



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.20 a.m. – 1.00 p.m.

Gibraltar, Thursday, 19th December 2013

The Gibraltar Parliament

The Parliament met at 9.20 a.m.

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

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

PRAYER

Mr Speaker

Order of the Day

Clerk: Meeting of Parliament, Thursday, 19th December 2013.

(i) Oath of Allegiance;

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CONFIRMATION OF MINUTES

Clerk: (ii) Confirmation of Minutes – the Minutes of the last Meeting of Parliament which was held on 21st November 2013.

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Mr Speaker: May, I sign the Minutes as correct? (**Members:** Aye.)

Mr Speaker signed the Minutes.

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Clerk: (iii) Communications from the Chair; (iv) Petitions; (v) Announcements; (vi) Papers to be laid; (vii) Reports of Committees.

Questions for Oral Answer

20 **TOURISM, COMMERCIAL AFFAIRS, PUBLIC TRANSPORT AND THE PORT**

Solid growth in Gibraltar tourism Basis for reports

25 **Clerk:** (viii) Answers to Oral Questions. Question 765/2013, the Hon. D J Bossino.

Hon. D J Bossino: Mr Speaker, it is the season to be jolly, so let us see how this session proceeds. I mean, really, on 19th December! I think it will make for a very interesting session. Let us see how it goes.

30 Mr Speaker, further to Written Question W122/2013, can the Minister for Tourism state on what basis the operators reported solid growth?

I think there is something in the sound system.

35 **Clerk:** Answer, the Hon. the Minister for Tourism, Commercial Affairs, Public Transport and the Port.

Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa): Yes, Mr Speaker, I note the hon. Gentleman's characteristic injection of charisma to the start of the proceedings of the House, and I take the opportunity to wish him a Merry Christmas and a Happy New Year.

40 In answer to his question, Mr Speaker, the basis on which the operators reported solid growth was on the sales, traffic and yield figures.

Hon. D J Bossino: And equally, I do wish the hon. Member opposite, and all the hon. Members, and the Speaker, and the rest of the Parliament, a Happy Christmas, and a Happy New Year.

45 My hon. Friend Mr Figueras is grimacing here, (*Laughter*) I suppose at the smarminess of the exchange.

Mr Speaker, does he know, because I know, that he based his press release very much on the report which he had received at the UKGTA meeting; and in his answer to the question, he referred me to that meeting, and he said that apparently there is an item on every agenda of the UKGTA where all the tour operators etc deliver their own updated reports?

50 Did he enquire further as to whether, for example, they reported an increase from the previous year, or previous years, given that he must have put an enquiry that there was an increase in activity, if I can put it in those terms?

55 And my question is whether he was able to empirically analyse the evidence that... well, first of all, I suppose whether the evidence was presented before him, and if it was, whether he was able to analyse it with some care.

Hon. N F Costa: Mr Speaker, I am happy to say, that British Airways Holidays, Superbreak Holidays, Classic Collection Holidays, Thomas Cook Cresta, they all reported solid growth.

60 Private operators tend to be careful when providing the Government with figures. I, however, trust them implicitly that they would not be reporting solid growth to the UKGTA, unless, of course, they had reported solid growth within their sales. I met with them individually after the UKGTA, where we did on some occasions look at figures, and they reported growth over the last year's figures.

65 **Hon. D J Bossino:** Mr Speaker, does he know whether the growth was in terms of numbers of passengers, in terms of the number of flights? We will have that information in any event. But I assume that, for example, if there was growth in the number of flight passengers, that will at some point be reflected in the official Government statistics, whenever the Tourism Survey Report is produced. Can he be a bit more specific?

70 **Hon. N F Costa:** Well, Mr Speaker, as I have intimated in the first supplementary to his question, I cannot be specific in the terms of percentages or figures, because those are, of course, commercially sensitive to the private operator in the UK.

75 He is right in saying that the official statistics in respect of passengers coming to Gibraltar by air will be reflected in the survey that is presented and laid in the table of the House. He will be able to make that empirical analysis himself.

In terms of the UK operators that have themselves announced increases, he will recall that Superbreak Holidays and Thomas Cook Cresta publicly announced during this year that the sales to Gibraltar had increased. So, they themselves had done so during the course of the year.

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**Dredging vessel, *Norstar*
Stability difficulties, 17th November 2013**

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Clerk: Question 766, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for the Port provide an explanation to Parliament, stating the reason or reasons for the ship, *Norstar* adopting an 18° heel sometime during Sunday, 17th November 2013, whilst having in its cargo some 4,000 tonnes of material dredged from Ocean Village for the purpose of allowing the floating hotel to dock?

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

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Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa): Mr Speaker, the incident is presently being independently investigated by the office of the Marine Accident Investigation Compliance Officer, and the report will be finalised and published in due course.

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Hon. J J Netto: Mr Speaker, could the Minister at least provide, whilst accepting what he has just said, the name of the company that was doing the work, in terms of putting the 4,000 tonnes inside the ship? What was the name of that particular company?

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Hon. N F Costa: Mr Speaker, I am afraid I do not have that information with me. Of course, I know the company, but I am getting the name confused with another one, but if he writes to me, I will give that information to him.

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Hon. J J Netto: Mr Speaker, could I perhaps help him by suggesting that it could have been Steel Mac?

Hon. N F Costa: Given that I deal with the names of many different companies in all of my areas of responsibility, I could be confusing the name of that company in respect of some other project.

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Hon. J J Netto: Could I further ask, Mr Speaker, whether the Minister is aware – leaving to one side the name of the company which may have done the particular work – that the company was engaged either through a tender board decision or whether it was by direct allocation?

Hon. N F Costa: Mr Speaker, I will need notice of that question.

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Hon. J J Netto: Mr Speaker, I will take it up by writing to the hon. Member.

Hon. N F Costa: I am very grateful to the hon. Gentleman.

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**Sandy Bay
Plans to construct underwater breakwater**

Clerk: Question 767, the Hon. J J Netto.

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Hon. J J Netto: Mr Speaker, can the Minister for Tourism say if there are any plans by the Government to construct an underwater breakwater between the two newly created groynes at Sandy Bay, in order to maintain the sand in the enclosed area, given that at the moment the one deposited there earlier this year has been almost washed away by the levanter?

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

140 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, in the first place, I do not accept the premise contained in the second part of the question, that states:

‘given that at the moment the one deposited there earlier this year has been almost washed away by the levanter’,

145 for the reason, that I will explain shortly.

The construction of a submerged breakwater between the newly created groynes is currently underway. As was stated in supplementary answers to Question 209/2013, this was an option and it has been decided to proceed with it.

150 The submerged breakwater will enhance the protection provided to the beach even further, the full regeneration of which will take place next year. The sand that was deposited on the beach during this last summer was a very small amount within the context of the full regeneration volume. As opposed, Mr Speaker, to what happened when the former administration were in Government, where almost £1 million of taxpayers’ money vanished with the winter storm at Catalan Bay and Sandy Bay during 2011, the small amount of sand deposited by this administration this year has not been lost, given the protection

155 already provided by the groynes, but merely redistributed following wave action.

Moreover, the hon. Gentleman will have realised that, even before the groynes were completed, there was already considerable natural accretion of sand on the shoreline.

160 **Hon. J J Netto:** Well, Mr Speaker, first of all, I am grateful to the Member for taking the decision to construct the underwater breakwater in order to avoid any sand being moved away by the levanter – although I have to take issue with him, in the sense that he says that the sand there had not been taken away by the levanter. If the hon. Member wants, I have got a picture for him, which I can pass through the usher to him, where he sees that most of the sand has been taken away, so it is a reality, and I welcome the fact that he is going to take measures which I actually asked him to do in May of this year.

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Hon. N F Costa: Mr Speaker, in the first place, I do not think that the hon. Gentleman has asked me a question, but I will happily reply to the preface of the supplementary that never was.

170 I also have photographs that showed how in 2011, the water came all the way up to the revetment of Both Worlds, so if he wants to exchange pictures after the session of the House, I will be more than happy to do so.

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And, in the second place, it is not the case at all that we have done a submerged breakwater because he suggested that we did so, as *Hansard* will attest, and I have a copy of it here. We said that, at the time of constructing the groynes, the option of building an underwater breakwater was in fact being considered, but that the decision had not been finally determined until the groynes were built. That having been done, the experts having taken a look at it, they decided that the underwater breakwater would indeed be a good idea.

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I also remind the hon. Gentleman that when they decided in 2011 to spend almost £1 million in placing sand at Catalan Bay, at Sandy Bay, they did so without the construction of any groynes at all, so that the sand that they deposited did in fact wash away, and it was washed away by that storm. And I have told him in the answer that the sand that we deposited, which was a very small amount, in addition to the natural accretion that came as a result of the curved groynes, has not been lost. It is just redistributed within the groynes area, so that we will be able to recover that when we do the full regeneration of the beach, which will take place next year.

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Hon. D A Feetham: Mr Speaker, certainly from the Opposition’s side, what we are interested in is in the ultimate success of this particular project – not looking backwards, but looking forwards.

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If at the end of the day – (*Interjection*) No, no, it is serious. If at the end of the day, the hon. Member is successful in keeping the sand within Sandy Bay, we will be the first to congratulate the hon. Gentleman for a job well done. (*Interjection*) But there appears to be... I do not know whether it is a difference in terminology or what it is, and so that I understand it, the Hon. Mr Netto used the term ‘moving’ of the sand, the Hon. the Minister has said that there had been a ‘redistribution’ of sand following wave action. Can he just explain what he means by that, and where has the sand been redistributed to? Because, of course, from my knowledge of the English language, redistribution and moving seem to be the same thing.

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But can he just answer those two questions, please?

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Hon. N F Costa: Mr Speaker, it is clear that the knowledge of the English language of the Hon. Leader of the Opposition does not extend to remembering what the hon. Gentleman said, in fact, at first. What the hon. Gentleman said, in fact, at first was that the sand had almost been washed away by the levanter. That does not imply movement; that means that it has disappeared.

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And I have explained to the hon. Gentleman, twice now, that in fact the sand that was deposited, which was a very small amount of sand that was deposited... the rest in fact, believe it or not, was natural accretion, as a result of the groynes. That has been redistributed and held within the groyne area, so that when we regenerate the beach with the full amount of sand, which would be a lot more than the very little amount that we deposited, we will be able to recover that amount and replace it at the beach.

The technicians and the engineers who have written supplementary answers to me have guaranteed me that the sand, the little amount that we deposited, is within that area and will therefore be fully recovered when the full regeneration happens next summer.

Hon. D A Feetham: So, Mr Speaker, I just do not understand what he means by 'fully recovered'. If it is fully recovered, it means it has gone somewhere. You have deposited – (*Interjection*) I am just trying to understand this. The Government has deposited sand – presumably it wanted to deposit more sand. It has not been able to do so, presumably because it is having difficulty – (*Interjections*) but all right, but let me just concentrate on the...

Where has the sand gone? I have been to Sandy Bay myself: there does not appear to be much of a beach there. Is it that it has actually moved into the water, and it is the Hon. the Minister's position that that will eventually mean that there will be less sand that will be needed inside the water, which will mean that more can go onto the beach? I just simply do not understand what he is saying, when first of all, he talks about redistribution following wave action, and now he is saying again that it has moved – but where has it gone?

Hon. N F Costa: Mr Speaker, I think I have been exceptionally clear, but I will try to break it down to its constituent components.

In the first place, in the preface to the supplementary question, it is not the case as he suggested; it is that the Government, on the advice of the experts, decided to just deposit a small amount of sand, so that the full regeneration of the beach were to take place during next summer, that is coming. Because whilst the groynes were being constructed, obviously there was the possibility that if we fully regenerated the beach with let us say 100,000 tonnes of sand, then without the completion of the groynes, it would have been lost. This is why we decided on a small amount, which in addition to the accretion naturally of the sand on the shoreline, there would be a good chance that there would be a nice sized beach during last summer.

Now, redistribution means that instead of staying on the shoreline, it has gone on either side but contained by the groynes. That is it.

Hon. D A Feetham: So, Mr Speaker, he is satisfied – and now I understand what he is saying, it is on either side of the groynes – so he is satisfied that should, next year, the Government deposit more sand, that the groynes will do effectively their job, and that the sand will stay in the shoreline between those two groynes – that, at least as I understand it, there has, sort of, been like a test run with a small amount of sand, and the Government is satisfied that these groynes will do their job.

Hon. N F Costa: Mr Speaker, in the first place, as I always say when answering these questions, to be exactly accurate, because I am responsible for these statements in the House, I am not *personally* satisfied that the sand is there. I have not gone personally, dived in and checked. I am relying on the advice and information provided to me by the very people who are the professionals that have advised us on the construction of the curved groynes, and the submerged breakwater.

But I am satisfied, on the basis of that advice, and on the fact that – to my right, I have the Hon. Minister of the Environment, the Hon. Mr Cortes, who also forms part of the regeneration of Sandy Bay – that as a result of the curved groynes and the submerged underwater breakwater, there is very little possibility that there will be anything other than a very small amount of sand that may escape, but we are confident that the sand, the full regeneration of which will take place next year, will be nicely, neatly, tucked in by the construction of the curved groynes and the submerged underwater breakwater.

SPORTS, CULTURE, HERITAGE AND YOUTH

John Mackintosh Hall

Recruitment of caretaker and night receptionist

Clerk: Question 768 the Hon. E J Reyes.

265 **Hon. E J Reyes:** Mr Speaker, further to Questions W132/2013, 571/2013, 522/2013 and W61/2013, can the Minister for Culture say when the position of caretaker at John Mackintosh Hall will be advertised and by when it is expected to be filled?

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

270 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I will answer this question together with Question 769.

Clerk: Question 769.

275 **Hon. E J Reyes:** Further to the answer to Question No. W99/2013, can the Minister for Culture and Heritage say when the vacancy for night receptionist at John Mackintosh Hall will be advertised?

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

280 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, no decision has yet been taken as to when both vacancies will be advertised and filled.

Hon. E J Reyes: Mr Speaker, I note the answer, but I also note that it is a bit in contrast with the previous answers provided, because, in Question 571, the Minister said, in respect of the caretaker's post, that the vacancy post would be advertised in due course.

285 Then, Mr Speaker, in the July session of Parliament, in respect of Question 522, the Minister ended up by saying that:

'... the officers within the Culture Agency are preparing themselves to advertise the post...'

290 and he added a rider:

'I hope that with the word 'soon'...I am trying for it to be soon, as in sooner rather than later.'

And that was before we managed to get a suntan in Sandy Bay with the revamped sand.

295 And then in the written answer in October, he still says that this still has not been filled. So, is the word 'soon' still playing an important factor here, and is the Minister willing to at least commit himself a bit further on how soon is 'soon'?

300 **Hon. S E Linares:** Mr Speaker, I still stick to the answer to the question, which is: no decision has yet been taken.

As to when 'soon' is, we can just be speculating here what soon is, whether it is soon within two years, one year, a month or a week.

305 **Hon. E J Reyes:** And then, Mr Speaker, if I may, perhaps the Minister can enlighten us... I know in the past in respect of the post of caretaker at the John Mackintosh Hall, he has informed this House that in the interim period, awaiting the advertisement, the post is currently being filled by three trainees from the Future Job Strategy. Can he then say how the post of the night receptionist at John Mackintosh Hall... is that also being filled in by gentlemen or ladies on the Future Job Strategy?

310 **Hon. S E Linares:** No, Mr Speaker, they are filled up by a contracted officer from OSG.

Hon. D J Bossino: Just to home in on the point that the hon. Member mentioned in his reply, he says that no decision has been taken, but presumably it is within the possible decisions open to the Minister – is it possible that he may decide not to fill these vacancies?

315 **Hon. S E Linares:** No, Mr Speaker, because the answer to the question is: no decision has yet been taken as to when both vacancies will be advertised and filled.

320 **Waterport Terraces children's play park
Refurbishment works**

Clerk: Question 770, the Hon. E J Reyes.

325 **Hon. E J Reyes:** Can Government provide details of any refurbishment works it may intend to carry out in respect of the children's play park at Waterport Terraces, together with respective estimated completion dates and estimated costs?

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

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, the Ministry has met with tenants of the Estate with a view of refurbishing the children's play park. It is premature to give the hon. Member opposite the information requested, as in cost and estimated time.

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**Cricket and rugby
Alternative facilities to Europa Sport Ground**

340 **Clerk:** Question 771, the Hon. E J Reyes.

Hon. E J Reyes: Further to the answers to Questions No. 560/2013 and 561/2013, can the Minister for Sports and Leisure inform this House if he has now identified and agreed upon with the respective Sports Governing Associations any alternative facilities to Europa Sports Grounds for the playing, teaching and development of either cricket or rugby.

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

350 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, further formal and informal meetings have taken place with both the Rugby and Cricket Associations, relating to the playing, teaching and development of these sports. No further developments have yet been agreed.

Hon. E J Reyes: Thank you, Mr Speaker.

355 The Minister has updated us that he has met the Association and informed us that no developments have been agreed upon, but I did include there, in that question is, if he had identified alternative facilities? Can the Minister shed any light on that?

Hon. S E Linares: No, sir.

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**Heritage sites
Details of works carried out**

365 **Clerk:** Question 772, the Hon. E J Reyes.

Hon. E J Reyes: Further to the answer to Question No. 567/2013, can the Minister for Heritage provide details of all works, together with respective cost, undertaken at any Heritage related site; stating by whom these works were carried out?

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

375 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, further to the answer to Question No. 567/2013, I now hand over to the Hon. Member opposite the information requested.

Schedule to QUESTION No: 772/2013:

380 Further works undertaken at Heritage sites inclusive of costs and works carried out.

(a) Site: South Port Gates

Works: Coats of oil based paint to the cannon at South Port Gates

Contractor: SFA Interiors

Total Amount: £ 785.00

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(b) Site: St Jago's Arch

Works: Conservation Works (September)
Contractor: Knightsfield Holdings
Total Amount: £7,321.31

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Hon. E J Reyes: Mr Speaker, so that I am sure I have got my record straight, on sub-paragraph (b), where it states that in respect of St Jago's Arch as a site, there have been conservation works carried out by Knightsfield Holdings amounting to just over £7,000 – Mr Speaker, is the Minister aware of, perhaps from figures he has got in front of him, is this in addition to whatever costs he may have given to me in previous answers to similar questions, or is this the grand total for the project that includes any information I may have received previously?

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Hon. S E Linares: Well, Mr Speaker, the question says 'further to the answer' so – he starts the question by 'further to the answer' – so this is, I would say, an addition to what has already been given. You asked last month, and I am giving you, as you asked me, updates as they come. You asked the question and I updated. It would be an addition to what has already been stated. That is why there are only two items on the schedule.

