



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**MORNING SESSION: 9.20 a.m. – 12.44 p.m.**

**Gibraltar, Thursday, 23rd January 2014**

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<i>The House recessed at 12.44 p.m. and resumed its sitting at 3.00 p.m. ....</i>	<i>47</i>

## The Gibraltar Parliament

*The Parliament met at 9.20 a.m.*

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

[ACTING CLERK TO THE PARLIAMENT: P E Martinez Esq *in attendance*]

### PRAYER

*Mr Speaker*

## Order Of The Day

**Acting Clerk:** (i) Oath Of Allegiance;

### CONFIRMATION OF MINUTES

5 **Acting Clerk:** (ii) Confirmation of Minutes – the Minutes of the last Meeting of Parliament which was held on 19th and 23rd December 2013.

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

10 *Mr Speaker signed the Minutes.*

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

## Questions for Oral Answer

### TRAFFIC, HOUSING AND TECHNICAL SERVICES

#### Q1/2014

#### Government rental homes – Arrears of unpaid rents

15 **Acting Clerk:** Question 1/2014, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, can the Minister for Housing provide updated details of arrears in respect of unpaid rents pertaining to Government rental homes, since the answer provided to Question 780/2013?

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

**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, the total amount of arrears in respect of unpaid rents as at the end of December 2013, was £4,893,633.26.

**Q2-3/2014**  
**Mid-Harbour Estate –**  
**Works to counteract anti-social behaviour**

25     **Acting Clerk:** Question 2/2014, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing confirm if the works ordered for Mid-Harbour Estate as stated in the answer to Questions 774/2013 and 775/2013, have all now been fully completed?

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

**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, I will answer this question together with Question 3.

35     **Acting Clerk:** Question 3, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, can the Minister for Housing provide details of any further actions planned to be undertaken, other than those already mentioned in answer to Question 774/2013 and 775/2013 in order to curtail non-compliance of house rules at Mid-Harbour Estate?

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

**Hon. P J Balban:** Mr Speaker, in respect of CCTV the following works have now been completed: the installation of cameras on the car park level; connection to the main fibre ring; procuring and installation of CCTV signs within the car park level.

       In respect of CCTV ongoing works include: the integration of cameras installed within the car park level to the existing Public CCTV System and RGP Control Room at New Mole House; infrastructure works to allow installation of cameras on the podium and promenade levels; integration of podium and promenade level cameras to the existing Public CCTV Systems and RGP Control Room at new Mole House.

50     In respect of the barriers, these have already been installed and will be operational shortly.

       It is expected that with the measures being taken, the incidence of anti-social behaviour will be much contained. Once the CCTV system and entry barrier are operational, a decision will need to be taken as to whether further action is necessary. In the meantime, we will continue liaising with the RGP on the issue of anti-social behaviour.

55     **Hon. E J Reyes:** Mr Speaker, I thank the Minister for that answer.

       May I ask him, in the things that are still to be considered – obviously it makes a bit of sense after the barriers and the cameras and so on are fully operational – the question of litter disposal and so on, I hear from some tenants it is starting to be cropping up to be a problem. Can the Minister confirm that he also intends to have that item as one to be reviewed in the future with other considerations?

60     **Hon. P J Balban:** Mr Speaker, the Ministry meets with the Tenants' Association on a regular basis. The Tenants' Association also meets with other members of the Department more frequently, so that any concerns that the Tenants' Association may have are addressed by the civil servants present and staff. Anything that I need to know about will also be relayed down the line. So if there are issues with litter, then obviously these issues have no doubt been passed on to the relevant members of my Department then to act upon.

70     **Hon. E J Reyes:** Yes, I am grateful, but then do I take it from that, the Minister is not particularly aware of any specific concern in respect of litter? An accumulation of, I believe, some unwanted household items are now even being simply deposited at the podium. Is he aware or is this something that he just simply wants to take forward and consider?

75     **Hon. P J Balban:** Mr Speaker, as I said, if there are issues, housekeeping issues like sporadic accumulation of litter, these will be addressed directly by the Tenants' Association to the members of staff and they would be responsible to look after those things. If there are issues of a more important nature, then I would be informed and would then tackle them accordingly. So I would expect that the issues of litter accumulation, as you would probably expect would happen after Christmas, when after opening presents there are boxes galore to throw, and that you know is something which I expect would be seen to and addressed accordingly at a given time.

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

May I as well ask the Minister, he may have given it in his answer and I could have missed it as I was making some notes. In the last session in respect of Question 775, the Minister informed us that some signage had been ordered and so on, it was part of the works needed to make the barrier and the cameras fully operational and so on. In conjunction with that, he had placed an order for signage. Can he confirm at what stage we are with the signage, is it now completed and fully up in the allocated positions?

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, I am not sure whether the hon. Member is referring to the CCTV signage, because that is an area that I am dealing with and I am aware of, the question of the signage. But if he is not, then I would ask my colleague to deal with the matter.

**Hon. E J Reyes:** Yes, Mr Speaker, it is both. The Minister did say last time it was signage. Part of it was concerned with the CCTV and I think the other part was because of the barriers, there had to be some signage in the – let us call it, underground parking so that people knew which way to come in and out, so it was better and clearly defined.

**Hon. G H Licudi:** Mr Speaker, with regard to the CCTV, signage was ordered and has been placed in the estate. I gave instructions that the signs which had been placed on the estate in respect of the CCTV should be covered until the system is operational. As my colleague has indicated in his original answer, we are now in the final stages of the CCTV project for that particular estate and that should be operational very, very soon with a signage displaying that CCTV is in fact operational.

**Hon. E J Reyes:** Yes, and in respect of the traffic flow and so on. Is the Minister for Housing any the wiser on that one?

**Hon. P J Balban:** Mr Speaker, I cannot recall a discussion last month on the signage specifically, but I will endeavour to find out. Obviously, there will be... if signage is appropriate, it will be placed, especially with the barriers.

But again, I will have to revert to him on that one.

#### Q4/2014

#### Reallocating empty homes – Expenditure on repair works

**Acting Clerk:** Question 4, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing provide updated details in respect of all expenditure incurred since the answer to Question 776/2013, in respect of contracts awarded for making empty homes suitable for re-allocation, stating to whom payments were made, how much has been paid, the number of residential homes pertaining to each payment, as well as indicating if the services contracted were for either repair works or cleaning services?

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

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

#### Answer to Question 4

Contractors	No. of Properties	Cost
A & K GENERAL BUILDERS LTD	1	£16,517.60
CEPRAND LTD	1	£2,000.00

ALL SERVICES CONTRACTED WERE FOR REPAIRS  
NONE WERE FOR CLEANING

**Hon. E J Reyes:** Mr Speaker, may I – something that has struck me here, there are only two companies involved. The second one in the schedule has the name of Ceprand Ltd, I think in the past I have come across the name of Ceprano. Could it be a typographical error or perhaps the Minister is aware that this is a company with a similar name but yet spelled correctly?

**Hon. P J Balban:** Mr Speaker, I would need to confirm but I think that just by looking at it, I do recall the name Ceprano Ltd too, it could well be a typographical error but I would need to confirm that. I doubt whether there are two companies with such similar names, but I need to check.

**Hon. E J Reyes:** I am content, Mr Speaker, for the Minister to have a chance to set it up and if it does require a correction or whatever, he can inform you and that way the Clerk for the record has it, so that in any future reference we have the correct name of the company written. Thank you.

**Q4/2014**  
**Government rental homes –**  
**Repair works**

**Acting Clerk:** Question 5, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, can the Minister for Housing provide details in respect of rental homes assigned since the answer to Question 777/2013, indicating how many will be repaired by (a) the Housing Works Agency; (b) Sub-contractors and (c) the assigned tenants themselves?

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

**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, since the answer given to Question 777/2013, five flats have been assigned.

The repairs are to be undertaken by the following: the Housing Works Agency, nil, zero; sub-contractors, four; the assigned tenants themselves, one.

**Hon. E J Reyes:** Mr Speaker, I see from these figures provided today and comparing them as well to those provided previously to the answer to Question 777/2013, it seems that the Housing Works Agency as such undertake very little repair work and the majority tends to go to sub-contractors. Is this something that is because the Agency does not have the workforce or either the expertise to undertake it, or is it Government policy to contract out rather than give it to the Agency itself?

**Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, one of the things that is the result of the exit package is that the skills mix in some areas is very low and therefore there are jobs that cannot be done, because there are no people in that trade. That is to say that the right to take up the exit package is not constrained by trade or anything else. You could have a situation where everybody who is a carpenter decides to go and everybody who is a painter decides to stay.

So there are jobs that are then passed on to sub-contractors and there are three quotes given and the policy, as I think I have explained before, is that of the approved contractor list, all of which are relatively small companies employing maybe between half a dozen and ten people, who then take on one job or one house or whatever. It is given to the lowest bid or if the bids are within a few pounds of each other, to the one that is running out of work, in order to avoid people being laid off.

**Hon. E J Reyes:** Yes, Mr Speaker, thanks for that clarification, but then what is actually happening is that the Housing Works Agency in some areas simply does not have the manpower to carry out the tasks, and it prompts me on to lead, well why aren't...? If there is a shortage of, for example, carpenters, like the Minister for Employment was saying, is the Government going to address that issue so that we are not short of any particular skill?

**Hon. J J Bossano:** Well, the issue that has to be addressed, Mr Speaker, is that the houses should be repaired, which is what the purpose of the Housing Works Agency is. At the end of the day, there is not a reason for the Housing Works Agency to exist, other than to get the houses repaired. What they cannot repair, somebody else does, so the tenant does not suffer and the cost is not higher.

