



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 6.07 p.m.

Gibraltar, Thursday, 16th May 2013

The Gibraltar Parliament

The Parliament met at 3.00 p.m.

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

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

Questions for Oral Answer

Clerk: Sitting of Parliament, Thursday, 16th May 2013. Answers to Questions continue.

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TOURISM, COMMERCIAL AFFAIRS, PUBLIC TRANSPORT AND THE PORT

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Sandy Bay – Question 209/2013 Further supplementary questions

Clerk: Mr Speaker.

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Mr Speaker: We are at supplementaries arising from Question 209. I think yesterday evening the Leader of the Opposition was going to raise a supplementary.

Clerk: Sitting of Parliament, Thursday, 16th May 2013. Answers to Questions continue.

20 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I think we left it in my having to answer a supplementary from the Leader of the Opposition of the question of an environmental assessment at Sandy Bay, if I remember correctly. (**Mr Speaker:** Yes.)

25 If I may Mr Speaker, yes, I can confirm that indeed an environmental assessment has been carried out and the recommendations have been taken into account and are being carried out and I have asked my office to prepare a copy which I will very gladly have delivered to the Opposition to the Hon. Mr Netto.

Hon. J J Netto: Mr Speaker, could I just for the sake of clarification – and I am grateful to the Minister for what he has just said – could I also have it in electronic form, if this is at all possible?

30 **Hon. Dr J E Cortes:** Certainly, Mr Speaker, I will make arrangements for that to happen.

CHIEF MINISTER

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Charities List allegedly discouraged by GSD

40 **Clerk:** We now move to the Questions which are being posed to the Hon. the Chief Minister. Question 412/2013, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Chief Minister say when he will be writing to me with the overdue list of charities the GSD allegedly discouraged the contributions and work of?

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

Chief Minister (Hon. F R Picardo): Mr Speaker, the letter has been sent to the hon. Lady today.

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Charities Government policy on annual grants

Clerk: Question 413, the Hon. Mrs I M Ellul-Hammond.

55 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can Government explain the policy of giving annual grants to individual charities and if so, from which Government Department's budget and which criteria are used to determine which charity is to receive a grant?

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

65 **Chief Minister (Hon. F R Picardo):** Mr Speaker, Government does not have an established policy or set of criteria when awarding grants. As has been the established practice with the previous Administration and probably even earlier, grants are awarded at the Chief Minister's discretion to cases identified as deserving of financial assistance. Grants are paid from the central vote for 'grants'.

Aviation measures Spain's withdrawal from Cordoba Agreement

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Clerk: Question 414, the Hon. P R Caruana.

75 **Hon. P R Caruana:** Mr Speaker, can the Chief Minister provide to the House an update on the position that has arisen as a result of Spain resiling from its commitments under the Cordoba Agreement in relation to not seeking Gibraltar's exclusion from new EU measures, and specifically the recent aviation measure in which the Gibraltar suspension language was included?

Clerk: Answer, the Hon. the Chief Minister.

80 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the whole House will agree with me that the unilateral withdrawal by the Kingdom of Spain from its obligations under the Cordoba Agreement is an entirely unacceptable manner of conducting international relations between governments.

85 For information, let me remind the House that on 1st December 2011, the European Commission adopted a proposal for the recast and replacement of Regulation 95/93 of 18th January 1993 on common rules for the allocation of slots at Community airports. That original 1993 Slots Regulation contains the pre-Cordoba suspension language.

90 Recital 29 and Article 1(2) of the Commission's 2011 Proposal contained the new post-Cordoba language. The proposal was discussed at Council Working Group level in October 2012. It was at that meeting that Spain sought to replace the post-Cordoba language with the pre-Cordoba suspension clause. After a heated debate the result was that neither the post or pre-Cordoba language would be contained in the replacement measure.

It is of course Her Majesty's Government of Gibraltar's position that any new aviation measure that is silent on its application to Gibraltar Airport is applicable to Gibraltar.

95 In similar vein, on Wednesday, 13th March 2013, the European Commission adopted a proposal for an EU Regulation amending the 2004 EU Regulation on denied boarding compensation and other passenger rights. The 2004 Regulation still contains the suspension clause. The proposal for the amendment does not seek to remove the suspension clause. Her Majesty's Government of Gibraltar considers this to be contrary to what was agreed at Cordoba. This is also the position of Her Majesty's Government of the United Kingdom.

100 **Hon. P R Caruana:** Well, Mr Speaker, I recognise from what the hon. Member says, not just a recital of the facts which are correct, but also a political position and a political judgement with which I, speaking for myself, from the lonely back benches, would fully subscribe to.

105 Mr Speaker, whatever might be the difference in language – in other words, Counsel decided not to include either the previous language or either the pre- or post-Cordoba language, but new language – I think it is true to say that nevertheless the effect of that language is suspension, and that Spain should be doing that is certainly unacceptable and perhaps capable of being categorised because it is Spain, but what of the EU Commission, Mr Speaker? Does the Government feel it will be able – through the UK obviously, I am not suggesting that this is something that the Gibraltar Government could do – to hold the Commission to the fact that it was notified of these agreements, Spain committed itself in a letter to the Commission not to seek exclusion language, the Commission accepted that, acted accordingly on a number of cases of which presumably the Government is aware, and in those circumstances has the Government been able to obtain any advice as to whether there may be any basis to pursue the Commission in law, not for Spain's behaviour, but for its own behaviour in terms of 'flip-flopping' between acceptance and not acceptance of things communicated to it?

Hon. Chief Minister: I am delighted to say that I share the Hon. previous Leader of the Opposition's attitude to 'flip-flopping' as being entirely unacceptable.

120 But if I can just go back to how he started his intervention, in case he misunderstood something I said, which I think it is important for him and the House to have clear: I did not say that there was new language included in that particular measure which does not contain the suspension clause, or the Cordoba clause; there was *no* language included – so neither the suspension clause nor the clause that Cordoba proposed should be included. Just that he said 'new language'; there is no language.

125 **Hon. P R Caruana:** So there is no suspension – I beg your pardon, Mr Speaker.

Hon. Chief Minister: There is no language, and therefore what I told the House was the attitude of Her Majesty's Government of Gibraltar and of the United Kingdom is that therefore that measure, absent language, applies to Gibraltar.

130 Now, he is absolutely right that there are a number of levels to this matter. There are the political levels and there are the legal levels and those apply also in relation to a number of different parties, the Kingdom of Spain and the Commission, and all of those matters are the subject of on-going discussion and negotiation – discussion and agreement with the United Kingdom and discussion and negotiation with the Commission.

135 With Spain, as the hon. Gentleman would expect, there is nothing but a position put in public, from which they are apparently refusing to budge, despite what that may say for what value one can put on the agreements entered into by the Kingdom of Spain.

140 This is not an attempt to re-negotiate a part of what was agreed at Cordoba; this is a unilateral withdrawal by one party, giving no notice to any of the others, other than a public statement to that effect and actions in the Commission... sorry not in the Commission; actions in the European Union discussion groups leading up to the presentation of a final directive.

The hon. Gentleman is right that it can create legal issues, not just against Spain, but also against other relevant parties that may assist in the conspiracy, if I can put it that way, to exclude Gibraltar once again from measures that clearly apply to Gibraltar.

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Hon. P R Caruana: If I may, Mr Speaker, is it implicit in what Spain has done and what he has seen more technically – I mean, I have only seen what has appeared in the press – but is it his assessment of what he has seen that Spain has done, that of course in resiling from the non-use of the suspension language from EU Directives affecting aviation, they have also resiled from the other elements of the Cordoba Airport Agreement, for example to link the terminal directly to the Spanish side through a so-called northern entrance.

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A Member started coughing.

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Hon. Chief Minister: I am conscious of how sensitive the ambient microphone is.

Mr Speaker, in answering the hon. Gentleman's question, let me give the House another piece of information, which may be useful for us all to be aware of. In a *Boletín Oficial del Estado* issued last week in Spain, which is the Spanish equivalent, as Members will know, of the *Gazette*, the Kingdom of Spain circulated as the measure giving effect to a measure on EU-US Open Skies which had been agreed during 2011, a document which shows that agreement and the effect of it, including the Cordoba language.

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Now, I believe, Mr Speaker, that that is because at the time that that agreement was negotiated and agreed between states, including the United States and the 27 Member States of the European Union, the Cordoba language was in it. So it is therefore impossible actually for the Kingdom of Spain to resile from that. So at the same time that Spain is putting one legal position in discussions with the Commission and other Member States in the EU on current measures, she is publishing in her *Boletín Oficial del Estado* an agreement with the United States containing the Cordoba language. I think it is important that the House should be aware of that.

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Now, the hon. Gentlemen will know from his time at No. 6, after Cordoba and after the Gibraltar Airport works were substantially completed and those adjoining the frontier were substantially completed, at least in terms of the infrastructure of the building, that both with a Socialist government in Spain and the months that he was in office, whilst there was a *Partido Popular* in office in Spain, the issue as to the building of that additional entrance into the building related more to who owned the land and how that transfer of land was going to happen to the relevant Spanish airport authority, which I think is AENA, rather than any desire to build or not build and of course the amounts available to build infrastructure projects of that sort available to the Spanish state, given the present circumstances.

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No notice has been given to the Government of Gibraltar, and I believe no notice has been given to the government of the United Kingdom at least none that has been communicated to us and we would expect it would be communicated immediately, that Spain is resiling from that aspect of the Cordoba Accords. It may simply be because the issue as to the land has not been resolved and there may be no intention of resolving it.

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The hon. Gentleman knows and I will not shy away from it, the policy of the Parties now in Government has consistently been that should that part of the agreement go ahead, our position is and I think this is where the important difference lies between the position of the Government of Gibraltar today and the position of the Government of Spain today, that we would seek to re-negotiate parts of that because although he was satisfied with what he negotiated, he knows our public position in respect of that. But we have received no notification that Spain is not going to proceed with that aspect of its obligations under the Cordoba Accords.

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He also knows, of course, Mr Speaker, that although Spain resiles unilaterally from its obligation in relation to the suspension clause relating to Gibraltar Airport, that Spain expects other parties to the Cordoba Accords to maintain their obligations and perform their obligations under those agreements. I think the most salient of those is the continued payment of Spanish pensions, which is an obligation of the United Kingdom as a signatory to those Accords and the United Kingdom keeps to its agreements. I think that is exactly how international state parties should approach international obligations.

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Hon. P R Caruana: But, Mr Speaker, would the hon. Member agree with me – and I am conscious that I do not want to encourage him to say anything publicly that he should not – but that the mutual obligations to release Gibraltar Airport from the then existing EU user restrictions, the applicability of EU Directives, the suspension of EU Directives to our terminal, to our Airport, was the *quid pro quo* for allowing them to connect directly to our Airport and that they could not have one without the other. In other words, they could not be, feel, entirely, and another thing is the Gibraltar Government may unilaterally decide that it is willing to allow it, but that is a matter of choice for the Gibraltar Government. Spain could not insist on being allowed to communicate directly with our terminal to the north, whilst at

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205 the same time not adhering to the *quid pro quo* which it gave in return for that, which was the release of Gibraltar Airport from EU suspension.

Hon. Chief Minister: Mr Speaker, I think that the hon. Gentleman, in making that intervention, highlights this issue, which I think is also important: we talk in shorthand about the Cordoba Accords, but of course the hon. Gentleman came back with a number of different agreements which were, if you might call it, in different silos. I spoke about pensions but of course that is in a different silo, so to speak, from the Airport. This particular part of the Agreement does include these issues of different access to the terminal, the suspension clause etc.

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215 But may I just take the hon. Gentleman a step further and say this to the House: the suspension clause that had made its way into European legislation speaks not just of Spain's attitude in the late 1980s to Gibraltar Airport; it speaks to a much less virtuous period in British diplomacy's attitude to Gibraltar. The suspension clause, the hon. Gentleman will recall, was actually a measure agreed between the United Kingdom and Spain, in order to allow Directives to proceed without the argument on Gibraltar holding them back and therefore Open Skies proceeded and we were excluded from it, etc.

220 I think we are now in a much more virtuous place for British diplomacy. I think it is clear that the United Kingdom will not allow Spain to believe for one moment that there will be an agreement between them to insert a suspension clause, so that therefore measures that might not otherwise go forward will go forward. I am sure that he will agree with me that it is exactly right that that should be the position of the United Kingdom and it could not be otherwise.

225 **Hon. P R Caruana:** Yes indeed, Mr Speaker, subject only to another important change that has happened since and that is the advent of qualified majority voting, which does not mean that the UK veto can prevent that very eventuality from resulting.

230 **Hon. Chief Minister:** Or *vice versa*.

Hon. P R Caruana: Yes, but qualified majority voting means that the UK would have to gather enough support to defeat the measure because of Spain's insistence on the Gibraltar action.

235 Well, I am grateful, Mr Speaker, to the Chief Minister for bringing the House up to date on that and simply to repeat to him at a personal level that if he feels that the Government will benefit from any nuanced insight that may not appear from the papers that might help the Government that he thinks I can contribute, I am very happy to do so.

240 **Hon. Chief Minister:** Mr Speaker, I am very grateful for that offer from the hon. Gentleman. He knows I have taken him up on that offer in relation to a number of different matters and if it were to become necessary, of course I would call him to assist us in relation to any issues where we need to interpret anything that happened in his time and that is not clear from the documentation available.

245 But can I just address this issue of qualifying majority voting, Mr Speaker. In fact, QMV may be something that bites in the other direction as well. Of course, it depends how these measures originate from the Commission and what he must have been told and I am told and is obvious politically from simply following European politics is that it is sometimes harder to change a measure than it is just to keep a measure as it is. If the measures originate in the Commission without suspension language or with the Cordoba language, which is where I agree the Commission is obliged to set any measure relating to aviation with the post Cordoba language, then the exercise is to remove, and that is harder. To simply keep as it is, it is easier to garner votes and proceed in that context.

250 Mr Speaker, I do not think there is anything more I can usefully add, other than to thank the hon. Gentleman for his offer of assistance.

255 **Duty payable on bicycle parts and accessories**
Government policy

Clerk: Question 415, the Hon. S M Figueras.

260 **Hon. S M Figueras:** Yes, Mr Speaker, can the Hon. the Chief Minister state the Government's policy in relation to duty payable on bicycle frames, components and accessories generally and, specifically, in respect of promoting local businesses engaged in the sale of these goods?

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

270 **Chief Minister (Hon. F R Picardo):** Mr Speaker, with your indulgence before I answer this question, I meant to say something before I started answering all of these questions, which I would be grateful to be allowed to say now. It is simply this: this is the first time that I answer questions in this House having had all of these answers prepared without the assistance of Marisa Dobinson, who was in charge of preparing parliamentary answers not just for myself, but for all others. It is a testament to how well she planned her succession that I have been able to do this month just with Julie Bruzon, the Chief Secretary and the whole of the rest of the team that prepare parliamentary answers for me and for the rest of my colleagues. I would like to thank her for the work that she did for the period that I have been Chief Minister and I am sure that the Hon. the previous Chief Minister would share my views.

275 Mr Speaker, import duty on bicycles is 0%. Import duty on bicycle parts and accessories is 12% . The Government is considering representations made in respect of these goods.

280 **Hon. S M Figueras:** I am grateful for the contribution, Mr Speaker. I have raised the issue in the context of representations that I myself have received from business owners dealing in these goods who allude to the fact that there is a difficulty or they are experiencing some difficulty in terms of competing with the on-line businesses that so many locals avail themselves of their services.

I am grateful for the contribution and I would end by asking the Hon. the Chief Minister whether this is something that he expects will be considered in time for the Budget session?

285 **Hon. Chief Minister:** Mr Speaker, that would be telling! I have to fall back on the Chief Minister's privilege of telling the House what the Budget measures will be on the day of the Budget; but I hear what he says.

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**Hybrid/alternative energy vehicles
Registration in Gibraltar**

295 **Clerk:** Question 416, the Hon. S M Figueras.

300 **Hon. S M Figueras:** Yes, Mr Speaker, can the Hon. the Chief Minister say how many hybrid/alternative energy vehicles have been registered in Gibraltar since the introduction of the Government's various fiscal measures designed to incentivise the purchase of said vehicles, detailing whether said vehicles have been purchased for private, commercial or Government use?

Clerk: Answer, the hon. the Chief Minister.

305 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer this question together with Question 417.

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**Hybrid/alternative energy vehicles
Government incentivisation policy**

Clerk: Question 417.

315 **Hon. S M Figueras:** Can the Hon. the Chief Minister state the Government's policy in relation to the continued or enhanced incentivisation for the purchase and use of hybrid and other alternative energy vehicles in Gibraltar.

Clerk: Answer, the Hon. the Chief Minister.

320 **Chief Minister (Hon. F R Picardo):** Mr Speaker, there has been one hybrid vehicle and three electric vehicles registered in Gibraltar since the introduction of the Government's fiscal measures.

The hybrid is a private motor vehicle. There are two electric mopeds and one electric private motor vehicle.

325 In order to promote the acquisition of hybrid vehicles, Government has reduced the import duty on these vehicles when imported via licensed motor vehicle dealers in Gibraltar. The duty will decrease from 8.25% to 6.25%, depending on cubic capacity, to a flat 2% across the board. He will recall that from the last Budget session.

330 Moreover, upon registration of a hybrid vehicle, the purchaser will receive £500 cash back. Therefore the purchase of a hybrid vehicle will result in a tax-cut and cash-back incentive to the consumer, as provided for in the GSLP/Liberal manifesto. Furthermore, Government is also looking at such vehicles for its own fleet to lead by example and hopes that this measure will encourage consumers to consider hybrid vehicles, not just because of the saving on fuels and the lowering of emissions but also because of the savings on import duty and the cash back on registration.

335 **Hon. S M Figueras:** Mr Speaker, perhaps the Chief Minister could just clarify for me because I did not quite get what he was referring to in relation to the reduction from 8.25% to 6.25%. That was in relation to which vehicles, sorry? I had always understood that the duty was 2% for hybrid vehicles across the board.

340 **Hon. Chief Minister:** Well it is now, Mr Speaker, but the position from which we changed – in other words, the position before the Budget – was that depending on the cubic capacity, the duty was either between 8.25% to 6.25%; and the change implemented in our first Budget was to reduce it to 2%.

345 **Hon. S M Figueras:** I am grateful, Mr Speaker.
Is it safe to say that given that the Hon. Chief Minister has kindly noted that it is the delivery of a manifesto commitment to come up with these incentives, which certainly this side of the House welcomes, that it is something that will continue for the foreseeable future, something that will, if reviewed, only be enhanced for further incentivisation?

350 **Hon. Chief Minister:** Mr Speaker, it would certainly be the case, until I assume we get to zero and there is little more we can do once we get to zero in terms of import duty. With zero import duty, I do not know how much cash back people would need in order to be incentivised to purchase the vehicles. There has to come a tipping point, where encouragement is given and cannot go further. But certainly the position has been to incentivise in a way that is quite dramatic compared to what it was before.

355 I sincerely believe that this is the technology of the future and I think it is actually coming by way of technology and less by way of an incentivisation of people, but there may be more things that we are able to do, in order to incentivise the use of such vehicles.

360 One thing that is certainly in my mind, and I do not want to be questioned about this in the future, if it has not happened in the next 35 days – so the hon. Gentleman, please note that I am not setting *any* time limit on when this could happen or how it could happen – but he will understand, like I do, that if you have got an electric vehicle, you need to charge it, so we need to start looking at how we provide for charging stations in public parking in Gibraltar, and one of the things to provide may be that the electricity may be provided at no charge for a particular period – something which may be electronically possible, given that when you plug in you need three hours to charge and you will get three hours of electricity and then the whole thing might switch off after that.

