



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.15 a.m. – 10.45 a.m.

Gibraltar, Friday, 18th October 2013

The Gibraltar Parliament

The Parliament met at 9.15 a.m.

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

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

Questions for Oral Answer

TRAFFIC, HOUSING AND TECHNICAL SERVICES

Parking problems Plans to address

Clerk: Sitting of Parliament, Friday, 18th October 2013. Answers to Oral Questions continue.
Question 613, the Hon. S M Figueras.

5 **Hon. S M Figueras:** Mr Speaker, can the Hon. the Minister for Traffic say what he plans to do to address the daily parking misery for working Gibraltarians?

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

10 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, the Government's Sustainable Traffic, Transport and Parking Plan will look at parking and include strategies aimed at trying to improve what has traditionally been a problem locally. The general classification of this as a 'misery' by the hon. Member is, however, a matter of opinion as different areas of Gibraltar have different types and levels of problems at different times of the day but what is clear is that any 'misery' which is being experienced stems from long before 9th December 2011 and will likely be relieved

15 (*Banging on desks*) – where appropriate – by the implementation of the findings of the GSLP/Liberal Government’s Sustainable Traffic, Transport and Parking Plan.

Hon. S M Figueras: Mr Speaker, since the New Dawn, all that we have heard in the context of traffic is that the Sustainable Traffic and Transport Plan will be the magic pill that solves all the problems. Is it not the case, Mr Speaker, that works on Commonwealth Park have certainly not assisted in dealing with this parking misery?

Hon. P J Balban: Mr Speaker, on the contrary, if we look at actual parking statistics – if we look at the parking that was lost at the Commonwealth Park, there was a total of 342 spaces lost at the Commonwealth Park, now what happened was that across from the Commonwealth Park provision was made for this and now there are a total of actually 360 so in fact there has been a net gain in parking, (*Banging on desks*) apart from that there has also been 17 spaces over and above the 360 which have been allocated for pay and display, allowing people who want to go to work or want to go to any of the leisure places along Queensway Quay, for example, can do so.

Hon. S M Figueras: I see, Mr Speaker, yes, indeed, but the fact that the parking has been provided now does not change the fact that Commonwealth Park and the works relating to it have caused significant difficulties for drivers every day. But, Mr Speaker, will the Hon. Minister say whether it is intended to deal with anything to do with traffic to try and address what is a daily parking misery for working Gibraltarians despite what he might say, before Messrs Mott Macdonald provide him with any kind of suggestions or recommendations? (*Banging on desks*)

Hon. P J Balban: Mr Speaker, the hon. Gentleman has to realise that yes, the Commonwealth Car Park is under construction but the loss of parking was mitigated. In fact, there has been a net increase in parking spaces – which means to say that obviously it would have been ideal to have had Commonwealth Park and have had the other car park, but that is just not possible. We have got... It is just not possible.

But what has happened is there has been a net increase, so if you compare parking now to before 9th December, there has been an increase in parking spaces.

Now, to the second part, obviously the Government has invested in a consultant which is there for this purpose to give advice as to where we go from here. There are many things that we have already in the pipeline that will happen, (*Interjections*) but of course, there are loads of things that need to be done which were there before 9th December. I can give you an example, the Trafalgar Interchange was not made with the pedestrian in mind. There is absolutely no concern for the pedestrian. That is something that this Government is very, very conscious of and it is something this Government intends to improve upon and to correct.

Hon. S M Figueras: Mr Speaker, it is interesting that the Minister should today say that the Trafalgar Interchange is one of the GSD initiatives – not surprisingly – that they are seeking to review at some point, when previously in sessions of this House, he has said that that was something that will be decided once the Sustainable Traffic and Transport Plan was created.

But be that as it may, Mr Speaker, what would he say to the suggestion that the reality, post the New Dawn, will be that the park will be on one footprint of prime real estate in Gibraltar and the two levels of parking that were part of their manifesto commitment will now be on two other equally large footprints of prime real estate in Gibraltar?

Mr Speaker: The Hon. Minister does not have to answer that question because he is being asked to express an opinion.

Hon. S M Figueras: I am grateful, Mr Speaker.
In relation to parking generally, we heard yesterday, as well, that the new parking that was announced by the beach that was in pursuance of their manifesto commitment for 300 parking spaces will now in fact have 440.

Mr Speaker, can the Minister say how he reconciles all these promises and partial delivery of some parking, a lot of which is needed, with the environmental filter that this Government holds in such apparent high regard?

Hon. P J Balban: Mr Speaker, I am not entirely clear what the hon. Gentleman is referring to in terms of the environment. The environment aspect of it – can he be more specific?

Hon. S M Figueras: Mr Speaker, there is no issue of being more specific. The question was really rather clear and that is how the Minister reconciles the manifesto commitment and partial delivery of all

these car parking spaces with the environmental filter that this Government holds in such apparent high regard.

80 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, if I may, these things are not mutually exclusive (*Laughter*) – no absolutely not. (*Interjections*) The new car parks, for example, will all be fitted with charge points for electric vehicles and we have already led the way in the Government's fleet by having our own hybrid and electric vehicles as we have seen recently, and clearly the increase in parking spaces will help in the day to day.

85 But that does not mean that the Government would carry on encouraging the use of public transport, as we saw yesterday here, that we are looking at a new bus fleet and an increasingly efficient bus service. In fact, it would do us good to have more parking spaces, because then we can use public transport and we can leave our cars parked and not burning fuel.

90 **Hon. S M Figueras:** Yes, Mr Speaker, it is in fact, it is indeed very interesting, but the bulk of the parking spaces that you are planning to build are in the city centre and that is what is so incongruous and that is what I am asking the Government to reconcile with their environmental filter.

95 **Hon. P J Balban:** Mr Speaker, in fact, most of the car parks in the centre of town were actually car parks built by the Members across the floor. They started building Engineer's Lane car park and they started building the Theatre Royal car park . The fact that we decide to build a car park at Queensway is something which we thought was very important, was vital – as you rightly say, because you started this question, saying the misery of local persons. We cannot force people, or put guns to their head and tell them they cannot use their cars. We can actively try to encourage them not to use their cars by way of encouraging use of public transport, improving on public transport, improving on other methods and other ways, but what we cannot tell people, 'You cannot use your cars', and hence you need to have some facility for them to park in town.

105 **Hon. S M Figueras:** Mr Speaker, can the Minister say how they have improved public transport from what they inherited in December 2011, much as he claims that this is what they should be doing?

The fact of the matter is, Mr Speaker, that we were not the Party with the so-called environmental filter, we were not the Party that offered twice the number of parking spaces on site at Commonwealth Park, and that is the difference between that party on that side of the bench and this party here. (*Interjections*)

110 **Hon. P J Balban:** Mr Speaker, yes, we across the floor on this side of the House are very aware that it was this party who had the environment close to heart. In fact, one of the only things done by the Members across the floor was, at the very last minute, to get GibiBikes on the road, and the GibiBikes have been... as we have explained, have given us problems from the start. So that was as much as was done for the environment by the previous administration.

115 This Government is clear – no-one can deny the fact that this Government has looked into not only changing the fleet of vehicles; we have started with the new G1, which is a totally electric vehicle. We have got hybrids within the Government fleet. As my colleague explained earlier and as the next question will touch upon, all our car parks have and will have the infrastructure needed to provide electric... The infrastructure for electrical systems will be there, so in future anybody who wishes to buy an electric vehicle or a plug-in hybrid will be able to do so. That is a very positive step for the environment.

