



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.30 p.m. – 6.00 p.m.

Gibraltar, Wednesday, 19th September 2012

The Gibraltar Parliament

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The Parliament met at 3.30 p.m.

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

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

15

PRAYER
Mr Speaker

20

Order of the Day

Clerk: Meeting of Parliament, Wednesday, 19th September 2012.

(i) Oath of Allegiance.

(ii) Confirmation of Minutes.

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The Minutes of the last Meeting of Parliament which commenced on 21st June 2012 and ended on 26th July 2012.

Mr Speaker: May I sign the minutes as correct?

30 *It was agreed.*

Mr Speaker: Thank you.

35 **Clerk:** (iii) Communications from the Chair.
(iv) Petitions.
(v) Announcements.
(vi) Papers to be laid.
(vii) Reports of Committees.
(viii) Answers to Oral Questions.

40

Questions for Oral Answer

45

Marine Officer post Recruitment

Clerk: Question 687/2012, the Hon. D J Bossino.

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Hon. D J Bossino: Since Question 112/2012 was asked, is the Minister for Tourism, Public Transport and the Port now in a position to advise whether the position of Marine Officer has been filled?

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

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Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, the position has not yet been filled.

60 **Hon. D J Bossino:** The reply to the Question I have just cited in the written Question was that the Government was currently in the process of advertising the vacancy.

Mr Speaker, is the Minister in a position to confirm to me when the vacancy was, in fact, advertised?

65 **Hon. N F Costa:** Mr Speaker, I do not have the exact date of when the position was advertised for the second time, but the closing date for that position was on 13th June and the date of the interview will be on 27th September.

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Hon. D J Bossino: Mr Speaker, have I understood the Minister correctly, that there was a second vacancy advertised?

70 **Hon. N F Costa:** No, Mr Speaker, the position was that there was a vacancy advertised internally at the end of March. There was no suitable candidate found by that selection board, as a result of which we had to open the vacancy again.

75 **Hon. D J Bossino:** Is the Minister able to answer politically in this House as to what the reason was for the failure to fill the vacancy in the first process he has just referred to?

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Hon. N F Costa: No, Mr Speaker, it is not a political answer. The fact is that the interview board, for the reasons and their own deliberations, decided there was no-one suitable at the time, and that was the advice given to me, which I of course accepted.

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Hon. D J Bossino: Mr Speaker, both the Minister and I have discussed this issue in the past in this House, and I think we both agreed the importance of... I know we made, in the context of that question-and-reply session, political statements, but I think we both agreed the importance of having that position filled for the

proper functioning of the Port, because the Marine Officer – in effect, I think you also agreed on that – ought to be in a position to properly deputise for the Captain of the Port.

85 So in those circumstances, can he give this House an indication as to whether he is satisfied as to the delay that this process seems to be subjected to?

90 **Hon. N F Costa:** Mr Speaker, in the first place, as to the importance of the position of Marine Officer, I have agreed with the hon. Gentleman that it is our position that the sooner the post is filled, the better; but as I did point out to him during the course of the last question-and-answer session, it was in fact the case that, between 1990 and 2010, there was no Marine Officer, with only a Captain of the Port obviously would have worked quite well. So therefore, for nine years of his administration, there was no Marine Officer, but having said that, the Port did not go down in flames, and it continued to work.

95 Notwithstanding that, I do agree with him that the post of Marine Officer to deputise for the Captain when he is absent is, in fact, advantageous. As I have told him, the selection board will hold the interview on 27th September and I am hopeful therefore that this then will come up with a positive recommendation, so that we can then fill that post.

100 **Hon. D J Bossino:** Mr Speaker, as the Minister is fully aware, the position was in fact filled when the GSD was in office but, due to unfortunate circumstances, the position was vacant in, I think it was, April or May 2011.

Can he confirm to this House that what is holding the process up is, in fact, the failure to identify a suitable candidate in the first round?

105 **Hon. N F Costa:** Well, no, Mr Speaker, as I said, the selection board came with no recommendation, following which there was a second notification of the position.

Applicants wrote in. There were, in fact, six applicants who will be interviewed. I imagine the reason may have been human resources deployment, but it is not for the reason that the hon. Gentleman alluded to just a few moments ago.

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Hon. D J Bossino: Mr Speaker, I am sure the Minister has answered this point, but can he advise this House, if he has not, whether the vacancy is being advertised exclusively internally?

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Hon. N F Costa: As a first step, yes, Mr Speaker.

Hon. D J Bossino: So, presumably all the six applicants currently expected to be interviewed are from within the Port?

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Hon. N F Costa: Yes, Mr Speaker, to clarify the point, the very first time that it was advertised in March, it was only internal. Given that there was no successful applicant internally, it has been opened now internally and externally.

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Hon. D J Bossino: Ah! Yes, I am grateful for that confirmation, Mr Speaker, because I think the initial reply was not *[inaudible]*.

Mega Yacht registry Promotion and marketing

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Clerk: Question 688, the Hon. D J Bossino.

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Hon. D J Bossino: Mr Speaker, can the Minister for Tourism, Public Transport and the Port provide details of the plans the Government has to promote and market the Mega Yacht registry?

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

140 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, since the Gibraltar Yacht Register was taken back into direct Government control, I opened and spoke at the Gibraltar Yacht Seminar in April, and at that seminar I outlined the plans to promote and market the Yacht Register.

The outline included the Gibraltar Yacht Register meetings with all the interested parties in Gibraltar, attendance at the Amsterdam Yacht Show, Monaco Boat Show and arranging to meet with the chartering agents in London.

145 A meeting with all the interested parties in Gibraltar was held on 13th September, and there was an extensive discussion on the way forward, including carrying out some more in-depth background research on the advantages of registering these yachts in Gibraltar.

The Registrar of Yachts will attend the Amsterdam Boat Show from 12th to 14th November and will also visit the Monaco Boat Show from 19th to 22nd September. Further plans to promote and market the Yacht Register will be developed in conjunction with all of the interested parties in Gibraltar.

150 **Hon. D J Bossino:** Mr Speaker, I thank the Minister for that reply.

155 Is he able to advise this House whether he is aware that my party, when in office, had very much advanced plans to produce a publication? All the literature was ready, all the designs and everything were ready. Does he know whether he found that on his desk when he entered office on 9th December? Certainly from this side of the House, we are somewhat surprised that that has not seen the light of day, given the advanced nature of that particular publication.

So I wonder if the Minister is in a position to enlighten this House as to where those plans currently are.

160 **Hon. N F Costa:** Mr Speaker, I have not been made aware by my officials of any plans that were being developed by the previous administration.

165 **Hon. D J Bossino:** It may be unfair to ask this question of the Minister, but he will forgive me as a relatively new Member of this House, and having had no previous Government experience, is he able, from the reply he has just given us, to dissect – of the marketing plans he has just outlined – that which is his Government's initiative from what was there before?

170 **Hon. N F Costa:** Mr Speaker, as I have answered my hon. Friend, the plans that have been devised in respect of the Monaco Boat Show and the Amsterdam Yacht Show have come about as a result of meeting stakeholders in Gibraltar. Now, whether or not those were in the pipeline or thought of when *his* administration was in place, I could not say for sure.

175 **Chief Minister (Hon. F R Picardo):** Mr Speaker, if the hon. Gentleman will allow me just to try and dissect for him that which he has asked that we dissect, certainly he will know – because he was in this House – that during the course of my Budget address, one of the measures taken related to import duties in respect of yachts. Obviously, therefore, the marketing of that product could not have occurred before the Budget statement. I understand that those were matters that were being brought to the attention of the previous administration but that the previous administration had not agreed with, so anything that flows in respect of that *new* potential for the registration of vessels in Gibraltar – that new attractiveness for the registration of vessels in Gibraltar – will essentially flow *only* as a result of the Budget statement under this administration.

180 Of course, all the material for marketing Gibraltar as a jurisdiction for the registration of yachts will have to be updated, because that will be one of the marks of attraction in particular for vessels of a particular size. He knows that we were, in that statement, trying to attract the business of superyacht registration and berthing and housing, so to speak, in Gibraltar.

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**Facilities for small boat owners
Government plans**

190 **Clerk:** Question 689, the Hon. D J Bossino.

Hon D J Bossino: Can the Minister for Tourism, Public Transport and the Port advise this House what

plans the Government has for the provision of facilities for small boat owners?

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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. As stated in my Budget speech, the plans that the Government has for the provision of facilities for small boat owners is as set out in our manifesto.

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Hon D J Bossino: Perhaps, Mr Speaker, by way of confirmation... and he will understand, when I explain to him now, why I asked the question is because I saw that there appear to be certainly in the wording... I have read both his Budget speech before drafting the Question, as well as the relevant bit in the GSLP/Liberal manifesto. Now, as far as the latter document is concerned, it made specific reference to the location of the berths, as well as the number. I do not have the manifesto in front of me – I think the location was Europort and the number was 700.

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Now, months down the line, in his Budget speech, no reference was made to the precise location or the number, and that is precisely why I asked for clarification. But maybe he could expand on his initial written response.

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Hon. N F Costa: Yes, Mr Speaker, I am happy to do so. The plans are as stated in the manifesto, so the location still continues to be Europort and the number still continues to be 700 berths.

The reason for not specifying the number during the course of the Budget speech is only because we are trying to see whether we can squeeze more berths in the same area, depending on the design that will be used.

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Hon D J Bossino: Is the Minister able to –

Hon. N F Costa: Sorry – it certainly will not be less than 700.

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Hon D J Bossino: I think that was understood – and if it does not materialise, he can rest assured, I will be asking further questions in this House!

Mr Speaker, in his Budget speech, the Minister does say that a project is underway. Is he able to give further particulars as to what stage the project is currently at?

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Hon. N F Costa: Yes, Mr Speaker. The project is at the EIA screening report stage, which runs in parallel with the wave action reflection modelling stage. So once that is completed an EIA can be conducted and the wave reflection effects on the rest of the harbour can be ascertained. That will determine whether any changes need to be introduced to address any EIA concerns and whether any wave reflection dampening is required in the design.

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Hon. D J Bossino: Presumably those changes would not impact, given both his electoral and political commitment, just given to this House, on the numbers. He is satisfied of that, is he?

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Hon. N F Costa: Yes, Mr Speaker.

Hon. S M Figueras: Sorry, just one more question perhaps.

Is the Minister in a position to confirm whether or not there is a specific deadline or timeframe in which the, during which construction will begin with this project?

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Hon. N F Costa: I do not have a specific date, Mr Speaker, but certainly in time before the next election.

Hon. S M Figueras: I have only asked the question, Mr Speaker, because we are aware of comments made in the public domain that plans are at an advanced stage and that, indeed, construction will be beginning in the next month. I was merely trying to establish whether there was any information on that.

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A Member: I shouldn't believe that!

250 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, will the Hon. Minister be consulting with the rowing clubs as to the construction of the berths because, of course, that will be right in front of the pathway and rowing vessels would have to get in and out of the area?

Hon. N F Costa: Yes, Mr Speaker, the hon. Lady raises a valid point. But we will not only be consulting with the rowing clubs, but all relevant stakeholders.

255 **Hon. D J Bossino:** Presumably, Mr Speaker, the Government's commitment is to complete the project before the next General Election?

Chief Minister (Hon. F R Picardo): Yes.

260 **Hon. D J Bossino:** I think I heard the Chief Minister.

Hon. Chief Minister: Yes, absolutely. Yes.

265 **Hon. D J Bossino:** Not simply start it?

Hon. N F Costa: Yes, Mr Speaker.

Hon. D J Bossino: Not simply start it?

270 **Hon. N F Costa:** No, no, complete the project.

Hon. Chief Minister: The hon. Gentleman is right: the construction will begin in time for the project to be finished before 8th December 2015 and, of course, no doubt we shall look forward to being given the *huge credit* necessary in respect of the completion of such an important project with social value in the period of this, our first Parliament.