So at the end of the day, the mechanics of the Housing Works Agency, as both sides of the House know, is that it is destined to reach sometime in the future a situation where there are only two guys left and when

the two go, only one is recruited and then when the one goes, presumably a part-timer is recruited, since it is one coming in for two going out.

**Hon. E J Reyes:** Yes, so then, Mr Speaker, it is a question of, is the Minister for Employment confirming that despite there being an identification of a particular shortage of skills in a particular area, that those are simply not going to be replaced because the long-term objective is actually to phase it out? *(Laughter and interjections)* Yes? I didn't know. I am asking because perhaps I have not understood it clearly. That is why I am asking for clarification, rather than leaving doubt, Mr Speaker.

**Hon. J J Bossano:** Mr Speaker, the long-term objective has not changed on 9th December 2011. The long-term objective was the inevitable arithmetical consequences that if two people go and one comes in, the time will come when there is nobody left.

**Chief Minister (Hon. F R Picardo):** Which they agreed. *(Interjections)*

**Hon. J J Bossano:** Right. The answer is that what we are doing is making sure that, notwithstanding that inevitable process, the houses still get repaired and that they get repaired at a cost which at the very least, is no higher than what it would have been, had it been done by direct labour.

What we are doing, in fact, is effectively as the Housing Works Agency does less with direct labour, the more is done with sub-contracts for small contractors, and the staff in the Housing Works Agency are involved in that process. That is to say, the people who are involved in the scoping of the work and in the estimating of the work, and in approving the final acceptance of the invoice on the basis that the work has been done, are the people who are initially from the Housing Works Agency, some of whom are seconded, which is the issue. In another of the questions that the hon. Member has asked before and is asking again.

So effectively, they are involved in doing the work, but rather than being involved in actually going to the house and doing the repair themselves, a number of them are involved in actually supervising the work being done by somebody else and that is how we are ensuring that, notwithstanding the shrinkage, the tenants still receive the service they expect to receive.

#### Q6/2014

##### Government rental homes – Urgent decanting of tenants

**Acting Clerk:** Question 6, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing provide details of how many tenants required urgent decanting from their homes since the answer to Question 778/2013, indicating the reason why, the date when said decanting became necessary, and the date when the tenants were able to return to their home?

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

**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, since the answer to Question 778/2013, no further tenants have required urgent decanting.

**Hon. E J Reyes:** Mr Speaker, the Minister may or may not have the answer because I did not give due notice, but in Question 778/2013, he gave me some information that a tenant who had been decanted on 11th November 2013 had still not returned to the flat because the works were ongoing.

Would he happen by chance to have any information whether those works have been completed and he is now able to return? I would appreciate it if he does happen to have it.

**Hon. P J Balban:** Mr Speaker, last month the actual question was regarding, I think it was, tenant number 2 and I can say that that tenant returned to the flat on 20th January this year.

#### Q7/2014

##### Government residential homes – Allocations and assignments

**Acting Clerk:** Question 7, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing say how many residential homes have, since the answer to Question 779/2013, been (a) allocated and (b) assigned, showing the room composition of the respective homes?

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

**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, since the answer to Question 779/2013, 14 flats have been allocated and assigned as follows.

Allocated: 1RKB, zero; 2RKB, three; 3RKB, three; 4RKB, three; 5RKB, zero; 6RKB, zero. A total of nine allocated.

Assigned: 1 RKB, zero; 2RKB, two; 3RKB, 3; 4RKB, 5RKB and 6RKB, zero. A total of five assigned.

#### Q8/2014

##### **Housing Works Agency employees – Numbers retired, transferred and seconded**

**Acting Clerk:** Question 8, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, can the Minister for Housing provide updated information, inclusive of details of grades and dates, in respect of any further employees of the Housing Works Agency who have been (a) retired; (b) transferred and (c) seconded either from or into the Housing Works Agency, since the answer to Question 781/2013.

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

**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, since the answer to Question 781/2013, no further employees have either been retired, transferred or seconded.

#### Q9/2014

##### **Housing Works Agency employees – Details of secondments**

**Acting Clerk:** Question 9, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, further to Question W146/2013, can the Minister for Housing inform this House to which Department or Departments the nine Housing Works Agency employees have been seconded and for how long these secondments are expected to last?

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

**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, the nine Housing Works Agency employees were seconded to Gibraltar General Construction Company and they will remain there as long as their services are required.

#### Q10/2014

##### **Housing Works Agency and Ministry for Housing – Comprehensive review**

**Acting Clerk:** Question 10, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, further to Question 782/2013, is the Minister for Housing now in a position to furnish this House with any details of the comprehensive review pertaining to the Housing Works Agency and the Ministry for Housing, which he has previously answered, was now being considered by Cabinet?



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

**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, in fact further to Questions 886/2012, 331/2013, 616/2013, W147/2013 and 782/2013, the reply still remains the same.

## SPORTS, CULTURE, HERITAGE AND YOUTH

**Q11/2014**

**Gibraltar National Week fair –  
Venue**

**Acting Clerk:** Question 11, the Hon. D J Bossino on behalf of the Hon. S M Figueras.

**Hon. D J Bossino:** Yes, Mr Speaker, just to explain for the members of the public, Mr Figueras is on business in the United Kingdom and for that reason has not been able to attend the House today and he has asked me to deal with his oral questions. I think the House staff have been advised accordingly.

Mr Speaker, is the Government considering using the area of Grand Parade as the venue for Gibraltar National Week fair?

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

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, H M Government have not yet taken a decision as to where the Gibraltar National Week fair will take place this year.

**Hon. D J Bossino:** Mr Speaker, can I ask the Minister, although no final decision has been made in relation to the venue of the National Week fair, can I ask him whether the Grand Parade car park is being considered as one of the options?

**Hon. S E Linares:** Yes, sir.

**Hon. D J Bossino:** I am grateful. In that context, Mr Speaker, can he advise what issues are being considered by the Government as to whether that particular venue is an appropriate or an inappropriate venue? Can I ask him that?

**Hon. S E Linares:** Mr Speaker, because where the venue of last year's is, there is a coach car park now, therefore we are looking at logistics – whether we move the coach car park or whether we leave it there and it is not only the Grand Parade venue. We are also looking at other venues for the future, so the fact that you have asked about, or Mr Figueras has asked about Grand Parade, yes that is one place that we are considering, but we have not taken a decision yet.

**Q12/2014**

**Medical Priority Dispatch System –  
Date to go live**

**Acting Clerk:** Question 12, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Civil Contingencies say when the new Medical Priority Dispatch System will go live?

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

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, proposals have been presented to the Interministerial Committee of Ministers with a view to see how and when the new Medical Priority Dispatch System can go live.

335 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Hon. Minister, in the May Parliament, said that it would be going live in July and in his Budget Speech he said that this dispatch system will be one that we will prioritise and implement within the next few months – this was six months ago. So, has the decision not yet been taken of how it will be implemented?

340 **Hon. S E Linares:** Well, Mr Speaker, as the answer states, proposals have been made, have been presented to the Interministerial Committee, with a view to see how and when. As I understand it, in the questions I answered last time, it was that we were awaiting proposals. I did give a date, but proposals have not been presented. They have now been presented and we are now in the position to see when and how we are going to implement them, and go live as it is stated.

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**Q13/2014**

**C3 Committee bunker –  
Updating and fitting out**

**Acting Clerk:** Question 13, the Hon. Mrs I M Ellul-Hammond.

350 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Civil Contingencies say what progress has been made in updating and fitting out the C3 Committee bunker as outlined in his Budget statement of 2013?

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

355 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, works on the new bunker commenced last week, jointly with that of Convent Place. Facilities required have already been assessed and will incorporate the same advanced technology that will be provided by the mobile control vehicle, thus allowing an effective communication system during emergencies.

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**Q14/2014**

**Command Centre –  
Purchase of mobile control vehicle**

**Acting Clerk:** Question 14, the Hon. Mrs I M Ellul-Hammond.

365 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Civil Contingencies say when the mobile control vehicle, for moving and situating the Command Centre in time of emergency, will be purchased, as outlined in his Budget Speech of 2013?

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

370 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the mobile control vehicle was purchased in December 2013 and is expected to be delivered in April 2014. A three-day training package will take place on delivery, attended by selected officers from the City Fire Brigade, Royal Gibraltar Police and Emergency Ambulance Service.

375 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, I know I have not given notice of this question, but does the Minister know or have a round figure for how much it cost?

380 **Hon. S E Linares:** Mr Speaker, I think it was about £150,000 but I do not want to be held to that figure. But the ballpark figure is about £150,000.

**Q15/2014**  
**City Fire Brigade and Defence Fire Service –**  
**Training to co-ordinate**

385 **Acting Clerk:** Question 15 the Hon. Mrs I M Ellul-Hammond:

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Civil Contingencies state, since 9th December 2011, how many times the City Fire Brigade has conducted training exercises together with the Defence Fire Service in order to be in a position to co-ordinate for when the need arises?

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

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, all operational Watches from the City Fire Brigade and the Defence Fire and Rescue Service, have been involved on numerous occasions in training and familiarisation visits on high risk areas in the MOD and local jurisdictions. From information immediately available, this has been carried out on 35 occasions.

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**Q16/2014**  
**Upper Rock water hydrants –**  
**Water pressure**

400 **Acting Clerk:** Question 16, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister with responsibility for Civil Contingencies say what has been done in order to address the pressure of the water in the hydrants in the Upper Rock, in order for them to be sufficient to deal with any potential fires there?

