



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.30 a.m. – 1.10 p.m.

Gibraltar, Thursday, 19th January 2012

The Gibraltar Parliament

5

The Parliament met at 9.30 a.m.

10

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

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

15

PRAYER

20

Mr Speaker: Almighty God, by whom alone Kings reign and from whom alone cometh all counsel, wisdom and understanding; We, thine unworthy servants here gathered together in thy name do most humbly beseech thee to send down thy heavenly wisdom from above to direct and guide us in all our consultations, and grant that we, having thy fear always before our eyes and laying aside all private interests, prejudice and partial affections, the result of all our counsels may be to the glory of thy blessed name and the good of our city. Amen.

25

Order of the Day

30 **Clerk:** Meeting of Parliament, Thursday, 19th January 2012:
Item 1: Oath of Allegiance
Item 2: Confirmation of minutes: the minutes of the last meeting of Parliament, which commenced on 23rd June 2011.

35 **Mr Speaker:** May I sign the minutes as correct? (*It was agreed.*)

Clerk: Item 3: Communications from the Chair
Item 4: Petitions
Item 5: Announcements.
The Hon. the Chief Minister.

40

Announcements

45 **Hon. Chief Minister (Hon. F R Picardo):** Mr Speaker, it is my pleasure to inform the House that there is now a wifi service available for Members. They will be receiving the name of the network and the password so that they may have access to this network in a few moments. This network will also be available to journalists who might want to have access to information whilst they are here reporting the proceedings of the House, and that will be circulated to Members and to the press in a few moments.

50 It is also my pleasure, Mr Speaker, to inform the House that they will have seen that there is now an attempt to have a parliamentary timetable which sets out when we expect that certain questions will be... or certain Ministers will be answering questions, and I hope will be able to assist all those who have business in this House – the Ministers, the officials and Members opposite – to know when it is that it is expected that the House will adjourn to. That will, I hope, facilitate people being able to plan their lives around the monthly sittings of this Parliament.

55

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

60 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, Government has this week announced the introduction of a new procedure for publishing Bills in draft in the form of Command Papers. This is in keeping with the Government's manifesto commitment.

65 All Command Papers will be presented to Parliament and will be laid on the table by the relevant Minister at the next meeting following publication. Draft Bills will be published on the Government's Gibraltar laws website via a link on the home page entitled 'Command Papers'. Comments on the draft Bill can be made also via a link on the website to command.papers@gibraltar.gov.gi The public will be able to comment on the draft Bills over a period of two weeks. Those comments will be passed on to the relevant Minister and will be considered by the Government before the Bill itself is published. This gives the public the ability to participate at an early stage in the Government's legislative programme by being able to provide comments, which will be taken into account.

70

Two Command Papers have already been published. These will be laid on the table during the course of today's meeting.

75

Clerk: Item 6: Papers to be laid.
The Hon. the Chief Minister.

80

Papers laid

85 **Hon. Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to lay on the table:
The Consolidated Fund (Pay Settlements) Statement (No 1) 2010-11;
The Consolidated Fund (Supplementary Funding) Statement (No 2) 2010-11;
The Consolidated Fund (Reallocations) Statement (No 3) 2010-11; and
The Improvement and Development Fund (Reallocations) Statement (No 1) 2010-11.

90 **Mr Speaker:** Ordered to lie.
The Deputy Chief Minister.

95 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, I have the honour to lay on the table a
Command Paper on a law to amend the Civil Aviation Act 2009 and the Aviation Security (EU Common
Rules) Act 2011 and related secondary legislation.

Mr Speaker: Ordered to lie.

100 **Clerk:** The Hon. the Minister for Enterprise, Training and Development. I beg your pardon – and
Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Development as well, if you
want me to!
I have the honour to lay on the table a Command Paper on the law to provide a right to dignity at work for
employees.

105 **Mr Speaker:** Ordered to lie.

110 **Clerk:** Item 7: Reports of Committees.
Item 8: Answers to Oral questions.

Televising Parliament

115 **Leader of the Opposition (Hon. P R Caruana):** Mr Speaker, on a point of order, has the television of
Parliament now begun?

120 **Mr Speaker:** No, it has not begun. As has often happened in the past, the GBC asked for permission to
film a certain amount of library footage and that is all they are doing right now. They will be leaving in the
next five minutes or so. The television has not begun.

125 **Hon. P R Caruana:** The Opposition is greatly in favour of the television of Parliament, but I think that
the way to introduce it – not that this counts as television of the Parliament in a proper fashion – is through a
decision of this House, which is, I am sure, what the hon. Member intends to do in due course.

130 **Hon. Chief Minister:** Mr Speaker, in answer to the hon. Gentleman's point of order, that is absolutely
right. I do not think that we are going to allow the cameras in by stealth. We are going to allow the cameras in
by agreement, when we are satisfied, across the floor of the House, that we have the necessary infrastructure
to do so in a way that will ensure that those watching will see more than just the tops of our heads.

Mr Speaker: At least one cameraman has been shooed away!

135

Questions for Oral Answer

TOURISM, PUBLIC TRANSPORT AND THE PORT

140

Gibraltar Port Authority Entry procedures into the North Mole for Anglers

Clerk: Answers to Oral Questions.
Question 1 of 2012, Hon. D J Bossino.

145

Hon. D J Bossino: Mr Speaker, can the Minister for Tourism, Public Transport and the Port provide details of the entry procedures into North Mole, which the Government announced on 11th January 2012 had been changed after consultation with the Gibraltar Federation of Sea Anglers?

150

Clerk: Answer: the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, the information requested by the hon. Gentleman is dealt with by the Gibraltar Port Authority Procedure No 4 that is set out in the schedule that I hand to him now.

155

Hon. D J Bossino: Mr Speaker, perhaps the Minister, who presumably has had an opportunity of reading this certainly more diligently and with more time than I have available at the moment... Can he confirm, perhaps, that it is the Gibraltar Port Authority which remains the issuing authority for these licences for entry into the North Mole?

160

Hon. N F Costa: Mr Speaker, can I assure the hon. Gentleman, obviously, that I have done more than just read the schedule.

165

I was in full consultation with the Port Authority, who advised me on the procedure and, of course, the Gibraltar Federation of Sea Anglers. He will know, as well as I, that given that we issued the press release not that long ago, the issuing authority... The persons who will authorise people to come into the Port ultimately will be the Gibraltar Port Authority.

170

I received advice from the Port Authority as to the security and safety requirements and as to a way to control fishing at the Port, and in order to be able to marry the safety and security concerns of the Port, what we decided was to revert to a system that was, in fact, as I understand it, in place during the GSD's administration, where the Gibraltar Federation and the registered fishing clubs' persons who wished to fish at the Port may apply through the Gibraltar Federation or a fishing club. Once they become members then they will have to pass that information to the Port Authority, who will be compiling a database with the relevant information, and then, when a person is a member, they would have to submit that membership card to the security point. The security guard will retain the membership card, they will be allowed to fish, and when leaving the Port they will be handed the membership card back.

175

Hon. D J Bossino: Maybe if he could clarify, for my purposes – I think he may not have answered my question – is the issuing authority, then, the Gibraltar Port Authority or the Gibraltar Federation of Sea Anglers?

180

Hon. N F Costa: Mr Speaker, the Gibraltar Port Authority procedure and the schedule that I have handed to him is very clear.

185

For a person to be able to fish at the Port he must be a member of either the Gibraltar Federation of Sea Anglers or a registered fishing club. A person who is not a member of either the GFSA or a registered fishing club will not be able to access the Port for fishing.

Hon. D J Bossino: Yes, but that may be a condition which the Gibraltar Port Authority itself may impose (**The Minister:** Yes.) and I may have a follow-up question in relation to membership, the requirements of

190 membership, as the Minister has pointed out – but who is the issuing authority? Can he just confirm that?
Is the ability to enter into the North Mole... I presume it is by way of licence or by way of some sort of
document allowing you to enter so you can show the security guard. Is that document entitled with the
Gibraltar Port Authority letterhead or is it by the Gibraltar Federation of Sea Anglers and any other fishing
club in Gibraltar? Who is the issuing authority? With respect, I do not think the Minister has answered that
specific question.

195

Hon. N F Costa: Yes, I have answered the question, Mr Speaker.

I will repeat the procedure again. A person who wishes to fish at the Port – and we are talking, of course,
specifically about fishing at the North Mole. It does not relate to fishing in the rest of Gibraltar. A person who
wishes to fish at the Port needs to be a member of either the Gibraltar Federation of Sea Anglers or a
registered fishing club. That person, on applying for membership and who becomes a member, will be issued
with a Gibraltar... with a membership card before being able to enter into the Port. The Port will not allow a
person to fish at the Port unless they are a member of the GFSA or a registered fishing club.

200

205

If the hon. Member goes through the conditions, you will see that the Port... A person who becomes a
member of a fishing club to fish at the North Mole needs to sign a consent form. It is annex C. I refer the hon.
Gentleman to it. It says, 'Access to Gibraltar Port estate for the purposes of undertaking leisure activities.'
That form must be signed by every member of a registered fishing club who wishes to fish at the Port.

210

Because the main concerns of fishing at the Port are security and safety, that allows the Port to be able to
carry out any check on the person who wishes to enter the Port to fish that they deem reasonable. This
marries, as I said, the competing interests of the leisure activity – fishing – and security.

Hon. D J Bossino: As far as I understand the Minister, then, this form is signed...

May I ask this question, then? Can the Minister answer this question: where does an individual who
wishes to fish at North Mole obtain a copy of this form?

215

Hon. N F Costa: The form is issued by the Port Authority and we will... I imagine the Port will make
those forms available to fishing clubs that request it, because, as I say, you cannot enter the Port to fish
without signing one of these forms. How the fishing clubs liaise with the Port as to whether they will sign the
form at the offices of the Port outside the security barrier or in a coffee shop, that is entirely a matter for them.

220

Hon. D J Bossino: Sorry, I did not quite catch that last comment. That is entirely...?

Hon. N F Costa: Where they sign the form is a matter between the Port and the relevant registered fishing
club.

225

Hon. D J Bossino: That points, then, to the Minister cannot clarify whether that issue as to where you sign
the form has not been settled yet.

230

Hon. N F Costa: It is entirely irrelevant for the Minister, and I hope that the hon. Gentleman is not asking
me to tell the fishing clubs and the Port where it is that they sign a form. I am not going to get into that.

Mr Speaker: The Hon. Edwin Reyes.

235

Hon. E J Reyes: Yes, Mr Speaker, sir. Please allow me, looking at it from a sporting type of angle: on
point number 1, it says here:

'Any angler must be a full member of the Gibraltar Federation of Sea Anglers...'

240

So we are imposing upon sports lovers now to have to necessarily belong to an actual federation, or whatever.
But then the second part says:

'... or any Gibraltar registered Fishing Club.'

I do not believe there exists a register of any sporting clubs as such.

245 **Hon. N F Costa:** Mr Speaker, well, yes, for the hon. Gentleman, I can clarify the point that there is no problem...

250 There is, in fact, a law that sets out the requirement to set up a register. There has to be a registration of clubs and, in fact, the register has to be kept in a format that is approved by the Minister for Culture. In fact, if I recall correctly, the hon. Gentleman was the Minister for Culture before and he would have had to have designed or approved the format of the register himself.

Hon. E J Reyes: Yes, Mr Speaker, but the advice given to us by the Attorney General's Chambers is that that registration of clubs was in respect (*Interjection*) of clubs which –

255 **Hon. Chief Minister:** On a point of order, I would like to know when, since 8th December, the Attorney General's Chambers has given the hon. Gentleman any advice on anything.

260 **Hon. E J Reyes:** Perhaps I was not clear, Mr Speaker, the advice given to me *before* 8th December from the Attorney General's Chambers was that the registration of clubs referred to clubs which were going to have premises of their own that then entitled them to be able to run a bar and... [*Inaudible*] moneys that had to be paid based on the wholesale basis of drinks ordered and sold, not just for the purpose of holding a club under a club's name, for example, to participate in relation to a sport.

265 I take it, Mr Speaker, that perhaps that needs further investigation for my part. But we go back here now to that it is a question of someone wishing to practice a particular sport now necessarily has to become a member of an entity (*Interjections*), whereas it is normal for all sports, a person can go to public facilities as an individual and just enjoy the use of the facilities without necessarily having to join a particular club.

Hon. N F Costa: Mr Speaker, I did say so in my prefacing remarks, but now that the hon. Gentleman is asking me I will be more specific.

270 I have said already that this relates to fishing specifically in the Port of Gibraltar, in the North Mole. Let us not forget that in other parts of the world fishing in ports is not allowed. In fact, part of my advice was that fishing should not be allowed for security and for safety concerns. We, as a Government, do not feel that that leisure activity should be curtailed to the point that no-one is allowed to fish. Therefore, as a responsible Government, we had to look at what were the security concerns, what were the safety concerns, and also taking into account the fact that Gibraltarians have always enjoyed the leisure activity of fishing.

275 Any Gibraltarian can apply to become a member of a fishing club. As a result, the fishing in North Mole will be allowed, subject to that one qualification, which is to become a member of a club.

Mr Speaker: Hon. D J Bossino.

280 **Hon. D J Bossino:** Does the Minister know what the criteria is which is imposed by the fishing clubs and the Gibraltar Federation of Sea Anglers in order to become a member? Is the Minister aware of what the criteria is?

285 **Hon. N F Costa:** Mr Speaker, I am not here to speak for the Gibraltar Federation or any fishing club. How they regulate their affairs is a matter entirely for them. However, as Government, we were concerned to ensure that Gibraltarians are allowed to fish in the North Mole, and the criteria is that a Gibraltar resident, irrespective of nationality, is eligible to become a member of a fishing club.

290 **Mr Speaker:** Hon. Daniel Feetham.

Hon. D A Feetham: Yes, Mr Speaker. Certainly on this side of the House we concur that, in other parts of the world, as the Hon. Minister has said, of course for security reasons access to Port areas is excluded, it is not permitted, bearing in mind security concerns.

295 Bearing in mind those security concerns, can the Hon. Minister enlighten this House as to what is the vetting process for individuals to be allowed effectively, by the Port office... for individuals signing this form and then being allowed into the Port area?

Hon. N F Costa: I have already partly answered that question. Point number 2 of the schedule that I have

300 handed to the hon. Gentleman says that:

‘All members must submit a consent form to the Gibraltar Port Authority Security Officer (annex C attached to this procedure) in order to be considered for access to the Port.’

305 If the hon. Gentleman considers annex C and considers what is says there, it says that the person signing gives consent to the Port Authority to carry out a criminal background check in circumstances they deem reasonable. This is a condition that did not exist under the previous regime but which we thought was important, given that the issue here was that of security and of safe access to the Port.

310 **Hon. D A Feetham:** Yes, but can the Hon. Minister confirm that this form is actually signed and presented on access, or it is signed and presented some time before so that those checks can actually be undertaken.

Hon. N F Costa: No, of course it would have to be signed and handed to the Port. Yes, before.

315 **Hon. D A Feetham:** It has to be signed and provided to the Port; of course it has. What I am asking is –

Hon. N F Costa: The question related to venues where it was signed.

320 **Hon. D A Feetham:** What I am asking is, is it –

Hon. N F Costa: Perhaps he could be clearer as to what he is asking.

325 **Hon. D A Feetham:** Is it presented at the point of entry? In other words, when somebody goes with his rod, wanting to fish and he says, ‘Here’s my consent form – now let me into the Port area’... Or is it signed and presented weeks before in order to allow the Port Authority to undertake proper checks?

330 **Hon. N F Costa:** Mr Speaker, as I have already said, you cannot fish at the Port unless you are a member of a fishing club. At the point that the person applies to become a member of a fishing club, they must necessarily, by following the procedure herein, sign the form. So that form will be immediately passed by the fishing club to the Port so that they will have it before the person comes to fish.

335 **Hon. D J Bossino:** Could I just tax the Minister slightly, on a question I asked earlier, slightly further? Going back to the point at which you become a member of a club, does an individual have to pay a subscription fee?


Hon. N F Costa: I have already said, Mr Speaker, that is entirely a matter for the club.

340 **Hon. P R Caruana:** Mr Speaker, is the Hon. Minister saying that, having imposed, as a condition of public use and access of a public facility, membership of a private club, he has not bothered to find out whether there is a fee payable on joining that club and perhaps also an annual membership fee, the effect of which would be that he has created a regime whereby access to a public facility is available only upon payment of a sum of money to a private non-governmental organisation? As if that were not bad enough, he has not even found out whether that is the position. Is that the case?

345 **Hon. N F Costa:** Mr Speaker, as I have already said, I am not answerable for the fishing clubs and, in our view, as a Government, it is much better to have this regime which gives the Port ultimate control of who comes in and out. There is a database compiled. They can carry out security checks, the numbers are controlled, safety is taken into account, which is much better than the free-for-all that existed under the Government, when anybody could come in without any concern at all for security.

350

A Member: Hear, hear.

 <p>PORT OF GIBRALTAR Gateway to the Mediterranean</p>	GIBRALTAR PORT AUTHORITY	
	SECURITY	PROCEDURE N° 4
	NORTH MOLE FISHING PROCEDURE	

Overview:

Procedure designed to instruct members of the public and members of GPA staff as to the circumstances and times fishing at the Western Arm of the North Mole may be permitted.

Title: North Mole Fishing Procedure.

The following conditions apply:

- Any angler must be a full member of Gibraltar Federation of Sea Anglers (GFSA) or any Gibraltar registered Fishing Club. The GFSA or club will accept any EU or non EU member to apply for membership if they can prove that they are residents in Gibraltar.
- All members must submit a consent form to the Gibraltar Port Authority Security Officer (annex C attached to this procedure) in order to be considered for access to the Port.
- Fishing is allowed on both sides of the Western Arm (Rock and Bay facing).
- Only 2 rods per Angler will be permitted due to limited space.
- No fishing is allowed while passenger liners are alongside the berth and/or 2 hours before an expected passenger ship.
- The Gibraltar Port Authority will endeavour to berth tankers at N° 1 East or 1 West in order to permit fishing to the designated area which goes up to bollard N°11.
- Cars will not be allowed into the restricted area. The security guard will assign an area in which fishermen can park their cars.
- Pensioners and disabled people will be allowed to drop their equipment by car or bike at their selected spot and then drive back and park their vehicle at the designated parking area.
- Fishing times are from 17:30hrs – 06:00hrs Monday to Friday and 08:00hrs – 06:00hrs Saturday, Sunday and public holidays.
- Due to the close proximity of Giboil and gas and Nature Group oil treatment installations **SMOKING** is strictly prohibited from the end of the

1



Issue N° 6

Date of Issue: 05/01/12

old ice box building (bollard N°11) to the end of the mole. Any person found smoking in the area will be evicted from the Port by the security guard immediately and their access to the Port estate will be suspended.

- Due to security requirements there are no bins at the quay side therefore anglers must take all their garbage with them when leaving the Port.

Under age anglers

- Anglers must be over 15 years old to obtain unescorted access.
- Those under 15 must be accompanied by an adult (Over 18) at all times while on Port premises. This individual will be responsible for their safety.

When entering the port at the first barrier the angler's membership or local ID card is to be exchanged for a visiting fishing pass and the membership card will be retained at the security post. When the angler leaves, the passes are to be exchanged back. If there are any issues with an individual not complying with the rules their membership card is to be retained will be dealt with by the PFSO and the Fishing Association/Federation.

NOTE: This procedure must be adhered to at all times. Anyone found contravening these instructions will be escorted out of the Port by the security guard at once.



