



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 6.57 p.m.

Gibraltar, Friday, 22nd June 2012

The Gibraltar Parliament

The Parliament met at 3.00 p.m.

[MR SPEAKER: Hon. H K Budhrani QC *in the Chair*]

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

PRAYER
Mr Speaker

Questions for Oral Answer

HEALTH AND ENVIRONMENT

Gibraltar Health Authority Mandatory registration of doctors

Clerk: Sitting of Parliament, Friday, 22nd June. Answers to Oral Questions continue.
Question 510/2012, the Hon. Mrs I M Ellul-Hammond.

5 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health tell us how the new mandatory GMC registration of all doctors in the GHA will work?

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

10 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, Government is giving urgent attention to a review of the medical regulatory framework for Gibraltar, as the current legislation is largely unworkable.

As stated in my reply to Question 276/2012, contact is being established with the GMC. In order to make such discussions fruitful, we have now begun a process of reviewing the legislation and making it more practicable, a necessary step in being able to move this commitment forward.

15 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Minister suggested in March, in answer to Question 276, that in a couple of months' time 'if you ask me again, I will have some indication as to information', so could the Minister supply us with a little bit more information as to timescale and the detail in the document?

20 **Hon. Dr. J E Cortes:** Mr Speaker, the problem has been that, as we have tried to move this forward, we have come across quite a large number of – how shall I put it? – quite a large number of provisions in the Medical and Health Act which are difficult to implement. They are a result of, possibly, implementation of EU regulations without them having been dovetailed to existing local legislation and there are a large number of issues which need to be altered. We will have to make considerable amendments to the Act before we can move forward in how we regulate doctors.

25 I have about two pages to justify what I have just said – I am not going to, on a Friday afternoon, read them all unless I am asked to do so, but it does require the actual Act being amended and that is what is holding us back. We are having legal draftsmen looking at it and we will be doing this in parallel with talking with the GMC. There is not much point in talking with the GMC when the local legislation is, actually, so confused.

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35 **Gibraltar Health Authority
Consultants' contracts**

Clerk: Question 511, the Hon. Mrs I M Ellul-Hammond.

40 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health tell us if he is now in a position to sign a GHA Contract with the consultants and what features will the contract include?

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

45 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the Government is in the process of finalising a new offer to the consultants.

Contact on this has already been initiated with the consultants in advance of formal negotiations. As negotiations have not been completed, it would not be appropriate to disclose any specific features.

50 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, when will the consultants be presented with the draft contract to consider and then to negotiate with yourself?

In answer to Question 274 in March you stated that 'the draft contract is now ready and we hope to be starting negotiation within a number of weeks only.'

55 **Hon. Dr. J E Cortes:** Yes, indeed.

We have had the first contacts with the consultants on an informal basis so we can identify the main issues that we think both sides have to tackle, which is helping us tweak the contract a little bit further, with their full knowledge. This tweaking should not take long but I am not going to commit myself exactly to how long or short that is going to be.

60 So the process has started, but we have not actually presented a formal contract because we are trying to pre-empt possible difficulties so that our formal negotiations will be able to proceed much more smoothly and I can say that we are making progress.

65 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister confirm that, as from the end of July, all hospital doctors are to enter Provident Fund 2 and the 25% gratuity for contract workers will be replaced by a 10% employees' contribution and 10% employer's contribution into this Government Pension Fund, with a net effect of a reduction of between 15 and 20% salary for the contracted consultant?

Hon. Dr. J E Cortes: Mr Speaker, this is part of the tweaking that I have been referring to.

70 **Hon. D A Feetham:** Can you give more information about the tweaking?

In what direction is the tweaking going to be? Is the tweaking going to be in the direction of retaining the 25% of gratuity or is the Government, as a matter of policy, committed to the transfer of consultants from the 25% gratuity to the Provident Fund No. 2 Pension Scheme?

75 **Hon. Dr. J E Cortes:** If it is a matter that is actually in discussion, I do not think it is appropriate to publicly announce the way these discussions may or may not go, so I am afraid that I am not able to give that information.

In any case, I do not think – well, it could be a legitimate supplementary but, as I say, and as I answered in the main answer, it would not be appropriate to disclose any specific features.

80 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, is the implementation date for the end of July?

Hon. Dr. J E Cortes: As I say, we are holding informal negotiations in advance of formal negotiations and, therefore, we do not have an agreed implementation date.

85 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, are you considering how the hospital doctors who are still on contract, how they will recover the loss of pensions for the years they have already worked?

90 **Hon. Dr. J E Cortes:** Mr Speaker, I repeat – these are matters which may or may not be under discussion and I am not going to reveal this because it could compromise the outcome of these discussions. I do not think I can be expected to give that information at this point in time.

95 **Hon. D A Feetham:** Can I ask the hon. Gentleman if there any consultants who refuse to sign a contract which they consider to be a variation of their existing arrangements, in particular in relation to pensions? Because the Minister will appreciate that actually moving from a situation of a 25% gratuity to the Provident Fund No. 2, with contribution by the employee of 10% and the employer of 10%, does have a material effect on what that consultant is actually going to be getting at the end of the day.

Now, can he confirm to this House today that if there is a consultant who does not want to shift to new arrangements that he is not going to be forced to do so?

100 **Hon. Dr. J E Cortes:** Mr Speaker, I have learned a number of things in the last few sittings in Parliament, the first in my life, and one of the things I have learned is that I do not need to answer hypothetical questions, and that is very clearly a hypothetical question!

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**Gibraltar Health Authority
New Hospital appointments**

110 **Clerk:** Question 513, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health advise when the third Consultant General Surgeon, and Associate Specialist Orthopaedic Surgeon, two A & E non Consultant

Hospital Doctors or NCHDs and two General Medical NCHDs Consultants are expected to be in post?

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

Minister for Health and the Environment (Hon. Dr. J E Cortes): Yes, Mr Speaker, successful candidates are expected to commence in the following posts as follows:

120 Third Consultant General Surgeon – Monday, 3rd September, 2012
Associate Specialist in Orthopaedics and Trauma – same date, 3rd September 2012, subject to a written acceptance of the offer of appointment – there has been a verbal acceptance, we are awaiting, and at the time this was drafted it was imminent.

Non-Consultant Hospital Doctors in Accident & Emergency – both commenced employment on Wednesday, 6th June 2012

125 Non-Consultant Hospital Doctors in General Medicine – Monday 6th August this year and Monday 13th August respectively.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is the third General Surgeon Consultant who is starting employment on 3rd September the one who was selected as the first choice after the interview process?

130 **Hon. Dr. J E Cortes:** Mr Speaker, I do not get involved in the selection process. I do not have that information, I would need notice. I honestly have no idea; I do not get involved, as Minister, in the selection of clinicians. (*Interjection*)

135 Yes, indeed Mr Speaker, as has been pointed out – and I am grateful – presenting information as to what choice you were on a selection panel might be something that is not correct to present, in any case, but I am glad to say that, regardless of that, I just do not know the answer.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, I was just under the impression, as a Chairman of the GHA Board, he would have been given that information: in fact, it outlines in the Board's documents, of the last GHA Board, that the Consultant General Surgeon, Mr Ezzat Tadros would have been commencing employment on 9th July and I wondered if the Minister could verify that I have heard that a third Consultant General Surgeon who had originally accepted the job has now declined because of the conflict in the contract details, and seeing that the Minister has presented us with a new date which is different to the one in the Board papers – my query is – is it still Mr Ezzat Tadros or is it a new Consultant from the interview process?

140 **Hon. Dr. J E Cortes:** I believe it is Mr Tadros but I would need to confirm that. But that is the name that certainly rings a bell.

150 I do not know where the hon. Lady has got her information, nor do I need to know, but certainly the name rings a bell but I would have to confirm that – I believe it is Mr Tadros. It could be that Mr Tadros, or whoever said they were coming in July for personal or other reasons may have postponed until September, which is a perfectly legitimate and normal thing to happen when somebody is moving home to take on a new job. I do not think that we need to get any implication necessarily out of the change of date.

Hon. D A Feetham: Well, you see, the information that the Opposition has, and remember that, perhaps, the same people that used to come to them when they were on this side of the House, now come to us, at College Lane.

160 May I ask the Hon. Minister this – the information that we have is that this particular surgeon was offered terms which included the 25% gratuity and he accepted the job, and in fact he had made arrangements to come to Gibraltar on those terms and, all of a sudden, the Government then decided, well no, now we are going to be moving and shifting to a situation where you have a Provident Fund No. 2, with a 10% and a 10% by the Government and that in those circumstances, this particular chap said 'Well, no. Look, you are unilaterally varying the offer that was made.' Does the Hon. Minister know anything about that at all?

165 **Hon. Dr. J E Cortes:** Mr Speaker, nobody could have ever have come to me while in the Opposition, as I have never had the distinction of being in Opposition.

It would seem to me that if that was the case and it is the same Mr Tadros, then obviously he is happy to accept, so I do not have anything further to add to that.

170 Certainly, one has to bear in mind that I suspect – in fact, I *know* – that the vacancy was advertised some time last year, before there were any changes in pension. I do not know whether that has had any effect but, again, I have not been asked about individual conditions of employment of specific people – I have been asked when are these people starting.

175 If the Opposition wants to know specific details, if I am asked the question I can provide them, but I do not want to delve into my memory because then I can be accused of misinforming the Parliament and the Opposition is trying to get me to go into memory over things that I have not prepared, so I have to qualify all these points that I have, in good will, wanting to respond. But if there are specific details that are wanted of this third Consultant General Surgeon, other than to celebrate and congratulate us all in the fact that he is going to be starting, if I have notice then I will provide the information. I am not going to speculate any more.

180 **Hon. D A Feetham:** Yes, but it is not a question of celebrating. We celebrate the fact that, yes, we have a Consultant Surgeon. It is the fact that what we have, and I do not think it is this particular surgeon, it is the person that actually accepted the job prior to this particular gentleman...

185 Now, of course, he is responsible as the Minister for Health, for general policy within the Health Service. Can I ask the hon. Gentleman to perhaps make enquiries about this? Because if you have a situation whereby a surgeon has been offered a job on particular terms and, all of a sudden, when the guy has already made the arrangements – and this is coming from very good sources to the Opposition – then there is a change – well, it does not appear to be proper management, and the question I am asking – will the Hon. the Minister for Health at the very least make enquiries about that? If that is the position, at least make sure that it does not happen in the future, and that people's terms are not varied in the future?

190 **Hon. Dr. J E Cortes:** Again, Mr Speaker, we are assuming that this surgeon is not the same surgeon as before without me having had notice to check whether it is or it is not, even though, as Chairman of the Health Authority, I do not think it is correct that the Chairman of the Health Authority should decide what surgeon is or is not selected when it is a clinical appointment and therefore, we are speculating.

195 Ask me a specific question and I will give a specific answer. I cannot answer that question.

Hon. D A Feetham: I have asked you a specific question, and with respect this is not about clinical decisions. (Interjection) It is about a decision that has been taken by the organisation that you head, as a Minister.

200 Now, the information that *we* have – and I appreciate the hon. Gentleman has said, 'Look, I do not have the information in front of me' – the information that we have is that the job was offered on specific terms, it was accepted on specific terms, it was varied after this gentleman had actually made arrangements to come to Gibraltar, and then he said, 'Look, I am not interested in coming.'

205 All I am asking is – I do not want to be controversial – will the Minister, at the very least, just check that, to see whether that is the case, so that in future, we do not have situations where people's terms are varied *after* they have been offered and accepted a particular job? That is all. I am asking whether he will *look* at it.

210 **Hon. G H Licudi:** Mr Speaker, the hon. Member has said that he has not got the specific information and he would need notice. But the hon. Member opposite is presumably talking about contractual arrangements. The issue would be determined by whether a contract has been signed or not. If the contract has not been signed, and then someone does not wish to come and accept a contract on the terms that it is offered – and without wanting to go into speculation, and I am not talking about this particular case – but the hon. Member says this must not happen in the future. Well, what is going to happen in the future and what is always going to happen is that, at some stage, a specific contract with specific terms is going to be offered for signature, and upon that contract being signed, then there is a contract of employment. That will be the basis upon which the employment takes place.

215 I do not know what has happened in this particular case, but there is nothing to change. That is the procedure and that is what is going to continue in the future.

220 **Hon. D A Feetham:** With respect to the hon. Gentleman, that is *precisely* what should have happened now! This gentleman, the information that we have is... (Interjections) Of course! If you make an offer to somebody and somebody accepts it, well, that is the end of the matter. You do not vary it afterwards.

Now, all I am asking is will the Hon. Minister make enquiries to check, so that this does not actually

225 happen in the future? You may say that, in the future, people will just be offered a contract: well, look, they may be offered a contract, as this man has been offered a contract, but the terms have been varied after he has accepted it.

I am asking him, will he please look into it?

Mr Speaker: Order, order.

230 I will allow the Hon. Minister to answer that. Can I just assist him in narrowing the discussion?

I think the question boils down to, from the Hon. Daniel Feetham, would the Minister look into the matter? At that point, I think the question stops there.

235 The rest of the... what is the opposite of preamble? The suffix to the question – ‘so that this does not happen in the future’ – all that is subject to facts being established, which the Minister says he has not established. I think that is what the Hon. Gilbert Licudi was saying.

Hon. G H Licudi: Yes, that is precisely the point. But we can go further, Mr Speaker.

240 One thing is establishing the facts and if the hon. Member had asked a factual question, then the hon. Member on this side of the House will check the facts and will establish the facts; but then the hon. Member goes further than that and says ‘so that it does not happen again’ – suggesting that what has happened is improper.

245 We do not accept for one moment that what has happened is improper, and we are certainly not going to go into legal arguments as to whether offer, acceptance, at what point, contractual and all that. The hon. Member says, ‘This should not happen’, but we do not accept that anything inappropriate has happened, so if the issue is only establishing facts, then we are happy to do that.

Mr Speaker: I think that helps everyone.

250 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, does the Minister meet with his executive regularly – on a weekly basis, for instance – on update of matters?

Hon. Dr. J E Cortes: Mr Speaker, that is *no way* a supplementary to this Question!

255 However, I will tell the hon. Member that I have regular meetings with members of the executive on an ongoing basis, in which they update me on matters that I need to be updated on. I am not the kind of Minister or Chairman that interferes in the minutiae unless, of course, I have to get involved, out of interest or sense of duty but, of course, I have regular contact with the executive.

But I do not need to answer that, but I thought I would offer the information. Of course I meet with them!

260 **Mr Speaker:** I agree that supplementary was not in accordance with the rules – a question which arises from an answer given – but the hon. Lady having asked it, the Minister could have declined to answer, but having answered it, well...

Hon. Mrs I M Ellul-Hammond: Mr Speaker, I am very grateful for that and very grateful to the Minister for that.

265 I just wanted to establish that the relationship is there, obviously, and if he was aware that, among GHA management, they feel there has been embarrassment caused in their dealings with the Consultants and with the offers made to certain hospital doctors and the contract conditions having changed from a 25% gratuity on termination into the Provident Fund 2 – and the sense that contracts have been changed unilaterally, without consultation. Is he aware that the GHA management is concerned and has felt embarrassed in having to deal with a change in contract and terms, when jobs have been offered to certain hospital doctors?

270 **Hon. Dr. J E Cortes:** Who says that?

Hon. Mrs I M Ellul-Hammond: GHA management and the Medical Directorate.

275 **Several Members:** *Who?*

Hon. Dr. J E Cortes: Mr Speaker, is the hon. Lady asking me whether the Medical Director is

concerned? (*Interjections*)

280 **Mr Speaker:** Order! Order!
The Hon. Minister is answering and I am trying to hear.

285 **Hon. Dr. J E Cortes:** I met with the Medical Director this morning at 9 o'clock, and he certainly did not express any such concern to me – and I do not have to answer that question.

Hon. D A Feetham: Well, I have had concerns expressed to me by a renowned Consultant in the hospital. I know that the hon. Gentlemen are going to be bringing whistle-blowers' legislation to this House, so I do not have to reveal the source, but he is a renowned consultant within the hospital, and he has told me that he feels very concerned that his contract... that the GHA is attempting to change his contract unilaterally.
290 Does he know about any concerns from Consultants in that regard?

Hon. G H Licudi: The hon. Member will reply to the question, but on the point on whistle-blowers' legislation which the hon. Member has said, that is indeed the case, but the hon. Member need have no concern in relation to that because, unlike the previous administration, where there *was* retaliation against employees where concerns were raised, we do not take that stance. We actually welcome employees coming to us and raising concerns about matters which affect the workplace.
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So quite apart from the protection, which the whistle-blowers' legislation will provide to employees who disclose, in the public interest, certain matters, we actually welcome employees coming forward with matters of public interest and which concern the Government.
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Hon. D A Feetham: I am glad that the hon. Gentleman feels that way, but I have to say that, given the way that a number of individuals have been treated and heads have been chopped off, (*Interjection and laughter*) I have to say that often it reminds me of the words of *Alice in Wonderland*, 'They are awfully fond of beheading people around here. There is little wonder there is anyone left alive.'
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Hon. Dr. J E Cortes: Mr Speaker, yesterday the hon. Member was accusing us of not chopping off enough heads! (*Laughter*)

310 Answering the point about 'renowned consultants', there are many Consultants renowned in other ways, because I have regular contact with them, in fact on a regular basis in my office, and some of them actually remarked that, after years of work, it was the first time they had ever been into the Minister's office, I must say.

I am aware of concerns, which is precisely why we are having informal discussions, prior to placing a *fait accompli* contract in front of them, so we can address any concerns that there may have been.

315 Mr Speaker, I can actually say that, for the first time in many, many years, I am certainly making a concerted attempt to have the Health Authority properly run.

A Member: Hear, hear.

320

**Accident and Emergency self-referrals
Average waiting time**

325 **Clerk:** Question 515, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain the A & E procedure for patients when they self-admit for accidents or emergencies and what the average waiting time to be seen is?

330 **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 process is:

(1) attended by receptionist between 8.00 a.m. to 8.00 p.m., Monday to Friday; out of hours and weekends, this is covered by nursing staff;

335 (2) personal details obtained and, if there are no injuries, noted;

(3) seen by the triage nurse, who asks what is wrong, does the observations; then there is a triage which gives a number or category.

Bloods may be done by the senior nursing team if placed in the triage, and then referred to doctor with the triage category.

340 Then depending on the category, we adhere as much as possible to the NHS Standard Waiting Times which are:

Code Red (category 1) to be seen immediately – no waiting;

Code Orange (category 2) to be seen within 10 minutes;

345 Code Yellow (category 3) to be seen within 60 minutes;

Code Blue (category 4) to be seen within 120 minutes;

Code Green (category 5) to be seen within 240 minutes.

Obviously that is the upper limit. The attempt is to see them earlier than that.

I am still not satisfied that the system I inherited is working well enough and, together with the A & E Committee, I am looking at ways of further reducing waiting times. Factors which have been identified to me and which have been tackled include:

350 *λ* bed occupancy problems – nowhere to put the patient – which have been addressed with Calpe Ward and other initiatives;

λ A & E doctors staffing numbers which have been increased by one. There are now 7 for the first time.

355 *λ* design changes in the A & E which have been suggested and are now progressing; and

λ the Medical NCHD levels which have been increased.

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

Mr Speaker, is a receptionist in the waiting room at *all* times, in order to reassure patients and manage them?

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Hon. Dr. J E Cortes: I am sorry, I did not hear....

Hon. Mrs I M Ellul-Hammond: The receptionist – is she or he in the waiting room at all times?

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Hon. Dr. J E Cortes: Mr Speaker, there is a receptionist who is employed from 8.00 a.m. to 8.00 p.m., Monday to Friday. That is a situation that has been inherited and we are looking at whether we need... or how we are going to improve that situation. Whether they are at reception all the time or occasionally take comfort breaks or otherwise... I am not there.

370

It seems to me that I am almost expected to be baby-sitting every employee in the Health Authority. With 1,000 employees, I probably have to be in this Parliament for longer than the Hon. Mr Bossano to be able to achieve that. *(Laughter and applause)*

375

Primary Care Centre repeat prescription service Procedure

Clerk: Question 516, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health tell us how the GHA's new repeat prescription service at the Primary Care Centre, which does not require taking up an appointment with a GP, will work?

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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, we are currently considering the different models of repeat prescription and the requirements of such a service. A working

390 group, comprised of General Practitioners, staff from the Prescription Pricing Advisory Unit and members of the primary care management team is carrying out the study, in keeping with our manifesto commitment of involving clinicians in developing policy and procedures.