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Hon. E J Reyes: I am grateful, Mr Speaker, that does clarify the position for when one has to prepare future questions. (*Interjection*)

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Yes, Mr Speaker, may we ask there, is the Minister aware if these works have now been fully completed, or are they still ongoing and this is just as updated information as he is able to provide?

Hon. S E Linares: As I understand it, we are hopefully going to inaugurate it very soon.

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Hon. D J Bossino: So therefore, Mr Speaker, in other words, we will not expect there to be any more updates in terms of further expenditure? That would be the end of the expenditure. Is that the correct analysis?

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Hon. S E Linares: As far as I understand it, I hope they do not bring in any more invoices!

Gas storage facility Timeline for completion

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Clerk: Question 773, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, further to the answer given to Question No. 701/2013, can the Minister with responsibility for Utilities state what is the envisaged gas storage facility timeline, and whether completion of this aspect of works will be known when the tender is awarded?

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

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, yes, sir, it will be known when the tender is awarded.

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Hon. J J Netto: Mr Speaker, I wonder whether the Hon. Minister has had the opportunity to have a discussion with the technical officers who have been preparing the tender notices, and whether they have given him a reason, or logic, why there is a need to have two separate tender processes – one for the actual construction of the new power station, and one separate to that for the gas storage facility, and how the two eventually will dovetail? I wonder whether he has had that conversation, and if he has had that conversation, whether he is able to provide Parliament with some further information to this matter?

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Hon. S E Linares: No, Mr Speaker, we tend to leave these things for the technical people to decide how to proceed in this matter, and then I... we trust them and we speak to them as to why they do it, if they say it has got to be done differently or separately, and that is how we do it.

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Hon. J J Netto: Mr Speaker, of course, we trust civil servants who do the work faithfully for us, but that is not the issue which I am raising.

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What I am saying is, as Minister for Utilities, he obviously has a vested interest in knowing what the timeline is on what is essentially one of the most important projects Gibraltar will undergo in the next couple of years, and whether the Minister has had the opportunity to raise the matter with them, and to

450 take an interest how the matter is proceeding, for the fruition of the total project – meaning the new construction of the power station, along with the gas storage facility. Has he had that discussion, notwithstanding the fact that he trusts civil servants?

455 **Hon. S E Linares:** Mr Speaker, I might have had the discussion – of course, it is an inter-ministerial group that is running the whole of the power station, and therefore things are discussed, and therefore when we discuss things, it is within us how they proceed, and they give us explanations of how they proceed, and we trust them implicitly as to the explanation, having had the discussion. That is what they have come up with, that is the timeline, or at least, the tenders have a final date, and from then we will proceed on selection and all the other process.

460 **Hon. J E Netto:** Mr Speaker, I am glad that there is an inter-ministerial committee, where they discuss these particular issues, but I am afraid that the Minister has not yet answered the question, and the question is, has he asked technical officers why there is a reason to have two separate tender processes, one for the construction of the new power station, and another one for the gas storage facility? Does he know the answer to the question?

465 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, there is something like 33 parties involved in putting proposals. There are some people who can do one thing, there are some people who can do the other thing, and there are some people who can do the two things. If we limited the tender to only those that could do the two things, we would have to discard two thirds of the possible bids, and we might be worse off.

TRAFFIC, HOUSING AND TECHNICAL SERVICES

475

Mid-Harbour Estate Curtailling non-compliance of house rules

480 **Clerk:** Question 774, the Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, sir, further to the answer to Question No. 617/2013, can the Minister for Housing provide details of all works which have been completed, together with respective costs in respect of the actions he announced would be undertaken in order to curtail non-compliance of house rules at Mid-Harbour Estate?

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

490 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, I will answer this question together with Question 775.

Clerk: Question 775.

495 **Hon. E J Reyes:** Further to the answer to Question No. 617/2013, can the Minister for Housing provide details of all works programmed, but which have still not been completed, together with their respective estimated costs, and completion dates, in respect of planned actions to be undertaken in order to curtail non compliance of house rules at Mid-Harbour Estate?

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

500 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, further to my answer to Question No.617/2013, I am pleased to inform that the installation of the garage barriers is in an advanced stage.

The east entrance barriers have been completed, and the west entrance barriers will be completed by the end of this year. The costs for these works is £42,477.

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In respect of CCTV, the following works have been completed: a survey of infrastructure and installation of fibre from Fish Market Lane to Mid-Harbour's Estate; installation of cameras on the car park level.

510 The ongoing works, which are now nearing completion, are: connection to the main fibre ring; procuring CCTV signs; infrastructure costs for the cameras at podium level. The cost of works to date totals £11,522.

There are costs to do with infrastructure works that are still being determined. I am therefore unable to provide an estimated project cost at this stage.

515 **Hon. E J Reyes:** Thank you, Mr Speaker.

If I may first of all, sir, in respect of the barriers that the Minister has just said have been already installed, can he confirm that these are already not only installed, but fully functional or, if they are still not functional, by when is that phase of the works expected to be in operation?

520 **Hon. P J Balban:** Mr Speaker, the plan is, as I said, that there still is... will remain to install by the end of this year the last barrier, which is the west entrance barrier, and until the CCTV cameras are fully operational, the barriers will not be operational either.

525 **Hon. E J Reyes:** And then, Mr Speaker, seeing they are both so closely connected, the CCTV cameras, one presumes, will obviously record images and so on, who will have access to those recordings made by CCTV cameras? Will that fall under the Government, through either the Housing Works Agency, and so on, or will it come under the body like the Tenants' Association or the Royal Gibraltar Police? Can we please have a bit of information in that respect?

530 **Hon. P J Balban:** Mr Speaker, the CCTV cameras will be linked to the Police Control Room, so it is the RGP.

535 **Hon. E J Reyes:** And Mr Speaker, the RGP will then make, if the need arises for whatever legitimate purposes... will the RGP be answerable to either the Housing Ministry or the Housing Works Agency, as the landlord or the landlord's representative, or is this going to be passed off or delegated to the Tenants' Association themselves.

540 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Well, Mr Speaker, in the same way as other public CCTV cameras are in operation in other areas of Gibraltar and will be in operation in other estates, not just this estate, the RGP, through their control room, will be able to monitor and record everything that happens through those cameras. So if there is an incident, the matter will be reported to the RGP and the RGP itself will be investigating whatever it is that happens. It is not a question of the RGP being answerable to anyone. They will have access to that footage, and they will be able to investigate any incidents that occur.

545 **Hon. D A Feetham:** Yes, as I understand it, it is effectively a continuation of the policy that we instituted when we were in Government. The RGP are working to a code of conduct specifically formulated for the basis of ensuring that there is no invasion of privacy, in terms of where the cameras can focus, where they cannot focus, etc. Can he confirm that really that is effectively what we are talking about?

550 **Hon. P J Balban:** Mr Speaker, I am not sure I understand the reference in the preface to the question about a continuation of a programme. We have installed fibre optic cables, we have installed CCTV and this is a continuation of our programme which we initiated, which we said we would do and will extend to a number of estates.

555 But the position is, certainly, that this is something that will be monitored by the RGP. They will have access to this, in the same way as they have access to the CCTV in other public areas.

560 Now, when we launched the public CCTV project, and we said how the cameras would operate with masking, with certain codes of practice, all that will continue to whichever other areas we install public CCTV in. So this will certainly form part of that overall public CCTV scenario, which will in fact include in due course other estates.

Hon. D A Feetham: Mr Speaker, perhaps I can refresh the hon. Gentleman's memory when he says that he did not quite understand the prefix to my question.

565 Does he not accept that three quarters of the fibre optic cables were actually laid when we were in Government; that in fact, this was a project that I had given the go ahead, when I was Minister for Justice; that cameras had already been installed, when we were in Government? And I am referring to in particular – (*Interjection*) Yes, Mr Speaker, and I am referring in particular to the cameras in Irish Town. Those were already set up when we were in Government.

570 Look, it is not a question of us wanting to take credit. I accept that the Hon. the Minister has actually continued with our policy and is effectively completing it, but what he cannot do is just simply whitewash or remove the fact that this was a project that was started and was implemented, largely, when we were in Government. Does he not accept that?

575 **Hon. G H Licudi:** Not at all, Mr Speaker. My recollection from the time that we went in, is that I gave the go ahead for the contract to be signed and for the fibre optic cable to be laid, and this was approved by us.

580 There may have been, and I certainly recall this, there may have been negotiations and some drafts prepared in advance, but – and I am talking purely from memory now – but my memory is that the contract was actually signed after this administration came into office, and the works actually started at that time. That is certainly my recollection and I certainly remember giving the go ahead, having seen the plans, having discussed with the RGP the location of the cameras, having been involved myself in where those cameras were going to be, and where the fibre optic cable was going to be.

585 Having been involved myself, I gave the go ahead to that, but it is irrelevant as far as we are concerned. This is something that is up and running. It was not, in any event, Mr Speaker, part of those plans which the hon. Member was talking about to have cameras installed in Mid-Harbour's. Mid-Harbour's was being constructed during the time that they were in office, and at no stage did they include in their plans for Mid-Harbour's CCTV. This is something that we have decided, and we have implemented.

590 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon N F Costa):** Hear, hear. (*Banging on desks*)

595 **Hon. D A Feetham:** Mr Speaker, he may be right about Mid-Harbours, but the hon. Gentleman has got selective memory. He cannot recall the fact that fibre optic cables were laid when we were in Government. He cannot recall the fact that cameras were installed in Irish Town. (*Interjections*) He cannot recall the fact that I believe that cameras were installed in Castle Steps. (*Interjections*) In Castle Steps, cameras were installed (*Banging on desks*) and he cannot recall the fact that cameras were installed–

600 **Mr Speaker:** If I may, the question – if hon. Members will look at the question – the question has got nothing to do with Irish Town or with any steps anywhere in Gibraltar. (*Laughter*) The question is about the Mid-Harbour Estate and I will ask hon. Members to stick to that. (*Interjections*)

605 **Clerk:** Question –

Hon. E J Reyes: Mr Speaker, following your sensible advice, and sticking completely to the question, can I bring the Minister back to Question 775? I hope my wording has led him to perhaps understand it better.

610 But it says I wanted details of all works programmed, but which have still not been completed. The Minister has kindly given me the information in respect of the barriers and CCTV, they were all matters that he had informed this House previously. But I separated the questions, one, two, to ensure that, Mr Speaker... saw the difference between two questions. I did not have one question that was very long winded, and I think they are two separate items: Question 774 referred to those which have been completed, and rightly, in the answer, the Minister referred to previous announcements. But Question 775 gives the Minister an opportunity to offer the tenants there, through this Question and Answer session in the House, is there anything that he has programmed that has still not been completed, but certainly imminent, and he can shed some extra joy during this festive season to those tenants.

620 **Hon. P J Balban:** Mr Speaker, in terms of the costs for the works of the barriers, as far as I am aware with the information I have been provided with, the £42,477 should be the total cost, even though we are weeks away from completion. That is my understanding that that is the total cost. There should be nothing else after that. Having said that, I will not put my... there could well be, but that is as far as I am aware.

625 Now, when it comes to the CCTV cameras, there are other things pending, which we are still awaiting quotes for, which it is impossible for me to provide that information at present. For example, we are still awaiting quotes for the signage and we are still waiting for other infrastructural works – for quotes on infrastructural works. So, as I said, once this information is available to me, I will be most happy to provide him with it.

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

So, will the Minister inform this House when he has received that, or is he recommending that I pose this question again in the future, with Mr Speaker's leave, so that we can have an updated information sometime in the New Year?

635 **Hon. P J Balban:** Mr Speaker, I am happy for the hon. Gentleman to pose the question again in the future.

Mr Speaker: I think I should remind hon. Members that you cannot ask the same question within a period of six months. Those are the Rules of the House. If they want to change the Rules of the House, I
640 am very happy that the Select Committee should do so immediately and bring a resolution here. But you cannot ask the same question within six months.

What the hon. Member is also free to do, to get that information, is to write to the Minister. What is the problem in writing, and getting an answer on a specific issue, within what has been a fairly wide question and answer?
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Hon. E J Reyes: You are perfectly correct, Mr Speaker, hence... I don't know, one can interpret it rather cheekily but I said 'with Mr Speaker's leave', because I was aware of these Rules.

Mr Speaker, you are correct there is nothing wrong in my writing. Unfortunately, you see, if I enter into correspondence with the Minister, it becomes a correspondence between two Members of this House,
650 and not quite something that is easily heard by the general public, and we then enter into a battle that we neither of us intend to, of press releases – I ask the Minister and the Minister said and so on –

Mr Speaker: Let me tell the hon. Member what he can do. He can ask a specific question on one issue, but not within the general ambit of the Mid-Harbour Estate. If it is a single issue on which he wants
655 information, which happens to be within the Mid-Harbour Estate, he can ask the question about that specific matter, but not within the ambit of a repetition of either Question 774 or 775. Does he understand the point that I am making?

Hon. E J Reyes: Yes, Mr Speaker, I understand that, and by all means, should I have any doubt, I
660 know that you always make yourself available for any clarification. Thank you.

665 **Re-allocation of empty homes
Costs and details of repairs and cleaning**

Clerk: Question 776, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing provide updated details in respect of all expenditure
670 incurred, since the answer to Question No. 618/2013, in respect of contracts awarded for making empty homes suitable for re-allocation, stating to whom payments were made, how much has been paid, the number of residential homes pertaining to each payment, as well as indicating if the services contracted were for either repair works or cleaning services?

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

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

I would also like to draw the hon. Gentleman's attention to the bottom sentence, which specifies that all services contracted were for repairs, none were for cleaning.

Answer to Question 776

Contractors	No. of Properties	Cost
ANDY HOLDINGS LTD	1	£11,450.00
SO1 CONSTRUCTION CO LTD	1	£11,047.96
W & N WORKS LTD	1	£10,130.00
BCS LTD	1	£47,287.91
GARCIA & PEREZ CONSTRUCTION	1	£18,500.00
ABEGON	1	£7,914.43
CIAP CONSTRUCTION CO LTD	1	£22,883.60
SFA INTERIORS	1	£6,005.00
ESS	1	£8,440.00
SA CONSTRUCTION CO LTD	1	£4,150.00
ERNEST LOPEZ & SONS LTD	1	£9,588.00
BCS CONSTRUCTION	1	£7,690.60
AVANTI CONSTRUCTION CO LTD	1	£3,400.00
W & N WORKS LTD	1	£12,821.50
INLINE FRAMING	1	£16,280.00
SFA INTERIORS	1	£10,221.90
A & K GENERAL BUILDERS LTD	1	£8,450.00
ON THE LEVEL LTD	1	£17,241.99
ANDY HOLDINGS LTD	1	£21,900.00
ABEGON	1	£6,195.00
ABEGON	1	£15,636.00

ALL SERVICES CONTRACTED WERE FOR REPAIRS
NONE WERE FOR CLEANING

680 **Hon. E J Reyes:** Mr Speaker, if I may, the Minister has provided us this list, but in one particular occasion, a huge figure sticks out that is in respect of an expenditure of £47,000. It does seem a big amount. (*Interjection*) (**Hon. J J Netto:** Provide details...) Yes, sorry.

685 So, Mr Speaker, I was saying that what first sticks out is a huge figure in respect of an expenditure of £47,287, in respect of repair works for one property alone. Given that it is almost four times as much as what seems to be an average type of expenditure, does the Minister have any information there, that he can shed some light in respect of why such a big expenditure in that single property?

690 **Hon. P J Balban:** Mr Speaker, with reference to the figure that the hon. Gentleman is referring to, BCS Ltd works was instructed by the Housing Department to do specialist works for the amount of £47,287.91. The works in fact were two houses which were converted into one. They required extensive repairs to the roof as a result of water penetration, and the construction of a new staircase to join both houses. Hence the figure in question.

695 **Hon. E J Reyes:** Thank you for that information, Mr Speaker.

I understand now that it was really a conversion of two into one, and roofs and so on, and costs do escalate, but given that it is such a big figure, can the Minister enlighten us as to why, in this particular case, given the huge scope of works there, why it was not put out to tender but rather just allocated, as seems to be the norm for other repair works, all of which keep more or less close to the £10,000 mark?

700 **Hon. P J Balban:** Mr Speaker, the procedure is that for any particular job or works that need to be carried out, three quotes are sought, and based on those three quotes, the decision is made as to which company gets the works.

705 **Hon. E J Reyes:** Yes, Mr Speaker, I know this matter of obtaining three quotes is certainly something that we think is acceptable – it has in many cases been carried out by this party when we were in administration – but is there any particular ceiling, sort of, saying if a job is going to be over £10,000 or £15,000, then it is not just simple three questions of calling round people on a particular list that the Ministry may have, but rather making it fairer, you know, and making the general public and other contractors aware that there is a major refurbishment work going out? I mean, it is a substantial sum of money.

715 **Hon. P J Balban:** Mr Speaker, all jobs, regardless of size, are submitted to the three quotes system. If the job is a larger job, then it is the larger companies that are invited to provide us with a quote. If there are smaller quotes, then it is the smaller contractors which are invited to provide quotes for a given job.

720 **Hon. E J Reyes:** So, Mr Speaker when the Minister is saying that if it is a big job, then it goes to the bigger companies, so if instead of £47,000, it were to be £472,000, would it still then just be a phone call to three companies picked at random by whoever? Or when does this system of a public announcement to all companies come in? Is there a guideline of a particular figure?

(**Minister for Enterprise, Training, Employment and Health & Safety**) **Hon. J J Bossano:** Mr Speaker, the system that was introduced in 2010 continues to be in place, which was that the tendering

725 process was suspended, and the work was distributed to people on the approved contractor list, unless it reaches the level required by the EU to be put out to tender. A statement was made at the time by the previous administration. We are continuing with that wise system.

Hon. E J Reyes: So the Minister has confirmed that there has been no change in respect of what the GSD had implemented.

730 **Hon. D J Bossino:** Mr Speaker, sorry just one further supplementary: is the Minister for Housing able to tell me whether any of these companies are beneficiaries of the start up schemes set up by the Government – basically, those companies which are able to register, I think originally it was No. 6 Convent Place and then Town Range? Do any of these companies benefit from that Government policy?

735 **Hon. J J Bossano:** Mr Speaker, the allocation of the work is given on the basis that it normally goes to the lowest tenderer, the lowest price, unless the prices are very close to each other, and there is a company that is running out of work. The whole process of allocating work is to ensure that there is continuity of work, so that people do not get laid off.

740 All these companies that do work for the Government are encouraged to take on trainees. All of them, whether they are companies formed with Government help by people previously employed or they are companies that were already in existence, they are all treated in exactly the same way.