280 **Hon. P R Caruana:** Yes, Mr Speaker, we certainly will. When we inaugurate it immediately after the next election (*Applause*), we certainly will not be taking credit for it, as you have done with our project in the court building! (*Laughter*)

285 **Hon. Chief Minister:** Mr Speaker, if all they do, if heaven forbid they were to once again form the Government of Gibraltar, is at least (*Interjection by Hon. P R Caruana*) (*Laughter*) be as generous as the Hon. the Minister for Justice was in his previous press releases and in his Budget speech about the development of the law courts, and as I was in the course of my speech at recognising the cross-administrative nature of those particular projects (*Interjection by Hon. P R Caruana*), we will have been, Mr Speaker – and he will then be, if he is even then a Member of this Parliament – much more generous than he ever was in this Parliament about the legacy that he inherited in 1996, which other Ministers sitting alongside him in their Budget speeches in May-June 1996 and 1997 recognised and he did not, because he has been characterised forever as a man who believed that the world started on the day that he was first elected in 1996 and he will go down in the history of Gibraltar as the only politician to pretend that that was the case in respect of any of the parliaments that we have had the pleasure of having since our first Constitution.

Clerk: Question six hundred –

295 **Hon. P R Caruana:** Does the hon. Member not accept that the legacy that we inherited in 1996 was not one worth celebrating? As I recall it, the people of Gibraltar had just demonstrated on the streets because they thought that the then GSLP Government was taking Gibraltar to the very precipice, which indeed it was. I cannot think of anything about the legacy of the last GSLP Government that we inherited and I have spent 16 difficult years fixing, that would have been worthy of note or celebration. Indeed, as I recall, Gibraltar could not wait to get rid of that Government quickly enough for it to survive.

300 For the hon. Member now to think that he can airbrush history away by pretending that, in 1996, the previous GSLP Government left Gibraltar in the sort of state that only an ungenerous successor would not

305 acknowledge to have been a wonderful legacy is the worst example of the rewriting of history that I have heard, certainly in the years that I have been in this Parliament, which of course is not to say that the previous GSLP Government did not, during eight years – long and difficult years for Gibraltar – managed to do *some* things right but, on balance, as shown by the fact that you have managed to go from a 72% majority to defeat in just four short years, I think the electorate more or less agrees with *my* evaluation as to the quality of the legacy and not with the hon. Member's rewriting of it now. (*Applause*)

310 **Hon. Chief Minister:** Mr Speaker, I am surprised to see Mr Bossino applauding that, (*Laughter*) given where he was in 1996! (*Interjections and applause*) But anyway, but anyway... well... Mr Speaker –

Mr Speaker: Order!

315 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman –

Mr Speaker: Order! Order! Order!

320 **Hon. Chief Minister:** The hon. –

Mr Speaker: Order!

325 **Hon. Chief Minister:** I know he is there to absorb all the shocks until he goes, Mr Speaker, to try and avoid affecting the others, who will hopefully stay to *try* and fight another General Election, but one has to say things that one has to say.

Mr Speaker, the only person who is going to write history is the Hon. the Deputy Chief Minister, who, when he retires many years from now, having had a long and prosperous career, generous career, in Government, will be writing a history of all our histories for the future, I have no doubt, and he will treat him with the generosity that he deserves. (*Interjection by Hon. P R Caruana.*)

330 **Mr Speaker,** the hon. Gentleman is arguing against his own Ministers, and this is almost the schizophrenia that was present in some of the Budget speeches of the Members opposite during the Budget debate. The hon. Gentleman knows, because he was sitting in the chair in which I sit now, that when the Hon. Mr Montegriffo, his then deputy, delivered his first Budget address, sitting alongside him in 1996, he recognised that the GSD were building on the legacy of the GSLP in the growth of the finance centre in the eight years between 1988 and 1996.

335 **Mr Speaker,** if the Deputy Chief Minister in his Government was saying that then and he did not get up and shut him up, as he was prone to do when any of his Ministers said something he did not agree with, well one must assume that the Hon. Mr Montegriffo then, as Deputy Chief Minister, was telling the truth.

340 Then his next deputy, Mr Speaker, Mr Azopardi... Perhaps this explains, Mr Speaker, why, once one became the hon. Member's deputy, one was for the high jump, and perhaps the present deputy might want to take note of that. But Mr Azopardi, Mr Speaker, when he delivered one of his Budget speeches, also alluded to the fact that, in the years from 1988 to 1996, a great legacy was left to the Government that came after and that the GSD was building on that legacy.

345 I refer the hon. Gentleman to the speeches of his deputies, Mr Speaker. Perhaps that is why the head became disentangled from the body so often in the times that he was in Government.

Hon. P R Caruana: Yes, that is one explanation. Another explanation is that that is why they never not got beyond deputy! (*Laughter and interjections*)

350 **Mr Speaker,** of course I am very happy to allow the record to lie as it does. In other words, let people judge our respective powers of analysis and political judgement on the basis that I believe that, in 1996, the people of Gibraltar did not think that Gibraltar was in a good place of going in a right direction and a good legacy, and that the hon. Member *to this minute* continues to insist that it was. I am delighted for that to be a monument to how people can distinguish his judgement from mine.

355 **Mr Speaker:** Before the Hon. the Chief Minister replies, I have allowed a considerable amount of deviation from the (*Interjection by Hon. P R Caruana*) building of the facilities for small boat owners. After this response, we will have to move either back to the small boat owners or to the next Question.

360 **Hon. Chief Minister:** Mr Speaker, what this Government will always accept, both in respect of our statements and in respect of our actions, is that the judges of what we do and what we do not do are the public, and they determine when we get things right and when we get things wrong. They determined, Mr Speaker, in 1996, that Gibraltar required a change of Government, not because that Government had done nothing, but in the same way that they had determined in 1988 that it was time for a change of Government, and, thank God, Mr Speaker, on 8th December 2011 when they decided that it was once again time for a change of Government.

365 I rely, Mr Speaker, not on *my* judgement or on the hon. Gentleman's, but on the judgement of the people of Gibraltar.

Hon. P R Caruana: Of a minority of the electorate? He relies on the *[inaudible]* of a minority of the electorate.

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Hon. Chief Minister: As the hon. Member did since 2007 – *(Interjection by Hon. P R Caruana)*

Mr Speaker: Order! Order! Order!

375

Does the Hon. Damon Bossino have another supplementary on small boat owners?

Hon. D J Bossino: Mr Speaker... *(Interjection by Hon. Chief Minister)*

Well, no, Mr Speaker – I will follow Mr Speaker's ruling on this matter, but there is a point on which I will be responding to the Chief Minister, perhaps outside this House.

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Mr Speaker: Good idea.

385 **New port building
Details of current works**

Clerk: Question 690, the Hon. D J Bossino.

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Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide details of the works which he has claimed are currently underway in respect of the new port buildings?

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

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Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker. I have never said that works are currently underway in respect of the new port building.

Hon. D J Bossino: Yes, I accept, Mr Speaker, that there may have been a misinterpretation on my part of what the Minister said in his Budget speech. Perhaps he can elucidate. This has relation to...

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If I pose a question by way of a supplementary in a different way, he did say that:

'Work is therefore underway to specify the requirements for a new port building.'

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Again, is he able to clarify or expand on that, of what type of work is currently underway to identify the requirements for a new port building?

Hon. N F Costa: Mr Speaker, the hon. Gentleman is, indeed, correct when he says that he had misunderstood what I had said. What I had said is now what he has read from an excerpt of my Budget speech and the hon. Gentleman is indeed lucky that he is not asking questions from the Hon. Mrs Del Agua, because if it were not in written format and did not relate to the Question, she would never have answered them. But we are different and I shall give you the answer.

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An outline specification has been prepared and submitted by the Captain of the Port. That is now under consideration by technical staff, who will prepare and cost a proper technical design.

415 **Hon. D J Bossino:** I missed the very first words in his reply. Can I indulge him further, and maybe could he repeat those words?

Hon. N F Costa: Yes, I started by saying that an outline specification has been prepared and submitted by the Captain of the Port.

420 **Hon. D J Bossino:** Mr Speaker, I am very grateful for the Minister indulging me on two occasions. Both he and I, I think, are a new breed of politician and, in that sense, if ever I am on the other side of the House, I will treat – and he is on this side of the House, I intend to treat him – likewise.

Mr Speaker, is the Minister aware that there were advanced plans and designs to build a new port building when we were last in office? I can repeat the question.

425 **Hon. N F Costa:** No, I heard it clearly.

Mr Speaker, as with the reply I gave in respect of any plans with the yacht register, I have not been made privy of any plans that may have been work-shopped by the previous administration.

430 **Hon. D J Bossino:** Presumably, the outline plans he referred to in his first reply, Mr Speaker, referred to outline plans designed when the Hon. the Minister took office.

Hon. N F Costa: Yes, Mr Speaker.

435 It may be that those plans, of which I have no knowledge, may have been prepared by either the Captain or another official. These plans to which I refer have been prepared by the current Captain of the Port, who, as he knows, took office, post rather on 27th February of this year.

440 **Workers' hostel**
Berth location

Clerk: Question 691, the Hon. D J Bossino.

445 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port, advise this House where the workers' hostel is to be berthed?

I am conscious, Mr Speaker, that there is another Question on the Order Paper which is being posed by my hon. and learned Friend, Mr Feetham, which is similar. I think *that* Question presupposes the location of the berth.

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

455 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, the current proposal is for the barge housing the workers' hostel to be berthed at the ferry terminal. At this moment in time, the Captain of the Port is reviewing port procedures to ensure a smooth and seamless transition in its operations once the barge arrives.

460 **Hon. D A Feetham:** Yes, Mr Speaker, may I ask the Hon. and learned Minister whether there has been a change of plan in relation to the location of the hostel because, as I understood – hence my question to the Chief Minister – the Chief Minister on a previous occasion, in answers to questions from Mr Netto, there were plans to locate it at Coaling Island and, indeed, I think that the infrastructure – some of the infrastructure – was actually laid. Can he confirm that is the case; and, if it is the case, can he perhaps enlighten this House as to why the change of plan in relation to location?

465 **Chief Minister (Hon. F R Picardo):** Mr Speaker, there is no change of plan, in the sense that plans had not been finalised for the flotel to be located at Coaling Island. Coaling Island is *one* of the potential locations. What has been the subject of analysis is wave action to try and identify where the flotel would be subject to the least possible wave action, which means that the flotel would then move the least possible. There has

certainly been no infrastructure laid to Coaling Island.

470 My understanding of the position is that Coaling Island offered the opportunity of a site, which had an element of wave action, but already had services available there; whilst the ferry terminal also offers the services and has a different sort of wave action. Of course, Mr Speaker, this – as I have said before in the context of the possibility of this flotel – is something which will be very much a temporary provision.

475 The hon. Gentleman will know that, as part of one of the property transactions involving the previous administration, for which we are happy to give credit, the hon. Gentleman, the Chief Minister, agreed to move the Moroccan workers presently at the Buena Vista Hostel out of that facility so that the developer could take over the hostel and produce there some housing scheme. The deadline for achieving that was 30th June – and I believe I have explained this in the House in answers to Mr Netto. Now not a brick had been laid to establish a new workers' hostel by that time. I know that the hon. Members had one site in question that then, I think, was affected by the 'modern curse', if I might call it that, of rights to light, which restricted some of the building pattern that could go on on that site – I am talking about the 'Readymix' site. I do not know whether that is something that the hon. Gentleman recognised, but that that may have been, or perhaps some other reason, why the development of a new hostel was delayed.

480 So the Government, therefore, finds itself in the situation where it has to hand over possession of the Buena Vista block – *vacant* possession, of course – and has to put these Moroccan workers – I think they are all Moroccan workers, but there may be one or two who are not Moroccan workers – in an alternative site.

485 Absent the new hostel, a temporary location has to be found. Gibraltar being Gibraltar, it is almost impossible to find another location: therefore, this is potentially the only temporary way whilst a hostel is developed in the shortest period of time. The essential thing – and this is where I think the question from the hon. Member, Mr Netto, came from – is we all agree. We need to ensure that this is as comfortable a temporary solution as possible. Hence, the analysis of different areas where the flotel hostel could be located so that there is the least wave action possible – and the ferry terminal is one that the Captain of the Port identified. I am happy to tell the hon. Members what the other sites we considered were.