120 **Mr Speaker:** Hon. Members are beginning to debate now. The purpose of Question Time is to elicit information or to press the Government to take a certain line of action, but not to debate different policies.

Electric or hybrid vehicles
Plans for electricity charging bays in local car parks

130 **Clerk:** Question 614, the Hon. S M Figueras.

135 **Hon. S M Figueras:** Mr Speaker, can the Hon. the Minister for Traffic say whether there are any plans for the provision of electricity charging bays in local car parks for the use of electric or hybrid plug-in vehicles?

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

140 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, charging points for electric and hybrid plug-in vehicles have been provided in the Engineer's Lane and Arengo's Palace multi-storey car parks. These were not part of the original design but were added to cater for users of said car parks acquiring these types of vehicles in the future. Charging points are also being installed in the new car park currently under construction at South Pavilion.

145 The improvement of air quality is one of the objectives of the Government's Sustainable Traffic, Transport and Parking Plan and greater use of environmentally friendly vehicles would contribute towards this. The provision of more charging points is therefore something that is being considered for new parking facilities to be developed in the future.

150 **Hon. S M Figueras:** Mr Speaker, as a proportion of all the parking spaces that the Minister has referred to in Engineer's Lane and Arengo's Palace and the new car park at South Pavilion Road, is he able to say what proportion of those parking spaces will have facility.

155 **Hon. P J Balban:** Mr Speaker, the infrastructure has been laid for the whole parking, so although you cannot see the charging points there and then, and we are not going to place or install expensive charging facilities in all the parking bays when people at this moment in time have not got electric vehicles or have no intention of buying them at the moment, but the actual infrastructure the cabling is there, so in the future if people wish to have an environmentally friendly vehicle, that can be arranged. Suitable sockets can be placed in that parking bay in question.

160 **A Member:** Hear, hear. (*Banging on desks*)

165 **Government's new housing projects
Charging points for vehicles; tender bids; sales and rentals**

Clerk: Question 615, the Hon. S M Figueras.

170 **Hon. S M Figueras:** Yes, can the Hon. the Minister for Traffic say whether provision will be made in any of the new housing estates of electricity charging points for vehicles in the developments' parking areas?

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

175 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, I will answer this question together with Questions 620 and 621.

Clerk: Question 620, the Hon. E J Reyes.

180 **Hon. E J Reyes:** Mr Speaker, can the Minister for Housing provide details of all tender bids received in respect of Government's new housing projects as recently announced?

Clerk: Question 621, the Hon. E J Reyes.

185 **Hon E J Reyes:** Can the Minister for Housing provide details of how many houses will be for sale and how many for rental, in respect of Government's new housing projects as recently announced?

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

190 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, tenders were invited on 7th December 2012 for the development of the Aerial Farm site for an affordable housing scheme.

Similarly, tenders were invited on 5th February 2013 for the development of the Coach Park site, again for an affordable housing scheme, although in this instance it included one building for rental, for the elderly.

195 Both tenders were evaluated following the principles and requirements set out by EU and Gibraltar Legislation in respect of public procurement. This resulted in the Aerial Farm tender being awarded to GJBS and the Coach Park tender to Casais.

The Aerial Farm affordable housing scheme will be for the sale and this consists of a total of 564 flats, comprising 38 one-bedroom flats, 166 two-bedroom flats, 321 three-bedroom flats and 39 four-bedroom flats. The majority of the flats at the Coach Park site will also be part of the affordable housing scheme. This consists of 380 flats, comprising 65 one-bedroom flats, 143 two-bedroom flats, 152 three-bedroom flats and 20 four-bedroom flats. The 65 one-bedroom flats will be provided for rental for the elderly.

Adequate parking provision will be provided within both estates and this will include the provision of electricity charging points for vehicles.

205 **Hon. E J Reyes:** Mr Speaker, can I please clarify a little point there? I think the Minister, from my note, said that there were 380 flats being built at the Coach Park and he said the majority would be for sale. Am I right in deducing that other than the 65 for rental, which I think is the amount for the elderly, all the rest remain for sale or some of the remainder that are not for the elderly are also for rental?

210 **Hon. P J Balban:** Mr Speaker, yes I did say that 380 flats were being built and that the 65 one-bedroom flats which I mentioned will be provided for rental for the elderly, the rest are low cost homes within those estates.

215 **Hon. E J Reyes:** So Mr Speaker, I still have a minor doubt, other than the 65 rental that seem to be suited for the elderly all the others will be for sale and therefore no rental for those on the general housing waiting list.

220 **Hon. P J Balban:** Mr Speaker, as mentioned, there are 65 one-bedroom flats which are provided for rental for the elderly within this estate. It is obviously assumed that many of the persons who intend or who will take over these flats and there is a big demand for these flats, will relinquish their own flats which means to say that we will have an amount of flats which will go back into the housing stock.

225 **Hon. E J Reyes:** Thank you for that, Mr Speaker.
In respect of Question No. 620, I asked for details of all tender bids received I have not heard that, Mr Speaker.

230 **Hon. P J Balban:** Mr Speaker, the details that I have given the hon. Gentleman is that the two tenders one was awarded to GJBS and that was the one at the Aerial Farm and the Coach Park was awarded to Casais. The rest of that information is public knowledge that has already been released. (*Interjections*)

235 **Hon. E J Reyes:** Mr Speaker, can the Minister please guide me, because I posed the question because I was not able to find it under publicly available documents? What I want is details of all the tenders received not just the name of the successful tenderer. I want to know company XYZ and what the bid was and so on. If it is a public document, can I please be directed in the right location?

Mr Speaker: If the Hon. Minister does not have the information with him, he can try to obtain it and let –

240 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I think just to assist, there are two issues. I think the hon. Member may not have all the detailed information with him, but the practice has been and will continue both under the previous administration and I think historically, since procurement commenced in Gibraltar, by way of tender, that the information given is the information of the successful tenderer and the amount in which they bid and also the number of tenderers who submitted bids. I do not think that we have ever given – and when I say ‘we’, I mean the Government and not necessarily this Government – has ever given the details of who else tendered and what the amounts of their submission for tender was. I do not believe that information has ever been given.

245 In any event, Mr Speaker, whilst we check that – because if it has been given before, I see no reason why it should not be given again, but I believe it is not given – in any event, the hon. Gentleman will know that in European tendering – and both of these were European tenders – there is a period when appeals can be made by those who are not successful and for that period certainly, which we are still in as I understand it, we would not be disclosing the names and amounts of those others who might have submitted tenders.

250 So there are two issues, if you will allow me: first of all, checking whether that is information that is ever disclosed, other than the number of other tenderers; and second, the time when it could be disclosed, when you are dealing with a European tender which may be after the period for filing appeals, etc has

passed. I think that time will pass probably by the end of this month. It is a short appeal period of above 30 or 60 days.

260 **Hon. E J Reyes:** Thank you, Mr Speaker, for that clarification.

Yes, I accept that the Chief Minister would like to check that information. Can I add that, if it is the case that it has not been disclosed before, he may well wish to consider and make that information available now. In fact, I do understand what the Chief Minister is saying, that there has to be a period for appeals and so on. Is the Government at least able to say how many tender bids were received, just as a global figure, whether just one tender or five tenders? How many tender bids were received in respect of each of the projects?