745 **Hon. D J Bossino:** Yes, I know he will not tell me how many trainees are employed in each of those companies, because he does not tell me who the employer companies are from the private sector. But the question was related... I am not sure whether the hon. Member understood. The question was really related to those companies or that service which is being provided by the Government which includes registration at No. 6 or Town Range, and I wanted to know whether it was... not whether they employed any FJS trainees, but indeed whether they benefited from that Government policy.

750 I suppose I could carry out a search and find out whether they are registered in any of those places, but it is possible, in fact, even if I did carry out a search, that it was originally registered in No. 6, or Town Range, because it benefited from the Government policy in relation to nurture schemes, and then have gone to another corporate service provider.

755 **Hon. J J Bossano:** Well, Mr Speaker, I think we have already explained the system, but I will explain it again. Some people who are unemployed and who are having difficulty in getting employment in the construction industry, for example, have been given assistance in setting up a company, because clearly they are unemployed, they cannot afford to use these services to set up a company.

760 When they are up and running, then they find their own lawyer, their own accountant, and their own premises from which to operate, they join the approved contractor list, and they are treated with exactly the same criteria as anybody else that may have started off life in a different way. So they do not get preferential treatment, nor are they discriminated against.

765 **Hon. D J Bossino:** But, Mr Speaker, I am not sure whether the... I do not think... the hon. Member is not answering my question. Does he know...? He may not know, and he may not be able to tell me, he may need notice of the question, I accept all of that. But is he able to tell me that of those companies which are listed in answer to Question 766, whether they have benefited from, or are currently benefiting from, the nurture scheme policy of the Government?

770 **Hon. J J Bossano:** Well, Mr Speaker, what I am telling him is that when the decision is taken, whether a particular company gets the tender or the job to do for the price that it has quoted, in that decision, there are no boxes ticked which determines how they came into existence, whether they got any help. So the answer is that any one of those companies may or may not be, but that is not something that enters into the allocation of work at all. (*Interjection*)

775 **A Member:** Does he know?

Hon. J J Bossano: Well, do I know, because of the names, says the hon. Member. Well if I did, which I do not, I would not tell him. (*Laughter and interjections*)

780 **Hon. D J Bossino:** Mr Speaker, what was the answer? He would not tell me. That is the answer I expected, but just to confirm is that what he said?

Hon. J J Bossano: I am glad to satisfy his expectations, Mr Speaker. (*Interjections and laughter*)

785 **Hon. D J Bossino:** You never fail me. *(laughter)*

Hon. J J Netto: Mr Speaker, if I may, I would like to take the Hon. the Minister for Employment back to one of the answers he provided just a minute ago, where he said that the system, that they applied the system, that it was introduced by the GSD Government in 2010. In the sense of looking at the approved list of contractors and within their approved list of contractors, then determining, basically, by
790 calling on three contractors within the approved list, which one basically or normally is the lowest bid.

Now that is not exactly what the GSD policy was in 2010. The GSD policy in 2010 was by all means to have... well, even before 2010, the approved list of contractors. But there was certainly thresholds as to the amount in which Departments – the Department then used to be Buildings & Works, now the Housing Agency – were able to pick up the names of the companies on the list, and basically call up three. There were thresholds, because I remember below £10,000, it would go to jobbers, which is just a person, self-employed more often than not; and beyond £10,000, the next threshold would be £100,000, which would go to a contractor, and then –
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800 **Mr Speaker:** Will the hon. Member please ask a question.

Hon. J J Netto: The question I am asking is that according to the threshold, below £10,000 it would go to the jobber, but beyond £10,000 it would go through a tender process, with the exception of GJBS. Is the Minister telling the House now that the policy has changed, and regardless of the size of the contract, even if it is half a million pounds, it will not go out to tender, and he will simply be asking three within the approved companies, in the list of contractors?
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Hon. J J Bossano: I can tell him that the policy that he claims existed is not the policy that was in existence in 2011. And I can tell him that the list that he mentions, which was the list that was held by Technical Services which had the thresholds, the thresholds were not because of any tendering, but whether the company had the capacity to take on work. Indeed, whenever... and by the way, that list was completely in disuse. When we asked about that particular list, the list which had the technical capacity of somebody to take on a £1 million work, or £5 million work, or £10 million work, we were told that that had not been looked at for many years. There were indeed on that disused list people like Bruesa and OEM, as if they were still alive and kicking.
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So the answer to his question is that the policy which he claims was there was not the one that was operating.

But in any event, of course, we are not obliged to continue with the policy that we find there, unless we think that that policy is one that we can subscribe to, and the basic policy that was different was that there was an announcement made that the tendering process was being suspended below the threshold required by the EU, which is, I think, something like €4.9 million, and that the allocation would be done in conjunction with the Employment Service, he may remember, where the companies were required to take on people from the Employment Service, and indeed, to require the consent of the Government, before they could terminate the employment of anybody that they had taken on, because it was a condition of getting the work that they would employ people who were unemployed, and registered as such.
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And that is still the system that is operating – with the lists that existed then, plus the people who, you know, have set up a business since.

830 **Hon. D A Feetham:** Yes, Mr Speaker, I can tell the hon. Gentleman, that the list was operational, because I, on many occasions, got complaints from people who thought that they should be allowed to tender for work or to be allocated work over, say for example, half a million, but Technical Services would not allow that because they were rigidly sticking to the list.

But the question is this: did I understand the hon. Gentleman correctly when he said earlier that the works are allocated, normally, in accordance with who is the cheapest, who provides the cheapest price for the job? Which implies that there must be some kind of tender system – whether it is a formal tender system, whether it is advertised, or alternatively an informal, effectively, tender system, where you are inviting a number of companies – for example, you identify five companies that have not had work for a period of time, to actually price for a particular job. I mean, how does that work? Am I right in what I have outlined to the Hon. Minister?
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Hon. J J Bossano: Yes, the hon. Member is right. The people are invited to put... I mean there is an element of offering it to people that are considered by those who know what they are doing, and know the people concerned, that they are capable of doing the work – some jobs are more specialist than others and require more skills than others, or more experience – or that the company should have been around for a
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longer time, so that at the end of the day they do the job satisfactorily, otherwise they would not get paid, of course, but it would not be in anybody's interest that that should happen.

850 So, essentially, what happens is that normally there are three quotes, and there is a tendency – I am sure the hon. Member knows, because it has always been there – that when people have got a lot of work, they tend to put a higher quote, because they are less in need of it, and therefore they are only interested in getting it if the margin is big enough. So the reality of it is that when there is a gap of a certain level, depending on the size of the work, the lowest of the three will normally be given the work.

855 Since the companies are companies that are constantly being given jobs, many, many jobs have been given out using this system in the last couple of years. The technical people know that they are capable of doing it or not.

860 If the three quotes are very close, and one is running out of work and needs the work more than the other two, because the other two are still doing work for us which is unfinished, then in fact, there may be a small difference in price, a few hundred, or a few thousand pounds, depending on the size of the project, and then the people that need the work must get it, because part of the system is linked to employment.

865 The entire thing, when it was announced in the House, was announced on the basis that it would be linked to taking people from Employment, and therefore it is not in the interest of the industry, or in the interest of the Government, or the individuals, that we should have somebody getting all the work, and then somebody else having to lay off people, and that is what we try to avoid. So the people that have got the policy brief to look at how the work is dished out work on that basis, which I believe was the spirit into which the decision was taken when it was introduced.

870 **Hon. D A Feetham:** Mr Speaker, who effectively takes the decision to allocate these particular contracts – which as I understand it, what he is saying is really there is an informal tender or pricing system, where you look at three or four companies based on a variety of criteria, employment being one of them, lack of work, being another – but, who are the people that effectively make this decision? Is it the Minister, or is it people from the Technical Department, people from his Department?

875 **Hon. J J Bossano:** The people that are doing it are people who have been working in the Housing Work Agencies, either at PTO or craft level and know what they are doing. I would not be qualified to know whether somebody can do a job or not. I mean the actual decision on the money, anybody can do, because it is just a number there of what the price is. That could be done by a clerical assistant, but it is not done by a clerical assistant, because in addition to the price, which would be a very simple thing to do, people have to be confident that the work is going to be performed to the standard that is required.

880 **Hon. D A Feetham:** But when the contract actually gets beyond a certain numerical level, is there then any kind of ministerial involvement at all? I can understand that if you are dealing with small jobs... but even with small jobs, it would be in the Minister's interest. Obviously, the Minister has a duty to keep a handle on the expenditure, because £10,000 or £20,000 contracts, if you have a series of these contracts, it can actually add up.

885 But I can understand with smaller contracts that one can allow the Housing Agency staff to make decisions, but is there a threshold over and above this that has to be referred to the Hon. the Minister? And also, is there effectively a budget? In other words, if these small contracts add up over a period of time, to more than, I don't know, £200,000, there is then a system whereby the Hon. the Minister gets notified, so that obviously he can then keep a handle on the expenditure in relation to this?

890 **Mr Speaker:** Before the hon. Member answers the question, that is the last question that I am allowing on the system, because there is nothing in the original answer about the system, on the basis of which contracts are awarded. It asks for details, for information, payments and so on, but the Hon. Mr Reyes did not ask what is the system used in allocating these contracts. I have allowed a number of supplementaries on this matter, which are beyond the ambit of the question. I think that is the last one I should allow.

900 **Hon. J J Bossano:** Mr Speaker, the procedure is that when there is a requirement for refurbishment of Government housing, somebody goes to inspect the work that is required, they produce a scope of work, then somebody employed as an estimator produces an estimate of what the cost would be, if it was done with direct labour. And then the three companies are invited to put in a bid, all of which are expected to be below the cost that has been estimated and generally are.

905 So there is no need to be concerned, or checking that it is getting out of hand, because the controls are there in the first place. If we cannot get a price that is below the price that has been estimated, given that there is a very substantial gap between the wages from direct labour and the wages in the construction industry, so one would expect that the price should be down below, but if that does not happen, then we

would normally ask somebody to take a look at the actual scope of works that has been identified, to see what is the explanation.

910 But, in 99% of the cases that does not happen. In 99% of the cases, as far as I recall, nobody has ever said to me the prices that have come in are too high, compared to what the Department would be estimating should be the cost, if it was done with direct labour. So, the answer is that really it is driven by the requirements of the job, as a result of the investigation of the state of the building and the scope of works identified, and the estimate done by people in the public service.

915 **Mr Speaker:** Next question.

920 **Government rental homes
Assignments and repairs**

Clerk: Question 777, the Hon. E J Reyes.

925 **Hon. E J Reyes:** Can the Minister for Housing provide details in respect of rental homes assigned since the answer to Question No. 619/2013, indicating how many will be repaired by: (a) the Housing Works Agency; (b) sub-contractors; and (c) the assigned tenants themselves?

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

930 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, since the answer given to Question No. 619/2013, 12 flats have been assigned.

The repairs are to be undertaken by the following: Housing Works Agency – two; sub-contractors – seven; the assigned tenants themselves – three.

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**Urgent decanting of tenants
Reasons and dates of decanting/return**

940 **Clerk:** Question 778, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing provide details of how many tenants required urgent decanting from their homes, since the answer to Question No. 623/2013, indicating the reason why, the date when said decanting became necessary, and the date when the tenants were able to return to their home?

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

950 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, two tenants have required urgent decanting since the answer to Question No. 623/2013. The reason why, the date when said decanting became necessary, and the date when the tenant was able to return to their home are as follows:

Tenant 1 was decanted due to refurbishment works; the date the decanting became necessary was 2nd December 2012; and the date when the tenant returned home is 16th December 2013.

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Tenant 2: once again the reason was to do with refurbishment works; the family was decanted on 11th November 2013; and the works are still ongoing.

960 **Hon. E J Reyes:** Mr Speaker, am I correct in my understanding that Tenant 1 was decanted in December 2012 and was away for a whole year? If that is the case, is this Tenant 1 not included in any statistics of any previous answers that the Minister may have given me? Because then, when I add up figures over a given period, I could be duplicating Tenant A or whatever. Can the Minister shed some light?

965 **Hon. P J Balban:** Mr Speaker, I will have to check that for him, but I think there is a chance there has been a mistake there. The likelihood is that it has been 2nd December 2013 as opposed to 2012, because otherwise this tenant would have appeared in previous questions. So I will check that for him, but I am pretty sure there has been a typo there, okay.

**Residential homes
Allocations and assignments**

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Clerk: Question 779, the Hon. E J Reyes.

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Hon. E J Reyes: Can the Minister for Housing, say how many residential homes have, since the answer to Question No. 624/2013, been: (a) allocated; and (b) assigned, showing the room composition of the respective homes?

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

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Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, since the answer to Question No. 624/2013, 49 flats have been allocated, and assigned as follows:

Allocated: 1RKB, 2; 2RKB, 10; 3RKB, 20; 4RKB, 4; 5RKB, 1; 6RKB, 0. A total of 37 have been allocated.

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Assigned we have: 1RKB, none; 2RKB, 3; 3RKB, 8; 4RKB, none; 5RKB, 1; 6RKB, 0. That is a total of 12.

**Government rental homes
Unpaid rents**

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Clerk: Question 780, the Hon. E J Reyes.

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Hon. E J Reyes: Further to the answer to Question No. W145/2013, can the Minister for Housing provide updated details of arrears in respect of unpaid rents pertaining to Government rental homes, as at the end of November 2013?

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

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Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, the total amount of arrears in respect of unpaid rents, as at the end of November 2013, was £4,881,807m.

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

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That information, when added together with the full list that he gave me through the Written Question 145, shows in a way a standard type of increase from month to month, and I wish to express my concern, and share it with that of the Minister, given that this is money owed to Government and fairly, if they are in arrears, is the Government in a position to say how it hopes to introduce some sort of programme so that this list of unpaid rents? We may start to decrease it, rather than see a steady, but yet substantial increase over a number of months.

1010

Hon. P J Balban: Mr Speaker, the system in place remains the same as it was prior to the date of the election, when arrears were ready on the £4 million mark.

1015

**Housing Works Agency
Retired, transferred and seconded employees**

1020

Clerk: Question 781, the Hon. E J Reyes.

1025

Hon. E J Reyes: Can the Minister for Housing provide updated information, inclusive of details of grades and dates, in respect of any further employees of the Housing Works Agency who have been: (a) retired; (b) transferred; and (c) seconded, either from or into the Housing Works Agency, since the answer to Question No. W146/2013.

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

1030

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, since the answer to Question No. W146/2013, one craftsman retired on 16th December this year, and no employees have been seconded or transferred.

**Housing Works Agency
Update re comprehensive review**

1035 **Clerk:** Question 782, the Hon. E J Reyes.

Hon. E J Reyes: Further to Questions No. W147/2013 and 616/2013, is the Minister for Housing now in a position to furnish this House with any details of the comprehensive review pertaining to the Housing Works Agency and the Ministry for Housing which he has previously answered was now being considered by Cabinet?

1040 **Clerk:** Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

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

1045 **Hon. E J Reyes:** Does the Minister have any indication of by when it would have been considered, so we can sort of have some feedback, given that this question has been going on with the Minister's leave, 'further to question...' and so on? But I seem to be a bit monotonous, month in and month out, trying to see if we can establish by when we expect it to be completed and become public, especially for the sake of the employees of the Agency and the Ministry.

1050 **Hon. P J Balban:** No, sir.

1055

**Government vehicles
Number with non-polluting engines**

1060 **Clerk:** Question 783, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, further to the answer to Written Question W149/2013, can the Government state how many of the vehicles listed are powered by non-polluting engines, as this part of the answer was missing?

1065 **Clerk:** Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, the only vehicle that does not use any polluting agent as a means of propulsion is the Tesla, the G1, which is 100% electric. However, this is not a Government-owned vehicle, as this is owned by the Bassadone Automotive Group, and is leased to the Government.

1070 **Hon. J J Netto:** Mr Speaker, given that it is the Government's intention to fulfil one of its manifesto commitments, which is in page 32, to have vehicles powered by non-polluting engines, does the Minister have any indication as to how that commitment is progressing towards the end of their term of office?

1075 **Hon. P J Balban:** Mr Speaker, at present, the Government is doing all that is possible to make the fleet of vehicles more environmentally friendly. At the moment, staff cars... The one being leased by Bassadone Automotive Group is 100% pure electric. There are also other vehicles, which are the hybrid vehicles, of which two are plug-in hybrid electric vehicles, which mainly run fully electric most of the time that they are being used, but when driven in certain conditions, the hybrid... the fuel kicks in or the use for over a certain amount of *[inaudible]*.

1080 So the Government is doing all that is possible, to ensure that the Government's vehicles are more environmentally friendly, and its policy is to continue looking at vehicles in the future, when vehicles are replaced.

1085 **Hon. J J Netto:** So apart from the vehicle that the Chief Minister uses, the G1, is the Minister saying that they will not be able to carry out the manifesto commitment in their election pledge, then?

1090 **Hon. P J Balban:** Not at all, Mr Speaker.

Hon. J J Netto: 'Not at all' meaning that they will not be able to make the manifesto commitment?

1095 **Hon. P J Balban:** Mr Speaker, no, 'not at all', that the manifesto commitment is something which we are happy to be able to fulfil.

1100 **Hon. J J Netto:** So the Minister is saying he is happy to fulfil. However, in two years in Government, we only have one non-polluting car, which is used by the Chief Minister. Does he feel that he will be able to fulfil, in the remaining two years of the term of office, the rest of the vehicles in the Government fleet? (*Interjection*)

1105 **Hon. P J Balban:** Just this one vehicle itself, as the hon. Member says, is pure electric is one step, is a big step in terms of, compared to what was happening in the past. It is very clear that this Government's policy is totally different to the policy the Government of Opposition when they were in Government. (**Hon. N F Costa:** Hear, hear.) Even if you look at electric vehicles – and we are saying non-polluting vehicles – I mean, even the electric vehicles, they require electricity, and electricity is driven by whatever source of power generated. So, the fact is that the Government will do everything possible to adhere to its manifesto commitment, and it will, to provide vehicles which are non-polluting as per the manifesto commitment.

1110 **Hon. J J Netto:** Is the Minister therefore saying that whoever wrote those comments in the manifesto he did not know what he was talking about?

1115 **Hon. P J Balban:** Mr Speaker, I will not... I mean, what is he asking? I mean... Whether the person who wrote the manifesto commitment does not know what he is talking about. Mr Speaker, I do not really think I need to answer that question.

EQUALITY, SOCIAL SERVICES AND THE ELDERLY

'Looked After Children' Specialist care

1120 **Clerk:** Question 784, the Hon. Mrs I M Ellul-Hammond.

1125 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say how many times a Looked After Child needs to abscond and how seriously challenging the behaviour of the child has to be before he or she is considered as a candidate for specialist care in a specialist institution in the UK?

