary on this particular question.

1440 I do not know whether the Hon. the Minister for the Environment can tell us, as a result of the meetings he has held during the course of this year, what are the climate change challenges that he foresees – the major ones not the smaller ones – which need to be addressed?

Hon. Dr. J E Cortes: Presumably, Mr Speaker, the hon. Member is referring to in Gibraltar?

1445 **Hon. J J Netto:** Yes, of course.

1450 **Hon. Dr. J E Cortes:** Yes, this is something that obviously is not prepared in response to the Question, but I can answer that some of the challenges include the possibility of sea level rise, which is probably the biggest immediate threat and how that would affect our coastal areas; and also how a possible, if not expected, increase in weather issues such as heavy rains might increase in frequency and how that would affect things like drainage and possible flooding.

Those are the two main areas that affect us directly in Gibraltar.

1455 **Hon. J J Netto:** Could I ask a further supplementary question, in relation to the first example that the Minister cited, which is a possible rise to sea water level on the coastline. Is there any particular area within the coastline in particular which is vulnerable to any possible expectation of sea water level rises?

1460 **Hon. Dr. J E Cortes:** Mr Speaker, this is one of the matters that is being addressed by the Forum. I would not like to speculate now on what the response would be. I may have my own personal views, but I think I would rather wait until the Forum responds in the programme it is developing.

**Thinking Green Conference
Costs**

1465 **Clerk:** Question 865, the Hon. S M Figueras.

1470 **Hon. S M Figueras:** Mr Speaker, in light of the publication of the identity of the sponsors and ticketing arrangements for the forthcoming Thinking Green Conference, can the Minister for the Environment now provide full details to this House of the anticipated cost of the conference, broken down by gross costs including, but not limited to, the fee payable by the Government for the guest speakers, costs associated with travel and security detail for said speakers and anticipated revenues from ticket sales and sponsorship, broken down into ticket revenue and sponsor revenue, identifying the extent of the participation of each sponsor, and the total anticipated amount of contribution by the Government to this initiative?

1475 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

1480 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, I will answer this Question together with Questions 866 and 867.

**Thinking Green Conference
Sponsorship**

1485 **Clerk:** Question 866.

1490 **Hon. S M Figueras:** Can the Minister for the Environment confirm the process by which sponsors for the Thinking Green Conference were identified and approached, the amount of their contribution and details of the contractual arrangements entered into in respect of that sponsorship, including, but not limited to, information about terms relating to access during and after the event, to the guest speakers and in particular, former Vice President Al Gore and Juan Verde?

1495 **Thinking Green Conference
Visit of former Vice-President Al Gore**

1500 **Clerk:** Question 867.

1505 **Hon. S M Figueras:** Can the Minister for the Environment tell this House how long former Vice-President Al Gore is expected to remain in Gibraltar during his visit for the Thinking Green conference this month and whether he will be hosting a press conference in Gibraltar for local and international press during said visit? If not, why not?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

1510 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the financial information requested is not yet available, as the event has not taken place and final arrangements are still to be confirmed. This information will of course be available sometime after the event.

In relation to the sponsors, it was they who made contact with the organisers. There have been no final contractual arrangements for the sponsors, who have, however, been given complimentary tickets to the seminar and dinner.

1515 The visit by Vice-President Gore, a former US Vice-President and former presidential candidate, clearly has security implications so that details of his travel, length of stay and other such information cannot be divulged in public in advance of the visit.

He will not be specifically hosting a press conference during his visit, as has already been stated. This is his usual practice. He will, however, be answering questions as part of the seminar itself.

1520 **Hon. S M Figueras:** It strikes me as peculiar that, even at this late stage – and the conference is on Sunday and I am hoping to get my tickets from the hon. Member in the House this morning – but, it strikes me as peculiar that, even this close to the event, there are no final contractual arrangements in place with the sponsors, that we might reasonably be expected to receive the information that I am asking

1525 for in relation to the contribution from the sponsors. Does the Minister not concede that it is peculiar that, at this late stage, there is no such arrangement in place?

Hon. Dr. J E Cortes: Mr Speaker, the sponsors are sponsoring the event and the only thing they are getting is access to the tickets to the seminar and the dinner. There is no complicated contract, therefore.

1530 As to the closeness to the event, because of the security level of a former Vice-President and a current campaigner in the US presidential campaign, which is only several weeks away, the travel arrangements are liable to change up to the last minute and that will have a bearing on costs.

Similarly, some of the sponsors are sponsoring in kind, providing services which they are not charging for and until those services have been provided, we are not sure what the value of those will be.

1535 Those are some of the reasons in which giving any figure now would be inaccurate and therefore I think would be irresponsible of me.

Hon. S M Figueras: In relation again to the sponsors, in light of the comments made by the ESG publicly in relation to specifically the Nature Group's participation in the event, does the Minister have any concerns that their participation might have any kind of reputational impact on the event?

1540

Hon. Dr. J E Cortes: No, Mr Speaker.

Hon. S M Figueras: Further in relation to the sponsors, Mr Speaker, the Minister has told us that the sponsors involved in the event approached the Government to offer their sponsorship of it. Would the Minister agree with me that it might not have been a bad idea, in terms of generating even more sponsorship and reducing even further the contribution the Government would have to make to this initiative, to have approached the wider business community in Gibraltar?

1545

Hon. Dr. J E Cortes: Mr Speaker, some other possible sponsors were approached, but did not express an interest in time for them to be included in the advertisement and so on, so there were other approaches; but the successful sponsors were all ones who approached the Government.

1550

Hon. S M Figueras: Would the Minister – not publicly certainly, because I can understand that there might be an issue relating to the sensitivity of the information – be happy to confidentially share the information of who the sponsors they approached were?

1555

Hon. Dr. J E Cortes: I am not sure that it would be appropriate, because I do not know if I am at liberty to give information of sponsors and of conversations with entities without their permission, so I would seek their permission before I would share that information. If they grant me that permission, then I have no problem.

1560

Hon. S M Figueras: Mr Speaker, I would be grateful for that, simply because there have been concerns raised to me, in relation to the fact that a fair crack of the whip was not had by the wider business community, and it is an issue that I think is worth pursuing.

1565

Hon. Dr. J E Cortes: Yes, certainly. The business community has been very supportive in participation in the Trade Fair, so I suspect that those that may have expressed concern are those who are not participating in the Trade Fair. But they, I think, would have known that if they had an interest in sponsoring the event, they could have approached the Government and, obviously, they would have been considered.

1570

Hon. S M Figueras: Mr Speaker, I disagree with the Minister in relation to the point that he makes about willing sponsors could have approached the Government to offer their sponsorship of the event, if they were not aware that it was happening or no public announcement was made. We will agree to disagree and I will look forward to receiving the information, or rather confirmation of whether he is able to disclose that information confidentially.

1575

However, moving on to the issue of the press conference, or rather the non-event of the press conference here in Gibraltar by Vice-President Al Gore, does the Minister not consider it peculiar that such a high profile figure as is former Vice-President Al Gore and indeed a presidential candidate, who has spent the best part of a decade travelling the world, spreading the climate change message, that he should not host a press conference on the occasion of his visit to Gibraltar?

1580

Hon. Dr. J E Cortes: Mr Speaker, I do not find it peculiar, but perhaps the hon. Member will put it to him himself at the dinner, where I am sure he will have the opportunity to speak to him.

1585 In any case, the speaker will be answering questions at the end of his lecture for anything between 30 and maybe 45 minutes, I cannot remember exactly what the programme has allowed, and therefore, that in itself can take the place of a press conference, in the sense that not only members of the press who may be sitting there in the audience, but also members of the public will have the opportunity to put questions to him.

1590 So I think that is not as big an issue as the hon. Member seems to suggest it is.

Hon. S M Figueras: But, Mr Speaker, yes, I will look forward to having the opportunity to speak to Vice-President Al Gore. I would be a fool if I did not concede that it is of course a very good opportunity to speak to a personality such as Vice-President Al Gore.

1595 Whilst I will be happy to ask him that question on a one-to-one basis, I asked that question in this House merely to give voice to concerns that have been raised to me as part of my responsibility in this House.

1600 However, in relation to the point that the Minister has made that at the end of the speech there will be a question-and-answer session which is scheduled, is it not the case that the press is required to leave the premises after the first five minutes of the speech?

Hon. Dr. J E Cortes: No, Mr Speaker, it is cameras that have to leave the premises after five minutes. Reporters can remain sitting in the auditorium, making notes and participating like any other member of the public. It is cameras that are asked to leave.

1605 I suspect one of the reasons is that these are lectures which could then find themselves on U-tube or one of these things. I think it is standard procedure that in events of this nature, people are asked not to take cameras into the auditorium. On this occasion, we felt and Vice-President Gore's team responded that there was enough media interest to warrant some filming of the initial bits of the talk, very much as cameras are here in this House at the beginning of sessions, but do not necessarily have to stay, but nevertheless reporters can sit in through the whole of the proceedings. There is no difference.

Hon. S M Figueras: Mr Speaker, I suspect at expensive events of this nature, that would of course be the case and I am grateful for the clarification, as I was not aware of it.

1615 One final supplementary, Mr Speaker, does the Minister consider that this represents – whatever the cost may be and I am not meaning to press him any further, because I am obviously not going to get the answer, I am not one to embark on a fool's errand – does he consider that whatever the cost of this event – which we will eventually know about after it – represents a value-for-money initiative of the kind that is necessary, appropriate and called for in the current climate – if you will pardon the pun – and in particular in the context of the ruinous state of public finances that the Government appeared – so they say – to have inherited on 9th December 2011?

1625 **Hon. Dr. J E Cortes:** Mr Speaker, we cannot understate the significance of a personality of the stature of Vice-President Gore. Whether you agree with him or not, whether you agree with what he says or not, whether you agree with his lifestyle or not, we cannot understate the significance of former Vice-President Al Gore coming to Gibraltar and speaking to us. That in itself has a value. Sometimes, unfortunately, the way that the economy of the world is calculated, monetary value is not placed to matters of such value. That I think is sad, but nevertheless, that is the way the world is.

1630 However, the generation of interest that this has already delivered in companies wanting to take part in the Trade Fair, in companies who may not be taking part in the Trade Fair but who have contacted the Department with an interest in bringing new initiatives to Gibraltar in relation to sustainability and renewable energy as examples, the interest that that has led in myself personally having been asked to a number of meetings and had a number of meetings requested by people in International business and by people in International politics, because they are quite impressed about the way that Gibraltar is moving forward with a green agenda will most likely bring large economic benefits to Gibraltar in the future.

1635 Therefore, I think, Mr Speaker, that answers the hon. Member's question.

1640 **Anti-smoking legislation**
Cigarette-end bins outside buildings

Clerk: Question 868, the Hon. Mrs I M Ellul-Hammond.

1645 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for the Environment state whether the Government will be placing more cigarette-end bins in town as a result of the increase in smoking that is taking place outside buildings after the implementation of the 1st October legislation?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

1650 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, Government has commenced a pilot programme in this respect and a small number of cigarette-bins in the town area will be installed and monitored over the course of the next few weeks.

1655 **Primary Care Centre one-month advance appointments
Improvements to system**

Clerk: Question 869, the Hon. Mrs I M Ellul-Hammond.

1660 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain how the new one month advance appointment system will be improved in order to avoid the scenes witnessed on 1st October at the Primary Care Centre?

1665 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the new advanced appointment system was – as was clearly stated in public – a pilot system, subject to improvement. Following the implementation, a number of multi-disciplinary meetings have been held, involving GPs, nursing and administration staff and a number of further measures are being planned.

1670 It should be noted that this system – while inconvenient to some of those who attended – has seen many positives. For example, as from the afternoon of 1st October, appointments have been available with most of the doctors and no ‘did not attends’ have been reported. This was one of the main aims of the pilot, as it in effect releases more slots.

1675 The need now is to ensure that so many people do not feel they need to queue up or call first thing in the morning on the first of the month. We will now attempt to reassure the public to this effect.

In addition, patients requiring repeat prescriptions and patients asked by the GP to return on a given date will not be restricted to the month of open appointments. They will be able to either present their last complete prescription or a note that the doctor will provide and the appropriate appointment will be given. This means that these patients will not have to present or call on the first of the month.

1680 This, Mr Speaker, is a developing process. Inconvenience to our patients is deeply regretted. but it is the first time that a concentrated multi-disciplinary effort is being made to solve this long-standing problem once and for all, and I would like to pay tribute to the hard working staff at the Primary Care Centre for all their efforts and hard work.

1685

**Additional GP support for winter
Arrangements**

1690 **Clerk:** Question 870, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, will the Minister for Health be arranging for additional GP support for the winter months to come?

1695 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, at present the GP workload is being regularly monitored.

1700 An additional locum GP has been employed already to assist with the increase in attendance to the emergency clinics and will probably continue over the winter period.

Unlike previous winters, we now have two fully prescribing nurse practitioners and hope to recruit a third one, which is in complement. These competent practitioners will assist with emergency clinics and provide additional appointment availability.

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**Primary care clinic for children
Establishment**

Clerk: Question 871, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health advise when the primary care clinic for children will be established in the Rainbow Ward at St Bernard's Hospital, as per the Government's manifesto?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

1720

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the passage of children through the health system is a subject of discussion with the professionals concerned, as I stated in my Budget speech. Recommendations will be considered at the end of the process.

1725

**A&E Department
Changes and improvements**

1730

Clerk: Question 872, the Hon. I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health outline the changes and improvements to the A&E Department he said in his Budget speech would be 'seen very soon' and to which, according to the Gibraltar Senior Citizens' Association he said 'that the system needs reviewing but is already looking into ways of improving the service'?

1735

Clerk: Answer, the Hon. the Minister for Health and the Environment.

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Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, as announced during my Budget speech, the GHA has already commenced a series of works to the Accident and Emergency Department, in order to improve the services offered to our patients. Works have been planned fully involving Nurse Management and other clinicians.

1745

The works entail the following aspects: (1) improved triage facility for patients presenting through the main reception waiting area; (2) a new triage area for patients brought in by the Ambulance Service; (3) new Charge Nurse/Sisters' office within the Majors zone; (4) new reception counter to improve the privacy afforded to patients whilst presenting at A&E – this will also enhance the communication and co-ordination between the reception and A&E staff base; and (5) enhanced clinical storage facilities, which releases more space.

1750

The above measures have also been considered from the perspective of enhancing staff security. It is expected that these works will be concluded before the end of November.

An additional non-consultant hospital doctor was engaged on 6th June 2012; and the manning of the reception is being reviewed.

1755

**Stroke unit within St Bernard's Hospital
Establishment**

Clerk: Question 873, the Hon. Mrs I M Ellul-Hammond.

1760

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health advise when the establishment of a stroke unit within St Bernard's Hospital will take place, as per the Government's manifesto?

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Clerk: Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the matter is currently being considered by the professionals concerned and we are awaiting recommendations.

1770

**GHA's Zero Tolerance Policy
Effectiveness**

1775 **Clerk:** Question 874, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, what will the Minister for Health be doing in order to make the GHA's Zero Tolerance Policy more effective, given public concerns raised by GHA medical staff that it is ineffective in protecting employers against harassment and intimidation?

1780 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, a policy, however well drawn up, will never be able to stop the public harassing or intimidating staff.

1785 The principles set out in the Zero Tolerance Policy are ones which I support.

Management has my full backing in the implementation of this Policy. I am not aware that the policy has lost its effectiveness, since it was first introduced.

1790 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, has the Hon. Minister not looked into the allegations and concerns raised by the GHA's medical staff in the media?

Hon. Dr. J E Cortes: My point is that the existence of the Policy will not stop people harassing. That, sadly, is in the condition of the harasser. The Policy will deal with harassment, but will not necessarily stop it. The fact that there may or may not be one, two, three or four, on any particular period of time, instances of harassment, does not reflect on the Zero Tolerance Policy.

1795 The Zero Tolerance Policy is *zero tolerance*. We cannot have a 'minus five' tolerance policy or something like that. There is no tolerance of these sorts of events and any events that concern harassment or intimidation are regretted, but it is not the Policy that is at fault.

1800 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, so is the Hon. Minister not concerned that some GHA medical staff feel the GHA Zero Tolerance Policy is ineffective? Will he not be taking their recommendations on board and speaking with them?

1805 **Hon. Dr. J E Cortes:** Mr Speaker, the GHA staff know very well how concerned I am about their work conditions, their safety and so on. Of course, if any member of staff raises any issue at all with me, including particularly when they may be concerned about harassment and intimidation, they will be listened to very seriously and whatever action can be taken will be taken. That is absolutely the case.

1810 There have been several instances in the last 10 months, and I can assure the hon. Member that they have all been dealt with very, very seriously. However, I repeat, any member of staff who wishes to raise any matter is more than welcome and will be listened to.

**GHA waiting lists
Table 24 on Government website**

1815 **Clerk:** Question 875, the Hon. Mrs I M Ellul-Hammond.

1820 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain the GHA Table 24, as updated on 2nd August 2012, obtainable on-line from the statistics section of the Government website, namely 'Number of people on the GHA waiting lists for operations at St Bernard's Hospital with a breakdown by the type of surgical discipline', and whether the numbers are cumulative over the months; and where is it indicated how many cases are awaiting surgery by type and for the one month only?

1825 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the numbers are not cumulative.

1830 The total waiting list is based on the last month in the tables shown, those are the active figures.

The totals given are – *were* – a mathematical calculation – maybe I can call it an artefact of tabulation – which is not significant in real terms and no longer appears on the table.

The columns, Mr Speaker, had been added up, but it made no sense because it was not cumulative. Every table represents that month's waiting list.

1835 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, if I may refer to... I do not know if the Hon. Minister has the –

Hon. Dr. J E Cortes: I may have it.

1840 **Hon. Mrs I M Ellul-Hammond:** I have a copy if the Hon. Minister would like... (*Interjection by Hon. Dr. J E Cortes*) Mr Speaker, if I may go to the table that the Hon. Minister now has a copy of, for example in July 2012, is the Hon. Minister saying that 316 people were still on the waiting list for general surgery?

Perhaps, could the Hon. Minister explain, what is that figure of 23 in brackets next to the 316?

1845 **Hon. Dr. J E Cortes:** Mr Speaker, yes, it is correct. That means it is 316.

What was an artefact of tabulation – if I may use that term again, because I think it sounds absolutely marvellous! – is the total at the bottom... Clearly, you cannot add the months together to give you the figure at the bottom of that. It in fact no longer appears on the website.

1850 I believe Mr Speaker, that the 23, the number in brackets – but subject to confirmation, as I do not seem to have those notes with me – are new cases in that particular month. But I will have to confirm that and I will be happy to give that information to the hon. Lady within the next day.

Hon. Mrs I M Ellul-Hammond: I am grateful for that, Mr Speaker.

1855 So Mr Speaker, can the Hon. Minister, then... is it true to say that, in July, there were 316 waiting for general surgery; in June there had been 321 people waiting for general surgery? Does this mean that only five general surgeries took place in that month?

1860 **Hon. Dr. J E Cortes:** No, because if you add the 23 – if that is new cases – those then will be added to the figure and then are cancelled out, because they have been done. I think that is what it means – but as I say, I will confirm that later.

Hon. Mrs I M Ellul-Hammond: One last supplementary, Mr Speaker.

1865 Can the Hon. Minister confirm then that in total for the month of July, there were 934 people waiting for surgery?

1870 **Hon. Dr. J E Cortes:** Mr Speaker, that is what the table says. I think this is a totally unsatisfactory level of people waiting. It is an issue and it is very similar to what was inherited, when I took responsibility for the Health Authority. It is something that I am actively working on with management and with the professionals to try and cut this waiting list drastically and I hope we will be able to succeed.

Staff Nurse vacancies GHA actions to fill posts

1875 **Clerk:** Question 876, the Hon. Mrs I M Ellul-Hammond.

1880 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in response to Written Question 109/2012, 27.5 Staff Nurse positions are identified as vacant. Can the Minister for Health explain how those vacancies are being filled at present and what the GHA is doing to fill those positions on a permanent basis?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

1885 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, some of the staff nurse positions above are being filled by officers in the nursing bank; others are covered by officers carrying out overtime, whilst some posts remain vacant.

The GHA wishes to fill these posts and has recently undertaken interviews for all of these positions. Successful applicants have, in the main, been informed. It is a process ongoing, and it is envisaged that the positions will be covered within the next three months.

1890 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the vacant positions that the Hon. Minister has identified, are those or can those be filled by agency nurses?

Hon. Dr. J E Cortes: Mr Speaker, agency nurses are extremely expensive, particularly as they would have to be recruited most likely in the United Kingdom and there are horrendous charges for them.

1895 Therefore, we... I seem to recall one exception in that it was a particular specialty, it may have been children but I do not recall, when I authorised agency cover because of the critical responsibilities of that post.

1900 We feel that we can at the moment cover, on the understanding that the bank and the overtime will be short lived, in the sense that we hope that the nurses interviewed will be able to take up their posts shortly. But, agency nurses we do resist because they are extremely expensive, although when they are necessary for the safety and care of our patients, we will obviously engage them.

1905 **Hon. Mrs I M Ellul-Hammond:** Finally, Mr Speaker, I know I have not given notice of this question, but does the Hon. Minister know how many positions remain vacant, after bank nurses and overtime?

Hon. Dr. J E Cortes: No, Mr Speaker, I am afraid I do not have that information with me.

1910

**Dr. McCutcheon, previous Chief Executive Officer of the GHA
Compensation awarded**

1915 **Clerk:** Question 877, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health inform this House how much Dr. McCutcheon, previous Chief Executive Officer of the GHA, was awarded as compensation for having cut his employment contract short by three years?

1920 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, Dr. McCutcheon resigned as CEO.

1925 As the GHA has already announced, Dr McCutcheon resigned on 11th September. He himself announced his resignation and explained that he had resigned for personal reasons.

The Question seems to imply that the GHA cut short his employment contract. This is not the case.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, does that mean that there is no compensation?

1930 **Hon. Dr. J E Cortes:** Mr Speaker, that means that the appointment was not cut short. The terms of the, shall I say, termination of contract have to remain – (*Interjection*) yes, yes, let me finish – have at this moment to remain confidential.

However, I would be happy to discuss with the hon. Member outside the House.

1935 **Hon. Mrs I M Ellul-Hammond:** Yes, but why is it to remain confidential at this stage?

Hon. Dr. J E Cortes: Dr. McCutcheon's lawyer requested confidentiality and this was agreed.

1940 **Hon. P R Caruana:** Mr Speaker, that may be the case, but the Government is accountable to this House for its use of public funds and how much it has paid a public servant for the termination of that service is not a matter that can be kept from this Parliament on the basis that one of the parties to it prefers that it be kept confidential. On that basis, this Parliament's ability to scrutinise the Government depends on other people's desire not to prevent it from doing so.

1945 **Chief Minister (Hon. F R Picardo):** Mr Speaker, in this context, we are talking about a specific individual and a remuneration package related to that individual which has led, on his resignation, to a payment to him, based on the contract entered into with the hon. Members when they were in administration.

1950 Let me say that I will look at the confidentiality clause, because it seems to me that the confidentiality clause cannot exclude our obligation to be answerable in respect of public funds, and come back to the House on that basis.

I think it is correct to say that there is a confidentiality clause there. I have not seen it, and we may have to take advice on how we can answer such questions in the House.

1955 At the end of the day, a payment will have to be accounted for and it is possible that we may just have to direct hon. Members to where that payment is going to be accounted for and they can then see the

amount as a result of that, in whatever part of Estimates or whatever it is that we put out, so that they can see the exact figure in a public way.

1960 **Hon. Dr. J E Cortes:** Mr Speaker, I would confirm that the reasons I have not divulged them are purely because of my concerns as to confidentiality and that clearly, if that is cleared by the Chief Minister, I would have no problem at all.

1965 **Hon. P R Caruana:** Yes Mr Speaker, I have to say I am much more interested in the generality than in the specific case, but it also has to be said that the Hon. Dr. Cortes carefully worded his answer which would lead a less inquisitive listener to conclude that there was no compensation payment, which is a wholly different position to the one that we are in, in which there has been one, but he feels bound by confidentiality.

1970 Can I just say in answer to...if I can just ask the Hon. the Chief Minister – and I am grateful to him for what he has said on the question of confidentiality and all of that, and I await to see what conclusion he comes to – but when we were in Government, would he bear in mind that we were frequently invited by counterparties, whether it was in commercial agreements or in other situations, to submit to confidentiality clauses, which we often did agree to, but worded in terms that excluded from the confidentiality clause the Government's obligation to account to Parliament and any other... So some wording of confidentiality clauses is okay, but not an absolute...

1975 Anyway, I am happy to wait until his review of the matter.

1980 **Hon. Chief Minister:** I am grateful, Mr Speaker, and I am sure that no confidentiality clause can exclude such disclosure as may be required by operation of law or other requirement. Of course we have a requirement to account to this House for the spending of public money, therefore it must be that we are able to give that information. That is why I am going to look at it.

1985 The question that the Hon. Minister was answering was also very carefully worded and a less inquisitive person might not turn their attention to the detail of how it was phrased, suggesting that somebody had had their employment cut short. I think that is why he was very careful to answer correctly exactly the question that had been posed, as is our obligation when answering questions.

1990 **Hon. P R Caruana:** Mr Speaker, I think the hon. Member is right. The Hon. Minister for Health *correctly* corrected the false premise of the question, which was the assumption that the contract had been cut short and he *correctly* pointed out that it was not; but then he stopped short there, therefore giving the impression that because he had terminated it himself and it had not been terminated on him, ergo it must necessarily follow that there was no compensation. It is true that those words were not added, but it is implicit.

1995 If I ask if the contract was terminated, how much compensation was paid and the answer is the contract was not terminated, he resigned of his own accord, the implication is 'and therefore no compensation was payable or paid'. I am not saying that is what the hon. Member intended to convey, that false and misleading impression, but that is what it did.

2000 **Hon. Chief Minister:** Mr Speaker, can I just say that I am conscious that we have had a very good morning and it is often when we think that we are collaborating in exchanges like this and the words 'false' and 'misleading' creep in, that we then have an explosion. So can we just leave it there and I will come back with the information when I have it.

Mr Speaker: I would very –

2005 **Hon. P R Caruana:** The words 'false' and 'misleading' are perfectly okay when they are preceded with the words 'I am not suggesting that the hon. Member intended it'. It is only when they are not preceded by those words that they might be aggressive!

2010 **Mr Speaker:** May I invite the Government to ensure that a statement is made here in Parliament, because it is a matter of public importance. I think the whole question of Dr. McCutcheon is one of great public importance and for the record, having regard to the question that has been made, I think for the record, some answer should also go into the record of our proceedings.

2015 **Hon. Chief Minister:** I am grateful, Mr Speaker, for that invitation. I think in the process of finding the information that the Hon. the Leader of the Opposition has asked for and looking at how we deal with this confidentiality aspect, I am quite happy to bring such information or give such explanation as to the operation of the confidentiality clause, by way of a statement, with your leave.

**KGV Mental Hospital
Persons admitted below the age of 18**

2020

Clerk: Question 878, the Hon. J J Netto.

2025

Hon. J J Netto: Mr Speaker, could the Minister say if any person or persons below the age of 18 has been admitted to the KGV Mental Hospital and if so provide details of reason or reasons for the admission, the age, sex, duration and whether the decision for admission has been by sectioning, voluntary, or on any other account?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

2030

Minister for Health and the Environment (Hon. J E Cortes): Mr Speaker, the request for information regarding patients aged under 18 years admitted to the acute ward did not specify the period required. I have gone back as far as 1st October 2007, five years, in the admissions Book. Information is provided in the schedule I now hand over.