270 **Hon. Chief Minister:** Mr Speaker, I think that there should not be any difficulty telling the hon. Gentleman how many have been received. I do not think that would affect any appeal process, and it may be, Mr Speaker, that we do make the decision, when I go back and check that, even if we... 'we', again, the Governments, not just this Government, but historically, since tender procurement began, do not give out the information in the Parliament, because of course there are commercially sensitive aspects about prices that people may have put up. Some people may have a lower price but they may be disqualified because they failed to comply with part of the tender and that is why their price may be lower, so all sorts of issues like that.

275 It may be that even if we make the decision that that information cannot be shared across the floor of the House, there may be no difficulty sharing it behind the Speaker's chair, as long as there is a confidentiality accepted and therefore there is not any commercial issue with Members of the Opposition having the information and then sharing it with some of the unsuccessful tenderers. Those are the issues that we can look at.

280 I am quite happy to go back and check. My feeling is that we have never shared the information and what I will do is, before I sit down, I will give way to the Minister, so that he can give the information if he has it, of the numbers of tenderers who submitted tenders.

285 Mr Speaker, I have given way to the Minister so he can give the number.

Mr Speaker: Does he have the information?

Hon. Chief Minister: Yes, he has it.

290 **Hon. P J Balban:** Mr Speaker, if we look at the Aerial Farm tender, there was a total of seven tenders which were accepted, which were submitted, and for the Coach Park tender site there were 12. Now I must say that it does not necessarily follow that they are 12 different companies or seven different companies, because some companies may choose to make different offers for the same project.

295 **Hon. D A Feetham:** Yes, Mr Speaker, the hon. Gentleman has said that he needs to look at the practice and if the practice in the past has been by the GSD Government that this information has been provided, that the Government will also provide it. I think really that should not really be a consideration. At the end of the day, the Government now makes decisions as to whether to disclose information or not to disclose information. I quite understand, irrespective of what has been the historical practice, that there may be reasons and valid reasons why not to disclose the identity of all of them and I can think of a number of reasons why not to, but that has to stand independently of what the practice has been in the past.

300 But can I ask him this: have these two successful tenderers been the most economically advantageous tenders that the Government has accepted out of the seven and the 12 – by which I obviously mean that they have come in at a lower price than the others – or have the successful tenderers been, they may not have been the lowest price but there may have been other reasons why the Government has accepted, because I accept, as well, that in some cases, it may well be there may be valid reasons why the Government may accept one tender above another, even though that was not the lowest price tendered.

310 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman should not think that my Government is going to be constrained by the things his Government did. He knows that we have departed from the practice in myriad instances when we think that the practice of the previous administration or administrations has not been the one to follow now – *vide* monthly meetings of Parliament transmitted live on television and the internet. Where there is a good reason for departing from practice, we depart from it – *vide* public meetings of the Development and Planning Commission, so that is not going to be the issue.

315 But where the hon. Members were pursuing, for example, a policy of previous administrations themselves, when they were in Government – and I say plural, because as I have indicated this may be a practice going back to 1977 when the Procurement Act was first introduced – then there may be a very

320 good reason for that. That is why I do not want to depart from that practice without understanding what the reasoning was.

If it was just – he really goads me to say this – the secretive practice of the GSD Government from 1996 to 2011, well look, that is not going to be a reason for us to continue with the practice; but if this is something, as I suspect, that comes from the beginning of public procurement in Gibraltar for competitive reasons in the market, where you do not necessarily want to show other people’s prices to the whole of the market, then that practice is going to continue.

325 That is why I have opened the door slightly ajar to the possibility of sharing information with Members of the Opposition and not necessarily sharing it across the floor of the House, which is another possibility which I am not committing myself to because I would have to understand whether that would have the effect of opening more widely the sharing of information.

330 Mr Speaker, in terms of whether these were the economically most advantageous tenders that were submitted, well look, Mr Speaker, I consider that they certainly would have been, without even looking at the prices, because that is what the criteria established by the tender boards, when tenders are put out, set out to achieve. That does not necessarily mean that the cheapest of the submissions is the one that is chosen, because that may not be the economically most advantageous.

335 You could have, for example, and the Hon. Mr Balban has pointed out that more than one submission has been filed in some instances by the same entity. So you could have a submission from one entity that offers to build x which would produce a price of an amount per square metre, or another submission from the same entity or another entity that offers to build so much and that produces another price per square metre. You look at them and the price of one is higher than the price of the other on the face of it. This might be £5 million more than this but you get many more square metres for the extra £5 million. So if you work it out per square metre, is that economically more advantageous?

340 The type of construction, the standard of finish proposed, all of those things can affect what you might call the bottom-line price, which may be higher in one instance than in another, but still the higher price might be economically more advantageous, because you get, as I said yesterday in relation to another question, more bang for your buck, even though you are paying more up front. So all of those things are what makes up the tender criteria and it is designed to deliver in effect the best value for money for the taxpayer and in each instance, of course, the Government would not have proceeded with anything other than the best value for money for the taxpayer.

350 **Hon. D A Feetham:** Yes, Mr Speaker, of course I could be forgiven for the comments that I made in preamble to my question because, of late, the Government, Cordoba, the Constitution, the Tripartite talks has been quite keen on taking GSD clothes and adopting GSD policy, but Mr Speaker, can the Hon. the Chief Minister perhaps help us as to whether the price at which these tenders came in were the cheapest, and if they were not the cheapest, can he give us an explanation, a reason why the Government preferred these two tenders above the other tenders? Why they were more economically advantageous to the Government, in the Government’s view?

360 **Hon. Chief Minister:** No, Mr Speaker, I am not going to provide that sort of information at this stage because I am going to go back and check what the practice was. Because even by disclosing whether these are or are not the cheaper, I may be offending that practice which was a GSD practice which I now appear to be offending and I want to understand what the rationale behind that was, before I decide to change it in any way. Even if I am just going to be saying that they were the cheapest or they were not the cheapest, but look, certainly by the next House, I will have had the chance to check, so if he asks then, we can be in a position to share that information, if it is shareable or otherwise.

365 But, Mr Speaker, the reasoning I have already explained, in the event that these were not the cheapest bottom line figures, then they will certainly have been the most economically advantageous for the Government and therefore the most value for money for the taxpayer.

370 He was involved, I assume, in tendering when he was dealing with the Courts development, which, having checked, actually went up from £7 million-odd to £12 million. He is shaking his head. If that did not go out to tender, then perhaps he has some questions to answer about that. But anyway, Mr Speaker, it is always about getting the best value for the taxpayer and there is no question of us doing it in any other way.

375 Finally, Mr Speaker, it is true that the hon. Gentleman has spent the better part of the last two weeks putting foot directly in mouth in respect of a number of different issues, one of them relating to the Government’s attitude to the constitution, another the Government’s attitude to the Cordoba process and the Tripartite Forum. He does not seem to understand the fine differences between us and them on those issues and our attitudes.

Perhaps I can illustrate it to him in a way that is stark enough that even he will understand. We will never adopt the previous Government’s policy on an Andorra style solution.

380 **Mr Speaker:** Does the Chief Minister feel that it is really necessary – we are dealing with questions on housing and electricity parking points – to go into the whole question of the tripartite process?