1130 **Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1135 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, each child is an individual, with their own specific needs, Therefore, there is no prescribed formula on how many times a Looked After Child needs to abscond, or how seriously challenging the behaviour of a child has to be, before he or she is considered as a candidate for specialist care in the UK.

1140 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister say if there are any children presently who are candidates for specialist care in a specialist institution in the UK?

Hon. Miss S J Sacramento: There are, Mr Speaker, but, of course, as you will understand, I will not refer to any individuals.

1145 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister say how many there are and when, if shortly, they will be moving to the UK?

1150 **Hon. Miss S J Sacramento:** No, Mr Speaker, as I have said in the past, if I feel that it is not appropriate to give that information in this House because it may identify a particular child, or children, then I will not do so, Mr Speaker. But, as I have also said previously, I am very happy to give that information behind the Speaker's Chair.

Hon. D A Feetham: Well, Mr Speaker, I am sorry to say that is not acceptable. Nobody is asking the hon. Lady to identify, nor provide information that identifies the individuals or the children in question.

1155 What the hon. Lady has asked is how many – how many children are being considered for this type of treatment? That cannot possibly lead to the identification of those children.

The Government has a duty to account, and it accounts in Parliament, not behind the Speaker's Chair. We will accommodate the Government as much as possible, whenever the information is of a sensitive nature. But, the information as to how many children are being considered cannot possibly identify the children in question. (*Interjections*)

1160

Hon. Miss S J Sacramento: Mr Speaker, in my judgement it can, because, while I am not going to say the number, but let us say for example if I were to say one, then that could easily identify the child. So quite frankly, Mr Speaker, the words of the Leader of the Opposition, when he says that he is going to support the Government, sound very hollow. In my judgement, Mr Speaker, I cannot answer that question for obvious reasons.

1165

1170 **Children with challenging behaviour
Care and secure accommodation**

Clerk: Question 785, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, as per her Budget speech of 2013, can the Minister for Social Services explain how she will be providing for children with challenging behaviour generally, and for their secure accommodation specifically?

1175

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

Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento): Mr Speaker, pathways for children are being looked at, and we are considering new premises which we would use to cater for children with challenging behaviour. Legislative changes are also being looked at.

1180

Hon. Mrs I M Ellul-Hammond: Mr Speaker, the new premises: can the Hon. Minister say if a site or potential sites have been identified, and when construction or refurbishment will start?

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Hon. Miss S J Sacramento: Mr Speaker, again I will not at this stage say where the location will be. What I can confirm is that we have had a structural report on the premises which now allows us to proceed to the next stage of refurbishment of the building.

1190

Hon. D A Feetham: But, Mr Speaker, can she explain why she cannot provide information as to the location of this facility? Is that also sensitive information, that she cannot disclose? (*Interjection*) Well, can she explain why it is sensitive information? If it is sensitive, we will accept it. But, can she explain that?

1195

Hon. Miss S J Sacramento: Mr Speaker, rule number one when dealing with children is to be discreet. If I were to identify the location of a place which is going to be a challenging behaviour unit, then everybody is going to know what it is, where it is, and that the children inside the unit are children with challenging behaviour. Mr Speaker, again, in my judgement, I do not think it is appropriate to disclose that information.

1200

Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Well done.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is the Minister then suggesting that, once the facility is built and set up, and there are people working there, and the children there, that nobody will ever know, or ever find out, that it is a facility for children (*Banking on desks, and interjections*) with challenging behaviour...?

1205

Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa): It is not MI6.

1210

Hon. Miss S J Sacramento: Mr Speaker, that is totally different, but again, Mr Speaker, in my judgement, I do not think that it is appropriate that I should disclose the location of the premises.

1215 **Hon. D A Feetham:** But, Mr Speaker, why is it different, from the point of view of protecting
children, to disclose the location of the facility after it is built, but not before it is built, when you have
identified the site? Quite frankly, I do not understand the secrecy surrounding this issue, nor indeed the
distinction the hon. Lady seeks to draw. Of all Government Ministers – apart perhaps from the Minister
1220 of Employment, I have to say that he is perhaps one on his own – the hon. Lady is always reticent to
provide information, and hides behind excuses that, quite frankly, do not stack up. (*Interjections*)

Hon. Miss S J Sacramento: Mr Speaker, the Hon. the Leader of the Opposition just shows his
complete disregard for the importance for keeping certain things confidential. The building that we have
1225 identified is actually quite discreet in its location, and we will not be announcing the opening of this new
place with a fanfare and a press release and a plaque, which is maybe something that he would have done.
(**A Member:** Yes, absolutely.) But, in my judgement, Mr Speaker, I do not think that that is appropriate.

Hon. D A Feetham: Yes, but with respect, she still has not answered my question. What she said was,
1230 once it is built it is a different kettle of fish. Now, I quite understand not giving huge publicity to
something, opening it with fanfare – that is something for the Hon. Minister in her judgement. But, what
she said was that once it is built, that she would be identifying the location, as she cannot do it now
because it is in a planning stage. What I do not understand is the distinction that she seeks to draw
between now and then. I do not accept, quite frankly, that the Opposition is not entitled to that
1235 information on the grounds that the Hon. Minister suggests. But, in any event, I am seeking to understand
the distinction that the hon. Lady has drawn.

Hon. Miss S J Sacramento: Mr Speaker, I do not recall having drawn any distinction whatsoever.
My position will be that I will not disclose the location now, nor will I disclose it when it is ready. And I
1240 do not recall having drawn any distinction whatsoever. Maybe the Leader of the Opposition has heard me
say something that I have not said, maybe he has misinterpreted my words. But clearly, I have not drawn
a distinction.

Hon. D J Bossino: Sorry, Mr Speaker, she keeps on saying... the hon. Lady keeps on saying that in
1245 the exercise of her judgement... Obviously, we want to understand what criteria she is using. That is
really the only point that we are raising on this side of the House.

Now, clearly, this is Gibraltar: once the premises are refurbished, I think I can guess that it is more
than likely that we will know what the location will be. So in those circumstances, given that she is now
1250 saying that there is not a distinction as to pre and post refurbishment as to the location of the premises,
how does she intend to keep the location of those premises secret, to the extent that nobody will know,
other than the children, possibly their families, where the premises are?

Hon. Miss S J Sacramento: Mr Speaker, as I am sure you know, the Hon. Mr Bossino has
1255 completely misquoted what I have said. That is not what I have said. There is a difference between
keeping a place secret, and a difference between announcing what it is and where it is. In my opinion, this
is something that is of course, because of its importance, delicate, and sensitive nature, should be as
discreet as possible and I do not intend to disclose this information either now, or when it is ready. If he
will find out, then they will find out. But it is not something that we will be announcing, and I do not see,
quite frankly, Mr Speaker, what the whole point of this line of questioning is.

1260 **A Member:** Even if it was a political issue.

Hon. Miss S J Sacramento: Mr Speaker, (*Interjection*) the whole point of this is to do something to
1265 improve a service, and if the Opposition are going to say that they will support the Government in this,
then let them support the Government in this. The Government is saying that there is a reason for this, so
Mr Speaker, perhaps we can leave it at that, and not have so many supplementary questions on the same
point going round and round in circles. My answer will not change, Mr Speaker.

Hon. D A Feetham: But, Mr Speaker, does she not accept that there is a legitimate interest in the
1270 Opposition in finding out where a particular facility, which is important to this community, is going to be
located, (*Interjection*) so that the Opposition can itself scrutinise as to whether that facility, and that
location is, for example, suitable and fit for purpose? Or does she not accept that the Opposition has a
legitimate role in looking at a particular facility, and a particular location, and seeing whether that
particular location or facility is suitable for those children?

1275 I mean, what she is really trying to do is effectively prevent the Opposition from doing its legitimate
job, in relation to this particular facility. There is no... we are not making this particular point, because

we want to make life difficult for the Government. But, of course, without knowing where it is, how can we ascertain for ourselves that the location and the facility are going to be fit for purpose.

1280 **Hon. Miss S J Sacramento:** Mr Speaker, seriously! If the Opposition were so concerned about providing a facility that is fit for purpose, then they had 16 years to do it, Mr Speaker. (*Banging on desks and interjections*)

1285 **Children and Families team
Management restructure**

Clerk: Question 786, the Hon. Mrs I M Ellul-Hammond.

1290 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services explain what the management restructure of the Children and Families team is, as stated in her Budget speech of 2013?

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

1295 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, management and supervision lines have been changed within the teams.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister say how they have been changed?

1300 **Hon. Miss S J Sacramento:** Mr Speaker, that is a matter for management internally. There have been different ways, different modes of supervision, different ways of managing the individual teams. Different teams have been broken down into different areas. There has just been a sort of general change in how Social Services work, how reports are now filtered through, and how they are supervised.

1305 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, as a result of the changes, have any new management posts been created, or any new people taken on?

Hon. Miss S J Sacramento: No, Mr Speaker.

1310 **Clerk:** Question – (*Interjection*)

Mr Speaker: The Leader of the Opposition.

1315 **Hon. D A Feetham:** Mr Speaker, has this been a management initiative, or has it been a ministerial initiative, in consultation with management? Have there been, for example, any reports or anything like that, suggesting that there ought to be a management restructure? Can she provide some more information in relation to that?

1320 **Hon. Miss S J Sacramento:** It was just as a result of a management restructure between... consultation with management, at the general senior management meetings. There is no mystery to it. It is just a change in the operation, in the way that the Department is structured.

1325 **Hon. D A Feetham:** Yes, but firstly, were you involved, and secondly... I mean, what gave rise to the need for this restructure? Normally, having had experience of ministerial duties myself, it is either a policy initiative of the Government or the Minister concerned, because the Government, or the Minister, has taken the view that the management is not operating as efficiently and effectively as possible.

1330 Or alternatively, there is, for example, a report that is handed up to the Minister, or representations, handed up to the Minister, saying, 'Look, we believe that this is not operating effectively and efficiently, for *x*, *y* and *z* reason. I am just trying to explore with the Hon. Minister what it is that has led to this restructure.

1335 **Hon. Miss S J Sacramento:** Mr Speaker, it is as a result of meetings that I have with all my Departments. Generally, I just sit in with the teams, and ask them how they think that the Department would improve if there were any changes. Really, it is as a result of changes that have come as a suggestion from people within the teams, and if they think that the team will work better and be more supported that way, then they have my blessing. There is no... It is just as a general part of the process, and as part of my review of the teams within Social Services.

**Children and vulnerable adults
Vetting workers and volunteers**

1340

Clerk: Question 787, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services provide details of the regulations that have already been drafted, as confirmed in her 2013 Budget speech, on the vetting of people who work or volunteer with children and vulnerable adults?

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

1350

Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento): Mr Speaker, I will answer this question together with Question 788.

Clerk: Question 788.

1355

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services say when legislation on the vetting of people who work or volunteer with children and vulnerable adults will be brought to Parliament?

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

1360

Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento): Mr Speaker, the legislation is being drafted and will be brought to Parliament once it is ready.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, will this become a command paper first?

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Hon. Miss S J Sacramento: It is likely that it will, Mr Speaker.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister, say, give us a timescale as to when the draft will be completed, and then it will be presented as a command paper?

1370

Hon. Miss S J Sacramento: I cannot at this stage, but as far as I am concerned, as soon as possible. But obviously I am in the hands of those who are drafting it.

1375

Hon. D A Feetham: Mr Speaker, what is the interaction between this particular legislation and the list of unsuitable people working with children, which is a list that is compiled under the Children's Act? And is it the intention of the Government to perhaps have one composite list, which is the position in the United Kingdom at the present moment? Indeed, in the United Kingdom, it also includes the list under the sexual offenders list, as well.

1380

Hon. Miss S J Sacramento: Those are some of the considerations that we are considering. But, in any event, the priority with this is to make sure that there are regulations to vet people as, at present, there is absolutely nothing. There is no requirement to vet anyone who works with children. In fact, this will go further, because this legislation will deal with... there will be a requirement to vet people who not only work with children, but also people who work with vulnerable adults.

1385

**Nursing Co-ordinator, Mount Alvernia
Details of post**

1390

Clerk: Question 789, the Hon. Mrs I M Ellul-Hammond.

1395

Hon. Mrs I M Ellul-Hammond: Mr Speaker, during the Hon. Minister for Social Services' Budget speech of 2013, she mentioned the commencement of a new Nursing Co-ordinator for Mount Alvernia. Can the Minister say if this post is in an acting capacity, and who the new Nursing Co-ordinator is?

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

Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento): Mr Speaker, the person in the post of Nursing Co-ordinator is in the post in an acting capacity.

1400 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Hon. Minister did not mention who the new Nursing Co-ordinator is.

1405 **Hon. Miss S J Sacramento:** Mr Speaker, the reason I have not mentioned this individual's name is as a result of Mr Speaker's ruling very recently, in the last Parliament or the Parliament before, Mr Speaker, where you said that it was not appropriate for individual public servants to be named in this House.

1410 **Domestic violence
Details of new forum**

Clerk: Question 790, the Hon. Mrs I M Ellul-Hammond.

1415 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, as outlined in her Budget statement of 2013, can the Minister for Equality say if she has set up the forum to deal with domestic violence, which interested parties form part of the forum, and how often does the forum meet?

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

1420 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I have met with officials from Departments such as Social Services, the Royal Gibraltar Police, the Court Services, Housing, the GHA, as well as Women in Need, with a view to setting up this forum, which will formally meet in the new year.

1425 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in the Minister's Press Release No. 849 of 25th November, she states that:

'My Ministry and all relevant agencies are working to ensure that such violence is entirely eliminated in Gibraltar...'

1430 What plans will the forum have for such violence to be eliminated?

Hon. Miss S J Sacramento: Mr Speaker, once the forum meets officially, I am sure we will start with a strategic plan on how to tackle this.

1435

**White Ribbon Campaign
Introduction to Gibraltar**

1440 **Clerk:** Question 791, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Equality say if she is in contact with, and when we will see, the introduction of the 'White Ribbon Campaign' to Gibraltar?

1445 **Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1450 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, the Social Services Department have been in touch with the White Ribbon, and I have also spoken to them myself. A decision as to whether or not this particular campaign will be introduced has not been taken.

1455 **Domestic violence
Refuge for homeless men**

Clerk: Question 792, the Hon. Mrs I M Ellul-Hammond.

1460 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Equality say how Government provides for homeless men requiring refuge from domestic violence?

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

1465 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, arrangements are currently made through Women in Need.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, are there any plans to continue with the building of a men's refuge on Windmill Hill which the GSD started, or indeed to earmark another site for this?

1470 **Hon. Miss S J Sacramento:** Mr Speaker, can I start off by saying that no work was done at Windmill Hill by the GSD in relation to any refuge for men, other than some plans, but no actual construction work was done.

1475 I can say that we will not continue with that, at that site, but it is a manifesto commitment that will be completed within this term of office.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is the plan to build, or earmark a particular building for a specific facility, or to earmark flats within the community?

1480 **Hon. Miss S J Sacramento:** Mr Speaker, at present, we are considering various options, but the likelihood is that it will be a building, as opposed to individual flats.

1485 **Disabled people
Legislation to protect**

Clerk: Question 793, the Hon. Mrs I M Ellul-Hammond.

1490 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Equality say when the Government will legislate to further protect disabled people, ratifying and using the terms of the United Nations Convention on the rights of disabled persons as a model?

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

1495 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, legislation to this effect is being drafted, and we envisage that it will be ready in 2014.

1500 **EDUCATION, TELECOMMUNICATIONS AND JUSTICE**

**Students leaving full-time education
Details**

1505 **Clerk:** Question 794, the Hon. E J Reyes.

1510 **Hon E J Reyes:** Mr Speaker, can the Minister for Education provide details of how many students have left full-time education since the start of this present academic year; providing a breakdown by educational establishment, age of student, with detail of school year in which enrolled, date of termination, and reason for leaving, if known?

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

1515 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, I will answer together with Questions 795, 796 and 797 of 2013.

Clerk: Question 795.

1520 **Hon. E J Reyes:** Can the Minister for Education provide details of how many students who were undergoing full-time education, and enrolled in Year 10 at the start of the academic year 2012-2013 have since left full-time education, and consequently not presently in Year 11 for this current academic year;

providing a breakdown by educational establishment, age of student at the time, with date, month, of termination, and reason for leaving, if known?

1525 **Clerk:** Question 796.

Hon. E J Reyes: Can the Minister for Education provide details of how many students have ceased full-time education in either Years 10 or 11 since the start of this present academic year; providing a breakdown by school year, educational establishment, and reason for termination, if known?

1530 **Clerk:** Question 797.

1535 **Hon. E J Reyes:** Further to the answer to Question No. 635/2013, can the Minister for Education provide details in respect of any changes there may be in respect of students still enrolled for post-GCSE education in Year 12, or equivalent, when compared with those enrolled at the start of the current academic year?

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

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

Answer to Questions 794 and 796 of 2013

Sector	School	Numbers	Age	School Year	Date of Enrolment	Date of Termination	Reasons	
Secondary	Bayside	1	15	10	2/9/2011	5/11/2013	All left to seek Employment	
		1	15	11	1/9/2010	4/10/2013		
		1	15	11	1/9/2010	20/9/2013		
		1	17	12	1/9/2008	22/11/2013		
		1	17	12	3/9/2013	3/12/2013		
	1	18	13	1/9/2008	3/12/2013			
	Westside	1	15	9	1/9/2011	1/9/2013		All left to seek Employment
		1	16	11	1/9/2010	2/9/2013		
		1	19	12	9/9/2007	11/9/2013		
		1	18	12	9/9/2008	5/11/2013		
1		17	12	3/9/2008	19/11/2013			
Further	Gibraltar College	1	15	-	16/9/2013	15/11/2013	All left to seek Employment	
		1	18	-	16/9/2013	13/11/2013		
		1	16	-	16/9/2013	12/11/2013		
		1	15	-	16/9/2013	15/10/2013		
		1	17	-	16/9/2013	12/11/2013		
		1	17	-	16/9/2013	13/11/2013		
		1	18	-	16/9/2013	5/11/2013		
		1	16	-	16/9/2013	21/10/2013		
		1	19	-	16/9/2013	5/12/2013		
		1	18	-	16/9/2013	4/11/2013		
1	17	-	16/9/2013	29/11/2013				

Contd

Answer to Question 795 of 2013

Bayside School 2012/2013			Westside School 2012/2013		
Age of Student	Date of Leaving	Reason for leaving	Age of student	Date of Leaving	Reason for leaving
15	March 2013	All left to seek Employment	16	July 2013	All left to seek Employment
15	July 2013		15	July 2013	
15	July 2013		15	April 2013	
16	July 2013		15	May 2013	
15	January 2013				
15	July 2013				
16	July 2013				
Total Number of Students = 7			Total Number of Students - 4		

Answer to Question 797 of 2013

Bayside School	2 students left and 2 students enrolled
Westside School	2 students left
Gibraltar College	4 students left

1540 **Mr Speaker:** It is a fairly lengthy, and detailed schedule. I would suggest that I give time to the hon. Member to study it carefully, and give him an opportunity to ask supplementaries.

