



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.20 a.m. – 1.15 p.m.

Gibraltar, Tuesday, 29th October 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*]

Questions for Oral Answer

ENTERPRISE, TRAINING, EMPLOYMENT AND HEALTH & SAFETY

Construction industry Maximising business opportunities

Clerk: Sitting of Parliament, Tuesday, 29th October 2013. Answers to Oral Questions continue.
Question 636/2013, the Hon. D J Bossino.

5 **Hon. D J Bossino:** Is the Government in a position to state which measures, if any, it intends to take to maximise the opportunities for business for local construction and general building suppliers?

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

10 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, there has been a substantial increase in the number of local construction companies undertaking Government contracts, who in turn, make much greater use of local building supplies in sourcing their needs, as compared to cross-border companies.

15 This has been achieved by applying more diligently, the policy introduced by the previous administration in the allocation of works to approved contractors. The situation is regularly monitored, and any further measures that may be required will be introduced.

Hon. D J Bossino: Mr Speaker, if I may, the hon. Gentleman has referred to a more diligent application of what was our policy. Can I ask him how he has been more diligent?

20 **Hon. J J Bossano:** Well for a start, in terms of the numbers. I can tell the hon. Member that although we have changed nothing in what was introduced, which effectively required a cascading effect all the way down the line... So not only does the person that gets the contract have to be an approved contractor, but the person that supplies sub-contract work to the main contractor has to be an approved contractor. I do not think that it was being monitored in terms of the lower levels of the supply lines, and we are now doing that.

25 So effectively, the approved contractor list means that when somebody gets a contract on a Government job, we then monitor that the supply lines are from the people that are here as approved contractors, and if they are not, for example, they need to give an explanation. In some cases somebody comes in with detached workers to do a specialist job for three or four weeks, and therefore we monitor that that is happening because there is nobody available, or if there is somebody available, there is a big difference in price.

30 Clearly, I have a got a particular example in mind, where the only reason why we allowed somebody to come in with detached workers to do a job recently, was because the gap between the price quoted to the main contractor by this particular entity was about half of what the local entity was. But as long as a price is close, I think that degree of monitoring was not being done.

35 **Hon. D J Bossino:** I am grateful. Mr Speaker, the hon. Gentleman refers to 'we'. Of course that could apply to the Government in general, but I would just like to focus and home in exactly who is actually controlling this? I understand that under the previous administration, much of that exercise was carried out from a Department, out with his Department now which is the Department of Employment. Is it the Department of Employment which is running the show so to speak, as far as the more diligent application of this policy is concerned?

40 **Hon. J J Bossano:** Yes, because the Department of Employment is in a position to do it better than anybody else, because of course if it is a question of work, then if they are bringing in for example detached workers, that the approval of the detached workers is done by the Employment Service. So the contractor that gets the job has to notify us who is being used, and where there is for example – as I have said in this particular recent incident – a contractor from outside and a contractor from here, they have to justify why they want to give the contract, and in this case, the justification was a very large difference in price, and we monitor that they come in and that they come in exclusively to work on that particular site, that they work for the number of weeks they say they need to work, and that when the contract is finished the workers go.

45 We also monitor that the workers bring the proper identification that they are paying social insurance in the country of origin, and the main contractor has to deduct PAYE from the sub-contractor payment, to make sure that when the entity that has come in disappears, we do not lose out on the PAYE. So there is quite a heavy hand on this.

50 **Hon. D A Feetham:** Yes, Mr Speaker, as I understand it, there are two aspects to the policy. One is ensuring that effectively Gibraltarians get employed by those contractors on the approved list, that get Government contracts, and the second, as the hon. Gentleman has just outlined, is that suppliers for those contracts are local suppliers.

55 Now, can I just explore with the hon. Gentleman the amount of detail that his Department gets involved in when considering the allocation of contracts? How do you control this? I can understand, for example, that when a contract is allocated, you may set a condition that the particular contractor takes on board five Future Job Strategy trainees, depending on the size of the job. But how does one impose the obligation that then there is a cascade down the chain, in terms of the suppliers, and the contractors purchase from local suppliers?

60 **Hon. J J Bossano:** Well in fact, the system that we are applying is, as I have said, not something that will change. It is actually as detailed as that in the system that was introduced, I think it was in 2010, which requires that the use of a sub-contractor should also be from the approved contractor list. Therefore, if it is not somebody from the approved contractor list, we can stop the sub-contractor, purely on the basis that it is in breach of the original terms of the allocation of the work.

75 When they come in to join the approved contractor list, they are told that one of the conditions of being on the approved contractor list is not to take in trainees, but in fact to take people who are unemployed. The trainees are only provided in areas where we do not have the skills they need, and we try to persuade them, but in many cases, this is not possible because of the length of the contract. People tend to take them on if they have got a contract that runs for months, but if they have got a contract for four weeks, you can hardly say to them you have got to take a trainee for four weeks.

80 But effectively, we are able to do it because all those conditions are there, and we are on top of it now. Therefore, whenever a request for employment comes in, or a request for detached workers comes in, before we reply, we check where the work is being done, we check the workforce of that particular entity, we check the proportion of local labour that they have, not necessarily Gibraltarians but residents as compared to cross-border workers, and that is an ongoing exercise.

85 In effect, the industry is now used to that, so the monitoring that is taking place now, is that occasionally we catch somebody that is not meeting the conditions, but in most of the cases, they know what to expect and they do not try to get past it.

90 **Hon. D J Bossino:** Mr Speaker, I am grateful for the reply. The hon. Gentleman talks of checking what the proportion of the... I think he mentioned what the proportion of the local work force is in a particular company, and I think he mentioned conditions. But I suppose two questions, Mr Speaker: what are the criteria which are applied, is there a set of criteria which will assist in determining whether the supplier or the sub-contractor gets the contract, and who determines it? Is there a board, is it the Hon. Minister himself personally who looks through this, is there somebody else within his Department? Can he answer those points?

100 **Hon. J J Bossano:** Well obviously I do not have the time. If I had to look at every contract myself and do it myself, the 12 hours that I do would not be enough, I would need 24! But the answer is that the monitoring is done because there is an automatic system in place, in that everybody that wants to employ somebody is required by law to open a vacancy before the contract is approved.

105 When that vacancy comes in, before the person is permitted to employ somebody who has not been provided by the Department, from the unemployment list, we check where the person is going to work, we check whether he is working on a Government contract, we look at the profile of that company, and the share of local workers that they have got, and because this has been happening now for a long time, basically there is a repeat exercise.

110 It is not as if there were an ever expanding construction sector. There may be something like 50 more small construction companies now than there were a year ago, but there are no big companies. The big companies know what is going to happen if they try to get past the system, because they will be caught, so they do not even try it.

Occasionally as I have said, we get some people that may be new to working, and therefore think that they can get away with not complying with the rules of the tender. It happens in both those things that are given out, like big contracts that are given out by the Procurement Section, which are the contracts that have to go out because of the EU, and it happens in the bulk of the contracts which are all small contracts that are given out, where the policy is that there are something like 15 local companies that are doing most of the routine work for the Government, and the Department gets three quotes.

115 Of the three quotes, if the three are very close, the work is given to the one that is least loaded and if there is a big difference, then clearly it goes to the lowest quote. In that context, they then monitor the requirements for labour. All those sub-contractors and all those small contractors know, that they have to give preference to the people that are provided by the Employment Service, which is what the system introduced in 2010, which was announced in Parliament, requires.

120 **Hon. D A Feetham:** Mr Speaker, yes. But the system in 2010, there was a difference to this system and he has said that, I do not think that he has used the word 'refined', but certainly he has intimated that they have attempted to improve upon – (**Hon. J J Bossano:** More diligent.) more diligent yes.

125 Now in 2010, the system in place at the time was, that there was a list of approved contractors, mainly medium to large size companies who, if they wanted to be awarded a Government contract, and the criteria, the actual guidelines was divided into size of contract, the very large contracts, there were four or five of the largest companies deemed to have the expertise to deal with those contracts, and then there were smaller contracts.

130 But am I right that there has been a departure from that in his administration, in the sense that we have seen, over the last couple of years, a huge increase in the number of construction companies that have been incorporated as new companies, as start-up companies, and that what his administration is doing is encouraging the incorporation of these construction companies and that these smaller companies, start-ups, have then been added on to the Government list of approved contractors and are being awarded smaller contracts? Indeed, I ask because of course we know, that there have been companies that have

been incorporated with addresses of No. 6 Convent Place, and that his Ministry, with his office providing shareholders, and his office providing also directors and directorship service, in order – according to him – to help these companies. Is there a departure from the previous practice in that sense that I have just outlined?

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Hon. J J Bossano: Well, no. There has not been a departure, because what he has described is not what was there that was put in 2010. He is describing what existed prior to 2010, and prior to 2010 there was a list of approved contractors, which was effectively kept by Technical Services which was divided by size and by expertise in terms of what they were able to do. That was replaced in 2010 by the system that is in existence now, which is that there was one that was really monitored by the Employment Service, because in the original one, there was no link to having to take workers that were unemployed. In the one that was introduced, there was a link, which said one of the clauses was that the people that were provided by the Employment Service had to be taken on if they were suitable.

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One of the things is that, in fact, there were contracts maybe of £1 million given from my knowledge of what was there when we came in, and maybe they took on one or two workers. So in effect, what I am saying is that they were paying lip service to having to take one or two token guys from the unemployment list, in order to be fulfilling the contract as whereas now, they really have to make a very strong case, to get away with not taking the people that we send that are available.

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For example, at the moment there is something like 23 vacancies for the construction industry open, and they are open because the skills that are required are not available amongst the people that we have got out of work. So it is true of course, that there are now more companies because one of the things in the new start-ups is that – as I have explained before, Mr Speaker – some of the older unemployed construction workers, people in their 40s and 50s, are the ones that were encouraged because they were the ones more difficult to place with other companies. They were encouraged to start their own small company, to which work is then sub-contracted. So most of these are doing either small maintenance jobs for the Government directly, or sub-contracting to bigger entities, because they are on the approved contractor list and they are eligible to receive sub-contract work.

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Hon. D A Feetham: Yes, but what I am trying to explore –

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Mr Speaker: I think we are in danger of debating. May I ask the Leader of the Opposition, if he is going to ask more supplementaries, to make sure that they are much shorter than his previous one.

Hon. D A Feetham: Yes, what I am trying to explore – of course, Mr Speaker – what I am trying to explore with the hon. Gentleman is the artificiality or otherwise of the situation. If you have, and I think it was about 800 new construction companies that have been incorporated – the figure escapes me but we debated it in the past, we asked questions in the past about this and I mean, effectively, what the Government is doing is handing them Government contracts in order for them to employ people off the unemployment list.

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There may be merit in relation to that, but it creates a certain artificiality in the economic activity that the Government is creating. I just wanted to ask the hon. Gentleman, is that the intention, it is the encouragement of incorporation of small companies, upon the promise of Government contract, be it by a sub-contract or otherwise, on condition that they then employ people from the unemployment list?

Hon. J J Bossano: I do not see why us implementing the policy they introduced makes it artificial, and when they were doing it, it was not, Mr Speaker.

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But in any event, I know the hon. Member has talked about 800 construction companies before, and if he recalls, what I told him was that I did not know where he got that figure from, because I was not aware of 800 construction companies being formed.

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It may well be that he does not realise that self-employed construction workers can be registered and they appear as an entity, but it is not a company employing anybody. But there is certainly not 800 construction companies in Gibraltar, of that I can assure him, and there are certainly not 800 on the approved contractor list.

The small construction companies that are being able to sub-contract now, and employ maybe a dozen people, of whom one or two may be a trainee, are no more than 15 or 16. So, the figures are not that the entire economy is depending on these 15 guys now driving the 10% growth, if that is what he thinks. So the answer is no. There is no artificiality about it; it is work that needs to be done, except that now more of the work is being done by resident workers than was the case before. More of the work was previously being done by Frontier Workers, so the number of construction workers went down last year by 1,000. In last year's employment survey, there were 1,000 less cross-border construction workers and there were more Gibraltarian construction workers, and that is the purpose of the exercise, which I am sure they support, because they introduced the idea.

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Hon. D A Feetham: Mr Speaker –

200 **Mr Speaker:** One last supplementary.

Hon. D A Feetham: Mr Speaker, with respect to the hon. Gentleman, he has not answered my question. Is it Government policy to encourage the incorporation of small companies, which will then effectively be given Government contracts, on condition that they employ people from the unemployment list? Is it Government policy?

205 **Hon. J J Bossano:** Mr Speaker, that question was originally prefaced by the fact that there were 800 such companies. First, there are not 800 such companies, there are 15 companies. The 15 companies are free to compete for work anywhere in Gibraltar including the Government. The condition attached to them is not that in order to get Government contracts they have to be employing people from the service that is the condition attached in the policy introduced in 2010 in order to be on the approved contractor list.

210 This 15 are on the approved contractor list for as long as they take on Government workers and they can bid for Government work. Therefore, there are now 15 people in employment, and employing other people that previously were unemployed. It is the Government policy to get as many Gibraltarians into jobs as possible, and it is Government policy to give priority to locals to do Government work.

215 **Mr Speaker:** Next question.

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Apprenticeships and Future Job Strategy Update on arrangements

225 **Clerk:** Question 637, the Hon. D J Bossino.

Hon. D J Bossino: Further to Question 482/2013, can the Minister for Employment advise what stage the new arrangements for apprenticeship schemes have reached?

230 **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, I will answer this question with Question 638 and 640.

235 **Clerk:** Question 638.

Hon. D J Bossino: Mr Speaker, the hon. Member is being kind to me today, he has not bunched up four or five questions, so we are making some progress, it is three.

240 Question 638, can the Minister for Employment provide current details of how many individuals are participating in the Future Job Strategy, with details of where they are carrying out their placement/training, to include private entities or individuals – such as private companies or partnerships – and in each case, the names of such entities and the names of the Government Departments, Companies Agencies and Authorities; the nature of the training they are each receiving; which Future Job Strategy company they are employed by; what the duration of the contracts are; and how many of these trainees have guaranteed jobs following conclusion of their Future Job Strategy contracts?

245 **Clerk:** Question 640.

250 **Hon. D J Bossino:** Can the Minister for Employment state how many individuals have participated in the Future Job Strategy Scheme since it commenced, to include details of their ages and how many have secured employment in the private sector or public sector?

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

255 **Hon. J J Bossano:** Mr Speaker, I apologise to the hon. Member for only answering three questions together, I will try and do better at the next meeting.

Mr Speaker, 24 persons are on the Level 1 City and Guilds training course for the wet trades. As at the end of September, there were 109 trainees in the Public Service and 83 in the private sector in the

260 Employment Training Company and 64 in the Public Service and 76 in the private sector in the Construction Training Company.

Construction training is provided to those in the Construction Training Company with 39 private sector placements and the Construction Training Centre. All construction trainees are guaranteed employment in the private sector. Other private sector areas with placement providers are in security, cleaning, maintenance, hairdressing, carers, receptionists, gardeners, sales, customer service and seamen. All of whom are covered by business partnership agreements on completion of their training.

265 In the case of the Public Service placements, this spread over the following areas: Care and Social Services, Education, Health, Construction Training Centre, Gibdock, Treasury, Tax, Postal Services, Human Resources, Employment, Tourism, Transport, Sports, Culture, Electricity, Consumer Affairs, Maritime and the Royal Gibraltar Police.

270 The nature of the training is social and healthcare, administration and office skills, policing and construction and mechanical skills.

The contracts duration are as follows: terminating this month, 45; next month, 40; December, 138; January 2014, 19; February, 19; March, 26; April, 16; May, 7; June, 7; July, 11; August, 1; September, 3.

275 Nine hundred and ninety-nine individuals have participated in the Employment Training Schemes since they commenced on 1st February 2012. Of these, 564 have secured employment following completion of their training. The age structure of the trainees has been as follows:

Age	Number
15	10
16	23
17	57
18	86
19	134
20	114
21	93
22	71
23	62
24	32
25	17
26	20
27	17
28	15
29	10
30	11
31	13
32	12
33	11
34	14
35	16
36	18
37	9
38	7
39	5
40	12
41	10
42	4
43	8
44	7
45	7
46	9
47	8
48	9
49	1
50	1
51	6
52	7
53	3
54	9
55	6

56	2
57	1
58	4
59	4
60	3
64	1

280 These ages are at the start of the training.

Mr Speaker: May I say that Question 638 was really on border-line, as to whether it was of excessive length and detail. The statistics that are being asked for would much more appropriately have been the subject of a question requiring a written answer. I do not think we can have this kind of statistical information taking up so much time of the business of the House.
285 Any supplementaries?

Hon. D J Bossino: Mr Speaker, in answer to your point if I may, this is in fact the third time I have asked exactly the same question in exactly the same terms, and I must say that the hon. Gentleman is making progress because he seems to be answering the question with a bit more detail as time progresses, so I do congratulate him for that.
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But I have never received criticism, indeed when I have filed the question, or indeed across the floor of the House from the Speaker, or the Speaker's staff, as to the excessive length of the question. I am very conscious of keeping to the rules, but I must insist, Mr Speaker, this is information which I have posed in *exactly* the same terms as the hon. Gentleman well knows, on two occasions in the past. I think this is the third, perhaps even the fourth occasion, Mr Speaker.
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In fact, I have tried to persuade the hon. Gentleman to come round to my way of thinking. Given that he is a details man and indeed, I consider myself a details man, this is in fact a very composite question which if answered fully, and if I may say so and encourage him to do so perhaps next time, I know he has been encouraged by my hon. Friend, the Leader of the Opposition when he had my Shadow Portfolio in the past, to present this information in a schedule, as indeed other of his colleagues provide information in that format, because then, what one would have, when answering the question, is a full snapshot of where the Future Job Strategy Scheme is. And therefore, one would be able to examine whether the promises and guarantees which the hon. Gentleman and his Party made at the time of the General Election, and at the beginning of this Parliament, in relation to the success or otherwise of the Scheme, would be able to be put truly to the test. Mr Speaker, that is in answer to the point the Speaker has made.
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Mr Speaker, I am not sure, whether in answer to the first question which I posed, which is 637, relating to what stage the new arrangements for the apprenticeship Schemes have reached, has in fact been replied to. If it has, I have missed it and if the hon. Gentleman could oblige me, and answer that bit of that question again, because I do not think I have had a reply to that question. If he could assist?
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Hon. J J Bossano: Can I just say, Mr Speaker, that in fact he has not put the same question before in terms of the age. That is, he has never asked for the age of each individual of the 999 and I have given him the age profile of the 999, so that is the new bit. The rest, I accept, are a repetition of what has been asked in the past.
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Mr Speaker: May I say that it is just as well, that pensionable age is 65 and not 80 or 90, otherwise we would have been here until tomorrow. *(Laughter)*

Hon. D J Bossino: So, Mr Speaker, if the hon. Gentleman allows me, if I may just in relation to the point he has just made, he alights on not the correct question, the question which he is referring to in relation to ages, is in fact 640. The question which I posed on two occasions – this being the third occasion – in the past, and again today, is 638 in exactly the same terms, other than perhaps a change in the preamble when I say, further to question so and so.
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Hon. J J Bossano: That is exactly what I have just said, that the new bit is the one of the ages. As regards the first part, Mr Speaker, the original answer, and the one I am repeating now, is that there are now 24 young persons doing the Level 1 City and Guilds training course for the wet trades.
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Hon. D J Bossino: Mr Speaker, with respect, I do not think that is an answer to the question I have posed. He has said in the past, in this House, that by September we would have had the new training scheme in place, in relation to apprenticeships. I can show him where he has said so in *Hansard*, and that is really what I wanted to know, whether the new system had been, he gave me an indication at the last sitting of the House, because I asked him what the new system would be, but has the new system been
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335 introduced, because he has just given me a figure of how many people are doing what. He has not confirmed to me, whether the new system has been introduced, unless I have misunderstood his answer.