490 One of them is the extension jetty, where there is not much wave action, but the state of the extension jetty is such that it is difficult to see whether it could hold for the period necessary. And, of course, the security issues at the port would mean that access for workers... not all of whom have security clearance. Some of them do, because they work for the MOD and some of them work in the port, but they would all have to have security clearance to access the flotel through the extension jetty, so that created other issues. This potential site, as a temporary site, creates a potential area where the flotel would be subject to the least possible wave action and which has the services. Hence the need to explore all of these potential sites.

500 The other alternative would be, for example, in the south-western corner of the area of Gibdock, which would involve having to agree with Gibdock a location there.

505 Buena Vista is quite a way out for gentlemen who, principally, do not have their own means of transport and walk or take the bus, and this would be further out than the ferry terminal and would require an arrangement with Gibdock, which would take up some of their valuable berthing space which they commercialise. Hence the analysis by those who understand wave actions etc, etc, of the different potential sites for the flotel.

Hon. D A Feetham: Yes, so effectively, the decision has been based on wave action.

510 The last time that we touched upon this particular issue, he only mentioned Coaling Island. He did not mention any of the other sites – but have there also been any representations from people operating in the Coaling Island vicinity as to the siting of the hostel in that area and did that play an additional part in the decision as to not locating it there and locating it in the port area, or was it just simply this question of wave action and there being a potential problem with this site in relation to wave action?

515 **Hon. Chief Minister:** There is nobody operating the area of Coaling Island whose representations would, I think, have been relevant to this.

520 The hon. Gentleman will know that the people there are the Royal Gibraltar Yacht Club, whose representations in this respect have not been received – they have not made any objection. The Community Mental Health and the Camber Boat Owners... At present there is a Steel Mac vessel there which has some pollution emergency and fire emergency material there which was allocated to them by the previous administration, and other operators, most of whom, as I understand it, are awaiting the finalisation, if that is possible, of the Western Beach reclamation so that they can be relocated there.

None of those, as far as I know, have made any representations to any part of the Government in order to influence this and the hon. Gentleman should take it as read that the issue here is the wave action –

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Hon. D A Feetham: That is what I asked.

Hon. Chief Minister: – and the importance here is that it is impossible to *anchor* a flotel because... I mean you anchor it, but you cannot anchor it and... I mean a flotel does not become a reclamation. It is still a vessel and subject, potentially, to some element of movement and therefore wave action is relevant and because we, I hope, all agree – and no doubt all agree – need to make this as comfortable a process as possible for those who will inhabit that flotel.

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Insofar as possible, it should not move, and therefore wave action is the relevant point, and the people who know more about that are the people in the ports, rather than the Ministers.

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Clerk: Question 6...

Mr Speaker: The Hon. Jaime Netto.

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Hon. J J Netto: Mr Speaker, I would just like to ask the Hon. Minister – perhaps he may even have given information whilst I was outside the Chamber – but does he have a target date when he thinks that this particular hotel, workers' hostel, is going to be berthed in the ferry terminal? Is there a date available, or approximate date?

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Hon. Chief Minister: Mr Speaker, this matter is not being handled by the hon. Gentleman and that is why I am getting up to respond. It is being handled by me, although because he is the Minister for the port, where it is berthed, will be relevant to him.

Mr Speaker, the flotel is still being prepared to come to Gibraltar. It is not yet, as far as I understand it, *en route*. We are not in control of that process because we have no commitment in respect of the flotel until it arrives in Gibraltar, but we are seeking that it should arrive as soon as possible because of the Government's contractual commitment, which I have just alluded to in respect of the handing over the stone block, and because – I think the hon. Member may not want to agree with me – but the conditions of the stone block are really pretty awful.

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I have been there on two occasions since I was elected and it is not a place where people would want to be living, even if all they are doing is putting their head down for the night whilst they are working. People, essentially, finish work at five or thereafter and spend a lot of their day there during the week when they are not with their relatives at the weekend and it is a pretty awful place to have to live. It is pretty embarrassing that we are putting people in that place and, therefore, the flotel, Mr Speaker, actually, will be a much better accommodation and, hopefully, a stepping stone to even better accommodation when the modern facility is developed.

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So the answer is, Mr Speaker, the Government is doing everything possible to bring about the arrival of the flotel and its availability for use as soon as possible. I am not going to be able to give him a date today, but we are working on having a date available.

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Hon. J J Netto: I am obliged, Mr Speaker, but could I also ask the Chief Minister – given that he is handling this particular item – what is the room capacity of the hotel?

Hon. Chief Minister: Mr Speaker, I cannot tell him the exact room capacity because although it is about... I think it is 230 rooms as presently configured. That configuration is part of what may change, depending on what availability or what requirement for rooms we have and, of course, this potentially can house people who are not already tenants of the Government at either of the two workers' hostels and the type of configuration of room can change –

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Hon. J J Netto: If the hon. Member would give way, I was not referring to how many workers are residing in the current hostel in Gibraltar. What I was referring to is what room capacity does the ship – if it is going to turn out to be a hotel – what room capacity it has?

575

Hon. Chief Minister: The issue, Mr Speaker, is what the configuration of the bedrooms will be when the refurbishment of the facility is finalised.

580 Per individual, it could take up to approximately 550 people, doubling up in bedrooms. It could take approximately half if you were to stick one to a bedroom. It could take more if you were to restructure the bedrooms.

585 We are not talking about a facility that has brick walls, of course. These are moveable walls, in the sense that you can refurbish the facility and we are talking to the two Moroccan Workers' Associations about this potential and, therefore, I do not want to be committed to what it is that they can offer because we are trying to *maximise* what they can offer, subject to what it is that they want each room to provide for, and he will have the same feedback that I have. Some people are happy to have a partner in a room – they are quite happy to share a room and have two beds in the room. Some people would prefer to have a single room, but they do not need it to be as big as the rooms that have two beds in them.

590 So that is why we are playing around with the configuration, in order to assist in providing the type of configuration that the workers, the relevant workers, want.

Hon. J J Netto: But in order to determine the configuration, then, is the Government conducting some sort of a survey of the Moroccan workers at the moment as to whether they prefer living with another person or not, so that that information can then be placed to any changes in the refurbishment works?

Hon. Chief Minister: Yes, Mr Speaker, through the Moroccan Community Association, in particular, who are giving us the feedback of how many would prefer what type of room, that is the sort of work that is going on at the moment.

600 I do not think this is hugely difficult, by the way, and therefore it should be fairly easy to ensure that everybody can be accommodated more or less as they wish.

Hon. D J Bossino: Mr Speaker, as the drafter of the original Question, given that we are homing in on some of the detail – and I do appreciate, Mr Speaker, that we have digressed somewhat from the original question – but I do pick up on one point that the Chief Minister made in response to one of the questions from my hon. colleagues, which is that the vessel is, in fact, not on its way to Gibraltar.

605 That is not quite what the *Chronicle*... it was not a Government press statement, I think it was a *Chronicle* report said recently, in that particular newspaper... but it also reports that the vessel – just so I can visualise what it is that is going to end up at the ferry terminal – is the *Bibby Kalmar*, which is the sister vessel to the *Bibby Altona*, which is the one which was pictured in the press report I have just referred to. Is it that vessel? Does the Chief Minister know that?

Hon. Chief Minister: Yes, Mr Speaker, it is that vessel and, of course, Mr Speaker, we are not responsible for what the *Chronicle* publishes. (*Interjection*)

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**Gibraltar Bus Company
Appointment of director/manager**

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Clerk: Question 692, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port advise this House whether the post of director/manager of the Gibraltar Bus Company Limited has been filled?

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

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, yes, sir. The post was opened internally on 2nd May 2012, with a closing date of 11th May. Three applications were received in total.

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As a result of the recommendations of the interview board, it was decided to divide the position of general manager into two posts: one manager to be responsible for operations and another for administration. The

posts were filled from the internal applicants.

635 The advertised post for general manager carried a salary of £45,000. The salary attributable to the new general managers was calculated taking the difference between *their* salary and the advertised pay and splitting *this* difference in half amongst both employees. Gibraltar Bus Company, therefore, now has two specialised managers for the price of one.

640 **Hon. D J Bossino:** Mr Speaker, can I ask the Minister what, in fact, the salary is, because I know he has given me the basis of the equation and the calculation which was carried out, but obviously without the base figures I am not able to do the calculation myself? So I would be grateful if he could give me that information.

Hon. N F Costa: Yes, of course. The basic wages are £35,000.

645 **Hon. D J Bossino:** I see. They are each getting £35,000, as opposed to what?

Hon. N F Costa: As a result of –

650 **Hon. D J Bossino:** As a result of that calculation. So, if my maths is correct, it is a £70,000 expenditure for the Bus Company in respect of both positions.

Hon. N F Costa: Well, remember that these are already *existing* posts. He has not brought anyone else in from the outside. (*Interjection*) Yes.

655 **Clerk:** Question –

Hon. D J Bossino: I am grateful.

660 Mr Speaker, he says that the applicants were three employees working within the Bus Company. Is he able to tell this House which positions the successful applicants held *prior* to the positions being filled?

Hon. N F Costa: Mr Speaker, I do not have that information in front of me. I don't think... Perhaps if the hon. Gentleman were to indulge me for just one second to see whether I do have it.

665 Yes, one of the successful applicants was an office administrator and the other person was originally employed as a bus driver, although I am quite sure that by the time he was successful he was a chargehand, but that is not in the information in front, that is working from memory.

Hon. D J Bossino: Mr Speaker, I am somewhat surprised by the answer because from the position of – I think... is it office 'chargehand' did he say?

670 **Hon. N F Costa:** Chargehand.

Hon. D J Bossino: – Chargehand, and the other successful applicant was a bus driver, (*Interjection*) to the dizzy heights... oh, that –

675 **Hon. N F Costa:** Sorry, Mr Speaker, if the hon. Gentleman will just give way for a second? The second successful applicant was *originally* a bus driver; but, as I said, from memory, I am quite sure that by the time he interviewed for this post he was already a chargehand. He was no longer working as a driver.

680 **Hon. D J Bossino:** For the purpose of clarification, and the other applicant?

Hon. N F Costa: Office administrator.

685 **Hon. D J Bossino:** Office Administrator. Mr Speaker, is the Minister satisfied – given that he has political responsibility for that particular company – that the successful applicants have the requisite experience and knowledge to run a company of this nature?

Hon. N F Costa: Well, Mr Speaker, I remind the hon. Gentleman that the two persons that were originally

recruited by the GSD were police officers that went over to a bus company. I am not entirely sure what experience exactly *they* had of running a bus company.

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Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): None at all!

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Hon. N F Costa: In the second place, Mr Speaker, these are people who have been working within the company since 2004. Therefore, they have two employees who may well have been at the middle (*Interjection by Hon. G H Licudi: You do not have to justify*) – no, no – who may have been... well, at the middle rung, but they had been employees of the company since 2004, and the most important point, Mr Speaker, is that he must bear in mind that I simply accept the recommendations made to me by the interview board and those are the people who were recommended to me by (*Laughter*) – I do not know why the Hon. the Leader of the Opposition laughs at this. I actually accept the recommendations of the board. I have it here in writing, and it says that two of the candidates were found suitable and therefore recommended them to me. (*Interjections*)

700

Sir, and may I say that it gives me particular pride to be able to say that people who start at any particular rung of any company should be able to go to the very top. That, I believe, sir, is fair enough (*Interjection*) and we find it much (*Interjections*) And we find it (*Interjections*)

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Mr Speaker: Order! Order! The Hon. Minister is answering.

710

Hon. N F Costa: And we find it much preferable to having people who have started at a lower rung coming *up* that particular rung, rather than parachuting pensioners, who already have a pension, dropped into as political appointments with no notification of vacancy! (*Applause*)

715

Hon. D J Bossino: Clearly, once again, each time I ask questions on the Gibraltar Bus Company it seems to ruffle some feathers, and the Minister of Justice ought to calm down (*Laughter*) and allow the Minister for Transport to answer the questions that I am posing from him. (*Interjections*)

Mr Speaker: Order! Order! (*Interjections*)

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Hon. G H Licudi: It is totally inappropriate for the hon. Member to give instructions to me to calm down or otherwise. He is here to ask questions. We are here to answer.