But, in the meantime perhaps we could move on to the next Question 798, which is the Hon. Mr Netto, and then, Mr Edwin Reyes can come back as soon as he is ready.

1545 **Hon. E J Reyes:** Thank you, Mr Speaker, you have suggested that in the past, and I think it works quite well, so I am very grateful for your suggestion, which I take up wholeheartedly.

1550 **Health and Safety in schools
Audit reports**

Mr Speaker: The Hon. Mr Netto then, Question 798.

1555 **Hon. J J Netto:** Mr Speaker, further to the answer given to Question No. 702/2013, can the Minister for Education provide Parliament with copies of the Health and Safety audit report appertaining to the school, or schools, in which the works have now been completed?

1560 **Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the position remains as stated in my reply to Question 702/2013.

1565 **Hon. J J Netto:** Well, Mr Speaker, the answer that the hon. Member gave was that these were not going to be given in relation... because they were ongoing works. Now I have desegregated those works which are ongoing to the ones which he mentioned that are completed. So my question now is only whether the Health and Safety audit report can be provided to Parliament in relation to when the works have been finished, in those particular schools, or colleges, or wherever it has taken place?

1570 **Hon. G H Licudi:** Mr Speaker, my reference to being completed in the previous answer was in respect of specific recommendations which have either been completed, were in progress, or are scheduled, and then I said in my answer given that this is still work in progress. The Government does not propose to publish the reports at this stage – not the report, the reports, at this stage. That is still the position. This is still work in progress. So the matter will be further considered, when all the works are done.

1575 **Hon. J J Netto:** Mr Speaker, for the sake of clarity, can the Minister perhaps say whether some works, in some schools, have finished?

1580 **Hon. G H Licudi:** Of course, Mr Speaker, that is what I said in the last session a month ago.

Hon. J J Netto: So, if some works of some schools have finished, does the Minister have a problem with providing Parliament with a Health and Safety audit report, specifically done, for those particular schools?

1585 **Hon. G H Licudi:** Mr Speaker, the fact that some works in some schools may have been completed does not mean that there are not other matters which are in progress or scheduled to be undertaken. And therefore, once the whole programme is exhausted, then we will consider the matter further.

1590 **Hon. J J Netto:** Mr Speaker, well, that may mean is that until all such works are done, and if all such works are done, hypothetically speaking, say in eighteen months from now, then Parliament will never get the Health and Safety audit report.

1595 So can I ask the Minister for Education, in relation to the works which have been carried out already, in some schools, could at least those parts of the report, of the Health and Safety audit report, which deals only with those schools where the works have been completed, can it be desegregated from the main report, so that at least Parliament knows, in relation to those schools, what they said and we can follow it up, as Members of the Opposition?

1600 **Hon. G H Licudi:** No, Mr Speaker.

Hon. J J Netto: Why not, Mr Speaker?

Hon. G H Licudi: I have already explained why not. This is work in progress, and therefore the matter is still ongoing.

1605 **Hon. J J Netto:** But, Mr Speaker, I mean, this may be an excuse for the Government to say that, because it is work in progress, i.e. we will never give the Opposition what the Health and Safety audit report said, in relation to certain schools. Now, if they are the party that claims to be the party of transparency, they should acknowledge, within that particular statement, that there is an interest, both of the Opposition, of parents, and everyone who is involved in one way or another, with knowing what the Health and Safety audit report stated.

1610 What it cannot be, is an excuse for the Government to say because this is work in progress, and will therefore continue to be work in progress for the next 18 months, we will never give the Opposition that information. So will he not agree with me that that is contrary to the statement 'we are a transparent Government'?

1615 **Hon. G H Licudi:** Mr Speaker, I certainly do not agree with anything of what the hon. Member has said.

1620 Let us recall that this is an initiative that we took. During the 16 years that they were in Government: they did not do any Health and Safety audits or any Health and Safety reports in any of the schools. Therefore, this new found concern that the hon. Member suddenly has, about parents having issues with... Health and Safety issues, those concerns simply did not exist for 16 years. They have suddenly arisen.

1625 Well, at least this Government is doing something about it. At least this Government has commissioned somebody to do Health and Safety reports in all the schools, and at least we are making progress on all of the schools, on all of the reports, and once we complete the process, we will give further updates.

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

1630 **Hon. D A Feetham:** Mr Speaker, just so that I understand it – I do not profess to know as much as the hon. Gentleman, nor indeed my colleague, about this – but, are we talking about a Health and Safety audit report that is holistic, in other words that relates to all the works being undertaken, in relation to a particular school? Or are these individual reports relating to particular works that can effectively be segregated, as and when a particular job is complete?

1635 Because, of course, I can understand that, if it is a holistic report, dealing with all the works in a particular school, the point the Hon. Minister makes may have some validity in some force. If, of course, there are a series of reports in relation to particular works that have been completed, then I can understand why my hon. colleague obviously desires to see those reports, as and when the work is complete. Can he perhaps elaborate on that?

1640 **Hon. G H Licudi:** Mr Speaker, the position is as the hon. Member has described in the second part of his supplementary. There are general reports with a series of recommendations, and therefore it is not simply possible to extract little bits and pieces, and say 'This is the work that has been done, in respect of this particular part of the report.' So that is the position, and I note that, given that that is the position, he understands why the Government takes the position it takes.

1645 **Hon. D A Feetham:** I quite understand that. I think that you have been at cross purposes because if that had been explained from the beginning, perhaps the Hon. Mr Netto would have taken a different position.

1650 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, just to clarify, an audit report was made for each of the individual schools and institutions, and, if I remember correctly, by the end of last year about 75%, I think, of the audits had been completed of the schools. Now those audits, or those schools where the audit has been completed: is the Minister willing to give us a copy of the information? (*Interjection*)

1655 **Hon. G H Licudi:** Mr Speaker, all of the audits have been completed, and all of the audits were completed some time ago. There is a schedule of works. There is a programme, and that is what is ongoing, and those are the works in progress.

1660 **Hon. J J Netto:** Yes, Mr Speaker, but any Health and Safety audit report, whether it is done in schools, whether it is done in Government Departments, or any other particular site, done by any particular specialist, or consultant in this matter, will say, in School *x*, we, having done the audit, now are saying all these works need to be done, and they will go by school, systematically, one school by the

1665 other. What I am asking is, in relation to the works in schools that have been completed, can the hon. Member at least provide the Health and Safety Audit in relation to the works of those schools that have been completed?

1670 **Hon. G H Licudi:** Mr Speaker, the hon. Member asks the same questions three or four times. The answer has already been given.

1675 **Hon. D A Feetham:** But, Mr Speaker, what I do not understand – and you see, I have tried to be as reasonable as possible in understanding the Hon. Minister’s reticence to provide the information – and I could understand the answer that he gave to me, and it seems perfectly reasonable to me, the answer that he gave to me, but he has now said that actually all these reports have been completed. The audits have been done, they have been completed. (*Interjections*) That is what he has just said to me. The audits have been completed. (*Interjections*)

1680 **Hon. G H Licudi:** The question is about the work – not the audit. The audit has been done; the work is ongoing.

1685 **Hon. J J Netto:** The Minister also said that some works in some schools have been completed. What I am asking is in relation to the works which have been completed in some schools, at least in those areas which are now completed of the works. Can Parliament have the Health and Safety audit appertaining to those schools where works have completed?

1690 **Hon. G H Licudi:** Mr Speaker, I am not sure how many times one has to get up and hear the same question. (*Interjection*) Well, the answer has been given. It might not be an answer that the hon. Member wants, but the answer was even given last month to the same question. Last month, the hon. Member asked ‘In which schools have recommendations been carried out? Will the Hon. Minister provide Parliament with copies of the reports?’ The answer was given last month. The question is rephrased this month, but essentially the same question is being asked, and for four supplementaries, we have had the same question again, and the answer has been given in very, very, clear terms.

1695 **Hon. D A Feetham:** But, Mr Speaker, have reports been produced? Have audit reports been produced, or have they not, so that I understand it? Have there been reports produced? I am not asking about the... I understand what he is saying, about the recommendations not having been implemented yet, and the works being ongoing. But have the reports been produced? Because what he has said is that the actual audits have been complete. So that begs the question whether the reports have been produced. I would have thought that if the audit has been completed, the reports would have been produced. (*Interjection*)

1700 **Hon. G H Licudi:** Mr Speaker, I thought the position was obvious. The audits have been completed, and the reports in relation to those audits have clearly been produced.

1705 **Hon. D A Feetham:** Well, but, that being the position, and having really tried to be as generous to the Hon. Minister as possible, in relation to why his reticence for not providing... What conceivable reason can there be for failure to provide these reports? Why not produce these reports, or give the fact that the works are ongoing as a reason for it? Are these reports sensitive? What is the Government’s reticence in producing what are reports which are clearly in the public interest, clearly in the interest of parents, and clearly in the interest of the Opposition, to know about?

1710 **Mr Speaker:** Could I ask the Minister one question, in order to be clear in my mind, what it is that the hon. Members are talking about. The original question talks about a Health and Safety audit report, but hon. Members are talking about ‘reports’. Now, is it that there is a single global report, (*Interjection*) about all the schools taken together, or is it that there is a series of audit reports for each school? Which of the two?

1715 **Hon. G H Licudi:** There is a report for each school. And perhaps in answer to the hon. Member’s questions, I should repeat what I said in answer to the question last month: 16 educational establishments, 14 schools, one college and a nursery have had Health and Safety audits conducted, which I can also say now, that means the production of reports. Recommendations have been prioritised, according to their nature and urgency. These have so far either been completed, are in progress or are scheduled to be undertaken.

1725 Given that this is still work in progress, the Government does not propose to publish the reports at this stage. And what I have said today is that the position continues to be as that. This is still work in progress. There may have been more progress since last month, but this is still work in progress.

1730 **Hon. D A Feetham:** Yes, but what I do not understand is why the failure to provide the reports, or a summary of the reports. Simply by reference to the works having been carried out, you have the reports, they exist, he is asking about those reports. Now, why does the Hon. Minister link the reports with the work being carried out? It is just, really there ought not to be that link.

1735 **Hon. G H Licudi:** Well it is interesting to hear the hon. Member say, there ought not to be that link, because for 16 years, the Opposition previously was constantly told 'work in progress is work in progress, and the Government does not give further details' – the then Government does not give further details of work in progress.

1740 The position is that once the works that have been prioritised and are due to be completed, are completed, then the matter will be considered further, in respect of the provision of the reports. That is the Government's position. I note that it is not the position that the hon. Members want, or accept, but that is the Government's position.

1745 **Hon. D A Feetham:** Is the Government following the recommendations of these reports that they will not disclose, or is it the position that the Government has accepted some of the recommendations and disregarded others?

Hon. G H Licudi: What the Government has done is precisely what I said last time. Recommendations have been prioritised, according to their nature and urgency, and these have either been completed, are in progress, or are scheduled to be undertaken.

1750 **Hon. D A Feetham:** With respect to the Hon. Minister, that is not the question. You can prioritise recommendations, which means that you will implement ones quicker than the other. The question was, has the Government accepted all the recommendations, or has the Government decided to disregard some of the recommendations, in these reports?

1755 **Hon. G H Licudi:** Well, the position remains that this is still work in progress, and recommendations have been prioritised, according to their nature and urgency. And that is what is being done. That is the answer.

1760 **Hon. D A Feetham:** But, with respect, the Hon. the Minister is not answering the question, and it is a very simple question. I understand the Government is entitled to prioritise. Every Government does that. I understand that this is a work in progress, but surely the Minister, having a handle on this situation, because he is the Minister responsible, can enlighten this House on whether he, as Minister, has accepted all the recommendations (**Mr Speaker:** No.) or he has decided to (**Mr Speaker:** No.) ignore some of them.

1765 **Mr Speaker:** No, he does not have to answer that. It does not arise from the original question.

Hon. D A Feetham: But Mr Speaker, it arises –

1770 **Mr Speaker:** There is nothing in the original question –

Hon D A Feetham: Point of Order, Mr Speaker

1775 **Mr Speaker:** – or in the previous one, asking whether the Government had accepted all the recommendations in the reports.

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

1780 Mr Speaker, the Rules do not provide that it just simply has to arise from the original question. If the Minister has answered the question –

Mr Speaker: The Rules –

Hon. D A Feetham: If I may be allowed to finish –

1785 **Mr Speaker:** Yes, I will let you finish the Point of Order.

Hon. D A Feetham: Thank you very much.

1790 If the Minister has answered a question in a particular way, and has provided information in the answer, surely the Opposition, in accordance with the Rules, can ask a supplementary on the information that the Minister has provided. It cannot be the position that the Opposition has to then say, 'Ah, he has answered in this particular way, but I am not entitled to ask a supplementary on the information provided, because, somehow, it is not exactly squarely within the original question.' I do not believe that that is right.

1795 **Mr Speaker:** I think that the hon. Member is definitely wrong. I have no doubt, in my mind, that the Rules do provide for supplementaries to be asked arising from the subject of the original question. Now, there is a fine distinction here, in that the Minister has talked about prioritising the recommendations. That does not mean that in prioritising, they are accepting everything, or they are not accepting. (*Hon D A Feetham: And that is the Question.*) He has told you, the Hon. Minister has explained, that in considering the report, there is an element of prioritising. That is fair enough. That arises from the original question. 1800 But whether all the recommendations have been accepted or not is the subject of a separate question.

Hon. D J Bossino: I am grateful, Mr Speaker, there is, this question does arise, but...

1805 **Mr Speaker:** And, and...

Hon. D J Bossino: Yes.

Mr Speaker: In any case, may I say, I invite the hon. Member next month to ask the question, to put it down on the agenda. 1810

Hon. D J Bossino: Mr Speaker, this question does arise from the original question, as set out in the Order Paper. The Opposition's position is, that it would like disclosure of the reports. That is our position. The Government's position is that it will not disclose that, pending the completion of the works. The works are in progress, so presumably the logical conclusion of that is that when the works are completed, 1815 you will be providing disclosure of the reports.

What we are saying now, accepting the Government's position, in the question, Question 798/2013 is that, in respect of those schools, there are schools in respect of which the works have indeed been completed, in respect of those schools where the works have been completed, is the Hon. Minister willing to disclose the reports in respect of those particular schools, rather than wait for all the works in relation to all the schools to be completed? 1820

This is the point, the discrete issue which I think may have been missed in the exchange.

Mr Speaker: I have allowed the hon. Member to make this supplementary, but I think the Hon. Mr Netto has already made the same supplementary four or five times, and he has received the same answer. 1825 But, I will invite the Minister to answer Mr Bossino's question.

Hon. G H Licudi: The position is as already stated. (*Interjections*)

1830

**Students leaving full-time education
Supplementary questions**

1835 **Clerk:** Question 794, the Hon. E J Reyes.

Mr Speaker: Now, the Hon. Mr Reyes has probably had more time than what he thought he was going to have (*Laughter*) to study the schedules. I invite him to ask any supplementaries that he may have.

1840 **A Member:** How pathetic.

Hon. E J Reyes: Thank you, Mr Speaker. Yes, and thank you for the extra time on that one.

Perhaps, the Minister might be able to shed a little bit of light on small doubts I have. In respect of the schedule, on the first page, that is a reply directly to Questions 794 and 796. The first student referred to, in Westside School, it says the age is 15, the school year is Year 9, and the date of termination is 1st September 2013. Normally, a student attains their 14th birthday in Year 9. This student in Year 9 would have actually reached her 16th birthday in Year 9. It could be a typographical error, or it could be that for 1845

a particular reason, I know that sometimes a student is held back for a year. The Minister might have the information to hand, which is why I ask now.

1850

If not, we can enter into another exchange and not waste Mr Speaker's time now. But does he have a particular note, perhaps, to shed why this student who would have attained their 16th birthday, was still in Year 9 because she seems to have... or it says here she left to seek employment.

1855

Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Yes, Mr Speaker, I asked exactly the same question, because it did catch my eye that there was a student in Year 9, and I was assured that this student left on reaching 15 years of age. What I do not know is whether there was a repeat year, or anything like that, but I was assured that the information given was correct.

1860

Hon. E J Reyes: That is fine, that is acceptable, Mr Speaker.

1865

My fault in respect of Question No. 797, I did not think I would need it, so I did not ask, the particular reasons for leaving, the students who were enrolled for post-GCSE education. One normally takes it that that is because they have had some sort of job offer. But the Minister could well have a little note there, in respect of... I see Bayside School had two students who left, which is the same as Westside, but two students enrolled, yet in the Gibraltar College four students left. Could it be, perhaps, by chance that of the four students who left the college, two happen to be the ones that enrolled in Bayside, so therefore, the overall population figures alter; or was it that two new students enrolled, because, perhaps, they came to settle into Gibraltar, and go into post-GCSE, non-compulsory education? It does have an influence in the final grand total of figures.

1870

The Minister may happen to have a note. If not, I am sure he will probably invite me to write, and I can happily do so, but it may save us both time, if the Director of Education has simply provided him some sort of little footnote.

1875

Hon. G H Licudi: Mr Speaker, I do not believe so. I do not believe that that is the position, because I did ask, and what the question asks is about changes, in particular with respect to students in Year 12, and what the information has been given is changes in the particular schools. I believe, I would have been told that if some of these changes overlapped, in that one person left one school to go to another, I believe I would have been told that because this question was discussed. So the answer, honestly, is that I believe the position is that these are children who have simply left schooling, and two new ones have arrived. That is my understanding.

1880

Hon. E J Reyes: I am grateful Mr Speaker, for the time you gave me, and the Minister has been as helpful as obviously he can from the notes provided by his Director.

1885

ENTERPRISE, TRAINING, EMPLOYMENT AND HEALTH & SAFETY

Labour Inspectorate and Future Job Strategy Current details

1890

Clerk: Question 799, the Hon. D J Bossino.

1895

Hon. D J Bossino: Can the Minister for Employment provide details, to include the number of individuals, their grades, and how many of them are FJS trainees, currently forming part of the Labour Inspectorate?

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

1900

Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano): Mr Speaker, I will answer this question with Questions 800, 801, 802 and 803.

Clerk: Question 800.