Issue N° 6

Date of Issue: 05/01/12

Annex A



3



Issue N° 6

Date of Issue: 05/01/12

Annex B

Annex J: Prohibited Items

- All firearms
- All ammunition
- All explosives
- Sharp pointed weapons
- Flick knives, gravity knives, daggers, lock knives, folding pocket knives (with a blade over 7cms in length) and diver's knives (if not accompanied by other diving snorkeling equipment and/or a valid diving ID card/licence).
- Swords, sword sticks and umbrellas containing sword blades
- Open razors, such as cut-throat razors
- Spears and spear-guns
- Archery equipment including crossbows and bolts
- Knuckle dusters, clubs, coshes and rice flails
- Items containing incapacitating substances such as gas guns, tear gas sprays, mace, phosphorus, acid and other dangerous chemicals that could be used to maim or disable.
- Undeclared inflammable substances unless carried in limited quantities and in accordance with company instructions e.g. petrol, mentholated spirits, paint thinners etc.
- Any other item adapted or intended for use as an offensive weapon.

The following are examples of property which passengers **should be allowed** to retain unless there is a specific reason for not doing so or there is reason to suspect that the item may be used to commit an act of violence

- Toy guns that do not have the appearance of a genuine weapon
- Catapults
- Household cutlery
- Camping knives and folding pocket knives with blades less than 7cms
- Household scissors
- Darts
- Knitting needles
- Sporting bats, pool and snooker cues
- Hypodermic syringes
- Tradesmen's tools
- Shriek alarms
- Handcuffs
- Butane gas canisters
- Cosmetics



Issue N° 6

Date of Issue: 05/01/12

Annex C

 <p>GIBRALTAR PORT AUTHORITY</p>	<p>CONSENT FORM</p> <p>ACCESS TO GIBRALTAR PORT ESTATE FOR THE PURPOSE OF UNDERTAKING LEISURE ACTIVITIES</p> <p>(INTERNATIONAL SHIP AND PORT FACILITIES CODE 2006)</p>									
	<p>DATE: JANUARY 6, 2012</p>									
Surname:	Address:									
First Name(s):										
Date of Birth:										
<p>I, (Name in Full) hereby give consent for a criminal background check to be carried out by the Royal Gibraltar Police upon request from the Gibraltar Port Authority (if so required) which forms part of the process in applying for access to the Gibraltar Port estate for the purpose of undertaking leisure activities within the restricted area.</p> <p>SIGNED (If under the age of 18 legal guardian must sign on behalf of applicant) NAME OF LEGAL GUARDIAN RELATIONSHIP TO APPLICANT</p> <p>SIGNED</p>										
<p>..... (Name in Full) hereby give consent for the Gibraltar Port Authority to conduct a search of my person by an appointed individual prior to entry into the Port Estate.</p> <p>SIGNED (If under the age of 18 legal guardian must sign on behalf of applicant) NAME OF LEGAL GUARDIAN RELATIONSHIP TO APPLICANT</p> <p>SIGNED</p>										
<p>For GPA use only:</p> <table border="1"> <tr> <td>Application for entry into Port Estate approved?</td> <td>YES/NO</td> <td>Date:</td> <td></td> </tr> <tr> <td>Criminal check requested?</td> <td>YES/NO</td> <td>Date:</td> <td>Date Criminal Check Received:</td> </tr> </table> <p>Senior Port Officer Sign Off Name: Signature: Date:</p>			Application for entry into Port Estate approved?	YES/NO	Date:		Criminal check requested?	YES/NO	Date:	Date Criminal Check Received:
Application for entry into Port Estate approved?	YES/NO	Date:								
Criminal check requested?	YES/NO	Date:	Date Criminal Check Received:							

GPA CF 1/12 - V1

Issued by:
 Manuel Tirado.
 Quality Manager (SPO)

Distribution:
 SPO, MO.VTS Manager, PO.D/C, PFSO, VTS, Launch Crew, HEO, Admin Team.



Both Worlds

355

Interim arrangements governing new bus route

Clerk: Question 2, Hon. D J Bossino.

360

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details of the interim arrangements that govern the new route to Both Worlds as announced in the *Gibraltar Chronicle* on 28th December 2011?

Clerk: Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

365

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, as well, this is already available in the public domain; however, the information requested by the hon. Member is set out in the schedule that I hand to him now.

370

Whilst the schedule is being handed over to him I can say that the route operates between 7.45 in the morning and nine o'clock at night on Saturdays and from 8.15 in the morning to nine o'clock at night on Sundays and public holidays. As the hon. Gentleman will know, it is an interim arrangement that is in place until the necessary works are finalised to allow larger buses to access the area of Both Worlds.

Hon. D J Bossino: I am grateful to the Minister.

375

Can he perhaps provide the House with greater particularity as to what he means by 'the necessary works'?

380

Hon. N F Costa: Mr Speaker, I am sure that the hon. Gentleman does not need me to remind him that, for the longest time under the previous administration, residents of Both Worlds were abandoned by them and we saw it as a necessary thing to have to immediately reinstitute a route to be able to help those people who live round that area to have access to their place of residence.

385

As a result of this interim arrangement, I have asked the Gibraltar Bus Company to look at the works that require to be done. I have already been given full particulars of the different options that can be undertaken. In fact, we have three, one of which, for instance, is widening a waste ground opposite the comms centre building for a turning circle, and other options. We are studying those options and it is a matter of importance and priority for this Government, so we should be able to announce exactly the option that we choose very shortly.

Hon. D J Bossino: I take it from that reply, Mr Speaker, that works have not commenced.

390

Hon. N F Costa: He can take from that reply, Mr Speaker, that we actually care about the people of Both Worlds and that we have actually done something about it, and that, no, we are studying the option.

395

Hon. D J Bossino: Mr Speaker, can I ask the Minister how many people live there, which warranted the extension of route 4?

400

Hon. D J Bossino: As I understand it, Mr Speaker, this is called route 4A, which is an extension of route 4.

Hon. N F Costa: Well, yes, it is an addition to route 4.

405

Hon. D J Bossino: What I was going to say is that route 4A covers many of the bus stops and many of the stops which route 4 currently covers and it is a smaller bus. Can the Minister perhaps provide me with information as to what the cost of the provision of 4A amounts to?

410 **Hon. N F Costa:** Mr Speaker, I will certainly obtain that information for the hon. Gentleman. I do not have it here with me. But certainly whatever the losses are, the bus company was already losing around £2 million when we came into government, so I do not particularly think that adding that route for people who needed it is really much of a cost.

415 **Hon. D J Bossino:** So can the Minister confirm that there is a cost, even if he does not have the information available?

Hon. N F Costa: That is the most... Yes, that is one of the most ridiculous questions I have heard. Of course there is a cost.

420 **Hon. D J Bossino:** Precisely. If the state of Government finances, according to the Hon. Chief Minister's message of last night, are as parlous as he suggests, then the Minister ought to have reconsidered implementing this route.

425 **Hon. Chief Minister:** Mr Speaker, if I just might deal with the issue that this raises on the statement I made last night, I made very clear last night that the problems that Gibraltar is suffering result from the decisions made by the previous administration, the leader of which sits opposite, to prioritise spending on the wrong things. (**A Member:** Hear, hear.)

430 We do not think that bringing access to the town centre by adding a route for those who have previously been abandoned is something that should now not be proceeded with simply because of the folly in spending of some of the previous decisions made by the administration that was here until 8th December. The people at Both Worlds needed this route. The hon. Member made sure that one of the first things he did when he was elected was ensure that they were back in the franchise of those who had access to bus routes, and we will respond to as many questions the hon. Member wants to put on the issue, very proud of the fact that one of the first things we were able to do after 9th December was to provide this route for these people. (*Banging on desks*)

435 **Hon. P R Caruana:** Mr Speaker, the Leader of the Opposition will, of course, respond to the Chief Minister's extraordinary broadcast of last night in due course.

440 Can I ask the Hon. the Minister answering questions at present how many yards, or metres if he prefers, are there between the last bus stop nearest Both Worlds on route 4 and the new terminal to route 4A, in other words Both Worlds? How far did residents of Both Worlds have to walk to and from their bus stop? Does he know that, even if he does not know the cost of what he has decided?

445 **Hon. N F Costa:** Mr Speaker, no I do not know the exact yards or metres, but I do know this: I do know that, under their watch, senior people had to carry shopping bags, senior people had to walk to their home (*Interjections*) because they were abandoned –

Mr Speaker: Order!

450 **Hon. N F Costa:** – by his Government.

The Hon. Mr Netto is laughing at the fact that senior people had to walk with heavy bags from Morrisons to their place of residence. We, as a Government, Mr Speaker, will not make any excuses or apologies for the fact that one of the first things that we did when going into Government was looking at the fact that senior people living at Both Worlds needed this bus route.

455 We saw to it that it was implemented as an interim measure immediately. We are, in fact, studying the options to have the works carried out to be able to have larger buses being able to turn around at the area. We will make no excuses for that, Mr Speaker, and we are proud to have done so so quickly once we were elected into government.

460 **Hon. P R Caruana:** Having established that the hon. Member does not know the cost or the value, in turn, to the residents in terms of the distance walked that has been saved... but given that the hon. Member wants to set up bus routes to save people a 200-metre walk, or thereabouts, is he going to do that for everybody whose house in Gibraltar is further than 200 metres from the nearest bus stop? Because if he is not

465 going to do that for everybody in Gibraltar, what is there about residents of Both Worlds that entitles them to a bus from their doorstep, but other people in Gibraltar have to walk further to their bus stop than the residents of Both Worlds presently have to walk to their nearest bus stop?

So, will the hon. Member now extend the same proud satisfaction and commitment of what he has done for the handful of residents of Both Worlds to the other 29,900 residents of Gibraltar?

470 **Hon. N F Costa:** Mr Speaker, let me just say in reply to the extraordinary statements made implicit in the question by the Hon. Leader of the Opposition, that we would rather spend money in facilitating and helping senior citizens who require closer access to their house than £88,000 on cleaning the terminal of the airport. (*Banging on desks*)

475 Now let me tell the hon. Gentleman opposite that we prioritise and care a great deal more about the people of Gibraltar than the previous administration that put money in fancy extravagant buildings, rather than looking into the very things for which they are criticising us now.

480 The Hon. the Leader of the Opposition can rest assured that I am, in fact, looking at appropriate advice and also, funnily enough, listening to the people that are affected, because the previous administration *never heard anyone* and did whatever they wanted on their own motions, rather than listening to the people who were affected in any area of responsibility of the Government. We will be setting up – in fact, we are already setting up – meetings with exactly that, people who live all over Gibraltar so they can tell us what their input and feedback is on the current route. They found it extraordinary that a Minister should, in fact, call them because before all we hear is we have been ignored for the past 15 years.’

485 We will listen to them, we will meet with them and we will come up with a much better devised route than just one that is considered by a Minister with absolutely talking with no-one at all. (*Banging on desks*)

Hon. P R Caruana: Mr Speaker, the hon. Member must be aware that he has just misled this House. He must know that the bus route (*Interjections*) –

490 **Hon. N F Costa:** Mr Speaker, a point of order.

Mr Speaker: Order! Order!

The point of order being raised? Point of order.

495 **Hon. N F Costa:** On a point of order, the Hon. the Leader of the Opposition has not been out of this Parliament that long to know that in order to accuse me of misleading the Parliament he must do so by way of motion. He must either withdraw the remark or rephrase his statement.

500 **Hon. P R Caruana:** Mr Speaker, the hon. Members obviously think the House is a department of the Government and they can issue instructions through Mr Speaker.

Look, Mr Speaker, the hon. Member has said (*Interjections*) –

A Member: Point of order!

505 **Mr Speaker:** Order! Order!

Hon. P R Caruana: And he must listen to me on the point of order, Mr Speaker. (*Interjections*)

510 **Hon. N F Costa:** On a point of order, Mr Speaker.

Mr Speaker: The Hon. Minister, the gentleman, the Leader of the Opposition, is replying to the point made by the Hon. Minister.

Let us hear the Leader of the Opposition.

515 **Hon. P R Caruana:** I know that the hon. Member is nervous and does not want to... He just wants a monologue with himself, but that is not possible in a parliament. You will learn that very soon.

Look, Mr Speaker, the hon. Member has said *twice* in his last answer that it is better to do what they have done than to establish routes by the Minister without asking or consulting anybody at all. He knows that that

520 is not true, because he knows that there was an extensive public consultation process in which hundreds of replies were received and which were applied to the design of the new bus route. Therefore, to his certain knowledge, the statement that bus routes have been established without consultation with anybody is untrue.

525 Mr Speaker, the question that I asked him has *not been answered*. The question is not whether he is going to consult people; the question is whether he will do for everybody else in Gibraltar who lives as far away as the residents of Both Worlds do from their nearest bus stop, will he do the same? Or, alternatively, Mr Speaker, is this the first – at taxpayers' expense – payment for votes which the hon. Members did at the election (*Banging on desks*) to the residents of Both Worlds? 'Vote for me and I will give you a bus stop within 30 days of being in office.' Is it that? Why should the taxpayer pay for a discriminatory service simply to Both Worlds? Why?

530 **Hon. N F Costa:** That is not a reply to the point of order. That is a speech.

535 And the hon. Gentleman was going to reply to the point of order, the simple aspect of which was he said that the hon. Member had misled the House. Those issues have to be put by motion and he has to rephrase his question. Instead, he has decided to go on a soliloquy as if he was still the person imperiously ruling over Gibraltar. (*Banging on desks*)

A Member: Hear, hear.

Mr Speaker: Order! Order! Order! Order! Order!

540 The Hon. Leader of the Opposition did, in his earlier remark, accuse the Minister of misleading the House. The position in the rules is very clear: when any Member wishes to accuse any other Member of misleading the House, that must be done on a motion. No matter how justified, no matter what the argument at the moment, any accusation of misleading the House must be phrased in a motion.

545 The Hon. the Leader of the Opposition has not brought a motion. Instead, in his last remark he has sought to justify the earlier accusation of misleading. That is out of order.

Hon. N F Costa: I am grateful, Mr Speaker.

550 **Hon. P R Caruana:** Mr Speaker, whilst strictly correct, this is not the way it has happened (*Laughter*) in this Parliament in the last 16 years, as the hon. Member...

Mr Speaker, I will be happy to move a motion. I will be very happy to move a motion. The fact of the matter is that what the hon. Member has said to this House is, to his certain knowledge, not true.

Hon. N F Costa: Just a repeat of the allegations, Mr Speaker.

555 **A Member:** Not to accept a ruling...

Mr Speaker: I must again, if I may, just emphasise now that we have a new Parliament, a new scenario, where we all sit. Any accusation by anyone of any other Member misleading the House must be made in a motion and in no other manner.

560 The Hon. Damon Bossino.

Hon. D J Bossino: It is remarkable, if I may say so, that the Minister does not seem to be in charge of his brief, at least as far as this issue is concerned. It is a rather innocuous question.

565 Can the Minister perhaps also... Can he confirm... If he said so, I did not catch it. I will ask him to confirm... If not, maybe he can advise the House if he has not said so, whether the provision... whether 4A is, in fact, a new bus or whether it is being taken from another bus route. Is it a new bus which has been purchased?

570 Yes, it is a new route, but is the bus a new bus, or is it a bus which is used for another route and is being used for 4A?

Hon. N F Costa: Yes, I will clarify that, sir.

Mr Speaker, the bus is, in fact, an old bus that was not being currently used. It is one of the small buses. It is a small bus.

575 **Hon. D J Bossino:** Yes, I know.

Hon. N F Costa: It was not being currently used and it was put for this route, sir.

SCHEDULE TO QUESTION NO 2/2012

The Route will operate between the hours of 0745hrs to 2100hrs Monday to Saturday & from 0815hrs to 2100hrs Sundays & Public Holidays

The route will be as follows:

Outbound:

Market Place Terminus,
Glacis Road (North of Confectionary kiosk on lay-by);
Winston Churchill Avenue (outside Adventure playground);
Devils Tower Road (outside Faulkner House);
Devils Tower Road (opposite St. Theresa's Church);
Devils Tower Road (opposite Eastern Beach Road);
Williams Way (outside entrance to tunnel) and
Both Worlds Reception area.

Inbound:

Sir Herbert Miles Road outside Both Worlds Reception area;
Sir Herbert Miles Road (Black Strap Cove);
Sir Herbert Miles Road (outside Caleta Palace Hotel);
Catalan Bay Road (junction Sir Herbert Miles Road);
Devils Tower Road (by new round about);
Devils Tower Road (St. Theresa's Church);
Devils Tower Road (Park & Ride);
Winston Churchill Avenue (outside Referendum House);
West Place of Arms Terminus (Market Place).

This is an interim arrangement that will be in place until the necessary works are finalised to allow larger buses to access the area of Both Worlds.

580

**Chief Executive and Captain of the Port
Terms of appointment**

585 **Clerk:** Question 3, Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details of the terms under which the Chief Executive and Captain of the Port, Captain Stanbrook, has been appointed?

590 **Clerk:** Answer: the Hon. the Minister for Tourism, Public Transport and the Port.

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker. Captain Roy Stanbrook, age 54, has been appointed as the new Chief Executive of the Gibraltar Port Authority and Captain of the Port following a selection process which was completed on 11th November of last year.

595 The terms and conditions of Captain Roy Stanbrook's appointment as CEO and COP are as follows: three-year contract; salary of £76,192; rent allowance of £7,455 per annum; 25% tax-free gratuity of his basic pay at the end of each year; relocation costs for him and his wife as per GoG guidelines; 25 days' leave a year; and he takes up his appointment on Monday, 27th February of this year.

600 **Hon. D J Bossino:** Can the Minister confirm whether these are the same terms under which his predecessor was employed?

Hon. N F Costa: Could he ask again, please?

605 **Hon. D J Bossino:** Can the Minister confirm whether these are the same terms under pursuant to which Captain Stanbrook's predecessor was employed?

610 **Hon. N F Costa:** Mr Speaker, I wish he had given me notice of that question, but certainly he could ask one of his team who were on the previous administration. This was already a process which had been completed and approved before we were elected into Government.

Hon. D J Bossino: Perhaps I did not catch it myself in his initial reply, but can the Minister... Is this contract an open-ended contract or for a term?

615 **Hon. N F Costa:** The first term that I stipulated to the hon. Gentleman was a three-year contract.

Gibraltar Port Authority Employment of Marine Officer

620 **Clerk:** Question 4, Hon. D J Bossino.

625 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Ports inform the House whether anybody has been employed as the Marine Officer at the Gibraltar Port Authority?

Clerk: Answer: the Hon. the Minister for Tourism, Public Transport and the Port.

630 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** No, sir, not yet. Perhaps I could elaborate further by saying that we are currently reviewing the terms and conditions of this post, with a view to appointing a suitably qualified individual.

The post of Marine Officer, so that the hon. Gentleman is aware, became vacant on the death of Captain Tom Norton, which happened in May of last year.

635 **Hon. D J Bossino:** Is it the intention to keep the post? The Minister has said that the terms and conditions are being reviewed, but is it the intention to keep the post?

Hon. N F Costa: Yes, Mr Speaker, that is the current intention but, as I say, we are currently reviewing the terms and conditions of the post.

640

Aviation policy Increasing flight passenger arrivals

645 **Clerk:** Question 5, Hon. D J Bossino.

650 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port provide details of the Government's aviation policy with regard, in particular, to maintaining or increasing the number of flight passenger arrivals to Gibraltar?

Clerk: Answer: the Hon. the Minister for Tourism, Public Transport and the Port.