Hon. J J Bossano: Yes, that is what I am telling him, Mr Speaker, the new system was introduced and there are now 24 people in the new system doing City and Guilds Level 1. That is what I have just told him.
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Hon. E J Reyes: Yes, Mr Speaker, if I may, because I have in the past also questioned the Minister for Employment on this one. Can the Minister enlighten us, given that there are now 24 trainees all working towards Level 1, can he confirm two things, Mr Speaker? One is that there are none currently having achieved Level 1 and working towards Level 2, which is what provides the qualified craftsman status, and of that 24, are those trainees who were there prior to December 2011, or have they been taken on, or is it a combination of both? Perhaps the Minister has details.
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Because like my hon. colleague will say, we had been told that the new system was coming in, and the Minister is now confirming yes, we have a new system, but we do not know how many are carried over from a previous intake, or how many have come in in September's intake which was what we were always led to believe, that a new type of intake and so on would be occurring as of a couple of months ago?
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Hon. J J Bossano: These 24 are 24 new additional trainees who were not there before September. In September, there were 64 between Gibdock and the Construction Training Centre. I think there were about 40 in the Construction Training Centre and 24 in Gibdock, and they are all in the Construction Training Centre. There may be one or two still doing Level 1, most of them are on Level 2 and I think in Gibdock they are on Level 3. Those who have started now, they are at the beginning of Level 1, the new 24.
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Hon. E J Reyes: Thank you, Mr Speaker.
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And the Minister before mentioned, he said that they were working towards City and Guilds. We have had this exchange before, whereas my understanding always was that those in the Construction Training Centre, carrying out NVQ's the awarding body was City and Guilds, whereas those who were at Gibdock, it was another awarding body, I think it was EMTA or something like that.
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Given that he has now mentioned City and Guilds, does that mean that there has been a change of the, what's the correct word for it, of the awarding body, they are all working towards NVQ but is City and Guilds now the awarding body for the engineering trades, or does it remain the same awarding body that we had before, which I believe was EMTA.
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Hon. J J Bossano: No, the City and Guilds has only been introduced for the wet trades for the new 24. The others are continuing with what they are doing already, because clearly we would not be changing the awarding bodies in the middle of their training. They are half way through so they are completing, but all the new ones that come in, will be put on the City and Guilds examining body.
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Hon. E J Reyes: And just to clarify, so that I am not in doubt later on, Mr Speaker, I am grateful I have been told that the new intake consisted of 24 trainees working towards Level 1. Can the Minister confirm to me that those 24 are all within the construction trades and that there are no new entries at Level 1 on the engineering trades, or are there some intakes towards the engineering trades?
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Hon. J J Bossano: No, at this stage they are all in the construction trade, because we are concentrating in the area where we know there is the greatest demand, but it is intended to do it in other areas next year. But at the moment, all 24 are in the construction industry.
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Hon. E J Reyes: I do run the risk, Mr Speaker, of being a bit pedantic. But, the Minister has said he hopes to have an intake on the engineering trades next year. Can I interpret next year to be January, or are we talking of what we traditionally call an academic year, which is next September, hence still 10 months away?
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Hon. J J Bossano: It is likely to be after Easter. That is the target. So it will not be in January, but I am hoping to have it in place by April. I cannot guarantee that it will be, but that is the target.
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Hon. D J Bossino: Mr Speaker, in the composite question which I asked, again I am not sure whether he has answered it, certainly the way I intended it to be answered, given the way I phrased the question, which is what the duration of the trainees' contracts are. I think what he has given me are the termination dates, what I would be interested in Mr Speaker, is whether they are on three-month placements, or six-

month placements or 11-month placements. I am sure he cannot answer the question now, but is it something he would reconsider when I pose the question again. I would emphasise that it is this bit of the composite question, which is what the duration of their contracts are?

400 **Hon. J J Bossano:** The hon. Member is right in saying that I cannot tell him when each one of the
people that are finishing started, without going back and checking it, but he knows of course, that the
policy is that the bulk of the contracts will be three months, because I have told him that before and that it
is only where a case is made for special skills, that they are over the three months, although there will be
405 people that have been longer than three months there, simply because they were there, as he knows we
have still got people from the VTS that were... and there are people who have been around for six or
seven years.

Hon. D J Bossino: But it is information which he can provide, just so that he understands what
410 information I am seeking, Mr Speaker.

Hon. J J Bossano: Mr Speaker, I can provide because each person has got a contract of employment,
so clearly there is a start and a finish date.

415 **Hon. D J Bossino:** Mr Speaker, again, homing in on the composite question, I also asked what the
nature of the training they are each receiving is. He referred in his answer to Policing, can he expand on
that, and is that the Cadet Scheme that the RGP are pursuing?

Hon. J J Bossano: Yes, there are six in the Police Cadet Scheme that were taken on last year, for two
420 years, and there are six that are being recruited this year.

Hon. D J Bossino: Mr Speaker, obviously the question relates to the Future Job Strategy, so is he
confirming to this House today, that the RGP Cadet Scheme forms part of the Future Job Strategy,
because if it is, that is news to me, but can he confirm what the position is?

425 **Hon. J J Bossano:** Yes, they are paid a minimum wage and they have a Contract of Employment with
the Employment Training Company. Of course clearly, if they are successful, they will be given an
opportunity to join the Police Force at the end.

430 **Hon. D J Bossino:** Mr Speaker, can I also encourage him, lots of encouragement from my side today,
Mr Speaker, that he provides me with the information that he started providing me with, which relates to
the names of the Government Departments, Companies, Agencies and Authorities on a quarterly basis. I
think the last information which he sent me was sent in April, which took us up to the first quarter of
2013. I would be grateful if he could update me with that information and that is why I asked the
435 question. I would not have asked it if he had given that to me by letter, which he has undertaken to do in
the past.

Hon. J J Bossano: Mr Speaker, the hon. Member is perfectly right and I apologise for not having
done it. The Department should have done it automatically and they did not do it. I only realised it when I
440 got the question and I am sorry it has not happened.

Hon. D J Bossino: Mr Speaker, also the other information, which I know he has said in the past he
will not be providing, but again I would try and persuade him to provide it – because this is information
which I think we ought to have. Again, it goes back to the point I made earlier in response to the Speaker,
445 which is that if we had this information, we would be able to properly take the Government to task as to
whether this scheme has been successful or not. And that is, that he provides the details of those private
entities and I widen the question as much as I possibly can, because then we will be able to establish –
and I made that point during the course of my Budget speech, and that point has been made when the
Hon. the Leader of the Opposition held my role in the past – whether this scheme is in fact working or
not, and whether it is genuinely working or whether it is in fact an artificial scheme.

450 I think we need to know exactly, Mr Speaker, which private entities are participating in this scheme.

Hon. J J Bossano: Well he is not going to persuade me, and I do not accept that knowing the name of
the employer makes it more or less artificial, and I would remind the hon. Member that the last time when
455 in January I mentioned 101 had been employed, the Leader of the Opposition said to me would I admit
that I was not being any more successful than Mr Montiel was because Mr Montiel had 101 people who
were able to obtain employment, and I have just told him it is 546 and he is still trying to find fault with

it. I would have thought he would say that he is overjoyed that I have done five times as much as Mr Montiel did.

460 **Hon. D J Bossino:** But you see, Mr Speaker, that is precisely the point. What I think we would want to know, is whether these individuals, these 560-odd are employed and who they are employed by, then we will be able to know exactly what the position is.

At this stage, we are blind as to whether he is shoe-horning Future Job Strategy trainees in particular companies, who may be benefiting – the point was made by my learned hon. Friend in the past – from
465 Government contracts. I think this is a serious point of openness and transparency.

I dare say, Mr Speaker, that there are other Members of his Government who would not have made an issue of this and would have provided this information without much ado. I would again, try and persuade him and encourage him, to see what point it is that we are making and to see the error of his ways, and provide us with information which I think, from the Opposition Benches, we are legitimately seeking.
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Hon. J J Bossano: Well Mr Speaker, if the error of my ways is that I do not agree with him, I think I want to stay in error for a very long time to come.

I have to tell him that I do not know who the 101 that they claim were employed are, or where they were, and I have found no evidence in the Department that they even exist, and I have not chosen to make
475 an issue of that with the hon. Members opposite.

What I can tell him, is that the vast majority of the 546, are in companies that have nothing to do with the Government, that I can tell him, because we have not got enough work in the private sector to generate an income for 546 people to be employed. It is as simple as that, and if the hon. Member thinks of it, that would be – these people are not all in the construction industry. Let us start by analysing that, if
480 they all were, that would be almost two thirds of the construction industry. If he knows anything about the statistics in the employment survey, he will know that his suspicions cannot be well founded, because statistically they are basically flawed.

The answer is, he has not persuaded me and I am not going to give him the names.

485 **Mr Speaker:** May I... It has been a complaint of Oppositions over the years, and of Governments indeed, that perhaps five working days, or even seven, may not be sufficient in order to obtain very detailed statistical information. In my view, to bring information to this House, about where 564 people are employed, is such a case. In fact, on this occasion, the Hon. the Minister has had more time, because the questions are being answered today and not at the earlier part of the meeting.

490 But had it been the earlier part of the meeting, then we are talking of five or six working days. That I do not think is a reasonable situation, I do not think Government Departments, or Ministers for that matter – and this is an age old thing, going back when I was a Member of the House – can be paralysed for five or six days in order to obtain such statistical information.

Nor do I consider that it is proper that such information, that Members should expect that to be given across the floor of the House. There are two other avenues that the Members of the Opposition have; they can write to the Minister, they can ask a Question for Written Answer. Then, if they are not satisfied, by all means, raise the matter here, but do not expect to get detailed information of that nature across the floor of the House, because it is very time consuming and I do not think that that is what the House is here for.
495

500 That is by way of general guidance. *(Laughter)*

Hon. D A Feetham: Well, Mr Speaker, I rise as Leader of the Opposition. May I suggest to Mr Speaker, that perhaps next time round, he ought to – *(Interjection)* No, no, perhaps next time round, he ought to take care what questions he allows on the Order Paper because –
505

Mr Speaker: But what does the Leader of the Opposition think that I do, when questions are tabled? That I do not take care? That we do not look at them?

510 **Hon. D A Feetham:** Can I, may I –

Mr Speaker: But as I said about one of the questions, it was border line. I gave the Hon. Mr Bossino the benefit of the doubt and allowed the question. It is not the first time – *(Interjection)* it is not the first time, I am sure that the Hon. Sir Peter Caruana will recollect, that on one occasion he had a very, very lengthy question, and I said, ‘Look, there is a very lengthy preamble, therefore there is no problem, but do not take that as being a precedent.’
515

Now in my view, as I have given the hon. Member the benefit of the doubt, Question 638 was of excessive length, and there are rules about that. I have allowed it on this occasion, the Hon. the Leader of

the Opposition is now encouraging me to be perhaps more careful for the future, and I will do so if he so wishes.

520 May we carry on with the rest of the business please?

Hon. D A Feetham: Well, Mr Speaker –

525 **Mr Speaker:** May we now have Question 639. (*Interjections*)

Clerk: Question 639 –

530 **Hon. D J Bossino:** Mr Clerk, there were three questions which have been posed, and I have not finished my supplementaries in relation to all of them. I have a supplementary in relation to Question 640. Am I allowed to proceed?

Mr Speaker: Yes, alright. You wish to ask further supplementaries? (**Hon. D J Bossino:** Yes.) Right, I will allow you one or two then. Carry on. Yes.

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

Mr Speaker, Question 640, to remind the hon. Gentleman for his assistance, related to how many individuals have participated in this scheme since it commenced, to include details of their ages and he gave me a long litany of information which I have not been able to jot down, or indeed digest properly. I will do so with time, and now that *Hansard* is made available quickly, (*Interjection*) I will be able to do so before the next sitting, I hope.

540 Can he give me this information now across the floor of the House: is he able to tell me, how many school leavers from the 2012 and 2013 intake, have gone through the scheme? Because of course it will have been those two dates which would have been impacted. Those school leavers rather, which would have been impacted by the introduction of his policy, which was introduced in February, 2012. Is that information which he can provide to me this morning?

550 **Hon. J J Bossano:** I can tell him, Mr Speaker, that of the 999 in the list, 699 are under 25, so that shows that about two thirds are in the under 25 age group. He will see that in fact, 15 and 16-year-olds, there are only 33 out of the 999. So remember that the hon. Member has asked Mr Speaker for everybody that has been through the scheme since it started on 1st February, 2012. Therefore, we are talking about the people who have been through it for two years. We are doing an analysis now of where school leavers have finished, not just in the last 2 years, but in the years before that. When that is ready, I will give him any more information that is available.

555 **Hon. D J Bossino:** So that last point which he has mentioned, what does the analysis entail and will that information be published in a report? I did not quite catch the last bit which I received at my end as a bit of a mumble, is he able to expand on that?

560 **Hon. J J Bossano:** Well yes, the answer is that I am not able to give him an answer to the question that he asks related to school leavers, because that information does not exist. It requires us to obtain the list of school leavers from the Education Department and then to put a team of people, finding out where those school leavers are today, and we are doing such an exercise. That exercise is not going to be done in order to publish it or produce a report; it is going to be done for the purpose of manpower planning within the Employment Service. But when that exercise is ready, I will be able to provide the answer to the kind of questions that he has asked me as to where school leavers have finished up, but that is not information that is available today, but it is in the process of being done, that exercise.

570 **Hon. D J Bossino:** But is this information which you will be publishing once it is complete – because if it is not, then obviously I need to time the question accordingly – is he going to be advising me, Mr Speaker, as to when that exercise is going to be complete, because obviously then when it is complete, I will be able to ask him if he is going to provide it across the floor of the House, if it is not a report which he is going to be publishing unilaterally? Does he understand why I am asking the question?

575 **Hon. J J Bossano:** I am telling him that it will take several months to do and if he puts a question in several months' time, I should be able to give him an answer. We are at the beginning of that exercise, we have not yet actually engaged in it. We are at the stage of having compiled a list of school leavers, it is an exercise that has to be done one by one, and there is no other way of doing it. You have to effectively track down the employment history of each individual since they left school, in order to find out from the... you see, the fact that we have got a certain number of people registering as unemployed, does not

580 necessarily mean that that is the only number that is without work. This is something I had raised many times before, and urged the previous Government to do, but it was never done, because it is obvious that there is a gap between the numbers that enter and leave school, and the numbers that enter the labour market.

585 **Hon. D A Feetham:** Mr Speaker, just in relation to the 24 new trainees in the Construction Training Centre, how were those individuals recruited? Did his Department advertise and say, 'Look, we are now going to be offering these new Level 1 City and Guilds,' or was it done internally from within the unemployment list, or was it done internally from within the pool of Future Job Strategy trainees that he may already have placed within Government Departments?

590 **Hon. J J Bossano:** Every single unemployed person that had expressed an interest in working in the construction industry, and every single person in the Construction Training Company, was interviewed individually and offered the opportunity of taking on these courses. These are the 24, the first ones that were selected and there will be more next year.

595 **Hon. D A Feetham:** What about people outside the unemployment list? People that maybe school leavers that may be interested in doing Level 1 City and Guilds, this new effectively course the Government has set up. Was it open to them and if not, why not, and when is it going to be open to them?

600 **Hon. J J Bossano:** Well, Mr Speaker, every single person that has registered as looking for work, every single one not just school leavers, of any age, has been told about this opportunity, I do not know what more we can do. Presumably they do not come looking for work. I suppose when we get the list of all the school leavers, we can find out those who have not come looking for work and go knocking on their door to see if they want to work.

605 But at the moment, it is limited to those that have registered as wanting to look for work, and expressing an interest when they get interviewed. We now have one-to-one interviews that did not used to happen before. In those interviews, people are told of the opportunities that exist in the economy of Gibraltar, and the fact that the work available is in the private sector, which under the previous administration we had been told Gibraltarians never wanted to work in.

610 They are now working in the private sector, and they are being told they get trained in order to work in the private sector, and we have got people who are interested in doing it. As long as they are interested in doing it, the courses will be provided. There is no limit.

615 **Mr Speaker:** One final supplementary.

620 **Hon. D A Feetham:** Yes, but of course, Mr Speaker, you do not have to be on the unemployment list to be interested in this particular course. You may be someone who is already, for example, employed in the private sector but may wish to have a formal qualification in construction, who might find that this particular course is a worthy course to do, and may wish to do it. Is he really seriously suggesting that those people that want to improve their lives by getting better qualifications, simply because they have a job they are not going to be allowed on to the scheme, because the hon. Gentleman is just simply making it exclusive to those who are looking for a job?

625 **Hon. J J Bossano:** No, Mr Speaker, what I am saying to the hon. Member is that there will be many more people going through the scheme than there were before, and that as far as I am concerned, it is right to give priority to those who have got no work at all, who are in greater need of a job, than those that have already got a job.

630 When we exhaust that, then we will see if there are people who are already working who want to give up their job, work for the minimum wage, and do a training course. I doubt very much whether there are any (*Laughter*) but we will explore that possibility when we have exhausted the supply that we have got at the moment.

635 **Employment Service positions
Details of those filled**

Clerk: Question 639, the Hon. D J Bossino.

640 **Hon. D J Bossino:** Can the Minister for Employment provide full details of all the positions currently filled at the Employment Service, to include names and grades held, whether the individual is a civil servant or an employee of the GDC or a trainee in the Future Job Scheme?

645 **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 following posts are currently filled in the Employment Service: civil servants – two Senior Officers; two HEOs; one EO; two AOs; one AA; one Personal Secretary; and one Messenger.
GDC – one Grade 5; two Grade 4s; four Grade 3s; five Grade 2s; five Grade 1s.
650 No trainees fill posts in the Employment Service and I am not prepared to give him any names.

Hon. D J Bossino: Mr Speaker, is there any reason why the hon. Gentleman refuses to give me any names? This is not an improper –

655 **Mr Speaker:** I personally think that it is not acceptable that the names of individual civil servants in a Department should be given across the floor of the House. I think it is quite unnecessary and the hon. Member would have to really convince me, privately, that that should be the case. I cannot see why, in this House, the names of individuals should ‘willy nilly’ be given for public information. Information has been given about the grades that have been filled, I do not think it is necessary, and I so rule, that I am not
660 going to allow individual names.

Hon. D A Feetham: Mr Speaker, may I – Mr Speaker cut me short last time round and I would just ask him, as a matter of courtesy to the Leader of the Opposition, if I may be allowed to make perhaps the point which I can now make, that I was going to make before?

665 It is this, that of course if Mr Speaker allows a question on the Order Paper, Mr Speaker is effectively ruling, because Mr Speaker gets the questions, that the question is in order. Now –

Mr Speaker: No. May I – ?

670 **Hon. D A Feetham:** That is why –

Mr Speaker: No. (**Hon. D A Feetham:** That is why...) The names and grades – ‘names of the grades’ – I did not take that to be names of the individuals.

675 **Hon. D A Feetham:** Names and grades.

Mr Speaker: Of the grades, I did not take that to be of individuals.

680 **A Member:** Names of posts.

Mr Speaker: The name of the post and the grade of the post, but not individuals. Does the Hon. the Leader of the Opposition have anything else he wishes to say?

685 **Hon. D A Feetham:** No, Mr Speaker.

Hon. D J Bossino: Mr Speaker, just by way of guidance, which Rule of this House...? At the end of the day, this House is governed by the Rules and Standing Orders?

690 **Mr Speaker:** If the hon. Members wish to have a look at Rules, there are plenty of them, let them have a look at the Rules governing Question Time, where very often I am liberal. The very first one, I allowed the Hon.... as I just said previously, I allowed him to get away with it. I could well have ruled that it was dealing with more than one subject, and it was of excessive length.

695 A question must not publish any name or statement, not strictly necessary, to make the question intelligible. Therefore the answer does not have to also publish... I do not think that it is fair on Government employees, that in this House their names should... unless there is a very, very serious reason, and I cannot imagine that in this case there is a very, very serious reason why the names should be given.

700 **Chief Minister (Hon. F R Picardo):** Mr Speaker, if I may be of assistance. If I can just clarify for hon. Members opposite, I believe this was the practice actually of the previous administration and of administrations before them, that names would not be provided.

We had an incident where the hon. the backbencher, when he was Leader of the Opposition, may recall he and I had a debate on the issue of the Heritage and Culture Agency, where I told him that we would not give the names of individuals across the floor of the House. But, because in that case we were dealing with a report from the Principal Auditor, I believe, that looked at what had happened in terms of the employment issues, I said in order for you to be able to defend yourself against the allegation that we have made, and that the Principal Auditor has substantiated, I will give you the list with the names behind the Speaker's Chair, and if you feel it necessary then to identify people you may do so, because then it would be essential for the purposes of that debate.

But otherwise, the practice of this House, I am sure, even from the time that Mr Speaker was actually on these benches, before your elevation, has always been not to share the names. If hon. Members wanted to make a specific allegation, about a specific individual who they felt was in the public interest, then that, subject to Mr Speaker's discretion, might be relevant. But otherwise, I think the practice has always been, not just in relation to Civil Servants and names of individuals, sometimes also in relation to companies, not to give identification by way of name, where it is possible to identify people otherwise.

Hon. D J Bossino: Mr Speaker, you have referred me, or the Opposition, to Rule 17(1)(ii) and of course, the provision states that a question must not publish any name or statement not strictly necessary to make the question intelligible. The questioner is not seeking to publish any names. What the questioner seeks to obtain, and to elicit from the Government in the answer, are the names. [*Laughter*] (**Hon. D A Feetham:** Absolutely.) Mr Speaker, the only possible, possible provision that I consider one may have breached, and I do not accept that it has been breached, is 17(1)(xii) which is:

'a question shall not seek information about any matter which is of its nature secret...'

In my view, when I posed the question, I did not think that this was of its nature, the information that I was trying to elicit from the hon. Member, secret.

Indeed, my hon. Friend and Leader of the Opposition...

Mr Speaker: May I say –

Hon. D J Bossino: Can I just finish the point, Mr Speaker? The hon. Gentleman, my hon. friend, the Leader of the Opposition, makes I think a valid point. (*Interjection*) When one files the questions, they pass through the Speaker's filter, so one thinks that one is in safe territory when one poses the question *viva voce* across the floor of the House.

But in any event, in answer to the point made by the Hon. the Chief Minister, his own Government, when I personally have asked this question of the Hon. the Minister for Tourism, the Hon. the Minister for Tourism, and maybe because of his liberal roots and perhaps a greater commitment to openness, has provided me, in very clear terms, in a colour organisational chart, in fact more information than I sought in the question itself last year – details of names and positions held, whether they were GDC employees – which is a question which I asked in this question – or whether indeed they were civil servants, the position as it was before he took office, and the position as it was after he took office. That is why, Mr Speaker –

Mr Speaker: May I say –

Hon. D J Bossino: Your filter, and the fact that I have asked this question and it has been openly responded to by the same Government (**Hon. D A Feetham:** Hear, hear.) that I thought I was able to ask the question. Mr Speaker and this does raise potentially an important political point. The Speaker mentioned that earlier, you mentioned it earlier; it does raise potentially a political point. We are hearing, many people are telling me down the street, or when they see me in consultations, that the Employment Service is being run like a cabal by the Hon. the Minister for Employment. (**Several Members:** Hear, hear.) (*Banging on desks*) All I want to do is to establish, not wishing to raise rumour to the floor of this House, to elevate to the floor of this House, but simply wish to establish, as I am indeed entitled to do, as a Member of this Opposition, Her Majesty's Opposition, to ask this type of question.