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

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, all fire hydrants connected to pressured sea water mains in the Upper Rock are maintained by AquaGib, and are operating correctly and within optimum pressure parameters.

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**Q17/2014**  
**Ship firefighting –**  
**Training for City Fire Brigade**

**Acting Clerk:** Question 17, the Hon. Mrs I M Ellul-Hammond.

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**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Civil Contingencies state what ship firefighting training has taken place in the last two years, giving details of the exercises conducted?

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

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**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the City Fire Brigade has conducted a total of 388 hours ship firefighting training during the past two years.

In the year 2012, a total of 144 hours were completed by three Watches locally; in 2013, 244 hours.

**Hon. Mrs I M Ellul-Hammond:** Yes, Mr Speaker, could the Minister clarify how many people were involved in these hours? Is it the whole of the City Fire Brigade and the Port personnel or just selected individuals?

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**Hon. S E Linares:** No, Mr Speaker, as I said a total of 144 hours in 2012 were completed by the three Watches – that means the complete three Watches.

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Additionally, I can give her the information that between 2012 and 2013, eight officers have successfully completed a tactical ship firefighting course at the Fire Service College in Morton-in-the-Marsh, UK. So that is even extra.

**Q18/2014**  
**Tercentenary Hall –**  
**Hire cost for private Christmas functions**

**Acting Clerk:** Question 18, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister with responsibility for Sports and Leisure advise how much the rental of the Tercentenary Hall for a private Christmas function is?

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

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, there is no rental fee for the use of the Tercentenary Sports Hall for functions not of a sports nature.

**Q19-20/2014**  
**John Mackintosh Hall –**  
**Recruitment of caretaker and night receptionist**

**Acting Clerk:** Question 19, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, further to Question 768/2013, can the Minister for Culture say when the position of caretaker at the John Mackintosh Hall will be advertised and by when it is expected that this post will be filled?

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

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I will answer this together with Question 20.

**Acting Clerk:** Question 20, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, further to Question 769/2013, can the Minister for Culture say when the vacancy for a night receptionist at the John Mackintosh Hall will be advertised, and by when it is expected that this post will be filled?

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

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the answer to these questions remain as that of December's Parliament, Questions 768 and 769/2013.

**Hon. E J Reyes:** Mr Speaker, in the answer to Question 768 and all those prior to that, the Minister said that he was waiting for the item to be included in the agenda of the board of the Mackintosh Hall and so on. Seeing that he is also the chairman of that board, can the Minister confirm if the item is now on the agenda and just waiting for the next meeting?

**Hon. S E Linares:** Yes, sir.

**Q21/2014**  
**Cricket and rugby –**  
**Alternative facilities**

**Acting Clerk:** Question 21, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, further to Question 771/2013, can the Minister for Sports and Leisure inform this House if he has now identified and agreed upon with the respective Sports Governing Association any alternative facilities to Europa Sports Grounds for the playing, teaching and development of either cricket or rugby?

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

480 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, no further development has taken place since my answer in December's Parliament to Question 771/2013.

**Q22/2014**  
**Heritage sites –**  
**Works and costs**

**Acting Clerk:** Question 22, the Hon. E J Reyes.

485

**Hon. E J Reyes:** Mr Speaker, can the Minister for Heritage provide details of all works, together with respective costs, undertaken at any Heritage related site since the answer to Question 772/2013, stating by whom these works were carried out?

490

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

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, further to answer to Question 772/2013, I now hand over to the hon. Member opposite the information requested.

495

**Answer to Question No 22**

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

500

**a) Site:** Jumpers Bastion

**Works:** Manufacturing, fitting and paint three metal balustrades in compliance with building regulations.

505

**Contractor:** DGM Gibraltar Ltd.

**Total Amount:** £ 3,440.00

510

**b) Site:** St Jago's Arch

**Works:** Painting of railings and general heritage works

**Contractor:** SFA Interiors

515

**Total Amount:** £1,120.00

**c) Site:** Montagu Bastion

520

**Works:** Repairs to existing double leaf door

**Contractor:** DGM Gibraltar Ltd.

525

**Total Amount:** £680.00

530

**Hon. E J Reyes:** Mr Speaker, I would be grateful if the Minister does happen to have it at hand, for a bit of clarification. On the first site mentioned under (a) Jumpers Bastion, the Minister says that there were works undertaken in manufacturing, fitting and painting three metal balustrades in compliance with building regulations. This is in respect of which building works as such that are happening and are there any other related costs? Because if they are doing something in respect of building regulations, it must be because some building was taking place and this a new item. It was not something that was ongoing from the previous schedule, so I see nothing else in respect of building works being carried out at Jumpers Bastion.

535

**Hon. S E Linares:** Mr Speaker, if I remember correctly, the fitting of balustrades were to do with unsafe... the access to the whole of the Jumpers Bastion, where the steps go onto the main road. There are

balustrades there which are one beside the other, so that people do not run into the road. But on top of that, we are placing gate-type of things so that it is even safer. But it is to do with the painting of those balustrades that go onto the main road.

There are, I think, four exits from what we call the Saluting Battery – the whole of the Saluting Battery.

**Hon. E J Reyes:** Yes Mr Speaker, that does clarify it a bit better, because Jumpers Bastion: I was physically imagining the submerged bastion as such, but the Minister has clarified, this is probably the walkway, the Saluting Battery area there and so on. Yes. So perhaps in the title 'Jumpers Bastion', if he does not mind, we will add alongside with that the Saluting Battery area.

Coming to site (b) which is in respect of St Jago's Arch, in a previous answer the Minister has expressed that over £7,000 had been spent in the conservation works to St Jago's Arch and now there is painting and railings of general heritage works. Is this just sort of the topping off the completion, or is this a totally new project?

**Hon. S E Linares:** No Mr Speaker, as he rightly mentioned, this is just adding on to or finishing off the works. So therefore it is as it says there, painting of the railings, because there was scaffolding around and all that, you do not paint the railings until the end, and the invoice was then presented later.

**Hon. E J Reyes:** And hopefully lastly, Mr Speaker, the site (c) which is Montagu Bastion, I view it as a relatively wide area and its repairs to existing double leaf door: whereabouts is this door within the area that we all refer to as Montagu Bastion? Is it an external door, perhaps an internal door – anything that could help to shed information?

**Hon. S E Linares:** Yes, Mr Speaker, I am glad to say that it is where the youth clubs are, as you enter the youth clubs, in the youth centre, on the left where the motorbikes actually park outside, there was an old store which was the Housing Store and there is a little hill. If you see at the top there is a door. *(Interjection)* Yes, it is just a very small gradient hill, where the motorbikes are outside the youth centre, there is a gate to the youth centre on the right, and then on the left there is a little hill that goes up and there is a door there.

Inside that is all Montagu Bastion. There is a vault inside and that was used by the Housing Department, which now I am glad to say that the Heritage has taken over, and the door was in a very sorry state. In fact, I can tell the hon. Member, as an anecdote, I once went in there and we had squatters sleeping inside, so we had to fix the door and I told the squatter that by tomorrow, if he was not out, we would chuck him out!

**Hon. E J Reyes:** Well, Mr Speaker, I am really glad to hear the Minister saying that he has taken an interest in that area, because yes, all of it, whether it is used by the youth or by Housing or whatever...

The Minister there answered, in helping to clarify, he said that it used to be under Housing; it has now been taken over by Heritage. Is he aware, would that be given now passed on to Youth, so that they have a particular extension or like an annexe area there, or does he have in mind a future Heritage project, totally now independent from the Youth section?

**Hon. S E Linares:** Mr Speaker, we have not yet decided exactly what we are going to do with that area, but the two suggestions that the hon. Member has made, could probably be two that we can put on the list of things that we can do with it.

**Hon. E J Reyes:** May I just end by saying, Mr Speaker, I will obviously look forward to hearing the Minister once a decision is taken there, but whatever it is, given that he is indicating that he is looking at it and helping to preserve it in Heritage, he can count at least from that point of view on my support in whatever future use it entails, because we do share that common interest. I know a large number of the electorate do as well, in preserving where possible these things, so I congratulate him for that initiative of putting the doors and helping to preserve a site, *[inaudible]* the thing and please keep me updated so that we work together, rather than at loggerheads in preserving our heritage for the benefit of our children and grandchildren and future generations.

**Hon. S E Linares:** I will do, Mr Speaker.

**Q23/2014**

**Power station and gas storage facility –  
Separate construction tenders**

**Acting Clerk:** Question 23, the Hon. J J Netto.

595

**Hon. J J Netto:** Mr Speaker, further to Oral Question 773/2013, can the Minister with responsibility for Utilities, state why it was deemed necessary to have two separate tenders, one for the construction of the new permanent power station and another one for the gas storage facility?

600

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

605

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, it was considered that there were commercial and technical advantages for not tying together the construction of the power plant and the construction of LNG storage and regasification facilities, as these are different technologies and the market research that was carried out suggested that Gibraltar could obtain a better deal if it was tendered separately, targeting companies that specialise in construction of power plants or construction of LNG storage and regasification.

**Q24/2014**

**Power station and gas storage facility –  
Dovetailing the construction tenders**

**Acting Clerk:** Question 24, the Hon. J J Netto.

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**Hon. J J Netto:** Mr Speaker, further to Oral Question 773/2013, can the Minister with responsibility for Utilities state how the two separate tenders for the new power station and for the gas storage facility will dovetail within their own respective milestones in order to provide overall coherence to the total project?