What is also totally inappropriate is that the hon. Members should appear to find it totally objectionable that somebody who starts as a bus driver ends up as a manager. (**A Member:** Hear, hear.) (*Interjections*) Good on that person! (**Members:** Hear, hear.) (*Applause*)

725

Mr Speaker: Order! Order!

It is not entirely out of order for a Member, in posing his question or addressing this House, to refer to another Member, as the Hon. Damon Bossino has done. Perhaps the Minister for Justice should not be so sensitive. (*Interjections*)

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Hon. P R Caruana: With respect, Mr Speaker, the thrust of the questions are –

Mr Speaker: I think we will close that subject.
Is there a Point of Order there?

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Hon. P R Caruana: Well, Mr Speaker, it is not a Point of Order, we do not want to close the subject, we would rather hold the Government to account.

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Mr Speaker, does the hon. Member not accept that the question is not whether a person is free to rise from relatively humble occupations to much higher offices – we have seen how easy that is do-able – but how quickly, and in how many simple steps they arrive at that office? So it is not a question of whether he was once a bus driver, and he now isn't. The question is how long ago was he a bus driver and how long has it taken him to go from bus driver, through chargehand, to the position to which he has now been promoted? Would the hon. Member care to identify the individuals in question?

Hon. N F Costa: Mr Speaker.

745 **Mr Speaker:** Before the hon. Member answers, when I said we will close the subject, I was referring to the subject of the Hon. Minister for Justice's intervention. (*Interjections*) Well, I appreciate that, but the Hon. Damon Bossino was in the middle of his question and I imagine he has no objection to giving way to his (*Interjection*) –

750 **A Member:** Supreme –

Mr Speaker: Well, in that case –

755 **Hon. G H Licudi:** Supreme leader!

Mr Speaker: – I call on the Hon. Minister.

760 **Hon. N F Costa:** Mr Speaker, no. I cannot agree with the hon. Gentleman because he prefaced his question by saying that he finds it astonishing that a bus driver should have elevated himself to the position of general manager. (*Interjection by Hon. P R Caruana*) No, you did not, but your hon. colleague did. So, therefore, I cannot accept the premise of his question.

765 This gentleman has been, as I said... and perhaps if he had been listening to me, Mr Speaker, he would have heard me say in my reply to the supplementary that he was there, this gentleman has been there since 2004. (*Interjection*) So from 2004 to 2012 he has been working as a bus driver and, subsequently, as I said from recollection, as a chargehand.

770 Mr Speaker, the point I want to make is as follows. In our view, it makes perfect sense that people who start at any particular lower rung of a company should go all the way up to general manager's position and is infinitely better than parachuting people who are retired and have absolutely no experience of running a bus company, with no notification of vacancy and contrary against the Employment Regulations of 1994. (**A Member:** Hear, hear.) (*Applause*)

Hon. P R Caruana: Yes, Mr Speaker, of course.

775 Would the hon. Member accept that it is perfectly possible for somebody to rise from the ranks of bus drivers – not that that is such an unworthy occupation, but still they seem to be determined to play it down – to the ranks to which he has now raised? That is not the issue.

Mr Speaker, there are people who have risen from much lowlier jobs than that to much loftier posts than the ones we are now discussing. That is not the issue. The issue is how quickly is it *reasonable* for somebody to have risen from bus driver to the position being discussed in just eight years –

780 **A Member:** Eight years.

Hon. P R Caruana: – coming from nowhere. Coming from nowhere.

785 Will the hon. Member identify who these people are so that we can be absolutely clear that there is *no basis* for that rapid ascension, other than the absolute merit and qualification of the individual to run the bus company?

790 **Chief Minister (Hon. F R Picardo):** Yes, Mr Speaker, of course it is appropriate for people to rise from bus driver, or any other post, to higher office. Mr Speaker, of course it is, and that is what we on this side of the House are all for: equal opportunities, Mr Speaker.

Mr Speaker, I am delighted to say that I started as a messenger in a well-known local law firm and I have ended up as Chief Minister. But there are people sitting around this table who, on 7th December, were taxi drivers, and on the 9th were Government Ministers.

795 Mr Speaker (*Interjection*) the issue is not to analyse the career path of an individual, but that the hon. Gentleman should be saying to us, 'Well done for accepting the recommendations of a board,' because what the hon. Gentleman is impugning, Mr Speaker, is the recommendations of the board in question. Not the decisions of the Minister but the recommendations of the board – perhaps, Mr Speaker, because he does not understand that that is how modern Government works. Usually it is – in his day – finding somebody who is

properly qualified, 'You are appointed because I like you,' or because of some other unknown reason.

800 Mr Speaker, in that context, we will not descend to bandying about this House the names of individuals, but if he wishes to, given that he knows who they are, he should feel free to bandy their names about. All I say, Mr Speaker, is that I am very proud of the Minister responsible who accepts the recommendations of the board, acts in accordance with the recommendations of the board and does not appoint people *a dedo*, (A Member: Hear, hear.) as used to be the case before 8th December. (*Applause*)

805 **Hon. P R Caruana:** Mr Speaker, the hon. Member surely must acknowledge that when the hon. Members elevate rapidly to these posts, people who are well-known and well-documented activists –

Hon. Chief Minister: A Point of Order, Mr Speaker. On a Point of Order, Mr Speaker. (*Interjection*)
On a Point of Order, Mr Speaker.

810 The hon. Gentleman has been told *repeatedly* – and if he wants to challenge it, he should challenge it, Mr Speaker, but he should not try and do so *cowardly* from behind – that the Hon. Minister has not elevated *anyone*. A board was established and the board made recommendations and the Minister accepted the recommendations of the board, Mr Speaker. If he wants to impugn the board, he should do so; but the Point of Order is clear, Mr Speaker: he cannot say that the Minister has 'elevated' people if all he has done is subject himself to the recommendations of the board.

815 **Hon. P R Caruana:** This is the same board that immediately after the Election recommended the company to collapse its case against Mr Sardeña – presumably, the same board.
820 Look, Mr Speaker, the hon. Member (*Interjections*) –

Mr Speaker: Order! Order!

Hon. N F Costa: Mr Speaker, on a Point of Order, I have to challenge the hon. Gentleman –

825 **Mr Speaker:** Order! (*Interjections*) Order, Order.

I know what the problem is. Perhaps the Hon. Leader of the Opposition would proceed with his question, but in two parts. One is, is he asking whether it is the same board that advised the Minister to discontinue the case or whatever it is... because I think that is a preface to the next question.

830 **Hon. P R Caruana:** Mr Speaker, my question is this: does the hon. Member not understand that he strains the patience and credibility, he strains the patience of the electorate in Gibraltar and his own credibility if he is expecting people in Gibraltar – because I do not accept – that all the people who have suddenly, post-9th December, with no political allegiances, arrived in positions into which they have arrived, that that is all the coincidental result of *independent, independently* selected, *independently* adjudicating boards. If *that* is what he is asking this side of the House to accept, know there, opposite, that we do not accept any such fairytale!

835 **Hon. Chief Minister:** Mr Speaker, we note that the Hon. the Leader of the Opposition impugns the boards that have made the appointments (*Interjection by Hon. P R Caruana*) to which he refers... Mr Speaker, he needs to *shut up* and listen!

840 **Mr Speaker:** Order. Order. Order. (*Interjections*)

845 **Hon. Chief Minister:** That the Hon. the Leader of the Opposition impugns the integrity of the Boards that have made the appointments that he challenges, *most* of which have been made by Boards established by the Public Services Commission of Gibraltar. Let *that* test the patience of the electorate, Mr Speaker, and let the electorate look back to what happened before 8th December 2011.

850 Let the electorate look back at all the appointments that were made on the whim and the fancy of the occupant then of No. 6 Convent Place. Let the electorate have its patience tested by all the information to be put into the public domain that reflects all of this, Mr Speaker, and then let this Government always act, Mr Speaker, in keeping with recommendations of properly established independent boards, whose credibility *we* do not believe is impugnable.

855 **Hon. P R Caruana:** Will the hon. Member answer my question? Does he accept that these appointees, whoever he claims they were appointed by and by whatever process he claims they were appointed, Mr Speaker, which he knows we do not accept, will he accept that they are well-known activists of his party? (*Interjections*)

Hon. N F Costa: No. Absolutely not.

860 **Hon. Chief Minister:** Mr Speaker, under this Government (*Interjection*) anyone can apply for any job: activist of the GSD; (*Interjection*) activist of the GSLP; of the Liberal Party; and even old activists of the Labour Party, Mr Speaker. They all stand as much of a chance as an independent board will give them. (*Laughter*) And if he wants, Mr Speaker, that we *draw up a list*, that we draw up a list with the names of GSD
865 activists who have achieved office in any particular post in the past 20 years and of the GSLP activists who have achieved that in the past 20 years, and we look at when it happened, Mr Speaker, he will find that the only person testing the patience of the electorate is he himself.

Mr Speaker, I am going to be too prudent to actually mention in this House the names that he knows I can mention and the relatives of his that he knows I can mention that found themselves elevated to high office without boards to do so, where the only person whose credibility is impugned is his, as the person who
870 appointed them. (*Applause*)

Hon. P R Caruana: The hon. Member is willing to do so. He suggests – he makes statements in this House – as if it is a *fait accompli* that any of the things that he is suggesting I used to do, (*Interjection by Hon. Chief Minister*) I did – and he is welcome to publish as many lists as he wants!

875 I can tell you that, in the 16 years I was in office, I did not elevate *anybody* to any post, (*Interjection*) either on my own decision, nor did I allow anybody or any board that I had contrived for the purpose to elevate somebody to a post to which they are plainly not prepared, on the basis of their party card carrying allegiance. (*Interjections*)

880 **Mr Speaker:** Order! Order! Order! (*Interjections*)
There was no question over there to the...

Hon. Chief Minister: No, Mr Speaker, but the hon. Gentleman knows that what he is saying is just not true. He will know, Mr Speaker. He will know what I found on the day that I arrived at No. 6 Convent Place. He will know who was in what post and how many of them had been put there by a board or by him. And he will know, Mr Speaker, who they were and who they supported; and he will know, Mr Speaker, that they have all been treated fairly, despite that.

890 So, Mr Speaker, everything that he has said is not just refuted by this administration; *it is not true*. And the public knows, Mr Speaker. He is trying to climb Everest without oxygen if he wants people to believe that under *his* administration, everybody got a fair crack of the whip, as they do now, because under him, Mr Speaker, it mattered more who you were and who you supported than what you could do.

Today, Mr Speaker, all that matters is what an independent panel assesses you are able to do and recommends to Ministers. That is the way that Western democracies should work – not as we were working, Mr Speaker, before 8th December 2011.

895 The dark days of appointments at the whim of the man at 6 Convent Place are *over*.

A Member: Hear, hear. (*Applause*)

900 **Hon. P R Caruana:** Mr Speaker, just for the record, let me tell the hon. Member that I do believe exactly what he says is not the case – in other words, it was in the days of the GSD that everybody had a fair crack of the whip and it is in the days... it is since 9th December that known GSD supporters are shunted about and that known GSLP supporters are suddenly elevated and parachuted into offices, including ministerial offices. That is what I am saying. I am telling him that he is *saying* one thing and *doing* the opposite, (*Applause*) as is typical of his political style. (*Applause*) That was what I am saying to him.

905 It is the position of the Opposition that he says the right things to persuade people that he is the paragon of Western democratic virtue, whilst *actually* permitting his Government and his Ministers to do the opposite. That is what I am saying to the hon. Member, and the evidence out there on the street is *absolutely legion* for

it. It is not just me who is saying or thinking it, Mr Speaker. It is not just me that is saying it or thinking it.

910 The question is that he has not yet answered my question, unless I should interpret the answer to be that, because he thinks that I used to do it, that he is doing it now and he justifies it on the basis that he is doing no different from what I was doing.

915 The question was are these individuals well known activists of the GSLP, to which the answer was ‘If he wants a list of the GSD activists that *he* elevated when he was in office...’ – well, I deny that. But even if he was right, why is he imitating what he regards is the Darth Vader of Western European politics? Why is he imitating me? He should be saying, ‘No, it was the case then and it is no longer the case now, because these people are not this or are not that’.