2035

Answer to Question No. 878 of 2012

SCHEDULE

Sex	Age of Admission	Date of Admission	Date of Discharge	Status	Reason for Admission
M	14	10/10/08	13/10/08	Inf	Assessment
F	17	24/08/09	28/08/09	Sec 5	Anxiety Low Mood
M	17	14/05/10	28/05/10	Inf	Assessment
M	17	15/05/12	08/06/12	Sec 5	Assessment
F	17	21/09/12	01/10/12	Sec 5	Suicidal ideation

2040

Clerk: The Hon. the Chief Minister.

Mr Speaker: Yes? Does the hon. Member wish to ask a supplementary?

2045

Hon. J J Netto Yes, please. If I can...

Mr Speaker: Yes, please do.

2050

Hon. J J Netto: Mr Speaker, in relation to the figures being provided, in particular to the two last ones – and I would not necessarily want to, across the floor of the House, give particulars of the particular individual – could I ask, have they been admitted by sectioning or was it a voluntary decision between all the professionals and the families?

If the hon. Gentleman wishes, I might even withdraw the supplementary question and perhaps have it confidentially, I do not mind.

2055

Hon. Dr. J E Cortes: Mr Speaker, it is in the table under ‘Status’. The second last column provides the information.

2060

Hon. J J Netto Could I also ask, Mr Speaker, in relation to those two cases at the bottom of the chart, whether given their ages, are they being segregated from adults or not?

2065

Hon. Dr. J E Cortes: Yes, absolutely, as the hon. Member will know, the facilities in KGV are not ideal for this, but they are completely separated and supervised very closely at all times. The new mental facilities will provide much more satisfactory conditions for dealing with young people with this type of problem.

Hon. J J Netto: Could I also ask, Mr Speaker, presumably clinical diagnosis would have been made either by local professionals or perhaps given the circumstances of the cases, even by professionals from abroad. Is that the case Mr Speaker, in terms of diagnosing the condition of those particular individuals?

2070 **Hon. Dr. J E Cortes:** Mr Speaker, I would assume so. That specific information was not requested and therefore it is not included in the table, but I would assume so.

2075 **Hon. J J Netto:** Could I also ask in relation to those two whether... are these two in the care of the Care Agency or are they in the community prior to admission?

Hon. Dr. J E Cortes: Mr Speaker, I am afraid I do not have that information.

2080 **Hon. J J Netto:** And does the Minister know, given their ages, has their education been hampered in any particular way and whether there has been any multi-agency meeting to discuss amongst professionals if this is so and whether it is possible to try and put it back on track?

Hon. Dr. J E Cortes: Mr Speaker, they may not even be in school at that age, because it is past the compulsory school leaving age.

2085 Mr Speaker, I will have to have notice of that question. I have answered the specific points listed in the question. Any further information, I am afraid I do not have and that could follow, if the hon. Member wishes to write to me.

2090 **Hon. J J Netto:** Yes, probably, and perhaps my last supplementary question, although I take on board what he has just said, that he might not be in a position to provide me with information, but in relation to the last one, the one at the bottom there, it seems to me that there may be some underlying psychological issues there. If this is so, will the hon. Gentleman know whether there is a continual assessment, as a result of that, and any particular treatment as a result of that?

2095 **Hon. Dr. J E Cortes:** Mr Speaker, again, I do not have any information, but in view of the professional abilities of the staff, I am sure that whatever has to be done will have been and will be done. There is no holding back in helping young people with this sort of problem.

2100 As to specifics that were not in the question, it is not part of my day-to-day duties and therefore I do not have it. It is not the same as asking me about climate change, which I tend to know about, so I cannot answer that question.

Hon. J J Netto: I will take the offer from the hon. Gentleman and write to him to see.

Hon. Dr. J E Cortes: I will be delighted to respond.

2105

Recess

2110 **Mr Speaker:** I understand the Chief Minister would like the House to recess now until three this afternoon.

Chief Minister (Hon. F R Picardo): Recess or adjourn, Mr Speaker, whichever you prefer. The practice until now has been that I move an adjournment until three.

2115 **Mr Speaker:** I honestly do not think that it is necessary. The word 'adjournment' refers to another day. You adjourn to another day. To this afternoon at three, there is no need for an adjournment. What the House should have is a recess until three o'clock this afternoon.

2120 **Hon. Chief Minister:** Mr Speaker, in Court –

Mr Speaker: It may be a practice which has been adopted in the last 20 years –

Hon. Chief Minister: Indeed, Mr Speaker –

2125 **Mr Speaker:** – but it was not in the previous 20.

Hon. Chief Minister: Mr Speaker, I think perhaps the influx of lawyers has brought in this new terminology of adjournment and what more salutary way to start your first day than to take a recess

2130 **Mr Speaker:** The word 'adjournment' is self-explanatory.

Hon. Chief Minister: So Mr Speaker, I am delighted that we should recess in fact until 3.00 p.m.

2135

**Invitation by Mr Speaker
Members may approach the Speaker's Chair**

2140 **Mr Speaker:** Before I do that, there is another matter I wish to mention.

When I was a Member of this House 20 years ago, the Hon. Sir Alfred Vasquez invited Members who might wish to have a word with the Speaker to approach the Speaker's Chair – obviously provided it is not a controversial matter – but there may be instances when a Member needs to come and have a word with the Speaker and not wait for the House to recess. So I would invite hon. Members to do that. I am available, it is a practice that I always found very useful myself, as I said, when Sir Alfred Vasquez was Speaker.

2145

Obviously a controversial or a difficult matter is another matter, but a small routine matter that they wish to come and talk to me about, there is no problem. Please approach the Speaker's Chair, whenever you feel necessary.

2150

The House will now recess until three this afternoon.

The House recessed at 12.20 p.m. and resumed its sitting at 3.00 p.m.



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 5.07 p.m.

Gibraltar, Thursday, 18th October 2012

The Gibraltar Parliament

The Parliament met at 3.00 p.m.

[MR SPEAKER: Hon. A J Canepa GMH, OBE *in the Chair*]

[CLERK TO THE PARLIAMENT: M L Farrell Esq RD *in attendance*]

Questions for Oral Answer

CHIEF MINISTER

Civil Service AA vacancies Details and status of applicants

Clerk: Answers to Questions continue.
Question 852/2012, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, can the Government state (a) how many AA vacancies have been

5 created within the Civil Service; (b) how many people applied for those vacancies; (c) how many have been employed in that grade; (d) of those employed in the grade how many were on the unemployment list and for how long and/or employed by ETCL under the Future Job Strategy scheme?

10 **Clerk:** Answer the Hon. the Chief Minister

Chief Minister (Hon. F R Picardo): Mr Speaker, forty vacancies have been advertised. One new AA vacancy has been created within the Civil Service. 603 applications were received. None have yet been selected.

15

Redevelopment of Ragged Staff car park

20 **Clerk:** Question No. 915 of 2012.

Hon S M Figueras: Can the Hon. the Chief Minister confirm whether the Government has any plans for the redevelopment of the Ragged Staff car park?

25 **Clerk:** Answer the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government has no such plans at present.

30

Development of East Side reclamation

35 **Clerk:** Question 916, the Hon. S M Figueras.

Hon. S M Figueras: Can the Chief Minister provide this House with his Government's plans and policy in respect of the development of the East Side reclamation?

40 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker the position remains as set out in answer to Written Question 142/2012.

45 **Hon. S M Figueras:** And am I to take it, Mr Speaker, that there has been no change in that position whatsoever and no further development since he gave that answer?

50 **Hon. Chief Minister:** Well, Mr Speaker, if I have said the position remains the same as set out in the answer to that Written Question then, unless I have been misleading him, it must be that there has been no change.

50

Official car 'G1' Use of intended replacement

55

Clerk: Question 917, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Chief Minister state whether the intended replacement for the Chief Minister's official car 'G1' is anticipated to be used for both daily duties and ceremonial occasions or

60 whether the Government intends to separate the two activities.

Clerk: Answer, the Hon. the Chief Minister.

65 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer this question together with Question 918.

**Official car 'G1'
Hybrid/alternative energy replacement**

70

Clerk: Question 918.

75 **Hon. S M Figueras:** Can the Chief Minister state whether he has now identified a hybrid/alternative energy replacement for the Chief Minister's official car 'G1' and, if so, what it is and when he expects it will enter service.

Clerk: Answer, the Hon. the Chief Minister.

80 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government is pursuing various options for the replacement, not just of the Chief Minister's official car but also for the replacement of much of the staff car fleet.

85 This involves the analysis of the specifications of various vehicle types, including hybrids and fully electric vehicles. No final decision has yet been taken in respect of the model or type, given that it is anticipated that new vehicle types will very shortly become available for testing. That will be followed, where relevant, by a procurement process.

90 The Government is aiming to start the roll out of a more environmentally friendly vehicle fleet during the course of the next financial year. Whether or not the replacement of the Chief Minister's official car will be for both daily duties, ceremonial occasions or both, will depend on the type and model of the replacement vehicle.

**Government advisory councils
Membership and details of meetings**

95

Clerk: Question 919, the Hon. D J Bossino.

100 **Hon. D J Bossino:** Further to Question 315/2012, can the Government advise whether the membership of the tourism, ports, business, e-commerce and e-government advisory councils have been reconstituted and provide details as to who comprises their respective memberships and how often they have met, if at all?

Clerk: Answer, the Hon. the Chief Minister.

105 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I hand the hon. Member a schedule with the information requested in respect of the advisory councils on tourism, ports and small businesses. The e-commerce and e-government advisory councils have not yet been constituted.

ANSWER TO QUESTION 919

Tourism Advisory Council

1. The Minister for Tourism
2. Chief Executive of the GTB
3. Franco Ostuni
4. Mrs. Lyana Armstrong-Emery
5. Mr. John Perez
6. Representatives of Gibraltar Taxi Association
7. Mr. Albert Garcia
8. Prof. Clive Finlayson
9. Mr. Albert Parody
10. Mr. George Gaggero
11. Mr. Richard Desoiza
12. Mr. Ernest Francis
13. A representative of the GFSB
14. A representative of the Chamber of Commerce

The Tourism Advisory Council met on 11 April, 31 May, 18 July & 3 October 2012.

Port Advisory Council

1. The Minister with responsibility for the Port
2. Chief Executive/Captain of the Port
3. Mr. John Bassadone
4. Captain Maltezos
5. Mr. George Dyke
6. Capt Chris Dodds
7. Mr. J. Corvelli
8. Capt Vassillios Terzis
9. Mr. Tommy Penalver
10. Mr. John Gaggero
11. Mr. William Jeffries
12. Mr. Tyrone Payas
13. Mr. Forti Azopardi

The Port Advisory Council met on 22 March & 1 June 2012.

Small Business Board

1. Minister with responsibility for Small Business - Chairman
2. Mrs. Cynthia Eagle
3. Mr. Ian Torilla - GFSB
4. Mr. Christian Hernandez - Representative of the Chamber of Commerce
5. Mr. Steven Marin
6. Mr. Vijay Daryanani
7. Marie Lou Guerrero
8. Mr. Peter Cabezutto
9. Mr. John Isola
10. Miss. Gemma Arias
11. Mr. Daniel Linares
12. Mr. Suresh Mahtani
13. Mr. Craig Fortunato
14. Mr. Felix Alvarez

The Small Business Board met on 11 April, 31 May, 18 July & 3 October 2012.

110 **Hon. D J Bossino:** Mr Speaker, whilst I receive the schedule in relation to the e-commerce and e-government advisory councils, if I could just refer the Chief Minister to the reply he gave to me in relation to a supplementary I asked in connection with Question 315 on the last occasion in March. He did say that these – I think if I could paraphrase or summarise – councils would not be available until the infrastructural work – and I am quoting him –

115 'to put the government in a position to be ready to do e-government and e-commerce'

had not at that stage been done and that is an aspect of the work that he said had to be given priority. Is the position, therefore, that the infrastructure work has not yet been completed and therefore, the Chief Minister has not yet had an opportunity to constitute a membership of these boards?

120

Hon. Chief Minister: Mr Speaker, the infrastructural work is ongoing and, therefore, I have not yet considered it appropriate to constitute these boards because there is no substantive issue to consider with them in respect of where we go thereafter.

125 So we are still at that stage. I expect to be in a position to constitute the boards sooner rather than later, when we really start to roll out the e-government programme.

130 **Monument to the women of Gibraltar
Plans to honour previous administration's pledge**

Clerk: Question 920, the Hon. Mrs I M Ellul-Hammond.

135 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Government say what plans, if any, it has to continue the previous administration's pledge to erect a monument to the women of Gibraltar on the sundial roundabout?

Clerk: Answer, the Hon. the Chief Minister.

140 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government is already in advanced discussions with the individuals who gave life to this idea at the time that Members opposite were in Government.

It is my wish that this should advance as soon as possible to recognise the immense contribution of the women of Gibraltar to the community in which we are so privileged to live.

145

**Health-related charities discouraged by GSD
Government claims**

150 **Clerk:** Question 921, the Hon. Mrs I M Ellul-Hammond.

155 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Chief Minister provide this House with the list he promised me of health related charities that the Government claims the GSD discouraged the work and contributions of, and the circumstances under which this happened?

Clerk: Answer, the Hon. the Chief Minister.

160 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I refer the hon. Lady to my last answer to her in this House and my last e-mail to her of 29th September 2012. The position, despite her many press releases on the subject, remains the same.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, will the Chief Minister be providing me with a list? He did state, at the last meeting of the House, that he was delighted to give particular examples and then,

165 in an e-mail to me, he did say 'I do have a list but will cross-check it with the Minister for Health'. So has the Chief Minister cross-checked it with the Minister for Health and can he provide me with a list?

Hon. Chief Minister: Mr Speaker, exactly as I said... the position remains exactly as I said in answer to the last question in the House and in my last e-mail to her. I am not yet in a position to give it to her for the reasons I set out in my last e-mail to her.

170 Since then, of course, she has issued a number of press releases. The position that I put to her in this House was that I would share the information with her confidentially. That remains the position.

I have just, as she will know, landed yesterday, from the month I told her I was going to be travelling extensively and not concentrating on that subject because I had other more pressing things to do. Now that I am back, I will do as I said I would in answer to her question.

175

Hon. Mrs I M Ellul-Hammond: Mr Speaker, the Chief Minister is willing to share that information confidentially later on?

180 **Hon. Chief Minister:** Mr Speaker, as I told her in the answer to her question and in my last e-mail once I have had the opportunity of checking that list with the hon. Member, I will be writing to her on the basis set out in the answer, in other words, confidentially to share that information with her.

185

**British Gibraltar territorial waters
Incursions by Guardia Civil**

Clerk: Question 922, the Hon. D A Feetham.

190

Hon. D A Feetham: Can the Chief Minister please state how many incursions have occurred into British Gibraltar territorial waters by the Guardia Civil, excluding innocent passage, since 1st January 2012.

Clerk: Answer, the Hon. the Chief Minister.

195

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this Question together with Questions 923 and 924.

200

**British Gibraltar territorial waters
Number of arrest warrants against Spanish fishermen**

Clerk: Question 923.

205

Hon. D A Feetham: Can the Chief Minister state how many arrest warrants have been issued against Spanish fishermen for illegally fishing in British Gibraltar territorial waters this year?

210

**British Gibraltar territorial waters
Number of incidents involving Spanish fishermen logged by RGP**

Clerk: Question 924.

215

Hon. D A Feetham: Can the Chief Minister please state how many warnings, reports for process and arrests have been made or issued by the RGP this year in relation to Spanish fishermen's activities in British Gibraltar territorial waters?

220 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, there have been 208 incursions by the Guardia Civil into British Gibraltar territorial waters since 1st January 2012.

225 This year 24 Spanish nationals were reported for process, however. Twenty-one of these persons were reported for process for fishing from the No warrants or arrests have been issued against Spanish fishermen for illegal fishing in British Gibraltar territorial waters. beach and all were cautioned for the offences. Three fishermen were reported for process for using illegal nets: they are currently being judicially processed, with one of the fishermen already having been summoned to appear in court.

230 **Mr Speaker:** Next question.

Question Withdrawn

235 **Clerk:** Question 925, the Hon. D A Feetham.

240 **Hon. D A Feetham:** Mr Speaker, I am withdrawing this question. This is a question that I asked in a different format. I was asked by the former Speaker to cut it down because I referred to a preamble and, in fact, over the telephone, we discussed a new formulation of the question. Unfortunately, it does not actually reflect what I believed had actually been agreed between himself and myself and therefore rather than ask this on this basis, which is not the question that I wish to ask, I am withdrawing it and I am going to ask it of the Chief Minister next time round.

245

Flexible working hours for the Civil Service

250 **Clerk:** Question No. 926 of 2012, the Hon. D A Feetham.

Hon D A Feetham: Can the Minister with responsibility for the Civil Service please state whether the Government has made a decision on the detail of flexible working hours for the Civil Service and in particular (a) how these hours will be monitored; (b) the hours themselves; and (c) whether these hours will be rolled out across the entire public service including the GDC?

255 **Clerk:** Answer the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, no such decision has been made.

260 **Clerk:** With the Chief Minister's leave, may we proceed to Questions which are going to be answered by the Minister for Traffic, Health & Safety and Technical Services or... The Deputy Chief Minister.

265

DEPUTY CHIEF MINISTER

Aerial Farm Proposed residential development

270 **Clerk:** Question 909, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Deputy Chief Minister tell this House whether the Government is proceeding with the proposed residential development at the Aerial Farm?

275 **Clerk:** Answer, the Hon. the Deputy Chief Minister.

Deputy Chief Minister (Hon. Dr. J J Garcia): Mr Speaker, I will answer this Question together with Question 910.

280

**Elliott's Battery/Europa Point
Proposed residential development**

285 **Clerk:** Question 910.

Hon. S M Figueras: Can the Deputy Chief Minister confirm whether the Government will be proceeding with the proposed residential development in the area of Elliott's Battery/Europa Point?

290 **Clerk:** Answer, the Hon. the Deputy Chief Minister.

Deputy Chief Minister (Hon. Dr. J J Garcia): Mr Speaker, the Government has not yet taken a final decision on this matter.

295 **Hon. S M Figueras:** For the avoidance of doubt, Mr Speaker, in light of the answer that the decision has not yet been taken, is it safe to assume, or would the Hon. Deputy Minister agree that it is safe to assume, that there is a possibility however remote and I do not know the extent to which they are in negotiations in relation to the project, that the project may not go ahead.

300 **Hon. Deputy Chief Minister:** The position is that the project may go ahead or it may not. That is why we have not come to a decision so either thing could happen.

305 **Hon. S M Figueras:** And just one question further, Mr Speaker: is the Deputy Chief Minister able to enlighten us as to the reasons why this determination has not yet been made. Is it perhaps in relation to, or is it perhaps as a result of, pending consultations being completed and the like?

Hon. Deputy Chief Minister: I think that the answer is yes.
Part of it is that it is pending consultations which need to take place and part of it is the overall strategy of the Government to provide so many houses in four years.

310

**Trainees on placement
Details and nature of work being undertaken**

315 **Clerk:** Question 912, the Hon. S M Figueras. (*Interjection by Hon. S M Figueras.*)
...It is going to be answered by another Minister.

320 **Hon. S M Figueras:** Can the Deputy Chief Minister provide details, providing a breakdown by age, gender and nationality of all trainees on placements within the Ministry for which he has responsibility indicating the Department, Agency or Authority where they are placed, as well as showing the type of work that they are engaged in.

Clerk: Answer, the Hon. the Deputy Chief Minister.

325 **Deputy Chief Minister (Hon. Dr. J J Garcia):** Mr Speaker, there are none.

TRAFFIC, HEALTH & SAFETY AND TECHNICAL SERVICES

330

Sewage infrastructure

Necessary improvement works identified by Government

335

Clerk: Question 887, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Minister for Technical Services provide details to this House of the works identified by the Government as required to modernise and strengthen sewage infrastructure as well as its policy in this regard, with specific reference to the level of investment it plans to make into this initiative?

340

Clerk: Answer, the Hon. the Minister for Traffic, Health & Safety and Technical Services.

345

Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban): Mr Speaker, the Technical Services Department have produced a six year strategic plan for the rehabilitation of the main trunk sewer and associated infrastructure.

The exact details of the extent of the works required and the programme will be determined once a first stage of the project involving the silting and subsequent structural inspections using man entries and CCTV equipment is completed.

350

The Government is committed to investing in our sewage networks in line with our manifesto. There is £100,000 allocated in this financial year's Improvement and Development Fund to allow a start to be made on this first stage.

355

Hon. S M Figueras: I am very grateful to the Minister for his very helpful answer, particularly reference to the allocation made.

**Residents only parking
Implementation by Government**

360

Clerk: Question 888, the Hon. S M Figueras.

365

Hon. S M Figueras: Can the Government explain how it intends to administer the 'residents only' parking as referred to in its manifesto, whether it is already doing this in respect of the new car parks in Queensway and, if not, why not?

Clerk: Answer, the Hon. the Minister for Traffic, Health & Safety and Technical Services.

370

Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban): Mr Speaker, the Government has still not made a policy decision regarding how parking will be managed, be it continuing down the route of providing parking for residents of specific areas, as had been done by the previous Administration, or by adopting a totally different approach.

375

The decision on this will be made taking into account the recommendations arising from the sustainable traffic, transport and parking plan. The new Queensway car park has, therefore, not been allocated on any basis. It will, at present, continue to be available for free public use as an alternative to the Commonwealth Car Park now that works to convert that into a magnificent green park have started.

380

Hon. S M Figueras: Mr Speaker, I am grateful for the answer certainly but isn't the provision of the – well, I will preface this in this manner – the Commonwealth Park was originally, according to your manifesto, going to have an underground car park which was illustrated in that manifesto very clearly as being for residents only. Is it not the policy of this Government that, in respect of the parking it is providing in place of the underground car park, it will not be offering it 'for residents only'?

385 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I am going to clarify that even though it relates to the manifesto and despite our discussion this morning. *(Interjection by Hon. S M Figueras)*

‘Residents Only’ in that context – I think it is further explained in the manifesto – means residents of Gibraltar, not residents of the area. I think we have had this exchange before in answer to questions from Mr Bossino – I may be wrong – or whether it has been outside of this House, that in order to implement such a policy we first have to get over the hurdle of the implementation of the policy in relation to the identity card.

390 The identity card with a chip will then enable residents to use that card to access the car park so, therefore, it is a process of having both the development, the ID card reaching its next stage, and then being able to implement that particular policy in that way so that the car park can then be used by people who are not residents but on a paying basis and those who are residents will be able to access it on a non fee-paying basis.

395 **Hon. S M Figueras:** Just by way of additional clarification, if any were needed, is it – and this is an open question, I just wonder whether perhaps the Government is seeking to draw any correlation in respect of what it does in relation to the parking, as it has done in relation to the buses. Is that where the Chief Minister is saying they are going with this, as well?

400 **Hon. Chief Minister:** Well, Mr Speaker, that is not presently on the cards but it may be that, in discussions, that becomes relevant or something that we are considering doing. It is not presently on the cards. At the moment, the issue is, or rather the idea of the Government is, to have those types of car parks only for residents, in other words for local vehicles. But it may be, in the future, that there is a development of that idea, either before or after we implement.

405

Clerk: Question...

410 **Hon. S M Figueras:** I just cannot help but rise to my feet and ask the Minister responsible for Traffic, given that, in his prepared response to my hon. and learned Friend, he made a reference to – and I do not recall the full title of the plan but I will summarise it as ‘the traffic plan’... Is he in a position now to advise this House when he, the Hon. Minister, thinks that the process will be complete and we will have the benefits of reading the Government’s traffic plan?

415 **Hon. P J Balban:** Mr Speaker, I am not in a position to actually know, as yet, when that process will be complete. We are actually arriving at the stage whereby a consultant will be appointed and, once that is done, then the whole process will begin in earnest with the traffic plan – so it is going to be quite a while.

420

**Reclamation Road multi-storey car park
Government plans for continuing use**

Clerk: Question 889, the Hon. D J Bossino.

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Hon. D J Bossino: Can the Minister for Traffic, Health & Safety and Technical Services advise this House what plans the Government has in relation to the continuing use of the multi-storey car park at Reclamation Road?

430

Clerk: Answer, the Hon. the Minister for Traffic, Health & Safety and Technical Services.

Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban): Mr Speaker, the Government intends to continue to use it as a car park for the time being. No future use has been determined.

435

Hon. D J Bossino: Mr Speaker, is the Minister aware that – and I say this without necessarily any authority – whether there are health and safety issues which impact on the continuing use of the multi-storey car park and, if so, will that determine its continuing use? That is really where the question was coming from.

Chief Minister (Hon. F R Picardo): Mr Speaker, I happen to have the information for a simple reason,

440 namely, of course, that the car park is in the place of a development, the progress of which is a matter that is being negotiated with my office, not with the hon. Gentleman. I can tell him that I checked as recently as last week whether there are any issues with that car park.

445 He may recall that car park used to have a roof of sorts, which was removed. My understanding, from the technical advice I have at No. 6, is that the roof had health and safety issues with high winds – that was removed – but that the rest of the structure is perfectly safe.

**Queensway Quay Car Park
Details and running costs of solar-powered street lamps**

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Clerk: Question 890, the Hon. D J Bossino.

455 **Hon. D J Bossino:** Can the Minister for Traffic, Health & Safety and Technical Services provide details of the setup and running costs of the solar-powered street lamps which have been installed at the new Queensway Quay Car Park alongside Kings Wharf?

Clerk: Answer, the Hon. the Minister for Traffic, Health & Safety and Technical Services.

460 **Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban):** Mr Speaker, the cost of the solar powered lamps in the first phase of the Queensway Car Park amounts to £41,242.44, inclusive of installation.

465 This is for a total of twelve lamps. These units are self contained and therefore do not incur any daily running costs as such. There will, however, be a need to carry out scheduled maintenance in accordance with the manufacturer's recommendations. The total cost of this will be accurately determined once the car park has been completed and all fittings are in place.

Hon. D J Bossino: May I ask which company or individual was the beneficiary of the installation of these street lamps?

470

Chief Minister (Hon. F R Picardo): Mr Speaker, again because it was an issue that was negotiated with my office and not the office of the Minister for Traffic, the people who own that plot of land – and I say 'people' because I cannot remember the name of the company – those individuals have a number of different companies for their own purposes – one of them may be King's Wharf Limited, from memory. They are the people who developed the car park so, therefore, we do not have that information.

475

The information the hon. Gentleman is asking for, we do not have. From plain sight he will know that there were AMCO vehicles there during the second half and there were AMCO vehicles there during the first half. I think, therefore, it is likely that it may have been AMCO that did some of the works, but I am talking to him as a layman in that respect because it was not the Government that did those works.

480

Hon. D J Bossino: Mr Speaker, I am asking specifically in relation, as the Chief Minister and the Hon. Minister for Traffic knows, to the installation of the solar powered lamps, so just for clarification, is the Chief Minister telling this House that was contracted with the company which owns the site and not directly with the Government because that is certainly not the impression that I had from reading the press reports on the subject when, it seemed... In fact, it was a Government's spokesman that in fact spoke to the press on that occasion in relation to the wonderful street lamps.