Mr Speaker: Two matters.

Hon. D J Bossino: The question was asked...

Mr Speaker: Two matters. First of all, I agree with the hon. Member that subparagraph (xii) does not apply because by the nature, civil servants, their employment is not of a secret nature. It applies to other instances though, the question of whether, by the nature matters are secret. I have ruled on some

765 occasions previously where I have not allowed a question, because I consider that of the nature, they are secret.

Now, the question of the filter, the Clerk and I receive 150 to 160 questions that we have to go through in a very short period of time, in order to allow the Government time to answer those questions. This is nothing new. This is something that has always happened. Neither the Clerk or I are yet infallible – and I do not think we will ever attain infallibility – and under the pressure of time, something can slip through, which perhaps on reflection, such as is the case now, one might not have allowed.

770 In all the years that I was a Member of the House, information about individual civil servants was not provided, either when I was in Government or whether I was in Opposition. I imagine that the two Speakers at the time knew what they were on about and so did hon. Members, and that is the view that I take.

775 I do not think that it is necessary, in order to pursue the matters which the hon. Member wishes to pursue – which I do not know about because, obviously, I am not in the street available to engage in political tit-tat of such a nature, that is not something I am privy to – but it is possible for the hon. Member to pursue these matters without the names of individuals being made public here in the House.

780 **Hon. Chief Minister:** Mr Speaker, if I may just deal with the issue of order that is being raised. I had an incident involving your predecessor, a Speaker, where a question of mine was admitted on the order paper and on representations made by the then Chief Minister, now the hon. the backbencher, across the floor of the House, which mentioned an individual's name. Mr Speaker then ruled that I should not mention the name of the individual, because it was possible to identify him in another way, although the question had been asked.

785 I think it is clear to all parliamentary practitioners, that although Mr Speaker may allow a question on the order paper, when it comes to hearing representations from the Government or from either Party in the context of the debate, Mr Speaker's view may be informed in a different way, and Mr Speaker may rule in a different way. That is absolutely the position as it has been until now. But I think it has been very useful Mr Speaker, that the hon. Gentleman has clarified, that the only purpose for which he wants these names, is to satisfy his thirst for rumour and for tittle tattle on the street, and what he has described as a cabal.

790 He might be interested to know, because I think sometimes the tongue is engaged before brain on the other side, that a cabal is a small group of secret plotters, against the Government or a person in authority. So if he is giving me an indication that there is a secret plot against me, then I am very grateful for highlighting that. But the definition actually talks about secrecy, in which case, Rule 17(1)(xii) would be engaged.

795 The fact is, Mr Speaker, that there are data protection issues here, why should names be bandied across the floor of the House, what is the allegation that he is making and does he really think that the politics of Gibraltar in this Parliament should simply be based on the rumours that he hears in Main Street?

800 **Hon. J J Bossano:** Mr Speaker, if I may. Can I just bring to the notice of the House Mr Speaker that the bulk of the people listed as working there were there before 9th December. *(Laughter)* I do not know whether they were a cabal of GSD then or they were already a cabal of the GSLP. But if they have all been converted to being a cabal of the GSLP, I am delighted to hear that that is whatever a cabal may be.

805 I can assure the hon. Member that, now that he has revealed that the reason why he wants the information as to the names is in order to try and establish their political affiliation, that gives me even more reason for not providing it.

810

Several Members: Hear, hear.

Mr Speaker: Next question.

815

**Graduate Employment scheme
Contracts; increases; Labour Inspectors**

820 **Clerk:** Question 641, the Hon. D J Bossino.

Chief Minister (Hon. F R Picardo): Is this also based on rumour?

825 **Hon. D J Bossino:** Well, a rumour which the hon. Members could have dispelled.

Mr Speaker: May I now ask hon. Members to come to order and deal with the business of the House in a responsible, mature manner. We have spent an hour and ten minutes on five questions. That in itself is an indication of how liberal I have been this morning.

830 But let us get on with the business, in a responsible and mature manner, as representatives of the people of Gibraltar, which is what we are.

Hon. D J Bossino: Mr Speaker, I was responding to a quip by the Hon. the Chief Minister.

835 **Mr Speaker:** May I ask the hon. Member to ask the question and get on with the business of the House, and not to make any more snide side-remarks. (*Laughter*)

Hon. D J Bossino: But the point that the Hon. Chief Minister made, *his* was a snide remark. Why – ?

840 **Mr Speaker:** May we get on with the business of the House in a proper manner? Let us proceed with the questions and answers.

Hon. D A Feetham: I have never seen anything like this.

845 **Hon. D J Bossino:** Has the question been referred to?

Clerk: Question 641, the Hon. D J Bossino.

850 **Hon. D J Bossino:** Mr Speaker, can the Minister for Employment, state how many trainees are on the Graduate Employment scheme with the duration of their contracts in each case?

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

855 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, I will answer this question with Questions 642 and 643.

Clerk: Question 642.

860 **Hon. D J Bossino:** Can the Minister for Employment advise whether all the trainees in the Graduate Employment scheme have received the increases promised to them?

Clerk: Question 643

865 **Hon. D J Bossino:** Can the Minister for Employment provide details of the grades held by each of the recently appointed Labour Inspectors?

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

870 **Hon. J J Bossano:** Mr Speaker, as at the end of August, there were 52 trainees in the Graduate Research and Employment Company, with 11-month contracts.

Trainees on the Graduate Scheme have not yet received their pay increase.

The recently appointed Labour Inspectors are all graduates engaged in the Employment Research Unit.

875 **Hon. D J Bossino:** Mr Speaker, of course, the hon. Gentleman knows that he is under a manifesto promise commitment, to provide graduate employments with three-year contracts. It is very clearly set out on page 25 of the manifesto. Can he confirm that these 11-month contracts, basically, will be renewed so that each individual graduate employee will be able to fulfil his or her entire three-year term in the contract, which is what the hon. Gentleman promised during the course of the election, as set out very clearly in his manifesto?

880 **Hon. J J Bossano:** Well, Mr Speaker, it is true that the manifesto talks of a contract for up to three years for those who are returning graduates and choose not to go on to do a higher degree, which is what the manifesto says.

885 There are people who do not come into that definition of what the scheme was for, and there are certainly many more than the six that according to the previous Government there were. The previous Government told me, in answer to a question in this Parliament before the election, that there were only half a dozen graduates available and looking for work, and it turned out that there were many more.

890 In order to be able to accommodate those that there were, and those that are coming back, what we do is we encourage the people in the system to apply for jobs that become available. Therefore the idea is that hopefully, not all of them will have to depend on us for three years of work and that we will be able to recycle people so that we are able to bring new people in when they are unemployed, but still get some people off the unemployment list by placing them in a permanent job in the private sector. That is an ongoing exercise.

895 **Mr Speaker:** Next question.

Hon. D J Bossino: Ah... Right!

900 **Mr Speaker:** A supplementary?

Hon. D J Bossino: Mr Speaker, yes. Is he telling this House, that there is a distinction between returning graduates, and presumably if you fall under that category you are entitled to a three-year contract, and those who are not returning graduates, presumably graduates, who were here in Gibraltar at the time that the scheme started? I think he needs to; this is an important distinction which he needs to clarify, because it certainly is not clear from page 25 in the manifesto.

905 **Hon. J J Bossano:** Well, it may not be clear to him, it was clear to me when I wrote it and it says returning graduates. *(Laughter)*

910 **Hon. D J Bossino:** Mr Speaker, is there a distinction or is there not?

Hon. J J Bossano: I am telling the hon. Member that in fact, given the fact that when it was written, it was on the false information that there were six existing graduates who were looking towards the returning one. When we found that they had omitted to tell us that there was a nought after the six and that really, we had inherited 60 people, then in fact the bulk of the people that were there were not returning graduates, they were already unemployed before we got elected.

915 The returning graduates for this year, for example, are expected to be about 250 and we will not be able to accommodate them, because simply the numbers are too big. So what we are doing is encouraging people and sending people to vacancies, so that as people move out of the grad we are able to take extra people on. But the number of 52 is about the average at any one time, but they are not necessarily the same individuals.

920 So when the hon. Member asks me are they all on three years, well the answer is no because there have been more than 50 in and who have now gone out of the system since we started.

925 **Hon. D J Bossino:** Mr Speaker, is he saying that if you are a returning graduate now, you will not necessarily benefit from the promise which was set out in very clear terms in the manifesto, which is that if you have decided not to take up the statutory entitlement to a post-graduate scholarship, and wish to return to Gibraltar, you will be given – not up to three years as he said in answer to my first supplementary – but a three-year contract as research assistants? Has the Government, for whatever reason, because they thought the numbers were less than they in fact are – and it is all the GSD's fault, as usual... Is the Government saying that there has been a departure from the policy as very clearly set out, and announced, in the manifesto in 2011?

935 **Hon. J J Bossano:** Mr Speaker, what I am telling him is that the people who return from the United Kingdom and are not able to find work and register as unemployed, and who do not wish to take the new opportunity that did not exist before, of the mandatory post-graduate degree, those people will be taken into the scheme, but that we will not be able to take in 250 in one go.

940 So what we are doing is, given the level of funding that we are providing, and given the fact that, unlike the impression created when that commitment was given that we were talking about having to provide for six or seven people, we are talking about having to provide for 60, we are now financing around 60 positions in the graduate scheme and that people come in as our people go out.

Therefore, I am confident that we will be able to accommodate practically everybody that wants to come in. That is what I am telling him.

945 **Hon. D A Feetham:** But Mr Speaker, is he saying that effectively he is operating a two-tier system, where there are people within the system that have three-year contracts, in other words those that may have come back, and those who are existing graduates when he took over, who have got 11-month contracts? Is he saying that there is a two-tier system in operation at the present moment?

950 **Hon. J J Bossano:** Mr Speaker, I cannot understand why he is asking that question, when the answer is all, *all* are on 11-month contracts, so where does he get the second tier from?

Hon. D A Feetham: From your answer.

955 **Hon. J J Bossano:** The answer is *all* 52 are on 11 months. That is the answer. That is the answer that I have given him and he says, am I saying that there are two tiers? Well, I am not saying there are two tiers. I am saying the fact that people may spend three years on renewed contracts, does not mean they have got a three-year contract. Every single person that has come in has been given an 11-month contract from day one.

960 **Hon. D J Bossino:** But Mr Speaker, that is in clear breach of the terms of the manifesto commitment. Forget whether they are graduates who were here, he is now making that distinction, or graduates coming back, and now he is saying, in fact he is confirming, Mr Speaker, that there is a departure from the promise, the policy as set out in page 25 of the manifesto. It is a very clear departure. The Government will now not be able to finance every possible graduate who comes back from the UK, a returning graduate fits the criteria as set out in the manifesto, but does not want to take up the statutory entitlement to post-graduate studies, but he is saying to us here and now, that the Government will not be able to finance all 200-odd and that he will have a limited budget for 60. For 60, Mr Speaker, so how can he quite fleetingly say that no, they are all on 11-month contracts. The fact is, he stated that they will be given three-year contracts.

970 Mr Speaker, can he clarify the position?

Hon. J J Bossano: Yes, of course I can clarify the position, Mr Speaker, if you give people three years of an 11-month contract and then one contract of three months, that comes to three years. I know he has difficulty in counting up to 36, but actually it is the same amount.

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Hon. Chief Minister: The commitment is there.

980 **Hon. D J Bossino:** Well, Mr Speaker fine. Is that what he is doing? This is what I thought the Government was doing, because all I can base myself on is what they promised in the manifesto, and I do not think we have asked this question in the past. So I am getting this information straight from the horse's mouth now.

I expected that was going to be his reply in the beginning, that there would be rolling contracts, which is perfectly acceptable under EU law and, after a certain period of time, they would have certain employee statutory rights, despite the short duration of the limited contracts. Is that the position? Are they going to be extended?

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So if I am a graduate now... he needs to here and now tell us and yes, Mr Speaker, and to assuage any concerns that there may, of those graduates of those employees who are employed by the Graduate Employment Company, that their contracts, their current 11-month contracts will be renewed at the end of that particular term, to take us up mathematically to the three-year contract which was promised in the manifesto.

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Is that the position?

Hon. J J Bossano: Mr Speaker, I do not need to give comfort to any of the 52 graduates whom I know personally and I see every day, by answering questions from the hon. Member who is trying in fact to do the opposite. (**Hon. Chief Minister:** Hear, hear.) Instead of calming their fears, what he is trying to do is actually create fears that are non-existent –

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Hon. D A Feetham: There is a lot of fear.

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Hon. J J Bossano: Well if there is a lot of fear, then I am available and they can come and tell me what their fear is. If they choose to go to the hon. Member opposite, it can only be because they are in the wrong cabal. (*Laughter and banging on desks*)

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Mr Speaker: Any other supplementary?

Hon. D J Bossino: Yes. Mr Speaker, in relation to Question 642, this was in relation to the annual increases. Can he explain why the increases, again which were promised in the manifesto, and look it may be an administrative issue, but can he explain why the increases have as yet, not been paid? The manifesto promise was that the increases were going to be paid, I think, in two stages during the course of the three-year contract, initially it was going to be 50% above, for the first year 50% above the minimum

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wage, then in the second year, 25% above and then to reach 100% in the third year. Can he explain why the delay?

1015 **Hon. J J Bossano:** Mr Speaker, it is not unusual for people to have pay rises calculated and paid retrospectively. Their calculations are currently being done to go from 125 to 150... sorry, from 150 to 175. When that happens, it will be back-dated to the anniversary of their entry point, which clearly is more than 11 months. But obviously if I am giving people an increase after 12 months, it must follow inevitably and logically that they are not all being sacked at the end of the 11 months as he was
1020 suggesting in his previous supplementaries, because otherwise there would be nobody to get to the second stage.

Hon. D J Bossino: Yes, but I do not think he has explained. He has explained that it is common, and it can happen, I am just asking why it has happened. That is all.
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Hon. J J Bossano: Well, it has happened because it is being calculated. The calculation has not yet finished. When it is finished, it will be made back-dated to the anniversary, because although there are 52 people on 11-month contracts, they are not in their first 11-month contract. Otherwise, nobody would be entitled to go from 150 to 175 because nobody would have been for 12 months.
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Hon. D J Bossino: Mr Speaker, I think Question 643 was also asked, which related to the grades held by each of the recently appointed Labour Inspectors. I think the answer was that they are grad employees, all of them, I think hold that position.

Is this not unusual that trainees should in fact receive a statutory appointment as Labour Inspectors? Labour Inspectors, the appointment is made – as the hon. Gentleman knows – under section 16 of the Employment Act and under section 17, there is a raft of statutory powers which they can exercise as Labour Inspectors. The position in the past – as again he well knows – was that these positions were filled I think by and large, by relatively – and in some cases – senior civil servants, in the position of HEOs and SEOs.
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So how is it possible, does he not think it is unusual, that all these Labour Inspectors should be in the Graduate Employment Scheme?
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Hon. J J Bossano: Well, Mr Speaker, the hon. Member has only listened to half of the reply that I gave him.
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I said they are engaged in the Employment Research Unit. The Employment Research Unit needs to approach employers to obtain information, which they can only insist on getting because they are authorised under the Employment Act, which allows the Director to employ any person to appoint any person. That is why they have been appointed and they have been carrying out research in the whole economy of the Registration of Employees, which had been hugely out of date, as I have told him before, and we have had a team of people updating all those records, in order to be able to carry out that function without the employer saying, 'I do not have to give you the information, they have been appointed Labour Inspectors.'
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Hon. D J Bossino: But surely, Mr Speaker, that begs the question why it is that that... I mean that is a job which a Labour Inspector who would have been there before, could have done. The information that I am receiving – not to call it rumours – is that I think we are down to one man in the Labour Inspectorate, whereas before there were six or seven formally appointed positions.
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So why is it that he is now having to fill those jobs by graduate employees to carry out something which could have been conceivably, and I would dare say more properly, done from a good governance position, by formally appointed civil servant Labour Inspectors, who I assume would have had the experience and the training to have done a delicate job like this – not a group of six graduate employees?
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Hon. J J Bossano: Well, Mr Speaker, I do not know how the hon. Member has decided that it is a delicate job like this, when he does not seem to know what the job is, even though I have tried to tell him. The only reason why I am having to do it Mr Speaker, is because for the last 15 years, the records of the Employment Service are an absolute shambles.
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There is, in fact, let me remind the hon. Member that the last Minister for Employment, the last Minister for Employment, Mr Montiel, continued to be registered as working in Bleak House under the GDC when he was throughout the four years as a Minister. Therefore in order to require people to comply with the law which the Employment Service itself was not complying, if the Minister had attempted to enforce the law, he should have sent a Labour Inspector to himself, to question why he was illegally registered as working in Bleak House.
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1075 The team of six people that have been carrying out the research have been trying to get the records that I inherited, after 15 years of bad government, and I am trying to put right so that when he asks questions, I can give him accurate information. If I had to rely on what I inherited, the figures that I would be giving him would be meaningless.

1080 Indeed, I have pointed out more than once the caveat that when I tell him there are so many people in the Employment Service registered as employed, that is subject to the fact that those records may not be accurate. One of the reasons is, because employers, including the GDC, in the case of Mr Montiel, failed to inform the Employment Service, that the guy that is sitting there as Minister is no longer sitting in Bleak House, and can they please alter the computer record.

1085 Well, there is probably of the order of 2,000 inaccurate entries in that computer system, and what these six people have been doing is, ringing up individual employers and saying, 'Look, I have got a list here that says you employ so and so and so and so: can you please tell us whether these people are still in your employment? Can you tell us if any new people have been taken on and can you tell us if any of them have left?'

1090 Now, that may be a delicate job or may not be a delicate job, but it is certainly not the job that you require vast experience to do, because in fact all that you are doing is informing an employer of the names that are registered. But the employer can, on the advice that I got, say, 'Well look, I do not have to give you the information, because the information is being required under the powers of the Employment Act which a Labour Inspector is entitled to employ.'

1095 A Labour Inspector is entitled to go into an employer and say, 'I want to see your record of employees, to see if it matches what we have got registered. If you have got people here who are not registered, then they are illegally here and I can impose a £1,500 fine or a £2,000 fine for every individual that is working without having been registered with a contract with the ETB.'

1100 Now that law, which was introduced by the GSD was introduced but, like many other things, it was just introduced and nothing else happened. Because it is obvious that we have got not only people who are not registered when they work, we have got people who have stopped working and nobody has bothered to tell the Employment Service and therefore our statistics, in terms of the size of the labour market, are up the spout and all these people under the existing law can be imposed fines which we have not done, because we have discovered that the Government itself and the Employment Service itself was no better than the private sector. I thought it would be wrong to say to the private sector, 'We are requiring you to comply with the law which the Government itself ignores, and in many respects is the worst culprit.'

1105 I can tell the hon. Member, for example, that when we did an exercise with the Fire Brigade, we found that there were still people registered there at the age of 80 as firemen, who retired 25 years ago. So it is the correction of those records which is a finite task that is being done by these people who have got the skill, in my view, and the intellect to be able to do this limited research project. I hope that when the research project is over, I will be in a position to provide more detailed and accurate information to his list of questions that he puts to me. So really, I am doing it for his benefit, more than mine.

1115 **Hon. D J Bossino:** Mr Speaker, he knows that I always enjoy listening to him and I am sure I will continue doing so for many years to come – (*Interjection*) Well, I hope, exactly the Hon. Chief Minister, I hope to be answering his questions in the not-too-distant future.

1120 But I did tell him during the course of the Budget debate that a leopard never changes his spots and his retort, under his breath was, 'But they are good spots.' I am afraid this is not one of his good spots and he does have this propensity, despite the length of his answers, which I enjoy listening to, but not actually answering the question. He ought to consider some advice from the Opposition benches; it is an issue that he needs to deal with. Mr Montiel seems to wriggle in to all his answers and I think that is completely, with respect –

Mr Speaker: Will the hon. Member please ask a question?

1125 **Hon. D J Bossino:** Mr Speaker, it was a really lengthy answer and this is part of, I think, Parliamentary activity. But I will ask a question –

Mr Speaker: Activity does not mean debating. Debating is not part of the process of asking questions. I am asking him to ask the question.

1130 **Hon. D J Bossino:** Mr Speaker, the hon. Gentleman says that – and I was going to ask this question, but he kind of alluded to it at the end of his reply – that the exercise would be finite.

Is the intention of the Government to then withdraw the certificates from these particular individuals as Labour Inspectors; and if I may ask a two-prong supplementary Mr Speaker, with your permission, is the intention to fill in those posts, which at the moment as I understand it – had I had the answer to the

1135 previous question I may have been able to confirm the position – is the Government intending to fill in the positions by Labour Inspectors in the near future, when that exercise presumably finishes?

1140 **Hon. J J Bossano:** Mr Speaker, there are no positions. It is not that there is a fixed quota of Labour Inspectors and that therefore these are six positions that are now filled by graduates which were filled by somebody else, and which when the graduates finish their job, the task that they are on at the moment is a finite one. Once we have got hopefully everybody, we are now at the stage where we are trying to track down the people that have not been contactable, and we do not know whether it is that they do not exist because they do not answer telephones and they do not seem to be – so now we are at the stage that everybody that was contactable has produced a response which basically is in three categories. As he would expect from the information I have already given him, that is to say that there are those who have said, ‘The record you have got is accurate’, there are those who have told us that they have got people that have left and they forgot to tell us that they had left, and there are those who have told us that they have got people employed when they had not registered, which technically means that they were illegal labour, but given the fact that the records are in such a state, we are not doing anything about it.