I have already expanded the prescribing role of Nurse Practitioners, which will be implemented very soon. This was, Mr Speaker, gazetted last week, so Nurse Practitioners will now be able to sign prescriptions, which is the first step in moving this forward.

395 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, is the Minister suggesting that perhaps a Nurse Practitioner will be assigned to just dealing with repeat prescriptions?

400 **Hon. Dr. J E Cortes:** Once again, we have a working group which involves clinicians who are coming up with their recommendations. Nurse Practitioners will now be able to form part of the solution, but they will not necessarily be the only solution, and I cannot commit myself to what exactly the outcome of this will be.

I am not going to impose a programme on anybody, without first giving this working group, which has broad representation, the opportunity to come up with what they think will work best in the environment in which they work.

405 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, does the Minister have an idea when the working group will be coming up with a proposal?

Hon. Dr. J E Cortes: No, sir.

410 **Hon. Mrs I M Ellul-Hammond:** And, finally, Mr Speaker, does the Minister know if they will be considering extending the repeat prescription system that exists for children with chronic conditions who attend specialist clinics at St Bernard's Hospital?

415 **Hon. Dr. J E Cortes:** Mr Speaker, that again is a complex supplementary, because there are all sorts of matters there. I have not got a view or information on that, I am awaiting that this working group responds on all matters.

If there is a particular concern regarding children, then I will make sure that the working group places that on their agenda.

420

**GHA Finance & Procurement Directorate
New HEO in post**

425 **Clerk:** Question 517, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health advise when the new HEO for the Finance & Procurement Directorate of the GHA will be in post?

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

435 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the closing date for applications for various vacancies at the HEO grade, including the HEO for the Finance & Procurement Directorate of the GHA, was Friday, 15th June. An interview board will be convened in due course.

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**GHA Procurement and Stores
Concerns, risks and implications**

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Clerk: Question 518, the Hon. Mrs I M Ellul-Hammond.

445 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, as part of the GHA's Director for Finance & Procurement's report for the GHA Board on 31st May, under 'Procurement and Stores Restructure', he states, and I quote:

'Stock control, security and the frontline management in stores continue to be very serious concerns and a risk (that if not addressed permanently) could have serious financial and patient care implications.'

450 Can the Minister for Health tell us what the risk, financial and patient care implications are and how he will be addressing them?

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

455 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the GHA stores have long suffered from inadequate resourcing and failure to address longstanding problems. This includes both Human Resources and Information Technology.

460 In the 21st century, the lack of a computerised stock system could result in supply failure with consequent results impacting negatively on patient care. Staff need to be supported by up-to-date systems and with this view, the GHA has completed a full review of the stores function and is now proceeding with its implementation.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister give us details of the review, please?

465 **Hon. Dr. J E Cortes:** First of all, Mr Speaker, I will say that the deficiencies were identified during the term of the previous administration. I do not have all the details here, but it will include re-grading of some of the staff involved in the running of stores, and introducing a number of systems which will allow stock control and cross-checking to be improved.

470 Once we have been able to solve the Human Resource aspects, then, as part of the general thrust to include Information Technology, we will be moving towards Information Technology as a way of stock control.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister confirm if he will be employing more individuals for that Department?

475 **Hon. Dr. J E Cortes:** Mr Speaker, as I recall, the Department is wider than just the stores and it is also the administration that goes into it. We are going to be re-designating the responsibilities and gradings within the stores themselves and providing more support.

480 So indirectly... although perhaps not actually on the ground, as there should be more human resources that will be dealing with stores, but that might not necessarily mean that there are going to be more people actually in the stores putting or taking things off the shelves, because the resource limits also have to do with how that is administered.

485 **Occupational Therapy
Outstanding repairs/refurbishment in properties**

Clerk: Question 519, the Hon. J J Netto.

490 **Hon. J J Netto:** Mr Speaker, can the Minister for Health state how many outstanding reports there are, originating from the Occupational Therapy Department, for repairs/refurbishment to be undertaken in: (a) Government flats; (b) co-ownership flats; and (c) private sector properties; and the cost of the works and equipment per report?

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

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, I must point out that Occupational Therapy (OT) does not involve itself in the actual repairs or refurbishment, but in assessing and

recommending environmental alterations in response to disability.

500 Part (a): the first part Government flats, there are 36 jobs on the Housing Agency list that have been subcontracted out and are being processed. This means that their OT reports are up to date and the equipment/fittings required have been ordered.

Eight more cases have been identified as pending by OT and have been highlighted to the Housing Agency, awaiting a plan of action; nine other cases are being processed by the Housing Agency; 14 new cases have just been sent to the Housing Agency and these are completely new referrals.

505 The total, adding that up, stands at 67. The oldest cases stretch back to 2009.

The community waiting list for assessment now stands at a different 41 cases. This does not include, either, Albert Risso. To summarise these, there are 17 cases identified from the beginning of the occupation of this building as having environmental issues. These have now had OT reports carried out and these have been handed over to JBS, who have been commissioned to carry out these works.

510 Some new referrals to Albert Risso are now included in the 41 in the community waiting list.

There is at present no system for refurbishment of private or co-owned properties.

Regarding costs, as the requests are outstanding, there are no costs available. Costs will be available once the work has been carried out.

515 **Hon. J J Netto:** Mr Speaker, just for the sake of clarification, when the Minister speaks about 41 on the community waiting list, is he referring to houses which are in the co-ownership scheme?

Hon. Dr. J E Cortes: No, Mr Speaker, these are not related to where they are, but related to the list that the OT has waiting for assessment out in the community. Those have not been divided into your categories.

520 The ones I divided into categories are the actual outstanding jobs. These 41 I have added for your benefit are ones that have not yet been processed and therefore I have not recorded them as outstanding.

Clerk: Question –

525 **Hon. J J Netto:** Can I ask a further supplementary question?

For the sake of clarification, when the Hon. Minister speaks about costs, is he referring just presumably to the cost involved by way of purchasing equipment, but not necessarily the cost by way of alteration in particular Government property or any other property outside?

530 So is he clear? When he talks about cost, he is separating the purchase of equipment, either for medical or disability issues, against construction costs for alteration of a property. Can he make that clear?

Hon. Dr. J E Cortes: Mr Speaker, the question that has been asked by the hon. Member: what I have said is that the question was on *outstanding* reports, therefore if they are outstanding, the works have not been completed, so I do not know the costs.

535 I will put it back to the hon. Member that if he wants to distinguish between equipment and refurbishment, then if he asks that in the future, once the jobs have been done, then I could attempt to get the information divided out but really; it is not up to me but up to him, because he has, after all, asked the question.

540 **Hon. J J Netto:** I think that the hon. Gentleman also mentioned, if I understood him correctly, that there were a number of reports which have been outsourced, not necessarily to the Housing Works Agency. I think he mentioned something to that effect. What I would like to clarify: whether if some works have been outsourced for the works to be carried out outside the Housing Works Agency; if that is the case, to whom has the work gone – to JBS or to somebody else?

545 **Hon. Dr. J E Cortes:** Mr Speaker, in the answer I was very specific to say that it was Albert Risso House which were cases that we thought needed to have fairly rapid assistance and those were handed over, according to the information I have been provided, to JBS.

550 **Hon. J J Netto:** So, do I take it, then, that all the reports that there are, are either already done, prepared and have been channelled across to the Housing Agency, done by the OTs, in the OT Department of the GHA, all refer to Government flats? No OT report may refer to a co-ownership, perhaps somebody living in Gib V or in Harbour Views or Montagu Gardens. Are we saying that all those reports, *all* of them, are in relation to

people who are living in Government flats? Is that the case or not?

555 **Hon. Dr. J E Cortes:** Mr Speaker, I am assuming that if they are jobs that have been given to the Housing Agency, that would be correct. That is an assumption; I can go back and check it, to see whether the information is not as clear as has been presented here. It certainly does not include... In fact I did say, yes, I did say it – that at present there is no system for the refurbishment of private or co-owned properties based on OT reports. So I did say that.

560 So you are correct, these must be houses, yes.

Hon. J J Netto: I am not quite sure that is necessarily in place. I do recall that there were referrals in my time, certainly, of people who needed alteration, I think it was in Gib V, Sir William Jackson Grove, so there is a system in place – not an elaborate system, I would say, but certainly there was a system of getting a report and getting the works done.

565

Hon. Dr. J E Cortes: Mr Speaker, I have dealt with at least one, but they are on an *ad hoc* system, based on urgency of need, yes. Rather than a routine system, it is one which is considered on its merits but, yes, in that respect, yes, not a system but there are possibilities of making exceptions.

570

**Gibraltar Sponsored Patients
Assistance from Gibraltar House, London**

575

Clerk: Question 520, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health tell us how the Gibraltar House in London will be improving the way it assists Gibraltar Sponsored Patients?

580

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

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, currently the role and duties performed by the Gibraltar House in London remain unchanged. They continue providing the ongoing service to some of our sponsored patients, such as paying some sponsored patients and escorts their maintenance and travel allowances, liaising with the Gibraltar Sponsored Patients' Office with regard to patients' issues, visiting patients in hospital when requested by the Gibraltar Sponsored Patients' Office.

585

We are looking at increasing those resources, so that more time can be dedicated to these needs.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister elaborate on what he means by 'increasing resources'?

590

Hon. Dr. J E Cortes: Mr Speaker, this is not finally decided, but we are looking at the possibility of having a dedicated officer to deal with sponsored patients which would mean that it would be this person's, or one whole person's equivalent, duties to deal with these issues, which would give them more time and set up a better relationship with the patients and their relatives to the point, perhaps, of not having necessarily the relatives coming to the Gibraltar House to get their allowances: perhaps they could visit Calpe House or some of the hospitals or the hotels in which they are staying.

595

So, basically, it is giving more time to being able to give assistance to our patients and the relatives, who are usually going through quite a stressful and worrying time, to be able to give a little more support than they are getting at the moment.

600

605

EQUALITY AND SOCIAL SERVICES

610

**Gladys Perez Centre
Opening times and services offered**

Clerk: Question 521, The Hon. Mrs I M Ellul-Hammond.

615

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services tell us how often the Gladys Perez Centre opens, what services are offered from there and by which organisations?

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

620

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, the Gladys Perez Centre opens seven days a week throughout the day. It is used by various organisations.

The fundamental principle for the majority of these groups is discretion and anonymity and I therefore do not feel it appropriate to disclose further details in Parliament.

625

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is the Minister suggesting that it is mental health-related charities only that use the Centre?

Hon. Miss S J Sacramento: Absolutely not.

630

I do not know how the hon. Member could have jumped to that conclusion. Perhaps if she were to listen to the answer, as opposed to maybe – (**Members:** Ooh!) It is a broad answer: perhaps I would invite the hon. Member to read between the lines and, of course, it is, as I said, sensitive groups who use this location.

635

Hon. Mrs I M Ellul-Hammond: Mr Speaker, seeing that playgroup at baby time and lunch club playgroup use the Centre on Fridays from 9.30 in the morning to 2.30 p.m. and the breast feeding group 'Baby Steps' also use it, could health related charities also use the Centre to hold their support group meetings on days or at times when it is not being used by mainly mental health users?

640

Hon. Miss S J Sacramento: Mr Speaker, I repeat the Centre is not mainly used by mental health users. Again, I do not know how the hon. Member jumps to that conclusion. I have had no requests for use of the Gladys Perez Centre: in any event, it is now fully booked, Mr Speaker, and that is the position.

645

Hon. Mrs I M Ellul-Hammond: Mr Speaker, I understand that Breast Cancer Support Gibraltar was told by yourself and by your PA on several occasions that they could not hold their once-a-month evening support group meetings for breast cancer sufferers and survivors at the Centre. Can the Minister confirm that if an hour once a month in the evening *is* available that a health related charity could use the Centre to support sufferers of their disease?

650

Hon. Miss S J Sacramento: Mr Speaker, the hon. Member seems to have been misinformed. I had a telephone conversation with someone from that charity who asked for the use of the Gladys Perez Centre on a specific date at a specific time, and that allocation was already used by another society. Any society who may seek the use of the Centre is free to contact me in the same way as that society contacted me, Mr Speaker.

655

Hon. Mrs I M Ellul-Hammond: So, Mr Speaker, can the Minister confirm then, that this charity can get back in touch with yourself and the PA to request a suitable time once a month, in order to hold support group meetings.

660

Hon. Miss S J Sacramento: Mr Speaker, I should have said that they are, of course, free to contact my Department, as opposed to myself directly, but again I repeat, this is in relation to a request months ago and I have not had any requests since, Mr Speaker.

Any request will depend on the availability of the location at the time of the request.

**Patients with medical conditions or urgent need
Breakdown and location**

665

Clerk: Question 522, the Hon. J J Netto.

670

Hon. J J Netto: Mr Speaker, given the information provided in answer to Question No. Written 94/2012, can the Minister for Social Services provide a breakdown of those persons with Alzheimer's and Dementia, other medical conditions, and those with an urgent need, who are currently in St Bernard's Hospital, John Cochrane Ward, the KGV Hospital, the Jewish Home and in the community?

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

675

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, on the basis of the answer to Question 94/2012 (which was in relation to those waiting for a place at Mount Alvernia), the following is a breakdown of people in St Bernard's Hospital, John Cochrane Ward, KGV Hospital and the Jewish Home with Alzheimer's and Dementia and other medical condition and those with a high need of social care. Of course, there is a slight variation to the figures which were provided in response to Question 94 last month, as the information now provided relates to the *current* position, as is requested. I now hand the hon. Member the information.

680

ANSWER TO QUESTION 522 OF 2012

	Alzheimer's/Dementia	Other Medical Conditions	Urgent Social Care
St Bernard's Hospital	15	12	27
John Cochrane Ward	20	11	0
KGV Hospital	15	7	22
Jewish Home	1	2	0
Community	8	9	9

685

Hon. J J Netto: Mr Speaker, I am grateful for the information, but one of the things that is obvious that has dawned on me just now, is that I left out Calpe Ward, obviously. I do not know whether she has the information available now or whether I will just simply write to her and she may be able to provide me with that information.

It is just, if she has not got the information now, she has not got the information, and it is a question of simply writing to her subsequently.

690

Hon. Miss S J Sacramento: Mr Speaker, no I do not have the information because the question was not asked but the same statistical information, I would be happy to provide it if the question is put to me.

695

**Hospital for Alzheimer's and Dementia patients
Staffing requirements and cost**

Clerk: Question 523, the Hon. J J Netto.

700

Hon. J J Netto: Mr Speaker, given that the Government has made a decision to revert back to having a 66 bed hospital for Alzheimer and Dementia sufferers, as answered in Question 273/2012, has the Government now received from the senior management of the Care Agency the proposed extra staff requirement needed and, if so, could the Minister for Social Services provide a breakdown of the numbers and grades involved and the cost of employing the new staff?

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, it is not true to say that the Government has made a decision to revert to a 66 bed residential unit for Alzheimer's and Dementia.

710 What I said in response to Question 273/2012, which was at the time, in March 2012, that instead of working from the 80 plan, which was the plan that the construction company were working from at the time that we took office, we in principle at that time, reverted to the initial plans, which had been prepared by the architects for the previous administration, as in the first set of plans. Those plans were for a 66 bed unit where, in fact, 58 beds were for Alzheimer and Dementia.

715 I then went on to say that the plans needed to be considered by an expert in Dementia design and we were waiting for the expert to tell us whether the layout was acceptable or not.

720 The Government has commissioned an expert on Dementia design to advise and revise plans on the suitability of the building, its layout and occupancy so that when residents are admitted to the Dementia Unit they can enjoy a building which is fit for purpose and complies with minimal useable space guidelines for an existing building and includes recreational space. We are waiting for the final revised plans. The staffing requirements will be provided as soon as the bed occupancy is finally agreed.

725 **Looked after children
Training programme**

Clerk: Question 524, the Hon. J J Netto.

730 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state if further progress has been made in finding suitable training programmes for the remaining five Looked After Children referred to in Question 171/2012, and, if so, what the training will consist of, when the training will start and who will provide such training?

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

740 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, this question now applies to four Looked After Children – the reason will be explained to the hon. Member on a confidential basis. Of these, one child has been successful at interview and will commence employment on 21st June. Well, has commenced already – this was drafted a few days ago. The details of this are being provided to the Opposition on a confidential basis.

745 With regard to the remaining three Looked After Children referred to in Question 171/2012, I can say that progress has been made in finding suitable training programmes. A pathway has been established between Social Services and ETCL and interviews have been secured for two of the Looked After Children. Further details in relation to this, again, are provided to the Opposition on a confidential basis.

750 **Hon. J J Netto:** Generally speaking, Mr Speaker, I am grateful for that answer. It seems that we have had some progress, at least certainly in the number of them, but it seems that we are a little bit stuck, perhaps, with one particular person... oh... okay, Mr Speaker.

**Persons in the community with debilitating diseases
Details and care provided**

755 **Clerk:** Question 525, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, given the information contained in answer to Question No. 399/2012, which states that there are 19 persons with a debilitating disease in the community, can the Minister for Social

760 Services state how many have (a) a mild and (b) an acute condition and of those with an acute condition whether they are receiving any help from the Care Agency in the form of carers and other services?

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

765 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the 19 people referred to in Question 399/2012 with debilitating diseases in the community all have chronic conditions. Further information is provided on a confidential basis.

770 Fifteen are receiving help from the Care Agency in the form of social work, domiciliary care hours or payments for domiciliary care. 4 are not receiving any support from the Care Agency at the present time because no referrals or requests have been received.

**Care Agency residential homes
Recordable acts of violence**

775

Clerk: Question 526, the Hon. J J Netto.

780 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state if there have been any recordable acts of violence in any of the Care Agency residential homes, since this question was asked in Question No. 402/2012, and, if so, could the Minister provide a breakdown showing the date of the incident or incidents, whether the incident or incidents were between children or between children and staff and whether, as a result of the incident, medical attention was required either in the Home or in the Hospital and for what purpose?

785

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, since the question was asked in Question No. 402/2012 there have been seven incidents. I now hand the hon. Member the requested information.

790

None of the incidents resulted in the need for medical attention and it must be noted that while these incidents are recorded as 'acts of violence' they were all mild and within the realms of acceptable adolescent behaviour, mirroring sibling rivalry.

ANSWER TO QUESTION 526 OF 2012

Date	LAC to LAC	LAC to Staff	Medical Attention/Residential Home or Hospital	What purpose
21.05.12	Yes		No	
25.05.12	Yes		No	
30.05.12		Yes	No	
02.06.12	Yes		No	
03.06.12	Yes		No	
04.06.12	Yes		No	
05.06.12		Yes	No	

**Care Agency Looked After Children
Details of absconding**

795

Clerk: Question 527, the Hon J J Netto.

800 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state if any Looked After Children in any of the Care Agency residential homes have absconded since this question was last asked in Question No. 404/2012 and, if so, state how long the absconding lasted, whether the absconding was in Gibraltar or Spain,

and whether any of these children have a track record of engaging in acts of violence against any other children or staff members?

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, since this question was last asked in Parliament there have been several incidents of absconding, involving two Looked After Children. I now hand the hon. Member the requested information and, in addition to this – to these incidents – there is also the issue of the 17 year old from the Republic of Guinea, as explained in last month’s session, Question 404/2012.

ANSWER TO QUESTION 527 of 2012

Name of LAC	Date	Length of time LAC absconded	Any track record of violence towards staff or LAC	Absconding in Gibraltar or Spain
A	6 th June 2012	2 hours	Yes	Gibraltar
B	10 th June 2012	56 hours	No	Gibraltar
A	12 th June 2012	5 hours 5 minutes	Yes	Gibraltar
B	14 th June 2012	30 hours 25 minutes	No	Gibraltar
B	16 th June 2012	34 hours 25 minutes	No	Gibraltar
B	18 th June 2012	5 hours 10 minutes	No	Gibraltar
B	19 th June 2012	Still missing	No	Gibraltar

815 **Hon. J J Netto:** Mr Speaker, on a supplementary question for the sake of clarifying something from the list that the hon. Lady has provided for, there is one particular incident, which is incident B, if I can call it that, where the length of the absconding lasted 56 hours. Now, that is quite a considerable period of time, if I may say. Given that length of time, did it trigger perhaps that to try and find that particular child, the Care Agency had to call upon the police to assist in searching around Gibraltar, because certainly it was in Gibraltar – can she perhaps elaborate on that?

820 **Hon. Miss S J Sacramento:** Mr Speaker, I can confirm that the Care Agency have called upon police in this situation and although this child is recorded as having ‘absconded’, because that is a technical term used, the child nevertheless is in contact with both the Care Agency, the parents and other children in care. It is just that the child is not returning to the home at night, but the Care Agency are aware of the whereabouts, the police know where this child is.