485

Hon. Chief Minister: Yes. It is, Mr Speaker, a project that has been made available to the Government and the Government required that there should be solar powered lighting in any new such facilities that are open, but it was not the Government that carried out the works or did the works.

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It was to the Government's requirement, as part of what I told him, where the negotiations were with the individuals – actually a company – that owned the site.

Hon. D J Bossino: Mr Speaker, the cost of £41,000 odd is a cost to the Government, clearly, and, in that

495 context, if we are going to scrutinise the Government in relation to this particular item of public expenditure, I would want to know which company or individual was the beneficiary of those particular public funds.

500 **Hon. Chief Minister:** No, Mr Speaker, actually, I think I have told him on a number of occasions in earlier meetings of this House that how that cost is going to be borne is still the subject of negotiation with the company but we have been able to give you the cost of it, I think... I assume by asking what the cost of it was. But it was not the Government doing that redevelopment of the car park.

505 **Hon. P R Caruana:** Mr Speaker, if this was a private... if this was something that the owner of the site did on his own site, simply as a matter of planning or other direction by the Government, using solar lamps, in what circumstances could it conceivably fall – the cost of it – upon the Government? Why is it for discussion?

510 **Hon. Chief Minister:** Mr Speaker, this is why I am saying to the hon. Gentleman, I have said, on a number of occasions in this House, when the hon. Gentleman has asked about this, that that plot remains in the ownership of a group of individuals who signed an agreement with the hon. Gentleman, when he was Chief Minister, about it. I have said also in this House, I believe in *Hansard*, that they wanted a longer period to be able to develop that site and they were shortly going to be, if not already, in breach of the period which they had for development.

515 I think that, before the Election, they may also have made representations to the hon. Gentleman about wanting an extension of that period. What I have said before is, in the context of those negotiations for an extension, the Government is in the process of finalising an agreement with these individuals for an extension and part of those negotiations, included in the part that is agreed, is that they would develop a car park there for public use – which is what the Government required.

520 Who will pay for that, and for what period it will be available for public use etc, is the issue that is not yet resolved but we know what the cost of part of that redevelopment has been and we demanded, as part of the negotiation, that any lighting put there should be solar powered lighting.

Hon. P R Caruana: So the cost of... who would bear the cost of all of that, or part of that, including the lamps, is a matter yet to be negotiated with the owner. So, at the moment, the Government has *not* incurred that cost?

525 **Hon Chief Minister:** I believe that is the correct position, but we know what the cost *is* –

Hon. P R Caruana: Yes, I know you know what the cost is.

530 **Hon. Chief Minister:** – because in the negotiation the issue is who should bear the cost of the preparation of it and therefore knowing the cost I think has become relevant.

Hon. P R Caruana: Yes, well, we now know that you know what the cost is, but we appear also to be finding out that you do not know whether the Government has borne it yet or not.

535 **Hon. Chief Minister:** What I can tell the hon. Gentleman is that those who are providing the land, if you want to call it that, expect the Government to pay but that they want – and you can read all of this into what I have already said – the longer the period of the extension, the less the Government will be inclined to be paying for the cost of the redevelopment of the car park.

540 **Hon. P R Caruana:** Mr Speaker, I understand that and I hope that the negotiation goes very well and that they end up paying for it all and you end up paying for none of it.

All I am trying to find out at the moment is whether, in fact, it is the case that, as we speak today, the Government has not paid for it.

545 **Hon. Chief Minister:** And I am telling him that I believe that to be the case. If that is not the case, I will tell the House tomorrow, but I believe that is not the case.

Hon. P R Caruana: And even though you do not know... although you think it is them who have paid it

550 – and you are going to check just to be cautious, whether the Government may have paid it or not – although you think not, does the hon. Member happen to know, or any of his colleagues sitting around him happen to know, who provided these lamps to whoever fitted them, regardless of who is going to pay for them?

Hon. Chief Minister: That is where we started, Mr Speaker.

555 **Hon. P R Caruana:** Yes, and I was rather hoping to get to the point!

Hon. Chief Minister: No, Mr Speaker, if he had listened to all of the debate rather than just the bits he found interesting he would have heard me say to the hon. Gentleman, because we have not done the works, we do not have that information.

560

Hon. D J Bossino: Mr Speaker, can I take it from that reply that Government's only intervention in relation to this particular discrete issue is only in relation to the insistence by the Government that there ought to be solar powered lamps and that there has been no Governmental intervention, insofar as who should secure that particular sub-contract, for want of a better word?

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Hon. Chief Minister: Well, certainly, I have not been involved, Mr Speaker. Whether officials have been involved, on the part of the Government, in discussion with the company that has done the redevelopment, I cannot say because they have not had the conversation about it. I have not been consulted. I do not know if the hon. Gentleman has, because the Minister for Utilities, who was responsible for electricity, is not here. He may have been involved – I doubt it – or some of his officials may have been involved because of technicalities of which type of solar lighting may or not be best.

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The hon. Gentleman will know that, during their time in office, there were one or two types of solar lighting being tested in different areas and some may be better and some may be less good but I cannot tell him that nobody has been involved in the Government, either at a political level or an official level, in discussing that with the contractor. My Office certainly has not been involved.

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Hon. D J Bossino: Mr Speaker, if there has been any Governmental decision in the context of *choosing* the particular successful contractor, could I ask the Chief Minister to also make a statement in relation to that tomorrow morning because, really, what I want to get to the bottom of is who the beneficiary was. If there was Governmental intervention in relation to that particular point then, perhaps, the Chief Minister or the Minister for Traffic could divulge that information and provide that information to me.

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Hon. Chief Minister: Yes, Mr Speaker, except that it is not a question of *divulging* information as to a beneficiary. From what I have told him, I think it is just a question of trying to find out whether there has been any involvement in determining who got the contract, which is not a Government contract. I will look into that for him and will give him the information that he seeks. I don't think I have to make a *statement* about it but I will give him the information that he seeks.

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**Government street cleaning campaign
Cost of derelict car removal**

595 **Clerk:** Question 891, the Hon. D J Bossino.

Hon. D J Bossino: Further to Question 782/2012 is the Minister for Traffic, Health & Safety and Technical Services now in a position to advise this House what the costs of the removal of derelict cars in the context of the Government street cleaning campaign is?

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Clerk: Answer, the Hon. the Minister for Traffic, Health and Safety and Technical Services.

Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban): Mr Speaker, since commencement of the Government's street cleaning campaign, which started at the beginning of September, a

605 total of 63 abandoned vehicles have been removed at a cost of approximately £3,800.

**Trainees on placement
Details and nature of work being undertaken**

610 **Clerk:** Question 892, the Hon. D J Bossino.

615 **Hon. D J Bossino:** Can the Minister for Traffic, Health & Safety and Technical Services provide details, giving a breakdown by age, gender and nationality, of all trainees on placements within the Ministries for which he has responsibility, indicating the Department, Agency or Authority where they are placed and the nature of the work they are undertaking.

Clerk: Answer, the Hon. the Minister for Traffic, Health & Safety and Technical Services.

620 **Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban):** Mr Speaker, the information requested by the hon. Member is contained in the Schedule which I now hand over to him.

Answer to Questions 892

Trainees – October 2012

Age	Gender	Nationality	Placement	Nature of work
23	Male	British Citizen	Technical Services Department	Civil Engineering
22	Male	British Citizen	Technical Services Department	Civil Engineering
22	Male	British Citizen	Technical Services Department	Civil Engineering
24	Male	British Citizen	Technical Services Department	Civil Engineering
28	Male	British Citizen	Technical Services Department	Civil Engineering

625 **Mr Speaker:** May I ask whether the hon. Member has any supplementary.

Hon. J J Netto: Mr Speaker, may I ask a supplementary?

630 **Mr Speaker:** Yes, certainly.

Hon. J J Netto: I note in the last column that the nature of the work is 'civil engineering'. Could the Hon. Minister perhaps expand as to the type of work that they are doing?

635 **Hon. P J Balban:** As in? Is the hon. Member asking whether the nature, whether I can expand on the nature of the work of a civil engineer?

Hon. J J Netto: No, the civil engineering *works*.

640 **Hon. P J Balban:** What it entails, what it involves, you mean?

Hon. J J Netto: Mr Speaker, for the sake of clarity, I am not saying that the trainee is going to do civil engineering work because, obviously, as a trainee, he is not qualified. What I am asking is, given that the placement is in the Technical Services Department and the nature of the placement is something to do with

645 civil engineering, what I am asking is what aspect of the work –

Mr Speaker: If the hon. Member looks at the actual Question, the last few words in that Question are ‘and the nature of the work they are undertaking’. I take it that civil engineering is the answer to that last part.

650 The nature of the work is civil engineering and whether they have further information is another matter but that, I would imagine, is the nature of the work: it is civil engineering. Whether they can go any further than that...

Hon. P J Balban: Mr Speaker, as part of what the hon. Gentleman is getting at, I presume, because civil engineering is quite a big field, these gentlemen will actually be rotated throughout different departments so they will gain an experience in the highways engineering, infrastructure engineering, which is sewers etc, so they can gain experience within all the relevant areas of that profession.

660 **Hon. E J Reyes:** May I, Mr Speaker. Can the Hon. Minister provide information looking at the age, it could well be that these individuals are already graduates or are they sort of undergraduates or school leavers. Do we have any information in that respect?

Hon. P J Balban: Mr Speaker, yes. These gentlemen are actually graduates; they have finished their degrees and have come as graduates.

665

**Inspections, Site meetings and Advice
Details for May and June 2012**

670 **Clerk:** Question 893, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Health & Safety now provide me with a breakdown of figures for the month of May and June 2012 in relation to Inspection/Site Meetings/Advice which he so kindly promised me in reply to Question 555/2012 and 790/2012 but has not yet done so, and again for the breakdown of information as asked for in Question Nos. 788 and 789/2012?

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Clerk: Answer, the Hon. the Minister for Traffic, Health and Safety and Technical Services.

680 **Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban):** Mr Speaker, the information requested by the hon. Member to Questions 788, 789 and 790/2012 is contained in the Government website.

Hon. J J Netto: Mr Speaker, I am afraid not so because – and I would not want to regurgitate all the previous questions and supplementary questions and answers.

685 It is not the case, as the Hon. Minister has just said, that if you go to the Government website – you can go straightaway now – you can desegregate inspections from site meetings and advice. We have discussed this before and, when I raised it before, even the hon. Gentleman has acknowledged that is the case. So, basically, I am entitled to ask the question and he is entitled to put the answers in the format that he wishes to do so but I think I am entitled to be able to deduce, in the manner that he provides the answer, what were apples and what were pears.

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But if the hon. Member provides the answer in a manner which I cannot know how many numbers were apples and how many numbers were of pears, even though he acknowledges that I am right, and even the fact that, as he just said, looking at the Government website – which he can do it now – cannot provide me with the answer, I think it is quite reasonable for me to expect that, given what I am seeking, in terms of information, is so low in figures – because normally it does not go beyond the number of 20, 30 or 40, or even 50 – it is something that can be reasonably provided for.

695

I would not want to ask the same supplementary which I have asked now for three months, because he already answered that it is reasonable for me to get information – but he is not providing information.

700 **Hon. P J Balban:** Mr Speaker, in fact we have been discussing this for more than three sessions. This is something which has been going on for much longer than that.

As I have explained in other meetings of Parliament to the hon. Gentleman, is that at the moment site inspections, site meetings and advice are classified under one. So, at the moment, the Health & Safety Inspectorate claim that they cannot split them up. This is why what you get in the Government website is one figure which encompasses the three things.

705 Obviously, this will, hopefully, make the hon. Member happy because we have spoken about the computer programme and how it is being progressed for a long time now. As from 1st October 2012, things will change, as the Health & Safety Inspectorate have now successfully managed to acquire this very much needed software which has become the subject, as I have said, of many debates in this Parliament. Various different suppliers have been contacted in order to acquire this software.

710 This very software has not existed within the Department ever since the licence agreement was discontinued by the previous administration and yet the hon. Member has ‘hounded’, if you like, this side of the House to provide him with statistics which only, I am told, a programme of this type could provide. So it gives me great pleasure to actually inform the hon. Member that this Government has, as promised in Parliament, put right the deficit which his Party, when in Government, created, by irresponsibly discontinuing the said licence agreement.

715 **Hon. J J Netto:** The hon. Gentleman has tried to score what, basically, is a cheap political point, without realising that the answers to my question has got nothing whatsoever to do with having a software programme.

720 The fact of the matter is that, when I asked the question in February, for January, he gave me the answer in a manner in which I wanted the information and there was no software programme. When I asked the question in March, for February, he gave me the answer in the manner that I wanted and there was no software programme. You do not need a software programme to extract the information I have been wanting!

725 All you need to get – and I am repeating myself – is the log book of the factory inspector and say, in a simple spreadsheet, how many inspections have been done, given that there is not more than three inspections in a month, and how many site meetings and advice have been given, which is not more than even ten on location. You do not need any software programme. There is no ‘deficit’. It is just nonsense, the hon. Member saying that there is a ‘deficit’ when there is no deficit.

730 All you need is a bit of imagination in doing a spreadsheet programme. It can be done and has been done for the months of January and February by the Government. So the question is, given that he has done it at the beginning, he was not doing it later on, he now says that, from 1st October, he is going to provide it... I have looked this morning at the Government website and he still does not provide the information in the manner I have wanted him to. So the question is, when is he going to do it, given that he recognises that it is entirely legitimate to ask the question?

735 **Hon. P J Balban:** Mr Speaker, as from 1st October means for the complete month of October so, by the next meeting of Parliament, he is more than welcome to ask that question and these three items should be divided into the sections that he requests.

740 I have had numerous meetings, as you can imagine, because obviously having had the same question over and over again it does make me want to know exactly what is going on. I have had meetings with the Inspectors and they say to me, they have categorically stated, that it is impossible to provide the information, as the hon. Member requested. This is why we have been pushing with the acquisition of this computer programme, which the Inspectors’ guarantee that, from now on, from the end of the month, we will be able to provide the statistics as you request them.

745 So, obviously, at the end of the month we will see.

Hon. J J Netto: Well, Mr Speaker, as any person with a bit of common sense will tell you, it can be done without a new software programme.

750 But let that be the case, Mr Speaker, given that he says that, with this new software programme, he will be able to extract the information in the manner that I have been asking the question, will this new programme be able to go on the months that he has not been providing me the information in the manner with which I have been asking the questions, retrospectively.

755 **Hon. P J Balban:** Mr Speaker, I sincerely doubt that we will be able to go backwards. This is something which, as from now on, the information requested by the hon. Member will be presented in this format. That is to say, it will be split up into site visits, advice given and inspections but to actually correct what has happened will be impossible, otherwise it would have been done by now.

760 **Hon J J Netto:** With respect to the Hon. Minister, the only thing he needs to do to get the information for the months he has not been providing the answer, is to get the log book of the Factory Inspector and simply say, in those days of the month in question, to be able to simply jot down how many inspections have been done and how many site visits have been done and how many advice have been done. You do not need a Houston space station software programme because, if you do, you really have got a problem.

765 The question is it can be done: it can be done within probably half an hour for all those months and you do not need a software programme. I just do not see why the Hon. Minister seems to have taken for granted what *he* alleges that the Factory Inspector is telling us, that they cannot go backwards. It is a very simple thing that I am sure students from Bayside can do it.

770 **Hon. P J Balban:** Mr Speaker, I will ask the Inspectors – who have now been compared to students from Bayside – to please read the *Hansard* because you have very clearly been given instructions on how this can be done in the future.

775 So just by reading *Hansard*, next time I am going to ask them specifically to read *Hansard*, follow the instructions and come back with the statistics that the hon. Gentleman is asking for. Let us see if that will help them in that respect because I have been asking for this information and they say to me that it is impossible. So, once again, I will ask them to read *Hansard* and follow the instructions and come back next month with all the impossible...

780 **Hon D A Feetham:** Can I just ask the hon. Gentleman – it may be that he has already answered it, I do not know, in a previous session – why was the information provided, according to my hon. Friend, on two occasions, the information which he requested in the format that he requested, and then it was ‘impossible’ to provide it on subsequent occasions? That is something that I personally do not understand.

785 **Hon. P J Balban:** The questions, as asked, have been asked continuously and these are the questions posed to the officials that reply. Why they were answered correctly, so the Gentleman says, the first couple of times and why they were answered so incorrectly subsequently, to that I have no idea.

790 **Hon D A Feetham:** Yes, but surely, if the issue is – and this is why my Friend is vexed by this – that it is not *possible* for them to actually provide the information in that format, surely it was not possible at the beginning.

What we have here is a situation where it *was* possible on two occasions but subsequently became *impossible*. Can the hon. Gentleman perhaps go back to his Ministry and ask his officials why that was the case – why they provided the information on two occasions and now they cannot?

795 **Hon. P J Balban:** Mr Speaker, I recall the hon. Gentleman saying that it had been given correctly *once*, not twice.

Hon. J J Netto: Twice

800 **Hon. P J Balban:** Twice.

The only thing I can, I will go back to the relevant, to the officials and ask them why exactly that has been the case. The only thing I am wondering what could be a possible reason is that, prior to the inclusion of the other two factory inspectorates, the relief – (*Interjection by Hon. J J Netto*) No, prior there was only two. What we inherited was a staff complement of two.

805 If you look at the statistics for monitoring activities, there were a lot less in that month, unless it was – because it was possible that it was less monitoring activities done in that month than had been done subsequently. Again, I am shooting in the dark. I will find out and I will let the hon. Gentleman know at the next meeting of Parliament.

810 **Site meetings and advice**
Details for January and February 2012

Clerk: Question 894, the Hon. J J Netto.

815 **Hon. J J Netto:** Can the Minister for Health & Safety now provide Parliament with an answer to Question 793/2012?

Clerk: Answer, the Hon. the Minister for Traffic, Health & Safety and Technical Services.

820 **Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban):** Mr Speaker, the question that the hon. Member is referring to appears to date back to March, in fact Question 311/2012. The hon. Member, in said Question, asked

825 'How many site meetings and advice were given during the months of January and February 2012, broken down by month and by industry group?'

The table that I now hand over to the hon. Member was provided as an answer.

Answer to Question 894 of 2012

Month	Site Meetings/Advice	Industry
January	1	Sea Transport and related activities
Total	1	
February	2	Retail
	1	Manufacturer
	2	Sea Transport and related activities
	1	Public Administration
Total	6	

In September the hon. Member asked the following question at 793/2012:

830 'Can the Minister for Health and Safety provide an explanation as to why the figures recorded in *Hansard* for the month of February 2012 in relation to the number of Inspections/Site Meetings/Advice, vary with the figures in the Government website for the same month as updated on 1st September 2012 or, indeed, with other subsequent figures recorded in *Hansard*.'

835 The total figure for the monitoring activities of the Factories Inspectorate during the months of January and February were as follows: in January there were 15 and in February there were 35.

In his March question (311/2012) the hon. Member asked for statistics pertaining *only* to site meetings and advice and not the whole of the monitoring activities of the Factories Inspectors – that is, he did not ask to include inspections.

840 The table, as posted on the Government website, reflects *all* monitoring activities of the Factories Inspectorate and not only site meetings and advice, as the hon. Member requested in his March question. Therefore, if we subtract the figures that the hon. Member asked for in March, site meetings and advice, from the total figures, as posted on the website, the rest of the figures reflect other monitoring activities carried out during the month of February by the Factories Inspectorate, not just site meetings and advice, as requested by the hon. Member. Hence there was no discrepancy with the figures on the Government website.

845 **Hon. J J Netto:** To be honest, Mr Speaker, I am a bit lost by the answer given but I will try to bring it down to my original Question.

When I asked him Question 308, which was the March session of Parliament, I said – and I quote –

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‘Mr Speaker, can the Minister for Health & Safety state how many *inspections* during February 2012 did the Factory Inspector conduct?’

and we know, by the answer given, that it was two.

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I then asked, in Question 311, how many site meetings and advice were given in January and February and the answer given was six. Now six and two is eight. The Government website said 35 and I asked ‘Can the Minister provide an explanation?’ So can he clarify the statement he has made?

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Hon. P J Balban: Mr Speaker, I have explained in much detail the reason why these figures did not seem to tally previously.

Hon D A Feetham: Could you please repeat the answer? We did not hear it.

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Hon. P J Balban: Because it is a lengthy one, if the hon. Member requests I will give him a copy of the answer.

Hon D A Feetham: No, the answer he has just given.

Mr Speaker: The answer to the supplementary?

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Hon. P R Caruana: Yes, the very last remark.

Hon. P J Balban: Mr Speaker, the only thing I mentioned, as a reply to the supplementary, was that the answer the hon. Member is requesting I have already given in the reply I gave. The original reply.

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Hon. J J Netto: Mr Speaker, with respect to the Hon. Minister, I do not think that the reply or the answer given actually answered the question.

My question is a very simple question. *He* said 8 and the Government website said 35.

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I am asking can he provide an explanation for the difference. Is it 8, is it 35...? Is it anything between 8 and 35? What is the answer, or which one is correct of the two?

Hon. P J Balban: Mr Speaker, if the hon. Gentleman had understood the reply to the answer originally, then he would not be asking the same question again.

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Hon. J J Netto: I don’t think [*inaudible*] has understood what you said.

Hon. P J Balban: Okay, what we are saying is, what the hon. Gentleman asked for in the original question, back in 2012/311, was how many site meetings and advice were given.

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Hon. J J Netto: No.

Hon. P J Balban: He did not ask how many site meetings, advice and ...

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Hon. J J Netto: No, no, no. Mr Speaker, with respect... My answer... I mean read from the *Hansard*. My Question 308 says:

‘Mr Speaker, can the Minister for Health & Safety state how many inspections during February...’

and Question 311 says:

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‘Can the Minister for Health & Safety state how many site meetings and advice...’

Both put together equals 8, the Government website says 35: so he is not even quoting *Hansard* correctly.

905 **Hon. P J Balban:** Mr Speaker, I still stand that the question has been adequately replied but, once again, Question 793 specifically asks in relation to the number of inspections, site meetings and advice, whereas Question 311 asks specifically for site meetings and advice but not inspections, so the discrepancy there must be the inspections.

910 Inspections are something which are carried out very frequently so it could be from 8 to 35 is due to the inspections.

**Inspection of Hospital kitchens
Report of findings**

915

Clerk: Question 895, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health & Safety provide this House with the report of the findings from the inspection of the hospital kitchens?

Clerk: Answer, the Hon. the Minister for Traffic, Health & Safety and Technical Services.

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Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban): Mr Speaker, the Health & Safety inspection of the hospital kitchen was carried out on 11th April 2012 as a result of the joint request from my colleague, the Hon. Dr. John Cortes and myself, following a visit to the site.

The report confirmed the sorry and unacceptable state to which the kitchen had been allowed to deteriorate. Of the twenty-five recommendations made, all of which had been outstanding for years, nineteen have already been completed, three are in process, two have been re-assessed due to plans to relocate the kitchen and one is pending as it requires actions from a neighbouring business.

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These are as follows: fixing of water leak on main dish washer – this was considered high priority and it was completed; corridor, false ceiling fixing – high priority, completed now; male toilets, false ceiling fixing – high priority, completed; cables hanging from the ceiling frame needed tidying – high priority, completed; insulation fibres needed evaluation and fixing – high priority; emergency fire exit, east facade, needs to be unobstructed – high priority and has now been completed; replenishing of First Aid boxes was of high priority and has now been completed; ‘push bar to open’ notice to be removed – medium priority, completed; wastage products, instruct not to park signage outside the emergency exit was of high priority and is still in process; emergency fire exit hinges require fixing – high priority, completed; scaffold blocking access to the exit – high priority, now completed; evacuation plan of high priority and in process; health and safety training – medium priority, in process; electrical switchboard room cleaning – high priority, completed; health and safety signage – high priority, completed; the commissioning of old generator – high priority, completed; cleaning warning signs to be used as per purpose – high priority, completed; cleaning adjacent to the new generator – high priority, and has been completed; warning signage to new generator area – high priority, completed; removal of highly corrosive SF 210 oven cleaner from inside the generator cage – high priority, completed; wooden pallets were obstructing traffic – high priority, this has been completed; speak to one of the neighbours for outside traffic arrangements – medium priority, still pending; manual handling training – high priority, completed; maintenance plan – high priority, has been suspended due to relocation plan.

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So, Mr Speaker, it is clear that what we inherited on 9th December was a hospital kitchen which was in a very bad state and was of a severe health and safety concern. As the hon. Lady has requested whether a copy of the Health and Safety Inspection Report can be handed over, I will do so – there is one copy for her – and it is graphical with pictures of all the things that were found as part of the inspection.

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960 **EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE**

**Free optional nursery education
Details of scheme**

965 **Clerk:** Question 896, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is the Minister for Education now in a position to explain how the policy for free optional nursery education, where private nurseries are to play a role, will work as per their manifesto commitment?

970 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

975 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the policy for free optional nursery education has been implemented through the Department of Education, which was able to offer all applicants either a morning or afternoon placement in a Government nursery. There was, therefore, no need to involve private nurseries this year.

The Department of Education will monitor and will consult, as appropriate, with private nurseries should there be any equal involvement by private nurseries next year.

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**Gibraltar College of Further Education and Sacred Heart School
Details of possible relocation**

985 **Clerk:** Question 897, the Hon. Mrs I M Ellul-Hammond.

990 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education inform this House if there is any veracity that the Gibraltar College of Further Education will be moving to the old St. Christopher's School site and Sacred Heart School will be moving into the vacated College site and, if so, when will these moves take place?

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

995 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker no firm decision has yet been taken as to the possible relocation of either Sacred Heart School or the Gibraltar College. A number of options are presently being studied.

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**South District catchment area
Planning for increased numbers of children**

1005 **Clerk:** Question 898, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education inform this House how he will cater for the increased number of children in the South District catchment area, given the new family residences at Bayview, Cumberland Terraces and Nelson's View?

1010 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

1015 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, an evaluation exercise of the existing catchment areas will commence shortly. It is envisaged that this will help the Department of Education to redefine the districts and neighbourhoods feeding particular schools.

1020 The feasibility of extending the capacity of both St. Joseph's Middle and First Schools is also being studied. I would add, Mr Speaker, that the increase in the number of children in the South District catchment area, given the new family residences at Bayview, Cumberland Terraces and Nelson's View has been known for some time.

It is unfortunate that the previous administration appears to have given no thought to this and certainly took no steps at all to deal with this issue.

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**Westside catchment area
Planning for increased numbers of children**

1030 **Clerk:** Question 899, the Hon. Mrs I M Ellul-Hammond.

1035 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education inform this House whether it will cater for the increased number of children in the Westside catchment area, given the new family residences at Mid Harbours Estate, in addition to the already densely populated Westside area?

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

1040 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker the Mid Harbours Estate has been assigned to St. Mary's First School and to Sacred Heart Middle School, given that the area of the Mid Harbours Estate was already heavily populated and the First and Middle Schools traditionally serving this area could not cope with the increase in numbers.

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**Adult learning programme
Implementation details**

1050 **Clerk:** Question 900, the Hon. Mrs I M Ellul-Hammond

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education commit himself to inform this House when the adult learning programme, as per the Government's manifesto commitment, will roll out and how it will work?