Hon. Chief Minister: Mr Speaker, the hon. Gentleman’s statements remind one of what the male cow does in the field when nobody is looking. (*Laughter*)

920 Look, how can he say that he was the paragon of Western democratic governments, (*Interjection by Hon. P R Caruana*) when he used to call two meetings of the House in an election year and three in a year when it was not an election, and we come here once a month?

925 How can he say that, Mr Speaker, *in relation to appointments in particular*, when under *his* administration, the individuals that were appointed to different posts – most of them are the most highly paid – were also appointed because of who they supported politically?

Look, Mr Speaker, I know that he wants to make the point as loudly as possible, but ‘the lady doth protest too much’. He is saying it and saying it, because he knows that he is fighting a battle against the truth – the truth that is so self-evident that I do not need to tell the public the names of the individuals in question, because they all know who they are. *Some of them are his closest relatives!*

930 Yet, Mr Speaker, he says: are these two people activists of the GSLP? Mr Speaker, I can give him an assurance that these people are not members of the executive of the GSLP or of the Liberal Party. These individuals, as far as I know, (*Interjection*) are not registered activists of the GSLP (*Interjections*) (**A Member:** Registered!) These individuals, Mr Speaker, may, like so many others in Gibraltar, have realised that the policies we defended at the last election are the ones that are best for Gibraltar. If they have said so, Mr Speaker, they do not in that way exclude themselves from any potential promotion, as the hon. Gentleman suggests that they should – of course, Mr Speaker, now trying to make a virtue that he did not identify at the time that he was at Convent Place appointing relative *x* and mate *y* and friend *w* and *este amiguito* here and there to the best and cushiest jobs in Gibraltar at the expense of the taxpayer. *That*, Mr Speaker, is *over* and it will never come back, Mr Speaker, because people are never going to allow him the opportunity of doing with the money of the taxpayer of Gibraltar that which he did before 8th December – spread it out amongst friends and supporters. That is *definitely over*.

940 If a Minister accepts the recommendations of a properly appointed board, he is doing the right thing, Mr Speaker – not looking at the political colour of the appointee, not starting the process, Mr Speaker, by who is it that applies and who is it that they support.

945 Or is it that he has forgotten, Mr Speaker, how he disqualified people after 1996, simply because of who they might have supported? Because if he thinks, Mr Speaker, that by repeating this poppycock he can get the public to forget, he has got something else coming! (*Applause*)

950 **Hon. P R Caruana:** Well, Mr Speaker, on a Point of Order, and to wrap this debate up, (*Interjection*) it has become fashionable for the hon. Member to say that I spent 15½ years in Government feathering the beds and the nests of – to quote him – ‘many close relatives’. I suppose he is referring to one close relative, Mr Armstrong; but as he has chosen to use the plural, I put it to him that he is now obliged to give me the list of the close relatives, in the plural, that he thinks I have advanced, through my own decision or in whose advancement he believes I have, during the whole of the 15½ years that I was in office, participated, and who are these *amiguitos*, as he calls them, that I have put in these elevated posts without board, without decision, simply on the basis that they were either my friends or my... He either now gives that list or accepts that he is making himself responsible for statements that he knows to be false. I am telling him now, in advance of his answer, that he is not telling the truth, that what he is saying is simply *untrue*.

960 To demonstrate that it is true, he has to give the names – not *threaten* to give the names but not give them, thereby getting the benefit of the political points without actually having to be assessed for truth. He should *state* the list of names that he thinks exists, and which I in advance refute, but let him take responsibility for his statements. Name the people – in other words, put up or shut up, which I understand is an unusually

courageous condition for the hon. Member to live by.

965 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman is foolish enough to think that he is the one who determines when debates are over and how they should be determined.

Hon. P R Caruana: As I raised a Point of Order.

970 **Hon. Chief Minister:** Mr Speaker, he is foolish to think that –

Hon. P R Caruana: I raised a Point of Order.

975 **Hon. Chief Minister:** And I am replying to the Point of Order, Mr Speaker – and he needs to listen whilst I reply.

The hon. Gentleman is foolish enough to think that he decides when a debate is over and when it is not. That, Mr Speaker, is not a valid Point of Order. It is a political point, Mr Speaker.

980 **Hon. P R Caruana:** That has not been ruled.

985 **Hon. Chief Minister:** It is a political point, Mr Speaker, to which I will answer politically as follows. Look, I am happy to give him the list. He knows what the list is but, as he prompts me so much, Mr Speaker, I am delighted to take him through it if he likes. Mr Speaker, he should look at the list of all his brothers-in-law and all the advantages that *they* obtained whilst he was in office for 15½ years – *all* of his brothers-in-law, Mr Speaker. He should have an opportunity to analyse exactly all the advantages that they took and then he should look, Mr Speaker, at some of the advantages that some of his Ministers took, whilst he was in office and some of the deals that feathered their nests and then he should look, Mr Speaker, at some of what his party supporters achieved – some of them elevated well beyond offices and some of them given deals, as insurance, I understand, in the last month of the administration, elevating them well beyond where they should be, up a class and a class.

990 I think I have identified them sufficiently, Mr Speaker, and if he wants to look at his friends, he should look at our press release of some weeks ago, showing how we have determined some of the consultancy agreements that were granted outside of European law and how those millions of pounds have flowed outside what we say was the EU procurement procedure. There, Mr Speaker, is the list, and now, with that list... If he wants I can put the names to it. I have already told him who they are and identified them sufficiently for everyone in this Chamber to know who they are, both the people on the opposite benches and the people in the public gallery and the people outside, *then* he can try and defend his *abysmal* record on fairness, the way that he has used taxpayers' money for those around him to have a better deal and, perhaps, Mr Speaker, people will then understand why it is that their nails clawed to try and stay in 6 Convent Place on 9th
1000 December, so that they could continue the abuse.

1005 **Hon. P R Caruana:** Mr Speaker, if *this* is the basis upon which the hon. Member conducts the relations of the Government of Gibraltar with other governments, it is little wonder that he has taken Gibraltar, in a record short period of time, to the crisis in which he is at... Is this the extent of the man's intellectual grasp of the issues beforehand or does he give this bluster approach to all the people that he interlocks with or just us?

1010 I have raised the Point of Order. He has said in this House that *I* have used *my* office to elevate to high offices and to expensive high salaried posts members of my family – several. I have asked him, *twice* already, to state the names. If he *refuses*, then he has made an improper statement, imputing to me improper motives for which he refuses to provide details, Mr Speaker. This is a *flagrant* violation of the responsibility that he has for his behaviour in this House. I have not asked him – we can have a debate about that, too – all the people that he thinks have benefited contractually from Government contracts and all the other corruption and nepotism that he thinks I have been involved in with people that he now entertains in his office and perhaps even has lunch with. I am asking him specifically (*Interjections*) about his statement about my using my office to elevate and promote people to posts on the basis... who are members of my family, to all these high
1015 posts. He either withdraws it, I would have thought, or illustrates it. If he continues to refuse to illustrate the point, then people will know that what I am saying is true, and that is that he is repeatedly not only failing to adhere to the truth but that he is repeatedly making statements which he knows to be untrue.

1020 This is nothing to do with EU tenders; it is nothing to do with Government contracts. We can have that separate debate. We were talking about the promotion of individuals to posts. *That* is the statement that he made and that is the statement to which his answer must relate, Mr Speaker, I would have thought.

1025 **Hon. Chief Minister:** Mr Speaker, I said on a number of occasions both that he had promoted his relatives and his supporters to posts and that he had feathered their nests, and he came back and answered some of that. The *Hansard* will show, Mr Speaker, what I said and what he said. I have told him who those relatives are, Mr Speaker. (*Interjection by Hon. P R Caruana*) I have told him to look amongst the canon of his brothers-in-law. He can do that if he likes, Mr Speaker, and if he wants me to give the exact names, I can give the exact names. I do not think it is appropriate to do that. They have already been properly identified, Mr Speaker.

1030 So the position is very clear. He asked me to put up or shut up, and I put up; and when I put up, Mr Speaker, all he can do is say, 'Ah, but that's not a post, that's a contract – that's feathering their nests in this way, not in this other way.' Mr Speaker, the fact of the matter is that this happened before 8th December, he *knows* it happened before 8th December, and he does not know how to get himself off the hook. He has got to stop wriggling, Mr Speaker. I do not know whether he is just jealous of the fact that some people who used to do business with him continue to do business with this Government, because I do not tend to have lunch with people other than people who are doing business with the Government because I try and use every possible minute for the purposes of making the Government's programme advance, but I do not think that is at all relevant to this. The issue has, I think, been very clear and ventilated clearly. When he goes back, Mr Speaker, and he looks at *Hansard*, he will understand that he got it wrong.

1040 **Mr Speaker:** I think I must... I should rule on this.

1045 **Hon. P R Caruana:** No, Mr Speaker, what will be clear from his answer is that he is compounding his sin. Far from *me* wriggling, Mr Speaker, it is clear that the only one wriggling here is *him*. How can it be called wriggling to ask for particulars of serious insinuations which can only be believed if they are particularised? So now people believe that all my brothers-in-law – plural, because I have one, two, three, four brothers-in-law on my side... Who is he talking about? So I suppose now the record stands *me* wriggling and him being as *clear* as daylight (*Laughter*) by suggesting that he has sufficiently explained to me who are all these family members that I have feathered the nests of by promoting them to some of the most highly paid jobs in Government by telling me to, quote: 'Look at all your brothers-in-law.'

1050 Well, Mr Speaker, as far as I am aware, I only have one brother-in-law who works in the Government or has *ever* worked in the Government, so the only one who is wriggling, the only one who is being his usual self, the only one who is showing in this House today why Gibraltar's affairs, particularly international affairs, are in the mess that they are, is *him*, Mr Speaker. He has made a very serious allegation against me in this House, which I tell him is untrue, and if it were not because of the Rules of Parliament preventing me, I would tell him that he is a liar, and when I ask him to do the right thing and tell me, so that people can gauge for themselves whether his allegations are right and fair or not, as I say they are not, he refuses to tell me who are the names of these members of my family that I have appointed to high posts.

1055 Mr Speaker, I would just invite you to consider what the ruling might be if a Member of *this* side of the House made a similar allegation about a Member on *that* side of the House. Indeed, we have had much less serious allegations of that sort since 9th December and Mr Speaker knows the position he has taken.

1060 **Mr Speaker:** I would like to rule on this matter, if I may.

1065 **Hon. Chief Minister:** If I may just reply, because the hon. Gentleman has said a number of things.

Mr Speaker: A very brief reply because I think we have gone over the ground several times now.

1070 **Hon. Chief Minister:** Yes, indeed, Mr Speaker. The hon. Gentleman needs to go back to *Hansard* because he will see exactly what I said about which brothers-in-law and other things. He needs to go back to *Hansard* because I think he has got a little bit upset, he has got a little bit nervous and he is forgetting. Perhaps it is the post-Government, post-office dementia setting in. He needs to analyse what was said and then he will understand who I am talking about and what I

am saying about each of them.

1075 The hon. Gentleman has said that this explains why the affairs of Gibraltar are in such a mess internationally. Mr Speaker, that analysis is his own and it is self serving, and of course he would want to say that. The international affairs of Gibraltar have only been in a mess in 2002, when we had a Chief Minister who said to a Minister for Europe that he might consider an Andorra-style solution for Gibraltar, (*Interjection*) which he said did not mean joint sovereignty but the Minister obviously interpreted that and launched the joint sovereignty proposals. (*Interjections*)

1080 The international affairs of Gibraltar have only been in a mess – (*Interjections*)

Mr Speaker: Order! Order! Order!

1085 There was reference by the Hon. Leader of the Opposition to the conduct by the Government of its foreign affairs.

Hon. P R Caruana: It was in answer to my –

1090 **Hon. Chief Minister:** So, Mr Speaker, the international affairs of Gibraltar have only been in a mess in 2002 and since then when we had a Chief Minister who was saying to UK Ministers that he would consider Andorra-style solutions, and in particular, Mr Speaker, in December 2010 when that same Chief Minister went to Seville and said there that he might ‘Um, ah, um, maybe one day, ah, um, um, maybe’ consider recommending ‘perhaps one day, maybe,’ an Andorra-style solution to the people of Gibraltar in a referendum.