1150 Once that exercise is complete, whether we still require them to do any other work or not, in terms of research, will depend on what needs to be done subsequently. But the research unit is engaged in the analysis of the composition of the labour market, in order to be able to provide a better service to employers and more accurate answers to the hon. Member’s questions.

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Sunborn Hotel Vacancies

1160 **Clerk:** Question 644, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Employment advise this House whether the Government will have any input in the filling of the employment vacancies being made available by the Sunborn?

1165 **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): Yes, Mr Speaker.

1170 **Hon. D J Bossino:** Well, at least it is not a ‘no’ answer, so again we are making progress, Mr Speaker, this morning.

1175 What in fact is the input, is the ETB compiling a profile of the 200 jobs which I understand... This is a report of the *Gibraltar Chronicle* back on 22nd August, which I think quoted the CEO of the Sunborn saying that it was... very proudly stated that he had placed 200 and it is literally quoted ‘foundation jobs’ with the Employment and Training Board. He also refers to the fact that he is working very closely with Joanna Hernandez and the team at the ETB to fill these 200 positions. So how is it that the, what input, can he give me further particulars as to the input that the ETB is having in relation to the filling up of these jobs?

1180 **Hon. J J Bossano:** Well, the answer is that as we expect every employer to do in Gibraltar, they have opened the vacancies with the Employment Service, which is what the law requires them to do, and they are committed to give priority of employment to the people supplied by the Employment Service, provided they have the necessary skills and they are committed to take on trainees in areas where we do not have the skills, but we can provide trainees that may not require a lengthy period of training.

1185 Clearly, there are many specialist jobs in the 200 which regrettably we will not be able to supply, because we do not have people with those skills. If those are on the open market, I imagine that the only way that they can be filled is because people move from other hotels to this one, because there are no unemployed people from the... I mean, there has not been a hotel school in Gibraltar. There has not been an area of training in that area, so it is not that there are trained people that come out of training and then are looking for work.

1190 That has not happened, it has never happened and it is understandable, because in fact the entire pool of jobs in the hotel industry is not such, and the turnover is not such, that people could think of going into that industry with... The hon. Member knows, we have highly skilled people who are outside Gibraltar today, as he and I know well who, until there are more hotels and more opportunities here, there is nowhere to go.

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1200 So the answer is that the company is fully committed. It has signed a business partnership agreement with us, it is committed to take in trainees, it is committed to taking on local resident workers, if we are not able to provide them. As soon as they are ready to start interviewing people, we are ready to start supplying them. Clearly if there are people at one stage, or there were people at one stage in August who were unemployed and since then other job opportunities have come, people are not going to be waiting for this to happen if other jobs become available. So there is quite a high turnover in the numbers of unemployed, even though the total number is static, there is a flow in and out of about 200 a month.

1205 Therefore, it is against that background and in that context that we are ready to supply. What I am saying to the hon. Member is, that for example if I tell him that about 200 people come in and out of the unemployment list every month, it means clearly that there are 200 people who were there in August who are no longer there, and there are 200 people in September who have become unemployed or registered since. So the availability of the supply of labour from the ETB is not a constant, there are not all that many people in long-term unemployment. Those that are in long-term unemployment are the ones that are more difficult to employ, but there is a float coming in and out and we are closely in touch with them to try and fill as many of those 200 jobs as we can. They are very receptive and very co-operative and it is an attitude that I commend to the rest of the employers of Gibraltar.

1215 **Hon. D J Bossino:** But, Mr Speaker, if I can take this from his response, is he saying that there is nothing extra which is being done in relation to the Sunborn? In other words, is the Sunborn being treated in the same manner that all other employers are treated? He rightly makes the... He knows that I come from a family in the hotel industry, father, brothers, and it is highly specialised. You have got chamber maids, you have got waiters, no not everybody can do it and I suspect that not everybody on the unemployment register or unemployment list will be able to do that type of work.

1220 So, is anything extra, and he makes a reference to, and I quote him when I say, 'Business Partnership Agreement with us'. Can he give more information in relation to that? Are there certain conditions which are imposed in that agreement? Is it in any way related to the financing which the Sunborn has received from Credit Finance Company Limited? Can he shed more light on that particular... I cannot ask specific questions as I know nothing about it, I do not have the intelligence, so he is the one that needs to provide that (*Laughter*) information to me and I would be very grateful if he could shed more light in relation to that particular piece of information, which he has just mentioned in the course of his reply.

1230 **Hon. J J Bossano:** I am surprised that he seems to be reacting as if he had discovered something new in the Business Partnership Agreement, Mr Speaker. The Business Partnership Agreement has been there since 1st February 2012, and it is the Business Partnership Agreement that he always asked me to give him the names of all the people who signed it. No, and it is the same thing, no. It is available to the whole of Gibraltar.

1235 **Hon. D J Bossino:** Fine, Mr Speaker, he expresses surprise but he has confirmed and he has in fact replied to the question, it is the contract which is entered into by the prospective employer with the Employment and Training Company Limited, or whichever other company which provides the services at the Future Job Strategy.

1240 **Hon. J J Bossano:** It only applies to trainees if they take on trainees. That is to say, if they take people from the normal unemployment list and they start paying them from day one, that does not apply. It applies only in respect of a commitment to guarantee employment at the end of the training period, and then the only help they would get, is the help that other people get that have been taken, that is to say the figures that I have given him on the 999 and 546. Well look, the 546 are now employed by employers in Gibraltar who signed a Business Partnership Agreement and honoured the agreement on completion of the training. This is no more and no less than the rest.

1245 **Mr Speaker:** Next question.

1250 **Hon. D A Feetham:** Yes Mr Speaker, obviously this company is not in operation yet; the ship is there for everybody to see.

He says that there has been a Business Partnership Agreement that has been signed. My understanding of course of these agreements is, that the agreements are entered into when the individual is taken on by the company. Now, it presupposes, and I would just like the hon. Gentleman to confirm this, that the company has already agreed to take on a certain number of individuals, perhaps even identified those individuals, when it starts operating sometime next year.

1255 Can he confirm that is the position and if it is, can he give an indication of the number of people that we are talking about that they have agreed to take on as part of this Business Partnership?

1260 **Hon. J J Bossano:** No, that is not the case. What is the case is that they have agreed to do it if it is
 going to do very closely with the Employment Service – they find that they are able to take x number of
 employees, paying them from day one. Then there are the people that they are not able to take on, because
 the skills do not exist. Then they find that of those where the skills do not exist, there may be people who
 1265 have got enough of the background, that with a three-month period or whatever is required, depending on
 the gap, on the skills gap, we identify that there are people that fit that definition and then they are
 committed to take them on as trainees and they are committed to employ them.

So in fact, they are committed to a Business Partnership Agreement, which will only be triggered if it
 is required and if there are people available. There are two sides to this, the company may be quite willing
 to take them, but we may not be able to supply the people. We do not know that until we have first
 1270 exhausted the ones that they can take, which clearly means that if there are people – look if they need, for
 example, cleaners or receptionists or something, they may find that there are people with those skills
 already available and they can take them on straight away.

There may be more specialist skills where the local workforce in the past has not been very involved.
 The level of Gibraltarian participation in the industry, in the hotel industry, is predominantly on the white
 collar side. There are not all that many outside the administrative rolls. The administrative roles they will
 1275 be able to take from us, without the need to provide training, because we have got people who have got
 administrative skills. If someone needs to employ a typist, it is not a different kind of typist from working
 somewhere else, simply because it happens to be in a hotel. So some of those jobs which are admin jobs,
 they will be able to offer.

Some of the jobs that they may want, perhaps to teach them some systems that they have in their
 accounting or whatever, may mean that in order to accommodate their requirement, we give them a little
 bit of help in that we have somebody who has a background in office skills, but not the ones that they
 specifically want to use with whatever programmes they have. So that is something, when we go into
 these things with employers, we go into quite a lot of detail to try and see what we can do, because the
 whole idea is clearly to get people off the unemployment list. So, we go to whatever lengths are required
 1280 to try and persuade the employer that it is in their interest to let us help by up skilling some of the people
 that we have got.

So really, there are two stages. The first stage is if the skills are there they will take them, and there is
 a commitment to do that. If the skills are not there, we will jointly explore to what extent those skills can
 be acquired and then, if those two areas fail, which I expect may be the case with quite a lot of the jobs,
 1290 then they will have to get people from outside, or from within the Gibraltar labour market because they
 may be working elsewhere. I mean, there may be people in other institutions in Gibraltar, who may want
 to move if there is a better paid job available here, that may happen.

1295 **Hon. D A Feetham:** Mr Speaker, can I just explore with the hon. Gentleman, the strength of that
 commitment. Because of course, I could understand that if they have signed some kind of agreement, that
 they are committed under an agreement, to effectively do what the hon. Gentleman has described. Look at
 what you have available, see whether it matches the skills that they need.

But he has talked about a commitment, how committed are they? Is this a situation where, for
 example, as part of the loan that is being provided to the owners of the Sunborn by Credit Finance
 Company Limited – there is another question in relation to that in the Order Paper – that the company has
 then in turn committed itself to taking a certain number? Is that what we are talking about? How concrete
 is this commitment? Is it linked to anything that the Government either has done, or caused to be done by
 a third party that it in turn controls?

1300 Can he provide an answer to that?

1305 **Hon. J J Bossano:** Yes the answer is quite simple: it is not linked to anything. It is just the same as it
 is with every other employer. We have got some employers in Gibraltar, some local companies that have
 got a very positive attitude to working with us in this system, some companies that have been around for a
 very long time, who take quite a lot of our candidates. There are others that are very reluctant and need a
 1310 lot of persuading.

Well they fall in the first category and there is no link to anything else. They accept that if they are
 coming here to do business, they should have a positive attitude towards the community and towards
 providing as much employment as possible for the local people, who will be eventually their customers as
 well. I think it is a perfectly normal thing from a reasonable employer.

1315 **Hon. D J Bossino:** Mr Speaker, just a point of clarification. I think in his previous response to my
 hon. Friend, he said that the intention would be to make available those who are in the registered
 unemployed list. But of course presumably, he will also – if I recall the answers he has given to this
 House in the past, as to how the transitional stage of the Future Job Scheme is working – he will also be

1320 interested to ensure that those individuals, trainees who are placed within the public sector, are also offered this opportunity to leave the public sector and go into the private sector.

Hon. J J Bossano: Yes, he is quite right, that is also there. Yes.

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**Registered unemployed
Numbers in 2013**

1330 **Clerk:** Question 645, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Employment provide the figures for the registered unemployed for each of the completed quarters in 2013?

1335 **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 number of Gibraltarians registered as unemployed for each completed quarter of 2013 was: first quarter – 465; second quarter – 491; third quarter – 442.

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**EU funding applications; development aid; inward investment
Details**

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Clerk: Question 646, the Hon. D J Bossino.

1350 **Hon. D J Bossino:** Further to Question 359/2013, can the Minister with responsibility for inward investment advise how many further applications there have been for EU funding, how many have been approved, and of those approved applications, details of who they are and the purpose for which the funding was applied?

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

1355 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, I will answer this question with 647 and 648.

Clerk: Question 647.

1360 **Hon. D J Bossino:** Since asking Question 359/2013, can the Minister with responsibility for inward investment, advise whether any development aid has been granted?

Clerk: Question 648.

1365 **Hon. D J Bossino:** Since asking Question 360/2013, can the Minister with responsibility for inward investment, report to this House what further inward investment has come to Gibraltar to date, to include the total number of enquiries which have been received.

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

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Hon. J J Bossano: Mr Speaker, since the answer to Question 359/2013, no development aid has been granted but there have been 15 applications for EU funding which have all been approved. These are: Technical Services Department – three projects; The Atlantic Café Ltd; Astute Investment Ltd; D C Leisure Ltd; The (Gibraltar) Laundry Services Ltd; GSLA; A J Sheriff Electrical Ltd; Roxbay Holdings Ltd; Everleigh Ltd; ANS Project Management Services Ltd; Jets Diner Ltd; Décor Construction Ltd; and Horatio Holdings Ltd.

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The purpose of these funding are as follows: building works and equipment – nine projects; equipment and installation costs – one; furniture and equipment – four; materials and equipment – one.

1380 Since 1st January 2013, 442 new business activities were registered with the Department. Some 15 of these new employers involve participants from outside Gibraltar, which in some cases, amount to 100% ownership.

I am currently dealing with 15 enquiries about possible investments and in talks with the potential investors.

1385 **Hon. D J Bossino:** Mr Speaker, in relation to the potential investors, can he confirm that those are in the plural, or is it one?

Hon. J J Bossano: There are 15 different activities and there are 15 different entities. Yes. One. Five.

1390 **Hon. D J Bossino:** But the question, these are 15 enquiries which his office has received. I am asking then at the end, I am not sure whether that related to the 15 or whether it is a separate category, he said that he is in talks with potential investors – I am not sure, I did not catch whether it was in the singular or in the plural – are they all, those 15?

1395 **Hon. J J Bossano:** I am in talks concurrently with all 15.

Hon. D J Bossino: Mr Speaker, did he give an indication as to what activity they were engaged in, those 15? I do not think he did.

1400 **Hon. J J Bossano:** I have not. I do not mind giving him the information, because in fact the activities really are all different, and it is possible for the individuals to be identified, because it is not as if I was telling him there are ten people wanting to put hotels. It is really almost one of each. I can tell him what the list is outside, but I would rather not do it because otherwise, the person can in fact, at this stage which is still... Some are closer to commitment than others, but in all these things, there is always a starting point but you are never sure when the finishing point comes.

1405 Some of these things, some people that are there, not many of them but a couple of them, were there from before. One is the hotel that the hon. Member has been asking me for, which has still not happened and it has been around for a very long time.

1410 **Hon. D J Bossino:** Yes, Mr Speaker, in his reply to the question in relation to development aid, he said that there was none. Is anything maybe related to the enquiries he has been receiving? Is there anything which he thinks is in the pipeline which could be the beneficiary of such aid?

1415 **Hon. J J Bossano:** I would not expect it. All the people that I am talking to, all claim to have quite a lot of money to invest, so I would not expect they will need any aid.

Hon. D J Bossino: Sorry?

1420 **Hon. J J Bossano:** I am saying that all the people that I am talking to, all the private investors that I am talking to, all claim to have sufficient financial resources to be able to do it, without expecting to get – I think it needs to be understood that the development aid, in terms of a holiday from taxation, was more important really when there was a higher rate of tax than there is now. I would have thought that frankly with 10%, somebody would have to make a very strong case for arguing that he cannot... that something that is a profitable investment, but he cannot even afford to pay 10% tax.

1425

**Nuffield Pool site
Potential development**

1430

Clerk: Question 649, the Hon. D J Bossino.

1435 **Hon. D J Bossino:** Mr Speaker, I think this is the question that he referred to in his answer. Can the Minister with responsibility for inward investment, advise this House whether any further progress has been made in relation to the potential development of the Nuffield Pool site?

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

1440 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Yes, Mr Speaker. I understand the original party interested in this site has been the successful tenderer and is currently dealing with planning issues.

1445 **Hon. D J Bossino:** Mr Speaker, I think this was the subject of a question and answer session some time ago, and he gave me a report as to how that potential investment – a rather full report – as to how that potential investment was progressing. So I am glad to see that there has been positive progress in relation to that.

I seem to recall that this was a hotel venture at the Nuffield Pool site. Can he confirm that that is the scheme, i.e. the construction of a hotel at the Nuffield Pool site is the one which has been approved.

1450 **Hon. J J Bossano:** It has been approved to the extent that it is the scheme that has won the tender, and therefore the position is that the scheme has now gone to planning. Whether it is approved as it stands or whether the planning system will require any changes, obviously the investor is not willing to complete until he knows that he is going to get the planning permission necessary to be able to build what he wants to build, clearly. That is at the stage at which it is.

1455 I have no involvement in that side of the business, so I do not know whether the scheme – which to my knowledge is the one that was previously there, but apparently it never even got as far as planning permission – is likely to be successful or may require modification or not. But what I can tell him is, that on the basis, in fact, as I remember when he first raised it, I was not even aware of the existence of the proposal and I went back to investigate it. I found, indeed, that there had been a commitment from the previous administration, and therefore we contacted the investor and told him that we had researched the background, which he raised with me in this House originally, and it is really progressed from that stage to the point that it has now, in effect, been awarded to him and he is now in the planning process. Presumably when that is finished, then he will be able to come back. From our perspective, the sooner the thing is completed and he gets on with the investment, the better, clearly.

1460
1465 **Hon. J J Bossino:** Mr Speaker, unless I am getting confused with the question I was thinking I had asked him some time ago, I think the stumbling block when I asked the question was not that he was not aware of the detail, but in fact that the proposal which had been made to him was that there was not a commitment by the previous administration not to pay, or it was in the offing, as part of the negotiation, not to pay the premium. I am not sure whether the hon. Gentlemen recalls, he is nodding. Has that point been addressed? Is the investor going to be paying a premium for the site? Or...

1470
1475 **Hon. J J Bossano:** Yes, Mr Speaker, it was investigated and therefore it was addressed on the basis that indeed, there was such a commitment given. But nonetheless, when we decided that, the tenderer at the last minute had to retender to see if there were any competing parties. The individual who had previously been given a commitment that he would get it on the basis of relocation facilities without having to pay a premium actually tendered to pay a premium. So, we are now at a point where we are actually getting the person still interested in doing the project, but now willing to pay a premium which, before, he did not have to pay.

1480
1485 **Hon. D J Bossino:** Mr Speaker, I am not aware of the details of the scheme, so he will forgive me. But there is a manifesto commitment in his Party's manifesto of the last General Election which states that the Nuffield Pool will be made available once it is handed over by the MOD to the Gibraltar Government to members of the public. Presumably that commitment will remain, despite the progression of this particular scheme?

1490 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I am dealing with that aspect of this matter, and the answer is yes, that commitment remains as part of the scheme. He needs to understand that the pool does not come over to the Gibraltar Government until it is re-provided and the re-provisioning, as people on his side who have a corporate memory of the negotiations of the MOD will know, does not occur until the whole of the re-provisioning down at Four Corners Camp, and that is an issue which is part of a much larger tendering process which sees the re-provisioning of Rooke, sees the re-provisioning of a lot of housing and it sees the re-provisioning in part of Nuffield Pool and other areas which the MOD is handing over to the Government of Gibraltar. So that process links into that manifesto commitment and the possibility of re-developing the site.

1500 **Leisure Construction % Maintenance Company Limited**
Details of employees

Clerk: Question 650, the Hon. E J Reyes.

1505 **Hon. E J Reyes:** Can Government provide details in respect of the number of employees employed by Leisure Construction & Maintenance Company Limited, broken down by grade, gender and nationality.

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

1510 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, the company is not yet registered as trading; it is not engaged in any activity at the moment.

1515 **Hon. E J Reyes:** In a previous question we had about companies that had been registered at either No. 6 or similar type of addresses, the Minister advised us to go and carry out searches at Companies House. We discovered that on 11th February 2013, this company was set up whereby public servants were set down as the share subscribers and so on.

1520 Since that date, what has appeared is a notice in the *Gibraltar Gazette* for the same company, using an address now, a postal address of Bayside Sports Centre in Bayside Road, which is commonly referred to as the Victoria Stadium, and is requiring a licence, a tender to apply for business as and its supply of children, youth outdoor and indoor play equipment and so on, leading us to believe that it is probably going to carry out maintenance or even construction of a new children's play park leisure area and so on. Therefore if that is going to happen, I thought there was a lot of sense in finding out what size is this company. Is it a very big work force or a small workforce?

1525 I am even curious and I can tell him now, Mr Speaker, in the past these works at the children's playground were done using the Gibraltar Sports and Leisure Authority. The Government seems now to be choosing to use a location pertaining to the Sports Authority but have the goods imported and so on by the company. Can the Minister enlighten us because you are applying for a licence and everything and from his first reply there does not seem to be any workforce at all attached to it?

1530 **Hon. J J Bossano:** Well, I do not think it is unusual, Mr Speaker, for people to ask for a licence first before they actually commit themselves to employing people. Because if they do not get the licence, what would they do, sack them? So the reality is that the move that is, I was not aware of that clearly, because it is not my side of the business, but I can tell him they are not registered with the ETB and they are not, they have not opened any vacancies. Whether they do or they do not, if he asks me again in future, I can tell him if anything new has happened or update him if he wants, I can write to him if vacancies surface in this company. But at the moment, other than what he has just told me, that they have applied for a licence, nothing else seems to have happened.

1540 **Hon. E J Reyes:** So is the Minister at this stage, Mr Speaker, aware that following the application for a licence, it could well be the future intention to take on employees to actually carry out then the task of maintenance and construction of play parks and so on, or is he still not aware of that particular aspect?

1545 **Hon. J J Bossano:** Well, logically, if they get a trade licence and they are going to undertake work, they will have to open vacancies and take on employees. I do not see how else they will be able to deliver. But all I can tell him is, I am answering the original question, which said the number of employees, well the answer is there are no employees. I cannot tell him whether there will be, I would expect there would be, and I cannot tell him how many there will be until it happens.

1550 **Hon. D A Feetham:** But Mr Speaker, is this a Government-owned company, or is it one of these private companies incorporated by individuals that the Government is assisting by way of provision of shareholder, director services or indeed, addresses. Because of course, it is as my hon. Friend has pointed out, it is registered in the application for a trade licence, an application that includes materials, tools, infrastructure installation and all sorts of construction matters, it is registered in Victoria Stadium. So can he please tell us whether it is a Government-owned company or is it a private company?