825 **Hon. J J Netto:** Just for the sake of clarification, so I can get a grip on this because, again, there is a repetition in listing the information provided from child B. It mentions that he is still missing, as from 19th June – I do not know whether this has changed or has not changed, or if this is relating to the information that the hon. Lady has just provided when she stood the last time. Can she perhaps clarify for my benefit?

830 **Hon. Miss S J Sacramento:** Mr Speaker, as I understand it, this Looked After Child has been in touch today, this morning: in fact, I understand that she had a meeting at the Care Agency this morning. I checked

just before coming and I understand that she has been in today.

835 So, even though this was prepared yesterday so that it was as accurate as possible, she has been at the Care Agency premises today. Mr Speaker, and I am, given the sensitivities of this situation, I am now loathe to provide further details of this matter in Parliament – I am happy to discuss it with the hon. Member on a confidential basis.

I do not think that there is much to be gained from giving further details, particularly not today.

840 **Hon. J J Netto:** Yes, by all means because there are some questions in the back of my mind which I still need to try and take into account in relation to this so, yes, I am grateful for the offer by the hon. Lady because certainly I will want to take it up.

845 **Care Agency
2012 training programme**

Clerk: Question 529, the Hon J J Netto.

850 **Hon. J J Netto:** Mr Speaker, given that the Care Agency now has the new training programme for this financial year, will the Minister for Social Services kindly provide a copy to the shadow Minister?

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

855 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, this question has already been asked in Written Question 92/2012 and a written response provided.

Rule 17(v) of the Gibraltar Parliament Standing Rules and Orders precludes the same question from being asked if the answer was provided within the preceding six months.

860 **Hon. J J Netto:** Mr Speaker, given that we are talking about quite a relative unimportant issue, like a training programme, I just wonder why the hon. Lady feels so compelled to quote Standing Orders, as some kind of a defence as if the issue in hand is something so terrible (**A Member:** The rules.) – so terrible about it. The question is, if I can refer to the written answer in which she says ‘this is an internal document’ and therefore she will not provide a copy. Now...

865 **Hon. Miss S J Sacramento:** Point of Order, Mr Speaker.

If the hon. Member is going to read my response then I think he should read the *whole* of the response where I actually – I will read it myself, and it says:

870 ‘I would agree to show this to the hon. Member in confidence.’

I think, Mr Speaker, as a Point of Order and for the sake of completeness, everything should have been read.

875 **Hon. J J Netto:** Mr Speaker, there is no point in reading the whole of the answer because, actually, all we are talking about is four sentences – it is not an issue. The answer she provided was:

880 ‘I can confirm that the Care Agency has now prepared the new training programme for the period 1st April 2012 to 31st March 2013. This is an internal document, not a public document, and as such I will not make a copy available. I would agree to show this to the hon. Member in confidence.’

885 Now, the reason why I asked an oral question, as opposed to a written question this time around, is because, personally, I am not satisfied with the answer given in the written answer. I am not satisfied because, yes, of course, it is an internal document, like all internal documents which is being prepared to by every single....

Hon. G H Licudi: Mr Speaker, Point of Order.

Is the hon. Member dealing with the substance of the question or dealing with the Point of Order? A Point of Order has been made and it has to be addressed, rather than going into the substance of the question. If the question is out of order, it is out of order.

890

Mr Speaker: No but I imagine you are answering the Point of Order taken by the Hon. Minister.

Hon. J J Netto: No, I was not talking about the Point of Order.

895

Mr Speaker: Well, in that case, I am afraid I must interrupt the hon. Gentleman.

The Hon. Minister has cited Standing Order Rule 17(v) and that is what the Standing Order says. She cannot be faulted for citing Standing Orders.

The Standing Order in question says:

900

‘The question shall not refer to any debate that has occurred or answer that has been given within the preceding six months.’

Now, I understand the answer to Written Question 92/2012 from the Hon. Minister was that she is not content to hand the document to the hon. Member but was willing to allow him sight of the document. That was the answer given.

905

Hon. D A Feetham: Yes, strictly speaking, Standing Orders say you cannot ask questions within six months and the Hon. Minister is right about that. Very often we waived – I am talking on the Standing Order, sorry on the Point of Order – very often, on both sides of the House – we have been in Government, and now them – Ministers do not take those kind of points, particularly now when we have, as well, Parliament on a monthly basis, it becomes much more difficult not to ask a question that has not been referred to in the previous six months.

910

Look, she is right. If she does not want to provide the answer, that is the end of the matter.

Hon. G H Licudi: Mr Speaker, it is not a matter of not providing the answer. The answer *has* been provided: that is the whole point.

915

The question has been asked and the answer has been provided. What the hon. Member has said is that he is not satisfied with the answer, but the point that the hon. Member makes about monthly meetings and an element of flexibility – generally the issue does not arise. The issue is overcome, because when Question Time is used for the purposes that it is normally used, which is to elicit information, when information is elicited, for example, as at a particular day when a question is asked in January, then the information may be different in February, so the same question might be asked in respect of the period up to February. So, it might be phrased in the same way or very similar way, but it is not exactly the same question.

920

Mr Speaker: A different context.

925

Hon. G H Licudi: It is a different context, and a different time period might appear, so that issue does not really arise in respect of monthly meetings.

The issue here is that exactly the same question has been asked in one form, and now the hon. Member wants to ask it in a different form because he is not satisfied with the answer. It is not that the answer has not been given, the answer has been given and that is the answer that stands for the record.

930

Mr Speaker: I think that we need not debate this too much, because I think the Hon. Daniel Feetham has conceded...

935

Hon. J J Netto: Just to make a very small point...

Mr Speaker: No, would you allow me, please, to make my point.

The Hon. Daniel Feetham has conceded the point in that so I really do not think we need to trouble ourselves with a further debate on that.

940

Yes, there has been a degree of flexibility, the view I have taken over the years, and I have conducted

myself in terms of Standing Orders, is unless the infringement is so gross, I have tended not to intervene, allow the question to be put, or allow the point to be made. Only if a Member on the other side has raised the issue, then I have had to step in with some sort of ruling. That is the flexibility area.

945

In this case the hon. Lady has specifically invoked the rules and the rules are clear there for everybody to see and my view is she will have to stand on that rule.

Hon. Miss S J Sacramento: Mr Speaker, may I add to that, that I did in my previous....

950

Mr Speaker: May I just say, there is a danger – I do not wish to – there is a danger if I allow the hon. Lady to have her say I will have to allow somebody on the other side to have a say, as well, and I do not think... we are quite deep into Friday afternoon.

955

**Multi-Agency Child Committee
Issues presented at April and May meetings**

960

Clerk: Question 530, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Social Services state if the multi-agency Child Committee has met in the months of April and May, and if it has, could the hon. Lady state what specific issues were discussed, inclusive of the issues discussed at the meeting of 13th March?

965

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, the multi agency Child Protection Committee did not meet in the months of April or May 2012.

970

As stated in response to Written Question 89/2012, the Child Protection Committee met on 13th March 2012 and a response relating to the specific issues detailed at that meeting has been provided.

Rule 17(v) of the Gibraltar Parliament Standing Rules and Orders precludes this question from being asked if the answer was provided within the preceding six months.

975

Hon. J J Netto: I think that I understood the hon. Lady as saying that details of 13th March are being provided for. I cannot recall from memory now what sort of details she gave me, certainly not in the context of information that has been provided by her to previous meetings. For instance, information provided by her on the Question Written 46/2012: she does provide a fair amount of information as to the kind of issues that were discussed at the meeting on 29th November. Certainly on the meeting of 13th March she has not provided that kind of information, hence the reason why I am asking the information.

980

So, I just wonder whether the hon. Lady, given that at least we have the meeting of 13th March, not obviously the ones of April and May, which have been cancelled for whatever reasons, could she provide the same kind of information as she has provided Parliament before?

985

Hon. G H Licudi: Sorry, is the hon. Member asking for the same information in respect of the March meeting or other meetings?

990

Hon. J J Netto: The hon. Lady has said, if I understood her correctly, that the meetings scheduled for April and May have been cancelled for some reason, so obviously the meeting has not gone ahead. Obviously, there is no discussion at those meetings, therefore removing April and May out of the question... The only meeting that I am aware of that *has* happened is the meeting of 13th March, and if that is the only meeting that has happened, part of my question is can I have the same kind of information that she has provided Parliament, when I have asked this question before, which is Written Question 46/2012?

995

Hon. Miss S J Sacramento: Mr Speaker, the reason that the hon. Member knows that there was a meeting of the Child Protection Committee on 13th March is because this was part of my response to Written Question 89/2012. Therefore, Mr Speaker, I am, once again, seeking to rely on Rule 17(v), in that the

question relating to the meeting of 13th March has already been asked, and has already been answered.

1000 The answer to that question was that the meeting was not a public meeting, and given the sensitivity of the child protection issues discussed, it is not felt appropriate that these should be made public without the consent of the Committee, Mr Speaker.

The position today is the same, because it is the same answer to the same question that was put to me last month, Mr Speaker, in relation to the same meeting – the meeting of 13th March.

1005 **Hon. J J Netto:** Mr Speaker, the hon. Lady herself has said, in her contribution just now, that I found out about this as a result of a different question. So, whatever form, shape or manner upon which I may have found out that there was a meeting on 13th March, it is neither here or there. The issue at stake here is that I am asking in Parliament that, given that I have found out, even if it was in part of another question that she was asked in, whether she can give me the information over the *issues* that were discussed, as she has provided that kind of information to a previous question – I do not know whether it was five or six months ago. I am asking for the same treatment as she afforded me at the beginning of Parliament, when Parliament was constituted after the Election.

1010 Is she now saying to Parliament that she is going to be looking more at Standing Orders to deny and degrade the quality of parliamentary discussion in this Parliament, so that I do not get information to be able to scrutinise her, on the basis of Standing Orders, or is she going to provide me with answers which she has already provided me at the beginning of this Parliament? Is it going to be a question of allowing a mature democracy for people to be able to listen to the debate, or are we going to be quoting Standing Orders every five seconds?

1020 **Hon. G H Licudi:** I am not sure, Mr Speaker, where the hon. Member was for the last four years. Certainly, in the four years that I was sitting on that side, specifically the same position that the hon. Member was and the sort of treatment that we were given on that side, and the sort of answers. We have adopted a very, very different policy, as the hon. Member knows, and I will not rehearse the arguments that were across the floor of this House [*inaudible*] yesterday, in respect of the quality of democracy and the quality of parliamentary debate which exists now in Gibraltar, and in which the hon. Member is very well aware of, given that he is here today on the... is it the fourth or fifth time of this year? – when on previous years, we never were afforded the opportunity of being in this Parliament on four or five occasions. So let not the hon. Member give us lectures on the quality of parliamentary debate and the sort of information that is given, because that was, as I understood yesterday, well sorted out in the debate in one of the questions.

1025 The position with this particular question, Mr Speaker, is that the hon. Member *did* ask, in the Written Question, what specific issues arose in respect of that particular meeting, and the answer that was given was in respect of the meeting on 13th March. The meeting was not a public meeting and given the sensitivity of child protection issues discussed it is *not* felt appropriate that these should be made public without the consent of the Committee.

1030 And what the hon. Member is now asking is (*Interjection by Hon. J J Netto*) can the hon. Lady state what specific issues were discussed, inclusive of the issues discussed at the meeting of 13th March. Well, in respect of the issues discussed on 13th March, the answer was already given: it was not a public meeting, and there are sensitive issues.

1035 One would hope that the hon. Member, having sat on this side of the House – not just on this side of the House, but having done the job that the hon. Lady is now doing – that he would understand the sensitive child protection issues which arise.

1040 **Hon. Miss S J Sacramento:** He said it last month.

1045 **Hon. G H Licudi:** As I understand, he conceded the point on a previous occasion last month, in respect of a different matter, that he understands specifically that, in respect of the job that he used to do and in respect of the job the hon. Lady *now* does, there are sensitive issues on which there cannot simply be a public debate, because of the child issues that arise. Given that that is the position, that he asked previously and he was told for this reason he cannot be given details of the issues, and he has now asked again for details of the issues, that is why the answer has been given.

1050 It is not a question of degrading parliamentary debate or anything like that. The question has been asked and answered already and the position today is exactly the same as it was when the question was answered.

Mr Speaker: I think the position is fairly clear. The substantive question comes in two parts: one asks for the outcome of the discussions at a meeting which were presumed to have been held in April and May and also re-visits the issues discussed at the meeting of 13th March.

1055

The answer is very clear: there was no meeting in April or May and therefore that does not arise. On 13th March, there was a Written Question put to the Minister, No. 89, which refers specifically to the meeting of 13th March and a response was provided in writing and that has been read out again today.

That, in my view, clearly falls within Rule 17(v). It is exactly the same position as the previous question, the previous ruling.

1060

Hon. J J Netto: Mr Speaker, I cannot accept the fact (*Interjection*) that they are now saying that they cannot provide the information of the meeting of 13th March because there are so many sensitive issues and that therefore they do not want to put such sensitive issues in the domain of Parliament and hence the public at large, which may connect those issues with those particular children. Well, it is not a very good argument to say that, because the hon. Lady, when I asked the original Question 46/2012 –

1065

Hon. G H Licudi: Mr Speaker, I will not go there again, as I said earlier. The hon. Member is now getting into the substance of the question, when the Hon. Mr Speaker has ruled that the question cannot be put.

1070

Mr Speaker: Well, I was not going to allow the hon. Gentleman to go into the substance of the question, but I would give him the courtesy of hearing him – albeit perhaps slap him down, but I will hear him!

Hon. J J Netto: Mr Speaker, the point I am trying to labour on is on the issue that they are trying to say the matter for discussion in the multi-disciplinary Child Protection Committee is so sensitive that we cannot provide it, and I am saying it just does not *stand*, the argument, because the hon. Lady *already*, in the previous question, has provided me with information.

1075

All I am saying is, if she felt that it was so sensitive that children could be identified, then why did she give me the information on Written Question 46/2012?

Now, anyone who looks at *Hansard* and looks at the answer that she gave me will see that you cannot identify any particular children as a result of the answer she gave me. What is happening here, Mr Speaker, is what I said before. The hon. Lady is simply degrading the quality of discussion in this Parliament, simply by keeping me uninformed from my duties and my responsibilities to be able to scrutinise her. That is all she is doing, by quoting Standing Orders and by trying to provide this information. She has already given me the information *before*, so there is no question of sensitivity!

1080

1085

Mr Speaker: I appreciate that the hon. Member is not satisfied with the answer given to the Written Question. I appreciate that, and the dissatisfaction arises from a previous course of dealing (**Hon. J J Netto:** Exactly.) which was different. I appreciate that part of it.

But, looking at Rule 17(v), the question relating to 13th March was put in Written Question 89 and a particular answer was given – however unsatisfactory the hon. Member may consider the answer to be, in the light of previous dealings. But looking at it from Rule 17(v) today, sitting where I am, I have to take the view, a question was asked and answered, however unsatisfactorily, in the last six months, and I cannot really allow it to be re-visited.

1090

Hon. D A Feetham: No, no, I quite understand. The problem that we have here, of course – and, of course, we must accept Mr Speaker's ruling in relation to this – is that there appears to have been two answers, one in March and one earlier. So, of course, my hon. Friend, Mr Netto, goes back to not the March one, but to the earlier one. He is going back to that one and the quality of the answer that was provided, where more information was, in fact, provided than in the March answer. Look, it raises the interesting question of when you have inconsistent answers! Which one is the answer that the Hon. Ministers would like?

1095

1100

But Mr Speaker has ruled and that is the end of the matter.

Mr Speaker: I hope that Members appreciate that is the view I should take.

1105

Hon. D A Feetham: Absolutely, and that is the end of the matter.

Mr Speaker: Can we move on to the next question –

1110 **Hon. G H Licudi:** Sorry, can I just clarify something in respect of what the hon. Member has just said.
It may be that he has not fully understood what his colleague has said. It is not a question that there had been inconsistent answers in respect of the same subject matter. The previous answer was in respect of something different – in respect of a different meeting. We accept that a question was asked in respect of a meeting earlier in the year, and was answered in a particular way and a question was then asked in respect of another meeting and was answered in a different way.

1115 So to the extent that there is inconsistency, it is not in respect of inconsistency on the same question, (*Interjections*) but the same *type* of question. We accept that –

Mr Speaker: Order, order.

1120 **Hon. G H Licudi:** We accept that that is the case. A view was taken in January as to the appropriateness of answering a question in a particular way and then a different view has been taken, as from March, as to the appropriateness, given the issues that arise in this particular case.

1125 The hon. Member may be not content, not satisfied, with the quality of the answer, but I just wanted to set up that chronology, to the extent that the hon. Member can say there has been an inconsistency in an approach. Well, yes, on reconsideration of the issues that arise, and in respect of a different meeting –

Hon. J J Netto: No, it was the same type of Committee meeting –

1130 **Hon. G H Licudi:** No, in respect of a different meeting, a different view was taken by the Government, and that is the view that was taken, so I just wanted to clarify that issue of inconsistency, just for the hon. Members –

1135 **Hon. D A Feetham:** No, I think that is, in fact, a fair and accurate reflection of the situation. What we would say is there may well have been different meetings, but there is a change of policy in respect of the same type of meeting from January to March, and hence the questions that my hon. Friend has actually asked and that is why he has been critical of the approach.

Mr Speaker: I think we can move on to the next Question now.

1140

HOUSING AND THE ELDERLY

Empty flats awaiting repairs/reallocation Details

1145

Clerk: Question 531, the Hon. E J Reyes.

1150 **Hon. E J Reyes:** Can the Minister for Housing state how many flats are currently empty and awaiting repairs, giving a breakdown in respect of Pre-war and Post-war flats, flat size composition, the dates as from when these flats have been empty and the category/type of repairs which are required to be undertaken before they may be reallocated?

1155 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

I may supply general information as the schedule goes round and say that up to 134 flats are currently empty and awaiting repairs.

ANSWER TO QUESTION 531

Up to 134 flats are currently empty and awaiting repairs.

Table 1 shows the number of empty flats for cleaning/refurbishment (post and pre-war) by room composition.

Table 2 highlights the number of empty flats per year and room composition. Specific dates per flat cannot be provided.

The following table provides the required breakdown:-

Table 1 - By room composition (post and pre-war)

Composition	Category Type				Total
	Refurbishment Technical Decision		Cleaning		
	Pre-War	Post-War	Pre-War	Post-War	
6RKB		1			1
5RKB	3	1			4
4RKB	16	10	1	2	29
3RKB	20	33	1	1	55
2RKB	17	14			31
1RKB	4	10			14
Sub-Total	60	69	2	3	134

Table 2 - Empty flats awaiting refurbishment/cleaning per year

	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	TOTALS
6RKB							1					1
5RKB		2	1								1	4
4RKB	9	11	3	4	1	1						29
3RKB	10	34	6	1		2	2					55
2RKB	8	15	4	2					2			31
1RKB	2	7	2	1						1	1	14
TOTAL	29	69	16	8	1	3	3		2	1	2	134

1160 **Hon. E J Reyes:** Mr Speaker, in respect of the section within my question that said ‘the dates as from when these flats have been empty’, can the Hon. Minister enlighten me a bit further because I see, from the year there, is that the only amount of information he is able to provide in respect of dates?

1165 **Hon. C A Bruzon:** We are hopeful that the hon. Member will accept a date by year, because going into details would require a vast amount of work and I am hoping that the Member will accept it in that format.

Hon. E J Reyes: Mr Speaker, it is not just my accepting it; it is, as well, the electorate at large speculate a lot on the amount of time that the flats have been lying empty.

1170 For example, sir, when we look here at, let us just say, 2011: the 69 flats, it could well be that a bulk of them just came into the repair market after the summer recess more into the last quarter, whereas if one is talking of the first quarter of 2011, then a period of more than 12 months have passed. Therefore, from whatever side of the House, one could start at least to raise a bit of concern, in saying ‘Are the works being undertaken within a reasonable period of time? Does it require greater manpower, or not?’ It does not allow me sufficient information to be able to analyse and perhaps even recommend and have a discussion across the floor of the House, whether the kind of manpower of the Housing Works Agency is sufficient or it just does not meet the demands of the tasks that need to be undertaken.

1175

1180 **Hon. C A Bruzon:** I can assure the hon. Member that I will go back to my staff and enquire if they can provide more details, but at this stage I would not like to promise in Parliament that this will actually happen; but I will certainly go back to them and ask.