365 Those are the sorts of things that we can do, beyond simply touching the duty and touching the cash-back element.

370 **Hon. S M Figueras:** I am grateful for that contribution.
Perhaps the Hon. the Chief Minister will be assisted by my contribution in this context, because I was certainly coming to ask about incentivisation beyond pure fiscal measures, so I am grateful to the Hon. the Chief Minister for his indication in that regard.

375 Is the Government considering, or would it consider, the possibility of – in consultation with, say, the Electricity Authority and other relevant agencies – the requirement moving forward in respect of new builds for electricity infrastructure to be installed at parking level, because certainly in the use of electric vehicles, that, I believe, is more of a concern than having a charging station wherever you are going to charge your car, if you have been unable to charge it overnight in order to be able to use it in the morning. I wonder whether the Government can confirm if this is something that is on the radar or something that they will consider moving forward as a possibility.

380 **Hon. Chief Minister:** It is very much on the radar. It is a pity that recently completed developments do not already have that, but new developments will very likely incorporate measures to deal with these issues. Some existing developments will likely be retro-fitted and new public parkings are likely to provide for this.

385 But how it is going to be provided, in particular in public parkings, is an issue where you may have areas which are open to the elements. The other side of the coin, of course, is that in public parkings, it may be possible to set up what you might notionally call ‘solar charging stations’ and we are looking at that in detail, so that instead of displacing emissions by plugging a vehicle into the grid and the emissions would be much less than what the internal combustion engine produces – but there may be an element of

390 an emission, if you are relying on a power station, until of course that power station does not produce emissions, at least dangerous ones – then it may be that solar charging stations are a solution, especially in places with weather as privileged as the ones we enjoy here.

395 **Sunborn Floating Hotel Project
Establishment**

Clerk: Question 418, the Hon. S M Figueras.

400 **Hon. S M Figueras:** Yes, Mr Speaker, can the Hon. the Deputy Chief Minister say whether the establishment of a floating hotel in Ocean Village Marina is a done deal?

Clerk: Answer, the hon. the Chief Minister.

405 **Chief Minister (Hon. F R Picardo):** Without being demoted immediately, I am delighted to take this question with the others that relate to Sunborn. Mr Speaker, I will answer this question together with Questions 419 to 423.

410 **Sunborn Floating Hotel Project
Wildlife habitats; contracts; infrastructure;**

415 **Clerk:** Question 419, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for the Environment please state if, in the vicinity of where the floating hotel is to be sited, there are Ribbed Mediterranean Limpet and Spider Crabs' habitats?

420 **Clerk:** Question 420, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Government state if there is any contractual relationship between the owners of the floating hotel and the Government and, if so, what is it based on?

425 **Clerk:** Question 421, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Government state whether the infrastructure to accommodate the floating hotel is going to be paid by the Government, the owners of the floating hotel or the owners of the Ocean Village and what is the cost to any of these entities?

430 **Clerk:** Question 422, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Government state if there is any agreement/contract in place between the Government, the owners of the floating hotel and the owners of the Ocean Village and if so, could the Government provide a date on which such an agreement or contract has been signed and give details of such?

Clerk: Question 423, the Hon. D A Feetham.

440 **Hon. D A Feetham:** Can the Chief Minister please provide details of (a) the costs already incurred by the Government and (b) the overall estimated cost to the Government of the Sunborn Floating Hotel project?

Clerk: Answer, the Hon. the Chief Minister.

445 **Chief Minister (Hon. F R Picardo):** Mr Speaker, in order to encourage the relocation and establishment in Gibraltar of the five-star Grand Luxury Floating Hotel – the Sunborn, Gibraltar, I can confirm that the Government has committed itself to assist in any way that it can to make this project a reality.

450 This includes working with the owners of Ocean Village to ensure that the infrastructure in the area of the proposed berthing of the vessel is in place, such as any dredging work and sheet piling which is required to enable the vessel to be manoeuvred into position.

The Government is also working to provide the necessary infrastructure works to ensure adequate and sufficient provision to the five-star Grand Luxury Hotel of the required utility services. The municipal areas surrounding the hotel will also be beautified by the Government with greenery that is in keeping with what would be reasonably expected of a five-star Grand Luxury Hotel resort in Gibraltar.

455 I am aware that there are some concerns expressed by residents of the area and the ESG about some aspects of the infrastructure works to be carried out, as well as what the berthing of the vessel at Ocean Village may entail. I will be meeting the ESG on Monday to address their concerns and discuss with them how best to incorporate these into the plans.

460 Although some of these infrastructure works are to be paid for by the Government, as would be the case in respect of any development, the final cost of which has not yet been established, there is no direct contractual relationship between the Government and either the owners of Ocean Village or the owners of the floating hotel to provide these works.

465 Separately, I think it is fair to congratulate Ocean Village for having secured the agreement of Sunborn to berth what appears to be a magnificent vessel at their facility.

The cost incurred by the Government to date in connection with this project is £137,440. There is continuing discussion between the various parties on specific project items and it would not be appropriate to disclose estimated project costs to the Government until those discussions have been concluded and costs agreed.

470 Turning now, Mr Speaker, to Question 419, there are no Ribbed Mediterranean Limpets in the immediate vicinity of where the floating hotel is to be sited, although they do exist in some areas of rock revetments on the approaches to that location. For that reason, silt curtains will be deployed in areas to be dredged close to locations where Ribbed Mediterranean Limpets exist, to contain any suspended sediment and avoid any impact on said populations.

475 There are, however, a small number of Spider Crabs in this general area, but as part of this project, the Department of the Environment, in conjunction with appointed contractors, is currently surveying the area with divers and relocating any Spider Crabs that may be found.

480 Spider Crabs are also found in both western and eastern shorelines of Gibraltar, favouring the more sheltered areas. It should be noted that the population of Spider Crabs in Gibraltar has been maintained in a healthy state, as a direct result of the protection measures laid out in the Nature Protection Act 1991. Had this species not been protected, the current situation would have undoubtedly been very different, considering that this species is harvested commercially.

485 **Hon. D A Feetham:** Yes, Mr Speaker, therefore could the Chief Minister provide a simple answer – and I note the lengthy answer that he has provided, but a simple answer – to the question that my hon. Friend, Mr Figueras, has asked which is, ‘Is the floating hotel in Ocean Village Marina a done deal?’ because from what he appears to have said, indeed it is a done deal?

490 **Hon. Chief Minister:** Well, Mr Speaker, he should ask the people who appear to have done the deal: Ocean Village and Sunborn.

495 **Hon. D A Feetham:** Mr Speaker, can I take it therefore from the answer that he provided a few moments ago, his lengthy answer, the Government is wholly committed to this particular deal taking place here in Gibraltar and will do everything necessary in order to make it happen?

Hon. Chief Minister: Mr Speaker, I fear he did not hear what I said. I will read the first sentence of what I said to the House a moment ago:

500 ‘... in order to encourage the relocation and establishment in Gibraltar of the five-star Grand Luxury Floating Hotel – the Sunborn, Gibraltar, I can confirm that the Government has committed itself to assist in any way that it can to make this project a reality.’

505 **Hon. D A Feetham:** Mr Speaker, in relation to this question of Spider Crabs and also the Limpets, has an environmental impact study actually been undertaken and, if so, was it undertaken prior to the works having commenced, for example dredging works having been commenced in the area?

Hon. Chief Minister: Mr Speaker, I understand that if he looks at the documents that were filed before the DPC, the Government has confirmed that such a study is, has or is being undertaken.

510 **Hon. D A Feetham:** Well, Mr Speaker, that does not really answer the question. 'Has or will be undertaken' does not answer the question as to whether an environmental impact assessment has and did *in fact...* was in fact undertaken prior to the works in this area having been undertaken, for example, the dredging. Now, if he does not know what the answer is, perhaps the Minister for the Environment does.

515 **Hon. Chief Minister:** No, Mr Speaker, I am looking through the questions and the hon. Gentleman has not given notice of such a question.

If he wants an answer to a question like that, which is asking for a particular factual answer to be given, I am quite happy to get the information and provide it to the House, but he needs to give me notice of such a question.

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Hon. D A Feetham: Mr Speaker, can the Hon. the Chief Minister confirm that substantial dredging works have been undertaken in this particular area?

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Hon. Chief Minister: Mr Speaker, I can confirm that no dredging works have been undertaken in the area to date.

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Hon. S M Figueras: Mr Speaker, perhaps I can be of assistance to the House in saying that I have seen the papers filed with the Development and Planning Commission in respect of the infrastructural works – infrastructural works which were not listed as a Government project in the agenda of the meeting, but I understand were stated to be so at the meeting itself.

In those documents, though I do not have a copy of them with me, there is, in the application form, reference to an environmental impact assessment ongoing in the application form. However, I understand from my hon. Friend, Mr Netto, that during the meeting of the DPC at which this matter was discussed, it was decided that a screening process should be undertaken in order to determine whether a full-on environmental impact assessment should be conducted.

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My question to the Hon. the Chief Minister is this: my understanding is that the vessel – and the value of the initiative of which is not in question in this House today, because we are talking about issues which are entirely distinct from that assessment – the vessel was already on its way at the time of that meeting of the Development and Planning Commission.

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Mr Speaker: Question, please. You say 'my question is' – please get on with the question.

545

Hon. S M Figueras: My question, Mr Speaker, is if that was the case is it not rather unnecessary to take a matter before the Development and Planning Commission, when it has already been decided that it is going to go ahead, no matter what?

Hon. Chief Minister: That was not the case, Mr Speaker.

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Hon. J J Netto: Yes, thank you, Mr Speaker.

I have got actually a number of questions, so I will try and keep it as short as possible and see what response I get from the Minister for the Environment.

The Chief Minister, in his contribution, made an over-optimistic assessment in relation to the Spider Crabs. Whether the Chief Minister likes it or not, it is an endangered species and this is why it is in the schedule of the Nature Protection Act. So the question is, Mr Speaker, given that we now know that someone has instructed people to remove the Spider Crabs from the location where the dredging is going to take place, can the Minister for the Environment please tell the Parliament, who actually gave those instructions and whether a licence was issued for that purpose?

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Hon. Chief Minister: Well, Mr Speaker, I am dealing with these questions and the hon. Gentleman, if he gives notice of the question, will have the information that he requests. That is not information that he has requested.

But, we have not talked about removing Spider Crabs, we have talked about – because that might suggest removal of them to the pot in which they are going to be cooked – they are being moved, in order to be able to continue in their protected existence.

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Hon. J J Netto: Well, I think, Mr Speaker, the Hon. Chief Minister simply does not know what he is talking about, hence the reason why I am directing the question to the Minister for the Environment who certainly knows what I am talking about.

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In relation to the removal of the Spider Crabs, does the Minister for the Environment not realise that we are at the moment in the spring bloom season, which means that female Spider Crabs are in the reproductive cycle, thereby any disturbance which we now acknowledge has taken place and probably

without a licence, as it should be done under the Nature Protection Act, has taken place, which will mean this endangered species will have a less reproductive season this year, as a result of the actions of the Government?

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Hon. Chief Minister: Mr Speaker, I have told the hon. Gentleman that if he wants information about when licences have been granted, etc he should give notice of the question or write to me and I will give him the information.

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In the question that he has just put, he has said that no licences have been granted, when in fact, that is not the answer that I gave him.

Now, this is a Parliament where we are accountable for the actions of the Government, Mr Speaker. Of course, if there are issues which could affect the reproductive capability of Spider Crabs, it is an issue that would be relevant to the Government, because this Government *cares* about the environment and cares about how we do things.

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That is why, Mr Speaker, the hon. Members had the opportunity of seeing these issues listed for the DPC. That is why, Mr Speaker, he is being told the Spider Crabs have been moved. That is why, Mr Speaker, we do so much of what we do.

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But, the hon. Gentleman should rest assured, there is no question of this Government doing something to endanger any endangered species which is actually doing so well, given the protection it was afforded under the 1991 Nature Protection Act. I am not going to say to him, Mr Speaker, that it appears that it is him that does not know what he is talking about, because I am actually trying to avoid that this debate should... or this question-and-answer session should descend to that level; but if he thinks that he scores some political points by starting his questions like that, it is a matter entirely for him.

595

A Member: Hear, hear.

Hon. J J Netto: Mr Speaker, can I ask the Minister for the Environment whether he can confirm that a licence has been issued and if any licence has been issued, will he provide a copy to Parliament?

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Hon. Chief Minister: Mr Speaker, I have told the hon. Gentleman that the question about the licence is one on which we would require notice, and I am dealing with the questions in relation to this matter which, because it represents an investment of £150 million for the people who are bringing the vessel to Gibraltar, is an important issue affecting the macro-economic state of our economy.

605

Therefore, Mr Speaker, he has not been told he will not be given the information; we have told him that if he writes in or if he puts the question with notice, he will get the information, and the only additional element in what he has asked for now is whether he can have a copy of any such licence. Mr Speaker, giving him information or giving him a copy of the licence for me is exactly the same and he will be able to have a copy if he requests it.

610

Hon. D A Feetham: Mr Speaker, I understand that the company, Steel Mac is undertaking some work in relation to this particular preparatory work in relation to this particular project. I had understood that some of the work that they were undertaking was of a dredging nature; but can he enlighten the House as to what kind of work Steel Mac is undertaking in relation to this particular area, please?

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Hon. Chief Minister: Mr Speaker, I am afraid that the hon. Gentleman should not believe every rumour he hears on the street.

As far as I am concerned, there has been no dredging whatsoever. I know that Steel Mac is one of the companies that has tended to do work for the Government, but I do not know whether it has already been granted any works, because certainly in the information that I have been provided, there is nothing suggesting that the sort of work that they do has been undertaken in any way, to date.

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Hon. D A Feetham: Well, Mr Speaker, I do not –

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Hon. Chief Minister: But if he wants, I can try and find out. I am very happy to go back and find out whether perhaps some of the things that neither he nor I might associate with the work that Steel Mac does, and which has resulted in £137,000 already being incurred, has been done by that company. I am quite happy to check and give him the information when we next meet, which is likely to be on Monday.

630

Hon. D A Feetham: Well, I am very grateful for that.

No, I have not heard this particular rumour in the street; in fact when I was parking my car, one of the directors of Steel Mac actually told me himself that they were about to go and do some preparatory work for this particular project. That is exactly why I am asking the question! I had assumed that it related to some dredging work and I have been provided some information, unrelated to Steel Mac, that dredging

635 works had been undertaken in the area. But, if the Hon. the Chief Minister says that no dredging work has been undertaken in the area and that is confirmed as well, by the Hon. the Minister for the Environment, then I will accept it.

640 But, does the Hon. Chief Minister not agree with me that this appears to be a project that is being pushed through by the Government with really undue haste – it is a project that apparently is being ploughed ahead with in the absence of a full EIA, when we know that this is an area where there are Spider Crabs that are protected by the Nature Protection Act, and that is common ground across the floor, when we know that there are Ribbed Mediterranean Limpets, not in that area but in the vicinity that in fact may be, could be affected – I do not know, I am not an expert, but could be affected – by any dredging works that are conducted in the area; that we know also, because GONHS issued a press release, I think it was last year or the year before, that this area is a breeding ground for sea bass, which in fact was something that GONHS at the time were saying ‘What a great area we now have for the breeding of this particular fish’?

645 In the light of that and the fact that there are works that are being undertaken in the area, the absence of the EIA works in the area, this is a project that appears to be being pushed ahead by the Government with complete undue haste and with disregard for areas such as the environment, as my hon. Friend, Mr Netto, was asking about, without proper regard to those, just simply to get this particular project here to Gibraltar so that the Gibraltar Government can say, ‘We have brought £150 million of investment’ – good as that is for Gibraltar.

655 **Hon. Chief Minister:** Mr Speaker, I could not disagree with him more. It appears that when we move quickly on a project, we are proceeding with undue haste; when we do not move quickly enough, we are not going to fulfil the manifesto commitment and we are going to fail to deliver. Well, Mr Speaker, nothing could be further from the truth and the fact is that this Government is the one that is subjecting projects which it needs to undertake – infrastructure projects, or aspects of a project which it needs to undertake – to a planning process, where the Hon. Mr Figueras said, during the course of which, the environment was discussed and the work to be done in respect of environmental assessments, etc was considered and will be done.

660 The question is, Mr Speaker, is the hon. Gentleman saying to me, with a straight face, that we should not even do the things that do not affect the environment and the EIA? Perhaps he should say to me, ‘Are you satisfied that none of the things you have done to date are the sorts of things that need to be considered by the EIA and the screening?’ If he had asked me that question, Mr Speaker, I would say to him, I am satisfied, because of the advice that I have and the advice that the Minister for the Environment has, that none of the works done to date are the works that should be the subject of any aspect of environmental screening or an EIA. Therefore, I am very happy that the works done to date do not exclude any concerns that may be raised by an EIA.

670 Now, is he saying, or could he also be asking, ‘Is the Chief Minister satisfied that the results of an EIA will not prevent the vessel from coming and therefore that the money expended now will be thrown away?’ I am satisfied, from the advice that I have, that an EIA in detail or any other environmental screening process which may be undertaken – EIA, screenings, etc... All of those have a fixed meaning in law and let us talk about them generically. I am satisfied with the advice that I have that whichever one of those is pursued will not result in anything being put to the Government or resulting that would prevent the vessel from coming to the location where Ocean Village and Sunborn have agreed it should come, and that therefore the works which are preparatory and which do not require environmental assessment of any sort should proceed.

680 Now look, Mr Speaker, in those circumstances, what is it that the hon. Gentleman would have done if he was in Government – not move a muscle until he had the EIA? Well, I have to put it to him, Mr Speaker, that that would be completely contrary to the way that they have conducted themselves for the 16 years that they were in Government, and it would be completely contrary to what is reasonable, because Mr Speaker, although I believe that they acted without the concerns of the environment that they now appear to have, in many of the instances where they acted, where they have defended in this House, Mr Speaker, that Government projects should not go to the DPC, well, Mr Speaker, I put it to them that what is perfectly reasonable and is perfectly proper and I would have supported, if this had been what they had done, when they were...

690 **Mr Speaker:** I think the Chief Minister is in danger of widening the ambit of the debate considerably.

695 **Hon. Chief Minister:** In that case, Mr Speaker, I will move quickly just to answer my own question, which is this: (*Laughter*) it is very simple, it is absolutely right and proper, in the absence of an EIA or a screening assessment, to do the things which do not require an EIA or a screening assessment or any other such environmental requirement – the things which do not require it – and then awaiting the result of any such environmental process, progress with such other works as may be necessary, and if one is

advised, 'Look, this environmental assessment could go either way', well then you do not spend a penny and you wait. But if you are told, 'Look, the assessment has to be made, the results are likely to be either to do (a) or to do (b), but they are not going to be...' and this is what the environmental experts at official, technical and political level tell you, then you can progress to do the works which are preparatory.

700 I think that in the interests of the macro-economic benefit of the community, that was exactly the right way to progress, and I will add this: in the 16 years, Mr Speaker, that the hon. Members enjoyed the benefit of governing our community, they sought extensively, rightly, to attract five-star hotel offerings to Gibraltar. Mr Speaker, we have achieved bringing one such five-star hotel offering to Gibraltar and I expect that at least this aspect of the proposal is welcomed by them. I am grateful that the hon. Gentleman has recognised that a project of £150 million is good for an economy that is going to benefit to the tune of approximately 150 jobs.