615

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

620

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the construction of the LNG storage facility is estimated will take considerably less time than the construction of the new power plant. The tender for scopes of work for the new power station advised the tenderers that the client will supply natural gas at the required quantities, temperature and pressure at the boundary of the footprint to the new power station.

625

The precise engineering details of how this will dovetail will be known once we have evaluated the engineering proposals for the new power station tenders. The LNG storage and gas supply tender will include details of engineering requirements to supply the natural gas to the new power station of the successful bidder.

630

**Hon. J J Netto:** Mr Speaker, I would be grateful if the Hon. Minister will help me to be able to get an overall picture of the different aspects or facets of this major project, because I have seen reports in the local press that the storage for the gas will now be in the Detached Mole. Is that correct? Could the Minister perhaps confirm that?

**Hon. S E Linares:** That is the place that we are looking at, but we cannot confirm whether it will be there at this moment in time. We are looking at different options.

635

**Hon. J J Netto:** Well, I think that some Members at least who are members of the Development Planning Commission, not from the Government side obviously, nor civil servants, have made a statement to the press in which they actually claim that that is a fact. Perhaps other Members in the Government who are members of the Development Planning Commission may be able to provide the House with a bit more clarification on the matter?

640

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I am Chairing the Inter-Ministerial Committee on the power station etc. The hon. Member will know that that is now at the stage of having gone to the tender etc. The answer given by the Minister a moment ago is the position, that the Detached Mole is one of the areas being considered. That is the position in fact.

645 **Hon. J J Netto:** When the Hon. the Chief Minister, indeed the Minister himself for Utilities says it is being considered, can I try to elucidate a bit more information out of that, in the sense of saying when it is being considered? Is it being considered because there are some studies taking place of different alternative locations, and to see the strength and weaknesses of the various locations?

650 Where are we in terms of being able to decide, because eventually the Government will have to decide on a particular place in order to make the overall project come to proper fruition in this place? So have any studies been conducted of various places?

**Hon. Chief Minister:** Mr Speaker, when you say that something is being considered, what you are saying is that it is not something that you have decided to do but something that you are considering. Therefore we are considering that in the context of what could possibly be the location for such a plant.

655 So I do not think it is appropriate, Mr Speaker, for me to say more at this stage, but the hon. Member knows that this is at the stage of the GEA having gone out to tender.

Can I just ask him to wait to see what those announcements are before he pursues this particular issue? When the Government has reached a decision as to where the plant is going to be or has to be, then that will be announced.

660 **Hon. J J Netto:** Well, Mr Speaker, can I also ask the Chief Minister whether in considering the place, amongst the places that they are considering, whether at least environmental and health and safety audits are being conducted in order to determine which the ideal place is?

665 **Hon. Chief Minister:** Mr Speaker, of course.

**Hon. J J Netto:** Have those health and safety and environmental audits now finalised and are being discussed and analysed by the Government?

670 **Hon. Chief Minister:** No, Mr Speaker, some of them are still in process. That is why I am saying to him that this is at the consideration stage and that no final decision has been made. And it is not just the environmental and health and safety issues that are relevant.

675 He will know, like every Gibraltarian, that this place is two and half miles by one mile at its widest point and part of what we all have to do in living in this gem of ours is ensure that we ensure that different industries and different things happen, sometimes as close as possible to each other and sometimes as far as possible from each other. Those are the issues.

**Hon. J J Netto:** Mr Speaker, by when does the Government think that they will be in a position to make a decision?

680 **Hon. Chief Minister:** Mr Speaker, the Government is keen to ensure that we can deliver a new power station for Gibraltar as soon as possible, so we would want to make decisions as soon as possible and that is all about when reports are finalised, when tender processes are completed, etc. I am not going to be in a position to give him a clear timeline as to when this particular aspect, this particular ingredient of this new power station solution is going to be finalised.

685 **Hon. J J Netto:** Mr Speaker, I am not asking for a clear timeline; all I am saying is whether the Government think that they will be in a position, say three months from now, six months from now, nine months from now, twelve months from now, to have been able to consider all the various documents that they are required to look into the matter and make a decision. That is all I am saying.

**Hon. Chief Minister:** Well Mr Speaker, that is asking for a timeline and that is exactly what I have said I cannot give.

## HEALTH AND THE ENVIRONMENT

Q25/2014

### New Mental Health Unit – Recruitment of staff

**Acting Clerk:** Question 25, the Hon. Mrs I M Ellul-Hammond.



**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say when the post for the extra staff to man the new Mental Health Unit will be advertised and what the skill mix will be?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the process will start very shortly. The skill mix ratio is in the process of being finalised.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, are there plans to increase the service, once the move from the KGV to the new site takes place, which would require hiring more personnel over and above the present complement, and if so, when will this increase in service take place?

**Hon. Dr J E Cortes:** Mr Speaker, this exercise is a relocation of an existing service to better facilities. The only challenge that we are facing is the fact that because we are on four floors, we may need a few more people on any particular shift, but we are not revising the service. We are relocating an existing service to a new improved location, so essentially it is the same service in a different site.

**Q26/2014**  
**Dementia Strategy –**  
**Details and publication**

**Acting Clerk:** Question 26, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say when the Government will be publishing its national ‘Dementia Strategy’ for the treatment and care of people with Alzheimer and Dementia and what will the strategy include?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, this continues to be developed.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. Minister say at what stage the development process is at, because in May’s Parliament of last year, the Hon. the Minister for Social Services said, ‘It is envisaged that the plan will be published at the end of the year’?

**Hon. Dr J E Cortes:** Mr Speaker, the fact that we do not have a published strategy as a document does not mean that we do not have a strategy. The important thing with strategies is the strategy, not the document. We are constantly developing and reviewing our strategy for dementia and for the elderly, as the different facilities that will be rolling out during the course of this year will demonstrate.

This means that this has to be a dynamic process, and the process is never quite actually finished. We are not prepared at this point to publish it because it is developing, we are looking at new facilities, we are looking at new ways of doing things, and I would rather delay the publication of a strategy for a number of months and have a better strategy at the end of it.

But we have a strategy and the improvements that we will see during the course of this year to the care of dementia and the elderly will speak for themselves.

**Q27/2014**  
**GHA locally qualified and eligible staff –**  
**Clarification of answer to Q812/2013**

**Acting Clerk:** Question 27, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to the answer given to Question 812/2013, can the Minister for Health clarify (a) which potential GHA staff applies to ‘staff’, which opens the answer in the first paragraph; (b) what the Hon. Minister means by ‘locally qualified’, quoted in the second paragraph; and (c) what the Hon. Minister means by ‘locally eligible’ quoted in the second paragraph?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

745 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, this question was answered at the time, and the Member opposite had every opportunity to ask for clarification by way of supplementaries and chose not to do so. That I believe is the correct time to ask for such information. It would in my opinion, Mr Speaker, be an unfortunate precedent if we were to get into the habit of asking the supplementaries one or two meetings later.

750 In any case, Mr Speaker, I will clarify, my reply is that the word 'staff' in this context applies generally and means employees. 'Locally qualified or eligible' means in general terms, a Gibraltar resident who has the required qualifications and fulfils the eligibility criteria for the post.

**Q28/2014**

**Contract workers in answer to WQ167/2013 –  
Nationality**

**Acting Clerk:** Question 28, the Hon. Mrs I M Ellul-Hammond.

755 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to the answer given to Written Question 167/2013, can the Minister for Health say what nationality are the 11 contract workers who were offered indefinite employment?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

760

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, further to that question, the nationalities of the 11 contract workers who were offered indefinite employment are ten British/Gibraltarian and one Spanish.

**Q29/2014**

**New Born Hearing screening –  
Commencement**

**Acting Clerk:** Question 29, the Hon. Mrs I M Ellul-Hammond.

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**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say when the New Born Hearing screening will start?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

770

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the GHA is currently looking at issues of training and validation for all staff who will be engaged in the screening process. Once this is in place, the full programme will commence.

775 The first phase is in place. We have recently purchased new equipment which is more sensitive and accurate in picking up any problems. This is initially being used in children who may be high risk such as those with the relevant family history, or in other cases, such as post meningitis – clearly, that is not neonatal.

780 It is difficult to give an exact date for the full roll-out, because we are looking at bringing out a team for training local staff and also looking at placements in the UK and it means scheduling times and dates that are mutually acceptable.

**Q30/2014**

**New Prostate Clinic –  
Opening**

**Acting Clerk:** Question 30, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say when the new Prostate Clinic will be opening?

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**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, there is already a specific Prostate Clinic held on the first Thursday of every month, with urgent cases seen in-between as needed. The clinic is run by Consultant Surgeon/Urologist Mr Andrew Sene.

790

New improvements are currently being introduced with the purchase of new equipment donated through the support of the Prostate Cancer Support Group by the Kusuma Trust, such as a flexible cystoscope and a transrectal ultra sound scanner. This follows testing of equipment and a visit by the consultant to a UK centre.

795

This would allow, for example, for parts of the service which are currently undertaken in the Radiology Department, to be relocated to the specialised clinic area.

In addition, the Support Group has been offered use of a room at St Bernard's Hospital to assist with counselling and a new protocol to include Primary Care is being finalised.

We hope to have the whole new system in place during the first part of this year.

800

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, I missed the first part of that answer. Can the Hon. Minister again say, has the new equipment already arrived in Gibraltar?

**Hon. Dr J E Cortes:** Mr Speaker, I did not say that, but I am told that the equipment arrived two days ago and now obviously has to be unpacked, commissioned and training in its use initiated. But it has just arrived in Gibraltar.