The Hon E J Reyes: Thank you, Mr Speaker, sir, and I think the Hon. Minister may have even picked up... It is not the first time I have brought this question in of the dates, so he can take it as a cue, as well.
1185 But on this side of the House, we will be continuing very much down that line of questioning in the coming months.

Hon. S M Figueras: Mr Speaker, just one further supplementary. Just perhaps the Hon. Minister is able to provide some clarification.
1190 Looking at Table 2, the empty flats awaiting refurbishment/cleaning per year, is it...? As an example only, in 2002, there is the number 1 in the row of the 5RKB. Does the Minister know whether this means that there has been a 5RKB property empty since 2002 and it has not yet been dealt with? Is that what that means?

Hon. C A Bruzon: That is exactly what the information says, yes, Mr Speaker.
1195

Health and Safety in Housing Unsafe dwellings

1200 **Clerk:** Question 532, the Hon. E J Reyes.

The Hon. E J Reyes: Can the Minister for Housing state how many reports of unsafe dwellings are currently pending and how many of these require urgent decanting due to Health and Safety considerations?

1205 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Yes, Mr Speaker, there are no unsafe dwellings pending which require decanting due to Health and Safety considerations.

1210 **Hon. E J Reyes:** Mr Speaker, I just want to clarify something.
There are no reports of unsafe dwellings: if the answer is zero, then obviously it follows there are none on the grounds of Health and Safety. There could be some that can be classified as unsafe dwellings, but do not fall under the category of Health and Safety. Can the Hon. Minister clarify that one for me?

1215 **Hon. C A Bruzon:** The question has been answered exactly as it has been answered.
I will repeat it: there are no unsafe dwellings pending which require decanting due to Health and Safety considerations.

1220 **Hon. E J Reyes:** No, Mr Speaker sir, my question reads differently. My question is how many reports of unsafe dwellings are currently pending – part (a) – *and* how many of these require urgent decanting due to Health and Safety?

1225 Perhaps next time I can word them as subparagraphs (a) and (b); but using, I think, a commonsense English interpretation, it is how many reports of unsafe dwellings are currently pending and if there are any, how many of those are then due to Health and Safety considerations?

Hon. C A Bruzon: Mr Speaker, last month we had exactly the same question and I answered it in exactly the same way, and the hon. Member accepted it.

1230 It would be helpful, maybe, if he feels that he can be more specific in the way he asks the question, I will be happy to do my utmost to supply the information.

Hon. E J Reyes: Yes, I know Mr Speaker, but when one then looks back with a bit more time in your hands, so as not to delay unnecessarily on a Friday afternoon, to which the hon. Member and I seem to have

been relegated at Question Time now, because of the very scarce presence of press and so on, hence the concerns that we express about Friday afternoons –

1235

Mr Speaker: There are people at the beaches listening to us, I am sure!

Hon. E J Reyes: No, but because I have had time to reflect upon it, that is why I am pressing a bit more on it now. But I accept that the Hon. Minister has been provided with that information and he now knows what I am trying to get at.

1240

Either I re-word it or he bears it in mind next time round at Question Time that it does say ‘and therefore from that number’. If it is zero, then it follows that it has to be zero; but you could have a category, you could have one or two dwellings unsafe, none of which then fall under Health and Safety, but –

1245

Mr Speaker: I think it would be helpful in future to break them down into (a) and (b), to make it clear that there are two aspects involved.

Hon. E J Reyes: Yes, I will take your advice, Mr Speaker, thanks.

1250

Clerk: Question –

Mr Speaker: The Hon. Jaime Netto.

Hon. J J Netto: Can I, just for clarification purposes really, when we are talking about decanting someone for Health and Safety considerations, normally we tend to think, in our own mind, that it may be that the structure of the building is a bit unsafe, hence you have got to move the person who is living in that flat out. Will he go beyond that in the sense of saying – and I am talking from experience here – that it is not just sometimes the structure of the building which may be unsound, for which you have to decant somebody; sometimes it could be faulty electricity? To an extent, faulty electricity...

1255

1260

I remember one particular time, many years ago, that I had to decant – which is the only way a Minister can do, decant on Health and Safety – because electricity was in such a condition and as soon as the report landed on my desk, I had to take urgent action, obviously.

So can I, for the sake of clarifying it in my question, when we are talking about the parameters of what constitutes Health and Safety conditions for decanting purposes, does the electricity – or can I put it, the danger of an accident due to electrical fault or because there may be water penetration which is close to a live cable of electricity – that would also constitute part of the Health and Safety for the purpose of decanting somebody?

1265

In other words, if the Housing Inspector, one of your members of staff comes and tells you, ‘Look, the electrician was there doing a report and I am passing it to the Minister, because there is danger of an accident and there may be little children’, that would also form part of the consideration for decanting?

1270

Hon. C A Bruzon: I would probably need notice of that question, but I will do my best to explain that, if there are serious dangers to Health and Safety, because the building is going to collapse because of structural issues, the Housing Department would not hesitate and decant the family immediately.

1275

The level of dangers through electrical problems is relative and therefore, if there is a faulty switch with a bit of water, they will go straight away and maybe do something and help the family out.

So if the Member will accept that explanation –

Hon. J J Netto: I accept it only to the extent that while I accept that there may be a minor electrical matter, that is not a good grounds for decanting somebody.

1280

What I am referring to is that we are not dealing with that sort of small scale of electrical fault; I am talking about a major scale which may constitute an accident for which could sometimes risk the life of a person, of a sitting tenant there. So it is a different category to the normal...

That is what I am trying to get to.

1285

Hon. C A Bruzon: There is no doubt in my mind that if the electrical problem is so huge that it constitutes, as you are hinting, a risk to the life of the person, then they would be decanted immediately. You

have my word on that.

1290

**Government rental flats
Pending/incomplete repair jobs**

1295

Clerk: Question 533, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing state how many jobs are currently listed as pending/incomplete in Government rental flats, giving a breakdown of internal and external repairs, as well as stating the general nature of the works and by whom these are being carried out, broken down into categories of both Pre-war and Post-war housing stocks?

1300

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

1305

Minister for Housing and the Elderly (Hon. C A Bruzon): Yes, Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

As the information reaches the Opposition Members, I can say, by way of explanation, that there are 640 internal jobs currently listed and there are 3,243 external jobs currently listed.

ANSWER TO QUESTION 533

I submit a reply to this question primarily broken down by (a) internal jobs and (b) external jobs, as follows:

- (a) There are 640 internal jobs currently listed as pending within the Housing Works Agency. These jobs are categorised as follows:-

Work Category – Internal Repairs	Pre-war	Post-war	Total
Bath for shower conversion	1	20	21
Bathroom Unit replacement	3	39	42
Carpentry repairs	25	107	132
Cleaning of flat	9	3	12
Drains, rodding and cleaning	1	2	3
Emergency repairs	5	19	24
Masonry repairs	12	52	64
O/T Repairs/refurbishments	2	45	47
Painting	5	80	85
Plumbing repairs	15	155	170
Refurbishment – empty flats	8	34	42
TOTAL	86	556	642

- (b) There are 3243 external jobs currently listed as pending to be carried out by external works contractors. External jobs vary in nature ranging from repairs to building fabric, to waterproofing/roofing. It is impossible to deliver a detailed categorisation of all 3243 jobs. The following condensed categorisation applies:

Work Category – External Repairs	Pre-war	Post-war	Total
External Building Contractors	532	1930	2462
Windows Replacement Contractors	92	689	781
TOTAL	624	2619	3243

1310

**Housing allocations
Flats becoming empty**

Clerk: Question 534, the Hon. E J Reyes.

1315

Hon. E J Reyes: Can the Minister for Housing state how many flats have become empty and made available for reallocation since his answer to Question No. 416/2012?

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

1320

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, a total of 50 flats have become empty and made available for reallocation.

1325

Hon. E J Reyes: Mr Speaker, I do not know if the Hon. Minister could or could not have this information at hand. Fifty flats have become empty. I have not given him due notice enough to have the answer, because I said they have been made available for reallocation. Some of those, am I correct in assuming, could have been passed onto the list that is already awaiting cleaning and so on? He wouldn't, by sheer coincidence, happen to have some further information available, would he?

1330

Hon. C A Bruzon: I am happy to explain that these flats are literally ready to be allocated. The keys have been handed over and it is a matter of the Housing Manager and myself looking at whose turn it is next to get a flat and the offer of allocation will be made.

1335

Hon. E J Reyes: Sorry, I am grateful for that, Mr Speaker.
It is just because of my initial concern that, in 2012 alone, there are, according to the answer to Question 531, unfortunately, 29 flats that have become empty and not yet available – beyond the Minister's control, sometimes the condition it would have been left and so on. So having seen the number 50 here, for a split second, I said that number could have increased by 200% and it was a bit of a shock.

1340

Hon. C A Bruzon: Well, you are making me think on this one. You may have a point and I will double-check, just to be 100% sure that these 50 are literally ready to be allocated.
I will check on that and let you know.

1345

Hon. E J Reyes: I am so grateful, Mr Speaker.

Hon. C A Bruzon: My understanding is that they are ready, but I will double-check.

1350

**Applications for housing
Homeless persons**

Clerk: Question 535, the Hon. E J Reyes.

1355

Hon. E J Reyes: Can the Minister for Housing confirm, further to his answer given to Question No. 421/2012, how many applications for housing from homeless persons are currently being dealt with, giving a breakdown of dates as from when these applications were made?

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

1360

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 535

A total of 19 applications for housing from homeless persons are currently being dealt with.

The breakdown of dates as from when these applications were made is as follows:

June 2008	1
June 2010	2
October 2010	1
November 2010	4
December 2010	1
March 2011	1
May 2011	1
January 2012	2
March 2012	3
April 2012	2
May 2012	1

The information is not too complicated, but I will give some of it orally.

1365 A total of 19 applications for housing from homeless persons are currently being dealt with and the details in terms of dates, the hon. Members opposite will see in the schedule that is now in front of them.

Clerk: Question 536, the Hon. E J Reyes.

Mr Speaker: No, the Hon. Jaime Netto.

1370 **Hon. J J Netto:** Sorry for the delayed reaction!

As a matter of interest, when we are dealing with homeless persons, or persons who claim to be homeless, can the Minister for Housing perhaps explain to us what procedures are in place to ascertain the veracity, if I can call it that, of a genuine case of someone who is homeless, as opposed to someone who claims to be homeless but is not necessarily homeless?

1375 In other words, what internal procedures does the Ministry for Housing have, to try and detect the genuine, the *bona fide* cases to the ones who are not genuine and *bona fide*?

1380 **Hon. C A Bruzon:** A couple of comments I could make on that, Mr Speaker, and that is inspectors are empowered to knock on the door, in case this gentleman is staying with relatives – just to make sure that this gentleman is not staying in a house with relatives.

There is terminology which the hon. Member may remember from the time when he was Minister for Housing, where a person is ‘technically homeless’ and is not literally living in the street, so some of those would come under that category.

1385 Other than that, I am not sure if I would like to volunteer more information without being 100% sure. There is, of course, the evidence provided sometimes by social workers. These people go to see social workers, and they can come to us and inform the Allocation Committee that these people are a real social case and they really have nowhere to live, so obviously we try to fast track them and help them.

1390 **Hon. J J Netto:** I am grateful, Mr Speaker.

**Government rental flats
Pending repairs completed**

1395 **Clerk:** Question 536, the Hon. E J Reyes.

1400 **Hon. E J Reyes:** Can the Minister for Housing state how many tenants, since his answer to Question 422/2012, have had their pending repairs completed in respect of Government rental flats, giving a breakdown of how many were internal and external repairs and broken down into the categories of both Pre-war and Post-

war housing stock.

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

1405

Minister for Housing and the Elderly (Hon. C A Bruzon): Yes, Mr Speaker, the schedule that is now being handed over is a very simple schedule, so even though they are getting a schedule, I would like to read out the information orally.

1410

Since the collective answer given to Question 422/2012 there have been a total of 116 tenants that had 162 jobs completed as follows: Pre-war, completed jobs 15, number of tenants 14; Post-war, completed jobs 117, number of tenants 102.

A total of completed jobs 132; and the total number of tenants 116.

ANSWER TO QUESTION 536

Since the collective answer given to Question No.422 of 2012, there have been a total of 116 tenants that had 132 jobs completed, as follows:

INTERNAL

	Completed jobs	No. of tenants
Pre-War	15	14
Post-War	117	102
TOTAL	132	116

No external jobs have been completed since Question No. 422.

1415

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

I note in the answer that the Hon. Minister has had to say that no external jobs have been completed since Question 422. Does he have any information that would enlighten us as to why no jobs have been perhaps completed? Perhaps some have been started and not completed – it would help to build up a better picture.

1420

Hon. C A Bruzon: Yes, absolutely.

External jobs, as the hon. Member will understand, take much, much longer than small internal jobs, so it is precisely since that question was last asked, that no jobs have been completed.

Work is certainly being done, but during the last three or four weeks, no external jobs have been completed.

1425

Hon. E J Reyes: And I know I have not given due notice, Mr Speaker: he would not happen by chance to know how many new external jobs have at least been commenced, additionally?

1430

Hon. C A Bruzon: No.

Hon. E J Reyes: Acceptable, Mr Speaker.

Hon. C A Bruzon: I would need notice of the question, Mr Speaker.

1435

**Government housing stock
Tenants requiring work done**

1440

Clerk: Question 537, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing state how many tenants are currently listed as requiring

works to be done by Government as landlords, broken down into categories of both Pre-war and Post-war housing stock?

1445

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

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, a total of 1,987 tenants are currently listed as requiring works to be done by Government as landlords, of which 297 reside in Pre-war flats and 1,690 reside in Post-war flats.

1450

**Government rental flats
Internal and external repairs completed**

1455

Clerk: Question 538, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing state how many jobs, since his answer to Question 423/2012, have been completed in respect of Government rental flats, giving a breakdown of how many were internal and external repairs and the nature of the works undertaken, broken down into categories of both Pre-war and Post-war housing stocks?

1460

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

1465

Minister for Housing and the Elderly (Hon. C A Bruzon): Yes, Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

The actual total of jobs is 305 completed in respect of Government rental flats.

ANSWER TO QUESTION 538

A total of 305 jobs have been completed in respect of Government rental flats.

Out of this total, 295 jobs were internal jobs completed by the Housing Works Agency and 10 were external jobs completed by the Ministry for Housing. These are further broken down as follows:

1470

Work category – Internal repairs	Pre-war	Post-war	Total
Bathroom unit replacement	-	5	5
Carpentry repairs	6	30	36
Cleaning of flat	2	16	18
Drains, rodding and cleaning	1	7	8
Emergency repairs	14	102	116
Masonry repair	1	5	6
Other – asbestos removal	-	-	-
Painting	-	10	10
Plumbing repairs	6	86	92
Refurbishment – empty flat	-	4	4
TOTAL	30	265	295

Work category – External repairs	Pre-war	Post-war	Total
General	-	-	-
Drains	1	2	3
Lifts	-	7	7
TOTAL	1	9	10

Hon. E J Reyes: Thank you for that information, Mr Speaker. I am prompted by this comprehensive answer.

1475 The Hon. Minister has listed here 'lifts' and I can see that there are seven falling under Post-war. May I pose to him as a question, could he please look into this further, when he returns back to his Ministry on Monday morning, that in the new Mid Harbour housing estate, I think it is Bow Wave House – it is a particular block there and it has got two lifts, one of which was broken down for a small period of time. Some tenants classify it now as having been 'repaired', because the lift does actually reach up to only certain floors, but those who live on the higher floors classify it as still 'pending repairs'.

1480 Perhaps I will find a minute next week and drop a nice cordial note to the Hon. Minister, but it is one of those categories that, in my experience, having been a Minister on that side of the House, your technical officers say, 'Yes, that job was given out and has been ticked as completed,' but it has not quite been fully completed. So, in case I am slightly delayed next week due to other personal family duties I may have, the Hon. Minister may want to, during the course of Monday morning, just hint to someone that can they please check out that, because it does affect the quality of life, when someone can only get the lift up to a given floor and have to walk the next steps. When you get to our age, every step seems like a mountain, rather than a hill!

1485 **Hon. C A Bruzon:** Yes, I will do that Mr Speaker.

1490

**Government housing stock
New jobs requiring work**

1495 **Clerk:** Question 539, the Hon. E J Reyes.

1500 **Hon. E J Reyes:** Can the Minister for Housing state how many new jobs have been added to the list requiring the attention of the Housing Ministry, since the answer given to Question 424/2012, stating the category of work required to be undertaken and broken down into categories of both Pre-war and Post-war housing stock?

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

1505 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, I now hand the hon. Member a schedule containing the information requested.

There are, in fact, a total of 494 new jobs that have been added to the list, of which 96 are external and 398 are internal.

See next page for Schedule:

ANSWER TO QUESTION 539

A total of 494 new jobs have been added to the list of which 96 are external works and 398 are internal works, as follows:-

External Works			
Work Category	Pre-War	Post-War	Total
Window, Shutters	5	31	36
Plumbing	7	11	18
External	8	23	31
Letter Boxes	-	11	11
Total	20	76	96

Internal Works			
Work Category	Pre-War	Post-War	Total
Bath or Shower conversion	-	1	1
Bathroom Unit replacement	-	7	7
Carpentry repairs	9	29	38
Cleaning of flat	5	9	14
Drains, rodding and cleaning	1	6	7
Emergency repairs	21	103	124
Masonry repair	4	17	21
Letterbox repairs	-	3	3
O/T Repairs/Refurbishment	-	7	7
Painting	1	20	21
Plumbing repairs	6	138	144
Refurbishment – Empty flats	2	9	11
Total	49	349	398

1510

**Government housing stock
Jobs contracted out and cost**

Clerk: Question 540, the Hon. E J Reyes.

1515

Hon. E J Reyes: Can the Minister for Housing state how many jobs have been contracted out, stating the date, type of work, estimated cost and to which companies by the Housing Ministry, since the answer given to Question 425/2012 and broken down into categories of both Pre-war and Post-war housing stock?

1520

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

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, I am trying to hand over the information to the Members opposite. The information will be found in the schedule, which is making its way to my hon. Friend. May I say that, since the answer to Question 524/2012, the Housing Ministry has contracted – *(Interjection)* 425, yes, I beg your pardon. Six jobs have been contracted out.

1525

See next page for Schedule:

ANSWER TO QUESTION 540

Since the answer given to Question No. 425 of 2012, the Housing Ministry has contracted 6 jobs as follows:-

Date	Work Category	Estimated Cost	Company	Type of Housing Stock
16/05/12	Duct Panel Repairs	£820	Skybridge	Post-War
21/05/12	Plumbing repairs	£700	Skybridge	Pre-War
24/05/12	Flooring repairs	£785	Skybridge	Post-War
29/05/12	Flooring repairs	£185	Skybridge	Post-War
30/05/12	External repairs	£1640	Gemini	Post-War
01/06/12	External repairs	£130	Gemini	Post-War

1530

Hon. E J Reyes: Mr Speaker, would the hon. Member happen to have any additional information? I see that flooring repairs, repairs to two particular items there, happen to be in Post-war housing stock. My imagination went to Pre-war and I was thinking of the old type of wooden floor that woodworm or whatever could have got the better part of it, but Post-war tend to be a more solid concrete type of thing. Does he happen by mere chance to have any information of what it was about?

1535

Hon. C A Bruzon: I really do not have any more information on that, Mr Speaker. All I can say is that we have attempted at least to give a general explanation as to the jobs in question and that 'flooring repairs' mean 'flooring repairs'.

1540

If the hon. Member wants more details, I can certainly try to provide them for him, but here unfortunately I cannot.

1545

Hon. E J Reyes: I am grateful, Mr Speaker. If I do wish to take it up further, I shall obviously have to give due notice.

Thank you.

1550

**Co-ownership housing estates
Meetings with Management Companies**

Clerk: Question 541, the Hon. E J Reyes.

1555

Hon. E J Reyes: Can the Minister for Housing state if he has, since his answer to Question 426/2012, held meetings with any management companies of co-ownership housing estates, in order to address any new or ongoing concerns?

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

1560

Minister for Housing and the Elderly (Hon. C A Bruzon): Similarly to the answer given last month, Mr Speaker, no member of any such management company of co-ownership housing estates have approached me for such a meeting.

1565

Hon. E J Reyes: Yes, Mr Speaker, I do not doubt what the Hon. Minister says; it is just that I wonder why it is that when committee members of management companies tend to bump into me in some areas, they say to me, 'Oh, I will keep you informed in the future, because I have requested meetings, to look at a particular issue...' The last one that was brought to my attention, it seems that in a particular co-ownership estate, when there are these unfortunate and sudden power cuts, it seems to be affecting some type of machinery and it is just costing them an arm and a leg now to repair it, because they have got to bring in technicians and so on.