655 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Yes, Mr Speaker, the Government continues to engage with stakeholders in the industry to continue to maintain, first of all, the current number of flight passenger arrivals and we will strive to increase the number of arrivals. Negotiations will start in earnest with current and prospective airlines to attract more flights, to bring more tourists to

Gibraltar.

660 In fact, Mr Speaker, one of the very first things that I did was precisely to find out the state of play as to the current operators and what negotiations were in train as to prospective air carriers coming to Gibraltar. So it will not come as a surprise to Members opposite that there has been little for us to progress with prospective air carriers. Our work with that will have to start virtually from scratch in this respect. I, for one, am certainly looking forward to doing just that.

665 **Hon. D J Bossino:** There was nothing much in what the Minister has said, other than, perhaps, the last bit, which leads me to believe that there has been a heavy departure from what was the policy of the previous administration. Can I ask him to confirm to this House, and perhaps give us some comfort, that he will continue the policy that was carried out by his predecessor in order to see the continuing healthy figures which we saw in terms of passenger arrivals whilst we were in office.

670 **Hon. N F Costa:** Mr Speaker, first of all, I am not here to answer to the policy of the previous administration. We are here to implement the policies of *this* Government, but as I have already explained to the hon. Gentleman, there will certainly be a change of policy of their administration because we will, in fact, actively, diligently, implacably, pursue the negotiations of bringing new air carriers into Gibraltar.

675 **Hon. D J Bossino:** And could these new air carriers... could he consequently advise the House whether these new air carriers fly from a particular destination?

680 **Hon. N F Costa:** Well, Mr Speaker, as I said, one of the first things that I did was, in fact, to find out that negotiations were in train with any airlines.

Given that what I found was I would have to start from scratch, I already got officials in my Department to do exactly that and start setting up meetings, not just with the current operators to see how we can facilitate and assist them and make sure that they are happy to remain in Gibraltar, but also to set up meetings with air operators from the existing air routes and also from different parts of Europe.

685 We have already set up some meetings and we are inviting people to come to Gibraltar and, where necessary, I will go to meet them. The hon. Gentleman can, in fact rest, not just assured, but to his full satisfaction I can tell him that I will personally ensure that we will do what we can – and more – to get more air carriers to come into Gibraltar.

690 **Hon. D J Bossino:** Any destinations other than the UK?

Hon. N F Costa: Yes, as I have just said, Mr Speaker, I have said in my reply to a supplementary, that we will be working not just with existing air carriers, but that I would also be targeting different European destinations.

695 **Mr Speaker:** A question from the Hon. Leader of the Opposition.

700 **Hon. P R Caruana:** Mr Speaker, is it implicit in the hon. Member's answer that he is telling this House, given that he has repeated it twice, I think, that he has had to start from scratch, that he believes that there is no ongoing contact? There was no ongoing contact on 7th December between the previous Government and any airlines. Is this what he is trying to say without actually uttering the words? What does he mean when he says he has had to start from scratch?

705 **Hon. N F Costa:** Well, Mr Speaker, I said that we had to start virtually from scratch in respect of new airlines – contact with new airlines. There was, of course, contact, Mr Speaker, with the current operators. Here I am talking about additional routes and new airlines, Mr Speaker, but I am grateful for the hon. Gentleman for allowing me to clarify that part of my answer.

710

SPORTS, CULTURE, HERITAGE & YOUTH

**Gorham's Cave Complex
Application for World Heritage status**

715

Clerk: Question 6, Hon. E J Reyes.

720

Hon. E J Reyes: Mr Speaker, can the Minister for Heritage provide an update in respect of Gibraltar's application to achieve World Heritage Status for Gorham's Cave Complex?

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

725

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, Government officials from the Heritage Division attended a meeting in the Department of Culture, Media and Sport in London on Monday, 9th January.

The briefing meeting involved all sites on the UK Tentative List; this is a first stage in the process of selecting sites for nomination.

730

Hon. E J Reyes: Mr Speaker, I think the hon. Member knows that this side of the House will certainly continue to be very supportive in respect of Gibraltar's bid to join UNESCO's World Heritage status. However, given that the hon. Member has recently announced that, in consultation with his Chief Minister, they have appointed an inter-ministerial type of committee and so on, could he perhaps elaborate a bit further how these other ministries and so on would have an influence or a supporting angle, as well, in respect of our joint UNESCO bid?

735

Hon. S E Linares: Yes, Mr Speaker, since this new Government is now working as a team, we thought, and the Chief Minister rightly thought, that it would be better to co-ordinate this site, which is not only for heritage – as in heritage for Gibraltar and a World Heritage under UNESCO – but that there are implications to do with the environment, and therefore the Minister for the Environment is joining the inter-ministerial group.

740

Also, it has implications with tourism because, ultimately, when it does, hopefully, become a World Heritage Site, we would like people to visit it – and how we can market for people to visit the place – and it would be chaired, and I am glad that it would be chaired by the Deputy Chief Minister who, as a historian, has an interest in all to do with heritage.

745

Hon. E J Reyes: So, Mr Speaker, I take it from there that it would be a question of opening up Gorham's Cave Complex for visiting tourists and so on. Would that, then, have an impact, positive or negative as well, to the ongoing scientific excavations and research which are being carried out by the museum team to date?

750

Hon. S E Linares: Mr Speaker, Government is currently assessing the works that need to be done and since we have experts within Government, they will advise me and the inter-ministerial group as to how better to protect the area. That would mean that if we have to, either – and I am thinking aloud and I am sure the experts would probably have ideas on how to go about it, but you could probably limit the amount of people that go in and out, or they will advise us on how to deal with a Heritage Site.

755

It is not up to the Minister to decide how to deal with a Heritage Site.

760

**Additional football pitch
Details of provision**

Clerk: Question 7, Hon. E J Reyes.

765

Hon. E J Reyes: Mr Speaker, can the Minister for Sport and Leisure provide details in respect of the additional football pitch it is committed to provide?

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

770 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I will answer this question together with question 8 of 2012.

775 **Children's football pitch
Details of provision**

Clerk: Question 8.

780 **Hon. E J Reyes:** Mr Speaker, can the Minister for Sports and Leisure provide details in respect of the children's football facilities it is committed to provide?

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

785 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the Government cannot provide details at this time. All this information will be provided when we are in a position to do so.

Hon. E J Reyes: So, Mr Speaker, am I correct in deducing from that that the Government is committed to providing a new football ground, but it hasn't the foggiest idea where on earth it is going to provide it?

790 **Hon. Chief Minister:** Certainly not, Mr Speaker. What the hon. Gentleman can deduce from that... (*Interjections*) and his other – (*Interjections*)

795 **Mr Speaker:** Order. Order.

Hon. Chief Minister: – and his other colleagues will be able to deduce from the many other questions across all of the areas of ministerial responsibility that they have asked about our manifesto, is that we are not answerable in this House for our manifesto, Mr Speaker. As the hon. Gentleman used to say to me, we are answerable in this House for the things that we do as a Government, and the things that we will do as a Government will be what we have said in our manifesto that we will do.

800 Now, less than two months into it, for the hon. Gentleman to say that we have not got the foggiest, just because we have not started work on the pitch and we have not made an announcement of where it is going to be to the general public is, frankly, quite ungenerous, given that he was a member of the Government which, in the *last months* of the previous administration, had not yet even started work in deducing how much renewable energy Gibraltar got from renewable sources and how much electricity Gibraltar got from renewable sources, and only then said that, in the early part of their administration, they had decided to change the criterion, the target that they were going to meet.

805 It is not about not having the foggiest, it is about wanting to do things properly. It is about wanting to announce things when the time comes. It is about this community having chosen an option that is going to deliver for it absolutely fantastic services in the next four years and make an announcement when the time comes. They can expect that sort of answer in respect of many of the questions that they have put, leading to a cross examination on our manifesto commitments.

810 **Hon. P R Caruana:** Mr Speaker, I see that this business of Chief Ministers popping up and down is contagious! (*Laughter and interjections*)

815 Mr Speaker, what the Hon. Chief Minister has said begs the following question: Given that he has told the people of Gibraltar repeatedly that his manifesto of the last election was fully *costed*, can he explain in this House how he could have costed the cost of a football pitch without knowing where he was going to build it?

820 **Hon. Chief Minister:** Mr Speaker, that question precedes a question specifically on costing already on the Order Paper further down the line, so I will deal with the issue when the hon. Gentleman asks me that

question then.

825 **Hon. E J Reyes:** Mr Speaker, with your leave, may I simply ask, then, although he does not yet know the locations, am I correct in assuming that there is a commitment to provide a new football pitch and then, in addition to that, there will be a further facility for children's football, or will the same pitch incorporate both the senior and the junior football?

830 **Hon. S E Linares:** Mr Speaker, Government has committed itself to providing an additional football pitch, and it will do so. We are currently investigating the viability of specific sites and will consult the relevant parties and technical staff so as to provide a facility that will be fit for purpose.

835 Additionally, quotes have already been requested for the substitutes' bench which parents and children now suffer. It is absolutely *disgusting* the way those changing rooms for children were, or are still, until we get them done, and the provision of changing facilities are also being investigated. So I cannot, for the life of me, understand why the Minister is pressing *me*, after he was for four years Minister for Sport and allowed those changing rooms to get to such a state, about what we are doing.

840 We have already come in and, within a month and a half, I have already investigated with the technical people about what we are going to do for these children who are, every Saturday morning... and I am a parent and I do not mind, I put my coat on, but there are parents and children who have been suffering with neglected toilets, neglected changing rooms on the CEPESA area of which he was the Minister for. (*Applause*)

Hon. E J Reyes: Yes, Mr Speaker, I concur that I did inherit from the previous administration. (*Laughter and interjections*)

845 **A Member:** Sixteen years ago! (*Interjections*)

Mr Speaker: Order! Order!

850 **Hon. S E Linares:** If I may continue –

Hon. Chief Minister: On a point of order, the hon. Member, as I understand it, was elected in 2003. The previous administration was the GSD administration. (*Interjections*)

855 **Hon. E J Reyes:** Well, Mr Speaker, what I was trying to get at was that the building for changing rooms that had been left next door to the CEPESA petrol station, that had been provided by the previous administration, was of a temporary nature, not a permanent one, and that, under our administration, adequate changing room facilities were available, albeit on the western side of the football pitch and not on the eastern side. It is not just a question of convenience, but adequate changing rooms and toilets were available and that I would like to go down on the record.

860 **Mr Speaker:** Well, the hon. Member should have asked a question – that is the purpose of supplementaries. Is there a question coming up?

865 **Hon. E J Reyes:** Well, the question, then, Mr Speaker, is I do not think I quite got... Although the Hon. Minister started to reply, I am still not entirely clear whether there is going to be a separate additional football field for juniors, or is it going to be combined with the seniors? I am still not completely clear on that side.

870 **Hon. S E Linares:** Mr Speaker, I repeat again: we are currently investigating the viability of specific sites and will consult with the relevant parties and technical staff so as to provide a facility that will be fit for purpose.

We are consulting people. We do not do things unilaterally. We go, we ask the GFA and we ask the associations what they require and, obviously, we are motivated by fulfilling every single item in our manifesto. This is what I have done since we have got into Government. So that is the answer to the question.

875 **Hon. E J Reyes:** So therefore, Mr Speaker, has the GFA recommended that it have a separate junior and senior football pitch or a combined one?

Hon. S E Linares: The GFA has not only recommended that, they have recommended to do many other things of which we are sitting down with them in consultation, in order to fulfil as many as they require. We cannot probably deliver with every single item that they want us to do, but... (*Interjection*)

880

So what... Sorry, Mr Speaker, could the Leader of the Opposition in his murmuring ask a question?

Mr Speaker: The Hon. Minister would be well advised to ignore any remarks of that nature.

885

A Member: Absolutely.

Hon. S E Linares: I will, therefore, ignore those comments.

What we are doing is that we are consulting the GFA and every single other association who have welcomed the amount of hours that I have been spending, for the last month, seeing them because all they tell me is that they are being ignored. What I am doing now is, in consultation with them, to see how better we can develop the football.

890

Hon. E J Reyes: Mr Speaker, I did not quite catch... Is it going to be one separate for junior and for senior, as recommended by the GFA, or a combined one? I did not quite catch the answer.

895

Hon. S E Linares: Mr Speaker, has he read our manifesto? If he has read the manifesto, whatever the manifesto says, we will deliver. (*Banging on desk*)

Hon. P R Caruana: On a point of order, either, as the Hon. Chief Minister says, he is not accountable in this House for his manifesto or it is as the Minister now says, that he remits us to his manifesto. It has got to be one or the other. I do not see that it can be both. (*Interjections*)

900

A Member: Mr Speaker, in my... (*Interjections*)

Hon. Chief Minister: Mr Speaker, I think the hon. Gentleman is absolutely right and that commitment the hon. Gentleman has now brought into the House. He will be answerable for that commitment, given that that particular commitment in the manifesto he has now said in this House, he will be responsible for ensuring is delivered.

905

910

Fire Station Smoke extractor system

Clerk: Question 9, the Hon. I M Ellul-Hammond.

915

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Hon. Minister for the Fire Brigade confirm whether the smoke extractor system for the Fire Station has been ordered?

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

920

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, Government instructed the Chief Fire Officer in its first meeting, within a week after the General Election, to make arrangements for the fire extractor to be ordered as soon as possible. The Fire Brigade management is currently consulting two specialist exhaust extractor system suppliers in order to procure the most cost effective installation.

925

Hon. Mrs I M Ellul-Hammond: Can the Hon. Minister confirm if he has an idea of when the extractor system will be installed, then?

930

Hon. S E Linares: Mr Speaker, I am not a technician and therefore I do not know how long this will take. It is in the order process, which we said we will do within 14 days of being in Government and that is

exactly what we have done, and then it would be up to as long as it is possible to take to put in the extractor system as soon as it arrives.

935 **Hon. Mrs I M Ellul-Hammond:** And can the Hon. Minister confirm that the smoke extractor system was put out to tender?

Hon. S E Linares: Mr Speaker, no, it was not put out to tender because there are only two companies that are providing it and I can give you the names of the companies, if you want?

940 There is Nederman from Sweden and Ecovent from Germany. These are the type of extractor system that is needed and the Chief Fire Officer will select, as I said, the most cost effective installation.

945 **Airport**
Major incident exercise

Clerk: Question 10, the Hon. I M Ellul-Hammond.

950 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. the Minister for the Fire Brigade tell us when the Government is intending to hold the major incident exercise at the airport?

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

955 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the first planning meeting will take place today, 19th January, and it is intended to hold a full-scale exercise during April this year.

960 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, my understanding is that the exercise was scheduled for February of this year. Why is there a postponement until April?

Hon. S E Linares: Mr Speaker, I am not in a position to answer that question since, when I came in, one of the first things I did was meet the head of the Civil Contingency and he informed me about having a meeting on the 19th January.

965 I presume, due to the Elections, they have moved it, but it is not I who decides to move anything. They informed me that they were having a meeting today and, from the meeting today, they envisage the exercise to be done in April. So, basically, why they have moved it, I have not got an idea why they moved it.

970 **ENTERPRISE, TRAINING AND EMPLOYMENT**

Social Security
Control of Expenditure Returns

975 **Clerk:** Question 13, the Hon. J J Netto.

980 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Security provide a copy of the Monthly Expenditure Returns Report from the Department of Social Security to the Financial Secretary commencing from December 2011 to date?

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

985 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** Mr Speaker, the Monthly Expenditure Returns Report requested by the hon. Member is a financial management information document that the Department of Social Security provides to the Financial Secretary on a monthly basis. A copy of the

Monthly Expenditure Returns cannot be provided to the Member, as the budgetary expenditure logically is subject to amendments throughout the year, hence the final expenditure figures will only be available on the closure of the public accounts after the year-end.

990

Hon. J J Netto: Mr Speaker, I have not understood the answer by the Hon. Minister opposite him to send, sir, in the sense that he seems to be saying that he cannot provide me with information because it will be subjected to amendment further on.

995

At the end of the day, Mr Speaker, we are talking about a document which was so introduced by the GSD Government for the purpose of having transparency and accountability. After all, we are talking about expenditure which is incurred by a Department, a Government Department expenditure that comes under the Appropriation Bill, which is something for which Government has the responsibility and the Opposition, obviously, has the responsibility to look into the accounts of the Government.

1000

It does not make sense to say that he cannot give me the information on the basis that it will have further amendment, because all I am asking is the same copy of the same Report that the Minister will get at the end of the month. So, therefore, both the Minister and the Shadow Minister will be in the same position to know how expenditure is moving, notwithstanding the fact there will be amendment further along.

1005

I find it quite odd and contradictory to give that type of answer when the party opposite seems to be saying they are a party of openness, transparency and accountability. Well, if they are the party of accountability and transparency, surely they should give me the equal footing to be able to have the same information to be able to question the Minister opposite. Will he, therefore not consider the statement I have made and provide me with the document?

1010

Hon. J J Bossano: No, Mr Speaker. I think the hon. Member is talking a lot of rubbish because, in fact, he is asking me to provide him with documents for when he was there, which he must have had already if he says he had them regularly – and which he did not provide to me.

1015

The reality of it is that what he is asking for is that we reproduce... [*Inaudible*] that every Member of the House on this side, and on that side, should get a copy of this thing and make public, which means he is asking us to produce a copy of this every month with seven columns of possible amendments being changed backwards and forwards.

1020

Certainly, if that is something that was introduced by the previous Government and something that every Minister had, I can tell him that when we came in, no Department provided us with those copies. The first time I have heard of the existence... is when he put the question and this is the answer that the Department has provided me with. They tell me that he did on some occasions ask for this information, but that it was an irregular thing that they provided every month to him; but whether they did or they did not, if he feels so strongly that both Members of the House should have had it, I am surprised that he did not provide it when he was here and that he is now asking me to give him information that he claims he already has and that he had when he was a Minister.

1025

Well, I can only remind him that when I used to ask for half yearly – not every month with every amendment – the figures for the first six months of the year, the Hon. Leader of the Opposition used to say to me that this would put an administrative burden on the Department and I would have to wait a couple of months after September to get the information, which I accepted.

1030

He is actually saying that he wants us to produce *this*, with the figures changed, every single month of the year and I can tell you that in six months, as I used to be told by the Government then, it is not necessarily an indication of how the year is going to end. You can imagine that every month going up and down is even less of an indication.

1035

Hon. J J Netto: Mr Speaker, I am afraid that the one who is talking rubbish is the Member opposite.

Mr Speaker: Order. Order. I imagine... [*Inaudible*] Order. Order.

The Hon. Minister used the word and I did cringe. May we please eliminate that sort of language from this Parliament.

1040

Hon. P R Caruana: What... both sides? (*Interjections*)

Mr Speaker: Yes, sir... (*Interjections*)

I did point to the Minister and I did hear the Minister use the word first, but let us omit it from this Parliament altogether.

1045 The Hon. Mr Netto.

Hon. J J Netto: I am quite happy for him to tell me that I am talking ‘rubbish’ –

Mr Speaker: Well, no, no. Let us eliminate that –

1050 **Hon. J J Netto:** – because I know that he will remind me, telling that he is talking ‘rubbish’, so I do not take any offence from him, Mr Speaker.

Mr Speaker: Well, I think I take offence then.

1055 **Hon. J J Netto:** Having said that, Mr Speaker, let me tell him that I am not asking him to provide me... well, I *am* asking him to provide me with this Report, right, which basically says – which he will get available as a matter of course, right... he will get it as a matter of course at the end of each month, but it basically says, from the estimates book, what every single sub heading is, the movement that it is in terms of the payment of those months and whether it is a surplus or a deficit at the end of that month. That is all he will get as a matter of course and he will get it as a matter of course because we, on this side, when we were there in Government, we introduced it to ensure that we kept within the limit of the Appropriation Bill.