1905

Hon. D J Bossino: Can the Minister for Employment provide details as to how the placements of so-called trainees of the FJS are being monitored?

Clerk: Question 801.

1910 **Hon. D J Bossino:** Can the Minister for Employment provide details of the companies currently involved in providing employment to the FJS trainees, to include the names of the companies, directors and shareholders?

Clerk: Question 802.

1915 **Hon. D J Bossino:** Can the Minister for Employment advise this House how the training which he claims graduates in the FJS are receiving are designed to produce jobs for them?

Clerk: Question 803.

1920 **Hon. D J Bossino:** Further to Question W152/2013, can the Minister for Employment provide current details of the individuals employed under the Future Job Strategy broken down into each of the FJS companies they are employed by with the duration of their contracts?

1925 **Clerk:** Answer, the Hon. the Minister for Enterprise, Training, Employment and Health & Safety.

Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano): Mr Speaker, the eight individuals forming the Labour Inspectorate are one HEO, one EO and six graduates.

1930 The role of monitors was discontinued in January 2012, when the £400-a-month so-called vocational training was replaced by employment contracts in the training companies.

There are currently 78 placement providers. They are being contacted to establish if they wish information about their company to be published.

The graduates who are not engaged in research are fulfilling administrative tasks and gaining managerial experience, which will benefit them in their CVs when applying for vacancies in the public or the private sector.

1935 Further to Written Question 152/2013 the details of the individuals employed by the training companies are as follows: CTCL had 64 individuals in the public sector, 63 under 25, all male. The duration of their contracts is up to 11 months.

It had 76 in the private sector, 52 under 25, 24 over 25, all male. The duration of their contracts is as follows: up to three months, 16; up to 11 months, 60.

1940 ETCL had 106 individuals in the public sector: 48 male and 58 female; 77 under the age of 25, 29 over. The duration of their contracts is as follows: up to three months, two; up to six months, 36; up to 11 months, 68.

1945 It had 86 individuals in the private sector: 41 male, 45 female; 46 under 25, and 40 over. The duration of their contracts is as follows: up to three months, 51; up to six months, one; and up to 11 months, 34.

Hon. D J Bossino: Yes, Mr Speaker, there is a lot of information there, and quite a few questions I would like to go through.

1950 In relation to the first one, which related to the Labour Inspectorate, that is something which seriously concerns me. As I understand, Mr Speaker, the Labour Inspectorate, pretty much up to the point that we were in Government, was comprised of all civil servants of a certain grade, and certainly with a lot of experience. I think other than perhaps one individual, they have all gone. I think one retired, and the others have gone to different Departments. This is obviously a very important part of the service which the hon. Member's Department provides.

1955 Now, can he tell me, firstly, whether the HEO is making moves to transfer? I am not sure whether this may be a new HEO, but I have heard that the HEO who had been there previously, up until very recently, has transferred to a different Department. Can he confirm whether there has been any movement in relation to that particular post? Maybe that is the best way I can formulate the question.

1960 **Hon. J J Bossano:** The answer is no.

Hon. D J Bossino: You do not know or are not answering?

Hon. J J Bossano: No, no – yes, I am answering and I am saying no, there has been no change.

1965 **Hon. D J Bossino:** So, it is the same HEO. Now, Mr Speaker, are the six graduates, trainees, which he refers to in answer to his question, the same six who were gazetted as being Labour Inspectors, as set out in the relevant Government Notice, I think it is 118/2013? Maybe he can confirm that? And I am assuming that that is the case, because he is nodding.

1970 Can he tell me whether, because I recall in his answer, Mr Speaker, that the reason why they had been appointed as Labour Inspectors... and he will recall the exchange that we had – I was concerned that,

again, because of issues of experience, issues of knowledge, and those types of considerations, that graduates should be carrying out the job of Labour Inspectors, a job which is actually, in effect, set out in the relevant provisions of the Employment Act, where they do have extensive powers.

1975 But he said, look in effect, ‘What they are doing is, you know, putting calls through to employers to get some information – that is the only reason why I have appointed them as Labour Inspectors.’ Can he confirm that, or can he advise this House as to how long he expects that these six graduate trainees will be holding that position, and whether the role that they are carrying out has now expanded to what he told me was their role, in answer to the question, I think, two sittings ago?

1980 **Hon. J J Bossano:** Well, I am not sure what the hon. Member thinks the role is, but the primary role of the Labour Inspector is to ensure that employers are complying with the requirements of the law, and that is what the inspection is involved.

1985 And normally, that arises either out of routine inspections, or as a result of somebody claiming that they are not getting something that they are entitled to – which, usually, is put right by a telephone call. The additional work that is being done, which I explained to the hon. Member, and it is certainly not over, and it will not be over, I think, in a short period of time.

1990 Because the reality of it is that the first exercise that the six graduates were involved with, was in an attempt to produce more accurate information, Mr Speaker, was contacting all the people that were registered with employees. I have explained on a number of occasions that anybody on the other side who has been in that Department knows that this is the case, that there is, notwithstanding the fact that the time limits laid in the law for people to keep the record of their employees up to date, is quite short. It does not happen. I can tell the hon. Member, only two days ago, we had a termination of an employee from 99 being registered this week.

1995 So the whole idea is that the accuracy of the information that we have got in the Employment Service... Well, there is a big discrepancy between the Employment Service figures and the figures that we get. I told him the last time, I believe, that historically, my experience has been, that when you try and get information as to the size of the labour force in Gibraltar, there are four sources of information – the Social Insurance, the PAYE, the employment record, and the Employment Survey – and none of the four come up with the same figure. So we have got four different figures and we have got no reason to be
2000 confident that any of the four is more accurate than any other one, or that the true figure may in fact be something different from all four.

2005 We have been attempting, with some success but there is still some way to go, to produce accuracy in a figure, so that some of these very large discrepancies are removed. That has meant that in approaching employers, the employers have, in more than one case, said, ‘Well, why should I give you the information that you want?’ The Labour Inspector, the six graduates that are doing this work as Labour Inspectors, can require employers to provide information as to the number of employees that they have, and then the Employment Service updates the records, which is something they should be doing. Employers can be fined, very draconian fines were introduced, but in fact, they have never been implemented, and they have never been imposed on anybody.

2010 As I have told the House previously, the Government itself – that is to say, Government Authorities, Agencies and companies – were no better at complying with the requirements of the law than the private sector was. So it could hardly be defended, I think, morally, that one should take private sector employers to court, or impose penalties on them, unless we put our house in order first. That exercise is still going on. It is a massive exercise. We are talking about going through 22,000 or 23,000 names, which is what
2015 the record of employees shows, and, in addition to that, of course, whenever we get an indication that those figures do not tally, it means that what we are now doing is sending two of the six on visits, because we had something like 250 employers that we could not contact on the phone, and we do not know whether they are still here or they have disappeared, but they are being now tracked down. The employment records cannot be altered until we get in touch with the people concerned and find out how
2020 many people they are really employing.

So that is, today, still a very important part of the function of the Labour Inspectors, because when that is in, everything has been checked and is in order, then we will make it absolutely clear that from that point on, people will be expected to comply with the requirements of the law, and there will be penalties if they do not. But, we are not there yet.

2025 The other element is where somebody needs advice or has a complaint, on the basis that they do not think that they have been paid what they have been entitled to. In the main, the information that I have, is that those things are cleared up fairly quickly over the phone, and that quite often it is a case of ignorance, rather than bad intentions.

2030 Of course, there are many occasions when, for example, people in the construction industry, maybe with a contract that says that they are on the construction industry rate of pay, and they are not getting paid those, and the position is, as used to be the case before, that strictly speaking the Labour Inspector can only require the minimum wage to be paid, which is the only legally binding thing, the terms of the

2035 CATA contracts are the terms of engagement between an employer and an employee, and as was the case before, when I used to ask the same question from the other side, the answer appears to be – and that is still the legal advice that we are getting – that if somebody has a rate of pay on a contract, and that contract is not being honoured by the employer, then it is the individual and the employer that have got a dispute between them, but that the Department cannot require that amount of money to be paid, because it is not legally binding, in the sense that it is not what the law provides. The law provides a minimum wage of £6 an hour.

2040 And I can tell the Member, of course, that as far as the Department is concerned, the policy is very clear. If a contract comes in with less than £6, it does not get registered. So, if people are being paid, for example, less than the minimum wage, it is usually because the labour is illegal – because if it was legal and registered, the contract would have been sent back.

2045 So, the work of the Department involves these two aspects, and the policy is that, in fact, there will be more people appointed as Inspectors, not exclusively doing that and doing nothing else, but the people in the Department, some of whom have been there for quite a lot of years and are very familiar with the limited range of things which Inspectors are able to enforce, will be appointed as Inspectors, in addition to the team we have got now.

2050 **Hon. D J Bossino:** Mr Speaker, instinctively, I have a huge problem, quite frankly, that there should be six trainees, in effect, carrying out and discharging statutory duties. I have made that point to him, in the past, and I made it a few moments ago. He was quite blasé about the role and the duties of a Labour Inspector. But, in fact, they are very clearly set out in section 17 of the Employment Act. The powers which are available to a Labour Inspector are very extensive. They can carry out investigations, they can enter premises, they can require production and disclosure of books, registers, and all that type of thing. Those are the powers which, as a result of the actions which the hon. Member has taken, he has given to six named trainees – and their names in the *Gazette*, that is instinctively something which I find disturbing, if I can tell him that now.

2060 He mentioned at the end, Mr Speaker, that there is the intention, and I welcome that, to employ more people into the Labour Inspectorate. Now, is the intention...? At the moment we have I think it is eight, a complement of eight – one HEO, one EO and the six graduate employees – is the intention to fill the civil servant posts which have been left vacant, as a result of the individuals who I mentioned earlier who have left to different Departments? Is that the Government's intention?

2065 But is it also the intention to have these gentlemen, or ladies, above the six graduate trainees who are currently working in that Department? Can he explain that to me?

Hon. J J Bossano: Well, can I, just for the avoidance of doubt, make clear that the degree of disturbances he is experiencing will not influence my policy, because I am not disturbed in the least.

2070 **Hon. D J Bossino:** I know you are not.

Hon. J J Bossano: And, in fact, I was very disturbed, when I found the state the Department was in, where people, dead and buried, were still being registered in our statistics as being at work. I do not know how you would impose on employers a requirement to comply with the law for the people who were in North Front, (*Laughter*) but that now is something that is in the past, fortunately.

2075 I think the hon. Member seems to use the word 'trainee', as if in fact an unemployed graduate that is being given this work was somehow less competent to do it than anybody else. (*Interjection*)

2080 I have explained on more than one occasion, and in great detail, that effectively what they are doing is making sure that we are equipped for Labour Inspectors to be able to do all their duties and all the responsibilities that they have, which at the moment they cannot do, because we have not got a clue what the real position is, and given that we have got this discrepancy between reality and statistics, it does not seem to me right that we should say to people who, for years, have been permitted to live in this state of free-for-all, that the law was changed, a big hullabaloo was created by introducing fixed penalties, where people would be fined by Labour Inspectors for not having notified the Department within seven days that somebody had ceased working.

2085 Well, if, this is, Mr Speaker, the hon. Member wants to be disturbed about something, let him just put himself in the position that existed before 2011. Here was a law, brought by the Government as taking a very tough line, to make sure that employers complied with their duty under the legislation. There were people being told, that if they did not, within the seven days, notify the Department that somebody was no longer working there, an Inspector would be sent and if he went to the premises and the guy that was supposed to be working was not there, had left, and they had not bothered to tell us, then they could immediately have a fixed penalty imposed on them. But it never happened. The law was there, so you legislate, and now you create all these offences and all these new illegalities, and people are then happily

2095 permitted to carry on doing it. It is very difficult now to get people to comply with the law, when for years nobody has attempted to require the law to be observed.

I find it odd that the hon. Member should be so disturbed because there are now six people investigating the situation, and so undisturbed about the fact that it was 15 years of a cowboy situation, where if you were a conscientious guy, which was a small minority, you actually did what the law says, but the vast majority did not do it. And I keep on telling him that the Government Departments themselves were not doing it. So, it is a vastly improved situation from the point of view of observing the law.

2100 The six people that are there are going to continue doing what they are doing, which is that in order to assist them in the research to get accurate information... If, I have given, for example, the hon. Member, previously, an explanation of what we want to do in terms of training, and how applying logic to the situation, we say to ourselves, 'Well look, we need to find out first what is the demographic structure of the workforce in a particular industry and in a particular trade, but the figure is not reliable,' can he not see how important it is to get reliable figures?

2105 If I go by the statistics in the Employment Department, and there are 2,000 construction workers, and of those construction workers, we have got 50 carpenters, and the 50 carpenters have gone into the records we have got, ranged between the age of 40 and the age of 60, and I start planning to produce trained people, in the expectation that there will be a need for succession of people retiring, so that we do not rely on having to import. But if the statistics on which all that exercise has been done are not sufficiently reliable for us to be confident, so we are making an assumption that it is perhaps 70% accurate, or 60% accurate, well surely, he can see the value of what is being done. I have told him that the six are engaged in doing this, and that the only reason why it was necessary to give them the power was to make sure that if people refused to give them their payroll details, or the list of workers that they have got, so that they could be compared with the records, they would be able to require that information to be provided.

2110 Look, the fact that Labour Inspectors can do lots of other things does not mean that people then go out and start doing all the things the law allows them to do. So, they are doing what is required. The additional officers that will be appointed will be from the existing people in the Department, and it will be on top of the figures that I have given.

2120 **Hon. D J Bossino:** Mr Speaker, the hon. Member completely misses the point of my question. He completely misses the point of my question. My question was not to do with, as he puts it, the 'free-for-all', that there were dead people in North Front and all the rest of it. That is not the point. The point is the people who are discharging the duties, that is the point. And, with respect to the hon. Member, he has not answered my question, and the question – (*Interjection*)

2125 **Mr Speaker:** Well, if he has not answered the question, if he has not answered the question (*Laughter*) he has been at it for 20 minutes, (*Laughter*) so if a question is not answered by a Minister who holds the floor for 20 minutes, I do not know when it is going to be answered. (*Laughter*) (**Hon. D J Bossino:** Mr Speaker –)

2130 But I should give notice that we are going to move on, because we are not going to be dealing with the Labour Inspectorate all morning, right? There are other questions which have all been answered together, and I will ask the hon. Member to move on to those as well.

2140 **Hon. D J Bossino:** Mr Speaker, that is a criticism, I take it and I know there are various Government Ministers laughing about the intervention that the Speaker has just made – but actually that is a criticism of the Hon. Minister, not of me! It is the Hon. Minister who was rambling, and taking ages to answer a question. (**Several Members:** Hear, hear.) (*Banging on desks*) It is not the question that I am posing, Mr Speaker.

2145 **Mr Speaker:** The hon. Member asked the Minister for Employment what was the role – what was the role of the Inspectorate. Did he not ask that question? (**Hon. D J Bossino:** Mr Speaker –) Did he, or did he not ask about the role of the Inspectorate? Yes.

2150 **Hon. D J Bossino:** Yes, but that is not the point. I may have asked that question, I may have asked three or four questions, Mr Speaker –

Mr Speaker: You did ask the question! No, no, hang on, (*Interjection*) because I am not gaga, you know! (*Laughter*) Far from it!

2155 The hon. Member asked, in a supplementary, what is the role of the Labour Inspectorate, and the Hon. Mr Bossano has spent 15 minutes explaining that. (*Interjection*) Right, right, right.

Hon. D J Bossino: Mr Speaker, I have immense respect for the Speaker. He knows that, I have immense respect for him personally, and never, ever, *ever* would I have thought that he is gaga. Indeed, I have immense respect for the Hon. the Minister for Employment as well, so that is not the point.

2160 The point is the length... Mr Speaker, alights on one issue, and that is the length of the answer, that is the only point I am making, that has got nothing to do with me. I asked the questions, I cannot determine how long the Hon. Minister opposite is going to take to answer the questions. So, if this is lengthy, it is as a result of the hon. Member's intervention, and not mine.

I am not criticising the length of the answer. This is you, Mr Speaker, who is making that criticism.

2165 The point-specific discrete issue which I asked him in the question, Mr Speaker, is whether he intends to replenish the Labour Inspectorate with civil service posts, and if so – (*Interjection*) the point has not been answered, with respect – and Mr Speaker, and if so, how many?

Hon. J J Bossano: Well, Mr Speaker, clearly the hon. Member – (*Interjection*)

2170 **Mr Speaker:** Could I also enjoin the hon. Member who has been here since 1972, the principle that not only should questions be short, sharp and to the point, but as far as possible, so should the answers.

Hon. D J Bossino: Exactly.

2175 **Several Members:** Hear, hear. (*Banging on desks*)

Hon. J J Bossano: Well, Mr Speaker, I am criticised if I am short, sharp and to the point, and I say yes or no, and I am criticised if I provide a lot of information, so it is a no-win situation. (*Laughter*)

2180 I have to say to the hon. Member that maybe because I gave him more information than he wants to have, clearly he missed the fact that I also gave him the information that he was asking. I finished my answer to him by telling him that there would be additional officers, that they would be from the existing people, who have been in the Department, and that they would be in addition and not in substitution of the six. I have already told him that, and that is the answer that he says that I have not given, and I have given it. (*Interjection*) The record will show that I am saying the same thing twice.

2185 **Hon. D J Bossino:** Yes, I heard that answer. I think, I may have lost the... Maybe I am getting gaga, Mr Speaker. I have a recollection of the... My supplementary was in answer to the point he has just made. And I think the supplementary was, how many positions is he intending to make available? That is the question, in respect of which I do not think I have had an answer, with respect.

2190 **Hon. J J Bossano:** Well, I have not got a maximum or a minimum. That is to say, we will make other officers of the Department that have been there a long time and are experienced, which seems to be the thing that is causing him to lose sleep, in addition to the complement we have got now. Maybe another four or five.

2195 **Hon. D A Feetham:** Yes, Mr Speaker, I can certainly say that I sleep like a baby – I have to say, it is one of the positives in my life. (*Interjections*) But Mr Speaker, can the Hon. Minister tell me whether, before somebody or after somebody takes on the position of Labour Inspector, that person is required to undertake any training that is specific to being a Labour Inspector?

2200 **Hon. J J Bossano:** To my knowledge that has never happened, ever.

2205 **Hon. D A Feetham:** So, as I understand it, therefore, when these trainees become Labour Inspectors, they do not receive any kind of training that would help them become Labour Inspectors either. Because, they are, effectively, acting as Labour Inspectors. They are not being trained to act as Labour Inspectors.