1570

It could well be, Mr Speaker – and I am going to give the Minister the benefit of the doubt – that I know what it is like in committees: they discuss it and no-one has quite got down to asking for a meeting. If I do get

some more detailed information, would it be acceptable to the Hon. Minister that I then write to him directly and perhaps we can both expedite this matter?

1575 **Hon. C A Bruzon:** Absolutely, Mr Speaker, I would be grateful if he did that or ask for the persons involved to write to my secretary. But I would be happy either way.

1580 **Housing Agency employees
Retirements, transfers and new engagements**

Clerk: Question 542, the Hon. E J Reyes.

1585 **Hon. E J Reyes:** Can the Minister for Housing state how many employees have retired or been transferred from the Housing Agency, since his answer to Question 430/2012 and how many new employees have been engaged by the Agency, since that date, in accordance with the agreement reached between Government and the unions?

1590 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Yes, Mr Speaker, no employees have retired or been transferred from the Housing Agency since my answer to Question 430/2012 and no employees have been engaged by the Agency since that date.

1595 **Hon. E J Reyes:** I am grateful for that, Mr Speaker, but last time this question was posed and I was given the due schedule that in fact actually gave me then the breakdown of who had been transferred and who had actually retired, I took it that the Hon. the Minister for Employment was also going to get slightly involved, to see what the agreement with the unions had been, because there was an agreement that whereby after so many number of people had exited that Department, there had to be some recruitment. I note that no-one has been taken in, so the Housing Works Agency, of whom I have hinted that we both have to be on the lookout, in case they are not quite producing as much as we would like them to: I feel that they are now suffering from depleted human resources. So one cannot really ask them for a greater output if the actual resources available to produce those repairs and so on have been depleted, rather than being met in accordance with the agreement.

1600 **Hon. E J Reyes:** I am grateful for that, Mr Speaker, but last time this question was posed and I was given the due schedule that in fact actually gave me then the breakdown of who had been transferred and who had actually retired, I took it that the Hon. the Minister for Employment was also going to get slightly involved, to see what the agreement with the unions had been, because there was an agreement that whereby after so many number of people had exited that Department, there had to be some recruitment. I note that no-one has been taken in, so the Housing Works Agency, of whom I have hinted that we both have to be on the lookout, in case they are not quite producing as much as we would like them to: I feel that they are now suffering from depleted human resources. So one cannot really ask them for a greater output if the actual resources available to produce those repairs and so on have been depleted, rather than being met in accordance with the agreement.

1605 Is the Hon. Minister aware if the contract has been looked into and, if it has not, can I at least have an assurance from him that he will look into what the arrangements were with the unions, so we keep that part of the bargain and numbers be employed accordingly?

1610 **Hon. C A Bruzon:** Mr Speaker, far be it for me to delve into the shoes of the Hon. Joe Bossano, Minister for Employment, who is not here today. I am sure he would have been able to give you information on that, but the answer that I have given is exactly reference the question that I was asked. That is all I think I need to say on the matter.

1615 **Hon. E J Reyes:** Yes, that is acceptable, Mr Speaker, but would the Minister then take it upon himself, with his colleagues, to look upon the number of people who have been transferred or retired from the Housing Agency, so that Government's part of the bargain is then kept?

1620 Can he at least assure this side of the House that he, in a collegiate manner, will look into that with his colleagues?

Hon. C A Bruzon: Mr Speaker, the actual performance of the employees of the Housing Works Agency is improving and they are performing really well. All I can say is that any reference made by the hon. Member – I forget the phraseology he used – reference any lack of performance or inability, because there is too much work for very few employees, I can assure him that they are all fully employed and it is only when certain jobs are beyond their ability to perform, that we would bring in small companies to do certain jobs.

Hon. E J Reyes: Yes, Mr Speaker, for the sake of any doubt, I am not criticising the efficiency levels of the Agency. What I am hinting at is that if the human resources side of the Housing Agency has diminished, then one could not, at any stage, try to say to them, 'Look, why isn't your output greater?'

1630

What I have asked the hon. Member is would he, together with whatever other corresponding colleague of his should get involved, look at that agreement the Government has with the employees of the Housing Agency, as done for the unions, that for every so many number of employees that have left the Agency, either through retirement or transfers, that x number of people would be employed in their place so that there is an agreement on manning levels. Can he at least say to us now that he will take it upon himself to be looking into that matter?

1635

Hon. C A Bruzon: Mr Speaker, the actual workforce is exactly the same as it was when the question was last asked and I am sure, on this side of the House, we would be happy to provide information when it is asked, showing the details of the question.

1640

I cannot now provide any further information – we would need notice of the question – and I think if I may suggest it, Mr Speaker, that question, if it is to do with employment, should be directed to the Minister for Employment, Mr Bossano.

Hon. J J Netto: Could I ask a supplementary question, does the Hon. Minister know whether, as from the 9th December, any member of the Housing Works Agency has retired?

1645

Hon. C A Bruzon: That information has already been given in the House last month. The answer is yes.

Hon. J J Netto: Does he know, from the top of his head, what the figure might be? Is it more than ten, less than ten?

1650

Hon. C A Bruzon: There was a specific question asked last month and Mr Reyes has the information. I think it is less than ten, definitely. It was one or two...

1655

Hon. E J Reyes: Mr Speaker despite my bump of information, having been the last set of Hansard, I seem to have left it in my sitting room at home. I apologise for that.

I accept that there has been no-one retiring or transferring out since the last Question Time. What I was asking the Hon. Minister was, could he please take it upon himself to take on board with whatever other ministerial colleagues he needs to, that seeing that there exists – and it was acknowledged last time round, as well – there is an agreement that after so many people leaving the Agency, they would be replaced by a number, whether it is, whatever the ratio was, whether it is six have left, two or three would be taken on or whatever, and last time round, Government confirmed to us that no-one new had been taken on and, a month later, no-one new has been taken on. I am of the opinion that there is a hole there.

1660

Someone should be taken on and they can look into it so that the whole process of advertising, selection and so on, commence and if we wait for another month to be able to pose a question for the Hon. Minister of Employment then it is the Housing Works Agency that lose one month's work.

1665

I was just asking in a nice cordial, collegiate approach if he can take it upon himself. If he doesn't want to

–

Mr Speaker: It doesn't seem to have bothered the other contracting party it seems, anyway. If they have depleted numbers, it doesn't seem to have bothered the other contracting party, but ...

1670

Hon. J J Netto: Can I ask one question. Does the Hon. Minister know, since 9th December, if anyone has been employed into the Housing Works Agency?

1675

Hon. C A Bruzon: Mr Speaker, I would be grateful if you would give me notice of that question. I think I partly answered it last time, but ...

1680

**Government housing list
Breakdown of allocation requirement**

1685

Clerk: Question 543, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing state how many applicants are presently on the Government's housing waiting list, giving a breakdown of their housing allocation requirements.

1690

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

Hon. C A Bruzon: Mr Speaker I will now hand the hon. Member a schedule containing the information requested. Without going into the details of which, they will soon see in front of them there are 1,677 applicants on the Government's housing waiting lists.

ANSWER TO QUESTION 543

There are 1677 applicants on the Government's Housing Waiting Lists. The breakdown is as follows:

WAITING LIST	
1RKB	801
2RKB	56
3RKB	109
4RKB	86
5RKB	9
6RKB	3
TOTAL	1064

PRE-LIST	
1RKB	448
2RKB	40
3RKB	70
4RKB	43
5RKB	10
6RKB	2
TOTAL	613

1695

**Government housing list
Numbers allocated a flat**

Clerk: Question 544, the Hon. E J Reyes.

1700

Hon. E J Reyes: Can the Minister for Housing state how many applicants on the Government's housing waiting lists have, since his answers given at the last Question Time, been allocated a flat, giving a breakdown of the size of the home and indicating whether these have been assigned following the advice of the housing allocation committee?

1705

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

Hon. C A Bruzon: Mr Speaker, I will now hand the hon. Members another schedule containing the information requested.

1710

For the benefit of those listening on Radio Gibraltar, let me say that a total of twenty applicants on the Government's housing waiting lists have been allocated a flat.

See next page for Schedule:

ANSWER TO QUESTION 544

Twenty applicants on the Government's Housing Waiting Lists have been allocated a flat. The breakdown of the size of home is as follows:

1RKB	2
2RKB	3
3RKB	13
4RKB	-
5RKB	1
6RKB	1
TOTAL	20

All flats have been assigned in accordance with established procedures.

1715

**Government housing list
Names removed as result of home purchase**

Clerk: Question 545, the Hon. E J Reyes.

1720

Hon. E J Reyes: Can the Minister for Housing state how many applicants on the Government's housing waiting list have since his answer given at the last Question Time, been removed from the waiting list due to purchasing their own homes?

1725

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

Hon. C A Bruzon: Mr Speaker, three applicants have been removed from the waiting lists due to purchasing their own homes.

1730

**Government housing stock
Asbestos in flats**

1735

Clerk: Question 546, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Housing state from the housing surveys carried out on Government flats, how many such flats have asbestos therein and of those, how many have asbestos that needs to be removed due to the fact that they have been tampered with and could be releasing airborne fibres?

1740

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

Hon. C A Bruzon: Mr Speaker from the housing surveys carried out in Government flats to date, all asbestos found has been safely removed and replaced with other safe materials. I apologise to the hon. Member for one item of the answer that is missing, which is how many such flats. I will get that number for him as soon as possible.

1745

Hon. J J Netto: I am grateful, obviously, that at least the hon. Gentleman has acknowledged the fact that a part of the question has not been answered and he is more than willing, so I am grateful for that.

1750

So there is a number, which we will find out what is the total number, of surveys which shows from 2006 how many Government flats have got asbestos and now we know from the other part he has answered that, at the moment, there isn't any Government flat which there may be asbestos which has been tampered with

because all such flats which have asbestos which has been tampered with, all the works have been carried out. Is that correct?

1755 **Hon. C A Bruzon:** That is correct, Mr Speaker.

1760 **Government housing stock**
Elderly persons requesting installation of shower unit in flats

Clerk: Question 547, the Hon. J J Netto.

1765 **Hon. J J Netto:** Mr Speaker, can the Minister for Housing state the number of elderly persons who have requested the installation of a shower unit in their flat and the date on which the appropriate report was made to the reporting office?

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

1770 **Hon. C A Bruzon:** Mr Speaker I will now hand the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 547

As the hon Member has not specified a date and reliable data is not available prior to the onset of the Housing Works Agency, the figures provided are from the 4th February 2011 to date.

Date Reported	No. of reports
February 2011	5
March 2011	3
April 2011	5
May 2011	3
June 2011	0
July 2011	1
August 2011	3
September 2011	2
October 2011	11
November 2011	8
December 2011	2
January 2012	7
February 2012	1
March 2012	7
April 2012	10
May 2012	2
TOTAL	70

1775 **Hon. J J Netto:** I noticed that, as part of a previous answer, the Hon. Minister for Housing gave to my hon. Friend, the Shadow Spokesman for Housing, Mr Reyes, in relation to Question 427/2012 – I don't know whether he has got that information there available to him – but within that he said that works pending by the Housing Works Agency, and within the information there, bath or shower conversions, he gives a breakdown which is Pre-war one, Post-war 24 and a total of 25.

1780 Now if my recollection is correct, 427/2012 must have been the May sitting of Parliament. With the information that the hon. Gentleman has provided me, there is a total of 70. In other words, between May and June the figure has gone up between 25 and 70. Now it seems to me like a discrepancy: I don't foresee elderly people in their houses sitting on the edge of their sofas, listening to us and running to the reporting office for housing for a conversion from a bath to shower. So can the hon. Member explain this huge gap, or increase, of 25 from the last month to 70 in this month?

1785 **Hon. C A Bruzon:** No, Mr Speaker, I have no explanation.
These are the facts as they have been presented to me. Did the hon. Member refer to a previous question that has been answered already.

Hon. J J Netto: Yes.

1790 **Hon. C A Bruzon:** If you could repeat that number, I will certainly investigate.

Hon. J J Netto: It is Question – I mean I can do a photocopy, there is nothing – 427/2012, which is the main sitting of Parliament and there they provided, among many other things, information on works which are *pending* to be done and for bath to shower conversion: it said one Pre-war, 24 Post-war, total 25.

1795 Now, when I look at that figure and compare it with the figure that he has just given me, the total is now 70. So, in other words, it has gone from 25 to 70 in the course of four weeks. It is extraordinary, really: there must be an explanation because it is just not reasonable to expect that so many elderly people might have rushed in four weeks to do this. It is just not reasonable, so there must be an explanation for this.

1800 **Hon. C A Bruzon:** Yes, I believe there is, Mr Speaker, because word – good news travels fast, not just bad news – and people are cottoning on to the idea that the Government is doing such a wonderful job and this is literally the truth... (**Several Members:** Hear, Hear!) We are getting more requests for these jobs to be done. This is what we are doing and that is why the number has increased, Mr Speaker.

1805 **Hon. J J Netto:** Well, Mr Speaker, despite what the hon. Gentleman said, that good news spreads fast, you will forgive me for saying that no matter how much the good news is for the elderly in terms of shower conversions, there must be another explanation than ‘good news’.

1810 What I am asking the hon. Gentleman is that, given the more than 100 percent jump in-between one month and another, there must be an explanation, not by him, but obviously the people in the reporting office or the technical offices and the Department and that needs explaining. So all I am saying will he go back and find why there is such a huge increase between one month and the other. That is all I am asking.

1815 **Government housing stock**
Repairs and refurbishments for Occupational Therapy Department

Clerk: Question 548, the Hon. J J Netto.

1820 **Hon. J J Netto:** Mr Speaker, can the Minister for Housing provide the total number of reports originated by the Occupational Therapy Department in relation to outstanding repairs or refurbishments of Government housing stock, the date on which the Department requested the works and the estimated cost per request?

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

1825 **Hon. C A Bruzon:** Yes, Mr Speaker; I will now hand the hon. Member a schedule containing the information requested. The general answer is that there is a total of 86.

See next page for Schedule:

1830 **Hon. J J Netto:** Mr Speaker, is there any explanation for the difference in figures between the figures that the Hon. Minister provided me with now, as opposed to the figures that the Minister for Health provided me before in Question 519/2012?

1835 If I understood the Minister for Health correctly, he said that – in terms of Government flats we are talking about here, we are not talking about the whole community – there were 36 flats, sorry 36 reports, there were eight pending, nine minor, 14 new cases and a total of 67. That is the figure he gave me.

Now, the Minister for Housing is giving me a figure of 86, so is there any reason why we have different figures because, as I understand it, the reason why I am asking the question is because, as I understand it,

1840 when a request is made it goes to the OT Department in the Health Authority. The relevant occupational therapist goes to the site and looks at the needs and necessities of the particular person and, over a period of time, does the report and the report is then sent to Housing at a certain point in time.

So, all I am trying to understand in my mind, how does the process work because the two figures ought to reconcile somehow and it seems that... Can the Minister provide...

ANSWER TO QUESTION 548

As the hon Member has not specified a date and reliable data is not available prior to the onset of the Housing Works Agency, the figures provided are from the 4th February 2011 to date.

Date	No. of reports
February 2011	2
March 2011	1
April 2011	2
May 2011	2
June 2011	1
July 2011	1
August 2011	2
September 2011	1
October 2011	14
November 2011	4
December 2011	8
January 2012	7
February 2012	5
March 2012	25
April 2012	2
May 2012	6
June 2012	3
TOTAL	86

The estimated cost of each request is approximately £2,000.

1845 **Hon. C A Bruzon:** Yes, Mr Speaker, the figures should reconcile if we are talking about exactly the same period of time. But the specific question that I am being asked and the answer I am giving is from February 2011 to June 2012. We made that the starting point because there was no date suggested by the hon. Member as to from which date should we start looking into our records.

So, obviously, the answer that I have given is from February 2011 to June 2012. I would not be at all surprised if the information given by my colleague – (*Interjections*)

1850 **Mr Speaker:** Order, Order.

Hon. Dr. J E Cortes: If I may just say that...

1855 **Mr Speaker:** The Hon. the Minister for Health.

1860 **Hon. Dr. J E Cortes:** There has been no attempt on our side to – well, let me put it this way, we may be speaking about different timeframes. If what the hon. Member wants is a specific timeframe, a current timeframe, then perhaps he could be more specific as to what that timeframe is and perhaps the numbers could reconcile although, obviously, we will have to look into the system and see if these figures that I gave are generated by the Occupational Therapy side, not by the Housing side.

I am sure we can come up with a co-ordinated figure but we weren't asked to co-ordinate and we don't have a similar timeframe.

1865 **Hon. J J Netto:** But, Mr Speaker, my question to both Ministers is very clear. It is not about timeframe, it is about outstanding work.

It is not a question of saying from February to March or March to April, it is about outstanding work. So

the question is clear: outstanding work. My question to the Health Minister was how many of those reports which are outstanding (a) go to Government property, (b) to co-ownership and (c) to the private sector because only the OT have the complete picture of the whole of Gibraltar.

1870

I cannot ask that same question to the Minister for Housing because the Minister for Housing can only answer the question for Government flats. Now when I compare, when I am asking the same question and I compare the figure provided by the Minister for Health and I compare it against the figure provided by the Minister for Housing, there is a difference. There must be a reason for it, obviously, and I am trying to suggest, given that there is no timeframe, why is it that we have got different figures. That is what I am trying to establish.

1875

Hon. C A Bruzon: Mr Speaker, the question does ask for the date and my starting date was –

1880

Hon. J J Netto: The [*inaudible*] was asked –

Hon C A Bruzon: Yes, that is right.

Hon. J J Netto: – but not outstanding works.

1885

Hon. Dr. J E Cortes: Yes, but, Mr Speaker, if the dates that the Hon. Minister's Department has started this process is February, that may not be the same date in which the Occupational Therapy Department (*Interjections*)

1890

Mr Speaker: Order, Order.

Hon. J J Netto: If the hon. Member will give way, it doesn't work like that, the system.

The way the system works, even when the Occupational Therapy do pass the report to the Housing Ministry, whenever the work starts the OT staff is aware that the work is starting and is ensuring, on-site, that the work is being carried out in accordance with the specification of the OT. In other words that the craftsman is not putting the handrails at a length or a distance which does not go in conformity with that, so there is a hand in glove approach between the work on site by the OT and the people who carry out the housing.

1895

So it isn't that they are not aware: they are aware because they are there at the time at which it is happening, so it cannot be on the basis of what the Hon. the Minister for Health has said. There must be another explanation and we need to establish why there is a difference.

1900

Hon C A Bruzon: Mr Speaker if we look at the question, as it was asked, and the answer as it has been given, the question if I may repeat it, Mr Speaker, for the sake of clarity:

1905

'Can the Minister for Housing provide the total number of reports originated by the Occupational Therapy Department –'

Hon. J J Netto: No, no, no!

Hon. C A Bruzon: Excuse me.

1910

'– in relation to the outstanding repairs or refurbishment of Government housing stock, the date on which the department requested the works and the estimated cost per request?'

Now the answer that I have not read out but which the hon. Members opposite have access to, says:

1915

'As the hon. Member has not specified a date and reliable data is not available –'

– at least to me, anyway –

1920

'– prior to the onset of the Housing Works Agency, the figures provided are from 4th February 2011 to date.'

So the answer is that which we have given. If there is a difference, it is because I am trying to provide the answer giving a starting date. It does not say that there weren't any reports before that, but that is my starting

point.

1925 **Hon. J J Netto:** The question is the reported date of outstanding works but, in any case, Mr Speaker, given that, even on the assumption of what the hon. Gentleman has said, given that he is basing the total of 86 as from February, then he should have been even *less* than the amount of the figure that the Hon. the Minister of Health has given me, even on that basis.

1930 But the premise is wrong because it is not 'on the date', it is the amount of outstanding works, so the point I am trying to accept and I don't necessarily want an answer now, all I am trying to say as a form of a question is that, somehow, perhaps because there is no communication between Housing personnel staff with the OT staff, what has happened here is that the Hon. the Minister for Health has gone to his department, he has got information, as has been compiled there, the Minister for Housing has got information from his staff that was compiled there, but there is a lack of communication between the two because it is exactly the same question, so can I ask both Ministers whether they can find what is the difference, why do we have a different figure?