1055 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

1060 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, I presume that the adult learning programme the hon. Member opposite refers to is the 'National Institute of Adult Continuing Learning' mentioned in the Government's manifesto. The Gibraltar College already has a clear involvement in the provision of programmes aimed at enhancing employment and academic opportunities. The Institute would develop these programmes further.

1065 The establishment of the Institute is currently being worked on. The Government is not yet in a position to give further details on this.

**GCSE results
Disparity of announcements**

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Clerk: Question 901, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education explain why Year 10 Bayside Students get their GCSE results, for some of their subject modules, on the same day *all* Year 11 Students get their GCSE results and the Year 10 Westside Students receive their GCSC results for *some* of their subject modules two weeks later, at the beginning of their new academic year?

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Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

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Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, until now each school has released modular examination results independently, given that these do not represent a terminal grade at the end of an examination. However, I can confirm that from now on both schools will be issuing the full GCSE and modular results on the same day.

I would add, Mr Speaker, that this is in line with the policy adopted by this Government which appeared not to exist previously that, where you have discrepancies as to how each school operates, then those discrepancies should be eliminated so that no-one can say that, because you go to one school or the other, you have a particular benefit or another.

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The hon. Lady will recall that she asked a question recently in relation to repeats provisions in Westside and I gave exactly the same commitment that Bayside would do that. This, again, is in line with that policy, to make sure that both schools offer the same services to both sets of children, which was not *their* position.

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Hon. Mrs I M Ellul-Hammond: Then Mr Speaker, will the Hon. Minister also be committed to equalising the offer of the same subjects to both schools because, at the moment, there is a discrepancy in terms of Sociology, Economics, ICT and Technical, Woodwork, Metalwork and so on.

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Hon. G H Licudi: Mr Speaker, the subjects are a different proposition because that depends on the interests of the particular children that go to these schools.

There has been a difference in the subject offering. What we try to do, particularly at the higher levels, because of the way the consortium works, not just with Westside but also with the College, is that, where children want to study a particular subject that is not offered in their school but is offered in one of the others, then the children will be able to make use of that and attend the other school for those particular subjects.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, that is at AS and A2 level. What about for GCSE's?

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Hon. G H Licudi: Well, for GCSE that is a different proposition, because the timetabling is different. There has to be a certain element of flexibility given to the Headmasters so that they set the curriculum in accordance with the needs of the children that the school teaches and there will be some discrepancies. What I have explained previously, in terms of policy, is that where it is seen that a particular *benefit* is given to one, because of either release of results or the availability of re-sit programme, where it is seen that a particular benefit is given to one because you are a boy or you are a girl, then that we are intending to remove. But Headmasters, in conjunction with their staff, will need to consider which subjects are offered in that particular school for the students in that particular school and which subjects best cater for the curriculum requirements of the particular school.

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There will be an element of difference in *that* regard but not in regard to any particular benefit that is perceived.

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1125 **Legal Aid (Fees and Expenses) Rules 2012**
Possible extension to non fraud cases

Clerk: Question 902, the Hon. D A Feetham.

1130 **Hon. D A Feetham:** Can the Minister for Justice please state whether he has any intention of extending the Legal Aid (Fees and Expenses) Rules 2012, or similar rules, to complex or exceptionally difficult cases other than fraud cases?

Clerk: Answer, the Hon. the Minister for Justice.

1135 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the Government is looking at reforming the rules for Legal Aid and Legal Assistance generally and will make an announcement when a decision has been made.

1140 **Hon. D A Feetham:** Yes, I quite understand the Government is looking into a reform of the Legal Aid Rules and, indeed, the Government has a benefit of a draft doing precisely that. It was prepared when I was holding his office. That is really not the question. The question is in relation specifically to complex or exceptionally difficult cases.

1145 The Hon. the Minister may recall that, in answer to a question earlier on this year, he actually conceded that you can have complex or exceptionally difficult cases that were non-fraud cases. Can the Hon. Minister justify the differentiation in treatment between complex and exceptionally difficult fraud cases and complex and exceptionally difficult non-fraud cases?

1150 **Hon. G H Licudi:** Mr Speaker, I am not sure that the supplementary arises from the answer that I have given but I will respond.

What the Government will not do is make reform on a piecemeal basis. Every time the hon. Member asks questions he says 'Why don't you add this or why don't you add that, then we make a decision and make a reform on that basis.' That is not is the way this Government conducts business.

1155 We are looking at the whole area. We made a decision earlier this year to provide a new rule in relation to these provisions – Rule 8 in particular – which covers a particular category of cases because we felt, at that time, that it was appropriate in the circumstances to make that change. But there will be no piecemeal changes to the rules, going forward on a case by case basis or an *ad hoc* basis. We are reforming the whole thing generally and, once we take a view as to what the makeup should be of the entire rules for Legal Aid and Legal Assistance, we will make that announcement and the hon. Member will have his answer.

1160 **Hon. D A Feetham:** With respect, does he not recognise that, actually, that is precisely what he has done? He has reformed the Legal Aid system piecemeal, favouring just simply complex and exceptionally difficult fraud cases. In fact, that was the entire basis of my criticism when we exchanged press releases earlier on this year, when I criticised him for doing precisely that – but he has not really, with respect, answered the question.

1165 Can he justify to this House the differentiation in treatment between the complex and exceptional fraud cases and the non-fraud cases? Is there a particular policy reason or any other cogent reason why there is this differentiation in treatment between these two types of cases?

1170 **Hon. G H Licudi:** Mr Speaker, I am extremely surprised and, in fact, very, very disappointed, that the hon. Member should ask this question because I have had conversations with him and he knows exactly what the answer is. Even today we have had a private conversation out there and I have given him the answer to the question. I have explained to him why that was a private conversation and I was not going to reveal that in the context of this House. Therefore, I am very disappointed and very surprised that he should ask this question on the floor of this House.

1175 **Hon. D A Feetham:** I am equally surprised that you should give me that answer.

I do not recognise anything that he says – that he has just said – appertaining to the question that I have just asked him. If the answer is that the Government somehow has felt compelled to make the change, for

1180 whatever reason, and there are legal reasons for the Government being compelled, the reality is that if you are going to have a situation where you change the law because, for example, one feels that, in relation to...

Hon. G H Licudi: Point of Order.

1185 **Mr Speaker:** What Standing Order are you referring to?

Hon G H Licudi: I am referring in particular to Standing Order 45(4): it says references shall not be made to any matter on which a judicial decision is pending in such a way as may prejudice the interest of parties thereto.

1190 **Mr Speaker:** There is a judicial decision pending on the matter, then?

1195 **Hon. G H Licudi:** There are judicial... there are ongoing cases. In fact, there are other questions which will make clear what the position is but, in relation to the aspect that the hon. Member talks about, about the changes in the rules, the case that he is referring to, that is an ongoing case, that is a judicial decision that is pending. It is not in the interest of the parties, or for the public interest, that this matter should be aired.

That is why I answered before in the manner that I had, to say that I have provided the information publicly. Therefore, I would ask you to rule that this question is out of order.

1200 **Hon. P R Caruana:** Mr Speaker, on the Point of Order, it is true that there are prosecutions before the courts of a fraud nature which now enjoy the benefit of this Legal Aid Rule. But that is not what is being asked about. We are not asking about those cases. We are saying, given that the Government has *done* this for complex fraud trials – we are not asking the reason *why* the Government has done this –

1205 **Hon. G H Licudi:** That is exactly what he did.

Hon. P R Caruana: Well, he clarified and he said if the Government has felt *compelled* to do it, given that, for whatever reason, the Government has done it in *that* category of cases, does the Government not feel compelled, or does the Government not feel it is appropriate, to *extend* the same Rule to complex and exceptional cases in *other* areas of the Law, other than the one in which you have done it. That is the question.

1210 This is not a question about the cases that are *sub judice*, it is not even a question that asks you why you did it in the case of fraud. It is a question that says, having done it in the case of exceptional fraud and exceptional cases, is the Government comfortable with doing it *only* in exceptional fraud and not also in other cases, not fraud, which are also exceptional and complex? That is the essence of the question. Is there a *policy* reason, can the Government explain whether its policy is to do it *just* for that and is content that there are other complex and exceptional subject matter trials in which the defendants *do not* have the same facility that the defendants have now? I think I know the reason. I can guess it. I think I remember enough of –

1215 **Hon. G H Licudi:** *He* knows.

1220 **Hon. P R Caruana:** Alright, but that is not what has been asked. That is not what has been asked.

I am speaking to the Point of Order, not to the original question. The Point of Order is do not let the question be asked because it is out of order because the subject matter of the question is *sub judice*. I am not defending the question or the answer, I am defending the Point of Order.

1225 The question, whatever the Hon. Minister might think of it, is not objectionable on the grounds that it is *sub judice* because this is not a question about a matter which is before the courts for resolution or determination by the courts. It may be the case that these Rules were introduced in the context of a particular situation, which is the subject matter of a case before the trial, and it may well be that the Government did it of its own motion, or did it under advice, or did it for whatever reason. I suspect it was done on advisement. Right?

1230 That is not the issue. The issue is, having done it, for whatever reason, motivated by whatever, the propriety of which I am not questioning, does the Government feel that it is right that defendants in complex fraud trials should now have this Legal Aid benefit but that defendants in *other* trials, complex and exceptional but non-fraud, *do not* have that benefit. I do not think that question, with respect, is objectionable

1235 because it is *sub judice* because it is not about anything that is before the courts.

Hon. G H Licudi: Mr Speaker, just responding on the Point of Order, the question that was posed by the hon. Member was not what the Leader of the Opposition has just asked.

1240 The question that the hon. Member has just asked was answered by me already in response specifically to the first supplementary. In other words, 'Are you going to extend it to these other cases?' I said 'No, we will do it, because we are considering Legal Aid and Legal Assistance reform generally and we will do it at that time'. So that is the answer for that.

The hon. Member has then delved into why the Government felt –

1245 **Hon. P R Caruana:** If the hon. Member will give way for five seconds... I understand that. I heard the exchanges between them and he may well *have* that point available to him in his ongoing exchanges with my hon. Colleague after the Point of Order has been adjudicated.

1250 I am not speaking to the merits of the question or the answer. I am simply speaking to the hon. Member's invitation to the Speaker to rule the question in breach of Standing Orders on the ground that it raises an issue which is *sub judice* because all I am saying is that the issue is *not sub judice* and, in my view, would be an inappropriate curtailment, which does not then oblige the hon. Member to say anything about it that he does not want to say. He might then still want to give the same answer that he has just begun to give me when I have interrupted him, for. I am grateful for the opportunity.

I am not speaking to the merits of the exchange, simply to whether it is genuinely *sub judice*.

1255 **Hon. G H Licudi:** Yes, I understand the point.

In a nutshell, the question relates to certain changes which affect a case which is ongoing before the courts. There are pending decisions – judicial decisions – in respect of that case, and we consider that, in those circumstances, that matter *generally* is *sub judice* and should not be the subject of discussion in this House.

1260 **Mr Speaker:** Well, let me say this, that –

Hon. D A Feetham: May I say also –

1265 **Mr Speaker:** Yes, I will allow you one further supplementary.

1270 **Hon. D A Feetham:** No, no, not a supplementary, may I also say this that it cannot *possibly* be the case that this is somehow confidential information that the hon. Gentleman has passed to me in the corridor outside, because it has actually been reported in the *Chronicle*. I have an article here, 'New Rules Expand Legal Aid for Complex Fraud' by Brian Reyes and it actually states the reason for the changes to the Legal Aid Rules.

1275 Then there were exchanges between myself and the hon. Gentleman in the context of my criticisms of the Rules precisely because it was piecemeal. Again, the reasons why it was done was actually ventilated by my hon. Friend and myself. This is a matter of public record so I just cannot see how on earth there could possibly be any question, on my part, of breaching any confidence that he may have imparted to me in the corridor outside – when it is already a matter of public knowledge.

1280 **Hon. G H Licudi:** Mr Speaker, if I could just deal with that last point. I have not suggested that he has breached a confidence: what I have said is that because he knows the answer I am surprised that he has asked. I am not saying that, in his question, he has breached any confidence, he has been given the answer to what he was asking, privately, and because he has been given the answer – which he has not divulged and therefore not breached any confidence – that is why I was surprised by the question.

Mr Speaker: Let me say that, in the legal world –

1285 **Hon. P R Caruana:** Too many lawyers!

Mr Speaker: – legal practitioners know a great deal about what is going on which the rest of us do not know about. Therefore, my inclination would always be, in such an instance, to be cautious.

1290 I have to be cautious and, if the hon. Member is not satisfied, there is always a mechanism which the House – the Rules – provide. He can raise the matter on the adjournment and, in fact, they can even then debate the matter without a vote being taken.

1295 But as to questions and answers I think I have to rule in favour of the Hon. Minister, that he seems to think that this is a case that is *sub judice* and I therefore think that, in this House, nothing should be said which could prejudice a case.

1300 **Hon. P R Caruana:** Yes, Mr Speaker, and of course we accept your Ruling and that is fine but it really cannot be the case that Ministers can just get out of answering questions by alleging that it is *sub judice*, so it does call for a judgement by the Chair as to whether the *sub judice* ground that he considers it established in this case – an assessment to which I submit –

1305 **Mr Speaker:** But the Chair is not privy to the private conversations which have taken place behind the Speaker's Chair and the hon. Member will appreciate that. I do not know what has gone on, what the Hon. Minister and the hon. Member have discussed in private. I am not in a position, therefore, to rule otherwise.

1310 **Hon. P R Caruana:** Fine and, therefore, the Chair may be saying, Mr Speaker, that you just lack the information to make an objective assessment yourself ...

Mr Speaker: And therefore, I have to be cautious.

1315 **Hon. P R Caruana:** That is one approach. Another approach –

Hon. G H Licudi: That is a Ruling.

1320 **Hon. P R Caruana:** – Another approach to a Ruling. (*Interjection*) Yes, but this could happen again...

1325 **Mr Speaker,** it is the Speaker's role to adjudicate on whether Standing Orders have been breached. It cannot simply be asserted by an MP and the Speaker says, because I am not informed, as a matter of caution I go with the objection. On the other hand, I fully understand that the Chair may feel it has insufficient information to make the assessment, in which case an alternative approach – the approach that Mr Speaker chooses to take is a matter entirely for his decision and his selection – but another approach is to simply sort of adjourn, not adjourn, defer, Mr Speaker's consideration of the Ruling on the Point of Order, ask the matter not to be debated further and make a decision in slower order, when he has had an opportunity to obtain the facts in confidence if they cannot be aired in public.

1330 I am not on my feet because I have any objection to the Ruling that Mr Speaker has made on this occasion, simply to the suggestion that, in cases where the Speaker lacks the information to make his own assessment, he goes with the Minister's assertion because that is a very powerful weapon in the hands of a Minister because a Speaker will very often be unsighted.

Chief Minister (Hon. F R Picardo): Mr Speaker, if I may just try and be of assistance.

1335 It is important that the House not become a court room and assessing whether a matter is *sub judice* or not could turn, Mr Speaker, into a judge of issues of fact and law. What I think we have an obligation to do, on both sides of the House, is to try and ensure that we do not raise matters which are *sub judice* and if somebody raises a matter which, on the Government's side, there is a belief that the issue is *sub judice* or, indeed, on the Opposition side, an issue is raised by the Government which the Opposition considers to be *sub judice* and Mr Speaker is not able to be given the information *in the Chamber* because to disclose that information in the Chamber would in effect be to breach the Rule on *sub judice*, I would agree that the best answer is to recess so that Mr Speaker can have the information and make a more informed Ruling.

1340 But I think the main issue is this, absent bad faith, and I think that, apart from saying, as we sometimes do and should to each other, you are only saying that for your own political purpose – this is a political Chamber – absent bad faith, a Minister is not going to get up and say that something is *sub judice*, knowing that it is not, neither is a Member of the Opposition going to allege *sub judice* in relation to an issue. I say this because I raised the *sub judice* concern when I was in Opposition about something that the then Chief Minister was saying, so I think, Mr Speaker, it is an area where we have to tread very, very carefully –

1345 **Mr Speaker:** Let me add –

Hon. Chief Minister: – otherwise it may lead to problems.

1350 **Mr Speaker:** Let me add that, in my meetings with my predecessor, I made it the point of asking him for advice on questions of, matters being, whether they might be *sub judice* and how he dealt with them. I took advice from him. Of course, being himself a legal practitioner, he said ‘I sometimes knew, had heard talk in legal circles which may have placed me in a position where I knew a little bit about a particular case’. I am not in that position. I do not move in such circles and therefore I would know nothing about what is going on in the courts and, therefore, my tendency, therefore by nature, would be to be cautious.

1355 I am quite happy, outside the House, to meet with the Hon. Minister and the Hon. Mr Feetham and have a chat with them about the matter and see whether we can make any further progress. Other than that, I think we should move on.

1360 **Hon. P R Caruana:** Mr Speaker, I find that a perfectly satisfactory outcome and can I just say, separately to that, in relation to this *sub judice*, that we Members of the House have grown used to simply referring to the matter as being *sub judice*, as if that were sufficient to rule it out of order.

Actually, the Rule is not that, the Rule is not that you cannot refer to a matter that is *sub judice*, in the sense that it is before the courts, the Rule says ‘it shall be out of order...’ I beg your pardon, Rule 1:

1365 ‘...references shall not be made to any matter on which a judicial decision is pending, *in such a way as may prejudice the interests of the parties thereto.*’

It is not a simple *sub judice*, in the sense of if the matter is before the court therefore you cannot comment on it. It is a little bit more complicated than that: it also has to be prejudicial to the parties. So –

1370 **Hon. Chief Minister:** Can I just assist there, Mr Speaker, because the hon. Gentleman may not recall, in fact, that Rule is interpreted in quite a lot of detail in *Erskine May*. There is a lot more about it and there is a ruling of your predecessor, Mr Speaker, that dealt with *my* assertion that a matter that was being raised which was *sub judice* which may be helpful in understanding how to deal with it. It also relates to which courts the matters are being dealt with and at what stage they are. So I think all of those things need to be taken into consideration.

1375 I understand from the hon. Member that he took all of those things into consideration before making the assertion and actually said the words, that further debate could be prejudicial to the parties.

1380 **Hon. P R Caruana:** I understand that. This may be a case where there is a jury involved and it is quite easy to see how that may cause... but if there was a case, for example, which was a civil matter which was being tried by a judge, it is *not possible* for the interests of the parties to be prejudiced in the minds of a judge by what I might say in this House or what *he* might. The idea that judges are swayed by what politicians say – juries are another matter: juries... I understand that juries are another matter. All I am saying is – and I really do not want to try the Speaker’s patience too far on the subject – that this *sub judice* area, and the extent to which *sub judice* curtails the freedom of Parliament to discuss, is a very sensitive issue which requires a case by case assessment but the assessment has got to be by the Speaker. If the Speaker, as is obviously the case in this case, is not sighted, he cannot be expected to make a rational ruling un-sighted and I think that, in those circumstances, the better practice is to say ‘no more debate until I have had an opportunity to consider the facts in private, if necessary, so as not to spill the beans, and I will make a ruling later.’

1390 **Mr Speaker:** That is what –

1395 **Hon. Chief Minister:** I agree with that except for one thing, which is that what we cannot do is open the door to the *sub judice* rule not applying to civil matters. There are other rules that also curtail, not just that the adjudicator might in some way be influenced.

Hon. P R Caruana: [*Inaudible*].

1400 **Mr Speaker:** Okay, let us move on to the next Question.

Legal Aid (Fees and Expenses) Rules 2012
Beneficial impact of changes

1405 **Clerk:** Question 903, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Justice state how many (a) people and (b) unrelated cases, have benefited from the changes introduced by the Legal Aid (Fees and Expenses) Rules 2012?

1410 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

1415 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the answer to this question remains the same as the answer given to Question 562/2012.

Legal Aid (Fees and Expenses) Rules 2012
Details of payments made

1420 **Clerk:** Question 904, the Hon. D A Feetham.

1425 **Hon. D A Feetham:** Can the Minister for Justice please state, as at Friday 12th October 2012, how much has been billed and paid in legal costs in relation to any case covered by Rule 8 of the Legal Aid (Fees and Expenses) Rules 2012, identifying (a) the case or cases; (b) the legal firm or lawyers retained in Gibraltar; (c) any overseas lawyer retained in the case or cases and (d) in each of (b) and (c) the amount billed and paid?

1430 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the information requested by the hon. Member relates to ongoing cases. It would be inappropriate to provide this information at this stage.

1435

Supreme Court Act (B15/12)
Consultation with Family Judge

1440 **Clerk:** Question 905, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Justice state whether he consulted the Family Judge before publishing the amendments to the Supreme Court Act (B15/2012)?

1445 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice

1450 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the matter was discussed with the Chief Justice.

Hon. D A Feetham: But you have not discussed it directly with the Family Judge?

1455 **Hon. G H Licudi:** The answer is that I have discussed the matter with the *Chief Justice*.

Hon. D A Feetham: I know that you have discussed it with the Chief Justice but unless, of course, you are asking me to imply from the answer that you have not discussed it with the Family Judge, *only* the Chief Justice, I am asking you have you discussed it *also* with the Family Judge?

1460 **Hon. G H Licudi:** No, Mr Speaker I have discussed the matter with the Chief Justice. (*Interjection*) Maybe with other people, but...

1465 **Sections 306 and 307, Crimes Act
Numbers affected by changes in notification procedure**

Clerk: Question 906, the Hon. D A Feetham.

1470 **Hon. D A Feetham:** Can the Minister for Justice please state how many people would have been subject to the notification procedure in Sections 306 and 307 of the Crimes Act before he introduced the amendments to that Act in the Criminal Justice (Amendment) Act 2012?

1475 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker I will answer together with Questions 907 and 908/2012.

1480

**The Crimes Act
Details of convictions under section 3**

1485 **Clerk:** Question 907

Hon. D A Feetham: Can the Minister for Justice please state how many people currently residing in Gibraltar have been convicted and sentenced for offences listed in Schedule 3 of the Crimes Act, broken down in the categories set out in the first column of the table in section 307 of the Crimes Act (headed 'description of the relevant offender') identifying the date of conviction and/or the date of any relevant fine referred to therein?

1490

1495 **The Crimes Act
Details of convictions requiring notification under section 306**

Clerk: Question 908.

1500 **Hon. D A Feetham:** Can the Minister for Justice please state how many people are currently serving a sentence in Gibraltar or are being treated in hospital pursuant to a sentence or a finding in respect of any offences listed in Schedule 3 of the Crimes Act and which would require notification under section 306 of that Act, as amended, when it comes into force?

1505 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice

1510 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, 21 persons would have been subject to the notification procedure in section 306 and 307 of the Crimes Act before the introduction of the Criminal Justice (Amendment) Act 2012. When I say 'before the introduction', this necessarily applies when the Crimes Act came into effect.

1515 In answer to Question 907, I now hand to the hon. Member a schedule containing the information in the Question.

SCHEDULE TO QUESTION 907/2012

Description of relevant offender	Date of conviction
A person who, in respect of the offence, is or has been sentenced to imprisonment for life, or to imprisonment for 30 months or more	1. 1976 2. 1976 3. 26/06/82 4. 01/07/02 5. 15/11/10 6. 14/11/10 7. 25/04/12
A person who, in respect of the offence or finding, is or has been admitted to a hospital subject to a restriction order	Nil
A person who, in respect of the offence, is or has been sentenced to imprisonment for more than 6 months but less than 30 months	8. 12/03/08 9. 14/07/10 10. 30/11/11
A person who, in respect of the offence, is or has been sentenced to imprisonment for 6 months or less	11. 14/11/08 12. 05/10/10
A person who, in respect of the offence or finding, is or has been admitted to a hospital without being subject to a restriction order	Nil
A person who, in respect of the offence, is cautioned	Nil
A person in whose case an order for conditional discharge is made in respect of the offence	Nil
A person of any other description	13. 12/07/10 14. 01/12/10 15. 30/03/11 16. 30/06/11 17. 17/08/11 18. 17/08/11 19. 21/10/11

1520 Can I say, in relation to the schedule, Mr Speaker, that I am now handing over, the question which that schedule relates to refers to a table in section 307 of the Crimes Act. That table provides for an indefinite period of notification in certain circumstances. As a result of developments in the European Court of Human Rights and in England, it will be necessary to introduce the possibility of a review of the indefinite notification requirement. I therefore anticipate, and I give notice to the hon. Member, that we will be bringing an amendment to Parliament to deal with this. There will, however, be no need to delay the commencement of the Act whilst we draft and bring to Parliament this particular amendment.

1525 In relation to Question 907, there are currently three persons serving a sentence in Gibraltar HM Prison pursuant to a sentence in respect of offences listed in Schedule 3 of the Crimes Act which would require notification under section 306 of the Act. I would also add, Mr Speaker, that all of the persons on the list that the hon. Member has, are known to the Royal Gibraltar Police and are subject to existing vetting procedures.

1530 The Government wishes to reiterate and provide further assurance that there is no risk to the public in Gibraltar, and is satisfied that no risk to the public in Gibraltar arises from the amendment to the Crimes Act in the Criminal Justice (Amendment) Act 2012.

1535 **Hon. D A Feetham:** Yes, I was aware about the case in the European Court of Human Rights. In fact, I think I alerted the hon. Member to those cases when I wrote to him, I think it was two weeks ago. In fact, I invited the hon. Gentleman to take stock of public opinion here in Gibraltar to reconsider his position, perhaps in the light of a review associated with a consideration by the Government of those Human Rights cases.

Do I take it, from the answer that he has given me, that the Government stands by these amendments and, despite the public outcry in relation to the amendments that the hon. Gentleman brought a number of weeks

ago, that the Government has no intention to reverse its policy?

1540 **Hon. G H Licudi:** Mr Speaker, the hon. Member refers to a public outcry. The Government deeply regrets that the outcry, the part of the outcry – if there *is* any outcry – has been caused by them unnecessarily and irresponsibly and, by continuing to mention that today, they appear to be intent in continuing to cause unnecessary public alarm.

1545 When I say it is being done by them unnecessarily and irresponsibly, I say that advisedly, Mr Speaker, because they have done so by putting out a press statement which actually contains false information and it is false information to the knowledge of the hon. Member, who considers himself –

Hon. D A Feetham: Mr Speaker, Point of Order.

1550 **Hon. P R Caruana:** That is a very serious allegation.

1555 **Hon. D A Feetham:** Mr Speaker, Point of Order. He knows that what he cannot do in this House is actually accuse a Member of this Parliament of intentionally lying and intentionally misleading. That is precisely what he is doing. So I take objection on that. That is the Point of Order that I raise, but I have to say that it is really surprising that the hon. Gentleman should just simply attempt to brush under the carpet public concerns by deflecting attention from an *ill advised, ill conceived policy* of protecting 21 sexual offenders at the expense of the public.

1560 **Hon. G H Licudi:** Mr Speaker, I have to deal with the Point of Order because the hon. Member says that I accuse him of providing misleading information. I do not accuse him of providing misleading information, I accuse him of providing *false* information. Information that *he* should know is false.

Hon. P R Caruana: [*Inaudible*] that he knows [*inaudible*].

1565 **Hon. G H Licudi:** Well, he knows because he proclaims himself to be the architect of the Act. Therefore, he is perfectly aware of what the Act says, of the provisions of the Act... he is perfectly aware of what he has said to the public and, therefore, it has to follow that he *must know* that the information that he has provided is false. But given that the hon. Member raises – (*Interjections*)

1570 Mr Speaker, it is obviously true and the hon. Member takes exception to suggestions that he is misleading or not giving true information, I certainly have not said that he has done that in this Parliament under our Rules in relation to that, but there is absolutely nothing wrong – and, specifically to address the Point of Order – there is absolutely nothing wrong to say that, in a press statement that they issued, they actually gave false information and, therefore, they misled the public.