1060 This information, as he would have reminded us many times before, was not passed to him because you never asked a question. If you asked a question when you were in a position, you would have got the information. At the end of the day, the point I am making, from a parliamentary position, is that we, in this legislature are entitled to be able to control the movement and the rate in terms of every single subject and every single head.

1065 He gets the information, like all Ministers get information, every single month and all he needs to do, once he gets that report by the civil servant, is to say, ‘There is a copy for the Minister, the opposition spokesman on the relevant...’ That is all I am asking. There is not any great effort in simply putting one of these copies into an envelope and passing it to the Opposition. The problem is that he does not want to do it, and he does not want to do it because he does not want to give us the opportunity to scrutinise the accounts that he is responsible for under the Head in this Government.

1070 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman’s remarks do not contain a question, but I think it is important that I should raise an issue, an important parliamentary issue, and an important issue of form.

1075 The hon. Gentleman appears to have a document that he was given when he was a Minister. I would be grateful if the hon. Gentleman could return that document, please, because it is obviously a Government document. It is still in his possession. Of course, he must have, perhaps, taken it home to work on it when he was a Minister, but if it is a Government document, which we are saying in this House is not a document even we have received – they are not documents that we are being given – and there is an issue between us about whether that is a document that should be shared. Certainly it is a document that I think, if he has it from his time, should be in one of the files that relates to the work he did for Gibraltar in his time. It is not a document that should now have been taken by him from Government officers into his personal possession at home.

1080 **A Member:** Hear, hear.

1085 **Hon. P R Caruana:** Mr Speaker, that is not a parliamentary matter (*Interjection*) and begs an important question about the status of papers that are to become ministerial working papers that we can certainly discuss, but could I just ask the Hon. Minister for Employment whether he would consider providing the information, as I used to do to him on many occasions, with a qualification that, of course, this is tentative and might, at some future date, change.

1090 He will recall that there was – I cannot remember now what it was, but some of the statistics that he used to ask me for regularly, I would issue him, I would give it to him with a warning that it could change, it was tentative and it could change, subject before the year end in terms of ... If that information is available, he can provide it, presumably, if he is willing to do it, subject to the fact that it may change, without then necessarily committing to provide every amendment in the ‘seven columns’, as he calls it.

1095

1100 **Hon. J J Bossano:** Mr Speaker, first of all, it is not true that I have been provided with this information by the Department. (*Interjection*) No. No, but the hon. Member has said that I was provided with... as if I had been (*Interjection*) and I was withholding it from him. It is not true. None of us have been provided with this monthly report.

1105 I do not know if it is true that every single Minister previous to us had this report. I do not know because, clearly, I have not asked for the figures for before December. I find it quite extraordinary that the hon. Member has actually got the figures he claims that I do not want to give it to him when, in fact, he has something that I do not have and that I have no right to have, anyway, because I was not there in September. So why should the Department give me detailed breakdowns of figures of something in September, or volunteer to give it to me?

1110 The point that the hon. Member is making is that he has, on some occasions, said to me, 'Well, look, we don't want this material to be in the public domain because we do not think it is in the public interest and therefore we will give it to you confidentially.' That has happened, but that is not the point. The point is that – I do not know whether the hon. Member appreciates it or not – if we did what the questioner is suggesting, it means that, on every single page of this document, every single possible warrant, every single thing that has been tabled today which shows movement in wages, movement in overtime, expenditure up and down, which is being estimated on a month-to-month basis, which may materialise or may not materialise... If we did that for every Department, not just for the one that is being asked, it would mean that we would have to get the Department not to report to the Financial Secretary, which they are doing now, whose job it is to control expenditure. They are our Controlling Officers. This is the internal document of the Controlling Officer.

1115 Certainly, it did not happen before 1996. I do not know if it has been happening from 1996 until now. We did not know it existed. We have not been given this information automatically. Neither me nor any of my colleagues have already asked other people and, therefore, it is not that we are getting something which we want to withhold from the other side; it is that, in fact, we think the job of the Controlling Officer is the job of the Controlling Officer and not the job of the Minister.

1120 I would like to remind the Member and, if necessary, I will bring up the questions in which he said it, the number of times for considerably less information than reproducing a changed set of figures for the whole of the estimates book, he used to say to me, 'Look, the work involved is very great.' I would have thought the work involved in this is *monumental*.

1130 **Hon. P R Caruana:** Mr Speaker, first of all, I was not referring to the confidential information. It is when he used to ask me for information on a quarterly... first of all, it was half yearly and then we tried to give them information on a quarterly basis, and there was some information, I think it referred to Departmental expenditure or some expenditure which had not been reconciled by the Treasury, and I used to say to him, 'Well, look, this is the Treasury information that exists. It is subject to reconciliation and then subject to change.'

1135 Mr Speaker, no one is asking him to do the Government's annual accounts monthly.

Hon. S E Linares: Yes, he is.

Hon. P R Caruana: Well, can I suggest to you that the Hon. Mr Linares that he does not, you know... In this instance he is unlikely to have a grasp of such matters.

1140 Mr Speaker, as part of our budgetary attempt at budgetary expenditure control and not find at the end of a financial year, or towards the end of a financial year, Departments just stuck out their hands and said, 'I have run out. I have spent my whole year's allocation. Now, if you want me to carry on providing the public service until March, I need supplementary funding'... In order to try and monitor and prevent that from happening and monitor monthly expenditure, we put in place a system whereby every Department had to submit to the Financial Secretary, and to his Minister, a statement of that month's expenditure simply so that others could monitor whether they were likely to make their budgets stretch to the 12-month period or not.

1145 We are not asking for any *additional* work to be done. This does not require any. This simply requires that making available to the Minister who has asked for it, that monthly return which is already generated, which exists, and which is unlikely to change, given that it relates to expenditure actually incurred. Now it *may* change if there is a need to calculate over time retrospectively, for example. So there are some circumstances in which monthly expenditure can change something being in respect of a previous month, but it is mainly not the case.

1150

1155 So, look, the hon. Members have to decide whether they are willing to provide the information or not, but it does *not* require a new exercise in information collation. The return, the monthly return to the Financial Secretary, exists in all the Departments, by the way, not just theirs.

1160 **Hon. J J Bossano:** All I can say is if it is so easy and it is all there and does not require any effort, then I must say that I will have to look at the answers he gave me when I used to ask him for the figures, once a year, for six months. Their figures, all that he told me then about how difficult it was to produce cannot possibly be true, if he was getting the figures every month and he used to say to me then that to give me the heads of expenditure – this is asking for every single subject in the book – and all that I ever used to ask for was the equivalent of the first two pages of this book once a year so that I could see, half way through a year, how close we were to spending the amount approved. (*Interjection*)

1165 Yes, that is what I used to get, but that (*Interjection*) used to be... that which I used to get, the hon. Member used to say to me, if I asked him in October or November, that it was not ready, that it needed more time and it needed more work. Now it turns out, from what he has just told me, that he needed neither more time nor more work because he was actually giving it to me twelve times a year, according to him, and in a massive volume of breakdown... Every single penny in this book can move up or down.

1170 All I can tell the hon. Member is, we will discuss what he has suggested, but I have to say to him it is in flat contradiction to every argument that is ever put in this House about excessive detailed information about everything else.

1175 **Hon. P R Caruana:** Mr Speaker, with respect, it is not. The amount of administrative effort and political will that went into the previous Government, my Government's, attempt to give the hon. Member all the statistical information that he asked for is legion, on record and unprecedented.

For the hon. Member now on that side, because he is wearing the boot now on the other foot, to pretend that he had difficulty getting information that was readily available from the Government is simply not consistent with the facts as they happened, in terms of the information that he got, to the extent that the hon. Members now boast that they put it online to spare us the need to have to ask for it.

1180 Well, Mr Speaker, it is not true. This is information that exists. It is information. It is monthly reporting by the Departments to the Financial Secretary. It is not collated. It is not audited. It is not checked. It is just a return of expenditure. It is available. He can choose not to provide it to the Opposition, but if he chooses not to provide it to the Opposition it cannot be because it is difficult or onerous, or burdensome to collate. It requires *no effort* on their part to collate it. It is simply a question of forwarding on, but it is a matter of policy if they choose not to provide it. So be it.

1185 **Mr Speaker:** There is still no question there.

1190 **Hon. J J Bossano:** Mr Speaker, then I can tell the hon. Member that when he complained about the excessive detail of information that is available within the Departments, he was not being straightforward in... he was exaggerating the effort involved.

What he is asking is that this should be reproduced every month, the whole book, with figures that go up one month or down the other, with seven additional columns.

1195 **Hon. P R Caruana:** Mr Speaker, no one is asking him to put the information –

Mr Speaker: There must be a question.

1200 **Hon. P R Caruana:** Yes. Does the hon. Member accept that no one is asking him to put the information in budget schedule form? It is simply a crude, raw, unaudited existing Return of Expenditure by a Department. It does not have to be put in columns, seven, or any. If the format exists, Mr Speaker, it is produced... He may not have seen them yet. Indeed, I never used to look at them every month. They used to go to the Financial Secretary's office, where they used to die.

1205 I know the hon. Member wants a copy. The Hon. Opposition Member, Mr Netto, wants a copy. The Government can decide whether it wants him to have it or not and that is the Government's choice, but the hon. Member cannot justify not giving it to him on the basis of onerous effort required and he should not try to justify it on the basis of what he now says we used to do when he was in Government.

1210 Look, they have won, by 200 or 300 votes, an Election on the basis that they had swept up the ogres who were emperors and did not provide information and they were now a new broom that was going to open the windows of Government and transform the way Gibraltar was governed by providing information. If that is what they believe, surely they cannot now try to copy our behaviour, which they thought was terrible.

1215 **Hon. J J Bossano:** No, Mr Speaker, the last thing I would want to do on this planet is copy everything that he has ever done in his life! (*Laughter*) Of that you can rest assured. (*Laughter*) But what I have to tell him is that we are now going down the route of saying that he misled the House, which requires a motion... (*Interjection*) Without going down that route, I have to tell you that the excuses he made, (*Interjection*) which I believed were true, do not fit with the position that he is now taking.

1220 It is not that I am saying because you did not do it, I am not doing it. I am saying that what he is asking for is *far in excess*, far in excess, of what he just was saying before was not reasonable to us – that is what I am saying. I am saying to him that, in fact, for him to go on saying that I am denying information to the Member opposite, when the Member opposite has (*Interjection*) it in front of him and has waved it at me, and I have not seen it –

Hon. J J Netto: You will get it. You will get it if you haven't.

1225 **Mr Speaker:** Order. Order.

Hon. J J Bossano: No, Mr Speaker, it is not true. It is not true that when we came in on the 9th, every head of Department came to us and said, 'These are the monthly reports we send to the Financial Secretary.' We have not asked for this report. We did not know the report existed. (*Interjections*)

1230 **Hon. P R Caruana:** Alright.

1235 **Hon. J J Bossano:** The first I have heard of the existence of this is when the question has been put and this is the answer the Department has given me, and that is the answer given to the hon. Member, but from the content of what they put to the Financial Secretary, from what they have shown me, which is the first line, (*Interjection*) the first column, of every page of approved expenditure in this book: column one, with seven additional columns behind it.

1240 That is what they say to me in that report, which means, effectively, reproducing a book which is twice as thick as this one, every month (*Interjection*). Well, they have just discovered a passion for numbers that, before 9th December 2011, I used to be the nitpicking guy that used to be interested in scrutinising every penny in every statistic. It seems I have contaminated everybody in the Opposition with my disease!

1245 **Hon. P R Caruana:** Would the hon. Member not accept that there is a great difference between what he used to ask for, on the few occasions that we were not able to give it, and that it is not the case that this requires much more effort than what he used to ask for, and be denied? He used to ask, effectively, for the accounts of Gibraltar to be compiled for the forecast outturn of revenue and expenditure at quarterly stages, or half yearly stages, during the year to be compiled. In other words, all the information brought together... This is not what is being asked here. What is being asked here requires, if he had the political will – which plainly he does not – no effort on his part at all. There is no degree of difficulty.

1250 So the question of whether it is more or less difficult than the things he used to ask me, and I denied, simply does not arise because this requires no effort on his part.

1255 So I ask him again: is he willing to provide whatever information... [*Inaudible*] which simply requires him to instruct an official to send a copy to the hon. Member – and we accept what he said in his first intervention, that it might be subject to change. Fine, we understand and accept that.

Hon. Chief Minister: Mr Speaker, I think what is getting lost in the context of the debate, as it is going, is that the hon. Gentleman said a few minutes ago that we will discuss this internally and see whether... because we have found (*Interjection*) these numbers only when the hon. Gentleman asked the question and that has lead us to question whether the information we were provided before was correct or not.

1260 So let us please leave it that we are going to consider further whether this information can be provided and the manner in which it is provided. It may be that, if we decide it should be provided, that it should be

provided confidentially because it is one thing for hon. Members to be able to see how the estimates book predictions are going and another for everybody else to see every penny that is being spent in every Department before that is collated.

1265

We have already, as the hon. Member knows, put online a lot of the statistics that were in this House, and it may be that the decision is made to give this information. It will also be put online, so that everybody can scrutinise it on an up-and-down basis, but I think that the prudent course is just to say that we are going to look at this. I know that there is another question on the Order Paper, Question no. 47 that the hon. Gentleman put to the Minister for Social Services and Equality, that deals with the same point and I think we should just leave it that we are going to consider further, before the next meeting next month, how this information can be shared, if it can be shared.

1270

Hon. P R Caruana: Mr Speaker, we accept the Hon. Chief Minister's undertaking to consider the matter.

1275

**Supported employment opportunities
Grants to employers and disabled persons**

1280

Clerk: Question 14, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Employment state what type and conditions for employment grants will be made available to employers and disabled persons, in order to optimise supported employment opportunities?

1285

Clerk: Answer, the Hon. Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, there are presently 50 persons being assisted under the Vocational Training Scheme, sheltered/supported employment programme. These persons are receiving an allowance of between £250 and £450 per month. As from 1st February this year, under the announced future job strategy programme, they will receive £912.60, which is the standard minimum wage for full-time employment.

1290

The consultation process with associated bodies and representatives on the future provision for persons requiring sheltered/supported employment assistance is at a very early stage. Future policy will be decided on the outcome of such a consultation process.

1295

In the meantime, other persons in need of sheltered/supported employment will be incorporated into the Future Jobs Strategy programme, which is underway from 1st February.

1300

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

The hon. Member, the Minister opposite, seems to be saying that they are now about to start a process of consultation. I think those were his words. But would he give us at least an idea of what sort of scope of issues that will be discussed, if he has any outline, at least, for the issues that will go into the thinking?

1305

Hon. J J Bossano: Well, no, what we are going to do, Mr Speaker, we are going to pay people more money than they were getting before and continue with the provisions that exist, extended to people that are not included already, new cases brought to our attention and, at the same time, ask those who are involved in this field to put any ideas that they have got to us, as to any improvements that they would like to see.

1310

It is not that we are going there with a preconceived idea of what needs to be done, other than improving their income. For example, the 50 people that are in the present programme are the 50 people who are already there on the 8th. They are being kept where they are and whether the circumstances under which they are working – many of them are working in Government departments or Government authorities or Government agencies and a few are in the private sector – whether there is any issue in relation to the environment in which they are working, which needs to be addressed. When we hear the views of those who are involved, we will act to put it right, if there is anything that needs to be improved or put right.

1315

Hon. J J Netto: Mr Speaker, what I was trying to get at, basically, was whether the thinking by the

1320 Government, obviously in consultation with other interested parties in relation to this future subsidy or employment grant, is going to be one which is earmarked for a specific period of time for that disabled person, in order to be able to allow the employer to absorb or take in or optimise that particular disabled person into employment, and whether that subsidy is going to be for a specific period of time, or depend on the condition of the disabled person, may need a level of subsidy for a much longer period of time, perhaps even during the entire employment life of that particular person, all depending, of course, on the degree of severity of the disabled person.

1325 So I was trying to engage the Hon. Minister whether there is any thinking going on, when we talk about subsidies for disabled persons, as to whether the thinking by the Government is one where they are going to look at bringing professionals to be able to determine the level of severity of the disabled person and, in accordance with that, there will be some disabled persons, for instance, who may not need any subsidy at all. Just because they are a disabled person does not automatically mean you need a subsidy but, of course, there will be some disabled persons who need a level of subsidy and there may be some disabled persons who need a permanent level of subsidy. That was one of the issues that I was trying to engage with the Hon. Minister.

1330 The other thing is, of course, given that this is one of their manifesto commitments in terms of employment grants, one of the things that would help disabled persons being able to get into the world of work, would be by giving the employer, perhaps, like they do in the UK, in fact and many other jurisdictions, a small amount of money to be able to do some small adjustments, refurbishments to be able to work in an environment that is able to be absorbed and allow a proper working space for disabled persons.

1335 So the question that I am trying to put over to the Minister for Employment, which seems to say that he is going to consult about that, is whether he will at the end of that consultation process end up with particular criteria or structure in which disabled people will be analysed by the professionals in accordance with the levels of severity of their disability, will be able to get a subsidy depending on that and whether employers also will be able to get a certain amount of money for furniture, equipment, alterations that may be necessary for the disabled person, because if they do both things together, hand in hand, the possibility to absorb more disabled people into the world of work obviously is going to be much greater. So would that be part of the Government's thinking, Mr Speaker?

1345 **Hon. J J Bossano:** Mr Speaker, we are paying the persons with disability, we are treating them no different from persons without disability but, as I say, they are getting a contract of employment with the Government in a wholly owned Government company and that wholly owned Government company will place them in a place where, at present, it is no different from the place where they are already; that is to say, the people that are there already, working either in the public or the private sector, who have been getting
1350 £450 per month, will instead get a salary paid by the Government, 100%, £912.60, which is the minimum wage that a worker should get. Therefore they will have a contract of employment with the same company that employs other people that do not have disabilities; they will be completely integrated in that system.

1355 In addition to that, there are improvements in the working environment which can only be established by looking at each one of the 50 cases; and all the new ones that may come up, which the employer needs financial assistance with, it will be provided. There is no question of there being a limited amount of money available for this and, when that money is used, that is it: we will provide what is required and each case will be looked at in the context of what is required. As I have already told the hon. Member and as he must know, because the people were there already when he was in office, many of them are working in Government offices or in an environment where they have been there for many years.

1360 I cannot imagine that we are going to find that there was only very detrimental, before 9th December, that was being ignored by the previous administration, and that we need to put right. I would expect that since everybody that is there now, was there before, if there was something seriously wrong with their environments, somebody before me would have put it right. But, certainly, if there are things that still need to be done, they will be done and it does not matter what they cost. It will happen. Whether there is or there is not, I will not know until I discuss it with the people who are working in that environment or the relatives of the persons with disabilities who are in sheltered employment and they make representations to me about what we can do to improve the quality of their life at work.

1365 The answer, basically, is that we are there to provide what is required, if it has not already been provided by him before, when he was there. That is all there is to it. I would expect that most of it would have been done already, because it is not a new situation, it is a situation that has already been happening and the main difference is that they were treated before under the VTS scheme, as if they were being trained for a job when,
1370

in fact, the reality of it is that what they need is a subsidy in that job and we are going beyond that stage of simply subsidising part of their income and saying to the employer you pay for the other part. We are saying, we will pay you the full standard minimum wage that the law provides.