2210 **Hon. J J Bossano:** Mr Speaker, just because his colleague to his left decides to call them trainees, that does not mean that they are trainees. They are not being trained as Labour Inspectors. They are not trained Labour Inspectors. I have explained on numerous occasions today, and in previous meetings, already. It is therefore for the record in Hansard that these graduates are doing research into the labour market, in order to eliminate the inaccuracies in the records of the Department available to the Parliament.

2215 I would have thought that the Members opposite, who are so keen to be given information, would welcome the fact that in future that information will be more accurate. I would have welcomed it when I was there. But in fact nothing was done in 15 years to improve the accuracy. The only thing that was done was to legislate to make the private sector behave, but in fact, the legislation never worked, because it was never actually put into effect. Nobody was ever fined by anybody for failing to put in a termination after seven days, or within seven days, and if that is not done, how can the Labour Inspectorate be in a

2220 position to ensure that the law is being implemented, as required, and impose fixed penalties, which the law allows them to do, when none of the data on record is accurate, and when I have already told him that there are 250 employers recorded in the Employment Service with employees who may not be there?

2225 I find it extraordinary that the hon. Member seems totally unconcerned about that. He is only concerned that the graduates are graduates, and not post graduates, or doctors, or some other higher qualification, and that somehow puts the system at risk. What puts the system at risk was the shambles that was there, which I have not yet been able, regrettably, to put right, even after two years.

Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa): Oh, but you will.

2230 **Hon. J J Bossano:** But I will, yes of course. (*Interjections*)

Hon. D A Feetham: Mr Speaker, I only have to rise for the hon. Gentleman to apparently get angry. I only have to ask a question (**Hon. D J Bossino:** Yes, yes!) and he gets angry!

2235 **Hon. D J Bossino:** Do not get angry.

Hon. D A Feetham: Look, I am not –

2240 **Mr Speaker:** He was not referring to the Hon. the Leader of the Opposition; he was referring to his hon. colleague – (*Interjections*)

Hon. D A Feetham: He was referring to me and the question I have asked! (*Interjections*)

Mr Speaker: He was referring to the hon. colleague.

2245 **Hon. N F Costa:** Mr Speaker, perhaps, if I may throw some sharp focus into this debate. The – (*Interjections*)

Hon. D A Feetham: Do you want me to give way?

2250 **Mr Speaker:** No, no, the Hon. Leader of the Opposition has the floor.

2255 **Hon. D A Feetham:** Well, Mr Speaker, if he was referring to the hon. Gentleman, not me, I apologise. I thought that he was getting angry at my question and my lack of concern. But, I can assure him, there is no lack of concern here, I am just trying to get to grips with, what the role of these individuals are, because, of course, if all that they are doing, they may have been appointed as Labour Inspectors, but if all they are doing is research work, they are effectively not doing the work of a Labour Inspector. Is it the Government's policy to just keep these trainees – I hope he does not mind my using the term 'trainee' – using these trainees, doing research rather than going and doing, for example, field work, which is also part of a Labour Inspector's role? (*Interjections*)

2260 **Hon. J J Bossano:** It is easier to get exasperated than angry. I have already given the answer. I have given the answer to the hon. Member's question already, today as well as previously. I have said – (*Interjections*)

2265 **Mr Speaker:** And therefore because you have, I am really bringing matters to an end on the Labour Inspectorate. Because the Hon. Minister is answering the same question again and again and again. (*Interjections*) I know that he has answered and *Hansard* will prove the fact that that question has been answered. Maybe, because he was holding the floor for 15 minutes, maybe the attention of Members of the Opposition wandered, and they missed the point, but he definitely (*Interjections*) he definitely did answer – he answered that (*Interjections*) and in his answer was he not dealing with policy? (*Interjections*) The Hon. Minister was dealing with policy in the answer. (*Interjections*)

2270 **Hon. N F Costa:** Let's not go over it again, we all know about it – we listened to it.

2275 **Hon. J J Bossano:** Mr Speaker, let me see if I can reduce it to words of one syllable and maybe then the message will get through.

There are six people who are graduates, who are employed in conducting the research that is required to have accurate records. Since I informed the Members of the House of this, and repeatedly today, I have told them that that is the function they have, and in order to be able to get the information that is required

2280 to remove the inaccuracies, they have to have the power that says to the employer, 'You cannot refuse to give me this information, because...' –

Hon. D A Feetham: I understand all that –

2285 **Hon. J J Bossano:** That is the only thing they are doing, so what is it that he does not understand?

2290 **Hon. D A Feetham:** So therefore the policy of the Government is not to allow them to do any field work, which is also the function of a Labour Inspector? That was the question, that they are not going to be doing... The policy of the Government is not to allow them to do any field work – that is it, that is the question.

2295 **Hon. J J Bossano:** Mr Speaker, is it then the case that what he calls field work is leaving the office and looking for the – ? (**Hon. D A Feetham:** Yes.) Yes, well clearly then the answer to that is that I have already told him that as well. I have already told him there are 250 employers recorded with the Employment Service that were not contactable by telephone, and now two of the six are trying to establish whether those employers and their employees still exist or not. And they are doing it in order to be able to conduct and complete the research on the accuracy of the records.

2300 I do not understand why they have great difficulty in understanding what is self-evident, because it has been explained *ad nauseam* so many times. If they still do not understand it, I am happy, to stand up here and tell them a hundred times, if it is necessary. But it is a very simple thing. There are 250 people that were not contactable. We want to know whether they are still here, and if they are not here, we want to be able to say to Members opposite, when they ask a question, how many construction companies are there, to have a figure that is more accurate than what I have got now, because now I do not know whether the people have had their telephones cut off or they just do not exist. I suspect a lot of them have stopped being in existence for many years. (*Interjections*)

2305 **Mr Speaker:** The Hon. Mr Bossino asked other questions: does he have any supplementaries on those?

2310 **Hon. D J Bossino:** Oh, yes, Mr Speaker.

Mr Speaker: Oh, yes, right let us get on with it please, because we must make progress. We are not going to be here all day, dealing with the same subject.

2315 **Hon. D J Bossino:** I do not think any of us... Anyway, Mr Speaker... Let's see.

In relation to the monitoring of the FJS trainees, is the hon. Member telling this House, if I have understood his answer correctly, that there is no monitoring whatsoever? Is that the position? Because, he mentioned –

2320 **Mr Speaker:** The hon. Member may not have the answer in front of him, but I do, right, and I am not allowing the same question to be asked. He was told: the role of monitors was discontinued in January 2012. So it has been discontinued. Is that clear? Does he understand that?
Now, let's get on to something else.

2325 **Hon. D J Bossino:** Mr Speaker, that was a clarification. The Speaker is correct that I do not have the answer to the question set out as –

Mr Speaker: There you are. Now you have got the answer to the question. Let's see if we can make –

2330 **Hon. D J Bossino:** Mr Speaker, shall I go to the corner? (**Several Members:** Ooh!) (*Laughter*)

Mr Speaker: The second part – there you are... [*Inaudible*]

2335 **Hon. D J Bossino:** Mr Speaker, if I can just finish – (*Interjection by Mr Speaker*) Mr Speaker, if I can just finish the point, I do not have the written answer in front of me. The Speaker does, I do not have it, that is why I requested clarification. The hon. Member has chosen, as he normally does, Mr Speaker, to bunch up five questions together. (*Interjections*) Five questions together, which is what he normally does. So that is the only point I was saying. I am grateful to the Speaker for the clarification.

2340 Now, Mr Speaker, how is it possible for the Government, for his Department, to monitor how the trainees are doing in their training?

2345 **Hon. J J Bossano:** Mr Speaker, the previous system that had monitors, had monitors because people were not placed with somebody that guaranteed them a job. And therefore, the performance of the person, in learning the job, is guaranteed by the fact that there is a job at the end of the day, and if the person is not performing as he should, then the employer has to decide that in the first month. There is no need for the monitoring role that existed before. Because they are no longer students, they are now employees of a company that provides that employee, as a trainee, for an agreed period of time...

2350 And I have already given him the statistics, of the percentage that get employment, and therefore, there is no other requirement, other than the employers have a form to fill up, on a monthly basis, telling us how the people are doing. But, at the end of the day, the commitment is inescapable – either they employ or they pay.

2355 **Hon. D J Bossino:** Mr Speaker, how does he ensure – ? He knows that I made the point in his reply to me on *GBC* in an interview. How does he ensure, for example, that trainees actually attend on their placements?

2360 **Hon. J J Bossano:** Mr Speaker, the employers are required to make a return which shows if the person is absent, if the person is sick, or if the person is on leave. If the person is absent, I do not know what experience the hon. Member has of employment, but I can tell him that no employer would tolerate somebody being absent, in the knowledge that they would have to take him on and pay him at the end of the three months, or whatever. So the reality of it is that the system that exists is one which I am satisfied is producing the results that it is designed to produce, which is that the people are being trained for jobs that exist, and are getting the jobs at the end of their training.

2365 **Hon. D A Feetham:** But, Mr Speaker, really, herein lies, I think, the difference between the Government and Opposition in relation to this – one of the distinctions, one of the fundamental differences.

2370 Am I right in saying, really, that what the hon. Gentleman is saying is this: we are really not concerned about the quality of the training that somebody receives, because, quite frankly, somebody cannot receive proper training in one month. What we are really concerned about (*Interjection*) is making sure that those people are employed by an employer. It is statistically driven, in other words, to reduce unemployment in Gibraltar, or get people into employment, not necessarily training driven – am I right?

2375 **Hon. J J Bossano:** No, Mr Speaker, the hon. Member is wrong, because, he knows very well the statistics of the results of the training that was existing before, where it existed – that is to say, there are now many carers in the Care Agency, as a result of training being provided which did not exist before 2011. (**Several Members:** Hear, hear.) (*Banging on desks*) And I have told them that we have now got an intake of people who are doing City and Guilds in the work trades, where clearly the training is linked to obtaining qualifications. We have been providing training for people to be qualified as bus drivers, which will mean that we will not have to bring bus drivers from outside, like we have been doing for the last 15 years.

But, of course, everything that we are doing is in order to get people into employment. That is what Employment Ministers are supposed to do. That is what they get paid for.

2385 **Hon. D A Feetham:** Yes, Mr Speaker, you see, even under the previous administration, there were different layers, different bows, so to speak, different strings to the bow, in terms of training. One had VTS on the one hand, one had the Construction and Training Centre, there were other training schemes in place. But this one-month training relates to what used to be, effectively, the VTS on-the-job training. Now, I am asking the Minister, what on earth can an individual, one of our young people, learn in one month? One cannot describe this as a training scheme. One can describe it as an attempt to get people in employment – I accept that – but it cannot possibly be described as a training scheme, because it is not possible to learn something worthwhile in one month. Is that not the case?

2395 **Hon. J J Bossano:** Mr Speaker, clearly the problem with the hon. Member is that he does not listen to what I tell him, and then he jumps to the wrong conclusions – (*Interjection*) Well, all I can tell the hon. Member, I have said to him, the one-month probation is the period that the employer has, to decide whether the person is going to be suitable or not –

2400 **Hon. D A Feetham:** Yes, to take them on.

Hon. J J Bossano: No, they do not take them on at the end of the one month. I have already told him, that they take them on at the end of the training, which is longer than the one month, and if they take them

on after the one month, that is fine, but if in the second month, or the third month, they say no, then they have to pay back the money.

2405 Did he miss all that? Was it his hearing or his unwillingness to accept the reality of the situation? Which is that what is happening now is two or three times as successful as what was happening before, in terms of getting employment, which he has repeatedly told us they would welcome. They want us to be successful. They want more people to be employed. Well, why is it that, for somebody who wants something to succeed, I have never seen anybody try so hard to make it fail?

2410 **Hon. D A Feetham:** What is the average period of training, in relation to this? I am talking about the replacement for the VTS. Originally, we started off last year with an 11-month contract, and I can understand that, in 11 months, you could say that somebody is obtaining some training. I think that 11 months is too short a period, in any event, but certainly I can see that in certain areas, 11 months could be sufficient.

2415 Then it was reduced by the Government to six months, then it was reduced to three months. Now it is one month. It is all very well for the Hon. Minister to stand up, and to say, 'Ah, no, no, no,' when he is caught out in this House – 'No, the one month is just a probation, but they get more training.'

2420 What is the average timescale for training of these individuals? Because it does not appear to us that there is a timescale for training, and this is just a scheme, in which to churn people – place them in employment, often in companies that the Government itself has helped incorporate, (*Banging on desks*) registered at No. 6 Convent Place and at his Ministry, which we only found out by chance, by searching Companies House.

2425 **Hon. J J Bossano:** Mr, Speaker, what is quite obvious is that the level of political dishonesty of the Member opposite means that it is a complete waste of time trying to give explanations.

He says that when I am caught out, I then come up and call it a month probation. I have been calling it a month probation since 1st February 2012! Has he forgotten that?

2430 What he has said is simply not true. It is not that I have been caught out today, and for the first time today, I have converted training programmes of one month into probation periods of one month. *The probation period of one month was announced on 1st February 2012*, and I said, if there is somebody with an 11-month contract, the first month – and I said it *in* the first month – is the time that the employer has got to decide whether they want to continue with that training or not.

2435 If, within the first month, the employer turns round to us, and says, 'We think this person is not the right person for this job', or 'we do not think he is showing enough interest, and I would like somebody else,' then the person comes back, and a new trainee is put in that placement.

2440 This has been explained since it started on 1st February 2012, and he now accuses me of having been caught out by him today, and inventing the one-month probation. Well, that is nonsense, like most of the things he says are nonsense, and in fact, it is clear that he is not remotely interested in the fact that more people are working now, than ever before. He is only interested in seeing what he can do to make out that there is some heinous plot, which conforms to the bad image of the policies of the Government that the GSD used to have, when he was in the GSLP and they were criticising us, including him.

2445 **Hon. D A Feetham:** Mr Speaker, he really should not be as sensitive as he appears to be today, in his reactions to my questions.

2450 But look, he says there is a one-month probation, during which the employer makes a decision. We know that these contracts are contracts that are being entered into with ETCL. What is the length of the contracts that these trainees enter with ETCL? Because, as I understand it, those contracts have gone down from 11 months to three months, and now (*Interjection*) – to three months; I am told it has not come down to one month, but certainly three months. Even if it is three months, what can anybody expect to learn? That is the point, that is what divides us. We want to get to the bottom of how well people are being trained, particularly the young people in Gibraltar. Now, what can people learn in three months?

2455 **Hon. J J Bossano:** Mr Speaker, the information the hon. Member is asking has already been provided today, as well as in the past. In the original answer, I have given a detailed breakdown of the length of the contracts of everybody, with their ages and their gender. What more does he want?

2460 There are 76 individuals in the private sector, 16 with three months, and 60 with 11 months, under 25, 52 of them, and over 25 (*Interjections*) the remaining 24 – I mean, all this information shows is that, as I have tried to explain to them, if they are really interested in seeing the logic of the system, it is driven by the demand in the market. So, if somebody says to us, 'Look, we want to train somebody to make hamburgers,' well look, I think it can be done in three months, actually. (*Laughter*) Now he may think it requires a degree in hamburgers; I do not – and the guy that wants to employ him does not either. Obviously, the person will argue that it takes much longer, because he wants to have him longer paid by us, rather than by him.

2465 But the answer is that we ask people to be realistic, and where there are people that can learn the job quicker than the 11 months, it makes sense to do it. Because then, as I have also explained before to the hon. Members, it means that with the same budget, we can actually help more people – which we all ought to be in favour of, because ultimately the result of the system will be seen when we see whether there are more Gibraltarians in employment.

2470 And I am saying to him, as I did a year ago, the Employment Survey for October will once again show a record number of Gibraltarians with jobs. We have got an obligation, not just in the Government but in the Parliament, to achieve that, because we ought to want our people to have jobs, and not have to rely on having to bring people in, unless it is in areas where the skills cannot be obtained.

2475 **Hon. D J Bossino:** Mr Speaker, I would be happy to hear and move on to another supplementary in relation to one of the bunched up questions, and that is in Question 801, I think it was. The hon. Member has answered it, but I am not sure he has understood the question, and it is possible to have the two interpretations. I do accept that

2480 And that is what I asked whether the companies currently involved in providing employment to the FJS trainees... whether he could provide information, which includes the names of the companies, directors and shareholders. What I meant was the Government-owned companies which form part of the FJS structure – in other words, CTCL, ETCL – I cannot remember the names, I have got the details here.

2485 The answers I have had from the hon. Gentleman in the past, or my colleague, Mr Feetham has had from him in the past, is that there are four subsidiary companies. I have just mentioned two, ETCL and CTCL; there is Graduate Research Development Company, Supported Employment Company Limited, and the parent of those companies is a further company, called Economic Development and Employment Company Limited, which has some sort of relationship above it with the Gibraltar Development Corporation.

2490 I just wanted – if he does not have any information with him, but I am sure it is something he is very familiar with – whether he can provide me with the full details of... in other words, whether the information I have just given him is accurate as at today' date, or are there more companies involved in the provision of that particular service?

2495 **Hon. J J Bossano:** Well, Mr Speaker, I do not know whether it is that the hon. Member is now trying to change the question that he put. The question that he put previously cannot have any interpretation other than the one that has been given to it by my Department, because the hon. Member says, can he have the details of the companies, currently, involved in providing employment to the FJS trainees, to include the name of the companies, which has already been given in the past, the directors, and the shareholders? Well, how can he say, 'I want to know who are the shareholders of the companies that are owned by the Government'? Well, the shareholders of the companies that are owned by the Government are the Government. So why does he want to know the shareholders?

2500 The reality of it is that the only considerable interpretation is that they wanted to know the details of who are the people providing the training and where the trainees are placed. Now, that is what I have told him. There are 78 private companies that have got trainees. If that is not the information that he is seeking, then the answer is there are no new Government companies. They are the same Government companies that were there before, with the same shareholders and the same directors. And the information is known to him already.

2510 **Hon. D J Bossino:** Well, no, Mr Speaker, the current information would not have been known to me, necessarily, but the interpretation of the question is very clear, in fact because I just based myself on the explanations that the hon. Member has given us as to how the scheme works. The FJS trainees, are employed by the Government's own company. They are not employed by the placement provider, until they stop being FJS trainees, and then they become employees of the placement provider. That is how I understood it. That is why the question was very specifically phrased, and I thought I have been, but you know, I think, generous to the hon. Gentleman by saying that it is possible that it would be open to those two interpretations. But, the question was very specifically phrased, in order to elicit the answer that I wanted. But, I am grateful to the hon. Member.

2515 And simply, just to alight on one point that he made in his answer, which is that he has provided me with the names of the companies of – in this case, the 78 placement providers – I do not think he has. In fact, that is a bone of contention that he knows we have aired publicly in press releases, that I will not be satisfied as to the success or otherwise of the scheme, until he provides me with the details of the employers who are actually employing the FJS trainees.