Hon. Chief Minister: Mr Speaker, I apologise for having fallen into the trap laid for me so blatantly by the Leader of the Opposition who did feel that it was necessary to talk about Cordoba, the tripartite and the constitution when dealing with housing, I will not let it happen again. Thank you so much for pulling me up on it.

Mr Speaker: Does the Hon. Mr Figueras have any supplementary?

390 **Hon. S M Figueras:** Yes, Mr Speaker, I have looked quickly at the press release in relation to the housing development and if I have missed it, I do apologise, but is there a contract timeframe, contract date or is there an estimate of when the housing projects are expected will be completed?

395 **Hon. P J Balban:** Mr Speaker, the plan is that these housing estates will be finished before the next election, so as to be able to deliver on our manifesto commitment.

Hon. E J Reyes: Mr Speaker, if I can come back to what I was asking in 620 and 621. The Minister provided me with information that he said he could provide at that moment in respect of the Aerial Farm and the Coach Park developments. However, there is no reference to another recently announced Government housing project which is that around the Europort Avenue area which I have a figure that it was awarded for £8.9 million to build 72 flats, but the Minister has not told me whether those are going to be for rental and for sale and so on.

405 **Hon. P J Balban:** Mr Speaker, the estate which was actually mentioned in the press release issued yesterday, that is an estate which is for rent, Government rental and it is Government rental for the elderly.

410 **Hon. E J Reyes:** I am much obliged, Mr Speaker, because the press release did not say whether they were for sale or for rental. It did mention the elderly but the elderly are entitled to purchase, I suppose.

Housing Works Agency and the Ministry for Housing Details of review

415

Clerk: Question 616, the Hon. E J Reyes.

Hon. E J Reyes: Further to the answer to Question No. 331/2013, can the Minister for Housing now provide this House with details of the comprehensive review which Government is undertaking of the Housing Works Agency and the Ministry for Housing?

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

425 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, as previously advised, the internal report was passed to Cabinet and is still under consideration.

Hon. E J Reyes: Does the Minister at this stage have any idea when that consideration will be concluded?

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Hon. P J Balban: No, Mr Speaker.

Mid Harbours Estate Non-compliance of house rules

435

Clerk: Question 617, the Hon. E J Reyes.

440 **Hon. E J Reyes:** Further to the answer provided to Question No. 472/2013, can the Minister for Housing provide details of actions taken in order to curtail non-compliance of house rules at Mid Harbours Estate?

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

445 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, further to my answer to Question 472/2013, I am pleased to inform the following: the tender for the CCTV cameras has already been awarded and works for the installation are due to commence.

The installation of barriers at the entrance and exit points of the garage are also at an advanced stage. The tender for these has also been awarded and works are ongoing.

450 We continue to work closely with the RGP who are patrolling the area.

Hon. E J Reyes: And in respect of, if I understood it correctly, the CCTV cameras, the tenders have been received, so can the Minister confirm that it is still undergoing the tender analysis process? In respect of the barriers, he says that the works are at an advanced stage. Can he therefore say how much the tender was awarded for and to whom?

Mr Speaker: Strictly speaking, I do not think that the details about the work, the tender arise from the original question, which is to provide the House with details of actions taken in order to curtail non-compliance. That question has been answered. In the process of answering, there has been mention of a tender but that does not arise from the original question.

460 **Hon. E J Reyes:** I accept that.

Mr Speaker: However, if the Minister has the information at hand and he wishes to provide it, by all means.

Hon. E J Reyes: That was my intention, Mr Speaker, I accept that it is stretching it a bit, but the Minister may well happen to have the information and it saves us a question next month and it saves the whole of Gibraltar waiting another month just to hear information that he may well have at hand and he may have no problems in providing it.

Hon. P J Balban: Mr Speaker, yes, both of the tenders were awarded. The information I have with me at the moment is that the successful tenderer for the CCTV cameras was Sheriff, and that is as much information I have with me at the moment, Mr Speaker.

Hon. E J Reyes: I accept that, Mr Speaker, and thank you for allowing me the liberty and obviously you will hint at me very strongly that I pose then the worded question for next month's issue, so the Minister even has advanced notice of what I intend to seek next month.

480 **Hon. P J Balban:** Yes, if the hon. Gentlemen would like to pose the question for the next session of Parliament, I would be happy to provide him with the information requested.

485 **Making empty homes suitable for re-allocation**
Expenditure incurred

Clerk: Question 618, the Hon. E J Reyes.

490 **Hon. E J Reyes:** Can the Minister for Housing provide updated details in respect of expenditure incurred since the answer to Question 532/2013 in respect of contracts awarded for making empty homes suitable for re-allocation, stating to whom payments were made, how much has been paid, the number of residential homes pertaining to each payment as well as indicating if the services contracted were for repairs or cleaning?

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

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

Answer to Question 618

Contractors	Aug-13	Sep-13	No. of Properties
Base Maintenance Services		£4,847.00	1
Garcia & Perez Construction Co Ltd		£10,800.00	1
L Luz Property Services Ltd	£6,453.00		1
On The Level Ltd		£15,756.00	1
W&N Works Ltd		£20,200.00	1

ALL SERVICES CONTRACTED WERE FOR REPAIRS
NONE WERE FOR CLEANING

500 **Hon. E J Reyes:** This is fine, Mr Speaker. I take the opportunity as well to thank the Minister, because in the last question session, we managed to get, at long last, the right formula of what I was seeking and so on, and I see it has been replicated again this month. I am extremely grateful, as this then allows me not to have to present any supplementaries, so I hope we keep to this format for the future as well.

505

**Government rental homes
Details of repairs**

510 **Clerk:** Question 619, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing provide details in respect of rental homes assigned since the answer to Question 533/2013, indicating how many will be repaired by (a) the Housing Works Agency; (b) sub-contractors; and (c) the assigned tenants themselves?

515 **Clerk:** Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

520 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, since the answer given to Question 533/2013, 15 flats have been assigned. The repairs are to be undertaken by the following: (a) Housing and Works Agency – 2; (b) sub-contractors – 12; (c) the assigned tenants themselves – 1.

525 **Government rental homes
Repairs undertaken to lifts**

Clerk: Question 622, the Hon. E J Reyes.

530 **Hon. E J Reyes:** Can the Minister for Housing provide details in respect of all repairs undertaken to lifts servicing Government rental homes since the answer to Written Question 94/2013?