1375

Hon. J J Netto: I am grateful, Mr Speaker, but I am still not quite clear, or perhaps the hon. Member has not sufficiently explained his point. I take on board the fact that he is saying that he is going to pay the minimum wage. I take that on board, but what I was trying to get at, perhaps, is whether the payment of the minimum wage is for a specified period of time or not, because the point I was trying to make is, what is the scheme?

1380

Is the scheme depending on having analysed the needs and necessities of disabled persons, one which will say, right, this particular disabled person has a chance to go into the world of work, provided that all these criteria have been met by the professionals and, therefore, the first year will be a payment of the minimum wage and at the end of the minimum wage – and I am talking hypothetically – it would be the employer who absorbs the payment, I suppose, to the Government through the scheme. I am not sufficiently clear, that is why I am trying to ask further supplementary questions, to be able to say whether there is a finite period of time for the payment of the minimum wage or whether there is, perhaps, a scaling off period after the final period of time in which the minimum wage is going to be paid. That is the first point I was trying to make.

1385

The second point I am trying to make and it brings to mind, perhaps, we do have in the office of employment, in the Employment Office, we do have a disabled person who was employed when I was first Minister for Employment, when we got in, and one of the successes for her was that, long before she was sent to work in the Department of Employment, was because the handling of that process was one in which, first, the occupational physiotherapist went to assess the working environment, had several meetings with the management there and there was a lot of alterations as to the manner upon which that particular person was going to do a number of tasks, including the design of new software packages to be able to help her in that particular work.

1390

1395

The point I am making is that to be able to make it successful to some disabled person, it requires not just, necessarily, an employment placement officer, it also requires other people from other parts of the Government like the occupational therapist, who will have to determine, amongst others, the needs of that particular person.

1400

What I am suggesting to the hon. Member, given that he said he is going to enter into a period of consultation is that perhaps this is an area that needs developing further to making sure that those people who are registered unemployed disabled are willing and able to try and find work, that as much help as possible be given to them by ensuring that the professionals give a helping hand. That is the point. Will he, therefore, take that on board in the consultation process?

1405

Hon. J J Bossano: Mr Speaker, all the things that he says happened, have happened already.

It is not that there are 50 people on the 9th that were there on the 8th, so the person in the department that he says had this assessment done is one of the 50 and, presumably, it was done for the other 49 as well. There is no new case. Therefore, I assume that all these ideas that he has about how it should be done, are the ideas that were already in practice, being implemented when he was there. If they were not then, certainly, having suggested that they should be done, even though they were not being done, I will find out, case by case, what has been done.

1410

All I can tell him is that, at the moment, what is happening is that the case, for example, in the department that he has mentioned, will now be getting a contract of employment, which did not exist before and that that contract of employment will be permanent and for life. Therefore, the salary will be paid, which is a salary that I have mentioned, and there are many hundreds of people in Gibraltar who get the minimum wage and, therefore, what we are doing is making sure that somebody, because they have a disability, does not get at least less than the minimum wage, at the very least that.

1415

In the process of training, they are able to take on a type of job which pays more, then again, they will be treated exactly the same. The whole idea is that, in the programme that we have got, there is not a section for people with disability or for ones without disability. They are all treated the same way. Within the requirements which are determined by the nature of the disability in each and every one of these cases, if there is something that is not being done that ought to be done and that we have recommended to us, it will be done, whatever the cost.

1420

1425

I cannot say more than that, but there is no limit to the amount of money we will provide, if somebody

1430 shows us that someone with a disability is at a serious disadvantage because of something in the environment that ought to be there is not there but, at the moment, nobody has made representations to me in respect of the 50 people that are there and the only change at the moment is that they are exactly where they were before, in exactly the same circumstances as before, but with a contract of employment and the minimum wage. That is the only thing that has happened to date.

1435 **Hon. J J Netto:** Mr Speaker, the point I am making is that, of course, money is important to try and get disabled persons into work. In relation to the 50, it is a mixed bag. It is an *ad hoc* process. Some of them did find another professional who assisted them when they got employment, others did not. The point I am making is that there is room for improvement here and that is why I keep saying to him that he should consult with the professionals in the field, in order to make sure that, when we do have a registered unemployed person in the Employment Service, that that particular – all disabled persons are monitored to the extent of their needs and to the circumstances which they can then fulfil by working for an employer by looking at the work environment. I think that there is a lot of room for improvement, if we bring the professionals into the field. That is only what I am asking him.

1445 **Hon. P R Caruana:** Mr Speaker, may I just ask a short supplementary so that the hon. Member might... [*Inaudible*]. Surely what the hon. Member says about Government, he cannot mean that, for example, if there were a disabled person that works or wants to work in a building in which there is no lift and three staircases and there are three floors and staircases, he is not suggesting that he is going to install a lift in the building. So there has to be – presumably that person will be encouraged to be redeployed for work somewhere else. He does not literally mean, surely, that he will spend as much money as is necessary to accommodate every disabled person that wants to work in every physical environment? Surely that would not be viable?

1450 **Hon. J J Bossano:** The disabled persons, any more than people who are not disabled, do not live in a happy world where they can choose the job they want and they get it. They are provided by the Employment Service with the opportunity of working in a particular area by agreement with the employer which, in the bulk of the cases, are public sector employers. If, in any one of those areas, the advice that we get is that something needs to be done, which has not been done before – and I would expect that that would be rare, rather than common, because if the 50 people that were there already in circumstances which are very bad, I would have expected that something must be very wrong, must have been happening before with all these professionals having their input.

1460 So I would expect that it would be the odd case, rather than the normal case that they might need something extra.

1465 **Hon. P R Caruana:** I accept that but, in that odd case – I can illustrate it with an example, if you like – he is not saying that there is no limit to the amount of money he would spend to accommodate one individual in one particular workplace.

1470 For example, this is not an example – the lift at 6 Convent Place does not go all the way to the top floor. As he knows, it stops at the Chief Minister's floor. If there was a disabled person that wanted to be redeployed to the office of the Chief Secretary upstairs where the lift does not reach, he does not mean, does he – and I am just asking what he means by the no limit point – he is not saying that to accommodate that particular person in that particular work opportunity/place, he would extend the lift just to accommodate that person, or would he say to that person look, find a post in a department of Government where there is a lift or the premises are suitable?

1475 **Hon. J J Bossano:** There is no reason for the hon. Member to have to ask that question, because I have not said there is no limit to the money we will provide for anything that any disabled person wants. That is not what I said. I said, there is no limit to the money we will provide, if we are advised that there is something in the working environment of that person.

1480 It is not that that person says well, until the GSD lost the election, I was happy to go to the third floor, but now that the GSLP is in I want the fourth floor, and I want the lift to go up, but if the person says on the third floor where I was, they did not provide me with adequate access and there should be adequate access, then the problem –

Hon. P R Caruana: The hon. Member, if he will allow me to clarify, the hon. Member, is not saying that he will guarantee access to all employment environments, to all disabled persons under the scheme.

1485 What he is saying is, presumably, you would not be there in the first place now, if the environment was not suitable. If something turns up for those people, it will be corrected. He is not saying to guarantee case no. 65 – we are at case 50 now – to guarantee a disabled person in the future opportunity to work in every environment, we will make sure that he is not unable to work in a place for lack of environmental support. I accept that that would be different from simply accommodating the environmental needs of existing places where they are.

1490

Hon. J J Bossano: That is why, Mr Speaker, I have been saying throughout that I am talking about the position of the 50 that we have got and I would expect that if there was an obvious thing that could be done to improve, it would have happened. Therefore, I would expect that things that cannot be done and have not been done would be rare, rather than common, for those 50. When no. 51 comes along, we will not put them in the wrong environment, and then spend a lot of money putting the environment right, we will put them in the right environment from day one.

1495

Hon. P R Caruana: Except, Mr Speaker there are, as he knows, EU directives and other international treaties on the rights of disabled people. This is why he needs to be careful about the commitments that he enters into with existing places, because there are circumstances in which employers do have to make all their workplaces accessible to disabled people to avoid discrimination. This is a very expensive and, potentially, a very onerous regime and I was not challenging the hon. Member on that, I just wanted to see what the parameters, or the extent, of what he had said and I think he has clarified that.

1500

1505

**Government companies in the construction sector
Number of contracts of employment terminated**

1510

Clerk: Question 15, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Employment state how many workers employed by Government companies involved in the construction sector have had their contracts of employment terminated or notice of termination has been given to them since the General Election, identifying the company and the number of employees relating to each company and how many of these employees are resident in Gibraltar?

1515

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

1520

Minister for Enterprise, Training and Employment (Hon. J J Bossano): I will answer this with Question 16, Mr Speaker.

1525

**Private companies in the construction sector
Number of contracts of employment terminated**

Clerk: Question 16.

1530

Hon. D A Feetham: Can the Minister for Employment state how many workers employed by private contractors working in construction projects funded by the Government, as at 8th December 2011, have been notified since that date (either directly or by notification to their employer company) that their services are no longer or will no longer be required on those sites, identifying each site and the number of workers relating to each one and how many workers are resident in Gibraltar?

1535

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

1540 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** Mr Speaker, during the period from 8th December 2011 to Monday 16th January 2012, the Employment Service records show a total of 283 persons whose employment contract was terminated in the construction industry by 39 different employers. Of those terminated, 31 were resident workers.

From the information made available to the Employment Service, it is not possible to identify on which particular construction project or construction site these workers were employed when their contracts were terminated.

1545 In respect of the workers employed by Government companies, the only company involved in the construction sector is the one known as Gibraltar General Construction Co. Ltd. which was set up by the previous administration to complete the Government housing projects following the collapse of Haymills and Bruesa.

1550 This company has informed the Employment Service that 42 workers, of whom 14 are resident workers, have been given notice, but their termination of contract have not yet reached the Department and therefore they are still not recorded as unemployed.

1555 **Hon. D A Feetham:** Out of the 83 terminations by 39 employers, can the hon. Member state how many of the redundancies of those workers have been caused by the freezing of projects on instructions of the Government?

Hon. J J Bossano: No, Mr Speaker, the 283 from the 39 private contractors that we have in the department simply say that their employment has been terminated, but they do not give any indication of the site where they were working.

1560 In fact, it is possible that some construction companies may not have terminated the person from the site where the work ceased because they have used the last-in, first-out and people get shifted from one site to another. If they follow the procedure, which is normal, which is that the most recent employee is the first one to be made redundant, so it may be that a site has been closed down because we have not continued with the work as Government and the work on that site has been moved to another site and somebody else has been made redundant.

1565 There is no indication in the termination of employment by the employer, which sites the person was on. I would say that the fact that it involves 39 private contractors means that a lot of this took place before we took the decision that some of the jobs that had people on site in the expectation that they would continue, for example, the tunnel, I would not have thought that there would be anywhere near that number of subcontractors on that site, for the job that was being done there, but this is simply my speculation. In terms of official accurate information, the only information that I can tell you is the number of employers and the number of employees, because there is nothing else that comes in on the termination.

1570 **Hon. D A Feetham:** Is the hon. Member saying this, that he does not know, as the Minister for Employment, how many redundancies his Government's actions in terms of freezing works on sites, or terminating work on sites, has caused in terms of redundancy and numbers of people that have been made redundant?

1580 **Hon. J J Bossano:** Mr Speaker, the hon. Member is asking me as Minister for Employment.

As Minister for Employment, I am giving him the statistics recorded by the Employment Service, which is the information he has asked for and the information that I have given him. As regards the fact that these numbers reflect or do not reflect the stoppage of work, there is no information in identifying the individuals. There is nothing.

1585 When a contract is given out by the Government now, as it was before, it is not the case that the contractor provides the names of the people who were working on each job, nor do people stay on a particular site all the time, nor are people necessarily laid off from the site on which that contractor may have had some workers on one site that is no longer functioning and has other sites and other contracts from the Government or from another client to which they move people, so it is not possible to say which of the individuals that have been terminated, were actually the people that were working on the different sites or the different projects. That is not information that is available to the Employment Service.

1590

1595 **Hon. D A Feetham:** Mr Speaker, is it not extraordinary that the hon. Gentleman is saying that, as a Government, you take a decision to stop work on a particular site or sites and he does not even bother to ask, or to find out, how many redundancies they are causing by that action? Is it not extraordinary, Mr Speaker?

1600 **Hon. J J Bossano:** I do not know whether he expects you to answer whether you think that is extraordinary, but if he is asking me, I do not think it is extraordinary. I do not think it is extraordinary that the Government should say, look, we have got £20 million to carry on with the tunnel. It cost £55 million, we are not prepared to borrow more money to carry on with that tunnel.

1605 I find it quite extraordinary that there should be a situation where you set up a company, as a Government, to take on the workers from Haymills and Bruesa and, four years down the road, you are still having the people that were made redundant by Haymills and Bruesa and there are, literally, potentially hundreds of workers in Gibraltar, resident in Gibraltar, that I have got registered as unemployed. That is what I think is quite extraordinary, that we should have so much work for outsiders, and so little work for our own people. *(Applause)*

1610 **Hon. D A Feetham:** Mr Speaker, last time I read about parliamentary procedures, questions are supposed to be asked via Mr Speaker, but, Mr Speaker, does the hon. Gentleman feel comfortable with the fact that one of his very first acts as Minister for Employment is to actually cause the redundancy of some 240 people?

Hon. J J Bossano: Mr Speaker, it is not true. What the hon. Member says is not true. It is not true that I have caused these redundancies of 240 people.

1615 I have just told him that the Government company has notified the Employment Service that they have given notice of termination – which has not yet happened – and the notice period is not yet over, 242 workers, of whom 40 are local residents and they will be at the top of the list for getting re-employed.

1620 Of the 283, the 42 are not included. I cannot tell him how many of the 283 were people working on Government contracts, nor can I tell him how many of the 39 employers were on Government contracts, but I can tell him one thing, that the Government will not, in fact, spend money on doing things that it does not think provide value for money on the basis of keeping people in work when they should be re-employed in areas that are carrying out work that the Government wants done. Therefore, I have not the slightest doubt that every single resident construction worker will be back in work on another project in a very short time.

1625 **Hon. D A Feetham:** Just in relation, Mr Speaker, to that, can the hon. Gentleman confirm that all residents of Gibraltar, regardless of nationality, who have been made redundant and wish to avail themselves of the new arrangements under the Future Jobs Strategy, will be able to do so?

Hon. J J Bossano: Mr Speaker, every resident worker will have an opportunity to enter into the employment scheme being started by the Government, irrespective of nationality.

1630

**Future Jobs Strategy
Date of commencement**

1635 **Clerk:** Question 17, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Employment confirm that the trainee employment contract scheme, or the so-called Future Jobs Strategy, will be in place, at the latest, by 1st February 2012?

1640 **Clerk:** Answer, the Hon. Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, I will answer this question, together with questions 18 to 20 and 22 to 24.

1645

**Future Jobs Strategy
Open to all**

1650 **Clerk:** Question 18.

Hon. D A Feetham: Can the Minister for Employment confirm that the so-called Future Jobs Strategy will be open to all registered unemployed persons, all vocational trainees, all school leavers and residents on casual or supply terms in their current employment?

1655

**Future Jobs Strategy
Adult Nursing Diploma**

1660

Clerk: Question 19.

Hon. D A Feetham: In relation to the so-called Future Jobs Strategy, will these new arrangements extend to trainees undertaking the adult nursing diploma?

1665

**Future Jobs Strategy
National Minimum Wage**

1670

Clerk: Question 20.

Hon. D A Feetham: Can the Minister for Employment confirm that all trainee employees under the so-called Future Jobs Strategy will be paid the national minimum wage?

1675

**Future Jobs Strategy
Number of applicants**

1680

Clerk: Question 22.

Hon. D A Feetham: Can the Minister for Employment state how many people have so far applied to take advantage of the so-called Future Jobs Strategy?

1685

**Future Jobs Strategy
Breakdown of applicants by category**

1690

Clerk: Question 23.

Hon. D A Feetham: Can the Minister for Employment provide a breakdown of those who have applied to sign up to the Future Jobs Strategy by the following categories: (a) those who are unemployed (b) those who are in existing vocational training schemes (c) those who are in existing NVQ vocational traineeship schemes (d) those trainees undertaking any other kind of courses and (e) those who are in sheltered employment schemes?

1695

1700

**Future Jobs Strategy
Origin of applications**

1705 **Clerk:** Question 24.

Hon. D A Feetham: Can the Minister for Employment state how many people have applied to sign up to the so-called Future Jobs Strategy directly with his department and how many have signed up, having had their applications submitted to his department via the Gibraltar Socialist Labour Party?

1710

Clerk: Answer, the Hon, the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, I can confirm that the trainee employment contracts are expected to be in place by 1st February 2012, as previously announced.

1715

I can also confirm that it will be open to all registered unemployed persons, all vocational trainees, all school leavers and residents on casual or supply terms. The new arrangements will also extend to trainees undertaking the adult nursing diploma.

1720

Initially, though, it will be the current vocational trainees, together with those in sheltered/supported employment, and those undertaking specific vocational training, like the nursing diploma, some 400+ in total, who are currently paid an allowance between £250 and £450 per month, that will be offered such training employment contracts on 1st February.

I can also confirm that all trainee employment contracts will entitle trainees to enjoy all the rights afforded by employment legislation, like other workers have, including the right to the standard minimum wage of £912.60 for full-time employment.

1725

There are no applications as such. As the scheme progresses, potential candidates will be identified from the groups mentioned and given the opportunity to join once the initial placements have been completed.

1730

Hon. D A Feetham: The hon. Member said that, initially, it will be the trainees and several others. Is he saying that, effectively, the scheme is going to commence for trainees and people in sheltered employment on 1st February and then, later on, in relation to others? Is that the position?

Hon. J J Bossano: The position is that on 1st February everybody that was there in January under the vocational training scheme in the placement where they are already, will be, in fact, given contracts the last week in January and take up employment on 1st February. That is expected to be between 400 and 450.

1735

As the scheme progresses during the year, there will be a movement of people from the Government employment company into the areas where they are trained. In some cases the time that they require in the new Government company will be, in fact, quite short, because they have already had a long period beforehand under the scheme that was there already and those schemes – not all that many, but there are a number – where the employers have indicated that they are satisfied with the training that has been provided and the way that people have successfully completed that training and that there is a full-time job for them.

1740

From that moment on, the placements will only be in areas where there is a job guarantee at the end. If the employer does not guarantee the job, then we will not place somebody in that area, unless we are doing it because we have got somebody else that is interested in taking people if they are trained, but is not able to provide the training themselves. For example, in areas we might be getting people who are coming into the market as labourers from the construction industry, and we have identified that there is a shortage of plant operators, forklift truck drivers and that sort of thing and there is at the moment a very high level of importation of labour and very few local skills. In those areas we may be actually doing the training in one construction company and eventually, during the course of the year, people will take employment with a different one, but the majority of the placements, the employers that we are talking to will be the ones that will provide the jobs during the course of the year. As people come off a scheme, other people will come in.

1745

1750

Hon. D A Feetham: With respect, I do not think the hon. Gentleman has answered my question.

1755

He has answered part of it. Initially, on 1st February, the scheme is going to commence for those people, as I understand from the answer that the hon. Gentleman has given us, for those people who are in existing DTS schemes or additional vocational training or taking NVQs. That is what he said. And, of course, people

in sheltered employment. He estimates that those are 400 to 450 people, but he has already said, in answer to my question, that it is also going to be open to people who are unemployed.