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**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Hon. Minister mentioned a room being made available for counselling within the hospital for the Prostate Cancer Support Group. Will this room also be opened up to other cancer support groups?

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**Hon. Dr J E Cortes:** Yes, Mr Speaker.

Mr Speaker, perhaps I should add that the Prostate Cancer Group would normally use it on the day of the specialised clinics, so that somebody who may have had bad news would be able to avail themselves of the group's support and counselling. So the arrangements would have to be made as to which group would use it on which day.

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#### Q31/2014

#### New emergency ambulances – Fitting under A&E canopy

**Acting Clerk:** Question 31, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health advise if there have been any problems with the new emergency ambulances fitting under the canopy outside of the Accident and Emergency department, and if so, what is being done about it?

820

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, both ambulances fit under the canopy outside the Accident and Emergency department.

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#### Q32/2014

#### Sponsored patients mechanism – Review

**Acting Clerk:** Question 32, the Hon. Mrs I M Ellul-Hammond.

830 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health state what progress has been made with the complete review of the sponsored patients mechanism, and at what stage is it at in such an endeavour?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

835 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, views and information have been assembled and discussion is ongoing in developing the proposals.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, does the Hon. Minister have a timeframe for the completion of such a review?

840 **Hon. Dr J E Cortes:** No, Mr Speaker. I think it would be premature to give that. It is a complex issue. There are many different aspects that we are looking at and I would not like to be held to dates. But certainly we will see it during this term.

**Q33/2014**  
**Primary Care Clinic for children –**  
**Relocation to St Bernard's Hospital**

845 **Acting Clerk:** Question 33, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say at what stage the GHA is in relocating the Primary Care Clinic for children to St Bernard's Hospital?

850 **Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the GHA is currently undertaking a consultation process with key staff groups, to assess the various options in relocating this service.

855 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, with respect, that is exactly the same answer the Hon. Minister gave me last May. Can he explain what has been the delay?

860 **Hon. Dr J E Cortes:** Mr Speaker, the answer is the same because the answer happens to be the same. We are still in a consultation process. This is a complex issue; you cannot suddenly open a door and in come the patients. This is a complex issue which involves discussions between both general practitioners and paediatricians and we then have to look at the best sites to use. Therefore it is a complex issue and as I said before in relation to the Dementia Strategy, I would rather take a little bit longer and get it right. That is in fact the case in a number of the issues that have been raised today. The situation remains that we are discussing the options.

**Q34/2014**  
**Repeat prescriptions –**  
**Issuing without seeing a GP**

865 **Acting Clerk:** Question 34, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say what the plans are to deal with the issuing of repeat prescriptions without the need to see a GP?

870 **Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I refer the Member opposite to Questions 869/2012 and 122/2013.

875 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, yes, I am aware of those answers. This is specifically in relation to those on repeat prescriptions who are still required to go to their GP after six months for medication, such as anti-histamine statins and are on these medications for a long term – whether a more expedient system for that category of patients or that category of medication... whether a more expedient system will be put in place.

880 **Hon. Dr J E Cortes:** Mr Speaker, the Member opposite has answered the question for me; she has said this is for those patients that need to see the GP. If they need to see the GP they need to see the GP. Very often the GP will want to see them after six months.

885 It is possible, now that we have finally introduced, after many years of that not having happened, prescribing by nurse practitioners, that it could be a nurse practitioner who deals with this who would be perfectly qualified to do so.

But it is often the case that the GP actually wants to see the patient after six months, to see how they are reacting to the particular treatment. And if the GP wants to see them, then we cannot jump that one and do it in an administrative manner.

890 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, but my understanding is that a lot of these patients say that it is not necessary for them to go and see their GP, and that they are taking up an appointment slot just to pick up another set of prescriptions. Whether some other process will be considered when they just need another six months' worth of prescriptions and they can obtain it in another manner, rather than taking up a GP's time?

**Hon. Dr J E Cortes:** Mr Speaker, that is a different set of patients to the one that I have just commented on.

900 If the GP feels that it is not necessary for them to be seen in six months' time, then the GP has the option of offering prescriptions for a longer period. However, having taken the point that the Member opposite has made, which is outside the answer that I have given, I will look and see whether there is a need for that and whether there is a significant number of patients who are just given six months prescriptions and the GP specifically says he does not need to see them. I will look and see whether that is a real problem, and if so, we will tackle it.

905 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. Minister then confirm that the GP does have the option of prescribing for longer periods than six months?

910 **Hon. Dr J E Cortes:** Mr Speaker, I would not be able to categorically answer that question, so I will not. This is why I offered to look into the situation.

**Q35/2014**  
**GHA employees on contracts –**  
**Eligibility for joining Superannuation Fund**

**Acting Clerk:** Question 35, the Hon. Mrs I M Ellul-Hammond.

915 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question 813/2013, can the Minister for Health say whether GHA employees on contracts who have worked for less than four years are eligible to join the Superannuation Fund?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

920 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, at present, the option for these contract workers to join the Superannuation Fund is given when they are offered employment on indefinite terms. Employees have the option to back-date entry into the fund to the date of commencement, if they have not received the gratuity whilst employed on contract terms.

925 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, so can the Hon. Minister confirm then, for instance, doctors who have been on contracts for over four years, are they able to join the Superannuation Fund but they are still on a contract?

**Hon. Dr J E Cortes:** Mr Speaker, the answer is quite specific. It is those who are offered employment on indefinite terms. It does not specify whether it is a doctor or not a doctor, but it is a question that they would have to fulfil whatever criteria are considered would justify them being employed on indefinite terms.

**Q36/2014**  
**GHA employees –**  
**Increasing nursing assistants**

**Acting Clerk:** Question 36, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say if the GHA will be increasing its complement and employing more nursing assistants in the near future?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, if this was operationally necessary.

**Hon. D J Bossino:** Presumably, Mr Speaker, the current position is that it is not considered to be operationally necessary, so therefore the current intention is not to increase the complement. Just for the sake of accuracy, is my interpretation of his answer correct?

**Hon. Dr J E Cortes:** Mr Speaker, at the moment, there are no current plans to increase the numbers, but if it were operationally necessary for any particular reason, then that is something that would have to be considered.

**Q37-45/2014**  
**St Bernard's and KGV Hospitals and Primary Care Centre –**  
**Fire drills, alarms and smoke detectors**

**Acting Clerk:** Question 37, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Health state if there has been any fire evacuation drill carried out at St Bernard's Hospital in 2012 and 2013?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Questions 38 to 45.

**Acting Clerk:** Question 38, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Health state if there has been any fire evacuation drills at the Mental Hospital at KGV during 2012 and 2013?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Mr Speaker:** I think for better procedure, since it is the same questioner and the same Minister who is going to reply, I think that, Mr Clerk, you should call out each, one question after the other.

**Acting Clerk:** Question 39, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Health state if there has been any fire evacuation drill at the Primary Care Centre during 2012 and 2013.

**Acting Clerk:** Question 40, the Hon. J J Netto.

980 **Hon. J J Netto:** Mr Speaker, can the Minister for Health state if there are fire alarms and smoke detectors installed throughout St Bernard's Hospital?

**Acting Clerk:** Question 41, the Hon. J J Netto.

985 **Hon. J J Netto:** Mr Speaker, can the Minister for Health state whether during 2012 and 2013, the fire alarm systems and the smoke detectors installed at St Bernard's Hospital have been tested and certified and if so, by which professional entity and on what dates this has taken place?

**Acting Clerk:** Question 42, the Hon. J J Netto.

990 **Hon. J J Netto:** Mr Speaker, can the Minister for Health state whether there are fire alarms and smoke detectors installed throughout the Primary Care Centre?

**Acting Clerk:** Question 43, the Hon. J J Netto.

995 **Hon. J J Netto:** Mr Speaker, can the Minister for Health state whether during 2012 and 2013, the fire alarm systems and the smoke detectors installed in the Primary Care Centre have been tested and certified and if so, by which professional entity, and on what dates this has taken place?

1000 **Acting Clerk:** Question 44, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Health state whether there are fire alarms and smoke detectors installed throughout the Mental Hospital at KGV?

1005 **Acting Clerk:** Question 45, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Health state whether during 2012 and 2013, the fire alarm systems and the smoke detectors installed throughout the Mental Hospital at KGV have been tested and certified and if so, by which professional entity and on what date this has taken place?

1010 **Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the last fire drills to have been held on GHA premises were as follows: Primary Care Centre, November 2012 – no such drills have been carried out previously; King George V Hospital, 2005, two following an incident in 2004 – there is no record of a previous one; St Bernard's Hospital, 2005 – it was not in that location before then.

Mr Speaker, the lack of such fire drills in the past is a cause for concern to me, as the organisation had found itself with a lack of experience and expertise. I am pleased to say that we are now liaising with the City Fire Brigade in order to update the evacuation and fire drill programme, and fire marshals are currently undergoing training. There will therefore be at least annual drills as from this year. In addition, a full survey on the preparedness of the organisation in fire safety is underway.

In relation to fire alarms and smoke detectors, these are installed throughout the Primary Care Centre, KGV and St Bernard's Hospital. They have been tested as follows...

I have to add it was not in my script, but I note the hon. Member had asked which firm had done this – they have been tested by G4S Fire Security.

They have been tested as follows: St Bernard's Hospital – 30th January 2012; 13th August 2012; 28th February 2013; 13th July 2013.

Primary Care Centre – 30th January 2012; 31st July 2012; 13th April 2013; 12th September 2013.