1555 **Hon. J J Bossano:** Mr Speaker, this is one of a group of companies that were originally set up with Government assistance and then transferred to individual owners. But, they are not the only one that actually started up like that and then did not do anything subsequently. I think we started off with about 20 and we finished off with 15 and this is one of the five that other than this business of applying for a license, nothing further has happened. But, it is not Government-owned.

1560 **Hon. E J Reyes:** Mr Speaker, is the Minister aware that the two signatories, where it says 'signature of applicants', are they not employees of the company? Because in my search at Companies House, they were not registered as either directors or as anything, so what has happened since then? Can he enlighten me a bit further?

1570 **Hon. J J Bossano:** Well, I cannot enlighten him further than to say the company has no employees registered with the Employment Service and is not registered as an employer. So therefore, at the end of the day, all I can tell him is, that as far as I am concerned, it is a shell company which may be applying for a license, which may or may not be something that the Trade Licensing Committee will take into consideration. I do not know whether when they go to the Trade Licensing Committee, the Committee ask them questions about what are they going to do, or who do they employ. All I can tell him is, that in answer to his original question, he is asking for the number of employees. Well, there are no employees, that is all I can tell him.

1575 **Hon. D A Feetham:** Yes, Mr Speaker, but I thought that he said that this is one of the companies that was transferred back to the original, to the people for whose benefit the company was incorporated in the first place. The two applicants are civil servants, are they the...? I can pass you the application, if the hon. Gentleman does not have it –

1580 **Mr Speaker:** No. The subject of the question is not about the composition of the company. It is not about details to do with the company. The subject of the question is the number of employees employed by them. The Hon. Minister has said, according to the employment records, they do not employ anybody. The original question has been answered. Now you wish for information regarding the composition of the company and other details. It is a separate matter, strictly speaking.

1585 **Hon. D A Feetham:** No, it arises out of the answer that he has provided. Of course we are not clairvoyant; we do not know the answer that the Minister is going to provide. The Minister has provided an answer that the company, this company has been transferred back. The application for the license is signed by two civil servants. My question was, are these the people that they have transferred this company to? It arises out of the answer to the question.

1590 Because it seems odd, bearing in mind the answer that he has provided, that it has been transferred back to the, effectively to the original beneficiary so to speak, that the application has been made by two civil servants, unless of course these are the two civil servants that are effectively the two original beneficiaries. That was the question and I did not want to, across the floor of the House, name these two individuals. I can if he wants to but that is why I wanted, and indeed it could be – (*Interjection*)

Mr Speaker: Let us see whether the Government have the answer to the question.

1600 **Hon. J J Bossano:** Mr Speaker, the question that has been asked of me is whether I can provide details in respect of the number of employees, and the answer is there are no employees. The company is not registered with the ETB, with employees, or as an employer.

1605 Now he wants to know whether the people that have signed that piece of paper were the people who were the original beneficiaries of the company to whom the company was transferred. Well, I do not have that information of this, or of any other company, because, in fact, what I looked at is the employment statistics, not anything else. But I will try and find out and let him know.

1610 At the moment, all I can tell him is that other than that application for a trade licence, the only thing that has happened is that the company has been incorporated initially by people in the Employment Service and then passed on to somebody else – presumably to the people who have signed that, or to somebody else, I do not know. But certainly, the original question was how many people do they employ and give a breakdown. The answer is, they employ nobody.

1615 **Construction industry
Health and safety induction courses**

Clerk: Question 651, the Hon. J J Netto.

1620 **Hon. J J Netto:** Mr Speaker, further to the supplementary answer given by the Minister for Health & Safety to Question 485/2013, line 2,660 of *Hansard*, can the Minister please provide the following (a) the total number of trainees that have had an induction course in health and safety within the construction industry, broken down by the various disciplines and grades; (b) the date on which such induction was provided; (c) the name of the training providers that carried out the induction of the trainees; and (d) provide details of the issues covered in the induction?

1625 **Clerk:** Answer, the Hon. the Minister for Enterprise, Training, Employment and Health & Safety.

1630 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, 118 trainees attended the induction course on health and safety. These are classified as trainee construction operatives without further breakdown by discipline or grade. The training was delivered over several days in October and November 2012. It was provided by suitably experienced staff members from the Department and the topics covered were as follows: Asbestos at Work; Accident Prevention; Working at Height; Personal Protection Equipment/Respiratory Protection Equipment; Provisions and Use of Work Equipment; Safety Signs; Manual Handling; Noise at Work; First Aid; Hazardous Substances and ill effects; Electricity; Chemical Dust, Fumes and Fire.

1640 **Hon. J J Netto:** Mr Speaker, can I ask, for the sake of clarification, because I think the Minister said that the induction courses were delivered by members of the Department – I think those were his exact words – does he mean by that the Factory Inspectors themselves, who prepare the induction courses?

Hon. J J Bossano: No, these are the people that are involved in the recruitment and the monitoring of construction trainees and in some cases, they have got qualifications in health and safety and in other cases, have got long experience of the construction industry. But they are all public servants.

1645 **Hon. J J Netto:** Presumably public servants working for the Department of Employment. Is that correct?

1650 **Hon. J J Bossano:** Well, working, for example one of the individuals was previously in the Construction Training Centre as an assessor. Others have been people who have been in the Housing Works Agency, with a long history of working in the construction industry, and they are all working in the management and running of the Construction Training Company and the Construction Training Programme, so they are people that are directly involved with 118 trainees.

1655 **Hon. J J Netto:** Can I further ask the Hon. Minister, because he said that these induction courses were provided, if I am correct, in October/November 2012. Is there any sort of planning of these particular courses for future trainees to have the same induction course as well? I do not know whether during 2013 obviously there have not been any whatsoever, but whether there are any planned for the immediate future?

1660 **Hon. J J Bossano:** In the next month we are going to be introducing, for the next intake of people into the industry, some – I have not yet identified the level but there are going to be some provisions of training for literacy and numeracy, because the people in the Construction Training Centre have asked me whether we can do something in that area before they get there, and therefore if at the same time as we are doing that, we will be including induction training on health and safety. So that they do at Bleak House, health and safety, numeracy and literacy courses, before they start in the industry and in the training centre.

1670 **Health and safety statistics
September-October 2013**

Clerk: Question 652, the Hon. J J Netto.

1675 **Hon. J J Netto:** Mr Speaker, given that the health and safety statistics on the Government website have not been updated since August 2013, can the Minister for Health and Safety provide Parliament with all copies of such data for the months of September and October 2013?

1680 **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, I am informed that the September data was not updated earlier because of computer problems, but is now on the site. I am nonetheless providing the hon. Member with the information he requests. The October figures will be available sometime in November.

Table HS.1

Monitoring Activities, 2013

Industry Sector	September							Total
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-
Construction	-	5	2	7	6	-	15	35
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-
Hotel Trade	-	1	-	-	-	-	-	1
Manufacture	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	-	-	-	-	-	-	-	-
Repairs Consumer Goods	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	-	-	-	-	-
Retail Trade	-	-	-	1	-	-	-	1
Road Transport Related	-	-	-	-	-	-	-	-
Sanitary Services	1	-	-	-	-	-	-	1
Sea Transport Related	2	-	-	-	1	-	-	3
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-
Total	3	6	2	8	7	-	15	41

Updated 8 October 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	August							Total
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-
Construction	3	4	3	9	5	-	7	31
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	6	-	-	-	-	-	-	6
Repairs Consumer Goods	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	-	-	-	-	-
Retail Trade	-	-	-	-	-	-	-	-
Road Transport Related	-	-	-	-	-	-	-	-
Sanitary Services	-	1	-	-	-	-	-	1
Sea Transport Related	-	-	-	-	-	-	-	-
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	1	-	-	-
Wholesale Trade	-	1	-	1	1	-	-	3
Total	9	6	3	10	6	-	7	41

Updated 7 September 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	July							Total
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	1	1	-	-	2
Construction	-	3	1	8	9	-	5	26
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-
Horticulture	-	1	-	-	-	-	-	1
Hotel Trade	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	3	-	-	-	-	-	-	3
Repairs Consumer Goods	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	1	-	-	-	1
Retail Trade	-	-	1	-	-	-	-	1
Road Transport Related	-	-	-	-	-	-	-	-
Sanitary Services	-	1	-	-	-	-	-	1
Sea Transport Related	1	-	-	-	1	-	-	2
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	1	-	-	1
Total	4	5	2	10	12	-	5	38

Updated 19 August 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	June							
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	Total
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	1	-	-	-	1
Construction	1	4	2	11	2	1	4	25
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-
Manufacture	-	1	-	-	-	-	-	1
Medical & Health Services	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	3	-	-	-	-	-	-	3
Repairs Consumer Goods	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	2	1	-	-	3
Retail Trade	-	1	-	1	-	-	-	2
Road Transport Related	-	-	-	2	2	-	-	4
Sanitary Services	-	-	-	1	-	-	-	1
Sea Transport Related	2	-	-	3	1	1	-	7
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	2	-	-	-	2
Total	6	6	2	23	6	2	4	49

Updated 2 July 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	May							
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	Total
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	1	-	-	-	-	-	1
Construction	1	9	4	18	5	-	3	40
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-
Hotel Trade	-	1	-	-	-	-	-	1
Manufacture	-	1	-	-	-	-	-	1
Medical & Health Services	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	4	-	-	-	-	-	-	4
Repairs Consumer Goods	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	1	1	-	-	2
Retail Trade	1	-	-	-	-	-	-	1
Road Transport Related	-	-	-	-	-	-	-	-
Sanitary Services	-	-	-	-	-	-	-	-
Sea Transport Related	1	-	-	-	1	-	-	2
Shipbuilding/Marine Repairs	-	1	1	2	1	-	-	5
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-
Total	7	13	5	21	8	-	3	57

Updated 1 June 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	April							
	Meetings	Advice	Complaints	Inspections	Follow ups	Accident Investigations	Site Visits	Total
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-
Construction	2	6	1	11	2	-	1	34
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	1	-	-	-	-	-	1
Horticulture	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	2	-	-	-	-	-	-	4
Repairs Consumer Goods	-	-	-	1	1	-	-	2
Restaurants, Bar etc	-	-	-	3	-	-	-	3
Retail Trade	-	-	-	-	-	-	-	-
Road Transport Related	-	-	-	-	-	-	-	-
Sanitary Services	-	-	-	-	-	-	-	-
Sea Transport Related	1	-	-	-	-	-	-	1
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-
Total	8	7	1	15	3	-	12	46

Updated 8 May 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

GIBRALTAR PARLIAMENT, TUESDAY, 29TH OCTOBER 2013

Industry Sector	March							
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	Total
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-
Construction	1	6	1	10	2	-	-	20
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-
Medical & Health Services	1	-	-	2	1	-	-	4
Police, Security, Fire Services	-	-	1	-	-	-	-	1
Post & Communications	-	1	-	1	-	-	-	2
Public Admin & Natl Defence	3	1	-	-	-	-	-	4
Repairs Consumer Goods	-	1	-	-	-	-	-	1
Restaurants, Bar etc	-	-	-	-	-	-	-	-
Retail Trade	-	-	-	-	-	-	-	-
Road Transport Related	-	-	-	-	-	-	-	-
Sanitary Services	-	-	-	-	-	-	-	-
Sea Transport Related	-	-	-	-	-	-	-	-
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-
Total	5	9	2	13	3	-	-	32

Updated 2 April 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	February							
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	Total
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-
Construction	1	11	2	40	3	-	-	57
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	1	-	-	-	1
Manufacture	-	-	-	1	-	-	-	1
Medical & Health Services	1	-	-	1	-	-	-	2
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	4	1	-	-	-	-	-	5
Repairs Consumer Goods	-	-	-	1	-	-	-	1
Restaurants, Bar etc	-	-	-	-	-	-	-	-
Retail Trade	-	-	1	-	2	-	-	3
Road Transport Related	-	-	-	-	2	-	-	2
Sanitary Services	-	-	-	-	-	-	-	-
Sea Transport Related	1	-	-	-	-	-	-	1
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-
Total	7	12	3	44	7	-	-	73

Updated 4 March 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	January							
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	Total
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	3	1	-	-	4
Construction	1	10	1	29	2	-	-	34
Education	-	-	-	1	-	-	-	1
Electricity Supply/Related	-	-	-	2	-	-	-	2
Horticulture	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	2	-	-	-	2
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	1	-	-	-	1
Public Admin & Natl Defence	3	-	-	-	1	-	-	4
Repairs Consumer Goods	1	-	1	-	-	-	-	2
Restaurants, Bar etc	-	-	-	3	-	-	-	3
Retail Trade	-	-	-	10	1	-	-	11
Road Transport Related	-	-	-	-	-	-	-	-
Sanitary Services	-	-	-	1	-	-	-	1
Sea Transport Related	2	-	-	-	-	-	-	2
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	1	-	-	-	-	-	-	1
Total	11	11	2	43	5	-	-	72

Updated 17 February 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Table HS.2

Occupational Reportable Accidents, 2013

Industry Sector	July			August			September		
	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal
Air Transport Related	-	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-	-
Construction	1	-	-	-	-	-	2	-	-
Education	-	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	1	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	-	1	-	-	-	-	-	-	-
Repairs Consumer Goods	-	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	-	-	-	-	-	-
Retail Trade	-	-	-	-	-	-	-	-	-
Road Transport Related	-	-	-	-	-	-	-	-	-
Sanitary Services	-	-	-	-	-	-	-	-	-
Sea Transport Related	-	-	-	-	-	-	-	-	-
Shipbuilding/Marine Repairs	1	1	-	-	-	-	-	-	-
Water Supply/Related	1	-	-	2	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-	-
Total	3	2	-	3	-	-	2	-	-

Updated 8 October 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	January			February			March			April			May			June		
	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal
Air Transport Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Construction	4	-	-	4	-	-	2	1	-	2	-	-	2	-	-	4	3	-
Education	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Repairs Consumer Goods	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Retail Trade	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-
Road Transport Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sanitary Services	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Sea Transport Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Wholesale Trade	-	-	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-
Total	4	-	-	4	1	-	2	2	-	3	-	-	6	-	-	5	3	-

Updated 2 July 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

Table HS.3

Enforcement Activities, 2013

Industry Sector	July		August		September	
	PN	IM	PN	IM	PN	IM
Air Transport Related	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-
Construction	-	-	-	-	1	-
Education	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-
Public Admin & Natl Defence	-	-	-	-	-	-
Repairs Consumer Goods	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	-	-	-
Retail Trade	-	-	-	-	-	-
Road Transport Related	-	-	-	-	-	-
Sanitary Services	-	-	-	-	-	-
Sea Transport Related	-	-	-	-	-	1
Shipbuilding/Marine Repairs	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-
Total	-	-	-	-	1	1

Updated 8 October 2013

Note:

PN: Prohibition Notices Served

IM: Improvement Notices Served

Source: Ministry for Traffic, Health & Safety and Technical Services

Industry Sector	January		February		March		April		May		June	
	PN	IM	PN	IM	PN	IM	PN	IM	PN	IM	PN	IM
Air Transport Related	-	-	-	-	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-	-	-	-	-
Construction	1	-	-	-	-	-	-	-	-	-	-	-
Education	-	-	-	-	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	-	-	-	-	-	-	-	-	-	-	-	-
Repairs Consumer Goods	-	-	-	-	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	-	-	-	-	-	-	-	-	-
Retail Trade	-	-	-	2	-	-	-	-	-	-	-	-
Road Transport Related	-	-	-	-	-	-	-	-	-	-	-	-
Sanitary Services	-	-	-	-	-	-	-	-	-	-	-	-
Sea Transport Related	-	-	1	-	-	-	-	-	-	-	-	-
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-	-	-	-	1
Total	1	-	1	2	-	-	-	-	-	-	-	1

Updated 2 July 2013

Note:

PN: Prohibition Notices Served

IM: Improvement Notices Served

Source: Ministry for Traffic, Health & Safety and Technical Services

Table HS 4

Number of times legal advice has been sought during the month in relation to the number of inspections conducted, 2013

As at	Advice
January 2013	-
February 2013	-
March 2013	-
April 2013	-
May 2013	-
June 2013	-
July 2013	-
August 2013	-
September 2013	-
Total	

Updated 8 October 2013

Source: Ministry for Traffic, Health & Safety and Technical Services

1685 **Mr Speaker:** This schedule is very, very lengthy. May I suggest that we carry on with the next question and the hon. Member can come back to the schedule –

Hon. J J Netto: Well, there is –

1690 **Mr Speaker:** It is a very lengthy schedule indeed, I have a copy of it here –

Hon. J J Netto: Yes, okay but –

1695 **Mr Speaker:** I think we need to proceed to the next question and we can come back.

Hon. J J Netto: If I may. Well, but the thing is there are some supplementary questions which I can ask in relation to the September figures, because those are the ones that he already said that are on the website and I have had the opportunity to see this particular morning.

1700 So arising from the figures, even though I do not have a schedule, I have got some questions I would like to ask if it is possible. But can I also say, Mr Speaker, that the whole idea of providing these statistics by the Government was to be able to be provided in good time, certainly so that I did not have to get up on my feet and ask the questions on basic statistics. I am only asking the question because the statistics on the Government website have not been provided.

1705 Even as we are, towards the end of October, we still do not have the figures for October at all. This places the Opposition in a position of not being able to keep track of what exactly is happening in this particular important field, and the Minister has not given an answer as to why the reason for the delay, which I obviously would like when he gets up on his feet and provides such an answer.

1710 But can I ask him in relation to the Prohibition Notice that has been issued in the construction industry, although I see the reasons why the issue has been, the notice has been issued, can the Minister tell me whether the notice now has been lifted or whether the notice itself is still there, because the employer on site has not undertaken the kind of issues that the Factory Inspectors placed on the Prohibition Notice?

1715 **Hon. J J Bossano:** Well Mr Speaker, I do not have the information, other than the information that he asks, which was why this information was not already on the site. The information that I have given him now, shows that there was one Prohibition Notice given in the construction, but I do not have the details of what was the nature of the offence, or when it was given. That is what happened in September, one Prohibition was issued, I will find out what it is and let him know what it was.

1720 The previous one dates back to January, so there was one case in January and one case in September. It is clearly not something that happens very often.

1725 **Hon. J J Netto:** Mr Speaker, I am not asking the Minister for the details, I can see the details on the website. What I am asking him is that given that a Prohibition Notice has been issued, which by definition is a serious matter that the Factory Inspector has found on site, I am asking the Minister whether he is aware that the employer on site has not complied with the demands by the Factory Inspector in the notice. Is he aware that the site has now returned to normality and that work is undergoing or perhaps the site is still stopped as a result of the notice?

1730 **Hon. J J Bossano:** Well, Mr Speaker, if the hon. Member had asked me specifically, could I ask the Inspector what was the result of the Prohibition Notice, I would have asked and told him. The question that he has put to me is, given that the data is not on the site, can I provide him now with the information of the data that would have been on the site, had it been put on the site, and that is what I have provided him with. I have provided him with the data which would have been on the site, had there not been a problem with the computer.

1735 His other grievance is that he has difficulty in keeping up to date with the information for the month of October because it is not ready before the month of October is finished. That is not trying to keep up to date, that is trying to see the future. The information at the end of October cannot be provided until after the Inspectors have looked at all the work they have done in October and started producing a report which they then put on the web page in November, which is what I have told him is supposed to happen, because that is what they tell me is the normal procedure. They put the information up the month after, for example the data for September was updated in the first week of October. The data for October will be updated on 1st November.

1740 Therefore, all I can tell him is that if he wants now more information as to what has been the response of this one particular incident of a Prohibition Notice, I will seek the information and provide it to him, but it was not something that had been provided for me in response to his original question, which is not heading in that direction. It is just asking for what would have been on the site had there not been a computer problem, and the answer is, he has got it now.

1750 **Hon. J J Netto:** Certainly, Mr Speaker, it is not my intention to engage him in a particular debate because this is a question and answer session. But let me just, for the sake of accuracy inform him, that the Government statistics have always been the month before the Notice for Questions to Parliament has been done, in order for the Opposition not necessarily having to put the questions forward. So really, the figures for the October month should have been at the beginning of October, then my question would not have arisen in the first place, and I would not have had to ask the question on statistics for October.

1755 Be that as it may, Mr Speaker, this is not for debate. All I am saying is that if he does not know the answer to my question, which is whether the Prohibition Notice is still in place or not, and fine, he may not have the information available at the moment, can he please provide that to me in due course?

1760 **Hon. J J Bossano:** Yes, Mr Speaker, if he wants to know whether the Prohibition Notice of September is still there, or whether the matter has been put right, I will find out and let him know. I have to tell him, that I have difficulty in understanding what he claims to be the correct position, which is that before October, people put on the site what is going to happen in October before it has happened. But if he says that is how it has been done in the past, it is certainly an interesting dimension to the theory of time, which I will explore when I get back to the office.

1765

Government and Gibraltar Savings Bank debentures Values and re-investments

1770

Clerk: Question 654, the Hon. D A Feetham.

1775 **Hon. D A Feetham:** Mr Speaker, will the Chief Minister provide a total value of Government debentures, which since 1st May 2012 have been withdrawn or redeemed, and then re-issued or re-invested in other Government debentures?

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

1780 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, I will answer this question with Questions 655, 658, 660 to 663.

Clerk: Question 655.

1785 **Hon. D A Feetham:** Will the Chief Minister please provide the total value of Government debentures outstanding as at 1st October 2013?

Clerk: Question 658.

1790 **Hon. D A Feetham:** Will the Chief Minister provide a total value of Gibraltar Savings Bank debentures or other debt security of that bank outstanding, as at 1st October 2013, giving a breakdown in respect of each issue outstanding?