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

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 522

LOCATION	DATE & TIME REPORTED	DATE & TIME REPAIRS COMPLETED	CONTRACTOR
Upper Wave Hse	10/07/13 17:30	11/07/13 13:04	OTIS
Alert Hse	10/07/13 17:41	10/07/13 13:07	OTIS
Sea Wave Hse	10/07/13 18:53	10/07/13 20:42	OTIS
Wave Crest Hse	10/07/13 19:21	11/07/13 20:45	OTIS
Bow Wave Hse	11/07/13 11:16	11/07/13 12:05	OTIS
Bow Wave Hse	12/07/13 22:35	12/07/13 08:57	OTIS
Orsova Hse	15/07/13 17:02	16/07/13 18:12	OTIS
Canton Hse	15/07/13 10:28	15/07/13 16:09	OTIS
Bajevichan Hse	16/07/13 22:10	16/07/13 14:06	OTIS
Orsova Hse	16/07/13 10:04	16/07/13 12:09	OTIS
Orsova Hse	17/07/13 10:47	17/07/13 12:03	OTIS
Upper Wave Hse	18/07/13 07:20	18/07/13 13:02	OTIS
Alameda Hse	19/07/13 18:04	19/07/13 19:37	OTIS
Ronalds Hse	21/07/13 09:14	21/07/13 10:22	OTIS
Upper Wave Hse	22/07/13 08:30	22/07/13 13:02	OTIS
Upper Wave Hse	23/07/13 17:30	24/07/13 09:11	OTIS
Upper Wave Hse	24/07/13 17:00	24/07/13 18:36	OTIS
Upper Wave Hse	25/07/13	25/07/13	OTIS

GIBRALTAR PARLIAMENT, FRIDAY, 18th OCTOBER 2013

Sea Wave Hse	10:30	17:00	OTIS
	29/07/13	29/07/13	
	09:12	16:45	
Parry Hse	29/07/13	29/07/13	OTIS
	20:41	21:17	
Ocean Wave Hse	29/07/13	29/07/13	OTIS
	11:00	16:14	
Alameda Hse	30/07/13	30/07/13	OTIS
	11:07	17:15	
Caroline Hse	31/07/13	31/07/13	OTIS
	19:40	20:32	
Referendum Hse	01/08/13	01/08/13	OTIS
	10:50	11:26	
Constitution Hse	01/08/13	01/08/13	OTIS
	10:15	12:04	
George Jeger Hse	01/08/13	01/08/13	OTIS
	13:45	20:11	
Sea Wave Hse	02/08/13	02/08/13	OTIS
	14:45	15:15	
Sea Wave Hse	05/08/13	05/08/13	OTIS
	18:13	19:27	
Bow Wave Hse	05/08/13	05/08/13	OTIS
	21:13	22:12	
Sea Wave Hse	07/08/13	07/08/13	OTIS

Constitution Hse	11:44	14:49	OTIS
	07/08/13	07/08/13	
Alameda Hse	15:22	18:53	OTIS
	08/08/13	08/08/13	
Victoria Hse	10:10	17:45	OTIS
	10/08/13	17:40	
Ironside Hse	12:52	14:10	OTIS
	12/08/13	12/08/13	
Brother O'Brien Hse	10:46	12:56	OTIS
	12/08/13	12/08/13	
Bow Wave Hse	15:38	18:55	OTIS
	12/08/13	12/08/13	
Sea Wave Hse	10:18	11:26	OTIS
	14/08/13	14/08/13	
Bow Wave Hse	09:45	11:24	OTIS
	14/08/13	14/08/13	
Bow Wave Hse	20:39	21:11	OTIS
	14/08/13	14/08/13	
Sea Wave Hse	10:18	11:26	OTIS
	14/08/13	14/08/13	

Constitution Hse	17:57	19:11	OTIS
	16/08/13	16/08/13	
Parry Hse	17:30	19:29	OTIS
	16/08/13	16/08/13	
Brother O'Brien Hse	18:12	16:42	OTIS
	16/08/13	16/08/13	
Alameda Hse	14:21	18:01	OTIS
	16/08/13	16/08/13	
Sea Wave Hse	21:02	21:32	OTIS
	16/08/13	16/08/13	
Bow Wave Hse	12:10	15:48	OTIS
	16/08/13	16/08/13	

Camille Hse	17:27	18:50	OTIS
	20/08/13	20/08/13	
Sea Wave Hse	09:00	10:42	OTIS
	20/08/13	20/08/13	
Refrigerator Hse	10:01	10:50	OTIS
	21/08/13	21/08/13	
Wardrobe Hse	12:42	13:04	OTIS
	21/08/13	21/08/13	
Chips Hse	08:25	12:51	OTIS
	21/08/13	21/08/13	
Coastal Wave Hse	16:06	17:44	OTIS
	22/08/13	22/08/13	
Alameda Hse	09:15	11:04	OTIS
	23/08/13	23/08/13	
Sea Wave Hse	15:05	16:32	OTIS
	24/08/13	24/08/13	
Referendum Hse	14:13	14:50	OTIS
	26/08/13	26/08/13	
George's Jagon Hse	16:31	18:02	OTIS
	26/08/13	26/08/13	
Alameda Hse	11:52	14:18	OTIS
	27/08/13	27/08/13	
Wardrobe Hse	09:19	11:11	OTIS
	28/08/13	28/08/13	
Wardrobe Hse	12:21	13:49	OTIS
	29/08/13	29/08/13	
Alameda Hse	21:01	21:50	OTIS
	31/08/13	01/09/13	
Sea Wave Hse	16:19	18:50	OTIS
	01/09/13	02/09/13	
Wardrobe Hse	12:50	14:05	OTIS
	01/09/13	01/09/13	
Wardrobe Hse	12:11	13:41	OTIS
	01/09/13	01/09/13	

Proclamation Hse	09:19	11:40	OTIS
	02/09/13	07/09/13	
	08:59	11:26	
George Jeger Hse	02/09/13	02/09/13	OTIS
	18:28	19:31	
Sea Wave Hse	10/09/13	01/09/13	OTIS
	12:47	5:11	
Knights Court	03/09/13	03/09/13	OTIS
	11:05	12:01	
Alameda Hse	05/09/13	05/09/13	OTIS
	11:17	17:31	
Rouisse Hse	03/09/13	03/09/13	OTIS
	15:51	18:18	
Ocean Wave Hse	04/09/13	04/09/13	OTIS
	10:48	13:02	
Referendum Hse	04/09/13	04/09/13	OTIS
	20:19	21:30	
Ocean Wave Hse	05/09/13	05/09/13	OTIS
	18:17	19:33	
Wave Crest Hse	05/09/13	05/09/13	OTIS
	12:39	14:27	
Referendum Hse	05/09/13	05/09/13	OTIS
	11:00	14:03	
Row Wave Hse	05/09/13	05/09/13	OTIS
	10:11	17:00	
Sea Wave Hse	08/09/13	08/09/13	OTIS
	8:15	11:07	
Sea Wave Hse	08/09/13	08/09/13	OTIS
	10:57	21:22	
Ocean Wave Hse	09/09/13	09/09/13	OTIS
	16:16	17:15	
Proclamation Hse	09/09/13	09/09/13	OTIS
	12:16	13:19	
Proclamation Hse	09/09/13	09/09/13	OTIS
	13:00	23:17	

Ironside Hse	19:33	20:46	OTIS
	13/09/13	13/09/13	
Alameda Hse	09:16	10:53	OTIS
	16/09/13	16/09/13	
Sea Wave Hse	16:08	16:53	OTIS
	16/09/13	16/09/13	
Bishop Canilla Hse	10:52	11:10	EMBARBA
	16/7/13	16/7/13	
Bishop Canilla Hse	13:15	13:52	EMBARBA
	15/8/13	15/8/13	
Bishop Canilla Hse	09:02	09:35	EMBARBA
	09/9/13	09/9/13	
Albert Risso Hse	13:22	13:45	FAIN
	19/8/13	19/8/13	
Albert Risso Hse	10:44	10:44	FAIN
	12/9/13	12/9/13	

535 **Mr Speaker:** Now, this is a rather lengthy schedule, so I would suggest that we move on to the next question in the meantime.

540 **Decanting of tenants**
Provision of details

Clerk: Question 623, the Hon. E J Reyes.