1760 He may recall, from his manifesto, no doubt, that he had a hand in writing that particular chapter of the manifesto, that the figure that was quoted in the manifesto was, as at the last Election, there were 421 people who were unemployed in Gibraltar. In relation to those unemployed people who want to take advantage of the Future Jobs Strategy, when are they going to be allowed to commence or enter the scheme?

1765 **Hon. J J Bossano:** They will not all start on 1st February, that is quite obvious.

The scheme starts from 1st February and the probable timescale is that many, if not most of them, will be in the scheme within three months of the first ones coming in on 1st February. We expect to be able to take people through the scheme, so that by, say, June or July, most of the people that are in a position to take advantage of this opportunity and be put in permanent jobs, will be in the scheme. Therefore, that scheme will start with 450 and, during the course of the next financial year, will grow up to something like 800 or 900.

1770 The potential number of people that are in the labour market, when we take into account that people who are registered as unemployed and people who have lapsed... simply because the Employment Service has not been very successful till now in placing people in employment because the jobs that are registered are filled before they are registered in a percentage of something like 90% – which will not be happening in the future – and there are something like 530 people on supplementary benefits or social assistance, of whom at least half are considered to be able to take up some form of part-time employment.

1775 That is the total size of the potential market for labour, which we hope to be able to bring into obtaining skills and training and have employment. How soon we can go through the whole of the 1,200 is a matter of speculation at this stage, but certainly it will start with 450 and it will grow – and in some cases, of course, the growth will be matched by people moving out of the scheme into jobs at the end that the training has obtained for them.

1780 **Hon. D A Feetham:** Mr Speaker, when the hon. Gentleman says three months, June, July for the unemployed, can he also confirm that by June, at the latest July, all those residents, and casuals on supply terms, will also be able to avail themselves of the Future Jobs Strategy?

1785 **Hon. J J Bossano:** I cannot, Mr Speaker, tell him when the whole exercise will be completed. We are starting the exercise on 1st February.

1790 Once we start the exercise, the people that we have got in employment, the employers we are talking to, the people that we will be replacing in the labour market... is a question of the supply and demand being managed by the Employment Service in a way that has never been done before. As we go along, we will no doubt find ways in which we can improve the effectiveness of the scheme, but, certainly, I think the hon. Member will see an improvement in the numbers of residents in employment from the moment that we start the new process in February.

1795 **Hon. D A Feetham:** Mr Speaker, does this not represent a watering down of the much heralded and vaunted Future Jobs Strategy that is outlined in their manifesto. In their manifesto, the hon. Gentleman opposite guaranteed that it was going to commence on 1st February this year: not only did he guarantee that the scheme was going to start for everybody on 1st February this year, but that there would be ‘guaranteed employment’ for everybody at the end of those three years. Does he not accept that what he is now saying is actually a renegeing and a watering down of his commitments in the manifesto?

1800 **Hon. J J Bossano:** No, I do not accept any of that.

1805 Mr Speaker, I am telling him that there will be 450 people in Gibraltar – residents of Gibraltar, the majority Gibraltarians, the majority under 25, but also older people with families to support – who will be getting £912 instead of £450, which they would not have had if he had been in my place. So what is there to renege about?

1810 On day 1... the scheme will start when we said it would start – a difficult enough target. And for somebody who, a few months ago, used to say ‘You haven’t asked me about the manifesto, this is work in progress’, well, look, certainly I can tell him that the manifesto will not be completed on 2nd February. That I can tell him.

The manifesto will start being implemented, as far as this is concerned, on 1st February, and I, certainly,

am totally committed to ensure that every single Gibraltar resident that, as a result of the policies of the Government, has been faced with an avalanche of competition from outside Gibraltar, will not be put in that situation from 1st February on.

1815 The result will speak for itself and I have no doubt that everybody who is going into the scheme now, and will go into the scheme in the future, will know that if they had won the election none of this would have happened because what, in fact, he accused me of was being a Soviet-style programme... putting everybody in jobs. And now, because I am not doing all on day 1, he is complaining about it! He is wanting me to be even more Soviet than he is expecting me to be...

1820 **Hon. D A Feetham:** Yes, well, Mr Speaker, perhaps I ought to correct my statement about the scheme being Soviet in nature. Bearing in mind what he now says, it is more capitalist than Soviet, because he is really renegeing on what he has said in his manifesto commitment.

1825 But, Mr Speaker, at a meeting on 16th January in the John Mackintosh Hall with trainees that were qualified for this scheme, the hon. Gentleman said:

‘We do not expect to keep anyone for longer than three years.’

1830 Can he explain to the House why is that?

Hon. J J Bossano: I do not know what meeting the hon. Member is talking about.

1835 **Hon. D A Feetham:** The meeting in the John Mackintosh Hall last week was widely reported in the *Chronicle*. In fact, I have brought the article here if the hon. Gentleman wants me to pass it over to him so that it can jog his memory.

1840 **Hon. J J Bossano:** Well, I do not know about ‘jogging’ my memory. The fact that the *Chronicle* has said something does not mean that my memory needs jogging. I do not know who reported in the *Chronicle* and I do not know what it is that I am supposed to have said that he wants me to comment on.

Hon. D A Feetham: Well, did he have the meeting, Mr Speaker, and did he make the comment?

1845 **Hon. J J Bossano:** We do not expect to keep anyone for longer than three years. It is true that, from the beginning, when the scheme was set up, we do not expect that the training for anybody would be a training longer than three years. For example, if the trainee is going into the construction training centre...
(Interjection)

What is the point the hon. Member is asking?

1850 **Hon. D A Feetham:** No, I accept that what the hon. Gentleman’s policy is – training for three years, but even that is a watering down – but take it at its highest, three years, what the hon. Gentleman appears to have said in the meeting, which has been widely reported in the press, is that you do not expect to keep people for longer than those three years, the training period. Can he say to this House why that is the case?

1855 **Hon. J J Bossano:** No, Mr Speaker, I cannot say to this House why it is the case that the *Chronicle* says that I said something that I did not say.

Hon. D A Feetham: Well, does the hon. Member expect to keep people for longer than three years?

1860 **Hon. J J Bossano:** It is not a case of keeping people for longer than three years. We do not expect any training programme to require more than three years. That is the whole point.

The hon. Member must understand that he has [*Inaudible*] vocational trainees on £450 a month and, in some cases, they have been there for six years, which should have been sufficient to train them to be brain surgeons! We are not going to keep people there for the rest of their lives, supposedly training, at the minimum wage. The training will be the training that is required to provide them with the skills to do the job.

1865 There is not watering down. We want people to have skills so that they are not on the dole and others from the outside get taken, on the excuse, by private sector employers, that the skills do not exist. So we are going

to make sure that the skills exist – where the skills are required. Three years: the training programme will be three years.

1870 Where the skills require three months, the training programme will be three months. If somebody has got a driving licence and a van licence and requires a plant operator's licence and that takes a month, or two months, or three months, that is the training they will get and the job they will get at the end.

If somebody comes in and says 'I want to do NVQ level 1, 2 and 3 as a carpenter', then that is what will take three years.

1875 So it is not that we are saying to people, 'Well, we'll only keep you three years, and then sack you' – because that is what he is trying to imply – the nature of the training programme, in our estimation, should not take longer than three years in respect of any of the skills that we have identified require training. If there was a skill that needed more than three years – and I am not aware of any, but if there was – then the programme would carry on longer than three years. There is not a time limit on the training, the time limit is on what is required to produce the skill that the labour market currently says is not available in Gibraltar on the basis of the analysis that has been made of the jobs that go to residents and the jobs that go to outsiders.

1880 In effect, what the programme will achieve is the creation of a pool of skills here, which does not exist and which should exist, so that we rely less on imported labour.

1885 **Hon. D A Feetham:** Will these people be guaranteed employment after the three year... or after their training has been completed?

Hon. J J Bossano: Everybody will be guaranteed employment because there will be no training unless a job has already been identified. We have made that clear from the beginning. It is not that the people are being given skills and then said, 'Well, now you've got the skill, now that you've come out of the construction training centre you've got a piece of paper that says you've got an NVQ and now you go and look for a job.'

1890 I can tell the hon. Member that the analysis we have made of that system is that the number of people that finished up in the trade that they learnt is miniscule, compared to the numbers that have been through the system. We are not going to put money, time and effort into training people for something for which there is no job.

1895 **Hon. D A Feetham:** Mr Speaker, if these individuals are not offered jobs in the private sector after their training, would the hon. Member confirm and give a categorical assurance here to this House today that those people will then be employed permanently by Employment Training Company Ltd or another relevant company?

1900 **Hon. J J Bossano:** No, Mr Speaker, because the answer to his question – which he ought to know, unless he just wants to send some message out which is completely false and misleading – is that their training will not start.

1905 People will not be asked to train for something for which there is not already a commitment on employment. The identification of the job precedes the training. It is not that we train people first and then say, 'Now let's find out who will employ them.'

Hon. D A Feetham: That is an absolutely nonsensical statement.

1910 Mr Speaker, does the hon. Member not agree with me that it is not possible to have a situation where, in the private sector, a company guarantees a job to somebody after three years' training, when you do not even know what is going to happen economically, either to Gibraltar or to that company, during that period. Isn't that the case, Mr Speaker?

1915 **Hon. J J Bossano:** Mr Speaker, I do not know whether it is the case or not, but it has nothing to do with what we were talking about, because he has now come and said nobody can guarantee that after three years, as if three years was now the minimum period that they have to train and, therefore, everybody has to tell me who they are going to employ in three years. *He* may think it is nonsensical and he may think it is impossible. I can well believe it, because presumably, if they thought it was a good idea and possible, they would have done it.

1920 I am being charitable to the hon. Member in thinking that it was their ignorance of the possibility of doing something that had prevented them from doing it, and not that they did not care about the situation that they

have been creating in the last 16 years of increasing Gibraltarian unemployment and increasing frontier workers, which is what we are going to put right and which every single statistic from now on will show we are putting right.

1925

Hon. D A Feetham: Mr Speaker, I am just going to read from the hon. Gentleman's manifesto and ask him a supplementary on all of all this:

1930

'Future Job Strategy: there will be, from 1st February, a new dedicated training strategy with a maximum of three years and a guaranteed full-time job on completion.'

1935

Will the hon. Gentleman confirm that if, for whatever reason – as I explained, because of the economic outlook of the company or Gibraltar, or whatever – those individuals that form part of his scheme who are not taken into full-time employment by a private company, will be employed by the Government through a Government-owned company: yes, or no?

1940

Hon. J J Bossano: No, Mr Speaker, I will not guarantee that, because that is precisely what he falsely accused me of wanting to do during the Election campaign, when he said I was going to create an unmanageable situation of masses of people in the public sector with no real jobs to do. What he is asking me to do is to give him a guarantee to do something, which is not what is going to happen because what I will guarantee him is that everybody who terminates the training will have a job. That I will guarantee you.

Hon. D A Feetham: How is he going to guarantee to everybody a job?

1945

Hon. J J Bossano: Mr Speaker, I am afraid that if he does not know how I am going to do it, I am not here to explain to him how I am going to do it. I am here to tell him that that is what is going to be achieved, and he can either believe me now or wait until it happens, in which case he will have to believe me then.

1950

All I can tell him is that for a Government that talked about work in progress and talked about the Opposition not having the right to tell the Government to do things that they did not have in their manifesto, all those ideas seem to have disappeared overnight because, by *their* reckoning of *their* views of the last 16 years, he has no right to demand explanations of things that he would not have done if he had been elected.

I am telling him we will deliver, I am telling him I will deliver, but if he wants to know how I am going to deliver, then he should have stayed in the GSLP. (*Laughter*)

1955

Hon. D A Feetham: Yes, the secret economic plan or derivations thereof. (*Laughter*)

Mr Speaker: Order! Order!

1960

Hon. D A Feetham: Mr Speaker, isn't it extraordinary? Doesn't the hon. Gentleman think it is extraordinary that a party that constantly accused the then administration, our Government, of not complying with manifesto commitments... that it has taken the hon. Gentleman barely a month to renege on one of their largest commitments contained in their manifesto at the last Election? Isn't it extraordinary, Mr Speaker? (*Interjection*)

1965

Hon. J J Bossano: Mr Speaker, if the hon. Member was telling the truth, it would be extraordinary, but it is not. We are not renegeing on anything, and I can tell the hon. Member that the 450 who will collect £912.60 in February would not agree with him and the many more people who will be entering into the system after that will not agree with him.

1970

If the hon. Member thinks that renegeing on the manifesto is not completing the whole manifesto after five weeks, then by that criteria they have done nothing but renege since 1996.

A Member: Hear, hear.

1975

Hon. P R Caruana: Mr Speaker, as I have understood the Hon. Mr Bossano, he has said that he is starting as of 1st February with the 400 or 450 trainees, people who, in January, were in the training scheme and, of course, he is right, they will be very happy having this sum – someone earning four hundred and something

1980 and now he is going to earn eight hundred and something, albeit that he now has to pay tax and social insurance, which before he did not, but he is still going to be net considerably better off. Those will indeed be very happy and I must congratulate the hon. Member for the speed with which he pays for his votes. (*Interjections*)

1985 But, Mr Speaker, the point is that he may want to argue with us about what his manifesto commitment meant, but does he not understand that, apart from the 450 who are going to be very happy immediately, there are another four or five hundred unemployed and... Sorry, there was... (*Interjections*) Yes, the overall... the difference between the roughly 1,000 – 900 or 1,000 – overall and the 450 who think – *wrongly*, it appears, regardless of who says what during the Election campaign – who *wrongly* believe that they have a commitment from the GSLP Liberal Alliance Government to provide them with this £900-odd job – well, more if you are a graduate – under this scheme for this business.

1990 The questions are not designed to expect him to do it today or tomorrow, or all on the 1st, but simply to establish that the scheme that he has devised indeed extends to those people. He has said that it does, but he has said that they will not be beneficiaries from the 1st, as I understand him, but by... I think he has said within three months the unemployed – which may be whatever the number turns out to be – will be on the scheme. I think that I have correctly understood what he has said.

1995 He has also said – and this is my supplementary – that one of the big differences here, apart from they earn more money, is that these guys are not ‘trainees’, although they are being trained, but their status is not trainee. Their status is full employee. So these people come into this company and they will be trained, although they are full employees.

2000 I think what the hon. Member has just said to my colleague, Mr Feetham, is that they will be let into the company unless they come with a letter from some employer – which could be a public sector employer or a private sector employer – saying, ‘I will employ you when Mr Bossano’s training company has finished training you.’

2005 Given that they will be employees of the Government Training Company, which he has said he wants to use to create a labour pool, if for whatever reason the employer, for example, simply reneges – to put it at its most simple – on his commitment to take on the employee – for good, bad or indifferent reasons, simply says when the time comes, ‘I will not employ this person’ – does he not accept that he then has an employee of a Government company that he can only do one of two things with? He can either sack him and say, ‘Well, I took you on thinking that this other person was going to employ you and they have reneged, so off you go’; or offer them permanent employment, keep them on yourself in the company. In other words, because they are employees and not trainees, they are on your lap.

2010 So, if whatever you thought, the Government thought, was going to happen to take them off your lap does not happen, they are your employees and that status can either be continued or discontinued. If you continue it, you are guaranteeing them employment, and if you do not continue it, you have got to sack them.

2015 So that is my first supplementary: does the hon. Member agree that that would be the position in that scenario? Does he have a concern, or not, that there is a danger that people will see this vehicle as a pre-entry into a public sector employer, in the knowledge that if the private sector does not take them off your hands they stay as employees of a public sector company and that no-one is going to want to be placed with a private sector company because everyone is going to want to go to a public sector placing because, that way, they see scope for staying in the public sector, thus frustrating what the hon. Member had in his mind when he devised the scheme? In other words, everyone will want to go into a public sector place, which was really the case under the Youth Training Scheme already, as he well knows. Everybody wants to place with a public sector employer, not with a private sector employer. Does he consider that these dangers may exist, and does he have these concerns?

2025 **Hon. J J Bossano:** We have had no indication of that to date. When we put the scheme into place and it starts working. If there are problems of that nature we will solve those problems.

I can tell the hon. Member that we have not found resistance from employers to what we are doing and that in fact there are people who are volunteering to co-operate with us in the system, and that is a very encouraging (*Interjection*) early start to it. Therefore, I think that we are going to be successful in achieving what we set out and, if we are, I hope the hon. Member will celebrate that as much as we will.

2030 At this stage, all I can tell him is that what is starting on 1st February is programmed to continue during the next 12 months and that the results will be obvious, verifiable and for the benefit of residents of Gibraltar, and that therefore it ought to be something that everybody in this House should welcome.

2035 **Hon. P R Caruana:** Mr Speaker, I should say, just by way of preamble to what will be my last supplementary, that the Members on this side of the House, much as they will celebrate if he finds employment for everybody in Gibraltar who is unemployed or a trainee, we have grave, grave scepticism to the point where we think it is fraud in design, this idea that employers are going to commit in advance of so-called training delivered by this company to employ somebody after they have been trained without knowing how they are going to emerge from that training, not least when you include the 400 unemployed people who include some of the most unemployable people in Gibraltar, in terms of the difficulty for one reason or another.

2040 Of course, the hon. Member will find employers willing to co-operate with them – that has always been the case – but he will not find co-operative employers, in the private sector at least, in the thousand... well, 900-1,000, 850-1,000 people who fall into the three categories to which the policy is going to be extended in due course. Does he not recognise that, in those circumstances, there is a danger, which is how people generally have interpreted the effect of the scheme? Whether it was the intended effect is another question, but the effect of the scheme has been interpreted that, effectively, of these 850 or a thousand people, those who are not taken on by the private sector will end up with permanent jobs in this Government-owned company.

2045 We certainly have that concern, which is not to be confused with a wish that it would succeed. Of course we wish that it would succeed, but we do believe it has that fundamental flaw that it actually discourages people from wanting to go to the private sector because they see it as a possible route to stay under the protective umbrella of the public sector which, as he well knows, is the preferred employment option of most Gibraltarians, and certainly of the category that we are discussing here. Does he not have that concern, and will he make a statement in this House when he sees signs that that might be the case?

2055 **Hon. J J Bossano:** I do not have the concern and I will make the statement.

Clerk: Question 21, the Hon. –

2060 **Hon. D A Feetham:** I had not, in fact, finished.

Mr Speaker: I thought we had rather exhausted the subject, but I will allow the hon. Member one supplementary on that.

2065 **Hon. D A Feetham:** With respect, Mr Speaker, the hon. Gentleman has been asked supplementaries about one or two of these Questions. He has bunched, I think, it is about eight questions or seven questions into one answer and he has not actually, for example, answered the Question in relation to the applications received in the GSLP. He has not touched upon that.

2070 But that is not the first supplementary question. The first supplementary question was: has the hon. Gentleman estimated the actual cost of the Future Job Strategy on a monthly basis?

A Member: Or annual?

Hon. D A Feetham: Or an annual basis, of course.

2075 **Hon. J J Bossano:** The cost for the two months of this financial year will be of the order of £1 million, with 500 people at £10,000 a year.

Hon. P R Caruana: That is the gross cost, Mr Speaker. Not the tax and all of that.

2080 **Hon. J J Bossano:** The gross cost, yes. It is two months and not a full year, but that is, for the numbers that are coming in at the beginning, what the cost in a year would be.

2085 In terms of the applications, there are no applications. I have already answered that. I have told him that the people are being selected and that the people will be identified and will be offered a contract in a training programme which is programmed to produce a skilled person with a job at the end.