Clerk: Question 660.

1795 **Hon. D A Feetham:** Will the Chief Minister provide the total value of Government debentures which since 1st May 2013, have been withdrawn or redeemed, and have not been re-invested in other Government debentures or other debt security issued by the Gibraltar Savings Bank?

Clerk: Question 661.

1800

Hon. D A Feetham: Will the Chief Minister provide a total value of Government debentures which, since 1st May 2013, have been withdrawn or redeemed, and then re-issued or re-invested in debentures or other debt security issued by the Gibraltar Savings Bank?

1805

Clerk: Question 662.

Hon. D A Feetham: Will the Chief Minister provide a breakdown showing how the proceeds from Gibraltar Savings Bank debentures or other debt security outstanding as at 1st October 2013, is invested, or has been used, by the Gibraltar Savings Bank?

1810

Clerk: Question 663.

Hon. D A Feetham: Will the Chief Minister please state, out of the total value of Gibraltar Savings Bank debentures, or other debt security outstanding, as at 11th December 2011 and 1st October 2013, how much was and is held by (a) residents of Gibraltar, (b) non-residents, (c) companies or partnerships and (d) individuals?

1815

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

1820

Hon. J J Bossano: Mr Speaker, figures for August have not yet been finalised by the Treasury, therefore where applicable, they will reflect tentative figures.

From 1st May to 31st August, the total value of Government debentures redeemed was £9.1 million. £5.1 million was re-invested in other debt securities of the Gibraltar Savings Bank. There were no sales of Government debentures; £4 million was paid out in cash.

1825

As at 31st August, £260.7 million of Government debentures was outstanding. The total value of savings placed in the bank in bonds, debentures and other accounts, is currently almost £812 million, broken down as follows:

1830	Monthly Income Debentures	£7,822,900
	Pensioners' Monthly Income Debentures	£5,287,300
	Monthly Income Debentures Issue (Jan 2012)	£7,530,100
	3 Year Fixed-Term Monthly Income Debentures 2015	£11,038,000
	3 Year Fixed-Term Monthly Income Debentures 2016	£12,401,500
	5 Year Fixed-Term Monthly Income Debentures 2017	£85,397,900
1835	5 Year Fixed-Term Monthly Income Debentures 2018	£130,277,100
	Limited issue of Fixed Monthly Income Debenture 31/12/13	£4,331,300
	Limited issue of Fixed Monthly Income Debenture 31/12/15	£33,150,200
	10 Year Fixed-Term Monthly Income Senior Citizens Debentures 1/7/23	£1,128,600
	Other Special Debenture Issues at 2%	£2,379,245
1840	10 Year Accumulator Bonds 2012	£4,965,000
	10 Year Accumulator Bond 1/1/13	£2,754,600
	10 Year Monthly Income Pensioner Accumulator Bonds 2012	£3,915,500
	10 Year Monthly Income Pensioner Accumulator Bond 1/1/13	£1,905,000
1845	Children's Bond Account	£64,030
	8% Provident Trust Fund Bonds	£8,409,652
	Guaranteed Superannuation Fund Bonds	£46,679,234
	Other Bonds	£14,624
1850	Ordinary Deposits and Investment Call Accounts	£442,313,396

The figures continue to be under 1% for companies and under 1% for non-residents. The figures for December 2011 are not expected to be any higher than these percentages, but this has still not been finalised as they have been done manually, and it is a lengthy exercise.

1855

The list of investments of the Savings Bank as at the close of the financial year, subject to audit, is contained in the schedule which I now hand over to the hon. Member.

ANSWER TO QUESTION 663

SAVINGS BANK FUND

STATEMENT OF INVESTMENTS ON 31 MARCH 2013

SHOWING MARKET VALUE ON THAT DATE

DESCRIPTION OF STOCK	NOMINAL VALUE	MARKET PRICE ACCRUED INTEREST %	MARKET VALUE ACCRUED INTEREST	TOTAL MARKET VALUE ON 31 3 13
EIB FLOATING RATE NOTE 30/01/14	£20,000,000.00	100.013 0.096	£20,002,668.20 £19,109.59	£20,021,777.79
EIB FLOATING RATE NOTE 19/02/2015	£20,000,000.00	100.017 0.087	£20,003,386.40 £13,369.86	£20,016,756.26
EIB FLOATING RATE NOTE 05/01/15	£25,000,000.00	99.943 0.133	£24,985,790.50 £33,185.79	£25,018,976.29
INTERNATIONAL BK RECON & DEV FRN 19/01/15	£4,235,000.00	100.005 0.105	£4,235,192.27 £4,428.19	£4,239,620.46
DEXIA CREDIT LOCAL FRN 01/04/14	£12,000,000.00	99.759 0.221	£11,971,125.36 £26,472.33	£11,997,597.69
FMS WERTMANAGEMENT FRN 16/06/14	£10,000,000.00	100.082 0.026	£10,008,224.70 £2,624.50	£10,010,849.20
CAISSE D'AMORT DETTE SOC FRN 30/06/14	£10,000,000.00	100.000 0.006	£10,000,000.00 £622.09	£10,000,622.09
KFW FRN 09/03/15	£17,000,000.00	99.935 0.033	£16,988,873.67 £5,653.13	£16,994,526.80
REPUBLIC OF FINLAND FRN 25/2/16	£5,000,000.00	100.065 0.052	£5,003,247.00 £2,599.51	£5,005,846.51
ROYAL BANK OF SCOTLAND GBP CALL A/C	£46,725,761.46	100.000 0.005	£46,725,761.46 £2,112.26	£46,727,873.72
CROWN AGENTS BANK	£659.91	100.000	£659.91	£659.91
BARCLAYS BANK PLC	£105,759,351.80	100.000 0.048	£105,759,357.80 £50,995.46	£105,810,353.26
NATIONAL WESTMINSTER OFFSHORE LTD	£36,471,666.60	100.000 0.003	£36,471,666.50 978.78	£36,472,645.28
GIBRALTAR INVESTMENT (HOLDINGS) LTD FIXED RATE NOTE 02/04/12	£288,552,610.17	100.000	£288,552,610.17	£288,552,610.17
	£600,748,055.84		£600,873,713.43	£600,873,713.43

ANSWER TO QUESTION 663

SAVINGS BANK FUND
STATEMENT OF INVESTMENTS ON 31 AUGUST 2013
SHOWING MARKET VALUE ON THAT DATE

DESCRIPTION OF STOCK	NOMINAL VALUE	MARKET PRICE ACCRUED INTEREST %	MARKET VALUE ACCRUED INTEREST	TOTAL MARKET VALUE ON 31 8 13
EIB FLOATING RATE NOTE 30/01/14	£20,000,000.00	100.007 0.061	£20,001,460.20 £10,144.61	£20,011,604.81
EIB FLOATING RATE NOTE 19/02/15	£20,000,000.00	100.013 0.020	£20,002,666.60 £4,034.37	£20,006,700.97
EIB FLOATING RATE NOTE 05/01/15	£25,000,000.00	99.952 0.090	£24,987,876.50 £22,595.03	£25,010,473.53
INTERNATIONAL BK RECON & DEV FRN 19/01/16	£4,235,000.00	100.004 0.066	£4,235,163.89 £2,795.19	£4,237,959.08
DEXIA CREDIT LOCAL FRN 01/04/14	£12,000,000.00	99.852 0.152	£11,982,253.32 £18,257.48	£12,000,510.80
FMS WERTMANAGEMENT FRN 16/06/14	£10,000,000.00	100.056 0.152	£10,005,558.70 £15,174.66	£10,020,733.36
CAISSE D'AMORT DETTE SOC FRN 30/06/14	£10,000,000.00	100.000 0.133	£10,000,000.00 £13,332.69	£10,013,332.69
KFW FRN 09/03/15	£17,000,000.00	99.942 0.136	£16,990,180.63 £23,134.67	£17,013,315.30
REPUBLIC OF FINLAND FRN 25/2/16	£5,000,000.00	100.056 0.006	£5,002,791.65 £308.90	£5,003,100.55
CREDIT FINANCE COMPANY LTD - FRN	£9,842,242.76	100.000	£9,842,242.76	£9,842,242.76
CREDIT FINANCE COMPANY LTD - REDEMAAGLIF PREFERRED SHARES	£334,974,900.00	100.000	£334,974,900.00	£334,974,900.00
GoG MONTHLY INCOME DEBENTURES 8%	£100,000,000.00	100.000	£100,000,000.00	£100,000,000.00
ROYAL BANK OF SCOTLAND GBP CALL AC	£43,033,353.47	100.000 0.001	£43,033,353.47 £471.60	£43,033,775.07
CROWN AGENTS BANK	£19.09	100.000	£19.09	£19.09
BANCLAYS BANK PLC	£140,068,024.62	100.000	£140,068,024.62	£140,068,024.62
NATIONAL WESTMINSTER OFFSHORE LTD	£45,747,546.68	100.000	£45,747,546.68	£45,747,546.68
BANK OF ENGLAND	£22,308,636.48	100.000	£22,308,636.48	£22,308,636.48
	£819,207,673.10		£819,290,865.79	£819,290,865.79

Mr Speaker: Do Members of the Opposition have any supplementaries?

1860

Hon. D A Feetham: Just starting with Question 663 and his very lengthy answer. I did not quite catch the answer that he has provided to this particular question, which is the question about how much is actually held by (a) residents of Gibraltar, (b) non-residents, (c) companies or partnerships, (d) individuals, as at 11th December and at 1st October. I know that he has provided me with a percentage and he has provided me with a percentage in the past, but not the specific answer to this question.

1865

Hon. J J Bossano: Well, Mr Speaker, if I am telling him that there is £800 million, and I am telling him that under 1% is held by non-residents, all of whom are individuals, I am giving him, what I am telling him is, that there is no difference, that the money that has flowed in has not changed the ratios between residents and non-residents and companies and individuals, of the answer that I gave him before, when he asked me the last time.

1870

And, what I am telling him is, that we do not expect that the December 2011 figure will show more people from outside, which is presumably what the question is about. I mean if anything, if it is under 1% in terms of the volume of money, then obviously the figure, the exercise is being done because we cannot tell him what it was in December 2011 at least that is the information that I have got. Right!

1875

But what I can tell him is, that there is no reason to suppose that there was a different percentage, because in fact if there was a different percentage, it would probably mean because the amount of money was then less, so if there was for example – I cannot remember how much it was, but let us say there was

1880 something like £300 million in December 2011, there might have been perhaps say £30 million out of the £300 million which would be 10%, since now there is much more money and most of that money, if not all, seems to be people that are re-investing savings that have matured in UK bonds or in other accounts, where the interest rate might have been comparable to Gibraltar five or ten years ago, but is no longer the case. So, there are quite a lot of residents and quite a lot of companies that have got cash to spare who are putting it, most of the companies put it in short term money, seven days money.

1885 Since the growth has been predominantly in that area, we expect that if there has been a decline in the percentage from outside, it is not because there are less people with money from outside, but because there is more people with money from within, from the residents. So the share is smaller because in fact the growth has been in the domestic market. The growth eventually, presumably, we will exhaust the domestic market and then future growth may come if it continues to be from outside, but this is not yet happening.

1890 **Hon. D A Feetham:** Mr Speaker, the last time that I asked this question, this is the reason why I split it up between 11th December and 1st October. When I asked about this on 23rd May, he answered in this way it is *Hansard*, line 1875, page 33, Thursday 23rd May:

1895 'The information detailing the value of Debentures or securities of the Gibraltar Savings Bank held by residents, non-residents, individuals and companies for 11th December is not readily available and may take some time to compile from the manual examination of each individual account – it is not held in electronic form – so I will *provide* to the Member when the exercise is completed'.

That is what he told me, there was an exercise and he would provide me with information.

1900 Now, of course, this quite some time ago, May 2013. Can he confirm that that exercise has been completed, because from the answer that he has provided, it does not appear that he has actually undertaken the exercise, he is really being told, 'Well, you know, we cannot really get this information.'

1905 **Hon. J J Bossano:** No, Mr Speaker, I have not. If I had been told, 'Well, no, really we cannot get this information,' I would have told him, 'Well, no, they cannot get this information.' The information that I have been given is the information that I am giving him. In fact, I have answered that question, because I have told him that the exercise is still not completed. That is what they tell me. I suppose it is not at the top of their priority. Frankly, it is an exercise that we expect to show no difference.

1910 The people are telling me, look, when we finish this exercise, the likely result will be that the different percentages are going to be the same in 2011 as they are now. If they are not the same, the anticipation is that if they are not the same, it will only be because the amount of money which has not changed very much since then of outside investors, will be more or less the same in money terms, but higher in percentage terms, because the total was lower.

1915 That is the new information that I have provided to him. I regret to say that if each individual account has got to be assessed, which is what they have told me and what I answered to him the last time, I am telling him it is still not complete, I am still asking them to complete it so that I can give him the information, the new information that I have got is that the expectation presumably from the amount of work that has already been done, is that the result is likely to be that if it is not 1% it is 1.5% or something like that, but it is very close to the figure.

1920 But in any event, in terms of providing more information, any change of the percentage, the percentage may be declining, but not because there are people taking money out, but because the money that is coming in, is coming in from what is still the predominant source, the 99% which is Gibraltar residents. So Gibraltar residents are still putting money in and the money from outside is not going up to the same extent, then the share of the money that is declining, which is the non-resident money, is declining in relative terms, but not in absolute terms.

1925 **Hon. D A Feetham:** I understand all that, but can he give me just a timeframe when he believes this information might be available. It is important to me, that is why I am asking the question. I asked it in May, it is now October. Can he give me a timeframe when this exercise might be completed?

1930 **Hon. J J Bossano:** No, but what I can do is ask and write to the hon. Member and tell him the answer I get.

1935 **Hon. D A Feetham:** Mr Speaker, from the schedule that he has provided me; there is £334 million, nearly £335 million, in redeemable preference shares that have been invested in Credit Finance Company Limited. There is also a further investment of nearly £10 million, £9.8 million in Credit Finance Company Limited. Now, can he tell me who, on the Government side, approved that investment by the Gibraltar Savings Bank into Credit Finance Company Limited?

1940 **Hon. J J Bossano:** Well, it was approved by the person the law says has to approve it.

Hon. D A Feetham: With respect, that is a slightly evasive answer. It is a question of fact. Who approved the decision to invest what is an extremely sizeable amount of money of Gibraltar savers into Credit Finance Company Limited. Who approved it on the Government side? That is the question. If nobody approved it, nobody approved it, but who approved it?

1945 **Hon. J J Bossano:** Mr Speaker, the same person that approved every single other investment on that list, who is the same person who was approving all the investments on the Savings Bank before 9th December 2011.

1950 **Hon. D A Feetham:** Mr Speaker, again, did anybody...? I will ask, maybe if it helps the hon. Gentleman, I will ask a slightly different supplementary. Did anybody, on the Government side, approve the investment of, effectively, £344 million of savers' money from the Gibraltar Savings Bank into Credit Finance Company Limited?

1955 **Hon. J J Bossano:** Well, Mr Speaker, each time that the hon. Member has asked the question, he seems to say on the Government side, as if it was possible for somebody on the Opposition side to do the approving. The answer is it has not been approved or disapproved by any Minister, if that is what the question is. *(Interjection)* The question is not... It has been approved by the official that was there before 9th December 2011, who approved all the investments of the Savings Bank before and continues to approve them today, the same person.

1960 **Hon. D A Feetham:** Well, Mr Speaker, I find that answer surprising, and I have to say that the Government perhaps ought to, as a matter of extreme haste, when this session finishes, go to the Attorney General's Chambers, and ask urgently for advice as to whether the Government, whether this payment from the Gibraltar Savings Bank to Credit Finance Company Limited is *ultra vires*, because I will read an amendment to the Gibraltar Savings Bank Act, which the Hon. the Chief Minister brought to this House in March of last year, and it says this:

1965 *'The monies from the issue of bonds and debentures shall, as far as practicable, be invested on behalf of the Gibraltar Savings Bank, under the direction of the Financial Secretary in such securities or be employed at interest in such a manner as shall be approved from time to time by the Government.'*

1970 It has got to be approved by the Government. *This particular investment has got to be approved by the Government.* So does he not agree with me that effectively, what we have is an *unlawful transfer of £344 million to Credit Finance Company Limited?*

1975 **Several Members:** Hear, hear. *(Interjection)*

Hon. J J Bossano: Well, Mr Speaker, if what the hon. Member is saying, that before 9th December a Member of the then Government was taking the decisions on the investments, then I can tell him that that is not how the law has been interpreted since.

1980 Presumably, since he is asking the question about what was happening with the Savings Bank and what was the correct interpretation, I assume, that when he was in Government, he or one of his colleagues was taking the decisions on the investment of the Savings Bank and that therefore he is saying that that is happening now.

1985 **Hon. D A Feetham:** No, Mr Speaker.

Hon. P R Caruana: Well Mr Speaker, based on what the previous Chief Minister used to do when he was in office, can I ask the hon. Member to say whether he agrees with me, that it would be quite extraordinary for any official, even one as senior as the Financial and Development Secretary, should of his own initiative, decide to lend almost the entirety of Gibraltar savers money, to a Government-owned company?

1990 Because I can tell him that the Financial Secretary would not have contemplated making any such decision of his own initiative *(Laughter)* when I was Chief Minister. Would he agree with me, that it would be odd for a Financial Secretary to choose to lend this huge sum of taxpayers' money, almost all of it of savers' money, to a Government-owned company?

1995 **Hon. J J Bossano:** Well, Mr Speaker, clearly the numbers have never been the forte of the hon. Member when he was in Government, and it is still not the forte when he is in Opposition. Because in fact, he keeps on talking about savers' money and, clearly, ignores that the Government's share of the

deposits in the Savings Bank are greater than the amount that he is referring to. Or has he not latched on to that particular point?

2005 If the hon. Member looks at the breakdown that I have given of the deposit, the on-call deposits exceeds the amount invested in shares of the Credit Finance Company. Although he talks about lending money, in fact it is not lending money; it is buying equity of the company. These are preference shares which have maturities of different dates, and the Savings Bank is investing a proportion of its £800 million in those shares, and the amount of Government deposits in the Savings Bank exceeds the amount deposited.

2010 So therefore either he has not realised that point, because he chooses to say, 'Look, this bit has come from this group of depositors as opposed to another group of depositors.' Well, that is not the case. Out of the £800 million, £200 million-odd are invested in the equity of a company that is 100% owned.

2015 **Hon. P R Caruana:** Well, Mr Speaker, the hon. Member might think that he can dispose questions from Members of the Opposition on the basis of pretending that none of us know what we are talking about, and only he knows what he is talking about. He can try that with everybody else if he wants to, it is not going to impress me.

2020 As he well knows, I have been Chief Minister of this community through some of its most prosperous times, for 16 years (*Banging on desks*) and I do not need lectures from him about numbers or economics, given that the last time that he was in Government, he almost brought Gibraltar to its knees. (*Banging on desks*)

2025 So, Mr Speaker, is the hon. Member saying that of the funds...? I mean, he can draw distinctions. I mean, if he really wants, I can watch every word of the debate, but I thought I was debating with somebody who understood that we were dealing in broad concepts. If he focuses on the difference between a loan and an equity investment, I would say to him that the position is even worse, because at least a loan is recoverable from assets and equity investment is the first thing that is lost, because you are a shareholder, you are not even a lender to the Gibraltar company.

2030 But that is not the point that I was focusing on. The point that I was focusing on is this: does his answer mean that all the money – obviously applying gross and net values – that the total of Government-owned monies, Government beneficial monies, money that the Government would be free to spend if it wanted to and it had it in its own back pocket, applied netted off against the amount of money that has been invested in redeemable preference shares in this Government-owned company, plus the £100 million invested in Government debentures, that the former exceeds the latter?

2035 So that there is no question of any other depositor's money, other than the Government as a depositor, being somehow invested to Credit Finance Company through redeemable preference shares or lent to the Government through Government monthly debentures? Is that the purport of his answer?

2040 **Hon. J J Bossano:** Well, Mr Speaker, first can I remind him that if I question his numeracy, that is nothing to the way he treated my attempts at persuading him that many of his figures were inaccurate, when he used to call me an economic illiterate and a lot of other endearing epitaphs that he used to hurl across the floor of the House. So really I am very, very mild to him in comparison with the way he used to deal with my questions.

2045 Secondly, it is a matter of judgement whether he left this place in a better state than he inherited it, but I certainly left it with more than £3 million of useable cash in 1996, (**A Member:** Hear, hear.) including £60 million in Community Care which he chose to run down to nothing, because he claimed in an interview in the *Chronicle* that he was going to replace Community Care with a superior scheme which he keeps secret and which he intends to take to his grave with him, even though it was of such benefit to pensioners. (**Several Members:** Hear, hear.) So we can spend time digging up the past and there are plenty of things that we can remind each other of.

2050 The point that I am making is not that there is a policy directive that only Government deposits will be used to invest; it is that it just so happens that at this particular point in time, the number shows that you cannot say you have used the savers' money. Look, the savers' money is predominantly locked in for five years. All the maturities of everything that is invested, as required by the amendment that was made, must have maturities which are equal to or shorter than, the dates when they have to be repaid.

2055 So the answer is, Mr Speaker, that I am not saying that this is the rule. I am saying that this happens to be the way numerically it pans out at the moment. But in any event, the Savings Bank will invest the money in the way that enables it to operate profitably which is presumably what we all want, and with the confidence that the money is safe in the investment that is being made, and the people that are employed to do that exercise, are discharging that duty.