1940 **Hon. Dr. J E Cortes:** Mr Speaker, if there is a lack of communication, it is a lack of communication in the system that has been inherited from – (*Interjections*) Yes, it is absolutely true. (*Interjections*)

Mr Speaker, I am sure there is a clear and logical explanation for the fact that the figures differ, although they differ by – how many? 86 versus 67, which is a difference of what, 19? It may be that the 17 Albert Risso flats, which were not included in the 67, are on the Housing Agency's records, which would make a difference of one or two, which I think is fairly acceptable when you are looking at two sets of data, so maybe that is the explanation.

1945 **Hon. J J Netto:** In the previous question, the hon. Member said he was not going to answer a hypothetical question. Now he is putting his answer on the basis 'maybe'. Well maybe means a hypothetical scenario which may or may not happen and I am not interested in maybe's. What I am interested in is fact. So can the Hon. Minister try and establish the fact on the basis of what is the real situation and not on maybes and hypotheticals.

1950 **Hon. Dr. J E Cortes:** Mr Speaker, I don't know whether the Standing Orders allow for hypothetical answers or not.

1955 **Mr Speaker:** They do.

Hon. Dr. J E Cortes: They do. Then my hypothetical answer stands. (*Laughter*)

1960 **Mr Speaker:** Unfortunately there is nothing in the Standing Orders which covers the answers.

Hon. J J Netto: Well, Mr Speaker, if it is a hypothetical answer, could the Hon. Minister at least go back to his Department and ensure that the hypothetical answer is the correct answer.

1965 **Clerk:** Question 549...

Mr Speaker: The Hon. Mrs I M Ellul-Hammond.

1970 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, seeing that these repairs are mainly health related and, therefore, potentially urgent, how are they prioritised on the list for housing repairs and refurbishment? Is it by date, is it by urgency: what is the system?

Mr Speaker: The Hon. the Minister for Health.

1975 **Hon. Dr. J E Cortes:** Mr Speaker the hon. Lady should be careful when she says that they are 'urgent'. Some of these repairs have been there – repairs or alterations – since 2009, so I don't know whether they are urgent now, but they weren't urgent then! I just needed to point that out.

1980 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, I asked if they could potentially be urgent and what was the system of prioritisation. Was it by date or was it by urgency? I therefore infer from your answer that *perhaps* the 2009 report was not based on 'urgent', as urgent as somebody who reported it last year, and maybe the repair has been done.

1985 **Hon. Miss S J Sacramento:** Mr Speaker, as Minister with responsibility for equality, which would include disability, I have been dealing with the Ministry for Housing in relation to any outstanding works relating to the Occupational Therapy reports. I am aware when I made the enquiry some months ago that there were numerous works outstanding, the bulk of them dating to 2011, 2010 and there were some dating back to 2009. In fact, there were some dating back even later but I understand that those have been addressed and therefore they will not be reflected in these figures.

1990 As I understand – (*Interjection*) Well, yes, Mr Speaker, and unfortunately some people have died whilst they have been waiting for their outstanding OT work to be undertaken. But as I understand it, Mr Speaker, the backlog that was in place when we came to office, especially in relation to the conversion of baths to showers, as I understand it, has all been dealt with. Therefore, in my capacity as Minister for Equality, we have been working towards introducing a system that would prioritise all OT reports and that is the answer to that question. Yes, they are given priority.

1995 **Mr Speaker:** The Hon. the Minister for Health.

Hon. Dr. J E Cortes: Mr Speaker, if I may ...

2000 **Hon. D A Feetham:** Mr Speaker, there have been now three answers by three separate Ministers of a question... (*Interjections*)

Mr Speaker: Yes.

2005 **Hon. D A Feetham:** You talk about Standing Orders. If there is an answer, then that is the answer, otherwise the entire team opposite is going to be commenting on this!

2010 **Mr Speaker:** Well, I accept that there have been answers by three different Ministers to the question and I did give it some thought, but one must bear in mind the question is posed in a manner, for example, started by the Hon. Jaime Netto, where he refers to discrepancies between information given by one Minister and the other Minister, so there has to be a degree of answering by two Ministers at the very least.

2015 With respect, you cannot accuse – I use the word guardedly – 'suggest', there is a discrepancy between two Ministerial answers and not allow both Ministers the opportunity to answer, so that will explain why there is a multiplicity. But I am not in any way curtailing the supplementaries. All I am doing is allowing the answers to enable a supplementary to take into account as, indeed, the Hon. Jaime Netto has been able to do, which is take into account the discrepancies and formulate supplementaries.

The opportunity will be given to all Members on this side to formulate as many supplementaries as they like but it would help, I think, to have the answers and to formulate the supplementary.

2020 **Hon. G H Licudi:** Mr Speaker, in any event, it is not understood what the nature of the complaint by the hon. Member is.

2025 If you have more than one Ministry involved and more than one Minister having information which is relevant to the question that is being asked, it is perfectly proper and possible and, as I understand it, within the rules, subject to any ruling you might make, for one Minister to give part of an answer, another Minister to give part of an answer and, in this particular case, we have got a third Minister who has specific responsibilities for disability, having relevant information.

So what is it, we don't give answers or we give too many answers with too many Ministers answering the questions? (*Applause*)

2030 **Hon. D A Feetham:** The hon. Gentleman should calm down and not get so excited. (*Laughter*).

Mr Speaker: Order.

2035 **Hon. D A Feetham:** We have had... There is a discrepancy between the answer given by Mr Bruzon with the answer given by Mr Cortes. Mr Bruzon has answered, Mr Cortes has answered, Mrs Sacramento has answered. Now *you* have made a contribution. The hon. Lady... and, in actual fact, none of those contributions have answered the question that the hon. Lady Mrs Ellul-Hammond has actually asked, because she has asked the question, well, how are these jobs actually prioritised?

2040 What you have done is, you have given vent to party political propaganda about, well, 'these are outstanding since 2009, 2010' and you have not answered the question, which is how are these jobs actually prioritised? The point I was going to make is, well, look, there have now been three Ministers that have effectively made contributions in answer to the question and none of them have answered – and we are now on the fourth. (*Interjections*)

2045 **Mr Speaker:** Order, Order.

Hon. G H Licudi: Mr Speaker, the answer has been given.
We have the typical situation here, where the hon. Members opposite get up and complain about the answer not satisfying what they might want to hear and they say 'You have not answered.' Well, the answer has been given and, in respect of more than one Minister getting up and making contributions, we have now had three Members – there are seven Members, well, rather there are six Members there – half of the Opposition has contributed in this particular question. You often have situations where you have one Member of the Opposition asking a question and then a separate Member of the Opposition asking a supplementary. That is what has happened here... (*Interjections*)

2055 The hon. Lady on the Opposition benches has got up and the Hon. Minister for Social Services has felt it appropriate that it was her answer that ought to be given. I honestly can't understand what the hon. Member is complaining about – and now it seems we are going to have a *majority* of the Opposition contributing to this debate, with the hon. Mr Bossino...

Mr Bossino, I give way to you.

2060 **Hon. D A Feetham:** No, look, I am sorry,

Hon. G H Licudi: You see, Mr Bossino is dying to get up, so I give way to him! I have given way to Mr Bossino.

2065 **Hon. D A Feetham:** Oh, so you are trying now... (*Interjections*)

Mr Speaker: Order, order!

2070 Is it suggested that the Opposition is not being given an opportunity to ask questions. That cannot be the complaint.

Hon. D A Feetham: What I am suggesting is that, in fact, there has been a question, it has now been answered by three Ministers, none of which have in fact answered the question that the hon. Lady has asked. Now we are moving to the fourth opportunity on the other side, none of which have answered the question, all of which have entered into this political discourse about these works dating back to 2008 or 2009, or 2010 or 2011, but none of them have answered the question. Of course, we have been waiting patiently on this side of the House for an answer and we have heard, now, three different contributions: none of them have answered and I think that the hon. Lady is entitled to insist, as she was going to, before Mr Cortes was, again for the fourth time, going to answer on that side, to say, 'Look, please could you answer my question'. That was a supplementary that she was going to ask.

2080 **Hon. G H Licudi:** Mr Speaker, I was on my feet when the hon. Member interrupted what I said when I was on my feet, that I was giving way to the Hon. Mr Bossino, who was dying to get up and clearly contribute to the debate. So I again give way to the Hon. Mr Bossino, even though I was rudely interrupted by Mr Feetham.

2085 **Mr Speaker:** Order, order.

Let's not start describing contributions. Does the Hon. Damon Bossino wish to say anything regarding the

[inaudible] debate? Not into the question. Let's look at the position here.

2090 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can I reiterate a supplementary question.

Mr Speaker: I will allow you to deal with that in a minute.

2095 I am just dealing with the procedural aspects, to the extent that the question and this line of questioning now refers to discrepancies between different Ministers' answers, which is clearly what the question is about, with respect, I must allow both Ministers to answer the question.

Hon. D A Feetham: But you have

2100 **Mr Speaker:** And I have, so that cannot possibly be the complaint.

Now, the Hon. Minister for Equality – and do forgive me for not remembering the title – there was a question on prioritising and, in that respect, the hon. Lady answered what she sees the manner of dealing with the issues. She has chosen to refer to outstanding issues going back to 2009/10. That may be regarded – and I am forming no view on that, it is not my job to form a view – as a political answer but that is the hon. Lady's answer in terms of prioritising. Whether we like it or not, that is the answer.

2105 Now, as I say, it is not for me to judge the quality of the answer but, in answer to the prioritising question, that is the answer which came forth, that is her answer.

2110 I was just going to allow the Hon. Dr. Cortes, the Minister for Health, to answer because we are still talking about prioritising and the numbers and I will give the Opposition opportunity to come back and either criticise the answers or to ask further supplementaries. I will ask and allow the Hon. the Minister for Health.

2115 **Hon. Dr. J E Cortes:** Mr Speaker to do our arithmetic, I am going to repeat so that we are clear. The Hon. the Minister for Housing has 86 on his list. I mentioned 67 plus 17 in Albert Risso. If we are to assume – it is an assumption and we will look into it – that we add the 17 plus the 16 we get 84 and 86 and it is very possible that there may be one or two which may have been completed in the time that our two data sets were collected.

2120 What I am saying is that the figures, if we look at it like this, may not be as inconsistent and, if I may, Mr Speaker, I just want to say one more thing. I am now after, I think, five sessions beginning to thoroughly enjoy sitting in Parliament and I will prove that I have become part of the fold by saying four words in a minute... Any implication by the Opposition that this Government gives less importance and less urgency to refurbishing habitation for disabled people is no more and no less – wait for it – than 'the height of hypocrisy'. The first time I have ever said that, Mr Speaker.

Mr Speaker: The Hon. Isabel Ellul-Hammond.

2125 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, if I may just reiterate the question: what is the process at the moment – and I directed this question at the Minister for Housing – for prioritising requests for Occupational Therapy repairs or refurbishments to Government housing?

2130 **Hon. C A Bruzon:** The answer is that we prioritise all requests and that, without trying to be too political, Mr Speaker, we have dealt with quite a large backlog that we have inherited. All those have been completed. They were completed, they are already completed now: there are a total of 24 bath to shower conversions that we are still working on and all of them have been prioritised.

2135 However I will concur 100 percent with my hon. Friend and colleague, Samantha Sacramento, that we give top priority to people with special needs. That is my answer, Mr Speaker.

Hon. J J Netto: Can I ask a supplementary question?

Mr Speaker: Yes.

2140 **Hon. J J Netto:** Mr Speaker, regardless of whether the number of outstanding jobs to be carried out is 86 or 67, or anything in between, can I ask the Minister for Housing, whatever the figure is, whether these works will be carried out within the next three months?

2145 **Hon. C A Bruzon:** I cannot answer that question exactly. We dealt with this last time in Parliament: I am not a believer in giving periods like three months or six months, or one year. My answer would be that I would give top priority to any request from any tenant with a job that has to be done to be done as soon as possible.

2150 There are sometimes problems when we have to wait for materials to arrive. That happens, not all the time, but it does happen. There are some showers that are waiting for a small additional component that has not arrived but we are doing our *utmost*. Not only have we cleared the backlog that we inherited but we are literally working round the clock to ensure that elderly people and people with a disability have these conversions done as soon as possible.

2155 **Hon. J J Netto:** With respect to the Hon. Minister, he has already conceded the fact that these are urgent works. Nobody is disputing that the nature of this type of work, either for medical reasons or for issues of disability, there are urgent reasons... So I cannot accept, on the basis of that, that he does not know when the works will be carried out because it is quite simple for the Minister to go back to the Housing Agency and to his officials, to be able to know whether the work has been already categorised as 'urgent', they are now scheduled to be carried out by the Housing Works Agency within the next three months, the next six months, the next twelve months or, in other words –

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Hon. C A Bruzon: Will the Gentleman give way, please?

Hon. J J Netto: Yes, I will.

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Hon. C A Bruzon: Mr Speaker, I have not said that I don't know that the works have been carried out. The works are definitely being carried out and I have not said that they are going to take a year: I was giving an example, maybe a bad one, that I am not a believer in putting a timeframe, 'you must do this within a three month period'. No, you must do this *as soon as is possible*. That is what I am trying to say. Please don't misquote me.

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Mr Speaker.

2175 **Hon. J J Netto:** Accepting that, and even accepting the fact that some of the equipment are specialised equipment, therefore you have got to accept that this equipment will come from further afield and, obviously, that is delay... I accept all of that but, having accepted all of that, at the same time we do realise that, for medical or disability issues, the nature of this kind of works are urgent. If we know they are urgent, then we know the officials in the Ministry for Housing in the City Hall will issue instructions to the Housing Works Agency for the works to be scheduled in an urgent manner so, therefore, if everyone accepts the premise of my question, then the Minister should know, all things being equal, whether equipments are coming or not, whether this work, whatever the figure, will be done in the next three months or not, because the foreman and the people who are managing the housing would say: 'Well, knowing the schedules, Monday, so many tradesmen will go to do this job and so many tradesmen to that job and the following week...' There is a schedule and, if there is a schedule, they know what the workers will be doing on this week, on this month, the next month and the next month.

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2185 Therefore, there is an answer to the question. He may not have it there with him, I accept that, but he can go back and find out whether the outstanding work will be done in the next three months, the next six months, the next twelve months. That is my question.

2190 **Hon. Dr. J E Cortes:** Mr Speaker, Government is dealing with a backlog and I know we are being criticised for going back in time but this is a reality. The flagship block for the elderly, Albert Risso House, has seventeen cases identified from the beginning of the occupation, because Occupational Therapy was not properly consulted and they couldn't even get into their showers.

We are dealing with backlogs. We have got to deal with backlogs, as well as the current things. The implications that I am hearing today are totally unacceptable, Mr Speaker.

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Hon. J J Netto: Yes, but that doesn't answer the question.

Mr Speaker: The Hon. Daniel Feetham. (*Interjection by Hon. Dr. J E Cortes*)

(*Interjection by Hon. J J Netto*) Order. The Hon. Daniel Feetham.

2200 **Hon. J J Netto:** Point of order, Mr Speaker. It is not for members of the Government to tell the Opposition what questions to ask.

Mr Speaker: The Hon. Daniel Feetham.

2205 **Hon. D A Feetham:** Yes can I return back to the question of the priorities because I haven't quite understood the answer and I think you know we are not trying to score political points here (**Several Members:** No!)

2210 Look, Mr Speaker, Mr Linares ought to give me the courtesy of allowing me to answer the question. (*Interjection*) Sorry, ask the question, I beg your pardon, because there are constituents out there who are may be waiting for jobs and they would like to know the criteria for determining the order of priority.

2215 The answer the Hon. the Minister for Housing gave was, as I understand it, this: we prioritise all of them. Now you can't, with respect, prioritise all of them because you are not *prioritising*, you are dealing with all of them equally. Then he said we prioritise – which was what the hon. Lady said – we prioritise special needs. Now, I understand that, you prioritise special needs –

Hon. G H Licudi: And the elderly.

Hon. D A Feetham: Well, elderly, that is the... (*Interjection*) I didn't quite hear that.

2220 **Mr Speaker:** Order, order. I think it would be helpful if the members on this side did not engage in a debate from a sedentary position.

Hon. D A Feetham: Yes, otherwise I am not going to finish.

2225 **Mr Speaker.** We won't hear the question. (*Interjection by Hon. G H Licudi.*)

Hon. D A Feetham: Mr Licudi, if you can allow me to... I haven't given way.

2230 I am going to ask the question. Now, prioritize special needs and the elderly. Are all the others effectively dealt with say, for example, by how old the request for the work is? Is that how they are dealt with, because there has to be a criteria in relation to that, or is it dealt with, for example, by reference to the urgency of the work, the nature of the work and the nature of the person? That's what we are trying to just find out because there are, obviously, going to be people out there who are waiting for works who will find that information of interest. I mean, it is nothing controversial.

2235 **Hon. G H Licudi:** [*Inaudible*] been waiting for three years. You were there. Mr Speaker, the answer is very simple and I know that the hon. Member didn't want to give way and then they complain about quality of debate in Parliamentary democracy and all that and I would have thought, as a matter of courtesy –

2240 **Hon. D A Feetham:** I was about to ask the question.

2245 **Hon. G H Licudi:** Well the only reason I wanted the hon. Member to give way was because he was reciting what the Hon. the Minister for Housing had said and was setting out the wrong information and although we were from this side of the House urging him to correct and I understand the comment by the Hon. Mr Speaker that we should not engage in debate across this House. That is why I asked the hon. Member to give way, so I could correct the information that he was giving in respect of what the Minister for Housing has given.

2250 The answer has been given in respect of the priority, which is what the question is about, and the question answered was that works will be done 'as soon as possible' and that means that priority is given but, as the hon. Members have also said, there is a backlog and there has been a backlog, which was inherited, and had to be dealt with. And we recognise the urgency of these works and priority has been given on the basis of the answers that have already been given and that is the state of play.

2255 **Hon D A Feetham:** With respect, you have not answered the question! I quite understand that you are dealing with, you are giving priority, to the elderly and special needs. That I understand, but in relation to the others, yes there is a backlog, now how are you dealing with the backlog. Are you dealing with the backlog in terms of the oldest first, or are you dealing with the backlog – that's what I am asking, it is a perfectly reasonable question. Now of course if you don't want to answer you don't have to, I mean yesterday there was a plethora of questions that weren't answered by those on that side of the House, starting by the Chief Minister. (*Interjections*)

2260 **Mr Speaker:** Order, order.

2265 **Hon. G H Licudi:** Well, no, Mr Speaker, there wasn't a plethora of questions which were not answered, there was a plethora of questions, perhaps unnecessary questions, which *were* answered and the hon. Members did not like the answers! It is too bad if they don't like the answers but they get the answers that we want to give, not necessarily the answers that they want to hear.

Mr Speaker: Anyway, as I see it, a question has been put. I ask the Minister, does he wish to answer?

2270 **Hon. C A Bruzon:** May I try to answer the Member opposite. The system that we have in place has been explained to the best of our ability. That category of people who do not come under the heading of special needs or the elderly will be looked at in terms of the chronology of the request. That is the simple answer.

2275 **Hon D A Feetham:** I am extremely grateful, because that is the answer.

Mr Speaker: Okay, I take it there are no more questions. Are there any more supplementaries on that line of questioning?
We can move to another question, another subject altogether.

2280

TRAFFIC, HEALTH & SAFETY AND TECHNICAL SERVICES

2285 **Frontier crossing**
Average waiting times since Question 437/2012

Clerk: Question 549, the Hon. D J Bossino.

2290 **Hon. D J Bossino:** Can the Minister for Traffic, Health & Safety and Technical Services provide this House with details of the average waiting time it has taken vehicular traffic to cross the frontier since Question 437/2012 was asked.

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

2295 **Minister for Traffic, Health & Safety and Technical Services (Hon. P J Balban):** Mr Speaker, the information requested by the hon. Member is contained in a schedule which I now hand over to him.

See next page for Schedule.

Answer to Question 549 of 2012

VEHICLES LEAVING GIBRALTAR

2300

2012	No. of days with ...		Days with Queues		
	No Queues ¹	Queues	Av Waiting Time	Highest Average	Lowest Average
May	3	28	36 mins	91 mins	12 mins

¹ "No Queues" means that 4-lane queues were not in operation in Gibraltar.

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**Frontier crossing
Average waiting times before Question 437/2012**

Clerk: Question 550, the Hon. D J Bossino.

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Hon. D J Bossino: Can the Minister for Traffic, Health & Safety and Technical Services provide this House with details of the average waiting time it took vehicular traffic to cross the frontier, broken down on a monthly basis over the twelve months preceding the answer to Question 437/2012.