King George V Hospital – 2nd May 2012; 19th October 2012; 20th May 2013 and 13th January 2014.

1030 **Hon. J J Netto:** Mr Speaker, when the Hon. the Minister for Health stated that there are discussions taking place with the Gibraltar Fire Brigade, can he actually inform the House when such discussion started?

1035 **Hon. Dr J E Cortes:** No, Mr Speaker, but they were certainly ongoing before I got notice of this question, in case that is what he is implying.

**Hon. J J Netto:** Mr Speaker, in addition to having a discussion with the Gibraltar Fire Brigade in order to see how the emergency evacuation plan ought to take place, is this a matter which has been discussed

1040 within the Health Authority, given the Health and Safety Committee that exists between the management and the trade union representatives in the past?

1045 **Hon. Dr J E Cortes:** Mr Speaker, I am not aware. Again I would need notice of that specific detail. I think I have answered the question perfectly well, expressed my concern at the lack of fire preparedness that I inherited, and the steps that I am taking to ensure that that is no longer the case. He has given me a marvellous opportunity to express publicly how little sensitivity there had been to the danger of fire. But those specific questions, I would need notice of.

1050 **Hon. J J Netto:** Mr Speaker, by when will the Minister think he will be in a position in order to have a plan which can be implemented for the purpose of fire evacuation drills, and not only that, in addition to that, also to be able to cascade the information to members of staff ? Because that information needs to be disseminated amongst members of staff and presumably, there needs to be what some people may call fire agents or fire marshals, who will be able to implement whatever the procedure is that eventually takes place.

1055 So can the Minister tell us whether this issue is likely to be in place perhaps within the next three months?

1060 **Hon. Dr J E Cortes:** Mr Speaker, I wonder whether the hon. Member had a similar conversation with the previous Minister for Health after so many years without any movement whatsoever. But one can only speculate on that.

Mr Speaker, we will be ready very soon indeed.

1065 **Hon. J J Netto:** Mr Speaker, I thought I understood, and if obviously I got it wrong, I would be grateful if the Hon. Minister would correct me, but I think he stated that once the procedures are in place, that he would like to be in a position that at least it is to be tested once a year. Was that correct?

1070 Because my understanding, from looking at the information in the UK as far as hospitals are concerned, and this is information which is readily available on the internet, I came across the fact that a lot of hospitals in the UK tend to execute fire drills almost on a weekly basis. I am not suggesting for one minute that that should necessarily be the practice here in Gibraltar, but given the fact that there are... well, the service users of the Health Authority, some of whom have disabilities and some of whom have sensory impairment of different kinds, the Health Authority will have to consider how appropriate will such drills have to be taking place.

1075 **Hon. Dr J E Cortes:** Mr Speaker, we will obviously heed the professionals who are advising us. I offered once a year because I think that is the minimum that I would require, but using the premise that they should be held once weekly, then in 16 years of Government by the party opposite, they have missed 2,496 fire drills that they should have had. *(Laughter)*

1080 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, so despite the Hon. Minister's horror and concern, can he confirm that no fire drills have taken place these last two years then at St Bernard's Hospital, the Primary Care Centre, or the KGV under his watch?

**Hon. Dr J E Cortes:** Mr Speaker, I have already answered that question.

1085 **Hon. J J Netto:** I am trying to find a particular note which I cannot find now, but one of the things that I would like to urge the Minister is that one of the things that managements do take in place when elaborating procedures of this kind, I think it is called something like PEEPS, Personal Emergency... In other words, they are looking at the service users that there is in the Health Authority, and given the nature of those individualised circumstances, they are taking into account for the purpose of when a fire drill has to be executed or even if a fire actually takes place, they know exactly where to go, how to go and perhaps optimise the evacuation procedure as soon as possible.

1090 So can I urge the Minister that they take on board those particular practices in the UK because obviously they are essential given the service users that the Health Authority have?

1095 **Hon. Dr J E Cortes:** Precisely, Mr Speaker, and the hon. Member opposite is really helping me very much this morning. It is precisely because of the complex nature of doing it that if it has not been done for so many years, it takes time to establish it and to carry out these measures properly. That is the exercise on which we are engaged.



1100 **Hon. D J Bossino:** Mr Speaker, can I ask the Minister a specific question. He made a reference in answer to Question 41/2014 to the professional entity as the question is posed, which is assisting the Government in relation to this issue and I think he said... is it G4S Fire Security and is that the trading name? Can he give me the company name and with details as to whether it is a local company or it is a UK company providing professional input in relation to this matter?

1105 **Hon. Dr J E Cortes:** If you bear with me Mr Speaker, I will check and see if that is in my notes, but the testing was carried out by G4S Fire Security. That is the name of the company that I have been given and the actual... Let me just check my papers here – the actual survey and preparedness of the organisation is being done by a fire safety management company called Tenos. I do not have any more details of that.

1110 **Hon. D J Bossino:** Mr Speaker, I would like those details and I suppose we could write to the Minister after this or maybe he could obtain the details from the civil servants and give it to us whenever he has a moment.

1115 Is he able to answer this question, Mr Speaker: is he aware of the cost of this exercise? Does he have that information with him? I appreciate it is a specific question – we can always ask it at the next sitting.

**Hon. Dr J E Cortes:** Mr Speaker, those are specific details which were not asked. I answered the question, I think, very thoroughly and in great detail. That information I do not have it.

1120 **Mr Speaker:** If the Hon. Minister is willing to and able to provide that information, well and good, but it does not arise from any of the eight or nine questions that have been taken together.

**Q46-53/2014**  
**Macaques –**  
**Combating illegal feeding and spread of disease**

**Acting Clerk:** Question 46, the Hon. J J Netto.

1125 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if there has been any discussions between the Department of the Environment and the RGP, in order to establish a working methodology to avoid any illegal enticing or feeding of Macaques, contrary to the Nature Protection Act, or any of its subsidiary legislation, during the course of the last year?

1130 **Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Questions 47 to 53.

**Acting Clerk:** Question 47, the Hon. J J Netto.

1135 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if there has been any discussion between the Department of the Environment and the Environmental Agency, in order to establish a working methodology to avoid any illegal enticing or feeding of Macaques contrary to the Nature Protection Act or any of its subsidiary legislation during the course of the last year?

1140 **Acting Clerk:** Question 48, the Hon. J J Netto.

1145 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if there has been any discussion between the Department of the Environment and the Customs Department, in order to establish a working methodology to avoid any illegal enticing or feeding of Macaques contrary to the Nature Protection Act, or any of its subsidiary legislation during the course of the last year?

**Acting Clerk:** Question 49, the Hon. J J Netto.

1150 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state, how many individuals have been fined for illegally feeding the Macaques within the Nature Reserve, during 2012 and 2013?

**Acting Clerk:** Question 50, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state how many individuals have been fined for illegally feeding the Macaques outside the Nature Reserve during 2012 and 2013?

**Acting Clerk:** Question 51, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state how many Macaques have been culled on a monthly basis since January 2012?

**Acting Clerk:** Question 52, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state where the Department of the Environment is purchasing the noise makers used in order to frighten the Macaques at the Nature Reserve, who is purchasing the noise makers, whether a licence has been issued for such a purpose, and whether the noise makers purchased comply with our local laws on this matter?

**Acting Clerk:** Question 53, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if the local population of Macaques are monitored for Hepatitis A disease, and if so, state how many are infected with it, what percentage of the population it represents, and if there is a vaccination programme for Hepatitis A being delivered?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, in answer to Questions 46 to 48, in order, yes sir, yes sir, and no sir.

In answer to Questions 49 and 50, the same number as have been fined for this since the unauthorised feeding of Macaques was made illegal, about 100 years ago, after they were regularly coming into town. That is, none.

In answer to Question 51, between 1st January 2012 and 31st December 2013, a total of nine Macaques have unfortunately had to be put down for veterinary or behavioural reasons: in 2012, August, three; September, one; November, one; 2013, March, one; September, two; October, one.

The Senior Executive Officer of the Department of the Environment purchases the noise makers from either of two specialist shops in Spain. The Collector of Customs grants an import licence each and every time noise makers are imported. These noise makers comply with local legislation.

In answer to Question 53, a study was undertaken in 2000 by the Macaque Management team which identified certain Hepatitis A antibodies in 80% of the animals sampled. But I very quickly add that this needs to be qualified. Although not a direct consequence of the question, with your leave, Mr Speaker, I think I need to clarify this statistic, in order to avoid unnecessary fears.

Mr Speaker, all the Macaques that tested positive back in 2000, did so for the IgG antibody, which indicates that the animals had been exposed previously to an infection, but were immune from the disease at the time of testing and therefore, and most significantly, were not shedding the virus, and therefore did not pose any risk. No Macaques at all, that is zero percent, tested positive for IgM, which is the infectious antibody, and therefore, I repeat, no Macaques tested would have been shedding the virus, and therefore there was no risk of infection.

In fact, Mr Speaker, it is likely that the infection originated from humans. At that time, the veterinarian decided to vaccinate as many juvenile Macaques as possible, to create what is known as herd immunity. Blood testing after vaccination would be futile, as there is no way to distinguish between an immunised animal and one that had previously contracted the disease.

The risk of humans acquiring the disease is negligible, provided normal precautions when in contact with any animal are taken, such as washing of hands. Hepatitis A can only be transferred by the oro-faecal route – that is, by taking by mouth after contact with faeces – and not by bites or contacts.