1095 *That*, Mr Speaker, is what rendered the international affairs of Gibraltar a mess and, Mr Speaker, doing agreements with people outside of Gibraltar that they should be able not to respect the laws of Gibraltar but do what they like whilst the laws are applied to the people of Gibraltar in Gibraltar. *That*, Mr Speaker, is a mess –

1100 **Mr Speaker:** Order!

Hon. Chief Minister: – of the highest order that one is left to untangle without having to call upon one’s family in Government to assist or give one’s friends or supporters jobs *a dedo*.

1105 **Mr Speaker:** Okay, I think I really must rule on this matter now. What started off as a fairly narrow Question as to the suitability of circumstances in which managers of the bus company were appointed has now digressed considerably into conduct of both the present and the previous administrations’ appointments of individuals, purportedly supporters, activists, and then it has gone on to family members and friends. We have digressed way beyond the Question.

1110 It is not proper in the course of parliamentary Questions and answers to bring in, drag into the proceedings of the House individuals who have no say in the conduct of either Government business or Opposition business, or indeed any other business. These are matters which should properly be aired in a motion brought before the House, where both sides know exactly what is to be debated and both sides can come armed with whatever information and evidence they see fit.

1115 The Hon. Leader of the Opposition mentioned one particular individual who I think, Gibraltar being what it is, we all know is a member of his family, and he asked, invited or challenged the Chief Minister to name the other members of his family who are alleged to have benefited from *his* largesse.

Hon. P R Caruana: No! We are talking about appointments, jobs.

1120 **Mr Speaker:** Well, I am paraphrasing, alright? Appointed to specific jobs.

A Member: [*Inaudible*].

1125 **Mr Speaker:** The hon. the Chief Minister responded by referring to the relationship, namely brothers-in-law of the Hon. Leader of the Opposition. Again, Gibraltar being what it is, we all know that there are several individuals who fall into that category.

The impression I got was that the allegation related to all or most of them. It would be, obviously,

1130 preferable for the individuals concerned who are said to have benefited – again, I use the word loosely and widely – to have been named, but again that is not a proper... The Question and Answer session is not a proper forum for that naming. That naming –

1135 **Hon. P R Caruana:** Mr Speaker, with the greatest of respect to the Chair, we are not talking about Question and Answer sessions, nor are we talking about largesse or benefit. I raised a Point of Order. *In this House*, a Member has stood and said that another Member, namely me, has abused his power to appoint, not benefit or extend largesse in any general sense. The *exact* words, as *Hansard* will show, are that I elevated individual members of my *close family* to some of the highest paid jobs in Government. That was the allegation, Mr Speaker. It is not true and I am entitled –

1140 **Hon. Chief Minister:** On a Point of Order, Mr Speaker.
That is exactly the point I am taking with him, Mr Speaker, in respect of *Hansard* and he needs to look back and look at *Hansard*.

1145 **Hon. P R Caruana:** Then I suggest that Mr Speaker adjourns his ruling on this until he has had an opportunity to review exactly what the hon. Member said in *Hansard*.

1150 **Hon. Chief Minister:** Mr Speaker, you can do that if you wish. I am not going to object to that. I think it is entirely appropriate that you should rule as you are ruling, and this side of the House (*Interjection by Hon. P R Caruana*) will stand, as usual, Mr Speaker, by the wisdom of your rulings, although we should all be conscious that, unfortunately, Mr Speaker, this is the last time that you are going to be ruling during Question Time.

1155 **Mr Speaker:** Anyway, I will, of course, refresh my memory with the benefit of *Hansard*, but I think I have got a fair grasp of what is being said over here. When I use the word ‘largesse’, fine, I accept I use it in broad terms but, yes, the precise allegation was in terms of appointments made by the then Chief Minister to highest office.

Hon. Chief Minister: With respect, the allegation was appointment by the Chief Minister of relatives, friends and supporters to posts.

1160 **Mr Speaker:** That is correct. That is what I understood it to be –

Hon. Chief Minister: Absolutely. Check the *Hansard*.

1165 **Mr Speaker:** – and although the Leader of the Opposition invited the Chief Minister to name names, the Hon. the Chief Minister referred to the persons who are the subject of that allegation as the ‘brothers-in-law’. As I say, this is not the place. The parties or the persons have been identified without their names having been given. I think it is not proper that names should be bandied about in this House, although we all know in Gibraltar who the class of persons referred to are.

1170 **Hon. P R Caruana:** *All* the brothers-in-law.

Mr Speaker: That is the impression I got.

1175 **Hon. P R Caruana:** And, Mr Speaker, thinks that that is a proper statement to allow a Member of this House to say, is it?

Mr Speaker: No, but – (*Interjection*) Order!

1180 **Hon. Chief Minister:** But, with respect, I would think that ‘supporters and activists’ is a proper term to take, Mr Speaker, because it identifies thousands of individuals.

Hon. P R Caruana: Everybody in this House and listening to the debate in this House knows very well

1185 that what the hon. Member the Chief Minister said was by reference to appointments to jobs, members of my family, and I have said to him the only member of my family I am aware of works is one brother-in-law, who used to be the Assistant Chief Secretary, so who are the other members of the family that I have appointed to posts?

Hon. Chief Minister: Your ruling –

1190 **Hon. P R Caruana:** This is a Point of Order, Mr Speaker.

Mr Speaker: Yes.

1195 **Hon. P R Caruana:** This is not about whether we are in Question Time, whether we are in motion time, or whether we are on our tea break. The question is whether or not, in this House, it is permissible for any Member, even if he is the Chief Minister, whom it *used* to be possible to obtain rulings against... whether it is appropriate for any Member of this House to make *serious* insinuations of that kind, and then, on the basis of some general wrapping up, to be allowed to get away without taking responsibility for those allegations.

1200 **Hon. Chief Minister:** This is just unacceptable, Mr Speaker, the hon. Gentleman, in his intervention now has gone one step further, and I think it is a step too far. He has impugned the Chair. He has impugned the Chair, Mr Speaker, and therefore, not in defence of Haresh K Budhrani QC, but in defence of the Chair, Mr Speaker, I give notice that I will be moving a motion against the hon. Member of no confidence because, Mr Speaker, one of the things that we have to do in this House, if this House is going to work, is that we have to accept the primacy of the Chair and the hon. Member has just said that, before, it was possible to obtain rulings against the Chief Minister, and now it is not, as if the Chair were in some way partial.

1205 Mr Speaker, I invite the hon. Gentleman to withdraw that, or the Government – not in defence of Haresh K Budhrani QC, but in defence of the Chair – will move a motion of no confidence in the hon. Member.

1210 **Hon. P R Caruana:** Mr Speaker, whether the hon. Members opposite have confidence in me or not is a matter about which I am totally indifferent. Since when do Governments have to have confidence in Oppositions?

This is a man who claims to understand the basic workings... (*Interjections*)

1215 **Hon. Chief Minister:** Since –

Mr Speaker: Order!

1220 **A Member:** Mr Speaker, I think he has got his – (*Interjections*)

Hon. Chief Minister: Another Point of Order.

Hon. P R Caruana: Am I not allowed to speak –

1225 **Mr Speaker:** Order!

Hon. Chief Minister: Mr Speaker. (*Interjections*) The hon. Gentleman has taken leave of his senses.

1230 **Mr Speaker:** Order! Order!

Hon. Chief Minister: The hon. Gentleman has taken leave of his senses.

The first Chief Minister to move a motion of no confidence against a Member of the Opposition was *him*, Mr Speaker: he moved one against *me*, Mr Speaker – or is it that he has forgotten that, Mr Speaker? – at the time of the Budget debate last year.

1235 Mr Speaker, in any event, the position is very clear for us. We will accept your ruling, Mr Speaker, on the substantive issue. I know the hon. Gentleman used to do everything possible *not to*, but we will accept your ruling.

1240 **Mr Speaker:** Can I just conclude my ruling? I must say, when the Hon. the Chief Minister indicated he would move a motion of no confidence, I did not in my mind think it was very appropriate. That is not the appropriate motion in here.

Hon. Chief Minister: A motion inviting him to withdraw.

1245 **Mr Speaker:** Well, yes. The motion which the Chief Minister refers to was a different one in nature – *(Interjections)*

I wish to conclude my ruling on this matter. The Leader of the Opposition invited the Chief Minister – challenged the Chief Minister – to name names. The Chief Minister has responded in terms of relationships and he refers, in addition to that, to two other – how do I put it? – entities whose contracts were recently terminated, and this is all public knowledge. That is the response given.

1250 For the purpose of the Question and Answer session in the midst of which we are, that is a sufficient response. It does not have to be individual names, date of birth and place of residence, or whatever it is. The reference to the relationship is sufficient. Whether or not the reference is accurate, the impression I got was all, if not most, of the brothers-in-law, but that is the allegation.

1255 **Hon. P R Caruana:** Oh, I see. So Members do not have to take responsibility for the accuracy of their statements in this House?

Mr Speaker: That is the answer. *(Interjections by Hon. P R Caruana and Hon. Chief Minister)* No, that is the answer.

1260 Order!

That is the answer, and if any Member is aggrieved by the conduct of another Member in this House, we have motions to debate that very point. What we cannot do is debate, in the middle of a Question about two managers of a bus company, the whole conduct of 16 years of Government on this side.

1265 **Hon. Chief Minister:** Mr Speaker –

1270 **Hon. P R Caruana:** But this is why I have made it a point of emphasising repeatedly that this is not in the context of Questions and Answers. This is in the question of a Point of Order, Mr Speaker. Of course I know I can bring a motion because I have the ability to move a motion, but we also have a Chair whose responsibility it is to enforce the Rules of the House. Foremost amongst those Rules – because I have been at the receiving end of rulings of it myself in the last few months – is that it is not appropriate to make statements in this House which impugn the motives or the behaviour of another Member of this House.

1275 Mr Speaker, I cannot think of a more serious impugnation of me than to say that when I held the position of responsibility in this House I abused it to promote and advance the employment interests of unnamed members of my family, and after an hour and a half of debate *and* the Chair's ruling, all we have discovered about the allegation – and people can assess it for what it is or is not – is that it is a reference to all my brothers-in-law.

1280 Mr Speaker, if you think that that is a proper way in which to leave this matter, I bow to your ruling, but I cannot really believe that it is a proper place to leave this.

Mr Speaker: The response has been clearly given that the persons whom the Chief Minister is alleging are the Hon. the Leader of the Opposition's brothers-in-law. That is the response. We may not like it, we may not agree with it, it may not be true, but this is not the place to debate it now. It has to be in a motion.

1285 That is all I am saying, because what we cannot do is halt Questions and Answers, of which we have another hundred-and-odd to go through, to debate this particular point. The challenge was laid down and the answer has been given, namely the Leader of the Opposition's brothers-in-law. That is the answer. He could name the eight or nine or ten individuals, but that would not take the answer any further; it is still the brothers-in-law, so we know who the allegation is about.

1290 If the Hon. the Leader of the Opposition feels that the allegation has been made in an improper manner or is unsubstantiated, or whatever it is, there are motions for that purpose.

Hon. Chief Minister: Mr Speaker, I think that might be an appropriate moment for us to take a break –

Mr Speaker: Already?

1295 **Hon. Chief Minister:** – but I beg to give notice, Mr Speaker, of a motion that the Leader of the Opposition should withdraw his challenge to the rulings of Mr Speaker, and I will put that motion in writing so it can be debated during the course of this meeting, later in the course of our affairs.

But I move, Mr Speaker, that the House do now adjourn until 5.30 in the afternoon.

1300 **Hon. J J Netto:** Mr Speaker, could I just intervene to say that, if we adjourn, we adjourn, and that is the end of the matter?

Hon. Chief Minister: Five thirty.

1305 **Mr Speaker:** No, recessing for a cup of tea.

Hon. Chief Minister: Only for a cup of tea.

1310 **Hon. J J Netto:** When we actually come back, can we continue with this Question because I have got a supplementary question I would like to ask? *(Laughter)*

Hon. Chief Minister: I have got to go, Mr Speaker, for 15 minutes.