Hon. D A Feetham: Mr Speaker.

710 **Mr Speaker:** I will allow one further supplementary on this matter. (*Interjections*) That is my ruling.

Hon. D A Feetham: Mr Speaker, if it is your ruling and I cannot persuade you otherwise, that is fine.

715 **Mr Speaker:** You are taking... Now both the Government and the Opposition are widening the aspect of this specific question to a debate about what one side or the other was doing in power. I am prepared to accept a supplementary question from each of the Members of the Opposition that have been asking questions on this issue. I will allow one from each of you, and then that is it.

720 **Hon. J J Netto:** Mr Speaker, at the end of the day, whatever your ruling is your ruling is, but I do have quite a number of supplementaries.

725 **Mr Speaker:** I will allow Mr Netto, who was asking the original question, to get on with supplementaries. I will try to be lenient with him: we will see how far it goes, but if the matter gets out of hand, I will then move on.

730 **Hon. D A Feetham:** Yes, I will try for the matter not to get out of hand, but you see, Mr Speaker, can I ask the Hon. the Chief Minister this: that of course it was them that came into office promising a new dawn, and therefore it is not good for the Chief Minister to refer back to GSD practice, when they stand for change and a new dawn. What we are exploring here is the extent to which the party and the Chief Minister that placed so much emphasis on the environment, when he was Shadow Minister for the Environment, is now riding roughshod over the environment in order to get this project going and paying lip service to the planning process, when the whole thing is just simply a done deal.

735 Now, Mr Speaker, what was the point of going to the DPC on a project like this, when the Government appears, for all intents and purposes – for everything that the Chief Minister has said today indicates and confirms that – that really it was a done deal and there is nothing that the DPC could have said to have actually altered the Government's course in relation to this?

740 **Hon. Chief Minister:** Mr Speaker, to an extent, I am left wondering whether the hon. Gentleman actually did anything whilst he was in Government for four years. The hon. the back bencher who has just left was negotiating to use the plot which is known as the Old Yacht Club plot for a Hilton Hotel. I am going to explain this in stages, so that the hon. Gentleman understands it, because I do not think he quite understands the implications of what he has asked.

745 The Government was negotiating to lease that plot to a group that would build a hotel, which would be called the Hilton. Hilton is an international hotel brand. The agreement would include an agreement with Hilton and the developers of the plot and financiers of the plot, for it to be used as a Hilton Hotel. The agreement would stipulate how many floors could be built. The agreement would stipulate how the hotel should be run and for how many years. The agreement would be entered into between the Government and the third party that acquired the plot and Hilton and the financiers. By the time the Government signed the agreement, the individuals in question would not even have made a public statement, except that it came out by chance, in something the previous Chief Minister said in the Budget. Once the agreement was signed, it would then have been taken to the DPC by those third parties. The DPC has a majority of Government Members on it. In those days, it was the Minister in the Government that would have done the agreement.

755 Mr Speaker, is the hon. Gentleman saying that there was no point going to the DPC in respect of agreements done by the Government for buildings to go up in the centre of our city, because the person who would have ceded the land had a majority in the DPC?

760 Look, the reality, Mr Speaker, is that two parties have done an agreement: Ocean Village and Sunborn. In the context of that agreement being given effect to, the Government has to do works leading up to the area. In the context of the Old Yacht Club site or any site in Gibraltar where somebody is going to develop, 'infrastructure' implies the Government doing work, and therefore infrastructure is taken to the edge of the plot, right.

So in the context of this project, infrastructure involves taking services to the plot and, because we care about the environment – not just saying, 'Float it in, mate!', but actually looking at what has to be done, so that when it does float in, the environment is not disturbed.

765 If the hon. Gentleman was saying to me, 'How dare you go ahead with this project without removing the spider crabs, without protecting the limpets, without talking about an EIA! How dare you go about this project, as we would have, without taking it to the DPC!', then I would say, 'Look, fair enough. Although you would have done it that way, it is right that you say to us, because we have always said that we care about the environment and we will subject ourselves to the planning process for guidance, that how dare that we should do it that way.'

770 Well, we have not done it that way. That is why it is a new dawn. That is why these issues *have* been ventilated and considered in the DPC. That is why the environmental issues *are* being taken into consideration, and that is why this is being done properly. Properly done, it will *still* result in a £150-million investment for our community and 150 jobs.

775 I just wonder, although he is in a sedentary position, what the Opposition spokesperson for tourism thinks. I assume that he supports the fact that we are going to receive a five-star Grand Luxury Hotel in Gibraltar and, having heard our explanations, I also assume that hon. Members opposite will be satisfied that the new dawn has come, that the environment matters and that the DPC has had a look-in where otherwise it never would have.

780 **Mr Speaker:** The Hon. Mr Netto has a number of specific supplementaries arising from the questions which... three or four of them that he asked, which I think he is entitled to ask, and then I will allow Mr Figueras to come in.

785 **Hon. J J Netto:** Thank you very much, Mr Speaker.

Mr Speaker, the Hon. Chief Minister just said that things have been *properly* done. I think that is the word that he used. Well, Mr Speaker, if things are properly done and if the tonnage weight of the floating hotel is more than 1,350 tonnes, perhaps it may be – I am not a lawyer – that he is in breach of the European Directives in relation to environmental assessment.

790 If the hon. Members with an iPad looked at, very quickly, Directive 2011/92/EU on the European Parliament and of the Council of 13th December 2011 on the assessment of the effects of certain public and private projects on the environment – if he looks at that Directive and he goes to Article 2, where it says:

795 '1. Member States shall adopt all measures necessary to ensure that, before consent is given, projects likely to have significant effects on the environment by virtue, *inter alia*, of their nature, size or location are made subject to a requirement for development consent and an assessment with regard to their effects. Those projects are defined in Article 4.'

800 Article 4:

'1. Subject to Article 2(4), projects listed in Annex I shall be made subject to an assessment in accordance with Articles 5 to 10.'

805 If the hon. Gentleman goes to Schedule I, 'Projects referred to in Article 4(1)', it says:

'4. (a) Inland waterways and ports for inland-waterway traffic which permit passage of vessels over 1 350 tonnes;
(b) Trading ports, piers for loading and unloading connected with land and outside ports (excluding ferry piers) which can take vessels over 1 350 tonnes.'

810 So, Mr Speaker, my non-lawyer's reading of the Directive is that, at the Development and Planning Commission, when the Environmental Safety Agency said, 'Let's go for a full environmental impact assessment', and the Government said, 'No, we are not going along that route; we are going to have a screening process', what they should have done, in my opinion, is to abide by the European Directive. So perhaps the Minister for the Environment can say that.

815 And can the Minister for the Environment also say whether, prior to the meeting of the Development Planning Commission –

Mr Speaker: I do not think the hon. Member is making it very easy for anybody to answer a supplementary question where the preamble for the matters that he has raised...

820 Look, Question Time should be short, sharp and to the point! We really are widening the whole purpose of... We are getting into a debating situation, which is what hon. Members have been doing for many years and which they should *not* have been doing, because it is contrary to Standing Orders. I am here appointed by them to implement Standing Orders, and I not going to allow it, because you are now debating.

825 How does the hon. Member think that anyone can keep track of what he is reading in order then to answer what should be a supplementary question? I find it very difficult to follow and I may have to give a ruling on the matter.

830 He really has to make up his mind. I have told him before and I tell the other Members: short, sharp and to the point; if not, I will move on to another Question.

Hon. D A Feetham: Mr Speaker, as Leader of the Opposition, of course, I heed what Mr Speaker says and I will have a conversation certainly with my own Shadow Cabinet team on this side; but of course, surely it must also apply to the length of the answers and the...

835 **Mr Speaker:** Did he not hear me tell the Chief Minister that he was widening the aspect of the matter? Surely, he heard me say exactly that.

840 **Hon. D A Feetham:** Yes, Mr Speaker, in relation to... Mr Speaker is talking generally: Mr Speaker spoke about a ruling and...

Mr Speaker: If I may. I am speaking generally and it has arisen because of what is a supplementary question by the Hon. Mr Netto, which I think makes it very, very difficult for anybody, with all the best will in the world, to be able to answer and to deal with that matter. You really cannot do that. What you can do is to ask a series of short, sharp, specific supplementary questions, but not five minutes of preamble. I have told him that before and I repeat it.

845 The House cannot do business in this manner – this is not what Question Time is for. You know that. You have been told that beforehand and I have been enjoining upon Members that if they want to, this matter of the floating hotel could have been the subject of a debate. They could have brought a motion. Instead, they have preferred to bring five or six Questions and I have allowed half an hour on that already, but I am not going to be any more lenient than that.

850 Now that is my ruling and I hope Members will stick to that.

Hon. J J Netto: Yes, Mr Speaker, and definitely I will take your advice on board. So, could I ask two short questions to the Minister of the Environment.

855 Has the Minister for the Environment, in this particular case, had a meeting with the Nature Conservancy Council to determine the effect or likely effect that can happen on spider crabs and limpets as a result of the dredging. That is the first one, and the second one, is there a requirement to inform the European Commission as a result of having two endangered protected animals before any work commences?

860 **Hon. Chief Minister:** Mr Speaker, I do not think those are in the nature of a supplementary in any way arising out of the questions, but I want to deal with the issue that the hon. Gentleman raised in the beginning.

865 If he looks at the application for planning and building control approval, which is Form 1, and he looks at question 15 – environmental impact assessment – instead of ‘Yes’ or ‘No’ he will find that the words written in there are ‘currently being done’. So, Mr Speaker, although I do not accept anything he has said about the advice that he is giving the House about *his* interpretation of the Directive, which may be entirely wrong – and I have not read it but I rely on what I am told by those who advise me – then the form certainly sets out what the position that the DPC considered was.

870 Finally, can I say to him, Mr Speaker, that he had the benefit of attending the DPC meeting because it was not held in private, or in secret – another one of the manifestations of the new dawn, which brought the DPC into the public domain. I am quite happy Mr Speaker to allow the Minister for the Environment to deal with the other issue, if you think it is appropriate.

875 **Mr Speaker:** Does the Hon. Mr Netto have any other supplementary? If not, I will ask Mr Selwyn Figueras to come in.

880 **Hon. J J Netto:** I understand that the Minister for the Environment is going to answer some (**Mr Speaker:** O.K.) of those questions.

Minister for Health and the Environment (Hon. Dr J E Cortes): I just want to... I am aware that this discussion is going beyond the realms of a simple supplementary to a simple question, but I will answer that the Nature Conservancy Council has been consulted and, in fact, the Nature Conservancy Council is consulted regularly. I meet with them very regularly one every month or once every two months. I was a member of the Nature Conservancy Council during the time of the former administration. I no longer am, and I was never consulted – It is being consulted on this – not once. Well, perhaps for a couple of licences, but there was no consultation on any projects, and there has been no action and no planned action that requires the European Union to be informed at this stage.

As the Chief Minister has said, no action has taken place that would negatively impact the natural environment and those matters are subject to assessment and have been the subject of discussion with the Nature Conservancy Council and other experts in the field. And I think people who know me would know that I would work extremely hard to ensure that any impact of any such project is virtually negligible. **(Several Members: Hear, hear.) (Applause)**

Hon. J J Netto: Mr Speaker, can I ask just one more question to the Minister for the Environment? In relation to the contamination of the soil, perhaps can the hon. the Minister inform the House as to what type of contamination are we talking about, as to the threshold of the contamination we are talking about and the likely affect of any disturbance of any soil within the area.

Hon. Chief Minister: Mr Speaker, I am dealing with five, six questions here. Not one of them mentions contamination of soil – not one of them. I do not know how the hon. Gentleman thinks that a detailed question like that can be answered in respect of contamination when they have not raised the issue and we do not have the information before us, because it is a pretty detailed supplementary. He should just have put the question.

Hon. J J Netto: The only reason why I mention it is because this is public knowledge in the meeting of the Development and Planning Commission. Both the Government and the Chief Minister were there. All the officials were there from the beginning: it was said we have contaminated soil. It is not something I have invented.

Hon. Chief Minister: Mr Speaker, what I would say with respect to the hon. Gentleman, referring to your ruling, this is Question Time, this is not dissecting the DPC on what it discussed. This is Question Time.

Mr Speaker: The Hon. Mr Netto has been a Minister in Government before, as I have been, and he knows that when Questions are put to him here in Parliament his civil servants have prepared for him a number of supplementaries and matters that may arise, contingency matters and information that may arise in Question Time: in other words, a brief is prepared always for the Minister. There is a limit of what can be covered in any brief, humanly speaking, and sometimes the reality is that the information which is asked for in a supplementary is just not available at a particular moment.

Mr Selwyn Figueras.

Hon. S M Figueras: Mr Speaker, just one final supplementary. Can the Chief Minister, in the light of the fact that he has referred to it on a number of occasions, explain how in his assessment this represents an investment of £150 million in Gibraltar?

Hon. Chief Minister: Well, Mr Speaker, given the value of the vessel and the work that is going to be done by Ocean Village and the owners of the vessel to bring it up to the standard required for it to operate in Gibraltar, the number of jobs it is going to create and the activity it is going to create. So he needs to understand a £120 or £130 million vessel is floating into Gibraltar. That means a lot... *(Interjection)* Sorry, the hon. Gentleman wants to ask me another question – about what? *[Inaudible]* Right, so if somebody brings something worth £120 million to Gibraltar, does he think it is not worth £120 million in Gibraltar? It then starts to operate commercially as a hotel and creates 150 jobs... I mean, again, Mr Speaker, I assume that his spokesperson for tourism would be delighted with what is going to happen.

Hon. S M Figueras: Mr Speaker, I would have deferred my question to my hon. and Learned Friend but I am pretty sure it does not work that way, so I am grateful for the answer.

Hon. D A Feetham: Well, Mr Speaker, I do not know whether in fact the Minister for Employment agrees with the Chief Minister in relation to this, but you see there is a distinction and I do not want in any way, in what I am going to say, the question that I am going to ask him, to actually detract from the fact, which is our principal position, which is... look any investment, whatever the value, coming into

Gibraltar is a good thing. Our questions have been directed at a different... they come from a different angle, an angle of a Government saying one thing and doing another.

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But it is self-evidently not the same, you see. If in Gibraltar you build something worth £150, well maybe he could learn a lesson from me, I do not know. I know that he thinks he cannot but if you build something in Gibraltar worth £150 million, that is an investment of £150 million into the local economy. If you are bringing in a ship, whose value the Government says is £120 million but, in fact, that ship can leave Gibraltar tomorrow and there goes your £120 million investment, it is self-evidently not the same. Does the Chief Minister not agree with that?

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Hon. Chief Minister: Mr Speaker, of course if it is built here it means one thing and if it floats in it is another – but there goes your £150 million investment. I am afraid I am going to have to give him a short lecture in economics: it is not *our* £150 million investment and therefore it does not float away from us as *our* investment.

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So the hon. Gentleman, Mr Speaker, needs to think about what he says. And also, Mr Speaker, the hon. Gentleman says that they have come at this from the point of view of questions to demonstrate a Government that says one thing and then does another. I think, Mr Speaker, what is clear beyond peradventure at the end of this process, having heard the answer, is that this is a Government that has said one thing and it did exactly what it said it was going to do.

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Mr Speaker: Next Question.

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Hon. D A Feetham: Well, Mr Speaker? (**Mr Speaker:** Yes) May I just ask one question that is a simply 'yes' or 'no' answer, which I had as one of my list of supplementaries, and it is simply this. Has the Government agreed to provide, either in principle or otherwise, any soft loans in respect to this particular project?

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Hon. Chief Minister: Mr Speaker, I would need notice of that question. This is not any of the issues that have been raised in respect of this matter, so if the hon. Gentleman gives notice of that question for the next meeting I can try and find out exactly what the detail of anything related to soft loans might be, but I have no information with me today on that.

975

**Lobbyists and political consultants
Government engagements and relationships**

980

Clerk: Question 424, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, can the Chief Minister please state who, other than his wife and Mr and Mrs Cortes, accompanied the Chief Minister to the Candlelight Dinner inauguration event in Washington earlier on this year?

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Clerk: Answer, the hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, assuming he does not mean the 10,000 other attendees, I will answer this question with Questions 425 to 429.

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Clerk: Question 425.

Hon. D A Feetham: Can the Chief Minister please state who procured the invitation to the Candlelight Dinner inauguration event in Washington earlier on this year?

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Clerk: Question 426.

Hon. D A Feetham: Will the Chief Minister provide to this House a list of all persons engaged by the Government as lobbyists and political consultants at public expense since 11th December 2011?

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Clerk: Question 427.

Hon. D A Feetham: Can the Chief Minister please state what, if any, consultancy or other arrangements does the Government have, or has had, with Mr Juan Verde either directly or indirectly through an entity in which he has an interest?

1005 **Clerk:** Question 428.

Hon. D A Feetham: Can the Chief Minister please state what payments have, to date, been made by the Government of Gibraltar to Mr Juan Verde or any company in which he has a direct or indirect interest in respect of any consultancy or other arrangements, identifying the payments on the dates they were made and the purpose for which they were made?

Clerk: Question 429.

1015 **Hon D A Feetham:** Can the Chief Minister please state whether Mr Juan Verde is a director or shareholder of any company (or the parent company of any such company) submitting any tender or offering to undertake any work or project for the Gibraltar Government?

Clerk: Answer, the Hon. the Chief Minister.

1020 **Hon. Chief Minister:** Mr Speaker, in relation to Question 426 on lobbyists and political consultants my answer remains, as my earlier answer to Question 1084/2012, namely that we will continue the practice of the previous administration and not provide a breakdown, what we give is in exactly the same form as it was given to us by Members opposite when they were in administration.

1025 In relation to all matters relating to the attendance by the Minister for the Environment and myself at various events in Washington DC and Mr Juan Verde, the answer remains as my earlier answers on this subject.

The hon. Gentleman has pressed me on this before and the Government has provided answers, in fact we can exchange many press releases as well. Continuing to press me will not elicit further public information beyond that already provided. I have told him, and I have said in interviews, that I do not believe sharing information of this nature publicly is in the public interest of Gibraltar.

I have also said that I intend to set up a status akin to that of the Privy Councillors in the United Kingdom, where information of this nature can be shared. That may even require legislation.

1030 He should, nonetheless, understand that his pressing and his Party's statement on this subject have been seized upon by our nation's political opponents in an attempt to damage our continuing and successful objective of advancing Gibraltar's cause internationally.

1035 **Hon. D A Feetham:** Yes, Mr Speaker, when in trouble always hide behind potential attacks on Gibraltar by those who are our detractors!

1040 **Hon. Chief Minister:** Can I have a Point of Order, Mr Speaker.

Mr Speaker: What is the Point of Order?

1045 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman has suggested that I have misled the House by trying to hide behind something, suggesting that there is not something there which is real, and I therefore ask that he reconsider how he has phrased his preliminary remarks.

Mr Speaker: Is the Hon. Leader of the Opposition satisfied that his remarks are well motivated.

1050 **Hon. D A Feetham:** Mr Speaker, I am quite satisfied that my remarks are within what are acceptable by Standing Orders and are within the ambit of political comment that is common in this House and has been common in this House for decades.