**Hon. J J Netto:** Mr Speaker, my first question is in relation to any discussions being held either with the RGP, the Environmental Agency and the Customs Department. I think I understood the answer by the Minister was that yes, there had been some discussion taking place in order to avoid that. Can the Minister perhaps provide Parliament with more information as to the nature of those discussions?

**Hon. Dr J E Cortes:** Yes, of course: what I said, Mr Speaker, was yes, Police; yes, Environmental Agency; no, Customs, we have not discussed with Customs.

The nature of the discussions were a way of trying to get more application or enforcement of the laws. The discussions reached the conclusion that the law, as it stood, was a little bit complicated to enforce, and also that clearly the Police have many priorities, so this led to the decision, and there is a Bill before this House, which I think will be taken at the next meeting, in order to introduce fixed penalties and expand the enforcement abilities from the Police to include members of the Department of the Environment and the Environmental Agency, hence the discussions with the Environmental Agency.

So it has been a long process of discussion, in order to better enforce this law, which as I said before, has never, ever in a hundred years, to my knowledge, resulted in any fines, and this is a process that is ongoing in order to improve the way that we manage the issue.

**Hon. J J Netto:** Yes, Mr Speaker, but in order to try and see where this discussion is actually leading to... The hon. Member said that they are trying to discuss how more effectively they can enforce the law, and, in fact, he mentioned that there is a Bill later to be discussed at a subsequent date. But do I take it from the comments made by the Minister that the Minister is actually looking more specifically for a kind of multi-agency application, of the enforcement of fines, whenever anyone is identified for either illegally enticing, or illegally feeding, and having the co-operation of both the RGP, which unfortunately, as the Minister has said, in the past has not been there, because they have other priorities,

But do I take it that as a result of these discussions, perhaps the RGP maybe able to prioritise and make a contribution in the help to tackle this perennial problem?

**Hon. Dr J E Cortes:** Mr Speaker, the idea is precisely to have a multi-agency approach to the problem, with the RGP continuing to be involved as the primary law enforcers in Gibraltar, but a multi-agency approach will mean that there will be more people on the ground, to be able to dissuade people from feeding the Macaques.

**Hon. J J Netto:** Mr Speaker, obviously I do not want to necessarily anticipate a discussion which later on is going to be discussed, at a time when the Minister makes his speech in the First Reading of the Bill, so I do not want to necessarily anticipate any discussion there, but I think I heard the Minister saying that there had been no discussion at all with the Customs Department, is that correct?

**Hon. Dr J E Cortes:** Mr Speaker, that is what I said, and I am now racking my brains to see whether I have actually mentioned it to a Customs Officer in conversation. No, seriously, Mr Speaker, I do not recall any discussions with the Customs. I do not think this is something that the Customs should be involved in.

**Hon. J J Netto:** So the Minister believes that there is no reason whatsoever why the Customs Department, in the future, will be able to make a contribution, by way of issuing out fines for illegal feeding of Macaques. Is that what the Minister is saying?

**Hon. Dr J E Cortes:** Mr Speaker, the hon. Member knows I am very keen to export Macaques, but getting them to jump the border carrying anything that they should not (*Laughter*) to guarantee interception by Customs Officer is not one of those. I say that obviously in jest.

Mr Speaker, there is no intention at the moment to engage with Customs. I think they have other duties that they need to deal with, and by expanding to the Environment Ministry and the Environmental Agency, I think we will have enough people on the ground, at least to make a good start at this multi-disciplinary approach.

**Hon. J J Netto:** Well, Mr Speaker, certainly I would leave the issue of Customs there. But I just want to highlight to the Minister, in fact, that there is a reference to Customs in the Bill, so this is why I am asking the question; but leave it there, because obviously we can have the discussion much later on, when the Bill comes, and perhaps he may be able to provide more information as to the reason why Customs are actually included, among the different groups, (*Interjection*) hence the reason for the question.

But, can I move on, Mr Speaker, with other supplementary questions? In relation to the firecrackers, noise makers, or commonly known as *petardos comunes* or *petardos chinos*, the Minister actually said that those are being purchased from two particular places in Spain. Now, can the Minister say whether the noise makers or *petardos*, whatever they are are called, abide by both the British Standards application and the European Union?

**Hon. Dr J E Cortes:** Mr Speaker, the information I have, which I have given in the answer, is that they comply with local legislation, If he wants me to look more specifically at any particular legislation which he bears in mind, then I would be happy to take that away. He may be able to write to me, as indeed he often does, and I will certainly look at the information.

1275 **Hon. J J Netto:** Yes, Mr Speaker, I will certainly take the offer, but my understanding is that they do  
not. They do not comply with EU Standards. The EU Standards are EU EN14035-15 and, in fact, the  
firecrackers, the Spanish firecrackers are actually, as I understand, illegal throughout Europe. The fact that  
Spain still manufactures and sells these particular noisemakers is in contravention of the European  
1280 legislation. So my point, if I am correct, is that the noisemakers that the Department of the Environment, or  
any other employee of the Government, are purchasing in Spain may well be illegal products in Gibraltar,  
even if they happen to be certified by the Collector of Customs when entering into Gibraltar.

1285 If that is the case, will the Hon. Minister look whether those purchasers are legal products, as far as the  
European Union is concerned; look into whether they abide by the British Standards, which are different  
and much higher in quality; and whether the Fire Brigade actually sanctioned the purchase of these  
particular products in Spain, given that they will probably have a policy in that regard, which says that if  
one person in Gibraltar wanted to sell these particular firecrackers, or pyrotechnics, they are illegal products  
under the policies of the Fire Brigade in Gibraltar?

1290 **Hon. Dr J E Cortes:** Mr Speaker, of course, I will look at these *[inaudible]*. In fact, I asked the hon.  
Member to write to me with precisely those facts and I would ask him to write to me with that, as it will  
make it easier for me to look at that.

I think I must comment, without being able to answer that specific point, that there are situations in  
which, for example, it is illegal to hold a firearm without a licence, but firearms can be used for specific  
issues. I am not comparing one to the other, but clearly, I will look at that information, and if it is the case  
that this causes a problem, then obviously we would have to reassess the use of these particular ones.

1295 But as I say, I cannot commit myself, because it may well be that the particular ones that are used do fall  
within the local legislation which is applicable, because, clearly some of what the hon. Member has told me  
may or may not be applicable to Gibraltar.

But, certainly I will get the Department of the Environment to look at it immediately we receive the  
information.

1300 **Hon. J J Netto:** Moving on, Mr Speaker, to my last set of questions, which dealt with the Barbary  
Macaques in relation to Hepatitis A. Yes, I do share the comments made by the actual Minister in the sense  
that this is not something to be worried about in relation to Hepatitis A. But I was not dwelling, if you like,  
on that itself.

1305 What I was trying to get information from the Minister on, I am not quite sure whether he actually  
provided that information, is that whether the Macaque who does have Hepatitis A, or all of them, they do  
have some vaccination themselves. We are looking here at the welfare of the Macaques, as well.

1310 **Hon. Dr J E Cortes:** What I explained, Mr Speaker, is that with the Macaques that had a positive test, it  
was a test for the antibody that proved that they had had the disease but had got over it. So they still had the  
antibodies in the body, but they were no longer – they had the protection, but they no longer had the  
disease. Then I explained that there was a vaccination of as many juveniles as possible, in order to create  
what is known as herd immunity, so that the younger ones who would not have been exposed to the disease  
at the time that the older ones were would then be given immunity by a process of vaccination and that will  
1315 have cut it off. They were no longer shedding so they were not subjected any more, and the juveniles were  
immunised.

So the issue is that that was one incident, which was dealt with at the time, and which we have no  
reason to think that is a problem at this point in time.

#### Q54/2014

#### Wildlife wardens – Extra employees to be taken on

1320 **Acting Clerk:** Question 54, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if extra personnel are going to  
be employed in order to discharge the duties of wildlife wardens?

1325 **Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, this will be determined  
as part of the Upper Rock Management Plan.

1330 **Hon. J J Netto:** Mr Speaker, in the past, when I raised the issue of the Upper Rock Management Plan, I recall the Minister saying that this will be launched very soon, and that has been at least more than six months now. Can the Minister perhaps tell the House when it will be announced?

1335 **Hon. Dr J E Cortes:** Very soon, Mr Speaker, soon. This is a complex one, once again, and I have the tendency of reading things, and always trying to improve on the last time, and then I think it is ready, but one more time.

This is going to happen very soon. I think we are talking about a few months only.

1340 **Hon. J J Netto:** Mr Speaker, can I ask the Minister whether he himself believes that there is a need to have a dedicated group of directly employed people, working as wildlife wardens in the Upper Rock Nature Reserve?

1345 **Hon. Dr J E Cortes:** Mr Speaker, what I believe is that we have to have people carrying out the functions of wildlife wardens throughout Gibraltar. That is why we recently published legislation, which appointed the employees of the Department of the Environment, including the new Environmental Protection Officers, to be enabled, under the Acts of the Nature Protection Act, to perform those functions.

1350 So, at this point in time, these ladies and gentlemen are able to do that and have started this work in a small way; an induction and so on will be carried out, so at this point in time, I am not going to commit myself, as to whether or not we would require to employ specific people. The Upper Rock Management Plan will inform that and the experience that we have, we are now undergoing, by giving those powers to people already in employment, I think is the correct way of addressing this, and we are doing this in a staged process.

1355 **Hon. J J Netto:** Well, Mr Speaker, that is certainly a turnaround from the days when he used to be the General Secretary of GONHS, because he used to chastise – *(Interjection)* I am sorry can you calm yourself down, and allow me to continue?