1575 The hon. Member asks what false information? Well, let me read exactly what the hon. Member, dealing with this issue of whether they had been misleading or not... (*Interjection*)

Mr Speaker: No, let him conclude, please.

1580 **Hon. G H Licudi:** The Leader of the Opposition has asked what false information and the false information relates, in particular, to the effect of the amendments that we made on persons *outside* Gibraltar who have committed sexual offences in Gibraltar because, in their press statement – their original one – it says that the Opposition's *biggest* concern – not just *a* concern, their *biggest* concern – was not with locals, because obviously the hon. Member knows there is a list, the Police are aware of that list, there are vetting procedures, so their biggest concern is not with locals but rather that the amendment created a loophole for foreign offenders moving here to live and he goes on to say – and this is a quote of the hon. Member –

1590 'We could have the situation where a potentially dangerous individual convicted of a serious sexual offence *abroad* could relocate to Gibraltar and the Authorities here *cannot* now subject him to the notification requirements associated with the Register because the offence occurred *prior* to the commencement of the Act'.

Hon. D A Feetham: And I stand by [*inaudible*].

Hon. G H Licudi: That is the statement that the hon. Member makes and I would invite him to look

1595 *closely* at the provisions of which he was the architect, in particular section 321 of the Crimes Act, which talks about Notification Orders: ‘Whereby I, as Minister for Justice, can direct the Attorney General to make a complaint to the Magistrates Court to make a Notification Order...’ That relates to people who are outside Gibraltar.

1600 We have not made any amendment... Under the Criminal Justice Amendment Act, we have made no amendment at all to those provisions – and it was never our intention to make that amendment – so whatever the effect of those provisions were under the enactment that *they* put forward, in other words it applies to sexual offenders abroad who have committed offences *before* the commencement of the Act, that continues to apply. Therefore, the statement that he has made is false.

1605 It is even worse than that, Mr Speaker. It is even worse than that because there are provisions in the Act, which he is perfectly aware of: when he talks of people who have committed ‘serious sexual offences’, there are provisions for the court to make what are known as Sexual Offences Prevention Orders. That is all part of the provision relating to these requirements and that, as the hon. Member mentions in his press release, arises when I, as Minister for Justice, give a direction to the Attorney General to make an application to the court, to seek a Sexual Offences Prevention Order.

1610 And as if clarity was needed, section 327 says that

‘these provisions relate or apply to acts, behaviour, convictions and findings, including those occurring *before* the commencement of the Act.’

1615 Mr Speaker, in a press release he said there is a ‘loophole’ because these provisions no longer apply to those offences which occurred prior to the commencement of the Act. We have made no amendment to this which expressly says that these provisions apply to those occurring *before* the commencement of the Act. And if that was not enough, Mr Speaker, we have subsection 3, which talks about these specific provisions and saying a person is within this subsection if – and I will read it again so that he understands it –

1620 ‘if before or after the commencement of the Act, under the Law of a place *outside* Gibraltar he has been convicted of a relevant offence...’

or has done any other of the heinous matters that these matters protect from.

1625 In other words, a serious offender or sexual offender that falls within these provisions, that has committed an offence *outside* Gibraltar, comes to Gibraltar and those offences have been committed *before* the commencement of the Act, it is extremely mind-boggling, Mr Speaker... What part of the Act, which he was the architect for, and which says *before the commencement of the Act*, which part does he not understand? In order to issue a press release alarming the public saying their *biggest* concern is with sexual offenders, serious sexual offenders who have committed offences abroad and who come to Gibraltar and these provisions will no longer apply to it. Of course, it is false. Of course, it is misleading and, of course, he should have known about it. He *did* know about it.

1630 But it gets even worse, Mr Speaker. It actually gets even worse because there are other provisions in the Act which relate to Foreign Travel Orders, in other words the powers, these greater powers that the hon. Member talks about and which *he* says now no longer apply retrospectively as a result of the amendment that we have done. And these provisions, relating to Foreign Travel Orders, at section 335, says a person is a ‘qualifying offender for these purposes’ – Foreign Travel Orders and restrictions on travel and movement and all that – if *before* or after the commencement of the Act, before or after the commencement of the Act... In other words, these provisions apply retrospectively *and* as if, again, the matter was not clear as to whether this applied only to locals or applied to foreigners, subsection 2 says

1640 ‘a person is a qualifying offender for the purposes of section 333 if *before* or after the commencement of this Act under the law enforced in a place outside Gibraltar, he has committed...’

1645 one of these heinous offences. Again, these provisions apply to foreign offenders who have committed offences, whenever they may have committed it, and come to Gibraltar.

If the hon. Member wants more about the falsity of his statement, I can give him more because there are other provisions which relate to Risk of Sexual Harm Orders – separate Orders to protect the public from sexual predators – and that provision relates to applications to the court where the offenders have done certain of these heinous things, whether before or after the commencement of the Act.

1650 So there is a whole raft of provisions here which *he* well knows about: Foreign Travel Orders, Risk of Sexual Offenders Orders, Sexual Offenders Prevention Orders. All of those apply to foreign offenders who come to Gibraltar and who have committed offences *prior* to the commencement of the Act. It could not be clearer that they have given *false* information, they have raised public alarm unnecessarily and their behaviour is reprehensible. (*Applause*).

1655 **Hon. D A Feetham:** My, my, Mr Speaker, he really had a lot of pent up anger inside him over the last two weeks.

1660 I have to say, on the Point of Order, Mr Speaker, because this is what we are talking about at the present moment, the Point of Order... On the Point of Order, the hon. Gentleman can stand up and can say 'The hon. Gentleman is incompetent'. He can say 'The hon. Gentleman was wrong'. He can say 'The hon. Gentleman does not know what he is talking about, he has not read his own Act!' What he cannot do, in my respectful view, in accordance with the Rules in Standing Orders, is actually say that I have 'lied', that I have 'misrepresented' and that I have '*knowingly* misrepresented'. That is the Point of Order I have raised and that, succinctly, is the Point of Order before you today, but, look – (*Interjections*)

1665 **Mr Speaker:** Please!

Hon. G H Licudi: That is not what I said.

1670 **Hon. D A Feetham:** I have listened very patiently to the diatribe that you have –

Mr Speaker: May I say this. Members are now debating. We are in Question Time and supplementaries are intended to elucidate information, to press Government for a particular line of action or policy.

1675 This issue of the Sexual Offenders Register is a matter of serious public importance and, therefore, I am prepared to be liberal to a certain extent but we are not going to have, during Question Time, the kind of debate that should more properly be held with a substantive motion on the Agenda or the hon. Member raising, under Rules 24(a) and 24(b), which I would commend to the House because they seem to have fallen into desuetude, where the hon. Member can raise the matter on the adjournment and there can be a forty minute debate on which no vote is taken.

1680 That is the line of action that I would enjoin hon. Members to take, where matters are controversial, such as of this nature, and not to do so under the guise of Question Time.

Hon. P R Caruana: Indeed, Mr Speaker.

1685 **Chief Minister (Hon. F R Picardo):** Mr Speaker, may I just deal with something you said, in this way. I think it is salutary that we should take up, from either side of the House – because the motion on the Agenda can be from either side of the House – that opportunity which you alert us to, to raise issues of controversy and debate them and, therefore, in that way, spare listeners and ourselves each Question becoming a debate.

1690 I believe, Mr Speaker, there is a Rule that, before such a debate can be had, Mr Speaker has to be given notice of it –

1695 **Mr Speaker:** I have to be given notice before five o'clock on the day on which the... but the House is going to adjourn today until tomorrow. The House, presumably, is going to adjourn to another day and, therefore, there is an opportunity tomorrow on the adjournment to have not one, but two, debates lasting forty minutes each.

1700 When I was a Member of this House it was a practice that was very often followed by the Opposition. I would commend it to the House; I am not aware why, in the last twenty years or so, it has hardly ever happened. Where a Member of the Opposition, in particular, raises a matter on which they feel that they have not had satisfactory answers from the Government they can give the Speaker notice and the Speaker – invariably in my experience in the past – was liberal and allowed matters to be raised on the adjournment.

Hon. P R Caruana: I take absolutely no issue with the excellent advice that the Hon. Speaker gives to the House but, of course, we are not in Question Time, we are not debating the virtues or lack of virtues

1705 **Mr Speaker:** We are on a Point of Order.

Hon. P R Caruana: We are on a Point of Order which arises not from the merits of what the Government has done or the merits of the Opposition's criticism of what the Government has done in relation to the Sexual Offenders Register *at all*, but rather on a Point of Order... My learned friend, Mr Feetham, has just raised a Point of Order.

1710 The last Member to raise a Point of Order was the Hon. Minister for Justice, who stood up, Point of Order, everybody had to sit down, whilst he insisted that the Rules were on a Point of Order, a consideration of a breach of the Rules. That is what we are discussing now. The hon. Member has just made a fifteen minute speech justifying what *he* considers to be, not a defence of his Government's policy but a justification for having said of a Member of this House that he has given information in public, *knowing* that it is false, for the purposes of causing unjustified alarm to members of the public.

1715 There is a Standing Order that says that no Member shall impute improper motives to any other Member. We are not debating the merits of the Government's policy, we are debating whether a Member of this House has infringed a Rule of this House by applying an improper motive to another and that cannot be resolved by an emergency adjournment.

1720 **Mr Speaker:** And because I allowed the Hon. Minister ten or fifteen minutes to deal with that matter I am also quite prepared to allow the Hon. Mr Daniel Feetham the same time so that he can answer. But after that, after I have done so, we are going to move on to the next Question.

1725 **Hon. Chief Minister:** Mr Speaker, if I may just deal with what the Hon. the Leader of the Opposition has said. I think it is very important that the House not be deviated from what has been its practice for many years and what is the practice set out in its Rules and in *Erskine May* – and I know that you will not want to deviate us from that.

1730 It is not appropriate parliamentary language – this has been established on a number of occasions but it has been deployed from this direction in that direction and backwards – to say that an hon. Member is misleading the House or is lying in the House. It is acceptable, but unfortunate, parliamentary language when it has to be used to say that an hon. Member has lied to the public or has misled the public *outside* the House. That is the established principle in English parliamentary procedure and Gibraltar parliamentary procedure.

1735 I will refer the Hon. the Leader of the Opposition to his acerbic remarks towards me in July 2010 during the course of a Budget debate, where he expressly and repeatedly said that I had lied to the public and I refer him to that *Hansard* and to the rulings there about what it is appropriate and not appropriate to say. If a Member says of another that he has misled the public outside of this House, then that is outwith the Rule that says that one cannot allege against another Member improper motive in this House, or that he has misled the House or called them a liar. We should, in any event, in my view, seek to avoid such situations but there are some situations, such as this, where the Hon. the Minister for Justice has felt it absolutely necessary to highlight that issue in answer to the Supplementary that was put.

1740 That is the Rule, Mr Speaker. It is an established Rule. All Parliamentarians know it, the Hon. Leader of the Opposition knows it and I am not going to say that he has tried to mislead you by pretending the Rule is something else, but I am going to say that we all know that the Rule does not apply to things said outside the House.

1745 **Mr Speaker:** I will, therefore –

1750 **Hon. P R Caruana:** May I say one more thing, Mr Speaker. The hon. Member is talking nonsense.

We are not discussing here the Standing Order that talks about not using unparliamentary language, we are not talking here about the Rule that says you cannot call people a liar because it is unparliamentary language, which is all that he has just spoken to. We are talking about a quite *separate*... nothing to do with the unparliamentary language Rule. We are talking about a quite separate Standing Order, which says that no Member shall impute improper motives to any other Member.

1755 We are not talking about imputing improper motives *outside* of this House. (*Interjection*) The imputation of improper motives has taken place *in this House*, this afternoon, here. The Hon. Minister for Justice has stood up and, in this House, has imputed to the Hon. Opposition spokesman for Justice – in one of his public statements – but the allegation made in this House... the imputation of improper motives has been *in this*

1760 *House*, yes, in this House. The Hon. Minister for Justice has imputed to the hon. Member the motive of seeking to alarm public opinion through the use of *false* information, which he knew to be false.

1765 That is an imputation, made *in this House*, of improper motives to another Member and there is no rule in *Erskine May* or previous practice in this House about the quite separate Rule about calling people liars or use of other unparliamentary language. This is a quite separate Rule – 45.6 – and, fine, I do not mind what the Rule is so long as we all live by the same one.

If it is not imputing improper motives to any other Member to stand up and say that you have, through the use of false information that you know to be false, misled and sought to alarm and mislead public opinion, if that is not an imputation of improper motive, I cannot think of anything that would fall foul of this Rule.

1770 **Hon. Chief Minister:** Mr Speaker, if I may, because that now takes us to another Rule and I will be very brief and not test your patience.

That is exactly the Rule that would have been offended by the hon. Member in July 2010, and the Rule of not calling people liars because both, unfortunately, tend to go together. That is exactly the same. I refer the hon. Gentleman to the debate we had at Budget time in July 2010.

1775 I must also tell him that I would prefer *his* interpretation, were it not that we had visited upon us a different interpretation by him when he was Chief Minister.

1780 **Mr Speaker:** I will invite the Hon. Mr Danny Feetham to explain to the House why he considers that the statements which he made publicly are accurate. Perhaps accuracy is not an unparliamentary term.

1785 **Hon. D A Feetham:** Mr Speaker, I can be very short with that but let me say that this is a very... The issue of the amendments that the Government have brought which, effectively, means that twenty-one individuals who were convicted of serious sexual offences will now not go on the Sexual Offenders List, this is a very serious issue (*Interjection by Hon. G H Licudi*)

May I please – I sat very quietly...

Mr Speaker: I would be grateful if there are no interruptions from the other side. Please –

1790 **Hon. D A Feetham:** This is a serious debate and, quite frankly, I think that it demeans the debate if *I* call *him* incompetent, if *he* calls *me* incompetent, if *he* says that *I* am misleading, if *I* say that *he* is misleading.

1795 The reality of the situation is this, as I see it. I have provided a *bona fide* view as to the amendments and the effect of those amendments in relation to foreign offenders. I do not believe that you will be able to sustain, in a court of law, either through construction of the scheme, by just simply construing the scheme or, indeed, because it falls foul of discrimination provisions if we are talking about an EU national, yes. To have a situation where, effectively, the scheme does not apply retrospectively to *local* sexual offenders but, lo and behold, it applies retrospectively to anybody convicted of a sexual offence *outside* Gibraltar in the past but chooses to come to Gibraltar to reside.

1800 You will find that, if that is the position of the Government, it will open a can of worms. The Government will eventually get legally challenged and I hope that the hon. Gentleman will, at that stage, if I am right on that, that he is big enough to stand up in this House and, at the very least, apologise to me for saying that I have misled the House.

1805 My honest view, as a lawyer, as the architect of the reforms last year, is that it is not sustainable to have a situation where the law exempts locals but does not exempt people living outside coming to choose to live in Gibraltar. I do not accept that. That is the view that I have expressed in good faith and I stand by that view, despite all the criticisms of it by my hon. and learned Friend.

1810 Let me say this, the hon. Gentleman's position is inherently contradictory because he came to this House on that Bill and he justified the Bill by saying that it is not right to apply the law retrospectively to people who have been convicted of a sexual offence in the past (*Interjection*) – Hang on a minute! – and it is not right to apply the Sexual Offenders Register retrospectively to people convicted in the past.

Hon. G H Licudi: Mr Speaker –

Hon. D A Feetham: No, no, please –

- 1815 **Hon. G H Licudi:** No, give way.
- Hon. D A Feetham:** Please, I have listened to you intently and –
- 1820 **Hon. G H Licudi:** Please!
- Hon. D A Feetham:** – carefully. Please pay me the same courtesy that I paid you.
- Hon. G H Licudi:** I do not want to accuse him of misleading the House –
- 1825 **Mr Speaker:** Please!
- Hon. G H Licudi:** – but the information he has given as to what I said in that way is actually wrong.
- 1830 **Hon. D A Feetham:** He justified it on the basis that –
- Hon. G H Licudi:** To Locals only –
- Hon. D A Feetham:** Yes, to locals. Right, okay, let's take the statement as he makes it now.
- 1835 It is not right to apply the Sexual Offenders Register retrospectively 'to locals'. Well, how can it be right not to apply it retrospectively to locals but apply it retrospectively to somebody who is convicted of an offence *outside* Gibraltar but chooses to come and emigrate to Gibraltar? That cannot be right because the principle that he relies upon he said was the principle of law, a well known legal principle of not applying penalties and punishments retrospectively.
- 1840 I do not accept for a moment that, in fact, somebody who goes on a Sexual Offenders Register is actually either a penalty or a punishment. It is an administrative measure taken as a consequence of it. It is inherently contradictory.
- Those are the points that I have been making and I do not think, with respect to the Hon. the Minister for Justice, it really has justified the almost explosionary reaction that he has given to this House today, with all the name calling, and I think that it demeans the debate.
- 1845 **Mr Speaker:** Will the Hon. Minister accept that the Hon. Mr Feetham has made those statements in good faith? He is saying that he has answered in good faith.
- Hon. G H Licudi:** Yes.
- 1850 What I have accused him of is not understanding the legislation of which he was the architect and having made statements which were false, factually false, forgetting –
- Mr Speaker:** But not deliberately false?
- 1855 **Hon. G H Licudi:** Factually false –
- Mr Speaker:** But not deliberately false?
- 1860 **Hon. G H Licudi:** No, but in circumstances where he should have known... Not deliberately false, but in circumstances ...
- Mr Speaker:** But he says he was given a legal opinion: he was giving a legal view, a legal opinion.
- 1865 **Hon. G H Licudi:** What I have read, Mr Speaker, is not a legal view, it is simply a factual statement by the hon. Member that we now have a loophole because the authorities in Gibraltar *cannot* now subject these foreign offenders to these provisions. That is factually incorrect because of the relevant sections that I have quoted.
- The hon. Member now goes even further and asks a question, presumably of me: how can it be right to apply these amendments to locals only and not to foreigners? The answer is very simple and has been stated

1870 very simply. The Royal Gibraltar Police have a list of locals and, therefore, that information is already available. They do not have information about all sexual offenders abroad and, therefore, to the extent that people have committed offences abroad and they come here and they are a risk and they are identified as a risk, the hon. Member knows that, for those people, there are no *automatic* notification requirements, it requires an application to the Court. That application can be made in respect of those offences.

1875 To answer your query, I accept that the hon. Member has acted in good faith but what I do accuse him of is of not having understood the law that he passed himself.

Mr Speaker: Right.

1880 **Hon. P R Caruana:** I am very attracted by your approach [*inaudible*] to assist in establishing peace and I think the Hon. Minister may just have made an enlightened remark.

I think that the assumption... the Hon. Mr Speaker asked whether the Hon. Minister accepts that the statements were made in good faith, the Hon. Minister has replied 'Yes, but he should have known better', effectively. I honestly think, Mr Speaker, that they are at cross purposes. The hon. Member thinks that, from his long explanation a few moments ago – a 15 minute intervention – that what the Hon. Mr Feetham was saying was somehow that they had amended the Act to make it statutorily impossible for this to happen whereas, in fact, what the Hon. Mr Feetham has just explained is that, in his view, it would be *unlawful* so to apply the legislation because it would amount to a challengeable discrimination of locals, as opposed to... and the hon. Member has answered a question that the Bill is *not* incapable of being applied retrospectively to foreigners, where that is not the point that the Hon. Mr Feetham has been making was that it cannot be applied, as a matter of law, because having been disapplied from locals it cannot be disapplied...

1890 Now if it does not help, it does not help. I will settle for the hon. Member's last statement, that he is not attributing the motive of premeditatedly seeking to alarm public opinion by the use of information which he knew to be false. If he wants to say that the Hon. Mr Feetham is incompetent, that is his privilege. That is very different to saying that he is a liar.

1895 **Hon. G H Licudi:** Mr Speaker, I have not said that and I do not want it to be left in any doubt. I am not suggesting that he is a liar but I am suggesting that public alarm has been caused unnecessarily as a result.

1900 **Mr Speaker:** Well the problem is that members of the Legal Profession never agree, unlike our school teachers, who do tend to come to an agreed position. I think we shall now move on.

1905 **ADJOURNMENT**

Clerk: The Hon. the Chief Minister.

1910 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that this House do now adjourn until 9.30 tomorrow morning.

Mr Speaker: I now propose the question, which is that the House do now adjourn to 9.30 tomorrow morning.

1915 I will now put the question which is that this House will now adjourn to 9.30 tomorrow morning. Those in favour. (**Members:** Aye.) Those against. Passed.

The House will now adjourn until 9.30 tomorrow morning.

The House adjourned at 5.07 p.m.



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.30 a.m. – 11.35 a.m.

Gibraltar, Friday, 19th October 2012

The Gibraltar Parliament

The Parliament met at 9.30 a.m.

[MR SPEAKER: Hon. A J Canepa GMH, OBE *in the Chair*]

[CLERK TO THE PARLIAMENT: M L Farrell Esq RD *in attendance*]

SUSPENSION OF STANDING ORDERS

5 **Standing Order 7(1) suspended
to lay an agreement on the Table**

Clerk: Sitting of Parliament, Friday, 19th October 2012.
Suspension of Standing Orders, the Hon. the Chief Minister.

10 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I beg to move under Standing Order 7(3) to
suspend Standing Order 7(1) in order to proceed with the laying of an agreement on the Table.

Mr Speaker: Those in favour. (**Members:** Aye.) Those against. Carried.

15

DOCUMENTS LAID

20 **Agreement laid before the House**

Clerk: Papers to be laid. The Hon. the Chief Minister.

25 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to lay on the table an Agreement
between Her Majesty's Government of Gibraltar and the Ministry of Defence of the Government of the
United Kingdom of Great Britain and Northern Ireland relating to the provision of Education Services.

Mr Speaker: Ordered to lie.

Questions for Oral Answer

30

TOURISM, PUBLIC TRANSPORT AND THE PORT

35

Heritage, Culture, Tourism and Environment inter-Ministerial Committee Meetings and issues covered

Clerk: Answers to Oral Questions continue.
Question 819/2012, the Hon. D J Bossino.

40

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port advise when the inter-Ministerial Committee comprising the Heritage, Culture, Tourism and Environment Ministries was set up, how many times it has met, what issues it has deliberated on and what conclusions have been reached?

45

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

50

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, the Committee was set up on the 21st February of this year and has met three times, on 21st February, on 21st March and 4th May. The Committee deliberates on all the manifesto commitments in respect of Environment, Tourism, Transport, Heritage and Culture. The conclusions are ongoing and are published as they are implemented. The hon. Gentleman may have seen some of the announcements already.

55

Hon. D J Bossino: Mr Speaker, I was interested to find out how matters were progressing in relation to that inter-Ministerial Committee, because as far as I am aware, there was only one initial announcement which was featured in the *Gibraltar Chronicle* back in January. Now the Minister refers to other announcements having been made. I am not necessarily aware of those.

In respect of that particular article, the Minister is aware that reference was made to a new thematic Neanderthal Park as being on the cards. Is that still on the cards? If it is, can he give this House any reports as to progress in relation to that particular project?

60

Hon. N F Costa: Mr Speaker, I should add that in addition to the official meetings that have been held on the dates that I have just said, there have also been bilateral meetings with different Ministers, in order to progress different projects through.

65

It does give me great pleasure to list some of the matters that have been discussed and already delivered: the Jazz Festival; more planting of trees; the Green Procurement Seminar; support to event-led Tourism; the exploration and implementation of solar street lighting; encouraging the use of Gibraltar as a cruise port; the work with industry tourism operators, the re-providing of the Moorish Castle Estate park; the Museum's Spring 2012 lecture series; an environmental feedback session; the refurbishment of John Mackintosh Hall Library; Summer Nights; preparations for major excavations at Gorham's and Vanguard Caves; Gibraltar National Week classical concert, the Mega Concert; Gibraltar National Week events; Gibraltar Fair; free travel for Route 5 for old age pensioners; the Rock of Gibraltar designated as a special area of conservation; the Thinking Green Trade Fair; the improvement to bus routes; the Calpe Conference; new tours for cruise ship passengers; and the campaign against dog fouling.

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Those are a list of matters on manifesto commitments that have been discussed at the meetings that I have just said, and bilaterally, and have already been delivered.

80

Tourism, Public Transport and the Port Trainees on placements within Ministries

Clerk: Question 820, the Hon. D J Bossino.

85

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details giving a breakdown by age, gender and nationality of all trainees on placements within the Ministries for which he has responsibility, indicating the Department, Agency, and Authority where they are placed and the nature of the work they are undertaking?

90

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, I now hand over to the hon. Gentleman the information requested as of 12th October 2012.

SCHEDULE TO QUESTION NO 820/2012

PLACEMENTS OF TRAINEES

	AGE	GENDER	NATIONALITY	DEPT/AGENCY/AUTHORITY	LOCATION	WORK CARRIED OUT
1	21	Female	British Gibraltarian	Ministry of Tourism, Transport & the Port	Office	General Administration
2	23	Male	British Gibraltarian	Ministry Of Tourism, Transport & the Port	Office	Messenger & Admin
3	20	Female	British Gibraltarian	Gibraltar Tourist Board	Accounts Department	General Administration
4	27	Male	British Gibraltarian	Gibraltar Tourist Board	Coach Terminal	Coach Park attendant
5	21	Male	British Gibraltarian	Gibraltar Tourist Board	Information Offices	Visitor Information Patrol Officer
6	19	Female	British Gibraltarian	Gibraltar Tourist Board	Information Offices	Visitor Information Patrol Officer
7	24	Female	British Gibraltarian	Gibraltar Tourist Board	Information Offices	Visitor Information Patrol Officer
8	45	Female	Lithuanian	Gibraltar Tourist Board	Upper Rock Department	Maintenance/Cleaner
9	38	Female	British Gibraltarian	Gibraltar Tourist Board	Upper Rock Department	Administration
10	20	Male	British Gibraltarian	Gibraltar Tourist Board	Upper Rock Department	Maintenance
11	22	Male	British Gibraltarian	GibiBikes	Gib Bus Company Depot	General Maintenance
12	47	Male	British Gibraltarian	Gibraltar Bus Company	Gib Bus Company Depot	Driver
13	55	Male	British Gibraltarian	Gibraltar Bus Company	Gib Bus Company Depot	Driver
14	27	Male	British Gibraltarian	Gibraltar Bus Company	Gib Bus Company Depot	Painter
15	20	Female	British Gibraltarian	Maritime Administration	Watergate House, Casemates Square	Seafarers Certificates, General Admin Support and Yacht Registry assistance
16	22	Female	British Gibraltarian	Maritime Administration	Watergate House, Casemates Square	Surveyors' support and technical administration
17	21	Female	British Gibraltarian	Maritime Administration	Watergate House, Casemates Square	Surveyors' support and technical administration
18	28	Female	British Gibraltarian	Maritime Administration	Watergate House, Casemates Square	Replacements of STCW Endorsements
19	19	Female	British Gibraltarian	Maritime Administration	Watergate House, Casemates Square	Replacements of STCW Endorsements
20	24	Male	British Gibraltarian	Maritime Administration	Watergate House, Casemates Square	Replacements of STCW Endorsements
21	23	Female	British Gibraltarian	Consumer Affairs	10 Governor's Lane	General Administration

**Investment programme on tourist sites
Detailed breakdown**

95

Clerk: Question 821, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port advise how the Government intends to spend the £1,000,000 as set out in the Approved Estimates of Revenue and

100 Expenditure 2012-13 which has been allocated in this financial year in respect of the investment programme on tourist sites, by providing a detailed breakdown?