1055 **Mr Speaker:** I would ask hon. Members to try to keep the temperature down, you know, not to make the kind of remarks which will just set the pot boiling, more than what is necessary. I think we are all grown up, we are all responsible people and we can conduct our affairs responsibly, and I think that it will stand to the credit of all hon. Members in this House if they do that.

1060 I told them when they gave me the honour of sitting in this Chair that I was determined to maintain the dignity of Parliament, but they have to have an important role in that, and I hope that they can keep a semblance of decorum so that people outside do not have to be continually complaining, as they do. I get very often approached by people saying that they do not like, they regret, what is going on in this house. They need to keep matters under control. So, I would please ask hon. Members to be sensible in this respect and now that we are inaugurating this wonderful new Chamber that it should be primarily to their credit because they are the Members of Parliament and nobody else – and that is what they get elected for.

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Hon. D A Feetham: Well, Mr Speaker, can I say that I am happy to associate myself with the motivational intent behind his statement.

1070 Mr Speaker will, I think – I hope – have noticed that, in fact, certainly from this side of the House, we have attempted, certainly since I have become Leader, and I am not suggesting that that was not the practice earlier, but we have made a conscious effort to try and dampen down temperatures in this House. But of course, Mr Speaker, in the cut and thrust of politics...

1075 **Mr Speaker:** May I add one thing, I will say this also to the Chief Minister, that the moment that I read the last paragraph of his answer – and I am going to read it out, ‘He should, nonetheless, understand that his pressing and his Party’s statements on the subject have been seized upon by our nation’s political opponents in an attempt to damage our continuing and successful objective of advancing Gibraltar’s cause internationally’ – the moment that I heard that I said, Mr Speaker, you now have a difficult job on your hands.

1080 **Hon. D A Feetham:** Well, Mr Speaker, may I continue with my supplementaries, if I may, and no doubt both myself and the Chief Minister will take your words on board very seriously indeed.

1085 Mr Speaker, if I may start with Question 426, which is a question about lobbyists and political consultants. I did, in fact, go back to *Hansard* and I did read the answer that he gave to my hon. and Learned Friend, the former Leader of the Opposition and Chief Minister, Mr Caruana, and what he said was this – and this is the reason why I asked the question – what he said was this: ‘Mr Speaker, the amount paid, the amount paid by the Government in respect of lobbyists and political consultants since 8th December 2011 amounts to a total cost of £170,221. The Government will follow the practice of the previous administration and give no further breakdown of that sum.’

1090 So the answer that he gave to that particular question, although I recognise the question actually went wider than that, because it was both a list of lobbyists and the amount, the answer that he gave was in relation only to the amount of money. So is the Chief Minister, therefore, satisfied that, or is the Chief Minister now effectively changing what was the position then of not providing particulars in relation to the amounts? I have not asked what amounts have been paid to whom, just for a list of those individuals that are under the employ, so to speak, or have an arrangement with the Government for political lobbying.

1100 **Hon. Chief Minister:** Mr Speaker, thank you for your remarks about the conduct of proceedings in this House with which this side of the House entirely associates itself. I note what you said about the last paragraph but you should also note, Mr Speaker, that I have said things similar to that in the past and the questions keep coming.

1105 Mr Speaker, what the Government is going to do is what hon. Members opposite used to do when they were in Government, and that is to give heads of expenditure but not give breakdowns, because if they did not give breakdowns then certainly they did not give names because they did not give breakdowns, and therefore the position is exactly as it was when I last answered the question in this House.

1110 **Hon. D A Feetham:** Mr Speaker, thank you very much.

1110 Mr Speaker, did Mr Juan Verde procure the invitation to the Candlelight Dinner inauguration event in Washington?

1115 **Hon. Chief Minister:** Mr Speaker, I have answered questions similar to this, and I have answered the question in the answer I have given already. The hon. Gentleman does not say to me...

1115 **Hon. D A Feetham:** Point of Order, Mr Speaker.

Mr Speaker: What is the Leader of the Opposition’s Point of Order?

1120 **Hon. D A Feetham:** The Point of Order is very simple. The Hon. the Chief Minister has made a statement saying that he has answered a question on this. Now, insofar as what he is saying, and I think that is what he is saying, that he has answered a question – this question – in this Parliament or anything related to Mr Juan Verde in this Parliament, that is clearly not the case.

1125 **Hon. Chief Minister:** Mr Speaker, in reply, I would refer you to the second paragraph of what I said, which was as follows: ‘In relation to *all* matters relating to the attendance by the Minister for the Environment and myself at various events in Washington DC and Mr Juan Verde, the answer remains as my earlier answers on the subject’. Then I went on to tell him that, however much he might press us on

those, I would not give further answers. Not giving an answer that a Member likes does not mean not having answered.

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Hon. D A Feetham: Mr Speaker he is obviously not going to answer that particular question.

Is he aware, Mr Speaker, that right up to a day or two after we issued our first communiqué in relation to the Washington visit, just before in fact, just two days, just before two days after we issued the communiqué, that Mr Juan Verde in his website, *www.juanverde.net*, included the following statement:

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‘Nowadays he acts as adviser and consultant for a large number of internationally notorious companies in both Europe and the United States. He is adviser for institutions like the International Advisory Board of the Government of Lithuania and the Government of Gibraltar’.

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Two days after we issued our press release, that statement was removed from Mr Verde’s website. Can the Government confirm that, indeed, prior to the removal – and also whether it continued after the removal of that statement from the website – that Mr Juan Verde was, in fact, an adviser for the Government of Gibraltar?

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Hon. Chief Minister: Two supplementaries are contained in that question, Mr Speaker. The first is was I aware of the statement of Mr Verde’s website and the second, a different one, about the status of Mr Verde’s relationship with the Government of Gibraltar. On the first, of course, the answer is yes, because it has formed the subject of public statements that the hon. Gentleman’s party have issued on the subject. And on the second, Mr Speaker, I refer the hon. Gentleman to the answer I gave a few moments ago.

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But Mr Speaker, let me put it to him in explicit terms. The work that he and his Party have done on this subject has resulted in diplomacy at the highest levels of the Spanish Government, raising an issue with diplomacy at the highest levels of the Government of the United States, asking that Gibraltar no longer be assisted. Mr Speaker, is it that he cannot join the dots? Well, Mr Speaker, if he can, and I assume that he can, why does he want to join the dots for those who want to attack us?

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Hon. D A Feetham: Mr Speaker, I will obviously, in the light of the statement that you made, shy away from my original statement, when he first made that particular point, about the Hon. the Chief Minister hiding behind that particular argument in order not to answer any questions.

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Mr Speaker, moving on to Question 428 – and I really, with Mr Speaker’s indulgence, need to take the Chief Minister back over *Hansard* before I actually ask my question – in November 2012 my hon. Friend, Mr Figueras, asked the Minister for the Environment to provide a full account to this House of expenses incurred by the Government in the hosting of the Thinking Green Conference in October. The Thinking Green Conference is connected to this because, of course, it is common ground that payments have been made to Mr Juan Verde, who was a speaker in relation to that particular conference. Now, so, the question was ‘full account of expenses incurred’, and in answer the Minister for the Environment then provided a schedule, and in that schedule he said that the total cost was £215,000 and that the contractual payment to Chrand Limited was £166,351.

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Then, in supplementaries, my hon. Friend, Mr Figueras, asked how much of that 166 referred, or related to – £166,000 – related to the speakers, and the answer was €150,000 and, in fact, that is reflected in a table which is Government-awarded contracts over £2,000 by direct allocations since the General Election, which is Table GC1 of 2012, and there we see the figure of €200,000, which roughly equates to £166,000, which was the answer the Hon. the Minister of the Environment gave to Mr Figueras.

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Then, in February of this year, Mr Figueras asked about a further notice, GC6, which is Government-awarded contracts over £2,000 by Ministerial application – by Ministerial application – and in relation to Chrand there is €100,000. Now, in total, that is €300,000, (1) in relation to contracts by direct allocation €200,000, and €100,000 by direct Ministerial allocation. Mr Figueras asked, well, what does this €100,000 relate to and the answer was it was two equal payments of €50,000: it was for the organisation and management of the conference, including security services for the guest speakers and fees for both speakers. That was the answer. Can he confirm, if he can, whether that answer is, in fact, an accurate answer. I am not suggesting that he has given it attempting to mislead the House, but I found it an odd answer, and I am just asking the Chief Minister to confirm it, in the light of the fact that there are two notices, one allocating a contract by direct allocation – €200,000 – and then, later on, direct ministerial allocation, what appears to be a further €100,000, in the light of the answers to the questions that my hon. Friend Mr Figueras received in November of last year.

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Hon. Chief Minister: Mr Speaker, the hon. Gentleman starts in very pejorative terms, referring once again without pretending not to refer to it, to his argument that the Government is somehow ‘hiding’ and that is a pejorative term, behind something. Mr Speaker, you have made a ruling on that and therefore the

1190 hon. Gentleman should try and stick to it because otherwise every time he talks about not being in favour of 'Punch and Judy' politics, the argument to him should be well then stop punching.

Mr Speaker, I do not have notice of the question that he has given. He has given me a whole list of figures, referred to a Hansard and to a Table. I have had a quick conversation with the Hon. the Minister...

1195 **Mr Speaker:** May I ask the Leader of the Opposition what was the date of that Question, the *Hansard*. The date please.

1200 **Hon. D A Feetham:** Mr Speaker, the date of the Question about the €100,000, the previous Questions were in November of last year, the previous questions. The one about the €100,000 that I found odd in the light of the answer to the previous Question, and both Tables that appear to indicate an aggregate contract for €300,000 was in February of this year.

1205 **Hon. Chief Minister:** Mr Speaker, I do not have that information with me but, having quickly spoken to the Minister for the Environment, he seems to consider that those are exactly right. It may be that in a Table something has been doubled up but I do not have information in front of me to be able to give him, in respect of those figures, the confirmation that he is seeking – but I am quite happy, if he writes to me, to let him have that information. But, he should not under-estimate, however much he might want to politically try and deal with the point in this House, he should not under-estimate the political importance of what I have told him has happened as a result of their press release.

1210 I ask him, Mr Speaker, and I appeal to any statesman-like qualities that he may have, to consider very carefully what I have said and the effect of what they have done.

1215 **Hon. D A Feetham:** Mr Speaker, of course I consider very seriously the effect of everything that I do. What I am not going to do is shirk my responsibility and my duties as Leader of the Opposition in the desire to keep the Government and to bring the Government to account because there are other issues which I am not now going to discuss – not appropriate, because Mr Speaker would intervene. There are other issues that actually impact on this, of a local nature but, of course, Mr Speaker, he knows – because he practised at the firm of which we were both partners for many, many years – what the number of Hassans is and, of course, it is perfectly possible for him to pick up the telephone and to phone me and to brief me, or to tell me what is on his mind because it is a little difficult for me to accept some of the bare statements that he has made today.

1220 **Hon. Chief Minister:** Mr Speaker, I know that he...

1225 **Mr Speaker:** If the Chief Minister has nothing new to add...

Hon. Chief Minister: I do have something, Mr Speaker. I do.

Mr Speaker: You do?

1230 **Hon. Chief Minister:** Mr Speaker, I know that he does not want to believe the things that I say but he should take it from me that what I tell this House on this subject is clear and unequivocal and true. Of course, he must bring the Government to account but with what I have told him in mind.

1235 Mr Speaker, I have to say I have been a partner of Hassans for many, many years. I think he has been a partner of Hassans for enough years that you can count on the fingers of one hand. Of course, I could phone Hassans but what I have said repeatedly, Mr Speaker, is that if they want the information, they should feel free to contact me and I am quite happy to give them a briefing.

1240 I have talked about the Privy Council-style status. I do not think I can over-estimate that. What I am saying, Mr Speaker, is a complete departure from the way in which we have run our affairs before. I am saying there is information that I sincerely believe it is in the national interest that the Government and the Opposition should share and that we should set up a process for that information to be shared which is watertight. I have said that will happen and it will.

1245 But I have said, across the floor of this House – and the hon. Gentleman needs to go back and look, given what he has just said – if you want the information, call me and I will share the information with you, I will give you the information behind the Speaker's Chair and the offer was flatly rejected in relation to this particular issue, lobbyists. Now it may be that the hon. Gentleman does not recall that. I am happy to sit down with him to give him this information, Mr Speaker. I am talking about *Hansard* so he can go back: I am not suggesting this has happened off the record and they have said no. I am suggesting to him that he should check *Hansard*. I do not know whether it was him or the previous Leader of the Opposition, the offer was made during the course, I think, of this year or the end of last year
1250 and it has been rejected out of hand. If he has got a different attitude, which I would welcome, I am

delighted to give him a briefing on that and, when I give him the briefing, on the other matters that I have agreed to give him a briefing on. But he cannot expect me to pick up the phone and call the firm of which I have been a partner for many years, to speak to him, to give him information that he has said, or his party has said, they do not want in private.

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Mr Speaker: Next Question.

Hon. D A Feetham: Well, Mr Speaker, I have one more supplementary.

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Mr Speaker I am not going to prefix this supplementary with any political points, tempted as I am to do so but, Mr Speaker, I note that Mr Juan Verde is stated on the Presidential Inauguration Committee website to have made three donations – they are very transparent in the United States – three donations to the Presidential Campaign. One was for \$600, another for \$600 – three for \$600 on three separate dates – and one for \$50,000, which roughly equates to about €50,000. Can the Hon. the Chief Minister categorically state to this House that he has absolutely no knowledge that that donation from Mr Juan Verde to this particular committee has come from the proceeds of any monies that have been paid by the Gibraltar Government directly or indirectly to Mr Juan Verde?

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Hon. Chief Minister: Not only can I confirm it, Mr Speaker, but if he goes back and sees the answer I gave when they first started asking questions about this, I categorically denied it. Mr Speaker, he says that he does not want to make political points but then he goes on to say that the United States is transparent and tries, by a sideline, to suggest that somehow here we are not.

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Look, Mr Speaker, he has made all the points that they have made in their press releases, now again in this House. All the old points made again. Mr Speaker, look we are all bi-lingual so we will understand what it is that I mean by this, but one just wonders whether they are just green with envy that it was this Chief Minister that had his photograph taken with the President of the United States.

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Hon. D A Feetham: Well, Mr Speaker, just on that final statement that he has made, if I may...

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Mr Speaker: But, the last one. If the Chief Minister now replies to you, I will not allow you to stand up again to ask another question.

Hon. D A Feetham: Perish the thought, Mr Speaker!

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Mr Speaker, well on that point of the photograph, I was not going to bring it up myself but, given that he has brought it up, we are very curious, certainly on this side of the House, as to whether he can answer this. Does that cropped photograph with the President of the United States... was Mr Juan Verde cropped out of that cropped photograph with the President of the United States?

Hon. Chief Minister: Mr Speaker, I fear that the hon. Gentleman is afflicted with the malaise that I suggested that he was afflicted... Look, Mr Speaker, that is not a cropped photograph, it is a photograph and I have told the hon. Gentleman everything that I am going to say about that event.

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I would put it like this to him, just to end the debate because, unfortunately, it has become a debate. If whilst they were in office they had been offered the opportunity to have the Chief Minister of Gibraltar exchange views with the President of the United States and be photographed with him, would they have taken the decision not to go ahead with that if it did not mean having to pay a penny, as I have already confirmed was the position for Gibraltar?

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Mr Speaker: Next Question.

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**Libel action by Ministers
Government policy**

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Clerk: Question 430, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, can the Chief Minister state whether it is Government's policy to fund all libel claims brought by a serving Government Minister against a media publication?

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Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, no, sir.

1315 **Hon. D A Feetham:** Well, Mr Speaker can he provide this House with information as to what is Government policy, or the criteria forming Government policy, for the funding of libel claims by Government Ministers, not only against media publications but anybody else?

1320 **Hon. Chief Minister:** Mr Speaker, I would have thought it was obvious. When somebody is insulted by virtue of their office and what they have done in their office and defamed for that reason, then it is absolutely, in our view, appropriate that the cost of any such libel action should be borne by the taxpayer.

1325 There should be very few circumstances when it arises, Mr Speaker, for example where newspapers publish remarks made by Members of the Opposition which have been made clearly without thought or understanding the consequences of what they are saying: like, for example, comparing something that a Government Minister might say to things that might be said by somebody as contemptible as Mr Jean-Marie Le Pen demonstrates that the person who makes the comparison has not got a clue what Mr Jean-Marie Le Pen stands for and how quite contemptible and defamatory it is to be compared to them.

1330 Mr Speaker, there are circumstances when one in politics needs to have broad shoulders, a broad back and just keep going and ignore the ignorance of those who might make such remarks and those who report them have no fault in simply reporting them. But there are circumstances where things are said which are so highly defamatory of people who have been acting in the conduct of their offices, that it would be appropriate for the taxpayer to fund such claims and there are circumstances where things may be said where it would not be appropriate, even if it is defamatory and actionable, for the taxpayer to foot the bill of such action because the remarks may be of a more personal nature or in the context where the person has not been exposed to the criticism as a result of their office but more as a result of their conduct unrelated to their office.

1335 I would have thought it was pretty obvious, Mr Speaker, but I am quite happy to explain it to him in those terms.

1340 **Hon. D A Feetham:** Mr Speaker, what is the Government's policy, for example, on funding libel claims by former Government Ministers in relation to allegations made about that former Government Minister in the conduct of work that he has undertaken whilst he was a Government Minister?

1345 **Mr Speaker:** No, I am not allowing that supplementary because the original Question is very clear: 'Can the Chief Minister state whether it is the Government's policy to fund only libel claims brought by a *serving Government Minister* against a media publication?' A retired Minister is not a *serving* Government Minister and therefore that supplementary is outside the ambit of the original Question, so I am not allowing that supplementary.

1350 **Hon. D A Feetham:** Mr Speaker, I will bring the ... all it is doing is for me then to bring a question on notice next time round.

Now the reason why I am, if I may Mr Speaker – and I am trying not to be as reasonable as possible in relation to this – the reason why I am bringing up this particular point, is of course, one can envisage circumstances Mr Speaker whereby a former Government Minister, the day after he leaves office, is defamed in exactly the same way as the Chief Minister has just described with a serving Minister.

1355 **Mr Speaker:** I agree with...

Hon. D A Feetham: Therefore, I would say, well, what is the difference?

1360 **Mr Speaker:** If I may. I agree with him. It could happen in the case of someone who was serving in a Government twenty years ago.

Hon. D A Feetham: Exactly.

1365 **Mr Speaker:** Right, but I do not think that it is fair, under the ambit of this Question, to expect the Chief Minister to stand up and give a considered answer.

I think the matter can be raised formally. I invite the Hon. the Leader of the Opposition to put a Question on the Question Paper on the Agenda for the next time, asking what would happen to the present Speaker if someone were to libel him because of something that he is supposed to have done twenty years ago and perhaps the Chief Minister will give a considered reply.

1370 **Hon. D A Feetham:** Mr Speaker I am quite content to give notice in relation to that question although I suspect that the Chief Minister probably knows what the answer to that question is.

May I then move on to another supplementary? Obviously, if the Chief Minister is right, I do not know if he has done libel claims, I certainly have done libel claims in my time professionally, there is

1375 always going to be a judgement that is going to be made in relation to these things, because we are in politics, the cut and thrust of politics being as it is there are going to be things said about us and there have been things said about all of us, quite nasty things, that are possibly libellous but that you just simply take in your stride and you just take it as being part of the job.

1380 But my question to the Chief Minister is, how does the Government intend to decide where on what side of that particular equation the facts fall?