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 information requested by the hon. Member is contained in a schedule which I now hand over to him.

See next page for Schedule.

Answer to Question 550 of 2012

VEHICLES LEAVING GIBRALTAR

	No. of days with ...		Days with Queues		
	No Queues ¹	Queues	Av Waiting Time	Highest Average	Lowest Average
2010					
December	5	26	25 mins	40 mins	11 mins
2011					
January	6	25	23 mins	24 mins	17 mins
February	1	27	27 mins	30 mins	21 mins
March	0	31	29 mins	31 mins	21 mins
April	0	30	30 mins	33 mins	28 mins
May	2	29	27 mins	29 mins	22 mins
June	2	28	28 mins	29 mins	16 mins
July	4	27	29 mins	31 mins	19 mins
August	10	21	25 mins	28 mins	22 mins
September	6	24	27 mins	24 mins	37 mins
October	5	26	24 mins	26 mins	21 mins
November	8	22	25 mins	45 mins	10 mins

¹ "No Queues" means that 4-lane queues were not in operation in Gibraltar.

**Government tender advertised on 11th May
Nature of consultancy services sought**

2320 **Clerk:** Question 551, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Traffic, Health & Safety and Technical Services provide details of the nature of the consultancy services it is seeking pursuant to the tender issued by the Government, as advertised in the *Gibraltar Chronicle* on 11th May 2012.

2325 **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 tender notice issued on 11th May 2012 is an invitation for expressions of interest from consultants to assist the Government in the development of a new sustainable traffic, transport and parking plan for Gibraltar.

2330 Consultants will be pre-qualified based on a set of selection criteria and the successful ones will then be invited to submit bids. No further details can be provided at present, as the tender process ended on 15th June 2012 and the assessment and selection process is currently underway.

2335 **Hon. D J Bossino:** As I understood the question, Mr Speaker, the successful tenderer will assist the Government in relation to the formulation by the Government of its traffic plan. Is that the correct

understanding? I assume the answer is going to be yes.

Hon. P J Balban: Yes, Mr Speaker.

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Hon. D J Bossino: And given... I am trying to marry the information that I am receiving at this session of the House with the information which the Hon. Minister has provided me in previous sessions of the House and see how this fits in with the consultation process which commenced and ended in the month of January and then I was told in February when I asked for the data which his Ministry had collated as a result of that consultation exercise and the answer was that the data would be produced in a summary spreadsheet which was, at that stage back in February, being collated and would be finished shortly. Then in March I was told in this House, Mr Speaker, that there would be a further tier, if you like, to the steps which were being taken by the Government before getting to the plan which was a user and trip survey, which I understood from the Minister at the time would have been conducted by his Department by way of a questionnaire to the general public. In fact, I think there was a resistance to providing the data collated as a result of the public consultation exercise until the user/trip survey had been completed. Then the next step seems to be the advertising of this tender and I was unable to ask the question at the last session of the House because the advertisement had come out the day after the time limit for submission of questions, which was Friday 11th. So I set out for him in a brief summary the answers that I have received from him since January and I really want to know how this new development, if you like, fits in to the overall plan.

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Hon. P J Balban: Mr Speaker, this is one more step towards our goal, which is the creation of a sustainable traffic, transport and parking plan for Gibraltar.

As the hon. Member obviously was asking about the user/trip survey, it is once we engage the consultants for this tender we will obviously be seeking advice from this consultant to be able to formulate the user/trip survey so we can continue the process.

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Hon. D J Bossino: Mr Speaker, I don't have the *Hansard* here available with me but I am slightly surprised by the answer just given by the Hon. Minister because, as I understood it, when I asked him in connection with the information I was seeking from him as to the data collected as a result of the public consultation exercise started and finished in January, the reason why he was unable to provide this answer, Mr Speaker, was because a user/trip survey was currently at the time, i.e. in March, being conducted. So, can I ask the Minister whether there was a change to that and that was put on hold because the Government decided to go out to a private contractor in order to assist it – i.e. the Government and its Department – in the formulation of the traffic plan? There is an inconsistency in the answer they gave in March and the answer he seems to be giving me now, unless he can clarify the position.

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Hon. G H Licudi: Mr Speaker, is the hon. Member alleging an inconsistency without knowing, because he has admitted that he doesn't know what answer was given previously. How can he allege an inconsistency in those circumstances? I mean if he had *Hansard* and was reading from *Hansard* and saying 'I know that this was the way this was answered', but he prefaced that by saying 'well I can't remember what he actually said' but then alleges that there is an inconsistency. As far as we are concerned, there is no inconsistency.

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Hon. D J Bossino: Mr Speaker, just to clarify the point, I am relying on a note I made of my research and I was just being overly cautious, simply saying that I won't be able to *prove* to the House at this session, that I have that I can show and quote chapter and verse the Minister's reply at the time but my note which is based on my research having looked at *Hansard* is, I think accurate and the note says, and I stand by what my note says, was that the user and trip survey was at the time being conducted. Look, the Minister ought to know, ought to have his own recollection of what he told me at the time and he is dealing with this matter, it is his Department, he is running the Department, he also has clear in his mind, what the position is. It is as simple as that and all I am doing is asking for clarification and if the Minister for Justice is happy I withdraw the allegation of inconsistency I just want clarification.

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Hon. G H Licudi: No, Mr Speaker, it is not a question of having to withdraw anything and that is not the point of my intervention but we cannot have questions being asked on the basis 'I recall this, what do you recall?'. Either something is asked premised on fact or it isn't asked premised on fact and if the hon. Member

is saying, well, this is a fact, this is what I was told, then obviously we accept that will be a proper question, but we don't accept it as a proper question to say well I seem to recall that this happened, what do you recall happened two months ago, or three months ago, or four months ago? We don't believe that was a proper subject of Parliamentary supplementary questions.

2395

Hon. D J Bossino: Mr Speaker, all I can do is stand by my notes at this stage and the Minister did say, according to my note, that a user and trip survey was at the time being conducted and in fact that a public consultation exercise was fluid, it had not closed on 21st January 2012 and those were his answers and in fact the user and trip survey was what was holding back the provision of the details as to the findings of the results of the consultation exercise carried out in January.

2400

That is what I recall, that is what was said, sorry not what I recall but the notes I made as a result of my research of *Hansard*, it is just simply I do not have *Hansard* here in front of me. Now is the Minister willing to answer or not?

2405

Mr Speaker: I think the question is properly formulated. The hon. Member does say, the hon. Member does say that he hasn't got *Hansard* here but his notes reflect what he read in *Hansard*, that is as good as saying this is what *Hansard* says. I mean, ideally, *Hansard* but it is equally good for the hon. Member to say 'these are my notes, this is my understanding of what was said, will the Minister clarify whether the position has changed?' I think that is what the gist of the question is.

2410

Hon. P J Balban: Mr Speaker, the position has not changed. The whole traffic plan, the way it is meant to run is that, once the consultants are actually engaged by way of the tender, they will then provide us with information on how to go about doing the user/ trip survey. That was the plan from the very beginning.

2415

Hon. D J Bossino: Mr Speaker, I find it odd and would ask the Minister why it is that he made no mention whatsoever in any of the previous sessions, particularly when the user and trip survey was first raised by him in the March session of Parliament, that he was going to go to a private contractor by way of tender to assist him in carrying out this user and trip survey. Does the Minister not find that particularly strange?

2420

Hon. P J Balban: Mr Speaker, this is just part of the process. I don't see that this is strange whatsoever.

2425

**Prohibition and Improvement Notices
Number issued in May**

Clerk: Question 552 the Hon. J J Netto.

2430

Hon. J J Netto: Mr Speaker can the Minister for Health & Safety state how many prohibitions and improvement notices were issued in the month of May 2012, if any, broken down by industry group and specify the reason or reasons for issuing the notice in this period which may have brought operations to a halt until the inspector was satisfied that the correct standard had been duly complied with.

2435

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 I will answer this question together with Questions 553 to 555 of 2012.

2440

**Factory Inspector
Number of site meetings in May**

2445

Clerk: Question 553

Hon. J J Netto: Can the Minister for Health & Safety state how many site meetings were held and the advice given by the Factory Inspector during the month of May 2012, stating to which industry group this was given?

2450

**Accidents reported during May
Industry group and details**

2455

Clerk: Question 554

Hon. J J Netto: Mr Speaker, can the Minister for Health & Safety state if there have been any reported accidents during the month of May 2012, showing the industry group involved and stating which ones were reportable, major and fatal, if any?

2460

**Factories Act
Number of inspections and possible breaches during May**

2465

Clerk: Question 555.

Hon. J J Netto: Mr Speaker, can the Minister for Health & Safety state how many inspections during May 2012 did the Factory Inspectors conduct, showing the industry group targeted, whether any possible breach of the Factories Act or any subsidiary legislation by any private company, a Gibraltar Government or MOD workplace may have taken place and whether legal advice is being sought?

2470

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

2475

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 schedules which I now hand over to him.

See next page for Schedules.

2480

Hon. J J Netto: Mr Speaker, could I ask if the Hon. Minister could assist me because, in the first paper, which is the first one which he has provided which has the heading at the top called 'Inspection, Site Visit and Advice', that is the one I am referring to, and I can see, for instance, if you go down to the construction it gives you the figures in January 14, in February 29, in March 38, April 17 and in May 29. Right. If I were to ask him for instance in the month of May for instance, for which there have been 29, of those 29 which have been inspections, which have been site meetings and which ones have been advice. Because I have asked specific questions for those categories but in the presentation of those figures, at least I can't deduce it, so can he assist me on that?

2485

Hon. P J Balban: Mr Speaker, just by the month of May, for example, 29 by the figures that I have been given, it doesn't seem as if I will be able to actually break them down by inspection, site visits and advice. So what I will do is I will ask the Factory Inspectors and I will get them to reply to that.

2490

Hon. J J Netto: I mean my question was very clear. The only thing is that the way the information is compiled does not distinguish the specific categories I have asked. So therefore he needs to break them down in a manner, I mean he can put it in one paper if he wants to but I need to deduce the specific answer, if he wishes to supply the answer in the manner in which I have asked the question.

2495

Now I understand that not only can I do this in the information provided now, but neither can I do it with the information provided last month because the same applies in the same month. So if he is going to go back, for which I am grateful, to the staff to be able to break down the figures so I can have the answers, can he also do it with the figures that he provided me with the previous month.

Answer to Questions 552 to 555

Table HS.1

Monitoring Activities, 2012

Industry Sector	Inspections / Site Meetings / Advice				
	January	February	March	April	May
Electricity Supply/Related				3	
Water Supply/Related					
Shipbuilding/Marine					2
Repairs					
Manufacture		1			
Construction	14	29	38	17	29
Wholesale Trade					
Retail Trade		2	3		
Hotel Trade					
Restaurants, Bar etc				2	2
Repairs Consumer Goods					
Sea Transport Related	1	2			
Air Transport Related					
Road Transport Related					
Post & Communications					
Bank, Finance, Insurance				2	
Public Admin & Natl					
Defence		1			
Police, Security, Fire					
Services					
Sanitary Services				1	
Education					1
Medical & Health Services					1
Other					5
Horticulture					
Unknown					
Total	15	35	41	25	40
<i>Updated</i>					

Source: Ministry for Traffic, Health & Safety and Technical Services

CONT'D ANSWER TO QUESTIONS 552 TO 555

Answer to Questions 552 to 555

Table HS.2

Occupational Reportable Accidents, 2012

Industry Sector	January			February			March			April			May		
	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal
Electricity Supply/Related															
Water Supply/Related	1														
Shipbuilding/Marine Repairs	2			1			1			2					
Manufacture															
Construction	2	1		2			2			6	1				
Wholesale Trade															
Retail Trade															
Hotel Trade	1														
Restaurants, Bar etc							1								
Repairs Consumer Goods															
Sea Transport Related															
Air Transport Related															
Road Transport Related															
Post & Communications															
Bank, Finance, Insurance															
Public Admin & Natl Defence	1			2											
Police, Security, Fire Services															
Sanitary Services	2										1				
Education											1				
Medical & Health Services															
Other															
Horticulture															
Unknown															
Total															
Updated	9	1	-	5	-	-	4	-	-	8	3	-	-	-	-

Source: Ministry for Traffic, Health & Safety and Technical Services

CONT'D ANSWER TO QUESTIONS 552 TO 555

Answer to Questions 552 to 555

Table HS.3

Enforcement Activities, 2012

Prohibition/Improvement Notices Served

Industry Sector	January		February		March		April		May	
	PN	IM	PN	IM	PN	IM	PN	IM	PN	IM
Electricity Supply/Related										
Water Supply/Related										
Shipbuilding/Marine Repairs										
Manufacture										
Construction	1								1	
Wholesale Trade										
Retail Trade										
Hotel Trade										
Restaurants, Bar etc							1			
Repairs Consumer Goods										
Sea Transport Related										
Air Transport Related										
Road Transport Related										
Post & Communications										
Bank, Finance, Insurance										
Public Admin & Natl Defence										
Police, Security, Fire Services										
Sanitary Services										
Education										
Medical & Health Services										
Other										
Horticulture										
Unknown										
Total	1	-	-	-	-	-	-	1	1	-
Updated										

Source: Ministry for Traffic, Health & Safety and Technical Services

2500

Mr Speaker: Yes, I think the Minister has answered and said he accepts the need.

Hon. J J Netto: Can I –

2505

Hon. G H Licudi: Sorry, I wasn't sure whether there was a supplementary or whether he just asked us to provide the breakdown in the manner of the question asked and then the Hon. Minister said yes, that that information is not provided and we will provide it.

Mr Speaker: That is what I understood, yes.

2510

Sorry, I think the question went further than that: could the Hon. Minister provide the same breakdown for the previous month.

Hon. J J Netto: Yes, both of them, the one that he has supplied now and that he supplied last month, the presentation is the same and my comments apply both to this month and to last month. The question is exactly the same.

2515

Mr Speaker: I don't recall, did the hon. Member take issue with the absence of breakdown last month?

Hon. J J Netto: No, because –
Mr Speaker to be honest ...

2520

Mr Speaker: No, I am just trying to recollect, myself.

2525

Hon. J J Netto: To be honest with you, there is limited time to be able to absorb in seconds, basically, the amount of information and, once I took it home, I realised that the answer given doesn't provide me with what I have asked.

2530

Mr Speaker: What I would respectfully suggest to Members asking questions, it might be helpful in future if one emphasises by putting (a); (b) and (c) so, for example, (a) site meetings; (b)... to give the officials preparing the answers a target to aim at.

Hon. J J Netto: But I have set the questions for the specific answer that I wanted.

Mr Speaker: No, I am not criticising the question.

2535

Hon. J J Netto: You will notice that one was for site visits, one was for inspections.

Mr Speaker: I was suggesting a means of –

2540

Hon. J J Netto: And, of course, I have no control how the information is provided to me. The Government decide how it is going to be presented to me. I can only ask the question, then the Minister has grouped it together and provided the information in that particular manner. I mean, I am not in control how they provide information, all I am asking at least that the answer is there for me to be able to assimilate what I am trying to –

2545

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister please elaborate on the nature of the 'major' occupational reportable accident in April of this year within the Education Sector.

Hon. P J Balban: Mr Speaker, can the hon. Member repeat the question, please.

2550

Hon. Mrs I M Ellul-Hammond: Yes, can the Minister please elaborate on the nature of the major occupational reportable accident in April of this year within the Education Sector. This is on the second page of the schedule that you have. It is a table HS.2 and it is the second page of the schedule you have just handed over to us. It reads at the top 'Occupational Reportable Accidents 2012'.

2555 **Hon. P J Balban:** Mr Speaker, once again, I will have to find out from my Factory Inspectors and I will give you further details on that incident.

Hon. Mrs I M Ellul-Hammond: Thank you, I am grateful.

2560 **Clerk:** Question –

Hon. J J Netto: Can I just – yes, Mr Speaker on the same vein as my hon. Colleague, on the second page on reportable accidents there was also in April another major one in relation to the construction industry. Could the Hon. Minister elaborate what was the major reportable accident.

2565 **Hon. P J Balban:** Mr Speaker, I will ask the Factory Inspector to give me further information on the major accident within the construction industry.

2570 **Hon. J J Netto:** Will it be helpful if, once he gets the opportunity to ask his staff, whether he asks them in relation to all the ones which are major, I mean regardless whether they are the construction industry, retail or, you know, whatever it is and then at least we have a notion of whatever is major, as opposed to minor?

2575 **Mr Speaker:** Yes, there was a question: would he extend that offer of information to all accidents classified as major?

Hon. P J Balban: Yes, Mr Speaker.

2580 **Hon. J J Netto:** Mr Speaker, if I could perhaps ask a further question, for clarification purposes, to the Hon. Minister for Health & Safety. I mean, I do like the idea the way, I think in fact I congratulated him last month by listing all industry groups here, it does provide me with an overall view which I, to that respect, find it very helpful. But, can he assist me, for instance because my question does ask for, regardless of whether we are talking about inspections or site meetings or advice, my questions do ask what places are Government and it does ask for the MOD, but is the MOD represented in *any* of these industry groups. That is part of my question but the other part of my question would be whether if we talk about the Government, the Government broken down, as far as work places. For instance if I were to say the Government can be a very wide spectrum which can be from the Housing Works Agency to Education, to Social Services, to the Health Authority, so how could I, in order to assist me, how could I say ‘well yes, does the Housing Works Agency come under the construction industry or does it not’, because what I am trying to get to the bottom of really is how do I know, in all the questions I ask, how the Government, in terms of work places or the MOD in terms of work places are represented in the industry groups? Perhaps if he can enlighten me to that.

2590 **Hon. P J Balban:** Mr Speaker, unfortunately I do not have that information with me so I will try and get the information as quickly as possible, OK.

2595 **Hon. J J Netto:** I am grateful, Mr Speaker.

2600 **EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS AND JUSTICE**

**Childhood obesity
Tackling school tuck shops**

2605 **Clerk:** Question 556 the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker can the Minister for Education say whether, as suggested in the GSLP’s statement of 23rd September 2011 on childhood obesity, reiterated by the GHA’s dietician in a *Chronicle* article on 17th May 2012, the Government will remove tuck shops from schools, or ensure that school tuck shops will provide healthy food and drinks, in order to tackle childhood obesity with the urgency

2610 it claims it deserves?

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2615 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the Department of Education is currently conducting a survey of what is sold in school tuck shops, with a view to providing more focused advice to headteachers. Not all schools have tuck shops and, in fact, out of – I have got a list of fifteen schools – eight do not have tuck shops and six do.

2620 These cases where the schools don't have tuck shops, the children tend to bring in snacks from home. The Department for Education is currently looking at the kind of foodstuffs that could be considered as suitable healthy options for children before taking a final decision on the future of tuck shops. The advisory service of the Department of Education will, of course, work closely with the professionals in the GHA's.

2625 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister explain if there will be any further measures introduced to our schools in order to tackle childhood obesity?

2630 **Hon. G H Licudi:** Well, as the answer suggests, we are conducting a survey on this and specifically relating to the issue of tuck shops, which is what the question talks about, but the question generally of obesity, we have said that the advisory service, the education advisors, are working closely with professionals of the departments of the GHA to see what it is that can be done educationally, certainly as far as the schools are concerned. Issues of childhood obesity might go beyond what school professionals can do and, therefore, there is a limit as to how much involvement there is, but there is work that is being done in conjunction with professionals in the GHA specifically to see what it is that the Education Department can do to tackle this problem.

2635 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, will the Government be removing the vending machine of unhealthy snacks at the Primary Care Centre which is right next to the children's play area, which was highlighted by a *Chronicle* letter by Adalisa Iglesias on 25th May of this year, as it sends out the wrong signals in encouraging healthy eating and avoiding obesity.

2640 **Hon. G H Licudi:** Presumably, the hon. Member is referring to a vending machine placed there by the previous administration. I assume that is what she is referring to and that she is suggesting that we remove something that they put in.

2645 This clearly has nothing to do with tuck shops in schools, which is what the question was about. As Minister for Education, which is the basis upon which I am standing here, I simply cannot say, but if the hon. Member is suggesting that the Government should look at removing a vending machine that they put in, for whatever reason they decided to put it in, then I would be happy to discuss that with my colleague, the Minister for Health, and take a view on that.

2650

**Special Educational Needs
Additional resources**

2655 **Clerk:** Question 557, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education tell us which extra resources will be obtained in order to service the special educational needs of the children in Gibraltar schools.