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

105 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Yes, Mr Speaker, once again, it gives me great pleasure to inform the hon. Gentleman that the intention is to spend the funds allocated as follows: public toilets refurbishment at Jews Gate, £96,543; the bridge replacement at St Michael's Cave, £72,431; extensive refurbishment at St Michael's Cave, estimated at £348,180; public
110 toilets refurbishment at Apes' Den, £33,237; new sewer line at Apes' Den, £127,053; installation of new sewer and staff toilets at Great Siege Tunnels at £148,068; rock fall risk assessment, phase 1 at Great
Siege Tunnels, £11,510; repairs to the viewing platform at the Great Siege Tunnels, £20,779; ticket office extension at Moorish Castle, £21,885; public toilet refurbishment at the 100 Ton Gun, £19,118; repairs to
Waterport Fountain and a new pump system, £14,628 and a new viewing platform at the end of Holy
115 Land Tunnel in the Great Siege Tunnels £86,567. That comes to a total of the £1,000,000.

Hon. D J Bossino: Mr Speaker, I am grateful for the Minister giving me that list and I would be even more grateful if he could perhaps provide me with a schedule or a copy of his answer in written format.

120 Now, as best as I have been able to, I have done a list of the items which he has provided to this House this morning. In relation to that list, can I ask the Minister, Mr Speaker, whether he is prioritising any of the items he has just listed and what the programme of works are in relation to that particular list?

Hon. N F Costa: Well, Mr Speaker, as the staff of the staff of the GTB will tell him, as far as I am concerned, my hope would be for all works to start at the same time all over the place, but I am advised
125 that things do not quite work that way. There are development and planning issues to be taken on board and those that do not require planning can start straight away.

The projects that have started are the Waterport Fountain, which started on 17th October; the work to the toilets at the 100 Ton Gun will begin on 23rd October; and the viewing platform will begin on 5th November. Those are works that can proceed without development and planning permission.

130 All of the other projects that I have listed require to proceed through the planning process, but having said that, Mr Speaker, the hon. Gentleman can rest assured that I will ensure a fair wind on all of these projects, so that they are completed within this financial year.

135 **Marketing promotions and conferences**
Estimated expenditure 2011-12; forecast outturn 2012-13

Clerk: Question 822, the Hon. D J Bossino.

140 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port provide a breakdown of the estimated expenditure for 2011-12, as well as the forecast outturn for the same period, for marketing promotions and conferences, as set out in the Approved Estimates of Revenue and Expenditure 2012-13?

145 **Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, as the financial year 2011-12 has already passed, we can in fact provide the hon. Gentleman with the actual figures, instead of estimated expenditure.

150 In respect of the forecast outturn, as set out in the Approved Estimates of Revenue and Expenditure for this financial year, it is as set out in the schedules which I now hand over to him.

SCHEDULE TO QUESTION NO 822/2012

<i>GIBRALTAR TOURIST BOARD - MARKETING, PROMOTIONS & CONFERENCES 2011/12</i>		
	VOTED	ACTUAL
	2011/2012	EXPENDITURE
LITERATURE	£59,000.00	£71,197.00
TRAVEL TRADE ACTIVITY	£36,100.00	£24,902.00
MEDIA PR ACTIVITY	£2,000.00	£2,389.00
CONSUMER ADVERTISING	£187,650.00	£199,738.00
TRADE SHOWS/FAIRS	£38,000.00	£41,272.00
CONSUMER SHOWS/FAIRS	£34,000.00	£21,817.00
TRADE & CONSUMER SHOWS/FAIRS	£20,500.00	£14,795.00
TRAVEL EXPENSES ALL EVENTS	£20,000.00	£15,639.00
OTHER COSTS	£17,200.00	£9,041.00
LONDON OFFICE ADMIN & SUPPORT SERVICES	£78,000.00	£83,217.00
ONLINE ADVERTISING	£2,000.00	£1,222.00
CONSUMER ADVERTISING	£10,000.00	£36,334.00
EVENTS	£4,000.00	£0.00
OTHER COSTS	£11,000.00	£71,425.00
AIRLINE JOINT MARKETING	£200,000.00	£200,013.00
MEDIA PR ACTIVITY	£2,050.00	£0.00
CONSUMER ADVERTISING	£30,000.00	£58,372.00
TRADE & CONSUMER FAIRS	£36,500.00	£31,060.00
OTHER	£2,000.00	£93.00
GRAND TOTAL	£790,000.00	£882,526.00
<i>GIBRALTAR TOURIST BOARD - MARKETING, PROMOTIONS & CONFERENCES 2012/13</i>		
	VOTED	PROJECTED
	2012/2013	EXPENDITURE
LITERATURE	£59,000.00	£59,000.00
TRAVEL TRADE ACTIVITY	£36,100.00	£36,100.00
MEDIA PR ACTIVITY	£2,000.00	£2,000.00
CONSUMER ADVERTISING	£187,650.00	£187,650.00
TRADE SHOWS/FAIRS	£38,000.00	£38,000.00
CONSUMER SHOWS/FAIRS	£34,000.00	£34,000.00
TRADE & CONSUMER SHOWS/FAIRS	£20,500.00	£20,500.00
TRAVEL EXPENSES ALL EVENTS	£20,000.00	£20,000.00
OTHER COSTS	£17,200.00	£17,200.00
LONDON OFFICE ADMIN & SUPPORT SERVICES	£78,000.00	£78,000.00
ONLINE ADVERTISING	£2,000.00	£2,000.00
CONSUMER ADVERTISING	£10,000.00	£10,000.00
EVENTS	£4,000.00	£4,000.00
OTHER COSTS	£11,000.00	£11,000.00
AIRLINE JOINT MARKETING	£200,000.00	£200,000.00
MEDIA PR ACTIVITY	£2,050.00	£2,050.00
CONSUMER ADVERTISING	£30,000.00	£30,000.00
TRADE & CONSUMER FAIRS	£36,500.00	£36,500.00
OTHER	£2,000.00	£2,000.00
GRAND TOTAL	£790,000.00	£790,000.00

Hon. D J Bossino: Mr Speaker, from a very cursory check, there is quite a lot of information I would like to go through and I will do so with a bit more time, when this sitting finishes.

155 The reason why I asked this Question, Mr Speaker, is because it is clear from the Budget Book that there has been an increase from the estimated figures 2011-12 to the forecast outturn for the same period of in fact I think to the penny, £88,000. The information that I have, given that that period straddles both administrations, from the predecessor in post, is that as at the time of the General Election, the expenditure was very much in line with the estimated figure.

160 Now, that is just by way of a general preamble, Mr Speaker, but if I could ask these specific questions in relation to the list which I have just been provided. The first one is: there is an entry here, which is described as 'Other Costs', where there is a figure of £11,000 which was voted for 2011-12, whilst the actual expenditure – and I think this is the item which has been the subject of the greatest increase – increases to a figure of £71,425. I cannot do the maths very quickly, but that just seems like a lot of money. I would ask the Minister for an explanation for that.

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Hon. N F Costa: Yes, Mr Speaker, I suppose that we can call it an ecumenical year, given that the financial year did straddle both administrations.

170 In respect of the 'Other Costs' which I anticipated is what the hon. Gentleman would ask me, it relates to £20,000 being allocated to the production of the film *La Roca* and £42,000 for the *Gibraltar* film. I hope that satisfactorily answers the question of the hon. Gentleman.

Hon. D J Bossino: I am grateful for that, Mr Speaker.

175 I also have another question and that is that there appear to be, certainly in the first section, three items entitled 'Consumer Advertising'. If I just very quickly look at it... Yes, they have each been the subject of, I would say, considerable increases. If I can ask the Minister what that relates to and why it is split into... it features on three occasions?

180 **Hon. N F Costa:** Well, Mr Speaker, I cannot agree with the hon. Gentleman's preface that they amount to considerable increases. For example, in respect of Consumer Shows and Fairs, there is in fact a reduction from £34,000 to £21,000, so that is less money spent on that.

Trade Shows and Fairs is £38,000 voted, and what was actually spent was £41,000. When you take into consideration, the less money spent on the previous item of expenditure, it more than definitely makes up for it.

185 And the same I would say in respect of Consumer Advertising, which goes from £187,000 voted and £199,000 spent.

Hon. D J Bossino: Mr Speaker, I can give the Minister another example, under the title 'Consumer Advertising' where, if he goes further down the table, he will see that £10,000 was voted in relation to that particular item, and £36,000 was in fact spent.

190 But my question, Mr Speaker, is not that at this stage. My question is why is it that 'Consumer Advertising' features on three separate occasions in the top block – and I have not counted it in the second block, but I think it also repeats itself there, again on three separate occasions?

195 Maybe I am not understanding the table, and I would be grateful for an explanation from the Minister in relation to that point.

Hon. N F Costa: Mr Speaker, in the first place, I think it is fair to point out to this House that nine out of ten months were – (**A Member:** Twelve.) nine out of twelve months, sorry, were passed under his administration, so the vast majority of the expenditure would in fact relate to when they were in Government, and only of course, the three other months relate to us.

200 Whereas I have the breakdown as requested in the notes of the Question, that is what I can provide him. If he wants me to tell him exactly what was spent when, that is an entirely different question, which would require my officials to investigate at that level of detail, which he will, I am sure, agree with me is not a fair question, because it has not been provided as notice.

205 **Hon. D J Bossino:** Mr Speaker, I am really not pursuing the increase at this stage. I am really not pursuing that. All I want to know is – in my view, it would be in fact a simpler question – why it is that the item of expenditure described as 'Consumer Advertising' appears on three separate occasions in each table. That is all.

210 **Hon. N F Costa:** Yes, Mr Speaker, as I have already told the hon. Gentleman, the table and the way it is set out, in terms of the detail of the breakdown of the costs, is exactly the same form that has been provided since they were in Government. As I say, that has been done for nine out of the twelve months of the financial year, so I cannot go any further, other than to say that was the form that was used by them and we simply have followed the form when providing the hon. Gentleman with the answers.

215 In relation to the specific question he asks, one is Consumer Advertising, the other one is Consumer Shows and Fairs and the other one is Trade and Consumer Shows.

For instance, for the Trade and Consumer Shows, it relates to the London Boat Show; in respect of Consumer Affairs, it relates to the Wedding Show at Earl's Court; Consumer Road Shows, Manchester Consumer Road Show.

220 That I hope provides the differentiation to him, but those were during the time that they were in Government.

225 **Hon. D J Bossino:** Mr Speaker, I do not want to be unfair on the Minister, and if he does not know that is fine and maybe we can speak about this later –

Hon. N F Costa: I just answered the question.

230 **Hon. D J Bossino:** Well, no, he needs to... I would ask him, I would urge upon him, not to be unfair on me. I was not in Government personally, and none of those who have governmental experience on either side of me had charge of this particular Ministerial Portfolio, so other than conferring with them now *a la* a quiz show, (*Laughter*) I would just ask the Minister whether he knows – fine, he inherited this system, but whether he can tell us now, on 19th October, after being almost a year in Government – whether he knows why there are repeated references, three in each table, to ‘Consumer Advertising’.

235 With respect Mr Speaker, I appreciate that there are other sections in the table which have the word ‘consumer’ in it, but I am not concerned about those at this stage. In the cursory check and the limited time I have had available to digest this information, this is one of the features which strikes me, and I just wanted an explanation from the Minister who is responsible for these matters to elucidate me.

240 **Hon. N F Costa:** Mr Speaker –

Hon. D J Bossino: If he does not have the information, I do not want to be unfair on him –

245 **Hon. N F Costa:** Mr Speaker, it is not about whether I do not have the information and that I have not answered. I do understand perfectly the question that he is asking me, but with all due respect to him, he is basically asking me to divine through telepathy why the officials who prepared this table when they were in Government decided to call certain things and label them in the way that they did.

250 Now, I have told him that I cannot for the life of me tell him why, when this table was first prepared by their administration when they were in Government decided to label certain things the way they did. However, I have gone towards an explanation of the question that the hon. Gentleman has asked me, by telling him what the different labels – which the officials, when they were in Government, decided to describe them as – contained, in order to give them an idea what the officials then decided to include, and I will do so again by way of clarification.

255 In respect of Trade and Consumer Shows, what appears on the breakdown is London Boat Show. London Boat Show: the label put is Trade and Consumer Shows. That I imagine happened at some point when they were in Government and they would know why they put that label. I cannot divine as to the reason why.

260 In respect of Consumer Shows and Fairs, I have already told the hon. Gentleman too, Consumer Road Shows, Wedding Shows, Manchester Consumer Show. The label attached by officials then working with the GSD Government was ‘Consumer Shows/Fairs’.

Now Mr Speaker, I imagine that it is conceivable and within the realm of possibilities that different labels and different nomenclature could have been put to that, but those are the labels that were attached then and I cannot assist the hon. Gentleman in telling him why those labels were used.

265 **Hon. D J Bossino:** Mr Speaker, I do not want to labour the point but –

A Member: Don’t then.

270 **Hon. D J Bossino:** No, but Mr Speaker, the explanations which the Hon. Minister is giving me in this House are unacceptable to this extent, in the sense that yes, there are civil servants and officials who devised the system, but *he cannot get away from the fact* that he has been in office and holding this office for the last nine to ten months. So he ought to have been at least put on enquiry, when he was given this table, to have asked his officials why it is that there are – which is the question that I am particularly interested in asking – three different references to Consumer Advertising. That is all I want to know Mr Speaker –

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Mr Speaker: I think the Hon. Minister may be in a position to answer the reason why, if he is given sufficient notice and time to try to go and find out. (**Hon. D J Bossino:** Yes.) But he may not have the information with him here today.

280 **Hon. D J Bossino:** I accept that, that’s right.

285 **Mr Speaker:** And having been a Minister for many years, I can tell the hon. Member, that is a fact of life. When a Minister stands up in the House to answer a question, he may not have with him all the information that the hon. Member of the Opposition is seeking.

So I think it is fair for you to ask the question. I think what the Minister obviously should do is to go back to his officials, try to find out if there is a reason and inform you at a future date.

Other than that, I do not think we are going to make any more progress today.

290 **Hon. D J Bossino:** Mr Speaker, unless I misunderstood the Minister, I hear the Chief Minister say that is what the Minister is offering to do and I accept that offer. Of course I accept that recommendation. *(Interjection)* Maybe we have been speaking at cross purposes. I did say that we wanted to be fair to the Minister and, by all means, that is indeed the way that I wanted to progress and pursue matters.

295 **Hon. N F Costa:** Mr Speaker, with all due respect to the hon. Gentleman, the first thing I said was that if I had received written notice of the question, I would go and find out.

300 But to further assist the hon. Gentleman, I imagine that it is taken as given that the reason why there are these different heads is because we do not just do marketing in Gibraltar, but we do marketing in the UK and in Spain and in Gibraltar. I assumed that he knew that, which is why I have not stated the obvious, which is that marketing is done in Gibraltar, in Spain and in the UK.

Marketing and official visits
Estimated expenditure 2011-12; forecast outturn 2012-13

305

Clerk: Question 823, the Hon. D J Bossino.

310 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port provide a breakdown of the estimated expenditure for 2011-12 as well as a forecast outturn for the same period for marketing, promotions and conferences, as set out in the Approved Estimates of Revenue and Expenditure 2012-13?

Clerk: The Question is 823. I think there may be some...

315 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port provide a detailed breakdown of the forecast outturn figure for 2011-12, as well as the estimated figure for 2012-13 in respect of Head 29, sub-head 2(2)(b) – ‘Marketing and Official Visits’ of the Approved Estimates of Revenue and Expenditure 2012-13?

320 **Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, the breakdown of the expenditure for 2011-12 is contained in the schedules I now hand over to the hon. Gentleman.

325 The estimated figure for 2012-13 in respect of Head 29, sub-head 2(2)(b) is £45,000. This includes £15,000 allocated for the purposes of promoting the Gibraltar Yacht Registry.

SCHEDULE TO QUESTION NO 823/2012

SCHEDULE 2011/2012 – Head 29 2 (2) (b)

MARKETING AND OFFICIAL VISITS

Detailed breakdown of expenses

ADVERTISING

	£
PV032/12 Riviera Maritime Media – Tanker & Trade	700.00
PV034/12 Elaborate Communications – Ship Management Int.	700.00
PV067/12 The Year Book	1147.00
PV243/12 Riviera Maritime Media – Tanker & Trade	700.00
PV308/12 Gibtour Trade Directory	1000.00
PV331/12 Gib Yacht Registry – IPC Media Ltd	4000.00
PV444/12 Ship Management International	700.00
PV446/12 Superyacht Photography – Rising Sun	50.00
PV468/12 Tanker Operator Magazine Advert	450.00
PV566/12 Ship Management International	<u>1000.00</u>
TOTAL	£10447.00

COURSES

PV024/12 MLC Course Instructors	774.00
PV148/12 Hull & Structural Surveys, Fundamentals of Marine Engineering, Marine Engineering Surveying – Mr A Federico	3740.00
PV184/12 Mr N Hodgson – Instructor for Thetis Course	139.00
PV188/12 Accident Training Course	300.00
PV189/12 Accident Training Course – Mr Nicholas Beer – Flights	236.00
PV190/12 Accident Training Course – Mr Nicholar Beer – Bed & Breakfast	894.00
PV204/12 Shipboard Training Audit – Mr A Federico	209.15
PV208/12 Flights A Federico – Shipboard Training Audit	325.00
PV232/12 ISM Training – Mr A Federico	914.00
PV412/12 Lloyds Diploma Exam – Mr Steve Gomez	214.94
PV413/12 Lloyds Diploma Exam – Mr Steve Gomez – Flights & Hotel	744.44
PV483/12 Marpol Course – Subsistence A Federico	200.00
PV494/12 ECDIS Training Expenses – Mr D Graham	112.76
PV506/12 Stability Course – Mr A Federico – Subsistence	300.00
PV519/12 Stability & Marpol Course – Mr A Federico	768.00
PV524/12 ECDIS Training – Mr D Graham	700.00
PV525/12 Internal Auditor Course	450.00
PV570/12 Diploma In Marine Surveying – Mr A Federico	550.00
JV458 Credit for Training Related Items	3092.09

Cont.....

CONT. SCHEDULE TO QUESTION NO 823/2012

JV287	Adjustment Marpol Expenses	47.87
JV	Adjustment Advance for Stability Refresher Course	136.75

	TOTAL	£8294.58

HOSTING OF MEALS

PV004/12	Coastguard Agency	215.35
PV162/12	Sea Trucks Group	260.00
PV167/12	Sea Trucks Group	30.90
PV175/12	Maritime Accident Investigators	200.00
PV180/12	Maritime Accident Investigators	<u>47.30</u>
	TOTAL	£753.55

MARKETING & OFFICIAL VISITS

PV358/12	Marketing Trip to Germany – Mr A Cubbin	695.56
PV456/12	GL Classification Committee – Mr A Cubbin – Taxi	110.00
PV535/12	Marketing & Class Society Meeting – Germany	1366.72
PV573/12	Monitoring of ABS – Mr A Cubbin	493.27
PV592/12	REG-TF Germany – Subsistence Mr A Cubbin	<u>1000.00</u>
	TOTAL	£3665.55

MISCELLANEOUS

PV020/12	Chamber of Shipping – Mr T E Springett – Return Air Fare	93.43
PV023/12	London Office – Display Stand to Heathrow	211.20
PV045/12	Accommodation Mr A Chatterjee	125.30
PV216/12	Mr D Cocklan – Visas expenses	25.70
JV149	Adjustment - advance for MV Hanoi	200.00
JV354	Meridian Marine Audit	<u>455.50</u>
	TOTAL	£11111.13

NETWORKING

PV185/12	REG Website	<u>100.00</u>
	TOTAL	£100.00

QUALITY MANAGEMENT SYSTEM CERTIFICATION - ISO

PV292/12	SGS United Kingdom Ltd	837.78
PV557/12	SGS United Kingdom Ltd	<u>1383.31</u>
	TOTAL	£2221.09
		Cont.....

CONT. SCHEDULE TO QUESTION NO 823/2012

SEMINARS

PV003/12	Yacht Seminar	104.00
PV300/12	Yacht Seminar	115.95
PV316/12	Yacht Seminar	<u>560.50</u>
	TOTAL	£780.45

TOTAL EXPENDITURE £27,373.35

Official visits
Costs incurred; purpose

330

Clerk: Question 824, the Hon. D J Bossino.

335

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details of the visits on Government business he has undertaken out of Gibraltar, with details of each destination, costs incurred and the purpose of each visit since he assumed office?

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

340

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, as the hon. Member knows by this stage, the information is already available on the Government's website.

345

Flight recording service
Accuracy of telephone information

Clerk: Question 825, the Hon. D J Bossino.

350

Hon. D J Bossino: I always forget to check the Government website before coming to the House. *(Laughter)*

Can the Minister for Tourism, Public Transport and the Port advise the House what arrangements are in place to ensure that the flight recording information, advertised through telephone number 8998, is accurate and current?

355

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

360

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, the system was temporarily suspended due to technical reasons. The 8998 telephone service has now been restored and I am confident it is accurate and current.

365

Hon. D J Bossino: Mr Speaker, there are two reasons why I ask this question. One is that I did come across press reports – in fact they were letters to the *Chronicle* – which raised serious concerns about the impact that false information or dated information provided by this telephone service could have on Gibraltar's reputation. The second reason is that I, myself, called the number and there was simply no reply. Can I ask the Minister whether he can advise this House when it was that the service was reinstalled?

370

Hon. N F Costa: Mr Speaker, the hon. Gentleman is correct to say that the telephone service was temporarily suspended because it was not working properly and, as a result of the malfunction, it was suspended from Friday, 28th September to Tuesday, 16th October.

375

The reason for the malfunctioning of the service is essentially due to the transfer from one air terminal to the other. The new telephone system in the new terminal works over the internet and the service provided works on an analogue system. This has now been resolved and the way that we ensure that it is updated, so that there is no serious risk to the reputation of Gibraltar by virtue of a malfunctioning telephone service. I can assure the hon. Gentleman that it will be updated every morning, every time there is a change and then at the end of the operational day. To be doubly sure that there is nothing wrong, a duty manager will check it as well.

380

Monarch Airlines
Details of incentive scheme

385

Clerk: Question 826, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port advise whether any incentive was offered to Monarch Airlines in order to secure the Gibraltar to Birmingham route?

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

390 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Yes, Mr Speaker, all commercial discussions are sensitive, as these are part of the Government's continuing drive to increase air connectivity and the hon. Gentleman will, I hope, agree with me that to publicly announce across the floor of this House whether or not an airline enjoys an incentive scheme, if at all, will be to obliterate any negotiating advantage of Her Majesty's Government of Gibraltar in any such discussions.

395

Hon. D J Bossino: Mr Speaker, I am sensitive to what the Hon. Minister has said.

400

As I understand the position from my own personal intelligence gathering, given that I have not held office previously, there was in fact an established incentive scheme which entailed things like, for example, offering reduced landing charges, and that is fine. The reason why I ask this question is whether this particular airline was offered anything over and above the established incentive scheme and if that entails an expenditure on the public purse, I think, Mr Speaker – and I say this with some trepidation because I am not aware of the ins and outs of how these things work – as an Opposition Member I am entitled to scrutinise the Government in relation to that.

405

Hon. N F Costa: Mr Speaker, to answer the first part of the hon. Gentleman's question, there is an incentive scheme which was devised by the GSD when in Government, an incentive scheme still today that continues to exist.

410

Now, in respect of whether any particular airline does enjoy an incentive package or not, I will need to insist to the hon. Gentleman that I will not provide any details because such discussions are confidential in nature.

415

But let me also remind the hon. Gentleman, in order that he appreciates that we are simply following a custom which was certainly practiced by the GSD when in Government, that the Hon. Mr Holliday, when Minister for Tourism, when asked by my hon. Friend, Dr. Joseph Garcia, 'Can the Government say how many airlines are interested in flying?' – forget the fact about commercial discussions and incentive schemes etc – 'how many airlines are interested in flying?', the then Minister for Enterprise said:

420

'The Government continues with its contacts and discussions. However, in common with my response in previous Parliamentary Questions, for reasons of commercial confidentiality it would not be appropriate for me to provide further information.'

And this relates to simply the number of airlines with which they are in discussions and not even such sensitive details in my submission as would be a commercial discussion on an incentive scheme.

425

Oil pollution Contracted services expenditure

430

Clerk: Question 827, the Hon. D J Bossino.

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Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details as to what the contracted services expenditure under the 'oil pollution' Head set out in the Approved Estimates of Revenue and Expenditure 2012-13 relates to, to include to whom the services are contracted and the terms of the contract, including its duration and costs?

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

440

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, in the recurrent expenditure under Contracted Services, Item 21 states an estimated expenditure of £75,000. This amount relates to the contracts in place between Oil Spill Response Ltd (OSRL) and the Gibraltar Port Authority.

OSRL charge an annual fee for 'Associate Membership'. The contract is valid until 31st May 2013 and caters for OSRL's response for Tier 3 incidents.

445

OSRL charge the GPA an 'Annual Equipment Access fee'. The contract is valid until 22nd October of this year and caters for OSRL's response to Tier 2 oil spills.

OSRL also charges a 'Maintenance fee' for servicing and maintenance of GPA oil spill equipment.

450

Hon. D J Bossino: I did not quite take, Mr Speaker, full note, but I think there is a separate contractual relationship with OSRL in respect of one particular item and that is something to do with equipment, I think.

Hon. N F Costa: Yes, the Annual Equipment Access fee.

455 **Hon. D J Bossino:** That is right. In relation to that particular service, Mr Speaker, as I understand it, if I have understood the Hon. Minister correctly, that is due to end at some date in October. I have got a note of 26th October; it may have been 22nd October, this year. So this is next week.

Can I ask the Government what its intentions are in relation to that particular contract and whether the Minister intends to renew or perhaps look elsewhere.

460 **Hon. N F Costa:** Subject to any advice that the Captain of the Port may give me to the contrary, his advice to date has been that we renew the contract.

465 **Gibraltar Ship Registry
New registrations**

Clerk: Question 828, the Hon. D J Bossino.

470 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port advise this House how many of the new ships, which he has previously indicated would be registered during the course of the next year or so, have in fact already been registered?

475 **Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, during my Budget speech in July of this year, I informed this House that given the global downturn in the economy, the number of ships on the Gibraltar Ship Registry had fallen by 3% from 316 in April of last year to 306 in April of this year, but that there had been an overall increase in the gross tonnage from 2.12 million to 2.37 million.

480 However, I said at the time of my Budget speech that the schedule for new ships indicated that 35 new ships, totalling over 700,000 gross tonnes would be registered with the Gibraltar Maritime Administration during the course of the financial year.

485 I am very pleased to inform the House that since 1st January of this year, exceeding the expectations that I noted in the Budget, 48 new ships have been registered, bringing the total number of vessels to 329 with a gross tonnage of 3.12 million. This, Mr Speaker, represents an increase of 7% in the number of vessels and 31.6% in gross tonnage and exceeds in six months the projected figure for the year by 13 ships and approximately 300,000 gross tonnage.