2060 **Hon. D A Feetham:** Well, Mr Speaker, I have to say that I am none the wiser in relation to my original point (*Interjection*) as to who on the Government side – indeed and so is the hon. the former

Chief Minister, now a backbencher – actually took the decision to approve what is a very sizeable investment?

2065 You see, it is not a proper answer to just simply say, ‘Hang on a minute, because some of this money may not be savers’ money.’ If some of it is savers’ money, it is caught by section 11(d) and indeed section 11(c), which is about monies in investment accounts, also provides for the same mechanism. In other words, even if we were talking about monies that the Government had invested, is done on the direction of the Financial Secretary, but the approval comes from the Government.

2070 Let me remind the hon. Gentleman, that when the Hon. the Chief Minister came to this House with the amendments to the Gibraltar Savings Act, he said that there was a dual lock mechanism. Financial Secretary approved by the Government. Now, I think it is extraordinary that the hon. Gentleman cannot provide me with a straight answer, as to whom, on those Government benches (*Banging on desks*) actually approved the decision to invest in this company.

2075 **Hon. J J Bossano:** Well, Mr Speaker, the policy of the Government is reflected in the spread of investments and not in any particular one. Each individual investment does not require ministerial approval. If it did before 9th December, then that policy is no longer being applied.

2080 **Hon. P R Caruana:** Mr Speaker, I think I have correctly understood the Hon. the Leader of the Opposition, even when subtracting all the sort of waffle from his answer, (**Hon. Chief Minister:** Absolutely right!) I think the effect (*Banging on desks*) – (**Members:** Hear, hear!)

2085 **Mr Speaker:** Order! Order!

A Member: Minister for Employment.

2090 **Hon. P R Caruana:** Yes, I think most people understood me to mean the Minister for Employment. (*Laughter and interjections*) But still little things amuse little minds. I am perfectly happy to keep them entertained!

A Member: We know what you meant.

2095 **Hon. P R Caruana:** You know what I meant. The grown-ups amongst you know what I meant! (*Laughter*)

I think I understood the Hon. the Minister for Employment and many other things by the looks of it, to have said that as we speak, it just happens at this point in time, that in fact, it is not possible to say that there are depositors’ money, savers’ money, other savers’ money in these figures, because of the interpretation of the difference between the depositors and the investments.

2100 If that is true, given that there are between the sums invested in the Government monthly debentures and the redeemable preference shares in this Government-owned company, a total of £434 million, nearly £435 million, presumably he is not saying that the Government, whom he has just said was left in mere penury by me, had £440 million of its own pounds to put in these companies in this way.

2105 So if it was not the Government’s money, because he claims we left the Government with no money, whose money is the £444 million? From what source had that money been raised? If it was not the Government money, because the Government did not have money, and he is telling me on the other hand that it is Government money and not other savers’ money, can he explain to me the composition of the £442 million? I think my colleague, Mr Figueras, has taken down the number correctly from his oral answer, £442 million ordinary deposits? Can he just give me please a breakdown, if he has it, if not at a later date, of the composition of those ordinary deposits?

2110 **Hon. J J Bossano:** Mr Speaker, the figure that I have given the hon. Member is on 31st August 2013. He may think he was still in Government on 30th August 2013, but in fact he was not. There was not this money on 9th December 2011. Surely he knows that, he must know how much money there was in 2011 and it is not this money. So I do not see why he expects me to say if he left no money in 2011, how come there is money now in 2013? Well, precisely, because he is not there any more.

Chief Minister (Hon. F R Picardo): Hear, hear.

2120 **Hon. P R Caruana:** So that is the answer to the question. So what he is saying is that since December 2011, the Government has in fact accumulated, of its own money, £442 million or at least £400 million. This is the purport of his answer to which I do not seriously hold him. Alright, so this is the balance at August 2013, which is not to be used by reference as any benchmark, to what there may or may not have been in December 2011 when we lost office. Another statement of the obvious presumably to serve as

2125 some sort of guillotine until Mr Speaker says we have spent long enough on this question and it is time to move on.

2130 But the point is, whose money is it? I am not interested on the date on which the Government got it; the Government says that there is no savers' money invested in this company, savers other than its own. Yes, that is the purport of the answer that he gave me. Given that they have invested £442 million, is this Government money, accumulated from December 2011 by way of budget surpluses or by way of whatever means, so that these are £400 odd million of Government reserves, effectively.

2135 **Hon. J J Bossano:** Well, Mr Speaker, clearly the hon. Member does not know how much money there was in 2011, because he is asking me now to say is the £440 million all money that has been accumulated since.

2140 Well, he should know that in fact there was money in 2011, but not £442 million and that the bulk of the money, could not be used given his repeated formula of gross net and net debt, and the ceiling on what could be used without breaking the limitation of the net debt not exceeding 80% of annually recurrent revenue of the preceding financial year. (**Hon. Chief Minister:** Useable cash reserve.)

2145 So the useable cash reserve that he left, as he knows, was £3 million until the beginning of the new financial year of 1st April 2013, when it became £63 million being useable. But there was money because his policy then was as he used to say that he was actually issuing debentures in order to give people the opportunity of investing at 5%, and not being able to use the money. Therefore he had a situation where he would issue £100 million of debenture, but not be able to make use of that cash and the cash was then in the consolidated fund and deposited in the Savings Bank but it was not useable. It was only useable when the annual revenue went up and enabled the ceiling to go up.

2150 So the answer to his question is, it is not the case that it has all been accumulated since; it is the case that it has increased very substantially since and that is the figures that are reflected in the published estimates of the Government in the last financial year, and in the figures that I have provided in the past as the amount at the close of the last financial year which are subject to audit.

2155 So it is true that it so happens that the amount that the Government has on deposit in the Savings Bank actually is more or less the same, or perhaps slightly more than the amount that has been invested in the preference shares of the Finance Company. But I am not saying that there is a policy directive that the money that the Government puts, has to be invested in one way and the money that other people put is invested in another way. The provisions in the Savings Bank Act say that it can be invested in any investments such that the maturities match the liabilities and that is what is happening.

2160 **Hon. P R Caruana:** Mr Speaker, the hon. Member, I can only assume, in order to continue to avoid answering my perfectly simple question, is confusing two wholly separate matters.

The fact that the Government only had x millions of pounds that it could legally spend at the time of the election, was a product of the borrowing limit which was by reference to a three-tier benchmark which had been exhausted and had to be redefined in legislation, in order to enable the Government to borrow more.

2165 How much the Government can borrow presumed to the debt ceiling, is a wholly different question as to whose money the Government is borrowing when it is able to borrow. I am not talking about how much money there was available for the Government to borrow; I am saying whose money has the Government borrowed, or invested in this debenture company?

2170 Because of course, he is absolutely right, there was... I cannot remember the exact figure, £200 million or £300 million, something like that in the Savings Bank at the time of the last Election. But it was *mainly saver's money*, and that is the point. *It was mainly savers' money*, because the amount of money that there was in there at the time of the election was broadly equal to the amount of money that the Government owed, or the Savings Bank and the Government owed savers.

2175 So, if the Government or the Savings Bank owed savers through debentures £300 million and had £300 million in the kitty, well, you do not have to be a Nobel Mathematics prize winner to know that the £300 million in the kitty are savers' money.

So the question is, if those are the monies that he has invested in these debentures, and they include the £300 million that was there at the time of the election, then he has invested savers money and the last answer that he gave me was wrong.

2180 **Hon. J J Bossano:** Well, Mr Speaker, the last answer I gave him cannot be wrong because the last answer that I gave him was that it so happens – (*Interjection*) What I have told him is that there is now not £300 million, there is now £800 million, which is £500 million more.

2185 **Hon. P R Caruana:** None of which you told me were savers' money.

Hon. J J Bossano: No, I did not say none of the £800 million: what I said was that –

Hon. P R Caruana: None of the £300 million –

2190 **Hon. J J Bossano:** What I said was, Mr Speaker, that the bulk of the Government's own deposits in the Savings Bank are in the on-call accounts, as they were before when he was there (**Hon. P R Caruana:** Correct.) and there you have £442 million, so you are still left out of the £800 million with over £300 million that is not Government money and you have a situation where the amount – (*Interjection*)

2195 **Hon. P R Caruana:** Sorry, did he say it was or it wasn't Government money?

2200 **Mr Speaker:** May I...? I think the Hon. Sir Peter Caruana may not realise that unless he presses the button and the microphone comes on, any remarks that he makes, or in fact any supplementaries whilst Mr Bossano is holding the floor, will not be recorded in the *Hansard*.

Hon. J J Bossano: Mr Speaker, the figure that I have given him is that, at the end of August, there was £819 million. Right! Of that £819 million, the amount in shares was £334 million or £335 million of Credit Finance. Right!

2205 So, if I tell him that the bulk of the Government's own money is in the £442 million, then I am saying to the hon. Member in fact, it is possible to say, although I am not saying that there is a policy that it should be so, and that it should [*inaudible*] in the future say, I said before that no money other than the Government money could be put, it is possible to say, well look, when you say the money in the Savings Bank that does not belong to the Government because the Government has deposited it there, is the one that is being used to invest in Credit Finance. No, you cannot say that it is or that it is not. Right!

2210 So that is the only point I have made. I have not made any other one.

2215 **Hon. P R Caruana:** That is how I understood him Mr Speaker, but implicit in that is that... I mean, I do not know what to make of his use of the word 'bulk' of the Government's money in the £442 million. I do not know if he means by that that there is part of the £442 that are not Government monies or that it means that all of those £442 million are Government monies, but they are not the only Government monies because the Government has money somewhere else as well. So I do not know exactly how to interpret him when he has used 'the bulk of the Government money', but perhaps he will clarify that to me when he gets up.

2220 But the main point is this: implicit in his answer just given to me is that the £442 million are Government monies, meaning monies that the Government is free to spend and if the Government is free to spend monies, it is free to lend them to a Government-owned company for it to spend it, if it wants to. I am not objecting to the Government channelling the expenditure of its money through its own company, if that is the route it chooses and we did much the same thing in our time.

2225 The question is, is it Government's money? Because for it to be Government's money, I need to see a breakdown of the – a question coming immediately, Mr Speaker – for it to be the Government's money, I would need to see a breakdown of the £442 million.

2230 I mean, the Government has done extraordinarily well in the last two years, if it has accumulated, in just two financial years by way of budget surpluses, £442 million that it can genuinely call its own money, as opposed to money... It wasn't there. The Government might have had pots of money, but it was not theirs to spend. Pension fund monies from the endowment funds, things like this, but those are not Government monies.

2235 Implicit in his last answer, and this is the remaining space between us, is that the £442 million in ordinary deposits, which he says balances out roughly the £335 million plus the £100 million, so that he can honestly and genuinely say that there is no savers' money invested in these companies, or have been used to buy Government bonds, that that is all Government, beneficially available to spend as it pleases, money.

2240 I am asking him, if he can tell me, what the composition of that £442 million is, so that I can test, because as far as I was aware, the Government did not have £442 million of its own money, to make it true that it had not invested somebody else's money in the way that he is now saying. For him to set off the £442 million against the investments of the Savings Bank and say, 'You see, I have not invested other people's money', it has to be true that the £442 million are Government monies and not somebody else's money. That is all I am trying to get at: how is the £442 million Government monies?

2245 **Hon. J J Bossano:** First of all, I am not saying this is only Government money that I am using and I am not using other people's money. I am saying, and I have repeatedly said, that it is not the case that there is a policy directive that only Government money should be used. I am saying that it so happens, since they are talking about savers money that it does not follow logically from the level of investments in

the Savings Bank that it has to be savers' money. It can be either savers' money or Government money or the money of everybody because the Savings Bank does not distinguish from the source.

2250 It so happens that the amount of the £442 million that is Government deposits in the Savings Bank is more. It just happens to be so at this point in time; it might not be the case in a month's time; it might not have been the case a month ago; but it happens to be that, at this moment in time, it actually exceeds the amount that the Savings Bank has invested in Credit Finance Company Limited. That is the point I am making. I think it is probably of the order of something like £390 million out of the £442 million.

2255 **Hon. P R Caruana:** Well, Mr Speaker, I am grateful to the Hon. Minister, [*technical interruption*] this is all very complicated. Mr Speaker –

2260 **Mr Speaker:** The television is still there.

Hon. P R Caruana: Is it! Alright, Mr Speaker. Well, I am grateful to the hon. Member for that clarification. Of course, he knows that he is speaking to somebody, because I have told him this before. It is not the end of the world for the Savings Bank to lend money to the Government for the Government to spend on public projects, because National Savings Banks do that all over Europe.

2265 The important thing is that savers should be aware that that is what the Government does, which is not to suggest that it is wrong for the Government to do it, so long as savers know that when they lend their money to the Government, to the Savings Bank by depositing it with them as savers, that that money is not just sitting there in some account in the Bank of England as cash, but that the Government, as Government's do in many other parts of Europe, is getting that money and lending it to itself, to spend on projects and on this and on that.

2270 The issue is not that it is right or wrong, it is a matter of policy and opinion, but it is not intrinsically wrong by reference to European – and American for that matter – practice. The important thing is that it represents – except to the extent that we did it accidentally in a very small amount, I think in the last year – in large amounts it represents a departure from what people have understood the position in Gibraltar to be in the past, and therefore I would ask the Government to consider simply that it should be transparent with depositors.

2275 And I am sure there will be a lot of depositors that will continue to be happy to invest with the Government, even if the Government is going to spend the money on projects. But there needs to be transparency and people need to know what he is doing.

2280 Mr Speaker, I will sit down now, just asking him by way of confirmation, if I have correctly understood his last answer to mean that the bulk, I am not sure if he mentioned a figure, I think he mentioned, all but – (**A Member:** £390 million.) £390 million, of that £442 million, £390 million is Government-owned, un-hypothecated. In other words, it is not pension fund, or it is not somebody else's money; it is Government-owned, accumulated through Government revenues and the difference between Government expenditure and Government revenue – in other words, Government-owned monies that the Government could bring an Appropriation Bill to the House tomorrow out of the Consolidated Fund to spend – of £390 million. Have I correctly...? I just do not want to be at cross purposes with him at the end of this discussion.

2290 **Hon. J J Bossano:** It is Government-owned money but I think it is highly unlikely that the Government will bring an Appropriation Bill to spend it in a month's time.

Hon. P R Caruana: But it is Government money?

2295 **Hon. J J Bossano:** It is absolutely true, Government money. That is correct, yes.

Mr Speaker: Now, are there any other supplementary questions? I will allow... Hon. Members will agree, I think, we have been three quarters of an hour on what is a very important subject, I grant them, but I do not think they can complain where time is concerned. I will allow another supplementary and then we should move on.

2300 **Hon. D A Feetham:** Yes, there were 10 or 11 questions that had been bunched into one.

2305 **Mr Speaker:** Four or five, and we have been here for over three hours for 20 questions, 25 questions.

Hon. D A Feetham: Yes, I am told seven questions have been bunched up.

Mr Speaker, can I return back, because really for the purposes of the line of question, my line of question, it really does not matter whether it is Government money, or it is not Government money. The legislation is quite clear, there has to be Government approval.

2310 Is really what the hon. Member is saying to me... does it amount to this: that effectively, I mean the
Financial Secretary wakes up one morning and says, 'I am now going to be investing £344 million...' –
because I think it is £344 million that is the latest figures from searches that we have conducted, that have
2315 been invested in this particular company. The Financial Secretary wakes up one day and says, 'I am going
to be investing £344 million into Credit Finance Company Limited', and it does not require a telephone
conversation with the Minister for Finance, the Chief Minister or the Minister for Employment, seeking
his or their approval for the investment of that particular money in this particular company?

Hon. J J Bossano: Well, Mr Speaker, I do not know whether it is that the Financial Secretary woke
2320 up one morning and decided to put £22 million in the Bank of England, but whether it is £22 million in
the Bank of England or £20 million or £40 million or £65 million in the European Investment Bank or in
any of the others, which is the £500 million that has been otherwise invested, he has not come back
asking for approval from a Minister of the Government.

Given the fact that in... Well, I do not see what the hon. Member finds so extraordinary. Here we
2325 have got a situation where the bank has got £820 million, which is quite an achievement I would have
thought, that we have that amount of money, and the Government's Financial Secretary, who is
responsible for the distribution of the different investments, invests with other people, £500 million and
with a Government company £3 million. The Members opposite are more worried about the security of
the Government company, which has got £3 million, than about the security of the strangers that have got
our other £500 million.

2330 Well, we think his judgement must be on the advice that he gets that these things are safe investments
and he does not come back, and to my knowledge, he did not have to come back seeking approval for any
individual investment before. I think the way the law was, and the way law is, is that there is a broad
policy and the broad policy dictates that the timing is the important thing, that is to say the Financial
Secretary must be in a position to be confident that somebody comes along and says, 'My £10,000
2335 debenture is maturing next month', and there will be an investment that will mature before that happens
and the person will be paid. That is what is required, that is what is happening.

Hon. P R Caruana: Can I just ask one very short supplementary factual, entirely factual, with Mr
2340 Speaker's leave?

Mr Speaker, in answering my last supplementary that these were Government funds, he was not
cutting out one of the adjectives that I used in my question, was he not? It included the spendable and un-
hypothecated. So for example, it does not include the currency note security fund. I mean, we are talking
about Government spendable un-hypothecated money. That is not money that the Government is
2345 Government money in the sense that used to be in special funds, but the Government could not spend
because it had to be there for some statutory purposes, like the currency notes fund.

It would not be consistent with my question and the answer that he gave to my question, for the £390
million to include money that the Government could not spend, because it was not really its money
because it included the currency note security fund which is not the Government's money to spend.

2350 **Hon. J J Bossano:** I think it does, and I think it is the only thing that is included which is about £20
million. But there is nothing else other than that, the rest is consolidated fund money.

Mr Speaker: Move on then to the next question.

2355

**Credit Finance Company Limited
Investments, payments and loans**

2360 **Clerk:** Question 657, the Hon. D A Feetham.

Hon. D A Feetham: Can the Chief Minister please provide a list of all investments, payments and
loans, made by Credit Finance Company Limited, since its incorporation, showing the amounts, the dates
2365 those investments, payments and loans were made, together with the identity of the party or parties to
whom they were made?

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

2370 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr
Speaker, the Government will not provide how the commercial Credit Finance Company makes its
investments, no. The answer to that, it is not information that the Government is prepared to provide.

Hon. D A Feetham: Mr Speaker, I have to say that is an extraordinary, (**A Member:** Shocking!) shocking answer. I have been a Member of this House for six years; I have never heard such a shocking, shocking answer as the one that he has provided.

2375 This is £344 million that the Government is saying that it is not going to account to this House, that the Government has no duty to account to this House at Budget time, because this is off-balance sheet, off-estimates of revenue and expenditure, and we take the opportunity of asking a question about it, at questions and answers, and the hon. Gentleman, true to form it has to be said, because we had considered this question and what his response would be prior to asking it.

2380 It is shocking and extraordinary and I have to say, Mr Speaker, that as a consequence of that answer, which we thought that he would give because he is, he is, a leopard does not change his spots – the Opposition is walking out of this Parliament in response to what is an extraordinary, extraordinary state of affairs, in the failure of this Government to provide how it has spent, how £344 million, of which some of it is savers' money, and all of it is Government money, is being spent and is being loaned out to third parties.

Mr Speaker: May I ask the Hon. the Leader of the Opposition, before he walks out, whether he would give an indication to the Speaker, so that the Speaker knows whether he should exercise, so that he can exercise his judgement, as to whether we carry on with the business of the House, because there is a quorum, or whether I can allow sense to prevail as a result of a recess until this afternoon. Does he have any intention of returning again, or does he not mind if the House continues with the conclusion of its business today?

2395 **Hon. D A Feetham:** Mr Speaker, we will return –

Chief Minister (Hon. F R Picardo): Before the Leader of the Opposition replies, if I can just assist...

2400 **Hon. D A Feetham:** Well, he has asked me – he has asked me. No, I am not giving way. (**Hon. Chief Minister:** Well, Mr Speaker [*inaudible*]) He has asked me a question and I am on my feet.

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

Mr Speaker: What is the Chief Minister's Point of Order?

2405 **Hon. Chief Minister:** Mr Speaker, I am the Leader of the House, and whether the House recesses or not is technically a matter for me. I would be very interested to hear what the Hon. the Leader of the Opposition has to say, but based on that, I will decide whether I move a recess or not.

2410 **Hon. D A Feetham:** Mr Speaker, we are effectively leaving this House for the remainder of the Question and Answer session. We will be returning for the debate –

Mr Speaker: That means that the remaining questions will receive written answers, because they will not have been put. Is he aware of that?

2415 **Hon. D A Feetham:** Well, so be it, Mr Speaker, but we take such a serious view of the failure to answer what is an extremely important question, on something of such importance as this, that we are taking the position that we are walking out in protest at the way that the Government has handled this.

2420 *The Opposition Members rose and left the House at 12.46 pm.*

Procedural

2425 **Mr Speaker:** May I now ask the Chief Minister to what time is he proposing that we recess in order to continue Government business with Bills?

2430 **Chief Minister (Hon. F R Picardo):** No, Mr Speaker, I have absolutely no intention of recessing. I would ask the Clerk to please put the questions; I will then table the Written Questions and continue with Bills.

Clerk: Well, the next question was due to have been put by the Hon. D A Feetham and it was Question 659. Likewise Question 656, Question 664, Question 665, Question 674, Question 676 and Question 684. I presume now that the answers will be given in written form or –

2435

Hon. Chief Minister: Mr Speaker, in order to assist what I would call Members opposite, if they were opposite, I propose that the first written answer that is available to the House should be provided to them, in answer to those questions.