1385 Is this a decision, for example, that is taken just simply by Government Ministers or, in the formulation of that policy, is it the Government's policy to effectively outsource, if I can use that word – it is probably the wrong word – a recommendation to somebody else that may not be Government Ministers – for example, I do not know, the Chief Secretary or somebody else – because otherwise we are left with a situation where, effectively, it is Government Ministers deciding to use taxpayers' money to fund libel claims against third parties.

Hon. Chief Minister: Mr Speaker, it is certainly not a case of that, it is certainly not a case of that.

1390 Of course, if anybody who was a serving officer of the Government were libelled as a result of something he has done as a serving officer of the Government – he has given the example of the Chief Secretary. Of course it would extend, in my view, to them but it is that I have answered his question and his question is about Ministers.

1395 **Hon. D A Feetham:** He has not understood my question, my supplementary.

Hon. Chief Minister: No, no, no. In giving the answer that I gave, I gave it about Ministers because it was asked about Ministers.

1400 **Hon. D A Feetham:** He has not understood my supplementary.

Hon. Chief Minister: No, I have understood your supplementary. I have said of course it extends to people who are not Ministers. It extends to other officers of the Government...

1405 **Hon. D A Feetham:** But I have not asked...

Hon. Chief Minister: Well, then, why did you refer to the Chief Secretary?

1410 **Hon. D A Feetham:** I have not asked whether it extends to other Members of the Government. What I have said is that, in the decision as to whether to fund a particular libel claim – you yourself referred to the fact that there are some serious libel claims, others less serious, and I agree with that, that is what I am saying – but of course somebody has got to make the decision. Somebody has got to make the decision as to whether taxpayers' money is used to fund a libel claim. Presumably, that is obviously going to be the Government of Gibraltar but if the Government is making that decision and it is not – I use the word 'outsourced' – seeking advice from somebody else as to whether it would be appropriate in the circumstances to use taxpayers' money to fund libel claims... That is the context that I used the Chief Secretary, whether it is the Chief Secretary who advises the Government.

1415 Look, in this particular case, given these guidelines that we have here, I believe that it would be reasonable for the Government to fund a libel claim against a third party and what I am saying is, does the Government have that kind of safeguard, that kind of third party input, into the decision to fund libel claims against a third party – hence my reference to the Chief Secretary.

1420 **Hon. Chief Minister:** Well, Mr Speaker, let me then deal with a number of issues. First of all, it does extend, not just to protecting serving Ministers, it extends to protecting other members of the Government and that would include officers like the Chief Secretary, which is how I thought that he was bringing him into the equation.

1425 Indeed, Mr Speaker, there is an argument that anybody who is libelled in the conduct of their profession is covered by the liability of the employer and I am grateful that Mr Speaker has said I do not have to answer the question about past Members but, intuitively, I think I know what the answer is but I will take advice on it if the hon. Gentleman puts the question.

1430 Mr Speaker, Government policy – the hon. Gentleman is asking about Government policy, he did not ask me about the *mechanics* of how we deal with that, he asked me about Government policy – Government policy, as he must know, is the policy of the ten people who sit round this table, therefore Government policy is determined by the Ministers. But, whether, then, that Government policy can be implemented in the Westminster system of Government that we have, also requires that the Civil Service gives effect to it. Of course, in the way that I handle Government affairs, I work very closely with the Chief Secretary in the implementation of Cabinet decisions and Government Policy. It is the role of the

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1440 Civil Service not to roll over and say ‘Yes, Minister’, it is the role of the Civil Service to say ‘Minister, in this situation, I do not think it is appropriate for you to engage with public finances in this way.’ And, of course, that would involve, Mr Speaker, an element of interaction with the Chief Secretary and others who may be relevant in terms of mechanics and the way things are done.

1445 **Hon. D A Feetham:** So in relation to the recent, for example, the recent libel claim that the Hon. the Minister for Employment brought, the mechanics just in relation to that is there is a collective decision made by the Cabinet as to whether to fund that particular libel claim, as to whether it is meritorious – it has got to be considered by somebody – and then that decision by the Cabinet is then referred to the Chief Secretary, on a bilateral basis between the Chief Minister and the Chief Secretary, and if the Chief Secretary says, ‘Yes, this is appropriate’, then it goes ahead and that is, in fact, what happened in the libel claim with the Minister for Employment?

1450 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman is now asking me about specifics, not about Government policy. I am going to go back in my mind, I think it is almost six months, to tell him that that is exactly the sort of way that I believe we handled the matter at the time. He will be delighted to see that things have changed quite considerably and that the Civil Service has an important role to play in the administration of Gibraltar’s affairs now.

1455 **Mr Speaker:** Next Question.

1460 **Government rental estates
Refurbishment costs**

1465 **Clerk:** Question 431 is to be answered by the Chief Minister in conjunction with Question 341, so we are now going to go to 341 and the question is for Mr Reyes, the Hon. Mr Reyes.
Questions 341, the Hon. E J Reyes.

1470 **Hon. E J Reyes:** Mr Speaker, further to Government’s recent announcements can the Minister for Housing – in this case, it is going to be the Chief Minister – make available to this House, details of the scope of works and cost in relation to all refurbishment works which are to be carried out in Government rental estates, including details of which companies have been awarded which specific contracts?

Clerk: Answer, the Hon. the Minister for Traffic, Housing and Technical Services.
Question 341.

1475 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** The answer to this Question will be answered with Question 431.

Clerk: Question 431, the Hon. D A Feetham.

1480 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister please provide the estimated costs of the refurbishment works to Laguna, Moorish Castle and Glacis Estates?

Clerk: Answer, the Hon. the Chief Minister.

1485 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I now hand the hon. Member a schedule containing the information requested in Question 341 and can confirm, Mr Speaker, that the estimated costs of the refurbishment works to Laguna, Moorish Castle and Glacis Estate is in the region of £51 million.

Answer to Question 341

Summary Of Jobs

Laguna , Glacis and Moorish Castle Estates major projects

Generally, detail scope of works are compiled from standard technical documentation and publications. However, an overall description of the works to be carried out comprises the following:

1. The recladding/insulation of the residential blocks – together with the replacement of windows (doubled glazed windows) will improve the energy and acoustic performance of the buildings and address any water penetration problems via the façade.
2. The construction of mono-pitched roofs to Laguna Estate, Moorish Castle Estate and the low-level building to Glacis Estate – to address the current roof problems.
3. The provision of lifts to each block, where possible – to lessen the burden of stairs to the existing flats.
4. The provision of defined individual clothes drying areas – in order to conceal what can amount to a necessary but untidy practice impacting on the first impression of the estate.

Contractor: GJBS

Contract Sum: £51,000,000 (includes Housing Works Agency Contingency £3,168,765)

Varyl Begg Estate

Refurbishment of internal areas and entrances to the four 9-bay blocks. These are Valiant House, Royal Sovereign House, Alert House and Repulse House.

- Work entails
- 1) New entrance ramps from street level.
 - 2) Repairs to spalling concrete around the internal corridors and staircase.
 - 3) Cleaning and repainting of railings to corridors and staircases.
 - 4) Repairing and painting of duct doors.
 - 5) Painting of internal corridor areas of soffits to slabs.

Contractor: GJBS

Contract Sum: £130,385

CONTD ANSWER TO QUESTION 431

Contd Answer to Question 341

Sandpits House

Refurbishment of external elevations to the block.

- Work entails 1) Repairs to all defective concrete areas, surface render and window ledges.
2) Fitting insulated wall cladding system to all elevations.
3) Forming new access hatch to roof area from stairwell.

Contractor: GJBS
Contract Sum : £183,146

St Joseph's Estate

Refurbishment of communal areas within the estate.

- 1490 Work entails 1) Lifting of sunken floor areas due to subsidence, compacting and laying new paving tiles and rainwater drainage channels.
2) Replacement of old chain-link fencing with new.
3) Repairs to all staircases and modifying gradients to some.
4) Repairs to retaining walls and parapet walls.
5) Replacement of old public benches.

Contractor: GJBS
Contract Sum: £151,287

Kingsway House, Alameda Estate

Refurbishment of Kingsway House.

- Work entails 1) Hacking off all surface render and redoing with new coloured acrylic render system.
2) Redoing all flat roof/terrace areas with 3-layer felt and quarry tiles.
3) Replacement of original timber/steel frame windows.
4) Repairs to structural steel columns where possible.

Contractor: Profield Contractors Ltd
Contract Sum: £1,272,833

1495 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister provide some details to this House, or an idea of how the £51 million is going to be funded? Is it going to be funded by borrowing or is it going to be funded through Government surplus?

1500 **Hon. Chief Minister:** Mr Speaker, we are already seeing on the Order Paper the fact that the Appropriation Bill has been published. The Appropriation Bill will be debated, I am happy to tell Members as they might expect during the course of the next sitting of Parliament in June and I do not think it is appropriate for me to go into spending matters at this stage. He will have an opportunity of seeing details during the course of that debate.

1505 **Hon. E J Reyes:** Thank you, Mr Speaker.
I see that in the part relating to the Glacis Estate, point number three says a provision of lifts to each block, where possible, to lessen the burden of stairs to the existing flats. Am I being over-ambitious, Mr Speaker, in reading into that... I have some tenants who, sort of, wish to have their fears calmed down, that the lifts may not actually reach to the level of the landing of a particular floor but will be sort of at mezzanine level, half way between one floor and another and, therefore, there will be the use of stairs necessarily involved. Is that, perhaps, the way the Government at this particular stage is able to answer when he says 'where possible to lessen the burden'? Will this still require, in some cases, the use of stairs
1510 in order to get into or out of the lift to their own flats?

Hon. Chief Minister: Mr Speaker, in some instances the lifts may be on a mezzanine level. They may not be on the absolute flat, but somebody who has gone up six flights of steps may only have to go up half as a result.

1515

I assume, Mr Speaker, that that fear has arisen from the way that *they* installed lifts in Glacis Estate, which was on the mezzanine level, not for a bad reason, Mr Speaker, because in some instances it was feared that if the lifts went down to the ground level, children, in particular those blocks that are closest to the schools, might be tempted to be interfering with the lifts all the time. So what *they* did, which was to fit the lifts in a way that only got to the mezzanine level, is maybe what we have to do in some instances, but not all. But it will certainly lessen the burden of six flights of steps if somebody only has to go up half – obviously the judgement that *they* made and not one with which we disagree.

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

1525

I do not know whether the Hon. the Chief Minister may have at hand the information I am requesting now. In relation to the same point, point number three on the question of the installation of lifts and with the qualification ‘where possible’, I assume by now he must have had some kind of a technical report as to where this is possible from an engineering point of view and where it is not possible, whether it is in Moorish Castle or Laguna Estate.

1530

Does the Chief Minister have that information available, as to which particular blocks or the number of blocks, say, in Laguna and the number of blocks, say, in Moorish Castle will be installed with a lift and how many will not because there are good reasons from an engineering point of view that they cannot be installed?

1535

Hon. Chief Minister: I have the information, Mr Speaker, broadly. I do not have the information in detail because he has not given notice of the question but I am happy to tell him that there appears that there may be no blocks that will not have lifts installed, except that there may be some difficulty in the way that the lifts are installed in one particular block at Moorish Castle Estate. One particular block, but I understand that in all others there should be very few, if any, real engineering difficulties and therefore that information I can give him.

1540

Queen’s National Theatre project Cost to Government

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Clerk: Question 432, the Hon. D A Feetham.

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Hon. D A Feetham: Mr Speaker, can the Chief Minister please provide details of the overall estimated cost to the Government of the Queen’s National Theatre project?

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Clerk: Answer, the Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Mr Speaker, there is no overall estimated cost at this stage, given that Government is being advised by the Committee appointed to consider what should be included in the project. There is a budget, of course, but it would be inappropriate to present such a budget at this stage, as this would influence the value of tenders for the works.

1565

New permanent power station Update on Government plans

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Hon. D A Feetham: Mr Speaker, this is a question that I lodged with Parliament and, on the same day a notice appeared, an official notice appeared in relation to the –

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Mr Speaker: Yes, but we are not going to go into that, are we? You are going to ask a question and you are going to get an answer.

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Hon. D A Feetham: Yes, Mr Speaker, I was explaining why.

1575 **Mr Speaker:** What I am saying is that we are not going to debate... We are not going to debate the question of the official notice that came out, that is what I am saying.

Hon. D A Feetham: Mr Speaker, absolutely not. I am just explaining why I am asking the Question when a statement has already been made. That is all, because listeners may find it odd, but Mr Speaker promised that he would allow me leeway in relation to supplementaries.

1580 Can the Chief Minister please update the House as to where the Government is with its plans in respect of a new permanent power station for Gibraltar?

Clerk: Answer, the Hon. the Chief Minister.

1585 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I am delighted to inform the House that the tender advert in respect of the new power station was published on 8th May 2013.

Hon. D A Feetham: Thank you very much.

1590 Mr Speaker, has the Government made a firm decision in relation to the location of the new power station and is that decision reversible in any way or is the decision firm and the Government really intends to go ahead with the location of the power station in that area?

1595 **Hon. Chief Minister:** Well, Mr Speaker, it is as firm as it can be at this stage. In other words, the location is based on the advice that we have as to the types of engines that we expect people will tender to provide, the type of fuel we believe can be used, the way that that can be made completely and entirely safe and the way that the emissions and the noise can be dealt with to such an extent that there will be no noise whatsoever which would cause any ambient concerns for people living anywhere near the area or even working anywhere near the area – and that there are no emissions that would cause any concern to anyone.

1600 Because the *huge* step forward we are going to take by having not proceeded with the previous plan and proceeded with *this* plan is such that we will have a modern installation, as long as the tenders comply with what we are advised they can comply with and, therefore, Mr Speaker in the event that none of the tenderers were to come up with the proposals that we expect, given the specification we have set out in the tender, well look, then it might be that we would have to go back to the drawing board. We certainly do not expect that to be the case and we will be able to give satisfaction to anybody who might live anywhere near the area – and ‘near’, let us face it, includes anywhere in Gibraltar – that they will suffer no noise whatsoever and that they will have absolutely no danger to them from emissions that may come from the generating sets that are used. I think that is an important issue to always constantly remind the community of.

1610 Should it be that we do not get offers for the types of sets that we have set out with the advice that we have had in respect of what those sets do in terms of noise and emissions, then it would be back to the drawing board. I sincerely doubt that we will ever find ourselves in that situation.

1615 **Hon. D A Feetham:** Yes, well, Mr Speaker, just in relation to that, can I take it that the Government has already had conversations, without revealing who they are, but can I take it that the Government has already had conversations with people that might be interested in this particular project and that, in fact, the Government has already discussed the potential location and whether it is do-able?

1620 **Hon. Chief Minister:** The Government has discussed what could happen in relation to power in Gibraltar with a myriad number of entities that were in contact with the Government as a result of our announcing that we were not proceeding with the previous power station. We have discussed internally with those that advise the Government technically of where the best option for a power station should be. We have looked at the options that were looked at by the previous administration and why they were looking at those options and we have discussed with some of the parties that have raised the issue with us, some of the locations that *they* put to us and when they have asked us, some of the locations that were under consideration by the Government.

1630 **Hon. D A Feetham:** Mr Speaker, in its press release in relation to, which closely follows the actual official notice that came out, the Government talks about a land reclamation that would be necessary, in order, as part of this particular project. Can he tell me whether the land reclamation is to the north of the North Mole, or is it to the west of North Mole or both?

Hon. Chief Minister: To the west of the North Mole.

1635 **Hon. D A Feetham:** Mr Speaker, is he satisfied that this particular project is in no way going to be interfering with the approach flights for planes that are landing on Gibraltar Airport. Obviously, that is something that must have been considered but is that an imponderable or a variable that could potentially affect whether the Government goes ahead with this particular project or not?

1640 **Hon. Chief Minister:** Mr Speaker, as he would expect, we have satisfied ourselves of the fact that it will not interfere with a flight path, nor limpets nor spider crabs. *(Laughter)*

Hon. D A Feetham: I will follow Mr Speaker's ruling and attempt to keep the temperatures down.
1645 Mr Speaker, does the Hon. the Chief Minister have a timeline in relation to the construction of the power station beyond the actual awarding of tenders later on this year. How long is it likely to take to build this particular project, which is obviously going to be a substantial one?

Hon. Chief Minister: Mr Speaker, I am tempted to refer the hon. Gentleman to the notice. The notice does set out what the period should be and that is eighteen months. If he has not seen it, it is in paragraph 1650 three of the notice.

Hon. D A Feetham: So the answer is eighteen months from the time that the tenders are awarded, not eighteen months from the notice. If the notice is clear in relation to that, I had not unfortunately seen it but I would appreciate clarification from the Chief Minister in relation to that.

1655 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman should know how these things work. The closing date for the submission of tenders is 1st August 2013. The eighteen months do not run from then, they run from the awarding of the tender and the agreed mobilisation date, which is the completion process. In other words, when we agree that works must start, the clock starts to tick for eighteen months.

1660 **Hon. D A Feetham:** So then I have to, I am afraid, come back to my original question: it is eighteen months from the award of the tender. Can he tell me, more or less, from when he expects that eighteen month timeline to actually run? We know that close of tenders is in August. This can, of course, be quite a complicated process. I mean, it is a major, very substantial investment, certainly would have been the single biggest investment when we were in Government. I think the cost was about £150 million, the cost 1665 of the power station that we were proposing. So I am just really looking to see whether the Government expects to complete this power station prior to the next General Election or after the next general election, obviously, if elected.

Hon. Chief Minister: Mr Speaker, well that is much clearer.
1670 The aim of the Government is to complete before the next General Election but, of course, it is within the gift of the Chief Minister to call an election sooner than contractors might expect and therefore I hesitate to put them on notice but it could happen at any time.

1675 **Hon. S M Figueras:** Mr Speaker, can the Hon. the Chief Minister provide this House with an indication of how the addition of the power station west of the North Mole will interact with the cruise liner business at, effectively, the same location?

Hon. Chief Minister: It will not cause any difficulty whatsoever in respect of that matter, in the same way that we have ensured that the crustaceans that I referred to earlier have been considered and the flight 1680 path. Obviously, the issue of cruise ships has also been considered.

Hon. D A Feetham: Is the Chief Minister, just for the benefit of my hon. Friend, Mr Netto, is the Chief Minister saying – because I thought that he was just simply jesting – but is the Chief Minister saying that, in the context of the reclamation that might be undertaken on the west side of North Mole, 1685 that the Government has also taken into account, or conducted some form of environmental study as to the impact on, crustaceans and limpets and that sort of marine life.

Hon. Chief Minister: Mr Speaker, we have considered all of these issues. We have not yet done the studies necessary because when we consider them we have the benefit, in the inter-Ministerial 1690 Committee, of the man who *would* have carried out the assessment. We think we have a pretty clear idea of what the result will be. But, of course Mr Speaker, this, like all other Government projects will go – because there is a new dawn, and we do what we say we do – to the DPC. Therefore, of course, all of those issues will also be considered there and in public, Mr Speaker, not in private, as used to be the case before.
1695

1700 **Hon. D A Feetham:** Mr Speaker, how realistic is it for the Development and Planning Commission, in an application, or even if it is advice and guidance in relation to this particular project, that it is capable of influencing this particular project? Really, you know this is – and we accept – a project of immense importance to this community and, again, it is a project that the Government appears to be committed to delivering for Gibraltar. At the end of the day, what I am concerned with here is about not paying just simply lip service to the Development and Planning Commission when the reality of the situation is that the Government really wants to pursue this particular project but, quite rightly, because it is important to this community, in the same way as it wants to proceed and plough ahead with the floating hotel.