490 The above, Mr Speaker, certainly vindicates the Government's policy, announced in the Budget, in the marketing of Gibraltar as a safe, robust and reputable maritime administration.

Hon. D J Bossino: Mr Speaker, I, of course, welcome the very good news which –

495 **Hon. N F Costa:** I am sure you do.

Hon. D J Bossino: Of course, I do, which the Minister has just given this House.

500 Because the reference to the 35 new ships was made, as the Minister correctly mentioned earlier in his answer, in the context of his Budget speech, it was also made in the particular context of the marketing exercise, if I can put it in those terms, which the GMA made to Germany, I think was what he said. (**Hon. N F Costa:** Yes.)

Can I ask of the 48 new ships, whether they all come from the same... or as a result of that particular marketing initiative?

505 **Hon. N F Costa:** Yes, Mr Speaker, I will get for the hon. Gentleman the exact number... Well, no. I can tell him in fact that yes, they have been as a result of the marketing; but it is not just in relation to Germany because I said that the new ships had been registered from January of this year.

510 But in addition to the point that the hon. Gentleman makes, which is entirely correct, that the GMA went to Germany to meet existing clients and possible new ones, there was an innovation, once we came into Government, which was a visit made to Norway to meet new owners and, as I say, potential new owners. That is the answer to the question.

**Gibraltar Port Authority
Job vacancies**

515

Clerk: Question 829, the Hon. D J Bossino.

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Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port advise this House how many vacancies are currently available at the Gibraltar Port Authority and what the Government's intentions are in relation to the filling of these vacancies, if any?

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

525

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, the three vacancies currently available at the Gibraltar Port Authority are Admin/Finance Officer, Port Maintenance Fitter and a Bunkering Superintendent. It is the Government's intention to fill these vacant posts.

530

Hon. D J Bossino: Mr Speaker, might I refer the Minister to the Budget Book. There is, under Heading 29, which is entitled 'Ports and Shipping', there is a reference, as the Minister well knows, under the particular caption 'Establishment' and in fact there was provision made for 2012-13 for one more staff member. Are these posts, which he has just referred this House to, included in those 18? Does he know?

535

I know I am being unfair to him in a sense that I have not given him notice of a rather specific question; but maybe he can assist. If he cannot, then I can always either write to him later or ask the question at the next sitting.

540

Hon. N F Costa: Yes, Mr Speaker, certainly given the very specific nature of the question, if he could either ask the question, with written notice, or correspond with my office and I will be sure to give him the answer immediately.

**Tourism, Public Transport and the Port
Meetings held with Captain of the Port**

545

Clerk: Question 830, the Hon. D J Bossino.

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Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details as to the occasions he has met with the Captain of the Port since his appointment, to include the dates of these meetings?

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

555

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, as the hon. Gentleman will recall, Captain Roy Stanbrook took post on 27th February of this year. It does give me great pleasure, once again, to be able to advise the House, and the hon. Gentleman opposite in particular, the frequency with which I meet the Captain.

560

I now read to him the number of times I met with the Captain on pre-scheduled meetings on a whole variety of different port-related subjects as follows: 21st March, 4.30; 22nd March, 9.00; 22nd March, 10.00; 22nd March, 3.30; 30th March, eight o'clock in the morning; 10th April, 4.30; 16th April, 4.00; 18th April, 5.30; 24th April, 9.30; 25th April, 3.30; 2nd May, 4.00; 2nd May, 4.30; 11th May, 9.30; 18th May, 11.00; 30th May, 5.00; 31st May, 2.00; 1st June, 9.00; 1st June, 10.00; 13th June, 3.00; 24th July, 4.00; 31st August, 9.30; 4th September, 3.30; 27th September, 3.00; 28th September, 4.30; 2nd October, 3.30; 10th October, one o'clock – I missed my gym session then! – 11th October, four o'clock.

565

Although, Mr Speaker, of course it goes without saying that I do meet with the Captain on more occasions, in impromptu unscheduled meetings, and that I talk to the Captain by telephone every other day, if not daily, in addition to e-mail and other correspondence.

570

It did occur to me, Mr Speaker, as I read the question, that perhaps the hon. Gentleman would suggest to me that I install a GPS on the Captain so he knows where he is. (*Banging on desks*)

575

Gibraltar Bus Company Limited
Availability of buses

580 **Clerk:** Question 831, the Hon. D J Bossino.

Hon. D J Bossino: Sorry there was a cough. Is it Question 831?

Clerk: Question 831.

585 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port advise how many buses of the Gibraltar Bus Company Limited are currently unavailable for use, with reasons for their unavailability?

590 **Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

595 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Yes, Mr Speaker, at the time of preparing this answer, which was on the 11th of this month, the following vehicles were off-road as follows: one bus was undergoing a routine service and was back in service at the end of business on that same day; one bus is waiting for the transmission cable to arrive from the contractor supplier, and as from the 11th of this month the part should be in Gibraltar in two weeks' time and the fitting time is one day; one bus was undergoing a minor repair to rectify an air leak and was back in service on the same day.

600 **Hon. D J Bossino:** Can I ask the Minister, who is conducting the repairs of the buses? I am just basing myself on a press statement, which the Government issued back on 27th June, to the effect that the contract with A M Capurro and Sons Ltd had been terminated. I am just wondering who is – is that the case...?

605 **Hon. N F Costa:** No, Mr Speaker, if I may just give way before he finishes the question. We have not issued a press statement to say that the contract with the Government's mechanics has been terminated. Just to rectify the hon. Gentleman before he asks me the question.

610 **Hon. D J Bossino:** Mr Speaker, the premise of the question may have been based on incorrect information or misunderstanding of information provided by the Government because the question was going to be: which company was providing the maintenance service for the buses, assuming that A M Capurro were no longer providing it? It is the same company, is it?

Hon. N F Costa: It is the same company, Mr Speaker.

615

Gibraltar Bus Company Limited
Bus Route 7 set-up costs

620 **Clerk:** Question 832, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details of the set-up costs for Bus Route 7?

625 **Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

630 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, yes, the total cost was £1,057.84, broken down as follows: £5.00 to effect the change of ownership transaction of bus G 8364A – this bus formerly belonged to the Gibraltar Bus Company and had been donated to the Elderly Care Agency by the previous administration when the three Mercedes were purchased; £50.00 to amend the Gibraltar Bus Company Limited operator's licence to include route 7; £627.84 paid to Argus Insurance for the vehicle to be included in the Fleet's Global Insurance; approximately £20.00, inclusive of in-house labour to affix the GBCL decals to the bus; £355.00 for a full mechanical service, that included replacing the alternator that was faulty.

635 It does give me a great pleasure, Mr Speaker, to be able to tell the hon. Gentleman that since the inception of the route, which started on 30th September of this year, there have been a total number of passengers of 1,944.

Hon. D J Bossino: Thank you, Mr Speaker.
That information is, in any event, on the Government's website.

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Hon. N F Costa: I have seen it. (*Laughter*)

Hon. D J Bossino: I did check that one! I am glad that all my questions are giving him so much pleasure in answering them. (*Interjection*)

645

**Gibraltar Bus Company Limited
Qualifications of recently appointed managers**

650

Clerk: Question 833, the Hon. D J Bossino.

Hon. D J Bossino: Further to Question 692/2012, can the Minister for Tourism, Public Transport and the Port advise what qualifications the recently appointed managers to the Gibraltar Bus Company Ltd hold which results in the Government being satisfied as to their promotions?

655

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, as the hon. Member will undoubtedly be aware, as a result of Question 692/2012, an extremely lengthy debate ensued as to the selection of two gentlemen as Administration Manager and Operations Manager.

660

As was made eminently clear, I would have thought, during the course of that question-and-answer session, it was an independent board of senior civil servants that were satisfied and made recommendations to me, as a responsible Minister, which I accepted.

665

Ruling by Mr Speaker

Mr Speaker: Before we proceed with supplementary questions, there is something that I wish to make absolutely clear.

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This matter was debated at great length at the last meeting of the House. In fact, it was debated for over an hour and a half – a record, I am sure, even for this Parliament – and something that certainly would not be allowed in any parliament that is based on the Westminster model.

675

Accordingly, I have no intention of allowing a similar debate in the House today arising from questions and answers.

If the hon. Member is not satisfied with my Ruling, there are two courses of action that he can take. He can bring a substantive motion to the House, which we will debate in due course, or he can give notice under Standing Orders 24A and 24B of his intention to raise what is a matter for him, and perhaps for the public, of urgent public importance at the time when the House adjourns. That would mean in practice that he could have an opportunity to do so, perhaps if the House is going to adjourn to next week for Bills.

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When Bills are introduced they are on the Agenda. After the Bills, I imagine that the adjournment of the House would be to the following month. If the Bills are taken next week, he would have an opportunity to debate this matter for 40 minutes at that time.

685

Hon. D J Bossino: I fully understand, Mr Speaker, why you have thought that you were pre-empting a situation –

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Mr Speaker: No. I am not pre-empting anything. I am pre-empting a debate. I am making clear under what circumstances I will allow supplementary questions to be raised, but I am not going to allow the debate anywhere near what happened at the last meeting of the House.

Hon. D J Bossino: Mr Speaker, I can assure the Chair, and Members opposite, that it was not my intention to go down that particular route. My question is very specific and the Speaker will appreciate, when I do ask my supplementaries, that it really relates to one particular issue, which is really the issue of qualifications. In fact, I was going to preface my question with the expression of my personal intention not to go down the more political debate, which this issue has engendered both inside of this House and outside.

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700 I can assure you –

Mr Speaker: I am very grateful.

705 **Hon. D J Bossino:** – Mr Speaker, that was my intention.

Mr Speaker: I am very grateful for that assurance.

710 **Hon. D J Bossino:** Although I take, Mr Speaker, your point, that was certainly not my intention, but let us see how matters proceed.

Gibraltar Bus Company Limited
Qualifications of recently appointed managers
Supplementary questions

715

Hon. D J Bossino: Mr Speaker, I simply read the written reply given, or the prepared reply given to me, by the Minister where he said that the Gibraltar Bus Company therefore now has two specialised managers. Can I ask the Minister whether either one or both of these successful applicants are transport managers, as set out in the relevant statute provisions?

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Hon. N F Costa: Mr Speaker, I refer the hon. Gentleman to the answer that I just gave.

725

Hon. D J Bossino: Mr Speaker, the reason why I raise this point is because under the Transport Act, as the Minister I am sure is very much aware – and certainly I am because I was for many years in the Transport Commission – every transport undertaking, and I do not have the full technical jargon, but basically the Gibraltar Bus Company is a licensed undertaking, licensed by the Transport Commission pursuant to the Act, requires to have amongst its staff, transport managers. That is really why I am asking.

730

A ‘transport manager’ is a defined term in the Act, and I can take the Minister to the relevant provisions. This is precisely why I am asking the Minister whether the Gibraltar Bus Company has... Whether either of these two are considered the transport managers of the Bus Company or whether there is another or more than one individual who will be assigned a transport management role as the company is statutorily obliged to do? Because this then gives rise, Mr Speaker, to issues of qualification.

735

Hon. N F Costa: Mr Speaker, once again, I refer the hon. Gentleman to the answer I gave a few moments ago. The board comprised of the Senior MOT Examiner of the Government and it was partly on his recommendation that these two gentlemen were appointed.

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Hon. D J Bossino: Mr Speaker, I can well understand that the Minister follows a recommendation of the board; but as the elected individual who has political responsibility over this Company, he ought to have been on notice on an enquiry.

If a recommendation is made, he is entitled, surely, to say, ‘No. This chap or this person does not fit the bill because he is not sufficiently qualified to act as a transport manager.’

745

So it is not good enough for the Minister to simply stand up in this House and say, ‘I simply follow the recommendation of the board,’ if the recommendation which the board made could give rise to a situation, Mr Speaker, where the Gibraltar Bus Company is in *breach* of Gibraltar’s legislation.

Hon. N F Costa: Mr Speaker, I repeat what I have said in two supplementary questions.

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Hon. P R Caruana: Mr Speaker, regardless of who has recommended and who has appointed, and regardless of the degree of interest that the Hon. Minister claims he took or did not take, can the Hon. Minister say whether he is aware what, if any, qualifications these people possess? And that is nothing to do with how and why they were selected or whether he accepted.

755

I am asking for information. Does he know whether... and if so, what qualifications the successful candidates appointed – however they may have been appointed, I do not care – possess?

760

Chief Minister (Hon. F R Picardo): Mr Speaker, this is all based on the premise and that supplementary from the Hon. the Leader of the Opposition is based on the premise of the question as asked by the hon. and Learned Mr Bossino, who referred to the definition of ‘transport manager’ under the Transport Act.

I think it is important that the House, if it is going to have this exchange about what qualifications, etc the Minister believes or checked the transport manager had, given that the transport manager is a defined term under the Act, that the House should know what the defined term actually is. It does not talk about qualifications or anything else. The Act says:

765

“Transport manager”, in relation to a business, means an individual who, either alone or jointly with one or more or other persons, has continuous and effective responsibility for the management of road passenger transport operations or road haulage operations of the business as the case may be.’

770

So the only reference to ‘manager’ is in the definition of ‘transport manager’, which then appears throughout the text as the person who is responsible for the management of that undertaking. There is no definition and in fact that could not be given, who is appointed as a transport manager in many of the transport companies that I have dealt with, in my many appearances before the Commission of which the hon. Member was made a member by the previous Administration, of any qualification required for somebody to be a transport manager.

775

Therefore, Mr Speaker, if the hon. Members *want* to ask the question that they seem to be wanting to pursue for the purposes that has become apparent in the press releases that they have issued on the subject and the exchanges that we have had in this House, then they need to accept that there is no pre-requisite of qualifications set out in the legislation which they are relying on in respect of transport managers.

780

Hon. P R Caruana: That is all very interesting, but completely inapposite to my question. I have not... My question is not premised on the assumption or even the insinuation that there is a requirement for qualification. I have asked a simple question. Regardless of the appointment and the methodology and all this, is the hon. Member aware whether these individuals possess qualifications and if so, what they are?

785

Regardless of whether they are necessary, unnecessary, properly or improperly... it is a perfectly simple factual question. I just do not see why there is such obtuseness in the attitude towards answering it. The answer could be, ‘Yes, they have qualifications and they are these’, or ‘I do not know whether they have qualifications or not’, or ‘They have no qualifications’. It is a factual question. It is not couched in any context of whether those qualifications are needed or not needed, whether they are sufficient or insufficient.

790

Hon. Chief Minister: Mr Speaker, I think the position has been made now very clear by the Minister to date. I am grateful that the hon. Member has now taken a step back from this issue of qualifications and he now accepts that there is no question of qualifications –

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Hon. P R Caruana: With respect, Mr Speaker, I am not taking any step back –

Hon. Chief Minister: The position has been made increasingly clear in this House, at the last Question Time; it has been made clear in exchanges of press releases; and it is clear now. The Minister has acted on the advice of a board that recommended that these gentlemen had –

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Minister for Enterprise, Training and Employment (Hon. J J Bossano): The necessary criteria.

805

Hon. Chief Minister: – the necessary... they fulfilled the necessary requirements to be recommended for these posts and the Minister, quite unlike perhaps Ministers in other governments who might have interfered in who gets the job, simply accepted the recommendations of the board.

So the answer given on a number of occasions previously and now, Mr Speaker, is that the Minister has accepted the board’s recommendations that these gentlemen were qualified to take those posts – full stop.

810

Hon. P R Caruana: Mr Speaker, does the Speaker now have an idea of why there are debates for an hour and a quarter which he is not willing to tolerate, because a perfectly simple question does not get a perfectly simple answer? Instead, Ministers resort to distorting the question, putting the question in a context in which the questioner did not put it, lecturing the Opposition about what is relevant and what is not relevant.

815

It is a perfectly simple question! Does the Hon. Minister know what, if any, qualifications these individuals possess? I am not interested... I do not know whether the Hon. the Chief Minister is right or wrong about whether qualifications are needed or not needed. The answer to that is not germane to the question that I have asked, which is a simple factual question.

820

Does the Hon. Minister know, regardless of whether they are necessary or not, whether these two individuals have any qualifications and if so, what they may be? (*Interjection*) Really, Mr Speaker, if he does not want to answer the question, which is becoming increasingly apparent, let him just *say so!* But

825 this smoke screen about whether the qualifications are necessary or not is *wholly irrelevant* to my question.

A Member: [*Inaudible*].

830 **Hon. Chief Minister:** Mr Speaker, I gave as the Minister had given, a straight answer to a crooked – (*Laughter*) That is why debates go on so long.

835 **Mr Speaker:** If the question is as simple as I understand it to be – ‘do these gentlemen have any qualifications?’ – as a school teacher, I would say that the Minister can investigate, can find out what qualifications they have. For instance, they may have NVQs, they may have a number of GCSEs or O-level or A –level – all those are qualifications. (*Interjection by Hon. P R Caruana*) Whether they are relevant or not is another matter and surely, that is information which the Government can obtain.

Hon. Chief Minister: Thank you very much.

840 **Mr Speaker:** That kind of information, the Government is in a position to obtain and provide to this House.

845 **Hon. Chief Minister:** Mr Speaker, I am going to deal with the issue that the Hon. the Leader of the Opposition has raised, before dealing with your much more eminently sensible suggestion.

The hon. Member said, in the course of his intervention... and if he were to listen instead of sitting there making remarks, whilst I try to answer this question, or indeed as he did yesterday, taking a phone call *within the Chamber*, then we might be able to resolve matters more quickly. (*Interjection*) Yes it was – absolutely right, Mr Speaker. Mr Feetham is absolutely right, it was outrageous that the Hon. the Leader of the Opposition took a phone call in the Chamber, twice. (*Interjections*)

850 Anyway, Mr Speaker, as I was saying –

Mr Speaker: Order!

855 **Hon. Chief Minister:** I gave and the Hon. the Minister gave a perfectly straight answer to a crooked question. The position, Mr Speaker, in the question as asked and the answer as given, is entirely clear. You see, Mr Speaker, the question asks about what qualifications the recently appointed managers to the Gibraltar Bus Company hold, *which results in the Government being satisfied as to their promotions*.

860 Now, that question, Mr Speaker, is perfectly fully answered in the first answer. What the hon. Gentleman is now saying is ‘Well, what qualifications do they actually have?’ You are absolutely right, of course, Mr Speaker, that is a factual question, which does not relate to how the Government makes a determination about satisfaction as to promotions Mr Speaker.

865 The whole tenor of the debate in this House, since the hon. Members opposite decided that their direct system of appointment of people to be directors of company was better than an independent system which saw a board determine who should be qualified to do this, is to try in some way put those who have been appointed, or the qualification of those who have been appointed to take these roles, into question.

Of course, Mr Speaker, (*Laughter and interjections*) we are able to find out, but disconnect from – (*Laughter and interjections*)

870 Mr Speaker, you cannot have a debate with people talking over you. (*Interjection by Hon. P R Caruana*)

Mr Speaker: Clerk, would you please call the next Question.

875 **Further Ruling by Mr Speaker**

Clerk: Question 834, the Hon. D J Bossino. (*Interjection*)

880 **Mr Speaker:** No. We are proceeding with the next Question. The matter is degenerating into a debate which is not appropriate to Question Time, where supplementaries should be short, sharp and to the point.

Hon. P R Caruana: Well, Mr Speaker –

885 **Mr Speaker:** I warned hon. Members 15 minutes ago that I was not going to allow a debate of the nature that took place at the last meeting. I can see definite signs that it is heading in that direction and therefore I am exercising my right to call the next Question.

Clerk: Question 834.

890 **Hon. P R Caruana:** [*Inaudible*] because they time us out.

Mr Speaker: That is another matter. Whether the kind of information which the Hon. the Leader of the Opposition – which I think my common sense tells me, that it is within the realms of the Government obtaining that information – I think –

895

Chief Minister (Hon. F R Picardo): We will provide it...

Mr Speaker: My view is that that information should be provided to the House.

900

Hon. Chief Minister: And we will provide it, Mr Speaker.

Mr Speaker: Whatever O-levels in Spanish, English or whatever, let us have that information, by all means.

905

Hon. D J Bossino: Mr Speaker –

Mr Speaker: Other than that, I will not allow the matter to deteriorate further into a slanging match.

910

**Gibraltar Airport taxi service
Negotiations with Gibraltar Taxi Association**

915 **Clerk:** Question 834, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details of the negotiations which he is currently holding with the Gibraltar Taxi Association, in order to address the problems being encountered in connection with the taxi service at Gibraltar Airport?

920

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, meetings are held regularly with the GTA, where issues regarding the taxi service are raised.

925 As I stated in answer to Question 597 of this year, the problems that are presently encountered at the Airport are no different to the problems that were encountered in the past under a GSD administration and unresolved.

930 Notwithstanding, the Government, in an effort to address common problems, has demarcated and placed proper signage to ensure that there is a dedicated lane for taxi pickup and drop-offs. Furthermore, in an effort to provide a more efficient taxi service, Government and the GTA are working solidly for the improvement of common scenarios that are constantly causing obstructions to the flows of traffic.

Let me add also, Mr Speaker, as I noted recently in a GBC interview that, given that negotiations are well advanced and progressed with the Gibraltar Taxi Association, I will be making a full statement in due course, once these are concluded.

935

Mr Speaker: Could I commend the Hon. Minister that he makes such a statement here in the House?

Hon. N F Costa: Yes, Mr Speaker.

940

Mr Speaker: Thank you.

Hon. D J Bossino: I am grateful, Mr Speaker.

There was just one word which I missed in his response. I am grateful to the Minister for his reply, but I think he mentioned, he said improvements of ‘something’ in our roads. Is it problems, did he say? I did not quite catch that particular word.

945

Hon. N F Costa: Is the hon. Gentleman referring to obstruction to the flow of taxis?

950 **Hon. D J Bossino:** Well, he itemised a list and the first reference was to proper signage; I think it came second.

Hon. N F Costa: Oh yes, I said ‘has demarcated and placed proper signage to ensure that there is a dedicated lane for taxi pickups and drop-offs at the Airport.’

955 **Hon. D J Bossino:** Mr Speaker, is the dedicated lane already in place or is it something that forms part of the negotiations and the Government is working towards alongside the Gibraltar Taxi Association?

Hon. N F Costa: No, Mr Speaker, as I am advised, the dedicated lane already exists.

960

**Small boat marina
Plans to build; consultation**

965 **Clerk:** Question 911, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker can the Deputy Chief Minister confirm whether the project to build a small boat marina will be going ahead and whether he has consulted with the residents of Europlaza in this context?

970 By way of clarification, I addressed the question to the Deputy Chief Minister, although I understand that it is the Minister for Tourism who will reply.

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

975 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, as the hon. Gentleman will remember, I have already answered both parts of this question in answer to Question 689/2012.

980 **Hon. S M Figueras:** Mr Speaker, yes, however, I would be grateful if the Hon. Minister would be able to confirm whether there are any issues in relation to the access road for the proposed site of the marina itself and whether any other issues arise in respect of the ownership of that road, access, any of those details in particular.

985 **Hon. N F Costa:** Mr Speaker, it was in answer to a supplementary by the hon. Lady opposite that I explained that all interested parties will be consulted.

Hon. S M Figueras: Yes, I recall that supplementary and that reply indeed.

However, I merely wanted to clarify whether the Europlaza management company has been consulted since that question was asked last month, or at all?

990 **Hon. N F Costa:** Mr Speaker, as I am aware, there has not been communication yet, but most certainly as an affected party, there will be communication and consultation. (*Interjections*) If they are affected, I should add.

995 **Hon. S M Figueras:** And the one final point which was the purpose of originally drafting the question, asking it of the Deputy Chief Minister: is there any chance whatsoever that this project will not proceed, in light of any consultations that may be made with the public and other interested parties?

Hon. N F Costa: Mr Speaker, that is, by its very nature, a hypothetical question.

1000 **Hon. S M Figueras:** No, it is a matter of policy.

Hon. N F Costa: No, it is not.

1005 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** As a result of the consultation.

Hon. N F Costa: Yes.

Hon. S M Figueras: Perhaps I can clarify it for the hon. Member.

1010 Is it the Government's policy that, in the receipt of sufficient public consultation against the project, it will give way to that consultation and not proceed with the project?

Hon. N F Costa: Mr Speaker, if I may just clarify to the hon. Gentleman that I prefaced my remarks by saying that 'if there are any rights or issues affecting', so it is conditional on there in fact being...
1015 There may not be any issues at all, so I cannot answer the question the way that he has posed it, because he is predicating a hypothetical question on a conditional issue that may never arise.

Hon. G H Licudi: Mr Speaker, can I just add or clarify a particular point. It is the Government's full intention to proceed with the project as set out in the manifesto and to build a marina for small boats for at least 700 berths before the end of this current term. That is the Government's intention and that is what the Government is going to do.
1020

Hon. S M Figueras: Well, I am grateful for the answer and in light of the fact that the hon. Member has said that there may be no issues, I am happy to wait to see whether in fact any arise.
1025 So I am grateful.

Hon. G H Licudi: Mr Speaker, if there are issues they will be dealt with, but this marina will go ahead.

Hon. S M Figueras: Sorry, I just thought the underground parking by the Commonwealth Park was also going to go ahead.
1030

Chief Minister (Hon. F R Picardo): Well, Mr Speaker, that is a snide remark which is unnecessary, because the hon. Gentleman has had explained to him a thousand times that the underground car park at the Commonwealth Park, which he likes to refer to constantly, if he checks the manifesto – which he does not like to do; he only likes to talk about the bit which is convenient to him – we say 'or will be provided elsewhere', which is what is happening.
1035

I am sorry, Mr Speaker, I have a very high regard for the hon. Gentleman, but he just does not seem to get it.

Hon. S M Figueras: I get it, but since we are not going to have a debate on the issue, Mr Speaker, I shall not entertain the Chief Minister's comments.
1040

Hon. Chief Minister: Well, then, don't make snide remarks about the Commonwealth Park.
1045

Gibraltar Airport Service level agreements

1050 **Clerk:** Question 913, the Hon. D J Bossino. (*Interjections*)

Hon. D J Bossino: Can the Government provide details of the service level agreements which have been entered into with different contractors in relation to Gibraltar Airport to include the services to be provided and costs?
1055

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, I now hand the hon. Gentleman a schedule with information requested.
1060

SCHEDULE TO QUESTION NO 913/2012

The Service Level Agreements that GATL has negotiated are:

Dematic Logistic System SA	- Baggage Systems	-	€199,950.00 PA
G4S Gibraltar	- Fire Systems	-	£ 23,000.00 PA
Indra Systemas SA	- Specialist IT Systems	-	€308,271.80 PA
Schindler (Gib) Ltd	- Mechanical Elevators	-	£144,052.08 PA
Sheriff Electrical Contractors Ltd	- Mechanical and Electrical Systems	-	£283,511.40 PA
COTELSA SA	- Security Screening Equipment	-	€ 94,700.00 PA

**New Air Terminal
Further planned works**

1065 **Clerk:** Question 914, the Hon. D J Bossino.

Hon. D J Bossino: Can the Government provide details of the further works which are planned at the new Air Terminal in order to enhance, as the Government has described it, the passenger experience, to include details of the costs?