2440

Written Answers to Oral Questions

QUESTION No: 659/2013

Questioner: The Hon D.A Feetham

Can the Chief Minister please provide details of all investments, payments and loans made by the Gibraltar Savings Bank, the Government, or any company directly or indirectly owned by Government to Credit Finance Company Limited stating the amounts and the dates when such investments, payments and loans were made?

ANSWER

THE HON THE MINISTER FOR ENTERPRISE, TRAINING, EMPLOYMENT AND HEALTH & SAFETY

Mr Speaker,

No loans have been made by the Gibraltar Savings Bank, the Government or Government-Owned Companies to Credit Finance Company Limited.

The Savings Bank Fund invests in redeemable preference shares issued by Credit Finance Company Limited with maturity dates that match the maturity dates of deposits in the Gibraltar Savings Bank. The details of the investments held by this fund, as is the case with all other special funds are published once audited by the Principal Auditor.

QUESTION No: 656/2013

Questioner: The Hon D.A Feetham

Can the Chief Minister please state the purpose and policy behind the incorporation of Strand Credit Finance Company Limited?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, TRAINING, EMPLOYMENT
AND HEALTH & SAFETY**

Mr Speaker,

I will answer this question together with Questions 664 and 665.

QUESTION No: 664/2013

Questioner: The Hon D.A Feetham

Can the Chief Minister please provide details of all investments in, payments and loans made by Strand Credit Finance Company Limited stating the amounts and the dates such investments, payments and loans were made?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, TRAINING, EMPLOYMENT
AND HEALTH & SAFETY**

Mr Speaker,

I will answer this question together with Questions 656 and 665.

QUESTION No: 665/2013

Questioner: The Hon D A Feetham

Can the Chief Minister please provide details of all investments in, payments and loans made by the Gibraltar Savings Bank, the Government or any Government owned company or entity to Strand Credit Finance Company Limited stating the amounts and the dates such investments, payments and loans were made?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, TRAINING, EMPLOYMENT
AND HEALTH & SAFETY**

Mr Speaker,

Strand Credit Finance Company Ltd was incorporated on 16th April 2013.

The Company has an Issued Share Capital of £100K and this amount is currently held in the Company's bank account. No other moneys have either been received or paid by this company as it has not yet commenced trading.

The purpose for incorporation is to undertake any credit finance business that may require a UK registered company.

QUESTION No: 674/2013

Questioner: The Hon D J Bossino

Can the Government provide full details of all financial assistance (including loans) provided to the owners of the Sunborn by the Government/the Gibraltar Savings Bank (the "GSB"), any company owned (either in whole or in part) by the Government, any company owned (either in whole or in part) by a Government owned company or the GSB?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, TRAINING, EMPLOYMENT
AND HEALTH & SAFETY**

Mr Speaker,

As is known, Credit Finance Company Limited has a first mortgage on the property as security for a short-term loan. No other source of funding has been provided.

QUESTION No: 676/2013

Questioner: The Hon D J Bossino

Further to his answer to Question No. 495 of 2013 can the Chief Minister provide the same detail requested in Question No. 440 of 2013 as respects any new companies which are benefitting from the Government's policy on business start-ups and nurture schemes?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, TRAINING, EMPLOYMENT AND
HEALTH & SAFETY**

Mr Speaker,

There have not been any new companies since the last answer in this House.

QUESTION No: 684/2013

Questioner: The Hon D A Feetham

Can the Chief Minister please state whether the Government intends to fund (either in whole or part) the two recently announced housing schemes at Aerial Farm and the Coach Park respectively, from the proceeds of Gibraltar Savings Bank Debentures or other debt security owed by the Gibraltar Savings Bank?

ANSWER

**THE HON THE MINISTER FOR ENTERPRISE, TRAINING, EMPLOYMENT
AND HEALTH & SAFETY**

No Mr Speaker.

Questions for Written Answer

2445 **Chief Minister (Hon. F R Picardo):** And given that the Oral Questions are now dealt with, if the hon. Clerk calls the Written Questions, I will also table the answer to the Written Questions.

Clerk: Answers to Written Questions, the Hon. the Chief Minister.

2450 **Hon. Chief Minister:** Mr Speaker, I have the honour to table the answers to Written Questions numbered W99 to W119/2013 inclusive.

2455

BILLS

FIRST AND SECOND READING

2460

Medical and Health (Amendment) Bill 2013 First Reading approved

Clerk: Bills, First and Second Reading.

A Bill for an Act to amend the Medical and Health Act, 1997 to, *inter alia*, make provision for the compulsory registration of allied health professionals (B18/13).

2465

The Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes) Mr Speaker, I have the honour to move that a Bill for an Act to amend the Medical and Health Act 1997 to, *inter alia*, make provision for the compulsory registration of allied health professionals be read a first time.

2470

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Medical and Health Act 1997 to, *inter alia*, make provision for the compulsory registration of allied health professionals, be read a first time. Those in favour?

2475

Chief Minister (Hon. F R Picardo): Mr Speaker, I call a division.

Mr Speaker: Those against? A division has been called for, so I will ask the Clerk to call out the names of hon. Members.

2480

A division was called for and voting resulted as follows:

FOR

The Hon. P J Balban
The Hon. J J Bossano
The Hon. Dr J E Cortes
The Hon. N F Costa
The Hon. Dr J J Garcia
The Hon. A J Isola
The Hon. G H Licudi
The Hon. S E Linares
The Hon. F R Picardo
The Hon. Miss S J Sacramento.

AGAINST

None

ABSENT

The Hon. D J Bossino
The Hon. Sir P R Caruana KCMG QC
The Hon. Mrs I M Ellul-Hammond
The Hon. D A Feetham
The Hon. S M Figueras
The Hon. J J Netto
The Hon. E J Reyes

Mr Speaker: Ten Members have voted in favour of the Bill being read a first time. There are seven Members absent. Carried.

2485

Clerk: The Medical and Health (Amendment) Act 2013.

2490

Medical and Health (Amendment) Bill 2013 Second Reading approved

Hon. Dr J E Cortes: Mr Speaker, I have the honour to move that the Bill now be read a second time.

2495 Mr Speaker, before I go into the substance I give notice – and a letter has been distributed – of a number of minor amendments that I intend to bring at Committee Stage.

Mr Speaker, one would be forgiven for thinking that the Medical and Health Act 1997 is a statute that governs the practice of health care in Gibraltar. As it stands, it does provide mechanisms for registration and control of key players in the health sector, such as doctors, nurses, dentists and pharmacists.

2500 There is, however, the very large vacuum when it comes to the allied health professionals. As the law currently stands, practitioners of these professions, which include chiropodists, dieticians and osteopaths, to name but three, are outside the regulatory framework.

2505 This means that it is possible for people to hold themselves out to have expertise, when in fact they may have none. That carries inevitable risk to persons who seek treatment from these so-called professionals. The Bill affords protection in both directions, a person accessing an allied health professional, will have the comfort that the person claiming to have a specific area of expertise, is in fact registered with the relevant UK governing body.

Allied health professionals will benefit too, since they will no longer be exposed to the potential competition from persons who are not entitled to practice. In addition, the service users and the public will benefit because the Bill will require the regulated professionals to uphold high standards of practice.

2510 Mr Speaker, this legislative/regulatory gap is not something that has just appeared out of nowhere. Healthcare professionals have made repeated representations to the Government for this change, since the late 1990s. As far back as 2005, the Government of the time issued a consultation precisely on this matter. Regrettably, nothing was done after the consultation exercise was completed.

2515 Mr Speaker, this Government considers that action is indeed necessary and this is why I am bringing the Bill to the House. The Bill also introduces a number of other changes, which I will be referring to now.

The principal changes are: clause 3. Mr Speaker, clause 3 amends section 7 of the Act. This section contains details relating to the Register of Medical Practitioners etc, and is extended so as to accommodate a further part to the register, specifically for allied health professionals.

2520 Clause 4, the amendments introduced by clause 4, taken together with a new section 21B which is introduced by clause 9, reflects Government's policy to push towards registration, with the relevant UK registration body, by waiving registration fees for those who do so. The natural consequence of registering in the UK is that to varying degrees, there is an element of professional oversight through the adherence of standards, including continuous professional development and codes of practice.

2525 Clause 6 amends section 10 of the Act and is a small amendment which intends to close the loop-hole to allow the Medical Registration Board the power to refuse to register a person who has not kept up to the requirements as to training or currency of practice in the home state.

2530 Clause 7 inserts a new section that is intended to preserve the ability of a very small number of pharmacists, who have given Gibraltar many years of valuable service, and whom the Government knows would not be able to meet the new criteria being established. It has therefore made a very limited exception for these persons.

Clause 8 makes an amendment to reflect the reality that the existing time limits on limited registration are impractical.

2535 Clause 9 inserts two sections into the Act. I have already spoken about section 21B; the other section 21A is also about raising the standards of practice in Gibraltar, and in this case a section will require dentists and pharmacists to abide by the Codes of Ethics which are promulgated by the relevant UK institution.

2540 Clause 10 of the Bill, inserts a whole new part, Part IIA, which is dedicated towards the registration of allied health professionals and the protection of their titles from use by un-registered persons, as with the dentists and pharmacists, all allied health professionals, will also be obliged to follow codes of ethics which are promulgated by the relevant registering body in the United Kingdom. A full list of protected titles is to be found in schedule 13 which is inserted in the Act by clause 18.

2545 Clauses 15 and 16 respectively update and make provision for offences in connection with the use of protected titles by persons who are not entitled to use them.

And finally, clause 17 substitutes the present schedule 2 on fees, to make registration in Gibraltar only, more expensive than registration in the UK and Gibraltar, in line with the policy described some moments ago.

Mr Speaker, I commend the Bill to the House. (*Banging on desks*)

2550 **Mr Speaker:** Before I put the question, does any hon. Member wish to speak on the general principles and merits of the Bill?

I now put the question, which is that a Bill for an Act to amend the Medical and Health Act 1997 to, *inter alia*, make provision for the compulsory registration of allied health professionals be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

2555

Clerk: The Medical and Health (Amendment) Act 2013.

2560

Medical and Health (Amendment) Bill 2013
Committee Stage and Third Reading to be taken at this sitting

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

2565

Mr Speaker: Do all hon. Members agree that the Committee Stage and Third Reading of the Bill be taken today? (**Members:** Aye.)

2570

Nature Protection (Amendment No. 2) Bill 2013
First Reading approved

Clerk: A Bill for an Act to amend the Nature Protection Act 1991. The Hon. the Minister for Health and the Environment.

2575

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, I have the honour to move that a Bill for an Act to amend the Nature Protection Act 1991 be read a first time.

2580

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Nature Protection Act 1991 be read a first time. Those in favour? (**Members:** Aye). Those against? Carried.

Clerk: The Nature Protection (Amendment No. 2) Act 2013.

2585

Nature Protection (Amendment No. 2) Bill 2013
Second Reading approved

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, I have the honour to move that the Bill now be read a second time.

2590

Mr Speaker, this amendment realigns and slightly amends the list of methods covered by the Act. There are two typographical errors in the Bill, which I will seek to amend at Committee Stage.

2595

In one, the reference to killing has been omitted in error. There is also an error in the letters and numbers attributed to the paragraphs.

Mr Speaker, there has been some confusion in the past in respect of some of the methods and the legal interpretation of the methods as defined. The proposed realignment makes it clear that all gill nets are covered, including trammel nets which are now specifically mentioned in section (ba).

2600

Interpretation is also clearer, in that the three main methods utilised in the region by our artisanal fishermen are now all included in one subparagraph.

Mr Speaker, may I add by way of information that as has been stated on previous occasions, Government will now be able by regulation at the appropriate time to allow activities, subject to very tight rules designed to ensure accountability of catch and sustainability and regeneration of fish stocks.

2605

Draft regulations are being finalised and should be ready for publication shortly. We have consulted widely on their content, which is designed to ensure protection of the marine environment and protection of the responsible practice of local recreational fishermen.

Given that this is an issue of great public interest, I will table a copy of the regulations in the House, when they are published, to ensure all hon. Members have direct access to these.

2610

I commend the Bill to the House. (*Applause*)

Mr Speaker: Before I put the question, does any hon. Member wish to speak on the general principles and merits of the Bill?

2615

I now put the question, which is that a Bill for an Act to amend the Nature Protection Act 1991 be read a second time. Those in favour?

Chief Minister (Hon. F R Picardo): Mr Speaker, I once again call for a division on this important Act.

A division was called for and voting resulted as follows:

FOR

The Hon P J Balban
The Hon J J Bossano
The Hon Dr J E Cortes
The Hon N F Costa
The Hon Dr J J Garcia
The Hon A J Isola
The Hon G H Licudi
The Hon S E Linares
The Hon F R Picardo
The Hon Miss S J Sacramento

AGAINST

None

ABSENT

The Hon D J Bossino
The Hon Sir P R Caruana KCMG QC
The Hon Mrs I M Ellul-Hammond
The Hon D A Feetham
The Hon S M Figueras
The Hon J J Netto
The Hon E J Reyes

2620

Mr Speaker: There are 10 votes in favour; seven Members are absent. Carried.

Clerk: The Nature Protection (Amendment No. 2) Act 2013.

2625

**Nature Protection (Amendment No. 2) Act 2013
Committee Stage and Third Reading to be taken at this sitting**

2630

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

Mr Speaker: Do all hon. Members agree that the Committee Stage and Third Reading of the Bill be taken today? (**Members:** Aye.)

2635

**Protected Cell Companies (Amendment) Bill 2013
First Reading approved**

2640

Clerk: A Bill for an Act to amend the Protected Cell Companies Act 2001.
The Hon. the Minister for Financial Services and Gaming.

2645

Minister for Financial Services and Gaming (Hon. A J Isola): Mr Speaker, I have the honour to move that a Bill for an Act to amend the Protected Cell Companies Act 2001 be read a first time.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Protected Cell Companies Act 2001 be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

2650

Clerk: The Protected Cell Companies (Amendment) Act 2013.

**Protected Cell Companies (Amendment) Bill 2013
Second Reading approved**

2655

Minister for Financial Services and Gaming (Hon. A J Isola): Mr Speaker, I have the honour to move that the Bill be now read a second time.

2660

Mr Speaker, the primary purpose of this Bill is to ensure that in every instance the body best able to assess the suitability of a company being incorporated as a protected cell company, or being converted into a protected cell company, is given the responsibility to make that assessment.

2665

As it now stands, the Protected Cell Companies Act 2001 divides this responsibility between, on the one hand, the Financial Services Commission for insurers and authorised collective investment schemes and, on the other, the Finance Centre for companies issuing particular types of debt instrument and for certain companies which do not need to be licensed or authorised by the Financial Services Commission.

2670

The Government has considered and the Financial Services Commission has agreed that it is the Financial Services Commission that is best placed to give or withhold consent, given the essentially technical nature of the valuation and because of the ongoing supervisory duties implied by the terms and conditions, which may be attached to a consent, a role for which the Financial Services Commission is admirably suited and justly recognised.

This Bill therefore amends the Protected Cell Companies Act by replacing in section 11 references to the Finance Centre Director with references to the Financial Services Commission's Chief Executive Officer.

2675 Mr Speaker, a secondary purpose of this Bill is to bring the Protected Cell Companies Act up to date by replacing obsolete terms and outdated references. This is dealt with in the Bill in a number of different ways, Mr Speaker, which I can take Members through at the Committee Stage, should anyone wish for clearance.

I commend the Bill to the House, Mr Speaker.

2680 **Mr Speaker:** Before I put the question, does any hon. Member wish to speak on the general principles and merits of the Bill?

I now put the question, which is that a Bill for an Act to amend the Protected Cell Companies Act 2001 be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

2685 **Clerk:** The Protected Cell Companies (Amendment) Act 2013.

2690 **Protected Cell Companies (Amendment) Bill 2013**
Committee Stage and Third Reading to be taken at this sitting

Minister for Financial Services and Gaming (Hon. A J Isola): Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

2695 **Mr Speaker:** Do all hon. Members agree that the Committee Stage and Third Reading of the Bill be taken today? (**Members:** Aye.)

2700 **COMMITTEE STAGE**

Medical and Health (Amendment) Bill 2013
Nature Protection (Amendment No. 2) Bill 2013
Protected Cell Companies (Amendment) Bill 2013

2705 **Clerk:** Committee Stage and Third Reading.
The Hon. the Chief Minister.

2710 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that the House should resolve itself into Committee to consider the following Bills, clause by clause: the Medical and Health (Amendment) Bill 2013; the Nature Protection (Amendment No. 2) Bill 2013; the Protected Cell Companies (Amendment) Bill 2013.

2715 *In Committee of the whole Parliament*

Medical and Health (Amendment) Bill 2013
Clauses considered and approved

2720 **Clerk:** A Bill for an Act to amend the Medical and Health Act 1997 to, *inter alia*, make provision for the compulsory registration of allied health professionals.
Clause 1.

2725 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Chairman, as I have already indicated, I would like to propose the substitution of clause 1 as it appears in the Bill, for clause 1(1), 'This Act may be cited as the Medical and Health (Amendment) Act 2013.' and add a subsection (2): 'This Act comes into operation on the day specified by the Minister by Notice in the *Gazette* and different days may be appointed for different provisions and for different purposes.'

2730 The reason is very simple: the different professions will have different renewal dates and different times required for them to conform to this new Act and we want to have the flexibility to be able to do so.

Mr Chairman: Those in favour? (**Members:** Aye). The amendment is carried.
Clause 1 as amended, stands part of the Bill.

2735 **Clerk:** Clause 2.

Mr Chairman: Stands part of the Bill.

2740 **Clerk:** Clause 3.

Hon. Dr J E Cortes: Yes, Mr Chairman, similarly to propose an amendment to this clause by way of housekeeping, essentially. In clause 3(a), in paragraph (c), subparagraphs (i) and (ii) are renumbered (ii) and (iii) respectively, and the following subparagraph is inserted – '(i) for the words "six parts" substitute "seven parts"; and (b) after paragraph (c) insert the following paragraph – '(d) subsection (3) is repealed.'

2745 It is merely to rectify some minor errors.

Mr Chairman: Those in favour of the amendment? (**Members:** Aye). Carried.
Clause 3 as amended stand part of the Bill.

2750 **Clerk:** Clauses 4 to 18

Mr Chairman: Stand part of the Bill.

2755 **Clerk:** The long title.

Mr Chairman: Stands part of the Bill.

2760

Nature Protection (Amendment No. 2) Bill 2013
Clauses considered and approved

2765 **Clerk:** A Bill for an Act to amend the Nature Protection Act 1991.
Clause 1.

Mr Chairman: Stands part of the Bill.

2770 **Clerk:** Clause 2.

Minister for Health and the Environment (Hon. Dr J E Cortes): Yes, Mr Chairman, as I mentioned earlier, in clause 2 of the Bill, for section 10(2) substitute section 10(1); and in paragraph (ba), after the words 'uses for the purpose of', insert the words 'killing or'.

2775 As I said before, that was a typographical error.

Mr Chairman: Those in favour of these amendments? (**Members:** Aye). Carried.
Clause 2 as amended stands part of the Bill.

2780 **Clerk:** The long title.

Mr Chairman: Stands part of the Bill.

2785

Protected Cell Companies (Amendment) Bill 2013
Clauses considered and approved

2790 **Clerk:** A Bill for an Act to amend the Protected Cell Companies Act 2001.
Clauses 1 and 2.

Mr Chairman: Stand part of the Bill.

Clerk: The long title.

2795 **Mr Chairman:** Stands part of the Bill.

BILLS FOR THIRD READING

2800 **Medical and Health (Amendment) Bill 2013**
Nature Protection (Amendment No. 2) Bill 2013
Protected Cell Companies (Amendment) Bill 2013
Third Readings approved; Bills passed

2805 **Clerk:** The Hon. the Chief Minister.

2810 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to report that the Medical and Health (Amendment) Bill 2013, the Nature Protection (Amendment No. 2) Bill 2013 and the Protected Cell Companies (Amendment) Bill 2013 have been considered in Committee and agreed to with some amendments, and I now move that they be read a third time and passed.

2815 **Mr Speaker:** I now put the question, which is that (1) the Medical and Health (Amendment) Bill 2013, (2) the Nature Protection (Amendment No. 2) Bill 2013 and (3) the Protected Cell Companies (Amendment) Bill 2013 be read a third time and passed. Those in favour? (**Members:** Aye.) Those against? Carried.

Do hon. Members require that I call them out individually? No?

2820 **Hon. Chief Minister:** Mr Speaker, *ex abundanti cautela* – I have seen that the Clerk has raised his eyebrow; perhaps we should.

Mr Speaker: Those in favour of the Medical and Health (Amendment) Bill 2013? (**Members:** Aye.) Those against? Carried.

2825 Those in favour of the Nature Protection (Amendment No. 2) Bill 2013? (**Members:** Aye.) Those against? Carried.

Those in favour of the Protected Cell Companies (Amendment) Bill 2013? (**Members:** Aye.) Those against? Carried.

2830 **ADJOURNMENT**

2835 **Chief Minister (Hon. F R Picardo):** Mr Speaker, although I was very much enjoying the nostalgia of watching the ghosts of Governments past debate with the great Joe Bossano and this has all been, all that fun has been spoilt at the last minute, I now have the honour to move that the House do now adjourn *sine die*.

2840 **Mr Speaker:** I now propose the question, which is that the House do now adjourn *sine die*. I now put the question, which is that this House do now adjourn *sine die*. Those in favour? (**Members:** Aye.) Those against? Carried. This House will now adjourn *sine die*.

The House adjourned at 1.15 p.m.