545 **Hon. E J Reyes:** Can the Minister for Housing provide details of how many tenants required urgent decanting from their homes, since the answer to Written Question 95/2013, indicating the reason why, the date when said decanting became necessary and the date when tenants were able to return to their home?

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

550 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 623

A total of three tenants have required urgent decanting. The reasons why, the dates when said decanting became necessary and the dates when these tenants were able to return to their homes, is as follows:

	Reason	Date decanting became necessary	Date when tenant returned home
Tenant 1	Flooding	08/08/13	09/08/13
Tenant 2	Fire at premises	16/07/13	Works ongoing
Tenant 3	Refurbishment/works	30/09/13	Works ongoing

Mr Speaker: This is rather shorter and I will allow the Hon. Mr Reyes or any other Member to ask any supplementaries arising from the two schedules.

555 **Hon. E J Reyes:** If I may, Mr Speaker, in respect of tenant number 2 that required the decanting due to a fire at the premises, that seems to have happened towards the end of July and the works are on-going. Does the Minister have by chance any sort of information whether these repair works will be concluded relatively soon, or will it be a case as unfortunately has happened in the past, where he had to eventually re-allocate the house on a permanent basis because the damage was so extensive? Does he have any
560 indication at this stage whether it is work in progress or it seems to have been such a major thing that the tenants may have well been moved out on a permanent basis?

565 **Hon. P J Balban:** Mr Speaker, with great fear of actually giving a timescale, I did ask that question to my members of staff and they said that they were of the opinion that these works were due to finish next week. Again, that is what they told me.

Hon. E J Reyes: Thank you for that, Mr Speaker, that is good enough.

570 What may have to happen, Mr Speaker, is that if I do pose this question again in the future, although the information has been provided to me of when the decanting was necessary and so on, because I also say the dates when the tenants were able to be sent back home.

575 Perhaps in a future answer, if it does end up being a schedule, like tends to happen on most occasions, once the works have been completed and the tenant has been able to move back home, perhaps the Minister can ask his staff to ensure that that is included in the schedule and in that way we actually have an audit trail of the date of decanting and when they [inaudible] get back. It is more of an admin matter that I would like his staff to take into account. With plenty of notice, I think that would not cause a major headache and I am sure the Minister will be able to oblige.

Hon. P J Balban: Mr Speaker, yes, I am happy to oblige with that request.

580

**Residential homes
Number allocated and assigned**

585 **Clerk:** Question 624, the Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can the Minister for Housing say how many residential homes have, since the answer to Written Question 96/2013 been (a) allocated and (b) assigned, showing the room composition of the respective homes?

590

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

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, since the answer to the Written Question 96/2013, 55 flats have been allocated and assigned as follows.

595

Allocated: 1RKB, 6 in number; 2RKB, 14; 3RKB 13; 4RKB, 7; 5RKB, 0; 6RKB, 0. That is a total of 40 flats allocated.

As to assigned, we have 1RKB, 0; 2RKB, 8; 3RKB 4; 4RKB, 2; 5RKB, 1; and 6RKB, 0. That provides us with a total of 15 assigned.

600

Mr Speaker: Next question.

FINANCIAL SERVICES AND GAMING

605

**Gibraltar as a pensions domicile
Results yielded**

610

Clerk: Question 625, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Hon. the Minister for Financial Services say whether, further to statements made by his colleague, the Hon. Gilbert Licudi, formerly Minister for Financial Services, during his Budget address in June this year, the 'increased interest' in Gibraltar as a pensions domicile has yielded results?

615

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

Minister for Financial Services and Gaming (Hon. A J Isola): Mr Speaker, the Gibraltar Income Tax Office has to date approved a total of 201 member QROPS in Gibraltar. We have strong indications that this number is set to multiply in the very near future.

620

I can report that HMRC publishes a list of QROPS schemes on a monthly basis. This is a list of pension schemes that have notified HMRC that they meet the conditions to be a Qualified Recognised Overseas Pension Scheme (QROPS) and asked to be publicly listed.

625

At the beginning of September 2012, there were 10 such Gibraltar schemes publicly listed, whilst the current list has 23 Gibraltar schemes. Therefore the number of publicly listed schemes has more than doubled in the last 12 months as a result of increased QROPS activity and ahead of a further expected increase in Gibraltar QROPS business.

I would therefore like to take this opportunity, Mr Speaker to congratulate my predecessor the Hon. Mr Gilbert Licudi on his work whilst Minister for Financial Services in carving out (A **Member:** Hear, hear.) (*Banging on desks*) a new and increasingly interesting area of our sector.

630

**New marketing management system
Further details**

635

Clerk: Question 626, the Hon. S M Figueras.

Hon. S M Figueras: Can the Hon. the Minister for Financial Services provide this House with further details of the 'new marketing management system being introduced to manage more efficiently, the wealth of contacts that have been established over time and ensure that this area delivers effective

640

results', and supports the Government's 'drive to increase direct marketing activity', as referred to in the Budget address on Financial Services in June this year?

645 **Clerk:** Answer, the Hon. the Minister for Financial Services and Gaming.

Minister for Financial Services and Gaming (Hon. A J Isola): Mr Speaker, the Finance Centre Department has been piloting its direct electronic marketing via a system called 'Mail Chimp'. Mail Chimp is an e-mail marketing service provider and is used globally. Mail Chimp presently holds one of the Finance Centre Department's databases made up entirely of e-mail addresses that are segmented geographically and by industry segment.

650
655 The system has enjoyed a reasonable rate of success and is used in parallel to hard copy marketing Facebook and Twitter. The initiative has been managed by Paul Astengo in conjunction with the other members of the Finance Centre team and has been welcomed by the industry.

Hon. S M Figueras: Mr Speaker, I am grateful to the Hon. Minister for the answer.

660 One question that comes to mind as a result of the answer is whether there are any data protection issues that arise from the use of a service like Mail Chimp. I do not know where the service is located. I do recognise the name and the service, but I wonder whether there are any issues that arise from the use of that system or whether the Minister is satisfied that all the relevant controls and certification are in place from that provider, to his satisfaction?

665 **Hon. A J Isola:** Mr Speaker, my understanding is that there is not an issue. An awful lot of the information there has been put on by the Finance Centre Team themselves in terms of expanding their own database. A push is on at this moment in time to further that by contacting people around the world who are linked to Gibraltar in Financial Services who wish to receive information and are consequently put on the database and receive the information that is regularly passed through on developments in Gibraltar in relation to Financial Services.

670

Experienced Investor Fund Regulations Results yielded from recent changes; establishment or re-domiciliation of funds

675 **Clerk:** Question 627, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Hon. the Minister for Financial Services say whether recent changes to the Experienced Investor Fund Regulations have yielded results for the local funds industry in the context of the establishment or re-domiciliation of funds to Gibraltar, contracting or retaining the use of 'reputable and substantial administrators based in jurisdictions of equivalent standing to Gibraltar'?

680

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

685 **Minister for Financial Services and Gaming (Hon. A J Isola):** Mr Speaker, there have been no EIFs registered with an external fund administrator during the period since the implementation of the EIF Regulations on 12th April 2012.

690 According to the FSC website, three External Fund Administrators have been approved – which are: Credit Suisse Fund Services (Luxembourg) SA; Société Générale Securities Services; SGSS (Ireland) Limited; and Swiss Financial Services (Ireland) Limited – since the new regulations were introduced in April of last year.