1070 **Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, the planned works involve airside weather cover for passengers transiting between parked aircraft and the terminal and a landside weather cover between the terminal and the forecourt for passengers and airport users who are entering or leaving the building – none of which, I must say surprisingly, was provided for in the original design.

1075 These works are at the design stage. The costing for these works will not be ready until these are finalised.

1080 **Hon. D J Bossino:** Mr Speaker, the obvious supplementary is does the Minister have any indication as to when he thinks they will be finalised?

1085 **Hon. N F Costa:** No, Mr Speaker, I cannot give the hon. Gentleman an estimate at this point.

Procedural

1090 **Mr Speaker:** Could I ask Members, when asking or answering questions, to try to speak up, because in some cases, particularly if you are fairly tall, there is a distance between yourself and the microphone, because those are meant for people speaking when they are sitting down. So there is a problem and I think you need to raise your voice slightly.

1095 **Clerk:** Thank you.

ENTERPRISE, TRAINING AND EMPLOYMENT

1100

**Future Job Strategy
Numeracy, literacy and IT courses**

1105 **Clerk:** Question 846, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, further to the answer provided to Question 720/2012, can the Minister for Training say when he will be in a position to confirm whether numeracy, literacy and IT courses that were on offer at Bleak House for those on the VTS will be offered to trainees on the Future Job Strategy?

1110 **Clerk:** Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, before I answer the question, can I just put on record my welcome and congratulations. I am sorry I missed your 'enthronement' yesterday.

1115 **Mr Speaker:** Thank you very much. I much appreciate seeing that we both go back to 1972!

1120 **Hon. J J Bossano:** Absolutely, we arrived at the place at the same time!
Mr Speaker, I am not able to provide the date.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, in last month's Parliament session, the Hon. Minister said he was looking into how he could provide the equivalent to those in the new system. Could the Hon. Minister perhaps update us on how they are looking into providing these courses for the new trainees?

1125

Hon. J J Bossano: There are a number of factors. One of these is, for example, that some of the trainees are very... There are a number of factors, because all these trainees really have got periods in ETCL, which are negotiated with the prospective employer.

1130

So, for example, if we have got people who are only three months, then it would be a matter for where the employer is interested in them being there and continuing to be in the course after the three months. So we are really looking primarily at those who have got an 11-month period under training, or more.

1135

A lot of them are people that are in apprenticeship courses of the ETCL, and a big chunk of those coming in, in September and October, are going to be people primarily in the construction industry. Again, there has to be an analysis of whether taking time out of the construction training to do this would be of benefit to them or not.

We are looking at the early school leavers to give them priority and the ETCL employees who for example are identified as needing English, Maths or ICT because of the nature of the job for which they are being trained will also be in the selected group.

1140

So we actually expect that when this is ready to start for the ETCL, it would probably start earlier for those in supported employment, where these considerations do not apply and that could happen quite soon. But in the ETCL, once this gets going, what we expect is that it will be covering much bigger classes than used to be the case before, when it was limited to the VTS.

1145

Hon. Mrs I M Ellul-Hammond: Mr Speaker, would the Hon. Minister consider evening classes perhaps for those who are working during the day and who would wish to do a numeracy or literacy course?

1150

Hon. J J Bossano: Yes, I am quite happy to have a look at that. I do not think it is something that has been considered.

Thank you.

1155

Hon. E J Reyes: Mr Speaker, with your leave, may I... because I did offer last time round and if the Minister for Employment wanted to, I could have a coffee to exchange some views with him (**Hon. J J Bossano:** Yes.)

1160

What I recall, in my days as a civil servant with a certain responsibility for the trainees undergoing NVQs, validated by City and Guilds, which I know the Hon. Minister very much favours that awarding body, (**Hon. J J Bossano:** Yes.) those doing the construction trade, there was a recommendation, if not a statutory obligation – I am not absolutely certain – from City and Guilds that apprentices undertaking Levels 1 and 2 in their craft should undergo some literacy and numeracy training, which made a lot of sense. A trainee carpenter should at least attain a Level 1 in numeracy, when it comes to measurements and so on.

1165

So it is more perhaps advice than a question. Perhaps the Hon. Minister may wish to have an opportunity of us having a coffee together, so I can further explain how we can enhance the NVQ qualification, more so, because we are both mutually agreed that the City and Guilds still carries a very good reputation by name and would be beneficial for our future workers.

1170

Hon. J J Bossano: Yes, I am grateful to the hon. Member for his offer to share his knowledge and experience with me in this area. He knows I have just got back, but I promise him we will have the coffee as soon as I can make it. I promise him that.

**Future Job Strategy employees
Employers who have signed contracts with ETCL**

1175

Clerk: Question 847, the Hon. D A Feetham.

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Hon. D A Feetham: Is the Minister for Employment now in a position to provide a list of names of employers who have signed contracts with Employment and Training Company Limited in respect of the Future Job Strategy employees?

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

1185 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** No, Mr Speaker.

Hon. D A Feetham: We had some exchanges last time round. What I would like to know is, how does the Government differentiate, as a matter of policy, between the provision of this information – in other words – the identities of these companies who have entered into contracts with what is a wholly owned Government company and the provision of all the other information that the Government gives, in terms of who has entered into contracts, with either the Government or other Government-owned companies? How do you differentiate where in the former you have explained that you are going back to all these companies, but in the latter you provide the information? How do you justify not providing the information to this House?

1195 **Hon. J J Bossano:** Well, Mr Speaker, these companies are companies that are co-operating with the Government in the introduction of training opportunities. They may wish or they may not wish their names to be public.

1200 What I told the hon. Member opposite in the last question was that the companies would be contacted and asked, and if they say they are quite happy for their names to be published, we will publish them. I have not yet got the information of those who are happy to have it published.

Hon. D A Feetham: Yes, I have seen the letter and I am not going to go into the letter, because it will be subject to a statement outside this House next week. But you still have not answered the question because...

1205 Is the answer this, then: that what you are saying is that these types of companies are in a special category of case and therefore there is no obligation on the Government to provide that information? That is the question, but surely, that cannot be right, can it, on the basis that these are, after all, companies that are having their labour subsidised? It is not that these companies are doing a favour to the Government, according to how the scheme works. They are having their labour subsidised by the Government actually paying for these trainees.

1210 So again I ask him, how does he justify it?

Hon. J J Bossano: Mr Speaker, given that the hon. Member first asked the question and gives himself the answer and now wants me to explain, 'How do I justify the answer that he has just given himself?', well, because that is not the answer that I give him.

1215 The answer that I give him is that, as far as we are concerned, we are very grateful to the 140 of over 1,000 that have come forward and accepted taking trainees on, which they normally take in addition to their workforce, not in substitution of. This is not that somebody says, 'Well look, I need 10 workers: send me 10 free workers.' This is the same as was happening before with the VTS, but fundamentally, with a requirement that the training will carry with it a job guarantee – something that the hon. Member first of all claimed was not going to happen and then claimed the guarantee was worth nothing.

1220 So given the fact that it he has been hyper-critical of the scheme, I am not very sure that the people that have been good enough to enter into partnership agreement... and I welcome that they have done that, because they are helping us to replace having to import workers, by giving opportunities to workers in Gibraltar that have been unemployed, in some cases for years. Therefore, with their agreement, I will make their names public and if they prefer that their names should not be made public, I will not make them public.

1225 The fact that the hon. Member thinks that I am subsidising their businesses, which presumably is now a new interpretation to make the scheme capable of being criticised on different grounds, presumably the next thing will be to tell me that it is against EU competition policy. So the answer is that I do not agree with the answer he has given himself and therefore I do not need to justify his own answers.

Hon. D A Feetham: Mr Speaker, I always rise in trepidation when I ask questions of him, because the hon. Gentleman is likely to go 'supernova' on me any minute. (*Interjection*)

1235 Does or does he not accept that these companies are having their labour subsidised to the extent that the Government is actually paying for these trainees and it is not the company that is paying for their training, it is the Government that is paying for their training? Does he not accept that?

1240 **Hon J J Bossano:** No, Mr Speaker, I do not accept that.

Hon. D A Feetham: So is it his position that, effectively, these companies are doing a favour to the Government by taking on these trainees?

1245 **Hon. J J Bossano:** My position is that the 140 employers out of the 1,100 that are in Gibraltar are being public spirited and public minded in accepting giving Gibraltarians the opportunity to obtain skills

which will enable them to obtain employment. I regret that the 900 that are not being as civic minded and as civic spirited are still continuing to import labour from outside and discriminating against our own people. Therefore, he should be welcoming the fact that this is happening, instead of trying to pick holes in it.

1250

**Future Job Strategy trainees
Government contracts**

1255

Clerk: Question 848, the Hon. D A Feetham.

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Hon. D A Feetham: Is the Government in a position to state how many employers who have signed contracts with Employment Training Company Limited in respect of the Future Job Strategy trainees have the benefit of a contract with the Government, any public authority or Government-owned company for the provision of goods and/or services with a value of £2,000? I should have said 'or over'. It does not say that, but that is really the intention.

1265

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

1270

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, I am informed by the Procurement Department and other Government Departments that out of 140 employers with a partnership agreement, there are only 10 employers who benefit from Government contracts which are in fact 10, instead of eight that I mentioned in my answer. So outside the construction sector there does not appear to be any of the 140. That is the information I have got. It is not...

Hon. D A Feetham: So the answer is 10 within the construction industry?

1275

Hon. J J Bossano: The last time the hon. Member asked there were eight and now there are 10 in the construction industry. According to the information that has been provided to my Department from others there do not appear to be in any other areas, just the 10 in the construction.

Hon. D A Feetham: Could he please identify these 10 employers?

1280

Hon. J J Bossano: I have not got the information with me; but I will only identify them if they are employers that say they are not in the area of having trainees. That is to say, there will be people who have no longer got the trainees and have got construction, but until they tell me 'yes' or 'no' on the letters that I have sent, I will not identify them. I do not have the names here anyway.

1285

Hon. D A Feetham: I have to say that I really do think that it is an offence to this Parliament that you should make your answers dependent and conditional on whether somebody outside this House actually consents to you providing the information or not; but you see, in relation to this particular aspect, this is one step removed from the previous.

1290

Hon. J J Bossano: I accept that.

Hon. D A Feetham: In the previous, I asked you if these are just trainees. The reason I ask –

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Mr Speaker: Hon. Member, I have noticed that sometimes you address the Chair and sometimes you address the Hon. Mr Bossano directly. Will you please address the Chair, because that is a requirement of Standing Orders, and it helps to keep the temperature down.

Hon. D A Feetham: Yes, Mr Speaker, perhaps the –

1300

Mr Speaker: The hon. Members should not address each other directly across the floor. They should do so through the Speaker.

1305

Hon. D A Feetham: Mr Speaker, absolutely. I have been speaking into my microphone because you have been telling me earlier that the microphones have not been working properly. (*Interjection*) But I will ask the question from the Chair.

The previous question that I asked was one step removed. Those were about companies that have taken on trainees. This question is companies taking on trainees that have the benefit of Government

contracts in the construction industry. What possible reasonable explanation could there be for the non-provision of that information to this Parliament? That is the question I am asking the Hon. the Minister.

1310

Hon. J J Bossano: Mr Speaker, the hon. Member must know that the fact that he or any other Member of the Opposition asks a question – the same as has been the case for the preceding 39 years – does not require the Government to provide the information that the hon. Member is seeking. That is to say that to say I will not give the answer that the hon. Member wants *is* to answer the question.

1315

I have already told the hon. Member that everybody that has trainees has been approached by me on the basis that I do not believe the fact that they take trainees on is something that imposes an obligation on the Government to publish the names of those. There might be somebody who is willing to take on trainees, but does not want his name to be known and will not take them on if I produce the name. So that is a policy decision that we have taken in the ETB, that the request for the publication of the names is something that we will only do if the person consents and has no objection to the names being published.

1320

As regards which are the 10 of the contractors on the approved list that have got contracts with the Government when the question was being asked, I accept that there is a difference in the sense that the persons concerned have got the benefit of a contract with the Government; but nevertheless, what I have told the hon. Member is that I will decide what to do in answer to this question once I hear from the 10, and by that time, they may not have a contract with the Government.

1325

The hon. Member has to understand that these are not people who have got long-term contracts to produce anything; they are people who put tenders. That is to say the fact that they have got a trainee does not automatically mean that they have got the contract; it means that they are allowed to submit bids for the work. Therefore the ten that have got it today may not have work next month, or may do. Just to put the matter in its proper context.

1330

The answer that I am giving him – whether he likes it or he does not, it is a matter for him – is that when I have heard from the 10 employers, in addition to all the others, then I will decide whether in the case of a person who has got a contract I should inform the person that I will make the information – about the fact that they have got a contract – public, independent of whether they think their names should be made public as regards their giving trainees an opportunity.

1335

Hon. D A Feetham: I have to say that if these companies did not have trainees and I asked about the contracts, it would be disclosable in this House anyway and habitually, Governments on both sides of the House and of both political persuasions, have actually provided that information. I do not understand why the hon. Gentleman does not want to provide it.

1340

But can he answer this: is the Government's policy to look more favourably upon companies when it comes to, for example, the provision of contracts, particularly actually in the construction sector that may employ Future Job Strategy trainees, than those who do not?

1345

Hon. J J Bossano: No, the policy is that we look more favourably to those who employ resident workers, irrespective of whether they take on trainees or not. But of course we ask the people in the construction industry to take on trainees otherwise we would not be able to improve on the dismal record of having produced, for example, this year, two painters and one bricklayer as a total of output of training of construction workers. That has got to be dramatically increased and it can only be dramatically increased with the cooperation of the employers, who have got no obligation to take on trainees.

1350

**Future Job Strategy
Number of trainees employed permanently**

1355

Clerk: Question 849, the Hon. D A Feetham.

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Hon. D A Feetham: Can the Minister for Employment state how many Future Job Strategy trainees have been employed permanently since the 1st February 2012, broken down by month and indicating whether these have been employed in the private or public sector, including the Civil Service, any Government Department or Authority and the GDC.

1365

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, there are 37 former GRAD employed in the private sector and zero in the public sector.

The breakdown by month is: February, three; March, two; April, seven; May, four; June, six; July, five; August, five; and September, five.

1370 **Hon. D A Feetham:** Thirty-seven out of a figure of 450 odd that started on the scheme is obviously a low figure. I am not criticising the scheme by saying that. It is, I think, a fact. Is that because the 11 months' training period has not actually expired and that the Minister would expect, after 11 months, that that number from 37 would shoot up considerably?

1375 **Hon. J J Bossano:** Well, yes, of course, that is indeed the case because there are many more people that are covered by partnership agreements than the 37. The 37 are the result of the fact that this started in February, and in February three were taken on, which in fact was the employer taking on people when they had no obligation to do so and really the take-up would only have started after the first month.

1380 Even in March, which was when the first agreements were signed, two were taken on. In fact the reality of it is that initially, when we had less people coming in, we were giving 11-month agreements and now we are trying to get employers to commit to an earlier period in areas where the training does not have to really last 11 months simply because we want to be able to put more people through the system.

1385 **Hon. D A Feetham:** What about the trainees in the public service, because the majority of the trainees were in fact placed in the public service, as I recall from answers that the Hon. the Minister gave me earlier on this year?

1390 How do you think that those trainees are going to fair? Is it envisaged that a number of them are going to be employed within the public service – at the moment it is zero – for example, via the newly introduced AA grade or is the intention of the Minister to try and eventually move them on to the private sector via partnership agreements with the private sector?

Hon. J J Bossano: No, there is no public sector partnership agreement, that is to say –

1395 **Hon. D A Feetham:** No, private sector partnership agreements, in other words –

Hon. J J Bossano: No, the trainees that are at the moment within the public sector do not have a partnership agreement and do not have a job –

1400 **Hon. D A Feetham:** I understand that.

1405 **Hon. J J Bossano:** – and they will not be put in partnership agreement with the private sector because in fact they have already been given training. They will be offered to employers who open vacancies on the basis that the experience that they have gained in the employment departments where they were placed will in fact no longer debar them, as it was the case before that people were saying, 'Well, look, I want somebody to be a receptionist, but they have never worked on a reception before.' Well, now they have worked in a reception before and now the employer can no longer say, 'I do not want them because they have got no experience.' That is the methodology that will mean that the employees will be *available* for vacancies that come to the Department, where we have now got a proactive system where employers are actually called up individually when a vacancy comes in. We make sure that the vacancy is a real one and that they have not got somebody in the pipeline already and therefore we do not want them to waste our time or to have people being discouraged by going to place after place after place and getting nowhere.

1410 Where the employer says, 'Yes, I really want somebody,' then we send him some of the people that we have got and some of the people who are unemployed that we have not trained, and that is how they come off the list. They are also, of course, on their own initiative, able to apply for anything that comes up advertised like everybody else in Gibraltar.

1420 **Hon. D A Feetham:** Yes, he has dealt with the situation of a trainee who is based in the public service, who has been trained in the public service, and then if a vacancy arises in the private sector, you are effectively moving that person into the private sector, having, according to you, trained them in the public sector – but, of course, there are a substantial number of people within the public sector.

1425 Is the intention of the Government to effectively have a situation where all those within the public sector will be eventually moved to the private sector; or does he envisage that some of the ones that are in the public sector will actually be employed within the public sector?

1430 Let me tell you why I ask the question; because obviously it is a matter of interest; but there are some trainees who are in the public sector who are suggesting that when they were placed in the public sector, they were told, 'If you are good enough for the job that you are being placed in within the public sector, you will then be eventually taken on within the public sector.' I just want some clarity in relation to this issue, so of course the trainees out there that may be listening to this debate or maybe reading the press know what their position is very clearly.

1435 **Hon. J J Bossano:** Well, I think the position is crystal clear. Whoever told them that had no authority to do so and they are employees of a company called ETCL. It is their employer who tells them what the terms are under which they are being employed – *except*, of course, where people are being trained for specific jobs like the carers in the Care Agency. There, we are training them to be carers and, therefore,
1440 you cannot say to them, ‘And now, you go and be a receptionist’, or the people who are in fact in the School of Nursing, where again we are training them to be nurses, and we are the only employer of nurses in Gibraltar. But where they are being given generic administrative skills, the answer is there is no guarantee of employment and they should not expect a guarantee of employment, because it is not there. What they have got is in fact a better opportunity of obtaining a job, when they apply for a job, because they are able to put in their CV the time that they spent in different Government Departments. They spend a few months in the Treasury...

This was going on, on a limited scale, under the VTS scheme for people who are doing a course on business studies. Effectively, what we have got now is a much bigger pool of people doing it.

1445

**Future Job Strategy
New placements since 1st March 2012**

1450 **Clerk:** Question 850, the Hon. D A Feetham.

1455 **Hon. D A Feetham:** Divided by month, can the Minister for Employment state how many people have been allowed onto the Future Job Strategy scheme for the first time since the 1st March 2012 and (a) placed with a private company with a signed contract between the employer and ETCL; (b) placed with a private company without a signed contract between the employer and ETCL; and (c) placed in the public sector?

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

1460 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** Mr Speaker, the breakdown of the persons employed by month is as follows:

(a), that is placed in the private sector with a contract, March, 19; April, 20; May, 35; June, 31; July, 19, August, 19; September, 9; and October, 12.

1465 In the private sector without a partnership agreement yet being signed: March, 4; April, 3; May, 9; June, 4; July, 5; August, 4.

In the public sector the placements are: March, 17; April, 19; May, 21; June, 11; July, 15; August, 4; September, 8; and October, 14.

1470 **Hon. D A Feetham:** Will you please give me the totals for (a), (b) and (c)?

Hon. J J Bossano: It is not on the paper, I am afraid, down here. I will have to calculate it by adding them up.

1475 **Hon. D A Feetham:** Mr Speaker, I do not have a schedule containing the answer, so I cannot –

Hon. J J Bossano: If somebody brings me a calculator, I will do it for him.

Mr Speaker: It is 302.

1480 **Hon. D A Feetham:** Yes, 302 in total; I asked for the total in (a), the total in (b), and the total in (c).

Mr Speaker: They are 164, 29 and 109.

1485 **Hon. D A Feetham:** I am very grateful, Mr Speaker.

Hon. J J Bossano: Thank you, Mr Speaker.

1490 **Hon. D A Feetham:** In relation to in fact any of these, I presume that some of these were in fact trainees that were already on the VTS scheme as at the 1st February 2012 or am I wrong? Are they new intakes on the scheme?

1495 **Hon. J J Bossano:** No, they are people who were not in the scheme already in January, but there were people who were already on the waiting list in January. That is in January, when the new scheme was started, there were people who had been in the old scheme for a number of months and were now coming to their termination date, then they were transferred to the new one and effectively given... We ignored the period they had spent previously and they were given a second opportunity in February.

1500 Then, in March, we started taking the people who had been on the Bleak House waiting list, who were not included as part of the unemployed and were due to enter the old VTS. Those, of which there was something like 90, I believe, from memory, are included in this list.

1505 **Hon. D A Feetham:** Could the hon. Gentleman explain why there are 29 placements with companies and there is no contract between ETCL and that company, bearing in mind that the Government's policy is to require a repayment of the training of... effectively, the training subsidy, if that individual is not taken on at the end of the training?

1510 **Hon. J J Bossano:** The answer is quite simple, that the people in the system that should have made sure that the partnership agreements were signed overlooked these cases and that is now being put right. There is no reason why they should not and if they do not, they will have the trainees removed.

Future Job Strategy scheme Waiting list

1515 **Clerk:** Question 851, the Hon. D A Feetham.

1520 **Hon. D A Feetham:** Can the Minister for Employment state whether his Department keeps a list of people waiting to go on to the Future Job Strategy scheme and if so, what is the number of people waiting to do so?

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

1525 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** Mr Speaker, there is no separate list.

1530 **Hon. D A Feetham:** Mr Speaker, how does the Hon. the Minister and his Department actually decide who goes onto the Scheme in any particular month, and who does not? There must be a system for actually determining who are the meritorious cases or... either it must be done by some merit based on the amount of time that person may be on an unemployment list or some other method.

I am just asking, how does he determine it?

1535 **Hon. J J Bossano:** Well, I do not determine it, obviously Mr Speaker. This is something that... I am not sitting there, sifting who gets on the list – and who does not get on any list. **(A Member: [inaudible])** I employ people to do that.

I take it that the laughter is that the hon. Member does not believe me, but then I never believed anything he ever said, when he was in Government, so I will not recriminate him for it.

1540 Mr Speaker, the methodology is quite simple, it is demand led. I have explained that to him before, that is to say, when somebody comes into the system requiring labour, we approach him on the basis of meeting his future labour requirements. We are going to be doing this in different areas. Predominantly, it is still the construction industry, because this is where the greatest opportunity exists, but we want to do it in retailing and in other areas.

1545 We therefore talk to the employers. That is, we the Department, the employment officers in the Department, talk to the employers about the possibility of taking on trainees and send them suitable candidates – that is, candidates that the Department... When somebody comes and registers as unemployed, the procedure that has always been followed is that they give an indication of the area of work in which they consider that they would like to work, and we also take into account the area of work in which they have worked previously, so a combination of three factors operate: the previous history of employment of the person; the area of interest of employment of the person; and the selection by the employer. Sometimes we will get approached by employers who may know of unemployed people that
1550 they would be willing to take on as trainees, to the extent that it is possible, we try and encourage employers to give an opportunity to people that have been either unemployed for a long time or that have come out of having had convictions or that have got... So we try, but we cannot in fact force employers to do [inaudible] but we do try to persuade them to take those on, wherever it is possible, as trainees.

1555 **Hon. D A Feetham:** Yes, I wish the hon. Gentleman all the luck in the world in relation to the placement of these individuals within the construction industry, and I hope that the construction industry will be buoyant in the future, because I am told that at the moment, it is rather flat.

1560 But there must be some form of – perhaps not, but there must be some form of list that the ETB must keep that effectively lists individuals with... for example, in relation to the construction industry, the majority of people that you would place in the construction industry are probably people who are interested in training in construction skills. They may have no skills, a lot of them may have no qualifications in terms of O-Levels. There is a profile to those kinds of individuals.

1565 But does that list exist, so that the people within a particular profile, one chooses them off a list in accordance with how much time, for example, they are spending or is this effectively done rather less systematically than that, by some official who may say, ‘Well, look, I remember that there is this individual here that we have got and we interviewed last week’? What is the system that is in place?

1570 **Hon. J J Bossano:** The case of the construction industry, which is the one on which, as I have mentioned in the past, we are putting greater emphasis on and when we make progress there, we hope to move to other areas, there is a dedicated officer, who was previously in the construction industry training centre, who keeps the list of everybody that has either worked or is interested in working in the construction industry. He sends a number of people from that list and the employer then picks the person that they want. So we may send 10 and they take one, as a trainee. That is the way it is done.

1575

**Gibraltar Development Corporation
Board meetings since 1st January**

1580 **Clerk:** Question 853, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Employment please state how many times the board of the GDC has met since the 1st January 2012, with the dates of those meetings?

1585 **Clerk:** Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Yes, Mr Speaker, the board of the GDC has met on six occasions since the 1st January, on the following dates: 21st May, 16th July, 31st August, 17th September, 28th September... I will read that again. I had not switched it on!

1590 The board of the GDC has met on six occasions since 1st January 2012, on the following dates: 21st May, 16th July, 31st August, 17th September, 28th September, 9th October.

Hon. D A Feetham: Did you just say 19th October?

1595 **Hon. J J Bossano:** *Ninth.*

Hon. D A Feetham: I notice on the *Gazette* that the composition of the board has recently been changed and that now the position is that there are four or five Government Ministers on the board. What I did not notice from the actual *Gazette* is, who is the secretary of the board, which is a statutory requirement. Is the hon. Gentleman able to help me with that?

1600

Hon. J J Bossano: Yes, the secretary is the Acting Head of the Employment Service.

Hon. D A Feetham: Which is who?

1605

Hon. J J Bossano: Well, it is the senior civil servant in the Department, Denise Chipolina.

1610

**Guaranteed Superannuation Fund
Number of employees opting in**

Clerk: Question 854, the Hon. D A Feetham.

1615 **Hon. D A Feetham:** Has the Government now set up the Guaranteed Superannuation Fund and how many (a) public service employees and (b) private sector employees have opted to take advantage of it?

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

1620 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** Mr Speaker, the Guaranteed Superannuation Fund has been in place since 1st January 2012. Up to 30th September, 464 public service employees and seven private sector employees have joined it.

1625 **Clerk:** That completes answers to Oral Questions.

Questions for Written Answer

1630 **W178/2012 withdrawn**

Clerk: Answers to Written Questions, the Hon. the Chief Minister.

1635 **Hon. D A Feetham:** Mr Speaker, before the hon. Gentleman rises to give the answers to Written Questions, may I withdraw Written Question 178.

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, I am grateful.

1640 **Answers to Written Questions tabled**

1645 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to table the answers to Written Questions numbered W143/2012 to W179/2012 inclusive, except for W178/2012 which I have removed from the bundle after the withdrawal of it.

1650 **Adjournment**

Clerk: The Hon. the Chief Minister.

1655 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that the House do now adjourn *sine die*, and congratulate you on your first sitting of this Parliament as Speaker.

Mr Speaker: I now propose the question, which is that this House do now adjourn *sine die*. I now put the question, which is that this House do now adjourn *sine die*. Those in favour. (**Members:** Aye.) Those against. Passed.

1660 This House will now adjourn *sine die*.

The House adjourned at 11.35 a.m.