2660 **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, Government has changed the contract status of 16 Classroom Aides to full-time,

2665 therefore increasing the support they provide for children. In addition, some 40 supply Classroom Aides – in fact, it has been thirty-nine supply Classroom Aides – have been recruited, thereby re-populating the existing supply list. In fact when we came into office there was only one person on the supply list, which gave rise to grave concerns and grave issues in providing cover. In fact, cover was virtually impossible.

2670 Twenty further permanent Classroom Aides will be recruited to provide additional support for children with special educational needs. In effect, this results in an additional 28 Classroom Aides, as well as a supply list to provide cover for temporary absence. As I mentioned, I seem to recall at a press conference last week, this represents over a 50 percent increase in the number of Classroom Aides available to schools in Gibraltar. The Behavioural Educational Support Team will also be staffed by three permanent teachers, rather than by supply teachers. This will ensure more stable and consistent support for children with behavioural or emotional problems.

2675 In terms of buildings, there will be an extension built to Notre Dame School this year, which will include three classrooms for the learning support facility and two for special educational needs. This extension will provide much needed extra space. An extra unit at St. Martins will also be built – again, to provide more ample facilities for our special needs children.

2680

Hon. Mrs I M Ellul-Hammond: I am grateful for that, Mr Speaker, and the increase in human resources is certainly welcome and in extensions to existing school buildings. What about resources in terms of equipment, IT equipment: has that been identified at all?

2685

Hon. G H Licudi: Well, yes, Mr Speaker one of the issues that has been raised to me – and this does not just affect children with special needs but it affects special needs classrooms as well – was that there were insufficient interactive boards in schools and therefore there was a need to increase the equipment that was available to schools for all children and also for classes dealing with children who had special needs. I can't remember from memory but we certainly approved and gave instructions for additional interactive boards. I seem to recall something in the order of thirty additional ones were ordered and I am not sure whether they have now arrived and are now installed but certainly we approved the provision of additional support.

2690

2695 There was also a representation made to me by representatives of parents of children at St. Martin's that they would benefit from having iPads due to the interactive nature and also due, particularly in St. Martin's, with the closeness of working in smaller groups with Classroom Aides and with the teachers there. I certainly approved a pilot scheme in order to introduce iPads in St. Martins, with a view to seeing how that worked, particularly with children with special needs, and then possibly extending that to other schools. So in terms of equipment we have already moved in the last six months with additional resources for children with special needs.

2700

Especially gifted children Level of support

2705

Clerk: Question 558, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education tell us how especially gifted children will be supported by the Department of Education.

2710

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2715 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, schools have received in-service training on gifted children over the last two years and teachers are, therefore, becoming better prepared to support the gifted and help to develop their natural abilities.

The ongoing training for teachers has focused on the need to employ diverse and flexible strategies that meet the needs of distinct pupil groups and that is generally done with differentiation of the work that is given to specific children. Constant evaluation of these strategies is also a key feature. The advisory service and the

2720 educational psychology service are also involved in providing advice to schools on supporting gifted children.

Let me add, Mr Speaker, in relation to this, that there is a difference – I am not sure exactly what the question is aimed at – between children that may be considered *especially* gifted and children that are talented. There are many talented children in all the schools. They could be talented in sport, they could be talented in music and those are dealt with in the normal course of events during the school and, where differentiation is possible, that is implemented.

Especially gifted children, which is what the question was about, as I understand it, what the hon. Member may say, are in a slightly different category to what normally would be regarded as talented children. The information I have is that there is a process of evaluation which involves the educational psychologist and, at present, there is not a single child which has been identified as being ‘especially gifted’, rather than merely talented and therefore been provided with extra support, as necessary. Teachers, nevertheless, have been provided in-service training to try and identify and then possibly refer the child, should they arise in the future.

2735 **Hon. Mrs I M Ellul-Hammond:** Yes, thank you for that.

Perhaps to clarify, my intention was those who, in some instances, may be fast tracked through the education system because they are perhaps an academic year or two ahead of their peers and I assume that your colleagues within the Department of Education, if that individual is identified, aid that child to go to either a specialist school perhaps in the United Kingdom or here to cater for them specifically, but is hypothetical and, as you said, such an individual has not been identified.

2740 **Hon. G H Licudi:** Mr Speaker, it is hypothetical and I am tempted to say I am not here to answer hypothetical questions, but the hon. Member does make the point of when a child is particularly gifted or talented and may be suitable for that sort of fast tracking what is the policy in that regard and I can tell the hon. Member what the Government’s policy is in that regard.

2745 The Government’s policy is that there are no plans at the moment to accelerate children through the educational system. The advice that I have received is that, educationally, there is no benefit: no educational benefit to the child and it can, in fact, lead to undue pressure being put on a child at an early age to try and compete with much older children. The child might, in fact, have talent beyond the older children but the older children will have maturity and some issues which might not arise in respect of the young child. So, I am advised that, educationally, there is no benefit and the Government has no plans to introduce a fast tracking procedure.

2755 **Homework support groups
Methodology**

Clerk: Question 559, the Hon. Mrs I M. Ellul-Hammond.

2760 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education explain how the homework support groups will work, as per the manifesto commitment.

2765 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2770 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, it is envisaged that pilot support groups will be started in the next academic year. Preliminary discussions with headteachers have already been held but precise details are still to be determined. I don’t want to be vague but this is something that is being discussed actively between the professionals and the Department and headteachers in their meetings. We have said this is something that we want to do, they have advised us that we should start with pilot groups and they still have to come back to us with details of what precisely is proposed so we can take a final decision. In principle, we want the pilot schemes to start as from the next academic year.

2775 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, is the Minister aware that I believe Bayside and Westside already have a form of homework support group and perhaps that will be taken into consideration and evaluated for this exercise?

2780 **Hon. G H Licudi:** I am not aware specifically of the type of group that is available but it is something which we identified as something that was positive in terms of keeping children in school, wanting to provide them with support, which some children might have support at home, other children might not because of work requirements or for whatever reasons and this is something that we identified as something as being good. We wanted to expand on whatever facilities are available and it is something that we are working on to introduce next year.

2785 **Hon. Mrs I M Ellul-Hammond:** Yes, and finally, Mr Speaker, will the Minister be consulting with the teachers' union on this issue and working together with them?

2790 **Hon. G H Licudi:** Mr Speaker, myself and members of the Department of Education have regular meetings with the teachers' unions at which all issues in relation to teachers arise. But let me say that this is not a matter that should give rise to any undue concern. No teacher is actually going to be forced to stay behind and do extra work beyond the terms and conditions that they have. This will be provided on a voluntary basis.

2795 We have already said that there might be call upon the pool of supply teachers who might want to do this as well. There might be retired teachers who might be interested in this, but certainly I will be happy and will be engaging with the GTA office.

2800 **Schools' maintenance budget
Management by headteachers**

Clerk: Question 560, the Hon. Mrs I M Ellul-Hammond.

2805 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education advise if he has now considered the introduction of maintenance budgets for schools to be managed by headteachers, as per the Government's manifesto commitment?

2810 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2815 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the Government's objective was to create a system for the maintenance of schools which worked on a timely and efficient manner. Its strategy consisted of a two-pronged approach: a dedicated maintenance team; and dedicated budgets to be managed by headteachers.

As already announced, the Government has created a dedicated maintenance team for schools, consisting of eight persons and a foreman. The system is working well. It has also obviated the need for schools themselves to manage their own repairs and maintenance.

2820 As a result and following discussions and agreement with headteachers, the Department of Education has advised that it is best to monitor the present system, before deciding on whether, in fact, there is a need for headteachers to control dedicated budgets for maintenance.

2825 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, so is the Minister now suggesting that perhaps the Government will not be implementing their manifesto commitment which reads:

'Head Teachers will, in addition, have control over dedicated budget which they can use for small scale maintenance/minor works which may be required in their schools.'

Hon. G H Licudi: Mr Speaker, the manifesto commitment is there for a purpose, and what the hon.

2830 Member cannot do is just look at one line in a particular sentence or in a particular paragraph in the manifesto. It was described in the manifesto as a two-pronged... Well, it was not specifically described as a two-pronged approach, but it was clear that there were two legs to this approach for maintenance. Surely the hon. Member is not urging us to do something which is not necessary and, in particular, the hon. Lady will not be urging us to do something which headteachers might not want.

2835 In fact, we have already discussed this with headteachers, and they have told us that they are happy with the way the present system is working. That is why we have said we need to monitor to see whether in fact there is a need for the second part of the approach.

2840 We have also been told by headteachers that, in fact, they may not be qualified to prioritise and manage these particular works by controlling their own budget, nor would they necessarily administratively have time to take on this additional burden. So what we are doing is listening to the people for whose benefit this was done.

2845 This was not done because the Government thought it wanted to introduce it itself for any reason other than we felt, or suggestions have been made to us, that there were problems with the maintenance of schools and it might be a good idea for the headteachers to control their own budgets and therefore be able to run their own affairs in respect of maintenance. We felt that that was a good idea, but we are certainly not going to force it on people, if they think that the present system is working properly.

2850 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, we welcome that, and we understand what you are saying but, basically, you will not be implementing one of your manifesto commitments.

Hon. G H Licudi: Apart from welcoming and understanding what I have said, the hon. Member has not understood that I have said that we will monitor the present system.

2855 What the manifesto did not say – and the hon. Member has referred to what our manifesto *said* – what the manifesto did not say is that we will have a dedicated maintenance team *and* we will have dedicated budgets by 1st September 2012. It said both – that we would do both – and not by 1st September 2012, but earlier on in this year, a few months ago, we put together a dedicated team for schools. It is a manifesto which sets out a four-year programme. We have four years to evaluate the present system and decide whether that second limb of the two-pronged approach is necessary or is not necessary.

2860 But I can tell the hon. Lady now that if we consider that it is not necessary and if we are advised by headteachers and professionals that there is no requirement *at all*, because the system that we have put together, since we came into office on 9th December, is working so well that it obviates the need for the second limb, I will have no problem at all in standing up in this House or anywhere else and saying that part of the manifesto we will not do, because we do not *need* to do it, because we have done the first part which has worked perfectly well.

2865

Schools' refurbishment programme Projects for this year

2870

Clerk: Question 561, the Hon. Mrs I M Ellul-Hammond.

2875 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education tell us what projects will form part of this year's schools' refurbishment programme?

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2880 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, apart from the ongoing repairs and maintenance programme, the main projects prioritised by the Department of Education are as follows: an extension to St Martin's Special School; an extension to Notre Dame First School to provide, in particular, an extension to the learning support facility and two dedicated classrooms for special educational needs; completion of extension at Westside School; completion of the ongoing window replacement programme at St Anne's.

2885 Other projects for other schools will also be considered during the course of the year.

2890 **Legal Aid (Fees and Expenses) Rules 2012**
Benefits of recent changes

Clerk: Question 562, the Hon. D A Feetham.

2895 **Hon. D A Feetham:** Can the Minister for Justice state how many (a) people; and (b) unrelated cases have benefited from the recent changes introduced by the Legal Aid (Fees and Expenses) Rules 2012?

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2900 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, four defendants, all linked to one case, have made applications under the recent changes introduced by the Legal Aid (Fees and Expenses) Rules 2012 since its commencement on 20th March 2012.

2905 **Clerk:** That completes Answers to Oral Questions.

Questions for Written Answer

2910 **Clerk:** We now move on to Answers to Written Questions.
The Hon. the Chief Minister.

2915 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to table the answers to Written Questions W95-W101/2012 inclusive.

Order of the Day

2920 **BILLS FOR FIRST AND SECOND READING**

2925 **A Bill for an Act to amend the Income Tax Act 2010**
in order to impose tax upon income from certain imported pensions
First Reading carried

The Hon. the Chief Minister to move:

2930 *A Bill for an Act to amend the Income Tax Act 2010 in order to impose tax upon income from certain imported pensions. (B05/12)*

Clerk: Bills, First and Second Reading: A Bill for an Act to amend the Income Tax Act 2010 in order to impose tax upon income from certain imported pensions.
The Hon. the Chief Minister.

2935 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that a Bill for an Act to amend the Income Tax Act 2010, in order to impose tax upon income from certain imported pensions be read

a first time.

2940 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Income Tax Act 2010, in order to impose tax upon income from certain imported pensions be read a first time.
Those in favour. (**Members:** Aye.) Those against. Carried.

2945

Income Tax (Amendment) Bill 2012
Second Reading carried

2950 **Clerk:** The Income Tax (Amendment) Act 2012.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that the Bill be now read a second time and that the Minister with responsibility for Financial Services address this House in respect of the Bill.

2955 **Mr Speaker:** The Hon. the Minister for Finance... for Financial Services, I do apologise.

2960 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, this Bill follows representations made to the Government by the Association of Pension Fund Administrators, representations which were made fairly early on after we were elected into office, and the representations had two limbs to them: firstly, that some pension schemes established outside Gibraltar had, in fact, already been transferred and they may be exposed to a tax charge if the transfer was considered invalid, and that tax charge in respect to the United Kingdom could be as high as 55% of the fund, so there was an exposure in respect of a very few number of imported pension schemes; secondly, that the line of business of pension fund administration which had actually been stopped several years ago because of the possibility of that tax charge and the possibility that the transfers may be considered invalid without specific legislation in Gibraltar to provide for this and it was suggested to us that this was a viable line of business and that Gibraltar generally could benefit and that the pension fund administration industry in particular could benefit. Those were representations that we accepted and I asked for a Bill to be prepared. Following consultation with the industry, we have published this particular Bill which stands before the House today.

2970 The Bill does a number of matters, but in particular what it does is impose tax on incomes by individuals who are in receipt of distributions from imported pension schemes at the rate of 2.5%. It is important to stress that the Bill specifically provides that the source of income which is liable to this tax is income from pension schemes and by clause 2 of the Act, which introduces a new section 14A to the Income Tax Act.

2975 New section 14A(2) would provide that this taxation of income in respect of pensions would only apply in respect of pension schemes which were transferred from another country other than another Member State of the European Union. The Bill provides that the term 'another Member State' has the same meaning as in section 5(8) of the Income Tax Act. Under section 5(8), the meaning of 'another Member State' is a Member State of the European Union other than the United Kingdom. So what this Bill does is permit transfers to be done for pension schemes, normally known as QROPS – Qualifying Recognised Overseas Pension Schemes – from the United Kingdom for them to be managed and distributions to happen from Gibraltar and those distributions would attract a charge of 2.5%.

2985 The Bill also provides for a number of restrictions and requirements in respect of taxation of these QROPS. Firstly, there is a maximum commutation possible of 30% of the fund of a particular individual. Secondly, there is a minimum retirement age of 55 – that is, except in very specific circumstances relating to ill health – and the Bill makes provision that the rules in respect of the pension fund must irrevocably bind the fund in respect of these matters: the commutation; the minimum retirement age of 55; and also a requirement that an imported pension scheme transferred to another scheme outside Gibraltar does not comply with the original requirements; in other words, there is a requirement to actually prevent an importer's pension scheme from then being transferred outside and that prevention restriction must be incorporated in the irrevocable rules that bind the pension fund in question.

2990 It is important to stress, Mr Speaker, that this Bill in no way affects distributions from pensions in Gibraltar and does not affect Gibraltar pensioners at all and the benefits that Gibraltar pensioners receive.

2995 What this does is, in effect, open up a new line of business for pension fund administrators and also create additional income for Gibraltar in the form of taxation which hitherto has not been possible.

I would add, Mr Speaker, that the Bill has been welcomed, when it was published, by the industry and in particular by the Association of Pension Fund Administrators.

I commend the Bill to the House, Mr Speaker.

3000 **Mr Speaker:** Before I put the question, does any hon. Member wish to speak on the general principles and merits of the Bill?

Hon. G H Licudi: Sorry Mr Speaker, there is one particular clause that I forgot to mention. It is an important clause.

3005 There is a provision in the Bill which says that the particular section we are introducing in the Income Tax Act is deemed to come into effect on the sixth day of April 2006, and that is simply to make sure that those pension schemes that have been transferred and have been imported are caught by the provisions of this Bill and therefore those transfers can be considered valid.

3010 The other matter that it is important to stress, Mr Speaker, is that it is the responsibility of the particular pension fund administrator that makes arrangements for the transfer of the pension fund to make sure that they comply with all the requirements of validity. What this does is simply set out the statutory framework to enable valid transfers to occur. Whether the transfer is valid or not is not guaranteed by this Bill; it simply is an enabling provision and the validity of the transfer is the responsibility of the professionals who deal with this, who will have to make sure that they comply with whatever rules and, in particular, the rules of the pension fund.

3015 But in effect we are talking of transfers of QROPS, primarily from the United Kingdom, and it is the new line of business which I think Gibraltar and the industry will certainly welcome.

Mr Speaker: The Hon. Daniel Feetham.

3020 **Hon. D A Feetham:** Yes, Mr Speaker, the Opposition will be voting in favour. It is a Bill that has been drawn by the industry and obviously we will support it.

There is nothing really useful that I can add to what the hon. Member has already said, talking about the merits of the Bill.

3025 May I just ask the hon. Member to clarify this: why do you take the date of 6th April 2006? I know that he has said that to catch those pension funds that have already been transferred; but why the date of 6th April 2006?

3030 **Hon. G H Licudi:** Mr Speaker, that is the date that I was advised we should go back to in order to catch all the pension schemes that have actually been transferred.

Mr Speaker: Does any other hon. Member wish to speak on the general principles and merits of the Bill? Do I take it that is the reply of the mover of the Bill?

3035 **Hon. G H Licudi:** Yes, Mr Speaker, yes –

Mr Speaker: Well, sorry, the mover of the Bill –

Hon. G H Licudi: The mover of the Bill –

3040 **Mr Speaker:** – was the Chief Minister.

Hon. G H Licudi: – was the Chief Minister and I was simply talking of the merits, but I take it that there are no further contributions on our side.

3045 **Mr Speaker:** Does the mover of the Bill wish to reply or add anything?

Hon. Chief Minister: I am grateful, Mr Speaker, but no.

3050 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Income Tax Act 2010 in order to impose tax upon income from certain imported pensions be read a second time.
Those in favour. (**Members:** Aye). Those against. Carried.

3055 **Income Tax (Amendment) Bill 2012**
Committee Stage and Third Reading agreed to be taken

Clerk: The Income Tax (Amendment) Act 2012.

3060 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

3065 **Mr Speaker:** Do all hon. Members agree that the Committee Stage and Third Reading of the Bill be taken today? (**Members:** Aye!)
The Committee Stage and Third Reading will be taken today.

COMMITTEE STAGE AND THIRD READING

3070 **Income Tax (Amendment) Bill 2012**
Committee Stage
Clauses considered

3075 **Clerk:** Committee Stage and Third Reading, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that the House should resolve itself into Committee to consider the following Bill clause by clause: the Income Tax (Amendment) Bill 2012.

3080 **Clerk:** A Bill for an Act to amend the Income Tax Act 2010, in order to impose tax upon income from certain imported pensions.
Clause 1.

3085 **Mr Speaker:** Clause 1 stands part of the Bill.

Clerk: Clause 2.

Mr Speaker: Clause 2 stands part of the Bill.

3090 **Clerk:** The long title.

Mr Speaker: The long title stands part of the Bill.

3095 **Income Tax (Amendment) Bill 2012**
Third Reading carried; Bill passed

3100 **Clerk:** The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to report that the Income Tax (Amendment) Bill 2012 has been considered in Committee and agreed to without amendments, and I now

move that it be read a third time and passed.

3105 **Mr Speaker:** I now put the question, which is that the Income Tax (Amendment) Bill 2012 be read a third time and passed.
Those in favour of the Income Tax (Amendment) Bill 2012; **(Members: Aye.)** Those against. Carried.

3110

Procedural

Clerk: The Hon. the Chief Minister. *(Interjection by the Chief Minister)*

3115 **Mr Speaker:** It is not necessarily... We have moved into Bills now, so... *(Interjection by the Chief Minister)* We cannot go back to Questions.

3120 **Chief Minister (Hon. F R Picardo):** Mr Speaker, on the basis of the comfort of that ruling, I have the honour to move, Mr Speaker, that the House do now adjourn to Thursday, 5th July at 10.00 a.m. and, as I indicated at the Announcements stage of the Agenda, that will be the time when the House will be considering the Appropriation Bill, First and Second Readings.

3125 **Mr Speaker:** I now propose the question which is that this House do now adjourn to Thursday, 5th July 2012, at 10.00 a.m.
I now put the question, which is that this House do now adjourn to Thursday, the fifth day of July 2012, at 10.00 a.m.
Those in favour. **(Members: Aye.)** Those against. Carried.

3130 This House will adjourn to Thursday, 5th July 2012, at 10.00 a.m.

The House adjourned at 6.57 p.m.