Hon. P R Caruana: Will the hon. Member... Mr Speaker, allow me to ask, then... So an unemployed

2090 person – not on 1st February, because he is not ready, but after 1st February, March, April, May, June, July – an unemployed person cannot go and say, ‘Hi, look, I love Mr Bossano’s job strategy policy. I want to apply to join that strategy.’ The answer will be, ‘No, go and find yourself – or we will help you find – an employer that will commit to employing you at the end of your training, and only if you or we can find such an employer will we let you into this job strategy scheme.’

Is that the position?

2095 **Hon. J J Bossano:** No, that is not the position.

The position is that we have got the jobs already identified and there will be more identified, so the pool of skills in the economy and the pool of skills in the unemployed people who want to become employed are going to be matched. They are going to be matched because we are matching what is there with what is needed, and therefore the programme, as it progresses, will take people from the unemployment list and say to them, ‘Look, we’ve got a job for you, but the person that is giving you the job needs you first to go through this training. You will learn to do this and you will learn to do the other, and then the employer will take you on.’

2100

So we are doing all the work.

2105 **Hon. P R Caruana:** Oh, I see. So, subject to that, and because you have already done all that work, as of right now every unemployed person can go to your Department and ask to participate in the scheme, to get a job, because you have already matched the skills and you have already found job opportunities. So, as of now, all the 400-odd registered Gibraltarians – or others, because this is not just Gibraltarians... any resident person who is unemployed in Gibraltar... Question: can he or she, as of now, go and participate in this scheme to have their skill matched with one of the vacancies that you have identified?

2110

Hon. J J Bossano: No, Mr Speaker, the initiative is not taken by the person; the initiative is taken by us.

Hon. P R Caruana: Oh, I see. So, you pick and choose.

2115

Mr Speaker: Order! Order!

Hon. J J Bossano: No, we do not pick and choose. It is not the case that we ask people who did you vote for, and if they voted for him we say, ‘You cannot go.’ The commitment, which I have already answered, is that it will apply to everybody.

2120

The 450 that are starting have not been selected because of who they vote for; they have been selected because they are already there and they are already in a position to transfer from something that was there into something that is going to be there, which is an improvement on what was there.

The hon. Member may try and pick as many holes as he can think of picking, even before the system starts, which puts in doubt how much he would want it to succeed. I think he seems to be keener to see it failing than succeeding.

2125

Hon. P R Caruana: Mr Speaker, I am not picking holes. I am trying to understand how the hon. Member’s flagship policy is intended to work. I have to say that the hon. Member opposite is not doing a very good job of explaining it, because he contradicts himself constantly.

2130

What we have now established, will he confirm, is that there is no job guarantee for any... The 450 trainees that were there in January will get this new form of employment contract on 1st February. For everybody else, from 450 up to about 1,000 or 900... these people should not go to the Employment Service and say, ‘Look, I read this thing and I want to take part in the scheme.’ No, they remain unemployed and they wait for you or somebody in your Department to call them at some point in the future to be told, ‘We’ve matched your skill to a vacancy and found an employer willing to employ you at the end of the training; so come down and we will now give you one of these new employment contracts.’

2135

But until *you* do that there is nothing that they... They cannot come and... This is not something that they are entitled to come and claim from you in exchange for them having voted.

2140

Hon. J J Bossano: Mr Speaker, the scheme will start on 1st February. The hon. Member can try and ridicule it as much as he likes. The scheme will succeed and then he will have to swallow everything he is

saying now. It is as simple as that, and time will tell who is –

2145 **Hon. P R Caruana:** I am entitled to try and understand the scheme.

Hon. J J Bossano: Yes, of course. You would be even more entitled if you were registered unemployed, but you are not, and therefore the position is that the people we are going to explain it to are the beneficiaries and they will understand it when we explain it to them and they will benefit from it, and the result will be there. It is quite simple, Mr Speaker.

2150 The hon. Member should not be so anxious to bury the scheme even before it starts. He ought to control his anxiety and his wishes in this respect and wait and see what happens over the next few months, and then he will see that in fact the results are that we are getting more Gibraltarians working, which I am sure he must want as much as I do.

2155 **Hon. P R Caruana:** I am not interested in burying the scheme. I am interested in eliciting, for the purposes of the people of Gibraltar, particularly the 400... Well, more than 400, because 400 is just Gibraltarians. There are many other resident persons unemployed.

2160 The purpose of my question is neither to ridicule it – although I think it is not going to work – nor to hope that it does not succeed. It is simply to elicit and establish, for the benefit of my constituents, what it is that the Government's policy entitles them to, so that people can know (a) whether there is anything that they can do today to get access to this scheme to end their unemployment status; and (b) to compare whether the scheme, as you are now explaining it, as the hon. Member is now explaining it, is the same as they were led to understand before 7th December. I think both of those are legitimate objectives, neither of which signals that the Opposition does not want as many unemployed people to be helped by the Government into employment.

2165 I hope that the hon. Member succeeds. I think he will not. I think what he will succeed in doing is filling a Government-owned company, at public expense, with people who start as trainees now earning twice as much and who will, in future, demand more and more and more Government company employee-type conditions, because that is what he has made them.

2170 Does the hon. Member understand and accept that he is making them... With all the best will in the world that he thinks his policy is motivated by, he is making all of these people employees – not trainees – employees, in the same way as employees of GJBS, of a Government-owned company. He has been in politics in Gibraltar long enough to know that this raises people's expectations, and that is our concern principally, as well as the cost.

2175 **Hon. J J Bossano:** I do not know whether it raises their expectations or not, but Mr Speaker, the position is that the scheme will start on 1st February. It will start for the group that I have mentioned. It will be made available over the succeeding months to a greater and greater number of people and those people will be trained and will be employed.

2180 That is what I am committed to achieving, and therefore the hon. Member, when the time comes, can criticise me if I fail, but whether I fail or whether I succeed will not be known until the scheme gets under way.

Hon. P R Caruana: This is not about failure or success.

2185 **Hon. J J Bossano:** Yes, it is, because... Mr Speaker, if everybody stays working in the Government for the rest of their lives, of course it is failure, because that is not what the scheme is about, so he cannot say it is not about failure.

2190 The hon. Member's questions list all the things that can go wrong with it. I am not in the business of finding how many things can go wrong with it; I am in the business of making everything go right with it, and I am telling the hon. Member wait and see, and you will see that your fears are unfounded and will not materialise.

2195

**Future Jobs Strategy
Meeting at John Mackintosh Hall**

2200

Mr Speaker: I think we should progress to Question 21 now.

Clerk: Question 21, Hon. D A Feetham.

2205

Hon. D A Feetham: Can the Minister for Employment confirm that, on or about Thursday, 15th December 2011, he held and chaired a meeting at the John Mackintosh Hall with people who had signed up to the so-called Future Jobs Strategy at GSLP headquarters during the General Election?

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

2210

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, the hon. Member is referring to a meeting called by the Gibraltar Socialist Labour Party for party members and for which I am not answerable in this Parliament.

2215

Hon. D A Feetham: Mr Speaker, does the hon. Gentleman not accept that now he is Minister for Employment, to hold a meeting of that nature, albeit for party members, GSLP members, in relation to the Future Jobs Strategy, is inappropriate and crosses the line of what is proper ministerial behaviour. He has a responsibility to the people of Gibraltar as a whole, to all the trainees, not just to those who are also members of the GSLP, and that kind of meeting crosses that line between proper...

2220

Hon. J J Bossano: No, I do not agree with his view, but then, of course, he does not belong to the GSLP any more, so they may have different rules in the party to which he now belongs. As far as we are concerned, *(Interjection)* I share the view from... *(Laughter)*

2225

Hon. D A Feetham: Thank God.

Hon. J J Bossano: Oh well, I share the view. Thank God he is here.

Mr Speaker: Order! Order! The Hon. Minister is in the middle of his answer. Please, order!

2230

Hon. J J Bossano: A meeting for all the people in the scheme was held by me, as Minister, where I gave them a very detailed explanation. This was organised by my Department and each and every trainee was asked to come to this meeting, and each and every employer with which a trainee was placed was asked to give people time off during working hours to attend that meeting.

2235

Therefore, everybody in the scheme was given a detailed explanation. The meeting lasted two hours and they were able to ask as many questions as they wanted.

The fact that, as well as a Minister, I am a member of the Gibraltar Socialist Labour Party does not mean that because I am a Minister I am not entitled to have party meetings or discuss with my fellow members issues in which the Government is involved and in which the party members are fully committed to help the Government implement the policies on which it has been elected.

2240

Therefore, I do not accept that Ministers cannot attend party meetings.

Hon. D A Feetham: Yes, but, Mr Speaker, does he not accept that we have to review this particular issue and put it in its proper context?

2245

During the General Election, the hon. Member, referring to the Future Jobs Strategy, was asking young people in Gibraltar to attend GSLP headquarters to sign up to the Future Jobs Strategy and then to become members of the GSLP. That is what has been happening at the last General Election.

Doesn't, in the light of that, a meeting of this nature smack of political patronage and jobs for the boys? *(Interjections and banging on desks)*

2250

Hon. J J Bossano: Mr Speaker, let me assure the hon. Member that no GSLP member has been offered patronage or a job for the boys or a job after the Election.

2255 I can tell him that the only people that I have given jobs because they were promised a job before the Election are the people that *he* promised jobs to, which he told me at the official opening of the House, as we were going down the stairs, that he was going to ask, or that I should ask the person that was working with him, to pass me the files because he had seen these people and told them that if he was returned to office he would offer them employment in the public sector, in the Government.

Hon. D A Feetham: Mr Speaker, that is a total –

2260 **Mr Speaker:** Order! Order! Order!

Hon. D A Feetham: That is absolutely not true and I challenge the hon. Member to produce evidence of it.

2265 I did see people in my role as a Government Minister the months preceding the General Election –

Mr Speaker: Is the Member raising a point of order?

Hon. D A Feetham: Mr Speaker, what I am saying is that the hon. Member is simply not telling the truth.

2270 **Mr Speaker:** The Hon. Minister is in the middle of an answer and he may be interrupted only if a point of order is raised.

2275 **Hon. J J Bossano:** If the hon. Member says I am not telling the truth then, of course, I will ask the people who have come to me on the basis that they were promised by him a job if he got re-elected, to put it in writing and sign it, and I will let him have the letters.

2280 He actually said to me, outside the door downstairs, that he had seen these people and that I should ask for their files so that I could see the circumstances in which they were unemployed because he had told them that he would help them to get a job after the Election, if he got re-elected. I am not saying that that was ‘jobs for the boys’; I am not accusing him of having done anything wrong. I am saying that if he is accusing me of ‘jobs for the boys’, the only promises that have been made to employ people have been made by him, not by me, and I am honouring the commitment that he gave.

2285 If he did not give any commitment, then the people who have come to see me asking for those jobs have been, in fact, getting jobs under false pretences because the reason why they got the jobs – some of them are already working – is because I felt that if they had been promised that then they should not be adversely affected by the fact that he was not elected and we were, and therefore it was right that we should honour that. But if he is now saying that that is a lie, then I will go back to the people who lied to me.

2290 Nobody has been given any job, and certainly to give an unemployed person £912, which is the minimum wage... if that is ‘jobs for the boys’, then I would like him to tell me what giving people, seven days before the Election, contracts of £40,000 and £45,000, what kind of ‘jobs for the boys’ those are, because there were people on the eve of the Election getting promotions, getting new contracts and getting contracts under which we may not be able to get out, even though we see no need for those people in the roles in which they were engaged.

2295 But if we go down that route then, Mr Speaker, all I can tell you is that when we say something in this House, if the hon. Member challenges us on the basis of it is not true, we will produce the evidence.

2300 **Hon. D A Feetham:** Mr Speaker, I look forward to seeing the evidence, but does the hon. Gentleman not accept that there is a world of difference between a situation where a previous Government Minister has a conversation with the present incumbent and says, ‘I have seen these people, I was going to try and help these people – see what you can do about that,’ and a situation where you are actually guaranteeing jobs to those people, which is certainly not what I have done. The hon. Gentleman only needs to talk to the Deputy Chief Minister’s PA, who was present at those meetings, and he will confirm that is not the case.

2305 **Hon. J J Bossano:** Well then, Mr Speaker, all I can tell him is that having looked at the cases, as he asked me to do, the cases that we saw came away from meeting him with the impression created – rightly or wrongly, because I was not there in the meeting – that if he got back they would have their jobs. Then they come to see me on the basis that this job was promised to them and would I honour it, and I have said, ‘Yes, if

2310 you were promised it, we will honour it,' like anything else where there is a commitment from the preceding administration that we feel we have to honour, and we will honour it. We might have done something different, and we might not. We might have given them the job, anyway, but their jobs have been given to them on the basis that they claim that that is what they understood that the Minister had told them.

2315 This may be a similar phenomenon to the one the hon. Member, the Leader of the Opposition, expects about people thinking they are going to get jobs in the public sector. Obviously, all those who spoke to the Minister thought they were going to get jobs in the public sector, and they have got them, so their expectation in this limited category has been met.

2320 I can tell him that not one single person has been employed in the employment company, or anywhere else, on the basis that he has been selected for being a member of the GSLP, and therefore where the 'jobs for the boys' come in, I do not know, because in fact there are no 'jobs for the boys'. The whole of the 450 that were in the schemes in the Government are the ones who are going to start work in a Government company on 1st February, *all of them* – nothing to do with whether they are in one party or in another party. So it is jobs for all the boys and all the girls who are getting less than half the minimum wage.

Several Members: Hear, hear.

2325 **Hon. P R Caruana:** I would like to ask one supplementary and afterwards, and separately, raise what I hope will be a short point of order, with your indulgence.

2330 Does the Hon. the Minister for Employment, the Hon. Mr Bossano, agree with me that whether or not this or the previous Government indulged in 'jobs for the boys'... In other words, Ministers are there to help people in employment, so if somebody comes and says to the Government – as they used to every day, to my clinics and no doubt they will to you. Ministers say 'we will do what we can', fine.

2335 Is he not able to draw a distinction between that situation, which is the one that he has been speaking to just now, and the situation in which people might wrongly have been led to believe that there is a blurring of the lines of distinction between state and party? In other words, if a section of the population – unemployed people, or youth, or trainees – are told by a political party days before an election, 'Come to my party office, register with me' – it is reputed, although I cannot know this for a fact, that they were also being asked to be encouraged to become members of the party – does he not understand... and then that party wins the election, and the first thing that the person that they saw at the party office does is convene them to a public meeting of that sort...

2340 Does the hon. Member not have any degree of sympathy or understanding at all for the view that there is, at the very best, the danger that these people might draw a link – which he says does not exist, but that is not the point – the point is what *they* think, not what *he* thinks – that these people might be led to believe that there is a connection between their prospects and their attendance at the GSLP party meetings?

2345 It is about perception and lines of distinction between party and Government have got to be preserved properly, because people cannot be allowed to think – even wrongly think – that somehow, participating through the party machinery is an advantage, or a potential advantage, when it comes to dealing with the government of the state.

2350 Does he not have any degree of sympathy for the view – does he not share the view – that many people, including us, and this side of the House believe that those lines between party and state have been blurred by the chronology of events from before the election, through the election and these meetings after the election?

2355 **Hon. J J Bossano:** No, I do not, Mr Speaker.

2355 Indeed, if that perception existed, then it can only exist until the end of January because, on 1st February, the people who are going to be given the opportunity to join the new employment company are going to be the people who are there today, irrespective of whether they are in the GSLP or they are not in the GSLP. So if there was a perception that it would be only for the GSLP, that perception is incorrect.

Hon. P R Caruana: My point does not depend on the correctness of the perception.

2360 **Hon. J J Bossano:** No, I do not want to accept that the perception exists but, if it does, it can only exist for another week because, at the end of January, it will be seen clearly that the opportunity is going to be offered to every single person and they can take it up, or they may not take it up, but the old scheme is disappearing and everybody is going to begin to go into the new one.

2365 In fact, everything that had to be explained was explained to everybody. As I have already said, if there had been a party meeting exclusively for party members, and there had been nothing for those who were not party members, the meeting that I addressed on the Job Strategy was a meeting held during working hours for all the 450 cadets or trainees, where the Department asked them to come to the meeting and where the employers were asked to give them time off work and a full detailed explanation was given in a meeting that lasted for three hours, where I answered hundreds of questions from the people who are directly affected.

2370 I do not know what more you can do in order to make sure that the people who are going to be affected by a policy be given an opportunity. They did not need to wait for this meeting of Parliament to find out what was going to happen; I actually convened them all, paid them for being there, and explained it all to them, and it is those people, and only those people, who are starting in February.

2375 The fact that, in addition to that, the party is, of course, fully committed to the manifesto and the policies of the Government and that there are many people in the party who are being kept completely up to date of everything that the Government is doing – as they should be – that does not mean that now we are in Government, we forget about the party. No, that will not happen.

A Member: The first meeting was through the party!

2380 **Hon. Chief Minister:** I had breakfast on the party as well, and really enjoyed it! (*Laughter*)

Hon. P R Caruana: Mr Speaker, a point of order.

2385 I would like to invite the Hon. Chief Minister to withdraw a remark that he made loud enough, not just for everybody in the House to hear, but for everybody in the public gallery to hear, at the beginning of this last exchange, where he said: '*Mira lo que dice, el hijo de Michael Feetham.*'

2390 I think that it is not appropriate to bring our fathers and our mothers into our political debate. I think, on reflection, I am sure he will agree with me that his remark was uncalled for, unnecessary, unparliamentary and, in any case, I do not suppose he was making any imputation against Michael Feetham because, if he were, that would be in breach of another Standing Order. So I am hoping that, without the need for me to go on any further, he will, by now, have reflected on what he said and agree with me that it is not an appropriate remark. One thing is for us to attack each other and another thing is to make imputations about, or attack, our paternal roots.,

So I make that invitation to the hon. Member for him to accept or as he pleases...

2395 **Hon. Chief Minister:** Mr Speaker, I said in my speech at the ceremonial opening of the House that I would do everything possible to bring down the temperature. I have let myself down with that remark and I am grateful for the hon. Gentleman's invitation to withdraw it – and I do withdraw it.

2400 In particular, Mr Speaker, I would refer the hon. Gentleman to the statements he has made on a number of occasions of the parent of another one of the Members of this House, who is Dr Garcia who, when he was on the other side, often had the hon. Gentleman referring to his particular profession etc.

2405 The hon. Gentleman is absolutely right, it was one of those heated moments of political exchange this morning, where we all get hot under the collar and say things that sometimes we should not say, and I am quite happy that the proceedings today should continue on the basis of us attacking those of us who are here, for the good of our community, so that what we are doing is not attacking but scrutinising each other's policies and nothing more.

Mr Speaker: I am most grateful for that.

2410 **Hon. P R Caruana:** I am very grateful, too, to the hon. Member for having withdrawn an eminently withdrawable remark. I am grateful to him for doing it, I think he has done well to do so.

2415 On the other hand, I cannot agree with him that it is right to compare that remark – (*Interjections*) which is accusatorial and insinuating about the father of a Member of the House, with a point in which I was being attacked for giving Government-funded advertising in a newspaper simply because they were supportive of the GSD. I was simply saying, 'Look, how can you accuse me of this, when I give Government advertising also to a newspaper that is owned by the father of Dr Garcia?' I do not think the two references... For a start that is a factual statement. Not only is it factual, but it makes no insinuation, adverse, critical or otherwise, of Dr Garcia's father. I honestly do not think the two allusions are comparable in nature.

Hon. Chief Minister: I am grateful, Mr Speaker, that the one thing I should have clarified is that there was no accusation in my remark, other than the hon. Gentleman's father was a member of the GSLP at the time that those accusations were made and that the hon. Member himself was.