1705 **Hon. Chief Minister:** Very realistic, Mr Speaker, because you see whereas, before, the project would not have gone to DPC, the decisions in respect of the project would have been made by the Government without going to the DPC, and the DPC then was private and would not be public, this will go to an open DPC meeting for guidance. Therefore, Mr Speaker, it is very likely that the DPC will, as usual, make important and relevant points because, you see, Mr Speaker, being inclusive and being prepared to listen to what the DPC says and what the public says does not mean that one has to abandon a project.

1710 You see, it is not if you go to DPC this is delay and this means there is no project... DPC meetings occur very often, the input provided from the Chairman down and the public, is positive, it informs the Government when it carries out projects. The projects do not have to stop: they progress and are better as a result of that process. That is why I commend to the hon. Gentleman that, now he has become Leader of the Opposition, he should change the policy of his Party, as set out by the previous Leader, and embrace the concept of a public planning process to which the Government should submit itself, at least initially, for guidance and subsequently to be bound, and eschew that the policy they pursued previously, and which was defended by the previous Leader of the Opposition, of going back to a less than open planning process which would not bind the Government... Mr Speaker, I think that the hon. Gentleman is in time to make that change, do the *volte face*. It will work wonders for him!

1715 **Hon. D A Feetham:** Well, Mr Speaker, does he not agree that perhaps it is preferable to adopt this approach, which is to accept that politics is about making and defending decisions and that you cannot be all things to all men? And does he not agree with me that this and, indeed, the other example, the floating hotel, is just precisely an example of that, of the Government really wanting to be all things to all men, when the reality is that people out there would respond to the fact that the Government would say ‘Look, this is a decision we are taking because it is in the best interests of Gibraltar and therefore it does not have to go to Planning because it is in the best interest of Gibraltar. So be it.’ But this is a half-baked, half-cooked procedure of going to the Development and Planning Commission for advice and guidance when no-one in Gibraltar actually believes that they will have any influence at all on the ultimate decision. Is that not correct?

1720 **Hon. Chief Minister:** No, Mr Speaker, it is not and I will tell him why it is not. The hon. Gentleman talks about being all things to all men but let me show him why that every time he says that it reflects on him.

1725 You see, Mr Speaker, they come here and they say it is very wrong that the *Sunborn* is a done deal and you should have gone through the process that you say that you subject yourself to and it is only a rubber stamp. Then they say you should make a decision and you should see it through. Well, Mr Speaker, we are doing exactly what we said we would do and we commend our policy to them but I am very heartened to see that I was wrong to think that the Party would move when the leadership changes. It is still exactly where it was.

1730 **Hon. Chief Minister:** Being all things to all men, Mr Speaker, is saying that a Party is such a broad church that it involves right wingers and people on the centre left and people on the left. Mr Speaker, that is what led me to have to say to him at the last budget session, when he was not even Leader of the Opposition then, that he should re-evaluate his politics of left, right, left, right, because that will not ever get him anywhere.

1735

**Portable T60 turbines
Cost of lease to the taxpayer**

1740 **Clerk:** The Chief Minister is going to be answering Question 434, together with Question 245, which was posed by the Hon. Mr Netto yesterday.

1745 Question 434, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, can the Chief Minister please state what the total cost has been so far to the taxpayer of the portable T60 turbines, or temporary power station, which the Government is leasing from Energy International?

1760 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): I will answer with Question 245.

1765 **Hon. J J Netto:** Mr Speaker, can the...

Clerk: That question was posed yesterday and the Chief Minister needs to answer, as in the prepared answer.

1770 **Hon. Chief Minister:** Mr Speaker, the relationship with Energy International is as set out in the publicly available Government Press Release 740/2012. Although that is publicly available information and I have no need to bring it to the House, for the hon. Gentleman's ease of reference, I now provide a copy of that press release to Members opposite.



HM GOVERNMENT OF GIBRALTAR
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PRESS RELEASE

No: 740/2012

Date: 8th November 2012

Security of Electricity Supply: The Short Term Solution

- **New North Mole Temporary Power Station Announced.**
- **Immediate Reduction in Noise & Emissions in South District and Waterport.**
- **Oesco and MOD Power Stations to be shut down in silent hours.**
- **Waterport to reduce activity by up to two thirds in silent hours.**
- **Plans for a Permanent New Power Station to be announced in Next Quarter.**
- **Consultation on-going with relevant unions.**

In order to ensure security of electricity supply, HM Government of Gibraltar has entered into a two year arrangement (with the option to extend to three) with Energy International Inc of the USA for the supply of temporary electrical power using rental turbine power, dual fire generating sets that will allow the servicing of existing generating plant to be undertaken whilst increasing the resilience of the installed generating capacity. The units will be fuelled with diesel.

The turbine units will be installed at the north western end of the North Mole, away from residential areas.

These units operate on proven technology and are extremely reliable. They also incorporate "SoLoNox Low Emission Technology" which is considerably more environmentally-friendly compared to the diesel engine technology that has been used in Gibraltar for power generation for the last eighty years. The new temporary units will each provide up to five mega watts of generating capacity and are designed to run twenty four hours a day. The twelve skid generators imported by the previous administration (eight rented and four bought outright) were capable only of one mega watt generating capacity each and were not designed to be run continually. These skid generators may soon become surplus to requirements.

The Government envisages that the new temporary power plant will be fully operational by mid December 2012. This is just before the winter peak demand. The new facility will enable Government to improve security of supply during peak demand periods when power cuts have previously occurred as a result of a lack of generating capacity.

The advent of the new temporary power station will also, importantly, permit for variations in the operating regimes of all three existing power stations in Gibraltar resulting in an

overall lowering of emissions. In particular NOx emissions are predicted to reduce by 40 % per mega watt generated by the new temporary power plant immediately.

The aim is also to reduce the operational running of the power stations in the South District and in the Waterport area whenever demand allows during the silent hours, without comprising the security of supply. This will immediately massively lower the emissions and reduce the noise levels in these areas during these periods.

The Government of Gibraltar is also continuing to identify alternative ways of further reducing the emissions arising from the production of electricity in Gibraltar. To this effect Government is already working with Energy International on the fitting of Catalytic Reduction technology (known as "Scrubbers") to these turbines. The fitting of such scrubbers will further reduce emissions by another 97%. These will, however, have to be fitted at a later date due to design and availability issues that need to be resolved. The Government's first priority, however, has been to secure the reliability of electrical supplies for the winter peak demand and to service the existing engines to improve their reliability and performance, which in turn further increase security of supply and reduces emissions.

The Government of Gibraltar continues to engage with main players in the energy industry exploring alternative technologies to determine a permanent solution to Gibraltar's electrical needs. This solution must provide secure supply and massively reduce Gibraltar's carbon footprint.

1775

Chief Minister, Fabian Picardo, said: "As I have said previously, security of Gibraltar's electricity supply is one of the most important issues for my Administration. We have been working tirelessly on this issue in the past eleven months in an Inter Ministerial Committee and with our electrical, technical, environmental and financial experts. We are now ready to announce this excellent temporary solution that is designed to ensure security of supply – something which the previous administration's one mega watt skid generators demonstrably did not do. We have actually engineered a solution that gives this security whilst also reducing emissions hugely at first and even more so (almost to 1% of current emissions from the existing facilities) with "scrubbers" fitted."

"The good news is that the noise nuisance and pollution from all existing power stations in the South District and Waterport will be eliminated or very significantly reduced during silent hours and also to a lesser extent during the day."

"We are also working with the unions so that employees of these facilities are not victims of these changes or of the permanent solutions to be finalised shortly – but participants in it."

"The next step is to finalise our determination on the long term solution by the decision on what permanent power solution is to be chosen. Again environmental, noise and cost issues will be relevant alongside security of supply in the final determinations we have to make in this respect. At the same time, we are at a very advanced stage in the introduction of renewable energy sources from different types of technologies. These are the right decisions for our community and I am delighted to have led the Committee in its deliberations to date and going forward to the stage when we announce the permanent solution for power generation for the future."

1780

The total cost incurred to date in connection with the temporary power station from Energy International has been £1,698,445.93. In addition, costs totalling £258,000 have been incurred by the Gibraltar Electricity Authority in the preparatory site civil works, purchase of materials and high voltage grid reinforcement. Members should note that we are not 'leasing' a temporary power station, as the question implies, just the turbines.

1785

Hon. D A Feetham: Mr Speaker, can he just repeat the figure, what has been incurred so far, the £1 million, I just did not quite catch that £1 million and something?

Hon. Chief Minister: £1,698,445.93.

1790

Hon. D A Feetham: Yes, can the Chief Minister tell me how much of that actually relates to relocation of these particular engines to Gibraltar and how much this actually relates to the rental element of it, because presumably there must have been a cost in terms of relocation of the turbine engines to Gibraltar. I will tell you what I am trying to do. I am trying to calculate, eventually, project what the cost might actually be in terms of the rental over the period of time that it will take the Government to build the new power station.

1795 **Hon. Chief Minister:** Mr Speaker, I do not have that information in detail, with me, and in fact I believe that the contract does not envisage that there should be a cost other than the leasing cost, but there may be a mobilisation cost which is absorbed as part of the lease.

1800 I refer the hon. Gentleman to the answers I have given in this House before, I do not have them with me. I think I gave, either to the House or perhaps at the time that I was interviewed by the local media, an estimate of what the costs would be to run these sets per year and how that cost would change depending on how they were fuelled, whether they were fuelled with diesel or whether they were fuelled with gas and what the savings overall would be when they were fuelled with gas. He may want to refer to those if that is the information that he is seeking. It may be that it may have been something I said when he was not in the House at the time. I think this goes back to either the December, January or February session I believe I was answering questions from Mr Figueras but it may be that I was answering questions from an interviewer that same day.

1810 **Hon. D A Feetham:** Yes, Mr Speaker, I think that, I believe, that there is a fixed rental amount per month, and then there is a variable rental amount that depends on the actual usage. If I write to the Chief Minister, can he provide, because, of course... I am not sure whether the Government has actually disclosed what the fixed amount is per month, but will he disclose that if I write to him, and will he disclose the amounts that have been incurred per month, if I were to write to him? Is that something that he is prepared to provide me, or is it something that he considers to be of a commercial nature that he is not prepared to provide?

1815 **Hon. Chief Minister:** I do not consider it to be of a commercial nature and if the hon. Gentleman wants to write to me, then I can give him the information and see whether it is made up as he suggests it is, or not. Why is it that he thinks it is made up like that?

1820 **Hon. D A Feetham:** Because the same people that used to inform him now inform us in the Opposition. I am pretty sure that, in fact, that is the way that the arrangements are operating. If it does not, then it does not: he will say to me that is not the way that it is operating... But I am grateful to the Hon. the Chief Minister for informing me that he will provide the information if I write to him.

1825 **Hon. Chief Minister:** Thank you very much, Mr Speaker.
Certainly if he writes to me I will give him the information, and I shall tell the people that used to inform me to stop informing him! *(Laughter)*

1830 **Mr Speaker:** Any other supplementary?
Yes, the Hon. Mr Netto.

1835 **Hon. J J Netto:** Thank you, can I ask the Chief Minister whether, in terms of the contractual relationship, is it one which is direct between the Government and Energy International or if there is any intermediate company between the two?

Hon. Chief Minister: There is an intermediary between the two, Mr Speaker.

Hon. J J Netto: And the name of the intermediary company?

1840 **Hon. Chief Minister:** Gibraltar Mechanical & Electrical Services Company Limited, which is GMES, the Government wholly-owned company.

Hon. J J Netto: And is this a company that employs a number of people at the moment, or is it not?

1845 **Hon. Chief Minister:** Yes, Mr Speaker, he will recall that I talked to him about it yesterday. It is the company that was set up by his administration when the ISGS, which is what we call the MOD power station, was passed on to the control of the Gibraltar administration. It employs a considerable number of local people.

1850 **Mr Speaker:** Next Question.

1855

**Airport runway tunnel
Update on Government plans**

1860

Clerk: Question 435, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, can the Chief Minister update the House on the Government's plans either for a tunnel under the runway or any alternative?

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Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the re-design of the road and tunnel project is now complete. Preparation of the supporting tender and contract documents is ongoing. We are already at the pre-qualification stage of the tender process. The project team have also been involved in preparing the Government's case for the OHL litigation, as he might know.

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Hon D A Feetham: Mr Speaker, has the Government made a decision as to whether to continue with the plans for the tunnel under the runway or is the Government considering an alternative to, effectively, what were our intended plans?

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Hon. Chief Minister: Mr Speaker, the Government has gone out to tender to complete the tunnel, and I have said this to the House on a number of occasions and before he presses me further I think he should speak to the previous the Leader of the Opposition because he and I had a discussion about these issues and why it was relevant that he should not press me further.

1880

Hon. D A Feetham: Well, Mr Speaker, perhaps the Hon. the Chief Minister and myself can have the same discussion rather than just for myself to go to Mr Caruana.

Mr Speaker: Next Question.

1885

Hon. Chief Minister: Delighted to have that discussion, Mr Speaker.

I did not realise that they were not on such fluid speaking terms as they might have been before, but I realise the previous Leader of the Opposition is engaged in his private practice now.

1890

Mr Speaker: Next Question.

**Bizzy Bee Limited
Provision of services to Government**

1895

Clerk: Question 436, the Hon. D A Feetham.

1900

Hon. D A Feetham: Mr Speaker, can the Chief Minister please state whether Bizzy Bee Limited has been engaged, or is to be engaged, by the Government to advise it on construction, road works and machine hire?

Clerk: Answer, the Hon. the Chief Minister.

1905

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government has neither engaged, nor does it presently have any intention of engaging, Bizzy Bee Limited to provide any such advice to the Government. If the hon. Gentleman is referring to the copy of the *Chronicle* that suggested they did, it jumped out of the page at me and I immediately asked who on earth these people were and why it was that they felt they needed a trade licence to advise the Government.

1910

Hon. D A Feetham: Well, yes, it did, I have to say, jump out at me as well, that they were applying for a trade licence solely in order to advise the Government of Gibraltar on construction, road works and machine hire. I, in fact, then conducted a company profile search on this particular company and certainly one of the shareholders, I know, is a GSLP member, but I am not making any allusions in relation to that. What I am going to ask is so the Chief Minister can confirm that, in fact, there had been no discussions at all between any branch of the Government or any Government Department and this particular company in relation to the provision of advice to the Government on construction, road works and machine hire, and

1915

that it was just simply a moment of supreme optimism by this particular company to apply for a trade licence to do precisely that.

1920 **Hon Chief Minister:** Mr Speaker, I can confirm that entirely, and I will tell him more. What has happened after 8th December, is that the identity of people, whether it is of people who are supporters, members or activists of the GSLP or members, supporters or activists of the GSD, or of the PDP or of any other political party or persuasion is completely irrelevant to the consideration that the Government may make to whether they get contracts or not. So, the hon. Member likes to make allusions and then say he is making no allusions, he should rest assured that he need not make those allusions, although I can see exactly where he is going in the next Question.

Mr Speaker: Next Question.

1930 **Hon D A Feetham:** But I have not finished.
Yes, was the Chief Minister aware that, in fact, in today's *Gazette* this particular company has now widened its application for a trade licence to include other things that were not restricted to advising the Government, because, of course, if this particular company had done anything other than advise the Government on any of those matters it would have been in breach of its trade licence? Is the Chief Minister aware that today, on the day that I am asking this particular question, there is a notice in the Gazette widening the ambit of the application for a trade licence by this company?

1935 **Hon. Chief Minister:** Not only am I aware of it, Mr Speaker, I have a copy of it, and the hon. Gentleman might like to know that, as a result of that advertisement that appeared and the enquiries that I made, the people who had placed the advertisement were told by the Trade Licensing Department that they had got it completely wrong, and I think the Trade Licensing Department gave them the advice that they needed in order to be able to advertise their services adequately, Mr Speaker.

1940 He will be delighted to know that the Trade Licensing Department is so proactive in the pursuit of ensuring that people comply with their obligations under the law, whatever political persuasion they may be from.

1945

**Government and Public Service employees
Details since 10th December 2011**

1950 **Clerk:** Question 437, the Hon. D A Feetham.

1955 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister provide a list of (1) Civil Servants (2) GDC employees (3) Statutory Agency and Authority employees and Government Company employees that have, since December 2011, been transferred from the post that they occupied on 10th December 2011, giving a breakdown by entity, employee, post occupied on 10th December and the post transferred to?

1960 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): I will answer this Question together with Questions 438 and 439.

1965 **Clerk:** Question 438.

1970 **Hon. D A Feetham:** Can the Chief Minister provide a breakdown in respect of the number of (1) Civil Servants (2) GDC employees (3) Statutory Agency and Authority employees and (4) Government Company employees that have been employed in posts in those entities since 11th December 2011, excluding Future Job Strategy trainees?

Clerk: Question 439, the Hon. D A Feetham.

1975 **Hon. D A Feetham:** Will the Chief Minister give details of all persons, if any, employed by, or promoted to a more senior position within the Government, the GDC, or any Government Company, Agency or Authority without a public advertisement of vacancy followed by a selection board in 2012 and 2013?

Clerk: Answer, the Hon. the Chief Minister.

1980

Chief Minister (Hon. F R Picardo): Mr Speaker, I now hand the hon. Member the schedules with the information requested.

ANSWER TO QUESTION NO. 437

CIVIL SERVICE

EMPLOYEE	GRADE	FROM	TO
1	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
2	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
3	TG1	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
4	HEO	EX MINISTRY OF JUSTICE	NO.6 CONVENT PLACE
5	PERSONAL SECRETARY	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PUBLIC TRANSPORT & COMMERCIAL AFFAIRS
6	DIRECTOR OF CIVIL AVIATION	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
7	PERSONAL SECRETARY	EX MINISTRY OF JUSTICE	NO.6 CONVENT PLACE
8	SUPPORT GRADE BAND 2	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
9	SEO (EX GDC)	NO.6 CONVENT PLACE	EDUCATION FINANCIAL SERVICES GAMING TELECOMMUNICATIONS AND JUSTICE
10	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
11	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PUBLIC TRANSPORT & COMMERCIAL AFFAIRS
12	MARKETING CO-ORDINATOR (EX GDC 3)	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PUBLIC TRANSPORT & COMMERCIAL AFFAIRS
13	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PUBLIC TRANSPORT & COMMERCIAL AFFAIRS
14	PTO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL

Cont....

CONTINUED ANSWER TO QUESTION NO. 437

EMPLOYEE	GRADE	FROM	TO
15	EO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
16	CLERK / WORD PROCESSOR	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
17	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
18	SEO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
19	TG1	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
20	SPTO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
21	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
22	ASSISTANT BUSINESS SUPPORT OFFICER (EX GDC 2)	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PUBLIC TRANSPORT & COMMERCIAL AFFAIRS
23	SEO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
24	EO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE

Cont....

CONTINUED ANSWER TO QUESTION NO. 437

EMPLOYEE	GRADE	FROM	TO
25	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
26	AO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
27	PERSONAL SECRETARY	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
28	CLERK / WORD PROCESSOR	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
29	TYPIST	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PUBLIC TRANSPORT & COMMERCIAL AFFAIRS
30	AO / TIMEKEEPER	HOUSING WORKS AGENCY	GHA
31	PTO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
32	TYPIST	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
33	EO	FINANCE	PUBLIC TRANSPORT AND COMMERCIAL AFFAIRS
34	PTO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
35	SEO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PUBLIC TRANSPORT & COMMERCIAL AFFAIRS
36	HPTO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
37	SPTO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL

Cont....