A further two applications for approval from a fund administrator outside of Gibraltar are currently pending consideration.

The sector believes that the new approved administrations will unquestionably lead to further activity for our local funds industry.

695

Hon. S M Figueras: Mr Speaker, the regulations came in some time ago and whilst certainly, in certain respects in this industry some things do not move as quickly as we might otherwise hope. Is the Minister able to say or provide us with his insight as to why perhaps, if there are any specific explanations, this might not have yielded results yet in that respect?

700

Hon. A J Isola: Mr Speaker, for an external fund administrator to come to Gibraltar, requires a certain degree of planning before that decision is taken. That decision will only be taken when they

believe there to be sufficient interest in that business for them to locate to Gibraltar by being licensed here.

705 Subsequent to that, an application requires to be made to the Financial Services Commission, there is a process there. So I do not believe the five and possibly six companies that are registering in Gibraltar external fund administrators are doing so for the fun of it. There is a time element, there is a cost element and I therefore believe that what the current ones that have registered are preparing for is to begin to use Gibraltar as a funds jurisdiction which I believe is what we and the entire industry wishes to happen, and I believe it will.

710

**Gibraltar as a Trusts jurisdiction
Proposals for legislation**

715

Clerk: Question 628, the Hon. S M Figueras.

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Hon. S M Figueras: Mr Speaker, can the Hon. the Minister for Financial Services say when proposals for legislation introducing anti-forced heirship rules, changes to the perpetuity period, private trust companies, purpose trusts and foundations can be expected to be brought before this House as part of the on-going process of making Gibraltar a more competitive and attractive Trusts jurisdiction?

725

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

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Minister for Financial Services and Gaming (Hon. A J Isola): Mr Speaker, we are progressing the various pieces of legislation and each is at a different stage of the required process. It is expected, subject to any unforeseen issues arising, that all the named legislation will be in force at different stages but not later than the end of the first quarter of 2014.

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For the avoidance of doubt, all this type of legislation will be OECD compliant from a transparency and availability of information point of view.

I would therefore expect these pieces of legislation to be brought before this House over the next few months.

740

Hon. S M Figueras: In terms of consultation, Mr Speaker, can the Minister say which entities bodies have been involved in that process with the Government, if any at all, and I am certainly aware that there are a couple at least?

745

Hon. A J Isola: As I am sure my hon. learned Friend will know, these pieces of legislation, the specific ones that he has referred to, were proposed by STEP and we have obviously been working very closely with STEP in respect of this legislation. I have met with them myself as well as, of course, has my predecessor met with them in the intervening period.

750

These proposals were made in May 2010 when the first request was made for this legislation to be passed through and although STEP is the principal mover of this legislation, in terms of making the suggestions and proposals to Government, we have also discussed this with the Finance Centre Council who represents, in effect, all the players in the Financial Services Sector, combined in that one unit. This was discussed as recently as last week, when I updated them on the progress that we have.

EDUCATION, TELECOMMUNICATIONS AND JUSTICE

**Gibraltar Court Service
Vacant posts; steps to fill these**

755

Clerk: Question 629, the Hon. S M Figueras.

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Hon. S M Figueras: Mr Speaker, can the Hon. the Minister for Justice confirm the number of vacant posts at the Gibraltar Court Service and the steps if any, being taken to fill these?

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

765 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the number of vacant posts at the Gibraltar Court Service are as follows: three Executive Officers; one Administrative Officer; and one Bailiff.

770 A notice inviting applications for the posts of Executive Officers was issued on 5th October 2013. The closing date for applications is 21st October 2013. The post of Bailiff was advertised internally but there were no suitable candidates from within the service. The vacancy was further advertised on 8th October to Government owned companies as well as to Government agencies and authorities. The closing date for applications was 15th October 2013. The recruitment process for Administrative Officers has not yet commenced.

775

**Gibraltar Court Service
Replacement of CEO**

Clerk: Question 630, the Hon. S M Figueras.

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Hon. S M Figueras: Mr Speaker, can the Hon. the Minister for Justice say what if any plans the Government has for the replacement of the recently departed CEO of the Gibraltar Court Service?

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

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Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the Government's current intention is to abolish the post of Chief Executive Officer of the Gibraltar Court Service. Pending final arrangements on the management structure at the Gibraltar Court Service, a senior Executive Officer is acting as CEO.

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Hon. S M Figueras: Mr Speaker, I am grateful to the Minister for the answer. Would it be possible for the Minister to provide us with some insight as to the Government's thinking in this respect and not replacing the CEO?

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Hon. G H Licudi: Yes, Mr Speaker. I do not want to delve into areas of speculation or hypothesis as to what may happen. That is why I say this is our *current* intention. The present Chief Executive Officer – because he is still in post in fact until the end of October, although he is on leave – Mr Davies who is incumbent, he is on leave as from 4th October – he is still holding the post until the end of October.

800

He was brought in on a three-year contract to do a specific job by the former Minister for Justice, in particular, to do with the structural works that were involved as well as organisational issues. By and large the job that he was brought in to do has been completed. The works have been completed, part of the re-organisation has been done, there is still ongoing work on some internal issues, internet services and IT issues and some things still need to be done and clearly there is on-going work.

805

The Government felt that it was not necessary to continue with an externally appointed CEO on a contract basis. Therefore, the Government's position is that there should be a management structure which will still have a head in the form of probably a senior officer of the Government, so the numbers will not change. It is just that the CEO or the person heading or managing the Court Service ultimately will not be a contracted officer; it will be a permanently based officer at the Gibraltar Court Service.

810

Hon. D A Feetham: Yes, before I ask my question, may I on behalf certainly of this side of the House thank Mr Davies for the work that he has done over the last three years. I personally was instrumental in bringing him over, I know the size of the task that he had when he took over. It was a very, very difficult job in terms of combining the structures of the Magistrates' Court and the Supreme Court, which were two separate entities both in terms of courts but also in terms of management and how they were run into an integrated Court Service.

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I believe that as a consequence of the job that he has done, together of course with the staff underneath him, the people that were there and have been there for many, many years that the service today is much better than the service that it was three years ago. I talk only for this side of the House, because of course I cannot presume to talk on behalf of the Government in relation to this.

820

But as I understand it, effectively what the Government is doing is just simply doing away with the post of CEO and replacing it with a senior officer, so that it becomes effectively just simply a Civil Service structure, because of course you can have a locally appointed CEO, for example, to head or you can have somebody from the Civil Service that is also appointed CEO. But as I understand it, really, other than the nomenclature of it, the structure is going to remain more or less the same. There is going to be a

825 head, presumably two SEOs underneath it, which is the position today. Can he just clarify that? That is my understanding of it.

Hon. G H Licudi: Yes, Mr Speaker, before I answer the question and dealing with the first part of what the hon. Member has said, the Government certainly acknowledges the work that Mr Davies has done over the last three years and I have in fact, written to him and thanked him for what he has done for the Gibraltar Court Service in the last three years.

830 But the hon. Member is exactly right: the structure will remain as it is. There may be a change in the role and the name, but it will not be a contracted officer. It will be more of a permanent structure, but the structure in terms of management will remain the same. We have not made those final arrangements yet and that is why I said the Government's *current* intention is to do that. But certainly, we will see no
835 reduction in numbers and there will still be a head of the Gibraltar Court Service, managing and taking responsibility for the Court Service.