1315 **Mr Speaker:** Yes, we will recess for 10 or 15 minutes and then we will come back to the proper Question.

The House adjourned at 5.05 p.m. and resumed it sitting at 5.30 p.m.

1320

**Gibraltar Bus Company
Appointment of director/manager**

1325 **Clerk:** Answers to Questions continue.

Mr Speaker: The Hon. Jaime Netto.

Hon. J J Netto: Thank you, Mr Speaker.

1330 Just going back to the actual original Question as asked by my hon. Friend, Mr Bossino, could I ask the Minister whether he can confirm or deny that one of the persons elevated to the post of director or manager into the Gibraltar Bus Company is Mr Alfred Traverso; and if so, to which post?

1335 **Hon. N F Costa:** Mr Speaker, as I have already said, I accepted the recommendation of an interview board. There was no question of me appointing or elevating anyone in particular. *(Interjection)* Yes, you said –

Hon. J J Netto: No, I didn't.

1340 **Hon. N F Costa:** – the elevation of a particular person to the post, which implies –

Mr Speaker: No, the question was one of the persons elevated. That is referring to the Minister.

1345 **Hon. N F Costa:** That is right, and I simply wish to reiterate the point that I did not elevate anyone or appoint anyone. I simply accepted the recommendation of the board and one of the persons is Alfred Traverso.

Hon. J J Netto: Could the Minister say whether it is to a post of director or manager, or to some other post?

1350 **Hon. N F Costa:** No, in my answer to the original Question, I made clear that the advertised post was one of general manager. The directors are the company directors; the officials within the company are civil servants. They are not hands-on managers like these two gentlemen are.

Hon. J J Netto: So I take it, then, that Mr Traverso is the general manager.

1355 **Hon. N F Costa:** One of the general managers, yes. There are two: one for administration, and one for operations.

Hon. S M Figueras: Mr Traverso was manager for administration?

1360 **Hon. N F Costa:** Yes, Mr Speaker, Mr Traverso was the office administrator since 2004 and he was recommended for the post of general manager for administration.

Mr Speaker: The Hon. Damon Bossino.

1365 **Hon. D J Bossino:** We did ask, from the Opposition benches, for the names of the successful applicants. The Minister has kindly confirmed the name of Mr Traverso and the other –

Hon. N F Costa: Yes, sorry, the second person is Clive Martinez.

1370 **Hon. D J Bossino:** Mr Speaker, can the Minister advise this House who constituted the board which conducted the interviews?

Hon. N F Costa: Yes, of course, Mr Speaker.

1375 The first person was Audrey Vela, Marketing Manager of the GTB; the second person was Peter Cleverly, who is the Chief Examiner; and the third person is Caine Sanchez, PA to the Deputy Chief Minister.

Hon. D J Bossino: Mr Speaker, the Minister has referred to *a* recommendation. Is that the only recommendation received from the board?

1380 **Hon. N F Costa:** Yes. Mr Speaker, as I said in answer either to my original Question or to one of the supplementaries – and I read part of the extract of the recommendation – it said:

‘The board agreed that they could not come to a final outcome to decide on who to recommend for the post of general manager...’

1385 – noting that there was only one advertised post –

‘...as two of the candidates were found suitable.’

1390 **Hon. D J Bossino:** Is he in a position to divulge to this House who the third applicant was?

Hon. N F Costa: Well Mr Speaker, I do not think that would be appropriate, given that the person was not successful and he may not want the whole of Gibraltar to know that he applied and was therefore unsuccessful.

1395 **Hon. D J Bossino:** Can the Minister confirm that, in fact, the third unsuccessful applicant was found unsuitable for the job?

1400 **Hon. N F Costa:** Mr Speaker, once again, I remind the hon. Gentleman that there was one post advertised for general manager. The interview board, according to the recommendation, was that they found two of the three candidates suitable, so it is inherent, I imagine, from that, that they did not find the third person suitable,

but having said that, this is a private individual who I think would be loathe to be mentioned and named in this House, and I think that it is only fair that the hon. Gentleman stopped probing me on an issue which would expose a person who was not suitable by an interview board. I do not think it is fair that the hon. Gentleman should keep probing me on that *particular* point.

1405

Hon. D J Bossino: Mr Speaker, given the move up the ladder as far as Mr Martinez and Mr Traverso are concerned, have the posts which they presumably have left vacant been filled; and if so, by whom?

1410

Hon. N F Costa: Mr Speaker, whereas I do not have the exact dates or the exact positions, from recollection from my last meeting with them, the posts that they have left vacant have now been advertised internally and I would not be able to tell him the exact date but interview boards will be held.

To stress the independence of those boards, I will not at all be taking part in who is nominated etc. I have left it for them, in conjunction with the principal secretary, to arrange.

1415

Hon. D J Bossino: So those positions, as at 19th September, remain vacant – is that the case? Is that understanding correct?

Hon. N F Costa: That is correct. There is currently an acting deputy administrator.

1420

Hon. D J Bossino: Is the Minister able to provide a name?

1425

Hon. N F Costa: Mr Speaker, I think if I may just answer that by saying that I do not feel comfortable providing the names of people in a Government-owned company, for the very simple reason that should these people not be found suitable or successful, they may not want their names being bandied about. If I recall correctly, there is some rule that says that it may not be proper to refer to third parties by names etc. (*Laughter*)

1430

By all means he can ask me in future who the successful applicants were – I would have no problem in telling him that – but to start getting into who applies, who does not apply, I think would be improper and certainly unfair for the people concerned because people may now start to worry that, should they apply for a post, their names are going to be now part of a debate across the floor of this House and I think that people should just be allowed to apply on their own merits and not because of what political debate we may hold here.

1435

Hon. D A Feetham: Mr Speaker, may I ask the Hon. the Minister for Tourism that the next time that perhaps we make a Point of Order he might be the person in fact arguing on behalf of that Point of Order, because he has elucidated quite well and very succinctly the point that my learned friend, the Leader of the Opposition, was making, which is it is quite improper, in fact, to be identifying third parties in this House that have nothing to do with this House: we can identify a person by name or you can identify that person by just referring to a narrow class of people, as the Hon. the Chief Minister made reference earlier.

1440

Can I ask the Hon. the Minister, when he received the recommendation from the board, did it cause him any concern that two of these individuals were GSLP activists, but one of them in particular was the moderator of a well known internet debating group – I think it is 'Llanito Politics' – who was very well known for his anti-GSD views, and indeed *well known* for his rabid, quite personalised comments on Members of these benches, and also well known Members of the GSD?

1445

Hon. Chief Minister: Mr Speaker, can I comment to the hon. Gentleman that before his side of the House makes allegations and rises on points of order, they should look at the *Hansard* and see what has actually been said, because that would have helped them to elucidate the points that they are making.

1450

Finally, Mr Speaker, can I tell the hon. Gentleman that he needs to look back at what it is that we have been debating for the past hour – some of it quite heated – and he will find the answer to his question, which we have answered on a number of occasions.

1455

Hon. D A Feetham: Mr Speaker, with respect to the Hon. the Chief Minister, I have to say I made this point to him before, that he is rapidly turning into what he used to criticise my hon. Friend, the Leader of the Opposition, when he was Chief Minister, for doing. He is answering every single question that we pose to

Ministers of his Government. He seems to be the one standing up and answering them, and it really is quite unhelpful, because all it does is just lead into endless debate that rapidly spirals out of control because of the way that he conducts the debate.

1460 May I ask the Hon. the Minister to answer the question. The question was not posed. The question this time is whether it caused him concern, when he received that recommendation, that this particular individual had that particular background. That is the question.

1465 **Mr Speaker:** I do not think it is up to any Member of the Opposition to pinpoint and decide who answers a question. The question is posed to the Government and the Government can answer the question by whichever Member the Hon. Chief Minister thinks fit.

Hon. D A Feetham: I accept that entirely –

1470 **Mr Speaker:** That is what has happened.

1475 **Hon. D A Feetham:** No, no, I accept that entirely, but the point is different, Mr Speaker. The point that I have made is that the Hon. the Chief Minister used to criticise the Leader of the Opposition, when the Leader of the Opposition used to stand up and answer for somebody else and I am saying ‘You are turning into the very thing that you used to criticise!’

I am not saying that he is not *entitled* to do it. That is not what I am saying. I am making a more subtle political point. I do not think, Mr Speaker, that it is something that is a Point of Order or a transgression of the rules on this –

1480 **Mr Speaker:** Can I, as a non-politician, say that is typical of all politicians: ‘Do as I say, not as I do’.

Hon. Chief Minister: You see, Mr Speaker, Question Time is not for ‘subtle political points’; Question Time is for the elicitation of information from the Government.

1485 The Hon. Mr Feetham can say what he likes. The fact is that we only heard one voice between 1996 and 2011 from these benches, both in the detail of matters that were being dealt with constitutionally by the then Chief Minister and in others. I am very happy, Mr Speaker, to allow my Ministers to answer questions. I trust my Ministers and I trust my officials, Mr Speaker – quite a change from the regime before 8th December 2011.

1490 But when macro-political issues are raised which affect the whole Government, then I am perfectly happy to get up and deal with those issues. I do not think it raises any issue with any of my Ministers.

In respect of the substance of the ‘subtle political point’, I think, that the hon. Gentleman thought he was making – but of course he is as subtle as brick – I refer him to the *Hansard* of answers that have already been given, because re-phrasing a question does not mean that it is an opportunity to ask it over and over again.

1495 **Hon. J J Netto:** Mr Speaker, can I ask a supplementary question?

I think I heard the Minister just now say that the recommendation of the board was that they had selected two names. Can I ask the Minister whether that is the only recommendation they have had from the board or whether there was a previous recommendation?

1500 **Hon. N F Costa:** That was the only recommendation received from the board. (*Interjections*)

Mr Speaker: Next question.

Clerk: Question 693, the Hon. – (*Interjections*)

1505 **Hon. D A Feetham:** Mr Speaker! (*Interjections*)

Mr Speaker: Order! Order! Order!

1510 **Hon. D A Feetham:** Look, I quite understand that the Hon. the Chief Minister... I don’t know, he is new at the job, he really wants to (*Interjections*) make his mark and he has a need to stand up and answer for

everybody else.

1515 As I understand it, the recommendation has not been made to *him*; it has been made to the Minister. If I ask a question of the Minister about what concerns *he* may have had – and it is very specific, easily answered – about a recommendation that has been made to him, he ought to be allowed to answer, otherwise we will all go out of this House thinking ‘Well, he’s got something to hide’, because the Hon. the Chief Minister keeps on standing up and feels the need to protect him from a quite straightforward question. Again, I would invite the Hon. Minister to answer the question.

1520 **Hon. Chief Minister:** Mr Speaker, this is not any longer Question Time; this is the hon. Member with his pickaxe trying to make these subtle political points, right! – ‘Oh, he doesn’t allow that... he’s got something to hide.’

1525 Mr Speaker, the tricks of cross-examination are not to be deployed in Question Time in the House. There is absolutely nothing to hide. It has been ventilated a thousand times, and what I am saying to the hon. Member is stop wasting your time and ours and the listeners’, get onto the next Question, because that question phrased in a thousand other ways has already been answered on a thousand occasions.

1530 If he wants to make political capital of it, let him issue as many press releases as he likes about this issue and how much he wants us to recognise that he was responsible for the courts and all the rest of the things that he likes to take credit for. But in this House at Question Time, Mr Speaker, let us leave those babyish issues aside and let us get on with elucidating information. That is what Question Time is for. They have now got 10 a year. Use it for that. If they want to make ‘subtle political points’, let them issue press releases or bring motions for debate. Let us use Question Time for what it is intended to.

1535 **Mr Speaker:** I think we must move to the next Question, unless we have a supplementary of substance to elicit information which we have not already elicited this afternoon!

**Introduction of new bus service
Details of consultation process**

1540

Clerk: Question 693, the Hon. D J Bossino.

1545 **Hon D J Bossino:** Can the Minister for Tourism, Public Transport and the Port provide details of the consultation process carried out in relation to the introduction of the new bus service to include matters such as when it commenced; the number of representations received; the nature of the representations; the sources of the representations made; and when the process closed?