CONTINUED ANSWER TO QUESTION NO. 437

EMPLOYEE	GRADE	FROM	TO
38	LEGAL ADVISOR	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
39	SPTO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
40	SUPPORT GRADE BAND 1	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
41	SUPPORT GRADE BAND 2 (EX GDC 1)	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	MINISTRY OF EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS & JUSTICE
42	PTO	MINISTRY OF ENTERPRISE, DEVELOPMENT, TECHNOLOGY & TRANSPORT	DEPARTMENT OF PLANNING AND BUILDING CONTROL
43	SEO	NO.6 CONVENT PLACE	FINANCE
44	AO	INCOME TAX	POST OFFICE
45	AO	MARITIME	GHA
46	HEO	HUMAN RESOURCES	GHA
47	AO	CULTURE	MARITIME
48	AO	INCOME TAX	CULTURE
49	AO	GIBRALTAR COURTS SERVICE	HUMAN RESOURCES
50	AO	GHA	HUMAN RESOURCES
51	HEO	GHA	MARITIME
52	AO	POST OFFICE	GIBRALTAR COURTS SERVICE
53	EO	TREASURY	YOUTH
54	AO	POST OFFICE	CULTURE
55	EO	PUBLIC TRANSPORT AND COMMERCIAL AFFAIRS	GIBRALTAR COURTS SERVICE
56	SO	NO.6 CONVENT PLACE	HUMAN RESOURCES
57	AO	GHA	INCOME TAX
58	AO	GHA	POST OFFICE
59	AO	TREASURY	GHA

Cont....

1985

GIBRALTAR PARLIAMENT, THURSDAY, 16th MAY 2013

CONTINUED ANSWER TO QUESTION NO. 437

EMPLOYEE	GRADE	FROM	TO
60	AO	GIBRALTAR COURTS SERVICE	HUMAN RESOURCES
61	EO	EDUCATION	TRAINING
62	AO	EDUCATION	TRAINING
63	AO	GHA	PARLIAMENT
64	EO	NO.6 CONVENT PLACE	GIBRALTAR COURTS SERVICE
65	EO	HOUSING	E.U.I.D
66	EO	GIBRALTAR COURTS SERVICE	MINISTRY FOR TOURISM, PUBLIC TRANSPORT AND THE PORT
67	WORKS SUPERVISOR	HOUSING WORKS AGENCY	ENVIRONMENT
68	AO	GHA	HUMAN RESOURCES
69	WORKS SUPERVISOR	HOUSING WORKS AGENCY	EMPLOYMENT
70	AO	DSS	HUMAN RESOURCES
71	SEO	RGP	PROCUREMENT
72	ENVIRONMENTAL MONITOR	ENVIRONMENT	CULTURE
73	AO	YOUTH	MARITIME
74	AO	HOUSING	GHA
75	PERSONAL SECRETARY	DSS	GHA
76	AO	DSS	GIBRALTAR COURTS SERVICE
77	AO	GIBRALTAR COURTS SERVICE	HOUSING
78	AO	HOUSING	MARITIME
79	PERSONAL SECRETARY	CULTURE	HUMAN RESOURCES
80	TYPIST	NO.6 CONVENT PLACE	E.U.I.D
81	SGB1	TREASURY	E.U.I.D
82	AO	GIBRALTAR COURTS SERVICE	PRISON
83	SEO	PROCUREMENT	PUBLIC TRANSPORT AND COMMERCIAL AFFAIRS
84	SGB2	HUMAN RESOURCES	INCOME TAX
85	AO	GIBRALTAR COURTS SERVICE	TREASURY
86	CLASSROOM AIDE	CARE AGENCY	EDUCATION

Cont....

CONTINUED ANSWER TO QUESTION NO. 437

EMPLOYEE	GRADE	FROM	TO
87	CLASSROOM AIDE	CARE AGENCY	EDUCATION
88	AO	FINANCE	PUBLIC TRANSPORT AND COMMERCIAL AFFAIRS
89	AO	TREASURY	POST OFFICE
90	AO	TREASURY	HUMAN RESOURCES
91	AO	POST OFFICE	TREASURY
92	PRIVATE PRINCIPAL SECRETARY TO THE CHIEF MINISTER	MINISTRY FOR EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS AND JUSTICE	NO.6 CONVENT PLACE
93	EO	NO.6 CONVENT PLACE	ENVIRONMENT
94	EO	DSS	GIBRALTAR COURTS SERVICE
95	EO	GHA	PROCUREMENT
96	EO	BUSINESS SUPPORT UNIT	EMPLOYMENT
97	AO	TREASURY	NO.6 CONVENT PLACE
98	AO	RGP	ENVIRONMENT
99	AO	GHA	MARITIME
100	HEO	CSRO	NO.6 CONVENT PLACE
101	EO	EMPLOYMENT	GIBRALTAR COURTS SERVICE
102	SGB1	NO.6 CONVENT PLACE	EMPLOYMENT
103	AO	INCOME TAX	GHA
104	AO	TECHNICAL SERVICES	GHA
105	EO	TREASURY	EMPLOYMENT
106	EO	DRIVING AND VEHICLE LICENCING	TREASURY
107	SEO	EMPLOYMENT	HUMAN RESOURCES
108	HEO	NO.6 CONVENT PLACE	PROCUREMENT
109	CLERK / WORD PROCESSOR	ENVIRONMENT	GHA
110	AO	INCOME TAX	ENVIRONMENT
111	AO (F/F)	DSS	DRIVING AND VEHICLE LICENCING
112	AO (F/F)	DSS	MARITIME

Cont....

CONTINUED ANSWER TO QUESTION NO. 437

EMPLOYEE	GRADE	FROM	TO
113	EO	HUMAN RESOURCES	DSS
114	EO	EMPLOYMENT	DSS
115	AO (P/T)	RGP	GHA
116	AO	NO.6 CONVENT PLACE	TREASURY
117	PERSONAL SECRETARY	HUMAN RESOURCES	EMPLOYMENT
118	HEO	POST OFFICE	EMPLOYMENT
119	EO	HUMAN RESOURCES	TREASURY
120	EO	EMPLOYMENT	MINISTRY FOR EQUALITY, SOCIAL SERVICES AND THE ELDERLY

1990

CONTINUED ANSWER TO QUESTION NO. 437/2013

GIBRALTAR DEVELOPMENT CORPORATION

EMPLOYEE	GRADE	FROM	TO
1	IV	Ministry of Enterprise, Training and Employment	Post Office
2	II	Ministry of Enterprise, Training and Employment	Ministry of Culture
3	V	Ministry of Enterprise, Training and Employment	Treasury
4	III	Ministry of Enterprise, Training and Employment	Care Agency

STATUTORY AGENCIES

Housing Works Agency

EMPLOYEE	GRADE	FROM	TO
1	5 Craftsman/Painter	Housing Works Agency	GDC - Health & Safety Officer
2	6 Zoneworks Supervisor	Housing Works Agency	GDC - Health & Safety Officer
3	5 Craftsman/Plumber	Housing Works Agency	GDC - Grave Digger (48 hours)
4	6 Zoneworks Supervisor	Housing Works Agency	GDC - Cemetery Keeper (Acting)

Care Agency

EMPLOYEE	GRADE	FROM	TO
1	Counsellor	Care Agency	Employment Service

Borders and Coastguard Agency

Nil return

Culture and Heritage Agency

Nil return

(Cont...)

CONTINUED ANSWER TO QUESTION NO. 437

STATUTORY AUTHORITIES

Gibraltar Electricity Authority

Nil return

Gibraltar Health Authority

Nil return

Gibraltar Port Authority

Nil return

Gibraltar Regulatory Authority

Nil return

Gibraltar Sports & Leisure Authority

Nil return

GOVERNMENT COMPANY

EMPLOYEE	GRADE	FROM	TO
1	Chief Executive Officer	Gibraltar Air Terminal Limited	Gibraltar Tourist Board
2	Lorry Driver	Gibraltar General Support Services	Gibraltar Industrial Cleaners
3	Lorry Driver	Gibraltar Cleansing Services	Gibraltar Industrial Cleaners
4	Labourer/Refuse Collector	Gibraltar Cleansing Services	Gibraltar Industrial Cleaners
5	Labourer/Refuse Collector	Gibraltar Cleansing Services	Gibraltar Industrial Cleaners
6	Labourer/Refuse Collector	Gibraltar General Support Services	Gibraltar Industrial Cleaners
7	Labourer/Refuse Collector	Gibraltar General Support Services	Gibraltar Industrial Cleaners
8	Labourer/Refuse Collector	Gibraltar General Support Services	Gibraltar Industrial Cleaners
9	Labourer/Refuse Collector	Gibraltar General Support Services	Gibraltar Industrial Cleaners
10	Labourer/Refuse Collector	Gibraltar General Support Services	Gibraltar Industrial Cleaners

1995

ANSWER TO QUESTION NO. 438/2013

<u>ENTITY</u>	<u>NO. OF PERSONS EMPLOYED SINCE 11 DECEMBER 2011</u>
CIVIL SERVANTS	193
GIBRALTAR DEVELOPMENT CORPORATION	4

STATUTORY AGENCIES

Borders and Coastguard Agency	27
Care Agency	62
Culture and Heritage	1
Housing Works Agency	Nil

AUTHORITIES

Gibraltar Electrical Authority	8
Gibraltar Health Authority	143
Gibraltar Port Authority	2
Gibraltar Regulatory Authority	2
Gibraltar Sports & Leisure Authority	8

GIBRALTAR COMPANY

Gibraltar Bus Company	7
Gibraltar Strand Management Company	1
Gibraltar Defence Estates and General Services Limited	1
Gibraltar Air Terminal Limited	1
Gibraltar Industrial Cleaners	4 *

* 1 Employee terminated October 2012

ANSWER TO QUESTION NO. 439/2013

CIVIL SERVANTS

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	Senior Executive Officer	Senior Officer	
1	Senior Executive Officer	Assistant Human Resources Manager	
1	Personal Secretary	Senior Personal Secretary	
1	TG1	PTO	
1	TG1	PTO	
1	Fire Fighter	Head Mechanic	
1		Administrative Grade (re-engaged)	
1		Assistant Training Centre Manager	
1	New Entrant	Music Instructor (Part Time)	
1	Qualified Teacher	Educational Psychologist	
1	Library Resources Assistant		Library Resources Assistant
1	Supply IT Technician		Supply IT Technician
7	Female Prison Officer		Female Prison Officer
3	Postal Worker		Postal Worker
2	Supply Classroom Aide		Supply Classroom Aide
1	Executive Officer	Higher Executive Officer	

GIBRALTAR DEVELOPMENT CORPORATION

Nil return

STATUTORY AGENCIES

Borders and Coastguard Agency

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	SBCO		Training Manager
1	BCO	SBCO	

(Cont....)

2000

CONTINUED ANSWER TO QUESTION No. 439/2013

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
3	Craftsman Grade 5	Zoneworks Supervisor Grade 6	
1	Zoneworks supervisor Grade 6	Transport Equipment & Stores Manager Grade 7	
1	Storekeeper Grade 3	Stores Officer Grade 6	
1	Craftsman Grade 5	Transport Plant & Tools Officer	
1	Administration & Finance Officer	Administration & Finance Executive Officer	
1	Clerk Wordprocessor	Administration & Finance Officer	

Care Agency

Nil Return

Culture and Heritage Agency

Nil Return

AUTHORITIES

Gibraltar Electricity Authority

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	Building Services Supervisor	Building Services Officer	
1	Technical Services Technician	Building Services Supervisor	
1	Electro Technical Technician	High Voltage and Protection Officer	
1	Distribution Officer	Customer Services Engineer	
1	Senior Engine Room Operative	Systems Engineer	
1	Technical Services Operative	Technical Services Technician	

Gibraltar Port Authority

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	Port Officer	Senior Port Officer	
1	Seaman Mechanic	Coxswain	
1	VTS Operator	Port Officer	
1	Receptionist		Administration & Finance Officer

(Cont...)

CONTINUED ANSWER TO QUESTION No. 439/2013

Gibraltar Regulatory Authority

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	Head of Regulation	Deputy CEO	
1	Radiocommunications and IT Manager	Head of Operations	
1	Head Of Satellite Services	Head of Satellite and Postal Services	
1	Accountant	Finance and HR Manager	
1	Electronic Communications Officer	Broadcasting and Regulatory Manager	
1	Co-ordination Administrator	Broadcasting Regulatory Officer	
1	Administration Officer	Postal Services Regulatory Officer	

Gibraltar Sports & Leisure Authority

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
2	Supply Admin. Assistant		Admin. Assistant
1	Vocational Trainee		Sports & Leisure Assistant
1			Assistant Pool Manager
3			Pool Operatives
1			Part-time Cleaner

Gibraltar Health Authority

Nil return

(Cont...)

CONTINUED ANSWER TO QUESTION No. 439/2013

GIBRALTAR COMPANIES

Gibraltar Bus Company Limited

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	Admin	Manager	
1	Charge Hand	Manager	
1	General Operative	Admin	
1	Driver	Charge Hand	
1	Admin	Senior Admin	
1	Driver	Inspector	

Gibraltar Car Parks Limited

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	Highways Enforcement Officer	Senior Highways Enforcement Officer	

Gibraltar Air Terminal Limited

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	Chief Operating Officer	Chief Executive Officer	

Gibraltar Mechanical and Electrical Services Limited

NO. OF EMPLOYEES	GRADE	PROMOTED TO	APPOINTED TO
1	D Grade (MMCO)	C2 Grade	

2005

Hon. D A Feetham: I will analyse it in due time, Mr Speaker, so we can move on to the next Question.

2010

**Gibraltar companies
Use of Government addresses for registration**

2015

Clerk: Question 440, the Hon. D A Feetham.

2020

Hon. D A Feetham: Can the Chief Minister please provide a list of companies that have first had, since 11th December 2011, No. 6 Convent Place, or the address of any other Government Department as their registered address, and no longer do so, identifying the following in respect of each of them: (a) name of the company, (b) registration number, (c) registered address, (d) name of directors and shareholders, and (e) the date of incorporation?

Clerk: Answer, the Hon. the Chief Minister.

2025

Chief Minister (Hon. F R Picardo): I will answer this Question together with Question 441.

Clerk: Question 441.

2030

Hon. D A Feetham: Can the Chief Minister please provide a list of companies that, since 11th December 2011, have been, or are currently using No 6 Convent Place, or the address of any other Government Department as their registered address, identifying the following in respect of each of them: (a) the name of the company, (b) registration number, (c) registered address, (d) name of directors and shareholders and (e) the incorporation date?

2035

Clerk: Answer, the Hon. the Chief Minister.

Hon. Chief Minister: Mr Speaker, I now pass the hon. Gentleman schedules with the information requested.

ANSWER TO QUESTION 440

Companies originally incorporated at No 6 Convent

Place:

First Gib Scaffolders Co. Ltd.
Construction & Maintenance Co. Ltd.
S J Builder Co. Ltd
Sparks Company Ltd
Sarah Jane Construction Co. Ltd.
Economic Development & Employment Co. Ltd
W & N Works Co. Ltd.
Supported Employment Co. Ltd
Garcia & Perez Construction Co. Ltd
Rutherford Construction Co. Ltd
Dream Homes Construction Co. Ltd
Abilio Rodriguez Electrical Co. Ltd
Construction Training Co. Ltd

2040

Companies originally incorporated at 31 Town

Range:

N C S Construction Co. Ltd
J S Building Ltd
Leisure Construction & Maintenance Company Ltd
Leisure Centre & Management Company Ltd
Rock Cleaning Services Ltd
Liberty General Construction Limited
ibuild Building Solutions Limited

ANSWER TO QUESTION 441

Company name	Regd Office	Directors	Shareholders
Gibraltar Investment (Holdings) Limited Company No. 33160 Incorporated 23 August 1989	206-210 Main Street	D D Tirathdas E Gomez	Government of Gibraltar Gibraltar Development Corporation
Brympton Co-Ownership Company Limited Company No. 46323 Incorporated 16 September 1992	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Residential Properties Limited
Gibraltar Commercial Property Company Limited Company No. 22184 Incorporated 20 May 1988	206-210 Main Street	D D Tirathdas E Gomez J Collado	Gibraltar Land (Holdings) Ltd
Gibraltar Community Projects Limited Company No. 58924 Incorporated 20 August 1996	206-210 Main Street	M Pecino E Gomez W Crisp D D Tirathdas	Gibraltar Investments (Holdings) Ltd
Gibraltar Co-Ownership Company Limited Company No. 45007 Incorporated 25 March 1992	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Residential Properties Limited
Gibraltar Industrial Cleaners Limited Company No. 35844 Incorporated 8 December 1989	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Investments (Holdings) Ltd
Gibraltar Information Bureau Limited Company No. 28467 Incorporated 24 January 1989	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Investments (Holdings) Ltd
Gibraltar Joinery & Building Services Limited Company No. 25860 Incorporated 28 September 1988	206-210 Main Street	M Estella W Crisp E Gomez D D Tirathdas	Gibraltar Investments (Holdings) Ltd
Gibraltar Land (Holdings) Limited Company No. 33181 Incorporated 23 August 1989	206-210 Main Street	D D Tirathdas E Gomez J Collado	Gibraltar Investments (Holdings) Ltd
Gibraltar Residential Properties Limited Company No. 41007 Incorporated 31 October 1990	206-210 Main Street	D D Tirathdas E Gomez J Collado	Gibraltar Land (Holdings) Limited
Gibraltar Bus Company Limited Company No. 89331 Incorporated 25 September 2003	206-210 Main Street	D D Tirathdas E Gomez D Garcia	Gibraltar Investment (Holdings) Limited
KIJY Parkings Limited Company No. 54236 Incorporated 30 January 1995	206-210 Main Street	E Gomez W Crisp D D Tirathdas	Gibraltar Land Holdings Limited
Westside Two Co-Ownership Company Limited Company No. 45483 Incorporated 27 May 1992	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Residential Properties Limited
Europa Incinerator Company Limited Company No. 73609 Incorporated 14 March 2000	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Investment (Holdings) Ltd
Gibraltar Defence Estates and General Services Limited Company No. 97963 Incorporated 30 January 2007	206-210 Main Street	C Victory D D Tirathdas E Gomez	Gibraltar Investment (Holdings) Ltd
Gibraltar Mechanical & Electrical Services Limited Company No. 99257 Incorporated 3 August 2007	206-210 Main Street	D D Tirathdas M Gil M Alecio E Gomez	Gibraltar Investment (Holdings) Ltd
Kings Bastion Leisure Centre Company Limited Company No. 99436 Incorporated 12 September 2007	206-210 Main Street	D D Tirathdas J Hernandez E Gomez	Gibraltar Commercial Property Co Ltd
Gibraltar Strand Property Company Limited Company No. 99706 Incorporated 31 October 2007	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Commercial Property Co Ltd
Gibraltar Car Parks Limited Company No. 100204 Incorporated 30 January 2008	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Commercial Property Co Ltd