840

GCSE and post-GCSE education
Student numbers, gender, educational establishments

Clerk: Question 633, the Hon. E J Reyes.

845 **Hon. E J Reyes:** Can the Minister for Education provide details in respect of the number of students, broken down by gender, who are repeating subjects pertaining to GCSEs which they sat examinations for at the end of the academic year 2012-13, indicating at which educational establishment they are currently receiving revision tuition?

850 **Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, I will answer this question together with Question 634/2013 and 635/2013.

855 **Clerk:** Question 634.

Hon. E J Reyes: Can the Minister for Education provide details in respect of the number of pupils who sat GCSE examinations, broken down by gender and educational establishment where they received full-time education at the end of the academic year 2012-13?

860 **Clerk:** Question 635.

Hon. E J Reyes: Can the Minister for Education provide details of how many students have enrolled for post-GCSE education in Year 12 or equivalent, for the academic year 2013-14, broken down by gender and educational establishment?

865 **Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the
870 information requested by the hon. Member is set out in the schedule which I now hand to him.

SCHEDULE TO QUESTION 635 of 2013

Answer to Q 633 of 2013

The details of the number of students, broken down by gender, who are repeating subjects pertaining to GCSEs at the end of the academic year 2012/2013 are as follows:

Bayside School		Westside School		Gibraltar College	
Boys	Girls	Boys	Girls	Boys	Girls
18	0	0	14	10	10

Answer to Q 634 of 2013

The number of students who sat GCSEs at the end of the academic year 2012/2013 are as follows:

Bayside School		Westside School		Gibraltar College	
Boys	Girls	Boys	Girls	Boys	Girls
192	0	0	240	75	56

Answer to Q 635 of 2013

The details of how many students have enrolled for post GCSE education in Year 12 (or equivalent) for the academic year 2013/2014 is listed below:

Bayside School		Westside School		Gibraltar College	
Boys	Girls	Boys	Girls	Boys	Girls
119	4	0	136	62	36

Mr Speaker: On conclusion of the supplementaries to these questions, we are going to have a short recess of about 10 minutes while some paperwork is being done in connection with the motions which the Chief Minister proposes to introduce regarding appointing the Select Committee.

875 **Hon. E J Reyes:** Can I ask the Minister, it could be a little bit of just a typographical error, but in the schedule to reply, in his answer to Question 633, it says:

‘the details of the number of students, broken down by gender’

880 – which is what I requested –

‘who are repeating subjects pertaining to GCSEs at the end of the academic year 2012-13...’

885 Can I just clarify that is those who did the GCSEs in academic year 2012-13 and are taking it under the academic year 2013-14. Is that correct? I am being pedantic in nomenclature, but I want to get it right.

Hon. G H Licudi: Yes, Mr Speaker, the hon. Member is entirely right. These are GCSEs which were taken at the end of last year and are now being repeated.

890 I should say that these boys and girls are not just repeating the ones that they have chosen to repeat which they did at the end of the academic year 2012-13. The repeat programme in each school involves a package which involves some of the subjects they did and sometimes involves one or two extra subjects.

895 With regard to the figures, the most important innovation in terms of previous years in those figures is of course Bayside School, where previous years the answer would have been zero boys and zero girls and we have introduced, as the hon. Member knows, the possibility of making sure that boys and girls have the same opportunities, regardless of which school they go to. Therefore the repeat option is now available in Bayside School, when in previous years, the hon. Member knows it was not.

900 **Hon. E J Reyes:** Yes, Mr Speaker, I am very grateful for that and I just want to inform the Minister that I concur wholeheartedly with what he said. It is a very welcome innovation. Obviously that figure of 18 boys under Bayside would probably have been slightly lower and would have appeared under the column of the Gibraltar College for Boys there, so it is progress and therefore for the benefit of our students. I thank him wholeheartedly on behalf this side of the House for having implemented something that we were also very strongly committed to doing.

905 Thank you, Mr Speaker.

Chief Minister (Hon. F R Picardo): Mr Speaker, if I may now move the recess for 10 minutes.

Mr Speaker: The House will now recess for about 10 minutes.

910 *The House recessed at 10.25 a.m. and resumed its sitting at 10.42 a.m.*

SUSPENSION OF STANDING ORDERS

915

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

920 **Clerk:** Suspension of Standing Orders. The Hon. the Chief Minister.

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

925 **Mr Speaker:** Those in favour? (**Members:** Aye.) Those against? Carried.

GOVERNMENT MOTIONS

930

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

Clerk: Government Motions. The Hon. the Chief Minister.

935 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move the motion standing in my name which reads as follows and which has been circulated to hon. Members a moment ago:

940 *'That this House approve, pursuant of Standing Order 59, the suspension of Standing Order 19 but only to the extent that at least five days, exclusive of Saturdays, Sundays and public holidays, notice is required of the motion which has been notified by the Hon. Chief Minister on 16th October 2013 and circulated by the Clerk on 16th October 2013.'*

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

Select Committee on Parliamentary Reform Five Members appointed

950

Clerk: The Hon. the Chief Minister.

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

'This House, acting in accordance with the motion dated 4th June 2013, hereby:

RECALLS that a Select Committee on Parliamentary Reform was established on that date;

960 *RECALLS that the purpose of the Committee was to consider the implementation of appropriate recommendations of the Report produced by the Independent Commission on Democratic and Parliamentary Reform; and*

965 *HEREBY approves the appointment of the Hon. Fabian Picardo MP (Chairman), the Hon. Dr Joseph Garcia MP, the Hon. Neil Costa MP, the Hon. Daniel Feetham MP and the Hon. Damon Bossino MP to the said Select Committee.'*

970 Mr Speaker, the purpose of this motion is to start the process of the Select Committee's work. The work that will be done by the Select Committee was the subject of the discussion that the House enjoyed back in June. This is really just enabling us to start that work, to have the Committee appointed which is something that has to be done by motion under the Rules. You kindly pointed out to me that the Committee will also need a Secretary, of course, but that Secretary does not have to be appointed by a motion in this House and the Committee itself can invite somebody to become its Secretary.

975 So, Mr Speaker, for all the reasons that we debated last time that this issue was on the floor of the House and for all the reasons I have indicated now, I commend the motion to the House and may I just thank the Clerk for having quickly come up with the formula of words that one has to use to negotiate the maze that is parliamentary procedure at the moment, and enable us to take this motion now. You never know, the Select Committee might make all of these things easier.

980 **Mr Speaker:** I now propose a question in the terms of the motion moved by the Hon. the Chief Minister.

If no hon. Member wishes to speak on the motion, I will put the question. I now put the question in the terms of the motion proposed by the Hon. the Chief Minister. Those in favour? (**Members:** Aye.) Those against? Carried.

985

ADJOURNMENT

990 **Chief Minister (Hon. F R Picardo):** I have the honour to move that the House do now adjourn until Tuesday 29th October at 9.15 in the morning.

Mr Speaker: I now propose the question, which is that this House do now adjourn to Tuesday 29th October at 9.15 in the morning.

995 I now put the question, which is that this House do now adjourn to Tuesday 29th October at 9.15 in the morning. Those in favour? (**Members:** Aye.) Those against? Passed.

The House will now adjourn to Tuesday 29th October at 9.15 in the morning.

The House adjourned at 10.45 a.m.