2420

So I am happy to clarify that that was the sum total of the accusation contained in the remark, membership of a political party, of which those of us on this side of the House at least are very proud.

Mr Speaker: I think we are in danger of descending into an argument which is not necessary.

2425

The remark has been withdrawn, and we might close that chapter. Move to Question 70.

HEALTH AND ENVIRONMENT

2430

Trees from Engineer's Lane car park Present condition

Clerk: Question 70, the Hon. S M Figueras.

2435

Hon. S M Figueras: Will the Minister with responsibility for the Environment confirm what has happened to the trees which were salvaged from the Engineer's Lane car park and re-sited temporarily on the East-side Reclamation towards the end of last year?

2440

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

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, would you please allow me to say that this is the first time I have had the honour to address this House and, given my former career, that I am particularly pleased to have been given the opportunity to talk about trees.

2445

Mr Speaker, the trees that were removed from the edge of the Engineer Lane car park and unsuitably re-sited temporarily at the East-side Reclamation have now all been replanted.

Two of the palm trees and the two olive trees were planted at Sir Herbert Miles Road, opposite the access road to the car parking area for Catalan Bay. The *Phytolacca* and the third palm tree were planted at Corral Road in front of the Landport skate park. All the *Robinias* were planted along Harbour Views Road, opposite St Bernard's Hospital, where I see them virtually every day.

2450

The sites selected for the trees in question were not all suitable and, in some cases, the trees which should not have been moved in the first place will never fully recover. The locations were chosen and most of the planting carried out during the term of the previous Government.

2455

Hon. S M Figueras: Mr Speaker, the Minister will then concede that he was wrong when he suggested back in October that the previous administration were simply misleading the public in relation to their fate.

Hon. Dr J E Cortes: Sorry, I did not hear the lot, could you repeat that?

2460

Hon. S M Figueras: Yes, of course. The Minister will then concede that he was wrong when he suggested, back in October, that the previous administration of the GSD were simply misleading the public in issuing statements to the effect that the trees were being salvaged and replanted, with the idea of ultimately replanting them permanently in the sites in which they currently are today.

2465

Hon. Dr J E Cortes: I do not believe I am answerable for things that may have been said during an election campaign in this Parliament, (*Laughter*) particularly in heated debates, which some may have seen on television.

2470

Certainly, I was not misleading anybody. The trees should not have been moved. They were moved incorrectly, they were badly treated, and the result of them having been replanted means that they will never thrive. Therefore, the fact that they have been put into sand, and not soil, in some cases, means that the trees' fate may have been sealed. Nature is resilient. They sometimes come back – there is no hard and fast rule about these things, but the trees were badly treated and, therefore, their fate was sealed when they were

removed. I hope that, depending on climatic conditions, they will be able to survive, but there is no guarantee.

2475 **Hon. S M Figueras:** Mr Speaker, will the Minister confirm that it was, indeed, subcontracted to the main contractor who were taken on board to conduct this re-siting of the trees?

Hon. Dr J E Cortes: I have no idea. That was done by the previous administration.

2480 **Hon. S M Figueras:** Well, perhaps, Mr Speaker, the Minister, as the Minister with responsibility for the Environment now, will take an active interest in those trees and re-site them if necessary, if the contractor is indeed found to have done things incorrectly.

2485 **Hon. Dr J E Cortes:** Actually, that is probably not going to be very good for the trees, Mr Speaker, because if they do have a chance, we cannot disturb the roots for a considerable amount of time. So, botanically, I do not think that would be acceptable for the trees.

2490 **Hon. S M Figueras:** Mr Speaker, at a risk of labouring the point, perhaps too far, it was the contractor's responsibility in respect of those trees to ensure that they were dealt with correctly.
I am happy to leave this point at this juncture.

Hon. Dr J E Cortes: It was done by the previous administration, so I am afraid I have no idea.

2495 **Hon. P R Caruana:** Mr Speaker, I wonder whether the Hon. Minister for the Environment, Dr Cortes, can help me reconcile a predicament, and I ask him to by way of a supplementary.

Can I ask him whether, in his view, we can reconcile the position that has been stated by his colleague, Mr Linares, who is in the House today, that

'it is not for the Minister to decide how to deal with a heritage site'?

2500 Nevertheless, it appears to be. Ministers of the previous Government were appropriately held to account for the appropriateness of the circumstances in which temporarily uprooted trees were stored. Does this not suggest to the hon. Member a rather contradictory approach to ministerial responsibility? How can it be a Minister's responsibility how a tree is temporarily stored? How can that be the responsibility of the Minister of the Environment, as the hon. Members have made clear politically before today... but it not be the Minister for Heritage's responsibility to decide how to deal with a heritage site?

2510 **Hon. Dr J E Cortes:** I think it is down to style of government and different outlooks will do things in different ways. If the previous Government – the Minister for whatever particular aspect – took a lead interest or perhaps gave certain instructions that some things should be dealt with in a certain way, then I suppose, Mr Speaker, that they should be held accountable. If another administration – indeed another Minister – lets the professionals get on with the job, then there is a different kind of accountability, but the professionals have to do the job that they may or may not be allowed to perform.

2515 **Hon. P R Caruana** Mr Speaker, when the hon. Members, then in Opposition, launched the attack against the Government and its Ministers for the way that the trees had been handled, they did not stop first to find out whether it had been a ministerial decision or a technician's decision as to how the trees were temporarily stored. They simply launched into an attack, holding the Minister...

2520 I am not saying they were unjustified in doing it, by the way. All I am saying is that that view of holding a Minister accountable in this House, and outside of this House, for how trees are handled does not appear to me to be consistent with the view now expressed by them, when they cross the floor of the House to the Government side, that it is not even for the Heritage Minister to decide how to deal with a heritage site. It seems to me a very significant moving of the goal posts of what Ministers' responsibilities are and what Ministers should be held accountable for.

2525 So I am not saying that it is wrong to hold Ministers to account for how trees are handled. All I am saying is that there has to be some consistency, surely, between Ministers being held to account for how trees are handled and whether it is then appropriate to hold Ministers of a party that used to hold Ministers to account

for how trees were handled to now hold them to account for how a heritage site is dealt with.

2530 I just was wondering whether the Member could help me reconcile this apparent contradiction in the level of ministerial responsibility and accountability. But I can see that he cannot, so we will leave it.

Hon. S E Linares: Mr Speaker, since he mentioned me on this crossover debate, I will tell him that if it were something to do of which I am a professional – and I do not intend to be a professional of heritage, therefore I will leave technicians to do whatever they deem necessary to do, but as we all know, Dr Cortes is a professional in trees – probably knows more than you and I about trees – and if he uses an opinion with the technician, I think that the technicians could hear what he is saying, even though he is a Minister.

2535 Therefore your argument is flawed, in the sense that, if I were to talk about education and teaching, and even now about law, I could have an opinion as a Minister, and that was what my comment was directed at.

Hon. P R Caruana: Mr Speaker, my argument is not flawed. What remains flawed and has shown no sign of improvement, despite him being elected to the status of Minister of the Crown, is the Hon. Mr Linares's capacity to listen, understand and analyse.

2540 It is not, in the context of the exchange that I was having with Dr Cortes, Dr Cortes's knowledge of trees that is relevant, but the previous Environment Minister, Mr Britto's knowledge of trees. He has no knowledge of trees, just like you appear to say you have no knowledge of heritage. Therefore, what I was comparing was holding an Environment Minister who is not an expert on trees but was held to account by you when you were in opposition, with now you who are also not an expert on heritage saying that it is not for you because you are not an expert.

2545 So we are not comparing Dr Cortes's knowledge of trees with your knowledge of heritage; we are comparing the Hon. Mr Britto, the previous Environment Minister's knowledge of trees with your knowledge of heritage.

Hon. Dr J E Cortes: Mr Speaker, I think it is down, to a large extent, as to what a Minister who may not be an expert on the particular subject listens to advice and as a Minister or Chief Minister, or whatever Minister, is given advice and chooses not to listen to it, that he should be held accountable for not having listened to the advice. That is one thing.

2555 Another thing is that some Ministers have been known, in the past administration, to go to a particular site, not particularly like a landscaping design, and at very short notice and at considerable cost, change the design that had been prepared by the experts.

Hon. P R Caruana: Yes, well, Ministers are entitled to views about designs, too. Design is not necessarily about expertise; it can also be about taste. We always found that our taste was invariably better than yours (*Laughter*) – despite your superior expertise on trees.

2560 Now, Mr Speaker, there is no need to pursue this any further, except to say that I agree with what the hon. Member has said about Ministers being held to account for not taking advice. If a Minister chooses not to take technical advice, the least that he must be expected to do is to justify, politically, his departure from the technical advice. I think that that is absolutely spot on correct.

2570 I still cannot reconcile – and I am not going to labour the point, because I think we have finished it now – but the hon. Member then must now couple that statement with an acknowledgement that, to the extent, that there was previous criticism of the previous Environment Minister's decision for the trees issue – if I can just call it that – they *assumed* that he had taken advice which he ignored, and you assumed, against him, that he was not acting precisely on the basis of the advice or, indeed, that he was simply not aware, and this is what the technical people did. That is what I am saying: either Ministers are held to account for things that technical people decide, because that is where the expertise lies, or they are not; but it cannot be 'yes' for trees when you are in Opposition but not for heritage when you are in Government.

2575 That is the only point I was making. I think it is just one of consistency.

Hon. Dr J E Cortes: Mr Speaker, I must comment here. We are speaking about Ernest Britto, who is present in the House and who is a personal friend of mine and, obviously, I have to distinguish anything political with anything else.

2580 What I must say is that I am aware that the Government, which channelled particularly... and which ministry it was directed to – because I know that it was not always the Ministry for the Environment which

took these sorts of decisions – it was often [*Inaudible*] had been advised about these trees because, in another life, I actually formed part of the body that made that advice available to the Government.

2585 But I think I must correct the Leader of the Opposition in saying that his taste is better than mine, because at least in one project, my taste in designing the landscaping of the Trafalgar Interchange was certainly at least as good as his, because he actually used it to promote his party during the election campaign! So at least on that we agree. (*Interjection*)

2590 **Hon. P R Caruana:** I thought the Trafalgar Interchange is superb, although I have heard somebody else claim credit, other than you and me, so we will just have to have a drink one day and decide, between the three of us, who designed it. It certainly was not me – I will just buy the beer!

Hon. Dr J E Cortes: Accepted!

2595

**Water pollution at Western Beach
Progress on resolution**

2600 **Clerk:** Question 71, the Hon. S M Figueras.

2605 **Hon. S M Figueras:** Mr Speaker, will the Minister with responsibility for the Environment confirm how the Government is progressing with the resolution of the water pollution at Western Beach, in particular in respect of the relocation of the Spanish storm drain which empties into the area?

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

2610 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the Government takes the issue of sewage pollution in general, and at Western Beach, extremely seriously, as confirmed by one of the first actions we took on 16th December 2011, which was to close the beach due to the high levels of sewage pollution present since mid-November 2011.

2615 Although we have been in administration for just over a month, I have already had an initial meeting with senior legal advisers to take stock of the existing situation that we have inherited from the previous administration. The Government has already started exploring possible avenues, with the intention of solving the problem of sewage contamination as soon as possible. In the interim, both the Environmental Agency and the Department of the Environment are closely monitoring the situation and providing the Ministry for Health and the Environment with regular briefs on the situation at Western Beach.

2620 The Government will therefore be keeping the public fully apprised of any development in this regard. The ongoing results from the monitoring carried out by the Environmental Agency are available online on the Agency's website, should the public wish to inform themselves of the current quality of the water at Western Beach.

2625 **Hon. S M Figueras:** Mr Speaker, is the Minister able to commit to a timescale in respect of these solutions that the Minister explained are being discussed at the moment?

Hon. Dr J E Cortes: No, I am not.

2630 **Hon. S M Figueras:** Mr Speaker, can the Minister for the Environment confirm whether or not there have been any cross-border communications in respect of the resolution of this issue?

Hon. Dr J E Cortes: Yes, there have.

2635 **Hon. S M Figueras:** Could the Minister provide us with any kind of clarification with respect to the outcome of those discussions?

Hon. Dr J E Cortes: These discussions were held at a technical level before the election.

The Opposition may be aware of the outcome of that, and I am informed that the matter had clearly not been resolved by them, which is why we are seeking legal advice on what Gibraltar's position could be in dealing with the matter.

2640

Hon. S M Figueras: Sir, for the avoidance of doubt, the Minister has not yet had a cross-border communication in respect of this issue, since the election on 8th December.

2645

Hon. Dr J E Cortes: Not from Spain, no.

Hon. S M Figueras: Has the Minister attempted to make contact or discuss the matter further beyond the technical meetings held before the election with the authorities in La Línea?

2650

Hon. Dr J E Cortes: No, we have not. We are seeking advice as to what steps we could take, in order to allow us to better handle such a meeting.

2655

Hon. P R Caruana: Is the Hon. Minister aware – and it is probably because the same person who used to draft the Answers for us has drafted it for him – that, despite the fuss that he used to make about this issue, the position that he has just described, which to me seems eminently reasonable for his Government to take, is exactly the same position as the previous Government took?

2660

Can I further ask the hon. Member, when he says that 'this is a situation that we *inherited* from the previous Government' and that it was not resolved by us, does the hon. Member acknowledge that there is nothing physical that any Government of Gibraltar, short of invading La Línea, repairing the thing for them and then making a quick retreat *à la sortie* before the defending garrison awakens (*Laughter*), does the Hon. Minister not understand that there is not a great deal that any Government of Gibraltar can do about this – this is not a situation that he inherited from the previous Government, this is not something that we failed to resolve – and that the steps that he has announced that he is taking are the steps that we have taken.

2665

We went further than that, and I hope that the technical people advised and informed him in detail of the steps that were taken in terms of meeting with the Junta de Andalucía, in terms of my meeting with the Mayor of La Línea, upon which I am perfectly happy to brief him myself directly, all now embroiled in shortage of money on the Spanish side, shortage of money on the Junta, shortage of money in the Ayuntamiento de La Línea, that this is the physical reality and that any legal route which we have investigated and on which opinions are, I believe, already available to him, any legal approach to this will take years and years to resolve in the courts? So either we suffer the pollution which is not of Gibraltar's making or we go to the courts, if advised that there is a decent... and wait for the European Court to deliver, in 10 years' time, a final outcome or we try to persuade the Spanish authorities to do what they should do and repair...

2670

Does the hon. Member acknowledge that the previous Government was trying to steer the middle course albeit that, for financial reasons on the Spanish side, it never came to fruition? Does he acknowledge that there is no point in him... [*Interruption*] once he is now on the Government benches, with the responsibility to act, he has to change his chip... There is no point – he is only creating a rod for his own back – in him raising expectations that he has the power to end this unfortunate, regrettable and unacceptable situation because he cannot and, in a year or 18 months' time, I will be here, asking him why he has not fixed it yet – as we used to be asked, not from inside, from outside the Government.

2675

2680

This is outside of Gibraltar's control. We, on this side, acknowledge that it is outside of his control. We expect him to engage with the Spanish authorities to try and persuade them to do the work, but if that fails we are not going to hold him personally responsible, his Government responsible, for the pollution that Gibraltar suffers for something that is not only not of the Gibraltar Government's making but, indeed, is not in the Gibraltar Government's physical gift or capacity to resolve. Does he accept that?

2685

Hon. Dr J E Cortes: I certainly do not wish to raise anybody's expectations. Certainly –

Hon. P R Caruana: Not now that he is a Minister!

2690

Hon. Dr J E Cortes: I do not think... and I will respond to that comment. I do not think I have ever tried to raise anybody's expectations unjustifiably in my previous career when I was not a Minister; I gave people great expectations –

Hon. P R Caruana: Forgetting the debate on television, which you already asked us to airbrush away.

2695 **Hon. Dr J E Cortes:** We will forget the debate on television but, certainly, any expectation that I have given people in the past would have been that I would do my work well and I would convert a dump into a prominent botanic garden. I think that expectation was, in fact, fulfilled. I know that a lot of the electorate actually have great expectations of me and I hope to make Gibraltar bloom in the way that I made the Alameda Gardens bloom.

2700 Certainly I do not want to raise people's expectations on this particular point but, obviously again, members of the Opposition as was did not have access to the information of the Government as they did, and even less when I was not even the Opposition – I was somewhere in the wilderness – and, obviously, I am now aware of some things that I may not have been aware of in the past, but that does not mean that I will not make every effort, without unnecessarily raising expectations, to try and follow some of the avenues that may or may not have been taken by predecessors to try to resolve this.

2705 What I do think is unfortunate is that while the sewage works were being built, and while the trench was being dug – which was evident and visible to anybody who wanted to cross the frontier in those days, perhaps a year or a year and a bit ago – and when concerns were raised by NGOs, the Government apparently did not take any steps then to stop the work being completed, but that is looking in to the past even further than I would wish.

2710

Hon. P R Caruana: Mr Speaker, I am sure Question Time is not for the new Opposition to defend, in the face of the new Government, its record in Government, but I suppose it is inevitable that the first few Question sessions will descend to that!

2715 The hon. Member surely must know, because we have made public statements to that effect, firstly that Gibraltar technical people were indeed monitoring the works as they were being carried on – but that does not make it any more possible for us to stop the works, than it is possible now to demand that they are fixed!

2720 Why he thinks that monitoring the works would have strengthened our ability... I know that he thinks... many people in Gibraltar think that all power emanates from Gibraltar, but we did not succeed – and I hope he does succeed – in finding the formula to oblige, coerce, the Kingdom of Spain to do as we demand, order. Please, if he can find the formula to do that, he will find me standing just behind him, on his right shoulder behind him, supporting him, encouraging him and patting him on his back. Until he achieves that, suggesting that any Government of Gibraltar can bring about – other than through attempts to persuade the Spanish to do it, which was done *ad nauseam* – to bring about that unacceptable position which, in my opinion and in Government lawyers' opinions, which he must by now have been told, represents a violation of European Union environmental directives, is not something that we can oblige.

2725

2730 We can demand but we can be ignored or we can try and persuade politically, which is what we attempted to do – got their commitment to do the work – I had a very good meeting with the Mayor of La Línea, who, by the way, before she was Mayor of La Línea had been the official in the Junta de Andalucía before responsible for giving the licence for the work to be done in the first place, in her capacity as environmental officer of the Junta de Andalucía, and there was immediate acknowledgement of the need to fix the problem. But, from that, to actually getting an ayuntamiento which cannot pay its staff their wages, to undertake a major job of repair, because Gibraltar does not like pollution emanating from the beach – I hope he will understand the extent of the difficulty that we faced, and which he now faces, in bringing a rapid end to this situation.

2735

Hon. Dr J E Cortes: Mr Speaker, of course we understand difficulties. The Opposition did not succeed at the time. We cannot be blamed for that lack of success, but we will carry on trying, without unnecessarily raising expectations.

2740

Mr Speaker: The Hon. the Chief Minister.

Hon. Chief Minister: Mr Speaker, I have the honour to move that this House do now adjourn to 3.00 p.m. and if it is of any assistance to the Members opposite, I propose to proceed from Question 80 to Question 106, and then return to Question 72.

2745

Mr Speaker: Is that convenient? All those –

Hon. P R Caruana: I wish the Hon. Chief Minister a good voyage.

2750

Mr Speaker: Is an adjournment to 3.00 p.m. convenient to all hon. Members? (**Several Members:** Aye.)
This House will adjourn till 3.00 p.m.

The House adjourned at 1.10 p.m. and resumed its sitting at 3.00 p.m.