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Giblaundry Company Limited Company No 103826 Incorporated 25 March 2010	206-210 Main Street	D D Tirathdas M Gil E Gomez	Gibraltar Investments (Holdings) Ltd
Gibraltar Cleansing Services Limited Company No 103990 Incorporated 22 April 2010	206-210 Main Street	M Pecino W Crisp D D Tirathdas E Gomez	Gibraltar Investments (Holdings) Ltd
Gibraltar General Support Services Limited Company No 103991 Incorporated 22 April 2010	206-210 Main Street	M Pecino E Gomez W Crisp D D Tirathdas	Gibraltar Investments (Holdings) Ltd
Gibraltar Air Terminal Limited Company No 103377 Incorporated 2 December 2009	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Investments (Holdings) Ltd
GCP Investments Limited Company No 104101 Incorporated 17 May 2010	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Commercial Property Co Ltd
Waterport Terraces Management Company Limited Company No 101441 Incorporated 22 September 2008	206-210 Main Street	D D Tirathdas E Gomez J Collado	N/A
Cumberland Terraces Management Company Limited Company No 103763 Incorporated 12 March 2010	206-210 Main Street	D D Tirathdas E Gomez J Collado	N/A
Bayview Terraces Management Company Limited Company No 105455 Incorporated 15 February 2011	206-210 Main Street	D D Tirathdas E Gomez J Collado	N/A
Nelsons View Management Company Limited Company No 105456 Incorporated 15 February 2011	206-210 Main Street	D D Tirathdas E Gomez J Collado	N/A
Gibraltar Strand Management Company Limited Company No 105589 Incorporated 10 March 2011	206-210 Main Street	D D Tirathdas P Canessa E Gomez	Gibraltar Strand Property Company Ltd
Gibraltar Facilities Management Limited Company No 105588 Incorporated 10 March 2011	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Investments (Holdings) Limited
GRP Management Company Limited Company No 107262 Incorporated 27 January 2012	206-210 Main Street	J Collado D D Tirathdas E Gomez	Gibraltar Residential Properties Limited
Economic Development & Employment Company Limited Company No. 107981 Incorporated 11 June 2012	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Development Corporation
Supported Employment Company Limited Company No. 108060 Incorporated 27 June 2012	206-210 Main Street	D D Tirathdas E Gomez	Economic Development & Employment Company Limited
Graduate Research Development Company Limited Company No. 107147 Incorporated 10 January 2012	206-210 Main Street	D D Tirathdas E Gomez	Economic Development & Employment Company Limited
Employment Training Company Limited Company No 107146 Incorporated 10 January 2012	206-210 Main Street	D D Tirathdas E Gomez	Economic Development & Employment Company Limited
Gibraltar General Construction Company Limited Company No 102795 Incorporated 03 August 2009	206-210 Main Street	D D Tirathdas E Gomez	Economic Development & Employment Company Limited
Construction Training Company Limited Company No 108622 Incorporated 11 October 2012	206-210 Main Street	D D Tirathdas E Gomez	Economic Development & Employment Company Limited
Credit Finance Company Limited Company No 107372 Incorporated 17 February 2012	206-210 Main Street	D D Tirathdas C Victory E Gomez	Gibraltar Development Corporation Gibraltar Savings Bank
Gibraltar International Bank Limited Company No. 109679 Incorporated 23 April 2013	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Development Corporation
Gibraltar National Exploration of Minerals, Gas and Oil Company No. 109680 Incorporated 23 April 2013	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Development Corporation
Gibraltar National Mint Limited Company No. 109681 Incorporated 23 April 2013	206-210 Main Street	D D Tirathdas E Gomez	Gibraltar Development Corporation

There was a short pause.

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Hon. Chief Minister: Does he have it?

Hon D A Feetham: Yes, thank you.

2055 **Hon. Chief Minister:** Right. Mr Speaker, he will see that, in answer to Question 440, we have not been able to give registration number, registered address, name of directors and shareholders and the date of incorporation, because many of those companies are no longer with us at Government Offices but there are three which I draw his attention to, Economic Development & Employment Company Limited, Supported Employment Company Limited, and Construction Training Company Limited. Those are actually Government companies so we are able to give him the details of those. I have got company profiles here to give him of those three companies. He can have copies of them if he wishes, but I have only got one copy myself.

2060 **Hon. D A Feetham:** Mr Speaker, he said Economic Development & Employment Limited, Supported Employment Company Limited and –

2065 **Hon. Chief Minister:** Construction Training Company Limited.

Hon D J Bossino: Mr Speaker, I have a supplementary. Mr Speaker? (**Mr Speaker:** Yes.)
2070 The three companies that the Hon. the Chief Minister has identified as being Government companies, can he confirm that these are all companies that participate in the Future Job Strategy Scheme. I recognise one, which is the Supported Employment Company Limited, I think is one, but I am not sure about the other two.

Hon. Chief Minister: They do participate in the FJS, Mr Speaker.

2075 **Hon. D A Feetham:** Mr Speaker, there are thirteen companies, or companies originally incorporated at No 6 Convent Place, and then there is a further seven companies originally incorporated at 31 Town Range.

The first supplementary is, 31 Town Range: can you just remind me, is that the annex to No. 6?

2080 **Hon. Chief Minister:** No, Mr Speaker, the annex to No. 6, I think is another address. This is opposite the annex to No. 6.

2085 **Hon. D A Feetham:** Sorry, is that the new offices now of the Minister for Employment or the old offices of the Minister for Employment?

Hon. Chief Minister: Mr Speaker, I would hardly describe it as new. Anybody who has seen the state of it would see that it is hard to describe as a new anything, but it is a place where the Minister for Employment and Inward Investment does some of his work, but it is not the ETB.

2090 **Hon. D A Feetham:** Mr Speaker, in relation to all these companies – seventeen – leaving aside Economic Development, Supported Employment and Construction Training Company Limited, are all these companies... do all of them continue to have a registered office at No. 6 Convent Place, or which ones of these continue to hold offices at No. 6 Convent Place? Does he have the information as to which ones continue? Or alternatively 31 Town Range?

2095 **Hon. Chief Minister:** As I understand it, Mr Speaker, the three that will continue to have No. 6 as a... well, in fact, not even No. 6 206-210 Main Street, Gibraltar, are the three I have referred him to, Economic Development & Employment Limited, Supported Employment Company Limited, and Construction Training Company Limited. The others either have 31 Town Range or are in the process of being moved out of 31 Town Range. None of them have No. 6 as their registered address at the moment.

2100 **Hon. D A Feetham:** Well, of course, we brought into the public domain Construction & Maintenance Company Limited, which was first, when it was incorporated, called ETB One, Now that was, until a month ago, at No. 6 Convent Place. It has since been moved out of No. 6 Convent Place, is what the Hon. the Chief Minister is saying and that the others have been moved out? Have the others been moved out subsequent to the exchange of press releases between the Government and the Opposition or was it before? Does he have that information?

2110 **Hon. Chief Minister:** That one, and the others, were in the process of being moved out before the exchange with the Opposition, as a result of my having seen that No. 6 was used as the address for the incubator and that my view was that it should not actually be No. 6 that was used as the address for the incubator.

2115 **Hon. D A Feetham:** Just so that I get this right, they have been moved out of No.6 Convent Place – the Chief Minister says that was in the process prior to the exchange – but they have been moved out of No. 6 Convent Place subsequent to the exchange of press releases. Correct?

2120 **Hon. Chief Minister:** No, Mr Speaker. I said what I said – before and after the exchange of press releases.

Hon. D A Feetham: Does he have the information as to how many before and how many after?

Hon. Chief Minister: No.

2125 **Hon. D A Feetham:** Can he at least tell me whether the majority was before or the majority after.

2130 **Hon. Chief Minister:** No, because I do not have the information. He has not asked me on what dates they moved. If he had asked me on what dates they moved, I might have tried to get the information, but it may not be possible for me to get the information because that may require a full search at Companies House and may not appear on the profile. He will know that profiles tell you what registered addresses are but it does not actually tell you when the registered address was changed. That would require a search of the file, which is something that is available to the general public.

2135 **Hon. D A Feetham:** Mr Speaker, can the Hon. the Chief Minister tell me whether it was his idea to use No. 6 Convent Place as the registered address of these so-called incubators, or was it the idea of the Minister for Employment?

2140 **Hon. Chief Minister:** It was the idea of neither, Mr Speaker. The idea of the Party that won the election – the Parties that won the election – and put in their manifesto was as set out in the press release in which we answered the issues set out by hon. Members opposite, that there should be an incubator and, in the process of incorporating these companies for the incubator, *somebody* in the process of incorporation put down No. 6 Convent Place. He will see that, even when the Government incorporates companies, we do not actually use for Government companies No. 6 Convent Place as the address, it is 206-210 Main Street, but I assume that he supports the policy of assisting companies in this way and getting business back to work, as they used to say in another place, about a similar policy.

2145 **Hon. D A Feetham:** Yes, Mr Speaker, I do not accept for a moment that this has anything to do with incubating companies, I am afraid, and that that is a political excuse that the Government has come up with because it has been rumbled after our press release exposing ETB One as being one of the companies that was registered at No. 6 Convent Place. But can he identify, Mr Speaker, whose idea was it to register these companies at No. 6 Convent Place and whose idea was it to register a further seven companies at the ministerial address of the hon. Member to his left?

2155 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman says he does not want to make political points, then he talks about ‘not accepting’ that something that the Chief Minister has said – in other words suggesting it is not true – and talking about people being ‘rumbled’ which, of course, pejoratively, means that you are doing something which you should not be doing and are found out. Then he says, Mr Speaker, that he does not believe in Punch and Judy politics! As I told him before, Mr Speaker, if he does not believe in Punch and Judy politics, he should stop punching.

2160 But, anyway, Mr Speaker, it was neither the idea of the Chief Minister nor of the Minister for Employment and Inward Investment to use No. 6. I have explained to him what the circumstances of No. 6 being used were. The press release which was issued on the subject talked of ‘an administrative error’, but it *was* the idea of the Chief Minister and of the Minister for Inward Investment and Employment to use 31 Town Range, because we believe, contrary to *their* view, Mr Speaker, that it is right to incorporate these companies using a Government address, and to create that incubation process and to give life to people who wish to create companies in order to become self-employed and be able to work in their professions.

2165 Mr Speaker, we make absolutely no apology for it. It is the policy of this party. It is the policy of this Government. We think it is the right policy to put people in a position where they can carry out their professions in circumstances where they are not able to fund the incorporation of companies. In fact, Mr Speaker he might find that there are many governments that are doing exactly the same things, or very similar things, around the world and this is a very positive step forward.

2175 **Hon. D A Feetham:** So, Mr Speaker, the Chief Minister of Gibraltar does not think that there is anything right and, indeed, he believes... (**Hon. Chief Minister:** Wrong.) Is wrong, I beg your pardon –

2180 wrong – and he believes that it is entirely consonant with principles of good governance to have private companies, owned effectively by private individuals, registered at the address of Government Departments, with the provision of effectively nominee shareholders who are public servants acting as nominee shareholders – and I mean I do not know whether in relation to any of these companies, there is also the provision of nominee directors – he thinks there is absolutely nothing wrong with that? One supplementary.

2185 The second supplementary, which is my last: he does not think that there is anything politically, remotely politically, suspicious about the fact that Construction and Maintenance Company Limited, which is a company that was incorporated over a year ago, continued to have public servants as nominee shareholders and continues to be registered at No. 6 Convent Place – over a year – and that no-one knew about this particular incubator scheme until we raised it in our press release and the Government responded?

2190 **Hon. Chief Minister:** No, Mr Speaker, I do not think that there is anything remotely politically suspicious but I am given to believe, Mr Speaker, that those who accuse of paranoia being on this side of the House continue to suffer the same sort of paranoia on the other side of the House.

2195 Mr Speaker, the principles of good governance that we stand for are the ones that we demonstrate in everything that we do every day, much better than the previous incumbents, for this reason, Mr Speaker, in the time that we have been in office, we have not funded a party political newspaper to the tune of £150,000. In the time that –

Mr Speaker: This is really a matter which I consider to be irrelevant.

2200 **Hon. Chief Minister:** Mr Speaker, in the context of answering points which are party political and are made thrusting at the Government and our good governance record, in every parliament in the world I believe it is proper to reply with points which relate to when hon. Members were in government. But, if you would rather I did not, then I will not. I will not refer to their abysmal record on good government and will continue just with the bare answer on this point.

2205 What has happened, Mr Speaker, is that companies have been incorporated and for the period of incorporation have had a Government registered office and Government officers as shareholders. The minute that they are handed over to the person for whom they have been incorporated as part of the incubator process, they are then taken over by those individuals. In some cases, Mr Speaker, we are not dealing with individuals who deal with companies every single day of their lives and some administrative oversights have occurred.

2210 Mr Speaker, what is it that they think that they have ‘rumbled’? They have rumbled nothing. This is a good policy for our community. This is the right policy to get people to work, Mr Speaker, but as usual, hon. Members’ opposite seem to be against anything which reduces unemployment and which gets people to work. Well, we stand by what has happened. We believe it is the right policy. It will continue to happen for many years. When he carries out searches he might find that the people who he sees are behind these companies might even surprise him, Mr Speaker, and I commend to him another *volte face*, that he should adopt this policy as the right policy for our community. Not only is there nothing wrong with it, it is absolutely the right policy and it is in line with the clear view that this Government has of what is good government, adhering to internationally accepted principles – something which, if he would care to have the debate and put the motion, I would be delighted to debate with him with more cut and thrust than, perhaps, Mr Speaker is minded to allow, and perhaps rightly, during the course of Question Time.

2225 **Hon. D A Feetham:** Yes, Mr Speaker, can I ask the Chief Minister this: when was the scheme, this incubator scheme, actually announced so that people out there could take advantage of this very generous offer that the Government is making of incorporating companies, providing public shareholders? When was this incubator scheme announced publicly and can he point me in the direction of that publication, please?

2230 **Hon. Chief Minister:** Mr Speaker, I may not be able to give him the exact date because I cannot remember on what date we actually released our manifesto but I think it was roughly two weeks before the last General Election and then, of course, the minute that we were elected, the information was available in the ETB. He himself has referred to when these companies were incorporated and the information has been available there, certainly from 9th December, when we got our feet under our desks and the Minister for Employment and Inward Investment was at work. He will be delighted to know that even if he were to turn up now and seek to establish himself in a trade for which he may not be yet known – he may be a great carpenter, for all I know – he would be assisted also.

2240 **Hon. S M Figueras:** Mr Speaker, I have a supplementary which relates directly to the matters raised in Question 440 and that is that the original Question requested information in relation to directors, registration number, date of incorporation and shareholders information, which I cannot glean from the schedule that has been provided.

2245 **Hon. Chief Minister:** I fear the hon. Gentleman was not listening when I was giving the oral answer to that question.

I told him, Mr Speaker, that we are unable to give that information without ourselves carrying out profile searches at Companies House because, you see, these companies are no longer registered at these addresses and therefore we would have to be able to give that information because the companies are with us. They have now passed on to third parties, who may have changed shareholdings from what they originally told us they were going to change it to. We would have had to go to Companies House and obtain profiles and that is an exercise that hon. Members can do now that they have the company names. It is not information which, in order to be accurate, we can give you.

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2255 It may be – but I do not know – that we might be able to give the names of shareholders and names of directors that we were asked to put down when the companies were transferred but that may not be the names of the directors or the shareholders today. Therefore, I refer the hon. Gentleman to the service available from Companies House so that if they obtain profiles they will be able to see which of these are some of them may still be in the process of the changeover.

2260 **Hon. S M Figueras:** Mr Speaker, will the Hon. the Chief Minister be happy to provide the information that they had available at the time when these companies were incorporated at either No. 6 Convent Place or 31 Town Range, for what that may be worth to the Opposition, upon request?

2265 **Hon. Chief Minister:** Well, Mr Speaker, when they were incorporated they were very likely just to have a Government address, a Government officer, and a Government shareholder. Does he mean when they first moved out?

2270 **Hon. S M Figueras:** Mr Speaker, when the Opposition first became aware of the information in relation to ETB One, I believe it was, the director was, in fact, *not* a Government officer and, for what it may be worth, if it is not too much hassle, then would the Government be able to provide us with that information, upon request, when they receive it.

Hon. Chief Minister: If we have it, Mr Speaker, but what I am telling him about ETB One, which he was told in our press release was that that was an administrative error, that somebody changed a director but not the rest of the information which had to be changed.

2275 The hon. Gentleman laughs! I do not know why it is that he laughs: he seems to have really a mind which imputes the worst to everyone. I trust that he does not want us to impute the worst to him, but perhaps one wishes to be dealt with as one deals with others.

If we have the information, and the hon. Gentleman puts the question, then I will be delighted to give it to him but it may be that we do not have the information. That is what I am saying to him. We certainly do not have the information of what they are today with any level of accuracy.

2280 **Hon. S M Figueras:** Mr Speaker, the Opposition will formulate the Question for the next session of Parliament in that specific respect and if the information is available, then it is. If it is not, then we will make enquiries as to why not.

2285 **Hon. D A Feetham:** Mr Speaker, just in relation to the last statement of the Chief Minister, it does really remind me of the words of Oscar Wilde: ‘Simply because I am paranoid it does not mean that they are not out to get me.’

2290 **Hon. Chief Minister:** Yes, Mr Speaker, except that I did not realise this was a poetry lesson and that the hon. Gentleman was supposed to get up to ask questions.

I am absolutely out to get him. He is absolutely right. I do not think he should ever become Chief Minister of Gibraltar and I will continue politically to strive to ensure that this Party remains here and he never makes it. But that is life!

2295 **Mr Speaker:** I take it that the Hon. Mr Bossino has a supplementary and not a clever remark (*Laughter*).

Hon. D J Bossino: Mr Speaker, a supplementary question and that relates to the scheme which the Hon. the Chief Minister has referred us to in this Parliament, where he says that all the information is

2300 available at the ETB. I raise this and would ask the question is whether he can confirm that all the details of the policy are available and whether, if I write, perhaps, to the Minister for Inward Investments and Employment, he will provide me with the detail of the policy because he also refers us, Mr Speaker, to what is in the manifesto and, I will quote. It is actually very basic information: it is only one paragraph and it reads:

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‘Investments will be made in small workshops and business units with admin support and tax/social insurance breaks to help encourage and nurture the setting up of new businesses. This will help foster entrepreneurship at all levels of our economy.’

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So you can understand that the detail which appears to be now unravelling before us in this Parliament – that the Government is actually providing incubator services with a registered office and directorships and shareholders – is not set out in the manifesto and I would ask him to confirm the information which I am asking him to confirm in this question.

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Hon. Chief Minister: Mr Speaker, this sets out the policy. What he is now talking about is how the policy has been implemented and I am delighted to be able to share that with him. In fact, I am working with the Federation of Small Businesses on exactly those issues and with the Minister for Inward Investment so, if he writes to me, I will be delighted to let him have the details.

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And again, I mean *he* actually, in my view, is a very talented lawyer but if he has other talents and wants to set up a small business then I would be delighted to recommend him to the Minister for Inward Investment, who knows him well enough himself to know he would make a good job of most things he turns his attention to.

2325

Adjournment

Mr Speaker: The Chief Minister.

2330

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that the House do now adjourn until Monday, 20th May at 3.00 p.m.

2335

Mr Speaker: I now propose the question, which is that this House do now adjourn until Monday, 20th May at 3.00 p.m.

I now put the question which is that this House do now adjourn until Monday, 20th May at 3.00 p.m.
Those in favour? (**Members:** Aye.) Those against? Passed

This House will now adjourn until Monday, 20th May at 3.00 p.m.

The House adjourned at 6.07 p.m.