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

1550

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, the Question implies in the first place that the formal consultation process was initiated, given that the Question asks for the commencement and the closing date of this process.

1555 On taking office, I requested to see any complaints and representations received in writing in respect of the routes, before the changes implemented in August of this year, in order to familiarise myself with a background to any existing problems and issues.

At the same time, I took the opportunity to meet with representative associations and private individuals in respect of their complaints and their suggestions on routes. The hon. Gentleman will, I am sure, be as surprised as I was that the survey conducted by their administration recorded 284 complaints over a five-day period.

1560

In addition, there are 94 written complaints addressed to the previous Minister for Transport. I am informed by officials of the Gibraltar Bus Company that when the changes were introduced on 28th May 2011, there was nothing short of a tidal wave of verbal complaints directed to the drivers, chargehands and inspectors, and it was as a result of this tide of dissatisfaction in respect of the changes of May that the previous administration conducted the previously mentioned survey over the five days.

1565

Given that there were 284 complaints plus the additional 94 written complaints to the previous Minister, it

1570 is impossible to provide the exact details of each of the complaints, because these range from dissatisfaction of route changes, the length of some of the new routes, the insufficiency of buses at peak times and overcrowding being the most frequently repeated complaint, as a result of tourists taking advantage of the free bus service – in our view, when in Opposition, Mr Speaker, a fundamentally flawed, misguided and irresponsible decision. The less charitable minds amongst us, Mr Speaker, will no doubt attribute the introduction of a universally free bus service to the nearing and inevitable election dates.

1575 Since being elected into office, I have received five letters from private individuals making representations, the majority on Route 3 and one in respect of bus shelters. As the hon. Gentleman will no doubt know, from our press release, the complaint in respect of Route 3 has been addressed by reducing waiting times from 25 minutes to 20 minutes. In respect of the bus shelters, one has already been erected at Tank Ramp and a second one is being erected outside Shorthorn Estate.

1580 Since the date of drafting the answer to this Question, the managers of the bus company advise that they have received three written complaints in respect of the new bus routes, one concerning a change to the scheduled time of arrivals no longer being the same as before; another from residents of South Barracks, who would like the Route 4 buses to stop in that location too, and this is now tabled for consideration by the Transport Commission; and, finally, users of Route 3 stating problems with schoolchildren not being able to alight the bus due to overcrowding – although the complaint specifies that this only happened on one morning.

1585 Mr Speaker, I have been in contact as well with the Gibraltar Pensioners' Association, who have made various suggestions. These include adding two new routes which are currently under consideration.

Finally, Mr Speaker, Government consultation by its very nature is a fluid and continuous affair so that, as far as this Government is concerned, consultation will not cease.

1590 **Hon. D J Bossino:** Well, the Minister must forgive me for thinking that he, in fact, had undertaken a formal consultation process; he has now confirmed that that is not the case.

Is he able to give me, in a schedule perhaps, later on outside of this House, the list of private individuals and associations he claims to have met as part of *his* consultation process?

1595 **Hon. N F Costa:** Mr Speaker, I have mentioned one of them, which is the Gibraltar Pensioners' Association. I cannot off the top of my head remember the names of the other representative groups that I have met, but I am happy to call my office at some point and then give him the information, if he wants.

1600 **Hon. D J Bossino:** I would also be grateful for the Minister, so I can analyse his reply further, in relation to the complaints he said that we received under our watch – in terms of the number and the nature of the complaints.

I am happy to pose a further Question at the next sitting of the House, but maybe we can have a discussion.

1605 **Hon. N F Costa:** Yes.

**Gibraltar Bus Company Limited
Drivers employed and dismissed**

1610 **Clerk:** Question 694, the Hon. D J Bossino.

1615 **Hon D J Bossino:** Can the Minister for Tourism, Public Transport and the Port, advise the House how many drivers are employed by the Gibraltar Bus Company Limited; the nationality of the drivers; how many of the drivers have been dismissed since 9th December 2011; and the nationality of the dismissed drivers?

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

1620 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Yes, Mr Speaker. The Gibraltar Bus Company Limited, as at 12th of this month, currently avails itself of 44 drivers, broken

down as follows: 13 Spanish nationals; of which 12 are on indefinite contracts and one on a supply basis; 6 Moroccan nationals on indefinite contracts; 25 British-Gibraltarian nationals, of which 21 are on indefinite contracts, three under the Future Job Strategy scheme and one on a supply basis.

1625 There has been no dismissal of any drivers on indefinite contract since 9th December. One employee was dismissed and started proceedings for unfair dismissal and, following the reconciliation services of the ETB, was subsequently reinstated.

Gibraltar Bus Company Limited terminated the services of seven supply workers. Five were Spanish, two British-Gibraltarian, as a result of the implementation of the new routes introduced in August of this year.

1630

**Gibraltar Bus Company Limited
Eco-friendly buses**

1635 **Clerk:** Question 695, the Hon. D J Bossino.

Hon D J Bossino: Can the Minister for Tourism, Public Transport and the Port provide this House with details of the cost, precise number, make and place of manufacture of the eco-friendly buses which are in the process of being acquired by the Gibraltar Bus Company Limited?

1640

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

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, in the first instance, may I draw attention to my reply to the hon. Gentleman's Question 596 of this year.

1645

Mr Speaker, the tender for the supply of eco-friendly buses has still not been completed. As such, I am unable to provide the House with the information the hon. Gentleman requests.

For his information, however, let me tell him that there are nine companies currently participating in the process. The first stage submission of documents took place on Friday, 14th September. From a quick look, four of those companies are local.

1650

After a period of consideration, selected tenderers have to be given an EU imposed minimum 40 days in which to price their requirements as part of the second stage. Given the variety of vehicles currently on the market and the varying costs associated with the different types of vehicles, in addition to the related services required, it is not possible to provide accurate costs. These will have to be calculated once price tenders are submitted.

1655

Companies applying as a primary contractor have been allowed to nominate up to three partners, in order to improve the chances of getting good-quality environmentally-friendly buses which meet the demands of the public and routes alike, and of course I should have added here which are compliant with EU directives.

Similarly, the precise number of buses is not known at this stage, as this will be evaluated pending the results of performance tests to be carried out as part of the tender process. However, all interested companies have been informed that 18 to 20 buses will be purchased over the next three-and-a-half years.

1660

Hon. D J Bossino: I did check the reply which the Minister referred me to in his current reply, and from my understanding of the position can I ask him this: presumably we are still not at the stage where there is a successful and – I use his words – pre-qualification tenderer?

1665

Hon. N F Costa: That is right.

Hon. D J Bossino: So at the moment, it is all in the air as far as the nine applicants are concerned.

1670

Hon. N F Costa: Mr Speaker, the position is correct to say that it is not in there; it is part of an ongoing process, yes.

1675

**Airline business development
Consultation services**

1680 **Clerk:** Question 696, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism, Public Transport and the Port advise who or which company provides consultation services to the Government in respect of airline business development in Gibraltar and can he provide this House with the full particulars of the nature of the services that are provided?

1685

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

Minister for Tourism, Public Transport and the Port (Hon. N F Costa): Mr Speaker, although this information is already available on the Government website, I can confirm that Mr Stuart Finlayson provides consultation to the Government in respect of airline business development.

1690

Mr Finlayson has been engaged on a six-month contract at a cost of £13,750 for the six months. Mr Finlayson is tasked with assisting the Gibraltar Tourist Board with its critically important route development work by maintaining constant contact with the airlines currently operating to Gibraltar and also attracting new operators to the Rock.

1695

Hon. D J Bossino: Is Mr Finlayson – using his categorisation in response to one of my previous Questions – a British Gibraltarian?

Hon. N F Costa: I have his CV before me. I do not believe it states his nationality. I do believe he is a British Gibraltarian. I would have to ask him that personally when I see him next on my weekly meeting, but I do believe he is.

1700

Let me say also, Mr Speaker, that we believe we have found very good value for money in this contract as this gentleman's CV does speak for itself and he is already proving to be quite an asset to the Tourist Board in respect of its consulting services.

1705

Hon. D J Bossino: Mr Speaker, can he advise when Mr Finlayson took post, if he has not replied to that already?

Hon. N F Costa: No, Mr Speaker, I have not provided that information. He took post on 1st July, and of course the contract, being of a six-month term, will expire, if not renewed, on 31st December of this year.

1710

Hon. D J Bossino: Mr Speaker, was that position advertised?

Hon. N F Costa: No, Mr Speaker, put simply, this gentleman requested to see me. He made a presentation to me and the Chief Executive of the Tourist Board. We were exceedingly impressed by the information he had with him in terms of passenger routes, passenger number analyses, the throughput from Gibraltar to Spain.

1715

Simply put, he was a very impressive person who gave a very impressive presentation, and the Chief Executive, following that meeting, advised me that it would do Gibraltar a great good, in particular in respect of developing air route connectivity which, as the hon. Gentleman knows, does take some lead-in time – save that, of course, my experience with Monarch increasing routes from Manchester and from Birmingham will show that we can move quite quickly on this when required. We thought that it was a good *fichaje* for the Gibraltar Tourist Board.

1720

Hon. P R Caruana: In terms of the required level of precision in the House, will the hon. Member confirm whether or not this gentleman is his brother-in-law?

1725

Hon. N F Costa: Mr Speaker, I first met Mr Finlayson whenever he gave me the presentation a few months ago.

1730

Hon. P R Caruana: So he is not your brother-in-law? That's okay.

Deputy Chief Minister (Hon Dr. J J Garcia): You don't have a brother-in-law.

1735 **Hon. N F Costa:** I don't have a brother-in-law (*Laughter*). I may have without knowing, perhaps, but not to my knowledge.

1740 **Hon. P R Caruana:** It is just that it appears to be only brothers-in-law to whom you are not allowed to give contracts and things and friends without [*inaudible*].

Clerk: Question six hundred and –

Hon. D J Bossino: Sorry, just by way of further –

1745 **Mr Speaker:** The Hon. Damon Bossino.

Hon. D J Bossino: Mr Speaker, I am grateful.

1750 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I am afraid that I have to move an adjournment now until tomorrow morning, if the gentleman will allow, but if he has got one supplementary and he wants to make it now, I am quite happy to allow him to do that. (*Interjection by Hon. P R Caruana*) *No, no ya no nos fiamos de ustedes. (Laughter and applause)*

1755 **Mr Speaker:** Order! Order! (*Interjections and applause*) Order! (*Interjections*) Order! Order! Order! Order! Order! (*Interjections*) Order! Order!

Before the hon. Gentleman poses his question, may I remind members of the public sitting in the public gallery you are invited here to observe the proceedings and not to participate by either cheering or jeering what you see and hear. I will expect some order in the public gallery. The Hon. Damon Bossino.

1760 **Hon. D J Bossino:** Mr Speaker, I am happy to accede to the Chief Minister's request.

Mr Speaker: No further questions, in that case.

1765 **Hon. D J Bossino:** I will proceed tomorrow, Mr Speaker.

Mr Speaker: If I let you. (*Laughter*)

Hon. D J Bossino: With Mr Speaker's permission.

1770 **Mr Speaker:** The Hon. Chief Minister has indicated that if there is a supplementary he is willing to wait for a few minutes. Is there a long line of questions in the offing on this?

Hon. D J Bossino: Mr Speaker, it depends on the answer I get to my first supplementary.

1775 **Mr Speaker:** Alright, in that case –

Hon. D J Bossino: With respect, the Hon. the Chief Minister has suggested that he is going to be moving a motion to adjourn the House and –

1780 **Mr Speaker:** We will leave the matter open.

Hon. Chief Minister: Mr Speaker, in that case I beg to move the motion that the House do now adjourn to 9.15 a.m. tomorrow morning.

1785 **Mr Speaker:** I now propose the question that this House do now adjourn to Thursday, 20th September

2012 at 9.15 a.m.

I now put the question, which is that this House do now adjourn to Thursday, 20th September 2012 at 9.15 a.m. Those in favour. (**Members:** Aye.) Those against. Passed. This House will adjourn to Thursday, 20th September 2012 at 9.15 a.m.

1790

The House adjourned at 6.00 p.m.