2520 So can he, maybe, clarify that in fact his position is that he will not provide this House with information as to who the placement providers, and then potential employers are?

2525

Hon. J J Bossano: Mr Speaker, the question that he is asking me now is the question that he says was not the question that he asked me before, but the one that I misinterpreted him as asking, to which I have already given him an answer.

2530 **Hon. D J Bossino:** Mr Speaker, in relation to Question 802, which dealt with the FJS trainees, and how he says I asked whether the training that they are receiving... how that training is designed to produce jobs for them, really that is based on one of his announcements, shortly after he took office as Minister for the Employment, were he was very confident that the training which these individuals would be receiving would be designed to produce jobs for them.

2535 Now, the reports that I am getting, at least in relation to some of the trainees – I cannot say accurately that it relates to all of them – those who are employed by the grad company is that many of them are actually doing rather menial jobs, and not what they thought and what was promised to them in the manifesto – like, for example, filing and stuff like that. I made this point, I think two sittings ago, where there was a very clear and express manifesto commitment, at page 25, of the GSLP manifesto, where he said – or rather, where the party now in power said – that those graduates returning to Gibraltar will be given a three-year contract as research assistants, and will be involved in undertaking the research work of the Departments, relating to inward investment, manpower planning, and efficiency measures, to assist economic growth.

2540
2545 Now, given the very clear promise which was made, how does he marry that with those individuals who are doing filing in Departments, which have got nothing to do with economic growth?

Hon. J J Bossano: Well, it is very easy, Mr Speaker, when that was put in the manifesto, we were being told by the Government that was in office then that there were only five or six, and I have already told him that. It is not possible to have 70 graduates and provide them all with the level of research that is available. We are using many more than we originally intended, simply because there are so many people that we found without work. In addition, of course, some of the people that we have taken on went beyond what was in the manifesto, in the sense that it is very clear, in that manifesto which he has read, that the opportunity was being given to returning graduates.

2550
2555 And there have been a number of instances, which certainly I want to make clear is not the intention of the scheme, and we were not conscious of it when it happened, that actually gave up their employment, and then registered as unemployed, and we put them in the scheme, thinking they had just come back, and they had not.

2560 There is no point in people who have got degrees and are now working in the private sector resigning from their jobs, in the expectation that this is a back door into the public sector, because it is not, and it was never intended to be.

2565 The reality of it is that there are something like 45 former graduate trainees who are in full-time employment in the private sector. They might have been able to get those jobs anyway, even if they had not been doing this, but we believe that the work that they are doing, and the range of places that we send them to, will be of assistance to them when they compete for jobs. But certainly, the requirement in the Department for people engaged in the research is not in the numbers that we have now taken on.

Hon. D J Bossino: Mr Speaker, in relation to competition for jobs, can he confirm that graduate employees... sorry, the trainees who are currently employed in the graduate company will be able to, fairly and squarely, compete for positions within the Civil Service, as with all the other – I think he said so before – certainly, in relation to the FJS trainees – with people from outside and people internally, within the Civil Service? Will they be able to compete for those positions?

2570
2575 **Hon. J J Bossano:** I can tell the hon. Member that, in fact, when applications were opened for AAs, many of our graduates and other trainees, notwithstanding the fact that they had the advantage of having had some experience in Departments, were not selected, because the quality of the applicants was so high.

2580 I can understand that the people doing the interviewing... even though they may have somebody that can say, 'Well, look, I have been working in such and such a Department, doing such and such a job, in the last 12 months,' that person that has that advantage, when competing in the Government for a job, where there were people, as I have explained to him already, that were applying who had maybe 20 years of working in a bank, or 20 years of working in an accountancy firm, or in the finance sector, in a situation where the vacancies that were being opened in the Government were weighted by a need for applicants with numeracy skills, where we have got a shortage within the Government... It is in areas like the Treasury where we tend to have a lack, within the Government, of people that either like or are capable of doing that level of work, and would rather be doing something else.

2585 So, in the interviewing exercise, people who came from the background of those financial services were given a higher ranking than those that came from a different background, when the selection was done, by the Public Service Commission. And that meant, I regret to say from my perspective, as a

2590 Minister for Employment, that some of the people that I had unemployed and some of the people that I
had in the training schemes, and some of the people that I had as graduates in the grad scheme were not
selected because there were so many people with many years of experience and of knowledge of
accountancy and that kind of work, which was an area that we were short of in Government, and
therefore, logically, the people who were doing the selecting were driven by other priorities than mine.
2595 My priorities would have been, frankly, to have had the ones that I had on my books getting employed,
because that would have meant that I would have then had money to be able to help other people. But it
did not happen, and therefore there is no guarantee – and I have said it on many occasions, because I want
to send a very clear message – the fact that people are working in a particular Department at the moment
does not mean that they have got a higher priority or an entitlement or a guarantee of anything.

2600 **Hon. D J Bossino:** Mr Speaker, I am grateful for that. So the answer is yes, they can compete for the
jobs. That is the position.

Hon. J J Bossano: They can apply, and they get in on their merits, yes, of course.

2605 **Mr Speaker:** Will you call Question 804?

**Rock Administrative Services (Gibraltar) Limited
Details of services provided to Government**

2610

Clerk: Question 804, the Hon. D J Bossino.

2615 **Hon. D J Bossino:** Can the Minister for Employment provide details of the services which are being
provided to the Government by Rock Administrative Services (Gibraltar) Limited?

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

2620 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** This
company provides supply cover to the public sector.

2625 **Hon. D J Bossino:** Mr Speaker, there is a specific question which arises from that answer. The
individuals who are employed by this company and are providing, as he said, the supply cover: can they
also compete for the vacancies which arise within the Civil Service, along with the others, with the FJS
trainees, the graduates, and other civil servants, or even people from outside? Are they able to compete
for those jobs?

2630 **Hon. J J Bossano:** They are only able to compete for jobs that are at the entry grade. The jobs in the
Civil Service are either promotion, in which case there are only people who are in those grades that can
apply, or there are jobs that are at the entry grade. At the entry grade, not just these people, but other
people that are on permanent supply can apply for.

Hon. D J Bossino: And not just specifically the Civil Service, but also GDC – would that apply, for
example, I think it is grade 1 in the GDC? Can he confirm that?

2635 **Hon. J J Bossano:** They can apply for any entry grade jobs in the public sector.

2640 **Hon. D J Bossino:** And by public sector, we are using the definition employed by the Employment
Survey, which includes Government Agencies, Statutory Authorities – I know he is nodding his head, but
may he for the sake of the record, say yes. (**Hon. J J Bossano:** Yes.) I am very grateful for the short
reply.

2645 Mr Speaker, is the hon. Member able to give me some details as to the terms, pursuant to which these
individuals are employed? For example, do they have the same pension rights; do they have the same
entitlement to leave; do they have the same entitlement to sick leave? I am just trying to establish whether
they are similar, or on exactly the same terms as their colleagues in the rest of the Civil Service. Or is
there any difference there? I wonder whether he could answer that question.

I think we are going to have an intervention from the Speaker.

Mr Speaker: I am going to allow the supplementary, but it does not arise... The original question is
'... Employment provide details of the services which are being provided...'. It does not say anything

2650 about the terms and conditions on which they are employed. But, I am going to allow it, so that the hon. –
Seeing that we are getting into the Christmas period, I am going to be generous.

2655 **Hon. D J Bossino:** Mr Speaker, it also arises from the answer that he has given, because he says that they provide unemployment... It could have been any number of services that Rock Administration could be providing as a company. Specifically – (*Interjection*) No, specifically, it is providing an employment service. Therefore I think, with all due respect, it arises from the answer that I have received from the hon. Member.

2660 **Hon. J J Bossano:** Mr Speaker, the Government has been using employment agencies to provide cover for years. This is not the only one. The Opposition just wants to know about this one, but this is not the only one that does it, and it is not something that has never happened before.

2665 What is new this year is that we have actually taken steps to address an area where previously there was a certain amount of discontent – legitimate discontent, in my view – in the public service, in that, if there was a high incidence of sickness, or a small Department lost two or three of its members, on maternity grounds or that kind of thing, the Department was supposed to carry on with the workload with the remaining staff. And this year, the Parliament voted a token vote, to provide cover which previously had existed in some areas, but not in others, and we actually treated every Department the same.

2670 So, the answer is that they are employees of a private firm – of this and of other private firms, there are quite a number of them – who get called to send somebody to work in a Department, but on terms which involve the private firm getting paid a premium over the rate of pay that they pay to the individual. But the conditions are there, the conditions of the private sector. They are not in the Civil Service, they are not the same as the rest, because if they were the rest, then they would be civil servants. They are not civil servants. And it has been going on for a long time.

2675 **Hon. D J Bossino:** Mr Speaker, can he tell me, can the Hon. Minister tell this House, whether this company is taking on FJS trainees? Does he have that information, and can he provide me with that information?

2680 **Hon. J J Bossano:** Like every Government contractor, and everybody providing a service, they are encouraged to do so.

Mr Speaker: Next question.

2685 **Hon. D J Bossino:** Mr Speaker, presumably, I know he probably needs notice of this question, but can he give me at least a rough estimate of how many of those trainees Rock Administrative has taken on, or has currently taken on?

2690 **Hon. J J Bossano:** No, I cannot tell him whether there is one, none or many, because he knows I am not prepared to identify the people that take placements. He knows that already. (*Interjections*)

Mr Speaker: Next question, Question 805.

2695 **Housing Works Agency**
Compliance with recruitment requirements

Clerk: Question 805, the Hon. D J Bossino.

2700 **Hon. D J Bossino:** Mr Speaker, can the Minister for Employment confirm that the requirements for recruitment at the Housing Works Agency are being complied with?

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

2705 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, there is no requirement for recruitment in the Housing Works Agency.

2710 **Hon. D J Bossino:** Mr Speaker, I obviously stand to be corrected. That was not the understanding that I have, but I understand from my colleagues they may have answered the questions in previous sittings of the House.

The point I am trying to home in on is: as I understood there was an agreement, when the Agency was created, whereby if two individuals left the Agency but not by way of retirement, there would then be a replacement of one. So in other words, it was a 2:1 arrangement, and that is a specific point that, I understand, is not being adhered to.

2715 But if the hon. Member is telling me that that was not part of the deal, part of the terms of the contracts in the first place, then obviously, I clearly stand to be corrected, but so that he understands where the question was coming from, and perhaps he can elucidate further.

2720 **Hon. J J Bossano:** There is the reference that the hon. Member has made to two persons leaving and one being recruited, which, of course, is a mechanism designed to ensure the disappearance of the Agency, eventually. By inevitable arithmetical logic, if you replace two by one, eventually you will have two and then one, and then possibly a part-timer, a half.

2725 The Agency does not, at this moment, require to recruit anybody, independent of that. Just like, in 2011, there were 127 unfilled positions in the public service, on the complement which were not being filled, and in some cases going back to 10 years, and therefore, the filling of positions in the area will be undertaken when the Agency feels that it is appropriate to do so. But there is no time limit, as to when this should be done.

2730 **Mr Speaker:** Any other supplementary? Yes.

Hon. D A Feetham: Yes, I quite understand that. I do not have the grasp of mathematics that obviously the hon. Gentleman has, but of course, if you lose two and you do not replace them, you are going to get quicker to zero than if you are replacing it by one. Yes, that much is logical to me.

2735 Does the hon. Gentleman have the statistics, in terms of how many people have actually exited, and how many have been employed? If you have provided it, I apologise, but I have not been following this particular aspect of it.

2740 **Hon. J J Bossano:** The figure was given in a written answer previously, and there is only one extra body since that answer.

Hon. D A Feetham: One extra body.

Hon. J J Bossano: Yes.

2745 **Mr Speaker:** Any other supplementaries?

Hon. E J Reyes: May I, Mr Speaker, because the Minister has had a legitimate occasion to refer back to the written schedule that was kindly handed over before...?

2750 I am a bit confused in respect of one of the figures provided, Mr Speaker. Perhaps the Minister does have a particular note there.

2755 In respect of employees transferred out of the Housing Works Agency, I have got, on two occasions, one for 14th March and one for 19th March of last year. In respect of each of them, there are two, and it says 'craftsman/works supervisor'. Can he enlighten me, they are either craftsmen or they are works supervisors who were previously craftsmen. It is the same as saying teacher/head teacher. You are either a head teacher, receiving an equivalent head teacher's salary, or you are simply not promoted to be head teacher and you are just a teacher. So are they craftsmen or are they work supervisors?

It is half way down the page where it says 'transferred out'.

The author of the schedule, I believe, was the Minister for Housing. *(Interjections and laughter)*

2760 **Mr Speaker:** Let us pursue the matter –

Hon. D J Bossino: Mr Speaker, there are –

2765 **Mr Speaker:** – behind my Chair, and then, once it is understood what it is that he is after, and who should be answering it, then it can be answered – hopefully.

2770 **Hon. D J Bossino:** Mr Speaker, it arises from my question in relation to the Housing Works Agency. There has been a reply to the movements that there have been in the Agency, in answer to a written question, which was Written Question 146/2013, posed by my hon. Friend and colleague, Mr Reyes, and I assume, at the time, the Hon. Mr Balban already had responsibility for Housing. What my hon. colleague is asking is a specific question in relation to the description of two craftsmen/works

supervisors, which are set out in the schedule as transferring out from the Agency. That is a specific question which my hon. Friend is asking.

2775 **Hon. D A Feetham:** But anybody can answer.

Hon. D J Bossino: We are happy, yes – any takers, Mr Speaker! *(Laughter)* We are quite fine, so long as we get an answer this time.

2780 **Hon. J J Bossano:** I think the most probable answer, subject to going back and finding out, is that they were craftsmen acting as work supervisors. That is usually what it means when it has that line between the two.

2785 **Hon. D J Bossino:** Mr Speaker, is the hon. Member, Mr Bossano, the Minister for Employment, is he able to tell me...? The information that we have is that those two craftsmen/work supervisors have, in fact, transferred to his Department. Does he have that information? If he does, can he confirm whether what I am stating is correct, or otherwise?

2790 **Hon. J J Bossano:** The persons that have transferred, have transferred location geographically, but are engaged in work for the Housing Agency, in the sense that they are involved in the identification... I gave the hon. Member earlier the example of when the work is received from the customer, the first thing is that somebody goes out to do a spec of what it needs doing. Then, that is passed to an estimator, who also is working with me, and that estimator produces an estimate of what a contractor ought to be charging, given the costings that they use in the Housing Works Agency.

2795 So, the nature of the work has not changed, but the place where they are working from has changed.

Hon. D J Bossino: Can he tell us which geographical location has received these two individuals?

2800 **Hon. J J Bossano:** The geographical location is where they used to be, before they were moved to the other geographical location, which is in 31 Town Range.

Hon. E J Reyes: Thank you, Mr Speaker.

2805 I am a little bit confused arising from that answer. *(Laughter)* Can then, Mr Speaker, can the Minister for Employment then explain to me what the difference is between having been transferred out or being seconded? Because I thought I was following his logic, that you are an employee of the Housing Works Agency, and because of a particular task required geographically, he was asked to go and sit nearer the Minister's domain, and then one can understand you are seconded for that purpose, but that then must be contradictory to the other one being transferred out. So, what is the difference between being transferred out or seconded, if really they both pertain to the Agency? I do not know.

2810 **Mr Speaker:** As Chairman of the PSC, I could answer that one for you, if you like! *(Interjections)*

A Member: If we can ask supplementaries, you can! *(Interjections)*

2815 **Hon. J J Bossano:** Mr Speaker, when staff is moved, from one area to the other, the policy is, that we keep them on the budget of the original area until 31st March, so they are seconded, and then on 1st April, in the new Estimates, Members will see that there is usually a foot note, in the Estimates Book which they approve, which says, 'previously shown under such and such a head'. So, while they are seconded, they are still shown in their original head.

2820 **Hon. E J Reyes:** Okay so, yes, the secondment then is only really effective during the course of that financial year, leading up to, in most probability, to be permanently transferred out.

2825 If I may indulge in your generosity, Mr Speaker, at the very, very top of the two gentlemen who retired, it said 'craftsman/COO', and I am not well acquainted with that terminology, and given that I have got the Minister for Employment's attention, who is more than an expert in this matter, can he explain to me what a COO is?

2830 **Hon. J J Bossano:** I think the problem with the supplementaries is that these are supplementaries about a written question of a previous meeting of the House – Question 146, which was followed not by supplementaries which related to this. It was followed by a new question, this time saying, has there been any change in terms of any new bodies? Frankly, I have no idea whether the COO is a –

Mr Speaker: If the Hon. Minister is not in a position to answer the question –

2835 **Hon. J J Bossano:** I cannot answer that –

Mr Speaker: – then he does not have to.

Hon. J J Bossano: I can go back and find out from the people who produced this, what they meant.

2840 **Hon. D A Feetham:** Can I just go back to the two individuals that are geographically located in Town Range, and it really relates, as well, to a question that I asked some time ago, about how the mechanism for determining how much is spent, when it is spent.

2845 Is the reason why these two individuals, who are integrally and intimately involved in ensuring that works are coming in within estimate, are located in Town Range because the Minister himself is taking an active interest – the Minister for Employment – in relation to ensuring that these works are also within any budget that the Government may have, in relation to them, and that spending does not get out of control in relation to this particular area? Is that the reason?

2850 **Hon. J J Bossano:** No, Mr Speaker. *(Laughter)*

ADJOURNMENT

2855 **Clerk:** The Hon. the Deputy Chief Minister.

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, the Government had intended to continue with Question Time this afternoon, but the Chief Minister's flight, it is anticipated, has been diverted to Malaga. So I now move to adjourn the House to Monday at 10 o'clock.

2860 **Hon. D A Feetham:** Mr Speaker, I have – and I will say so openly – I have offered the hon. Gentleman... My own questions are not questions that are time sensitive. If it causes any kind of problem to the Government, I am quite prepared for my own questions to be adjourned until January, provided obviously, as I do have the right to ask further questions in January. I have absolutely no problem with that, if that assists the Government. *(Interjections)* But, is there no possibility at all of continuing with, perhaps, the Health Minister's questions this afternoon?

2870 **Hon. Deputy Chief Minister:** No, Mr Speaker, the Government has to come back on Monday for several reasons, and I move the adjournment, which is to Monday at 10 o'clock.

Mr Speaker: I now put the question, which is that the House do now adjourn to Monday, 23rd December at 10.00 a.m. Those in favour? **(Members: Aye.)** Those against?
The House will now adjourn until Monday, 23rd December at 10.00 a.m.

2875 *The House adjourned at 1.00 p.m.*