**Mr Speaker:** It is for me to ask hon. Members to calm themselves down. *(Laughter)* The job of the hon. Member there is to ask supplementary questions.

1360 **Hon. Dr J E Cortes:** Mr Speaker, I have to answer that comment. There is absolutely no turnaround – *(Interjections)* I am not giving way, Mr Speaker. *(Interjections)*

**Mr Speaker:** May I? The Hon. Mr Netto has the floor, if he wishes to ask a supplementary.

1365 **Hon. J J Netto:** Thank you, Mr Speaker.

1370 As I was saying, certainly a 180-degree turnaround by the former Secretary General of GONHS, when he used to chastise the GSD Government for not having a dedicated group of employed people to be wildlife wardens. Can the Minister tell the House that no extra amount of money will be provided for, to any private company, to undertake the duties of wildlife wardens in the next 12 months?

**Hon. Dr J E Cortes:** Mr Speaker, first of all, I think that question is not a direct follow-up, and I have already said that we are looking at whether or not we are going to employ wildlife wardens as part of the Management Plan.

1375 But, I have to correct two things that the hon. Member has said, because I think they are very unfair, and I think that he, of all people, knows how unfair they are. Because, Mr Speaker, when I was General Secretary of the Gibraltar Ornithological and Natural History Society, I never chastised any Government, but I worked within the Government, and I may have had conversations with him, as Minister, and with others of his colleagues and Ministers on the issue. But I never chastised anyone: that was not my way of working, as he and all the Members opposite very well know, and I am still that same person, Mr Speaker.

1380 That is a very unfair comment.

1385 But having said that, Mr Speaker, it is not a turn of any nature. I have said that I have empowered the whole staff of the Department of the Environment – 20, 30 people, I do not have the details now – plus two new Environmental Protection Officers to fulfil the duties of wildlife wardens. If the Ministers that I worked to in the past had responded to me when I said ‘we need wardening on the Upper Rock’, and had said, ‘Well look, we are going to have Environmental Enforcement Officers, and I am going to offer the whole of the Environment Department staff’ – which was much smaller then than it is now, by the way – ‘and I will empower them to carry out those duties’, then I would have said, ‘Well thank you very much, let us see how it goes.’

1390 The allegations that the hon. Member has made are completely unsubstantiated, and anybody at all who knows me, and the way that I work and have worked, will know that that is the case.

1395 **Hon. J J Netto:** Mr Speaker, does the Minister consider that the employment, I think he said, of two Protection Environmental Officers is sufficient for undertaking the duties throughout Gibraltar for wildlife wardens?

**Hon. Dr J E Cortes:** Mr Speaker, I refer to my original answer: this will be determined as part of the Upper Rock Management Plan.

1400 **Hon. D J Bossino:** Mr Speaker, this may be a question which he may not have the answer to as yet, but does he have an idea, certainly from the employment perspective, as to which entity would be the employing body of these wildlife wardens? Would it be the GDC, for example, or a Civil Service post to be created? Can he answer that question?

1405 **Hon. Dr J E Cortes:** Mr Speaker, I have already said that it has not even been determined. This is totally hypothetical.

1410 **Hon. J J Netto:** Mr Speaker, does the Minister not envisage, perhaps, the scenario whereby, despite having a situation where they have a multi-agency approach to this particular issue, and yet find that, despite all the willingness in the world, at the end of the day the RGP will not be able to provide the assistance that is required? Because that has been the case in the past, given their other priorities, and perhaps, for relying on other agencies, as in maybe like the Environmental Agency, would be, to use perhaps the Spanish saying, *desvestir un santo para vestir a otro santo* – meaning an employee of the Environmental Agency having to put aside some aspects of their normal day-to-day work, in order to do this particular work. Hence my reason, and hence my question, whether the Minister thinks there are sufficient people employed to undertake such duties. Can he provide an answer?

1420 **Hon. Dr J E Cortes:** Mr Speaker, first of all, I have to correct: the hon. Member is getting two questions confused. The Environmental Agency is being empowered to deal with the feeding of Macaques, and they are out in the street, they issue litter tickets, they look after all sorts of issues, so they are already on the ground. So that will not detract them from any other duty, and that is a previous question.

1425 This question is specifically on the question of wildlife wardens, which have not been extended to the same people, but in any case, I repeat my original answer: this will be determined as part of the Upper Rock Management Plan, and no matter how many questions I am going to be asked, I am going to give the same answer, because it is a work in progress. We have to assess it in relation to what we are already doing, and then we will come up with a properly worked out answer.

1430 I have said it several times before today, Mr Speaker, I am not going to be rushed by the Opposition, into launching strategies, into publishing plans, or into giving answers which have not been properly studied. My scientific training has told me that I really have to lay the point, and then I come to the conclusions, and I am not going to be rushed in advance of that. So this will be determined as part of the Upper Rock Management Plan.

**Hon. J J Netto:** Mr Speaker, could I ask the Minister, whether he can provide the House with some sort of definition of duties that are likely to emerge, for someone undertaking the function of wildlife wardens?

1435 **Mr Speaker:** That does not arise at all. I am not allowing that supplementary. (*Interjections*) Any other supplementary? In that case we will go on to Question 55.

**Q55/2014**  
**Sewage treatment plant –**  
**Plans for construction**

**Acting Clerk:** Question 55, the Hon. J J Netto.

1440 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if there are plans in progress for the construction of a sewage treatment plant, and if so, provide Parliament with a statement as to the timeline for operations for the plant to start and the cost to build the plant?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I can confirm that there are plans in progress for the construction of a sewage treatment plant, and that these are proceeding swiftly.

The Government invited tenders for the design, build, finance and operation of a waste water treatment plant at Europa Point, in the Official Journal of the European Union on 28th June 2013. The tender was also advertised in local media, in line with statutory requirements, and a number of tenders have been received to date.

The Government will commence the tender evaluation process on 24th January, in a couple of days' time. Government intends to award the tender, as soon as possible, once the tender evaluation process is completed. All aspects of the design and construction of the project rests with the tenderers, and therefore the estimated cost of the plant will only be known once a successful tenderer is chosen.

In terms of timescale, the Government envisages that the plant be operational within two years of awarding the contract.

**Hon. J J Netto:** Mr Speaker, can I ask for clarification, whether the Minister can say that the period for prospective tenderers, that period has now closed and nobody else can put further bids to the process?

**Hon. Dr J E Cortes:** Mr Speaker, I believe that the evaluation process will start on 24th, because that is when the tender closes. (*Interjections*) Mr Speaker, the 24th I believe is tomorrow, so –

**Hon. J J Netto:** Mr Speaker, could I ask the Government, and I am not trying to hold the Government to an exact figure certainly, but a kind of order of cost of what this project might entail? In other words, are we talking about a £50 million project, a £100 million project, a £150 million project, and I am not trying to hold the Government now to... within a couple of million either way.

**Hon. Dr J E Cortes:** No, Mr Speaker, I do not have that information. This is a tender process, and we...

**Hon. J J Netto:** Mr Speaker, could I ask the Minister if he could perhaps tell Parliament, whether the Government is envisaging that the new sewage treatment plant, when it becomes operational, whether this will be connected, in any way to other plants, perhaps the waste treatment plant that the Government is proposing?

**Hon. Dr J E Cortes:** Mr Speaker, this is too early a stage to answer that question. We are processing tenders for the waste treatment plant, we are about to process tenders for the sewage plant, and this will then be considered in relation to that, but I do not have that information.

**Hon. J J Netto:** Well, obviously, Mr Speaker, it is something that I would have to perhaps continue this line of questions on another month.

But could I ask, perhaps, one final question on this particular topic, and could the Minister state whether this particular project to build the sewage treatment plant will be funded, or the intention is to fund either wholly, or partially, either directly, or indirectly, by (a) Credit Finance Company Limited; or (b) from the proceeds of monies deposited in the Gibraltar Savings Bank?

**Chief Minister (Hon. F R Picardo):** Mr Speaker, with respect to the hon. Gentleman, I believe that question was specifically asked by him at the last Parliament, or in the list that was asked at the last Parliament, of projects to be funded by... in the options put by the hon. Gentleman. The answer then was no, and it remains no.

**Mr Speaker:** Next question.

**Q56/2014**  
**Cigarette stubs –**  
**Litter Committee discussions**

**Acting Clerk:** Question 56, the Hon. J J Netto.

1500 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment say if the Litter Committee has discussed the increased amount of cigarette stubs that litter our streets, and whether there are plans to place cigarette bins throughout Gibraltar, supported by an awareness campaign?

**Acting Clerk:** Answer, the Hon. the Minister for Health and the Environment.

1505 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, cigarette stubs have not been specifically discussed at the Litter Committee meetings.

I will explain: they do not appear in the minutes. There may have been peripheral conversations on it, but they are not something that was specifically discussed at those committee meetings.

1510 The issue has been dealt with internally by the Department of the Environment. Thirty bins with ashtrays have been purchased and will be deployed shortly, to see whether the system actually helps, of course.

1515 **Hon. J J Netto:** Well, Mr Speaker, that is certainly good news to hear from the Government side, but can I also urge the Minister on the second part of my question, that perhaps the introduction of those extra littler bins should be supported by an awareness campaign as well?

**Hon. Dr J E Cortes:** Yes, Mr Speaker, I think that is a logical step to be taken, on the launch of the new bins.

**Q57-59/2014**  
**Detached Mole –**  
**New bunkering arrangement**

1520 **Acting Clerk:** Question 57, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if the new arrangement for bunkering at the Detached Mole is a temporary or permanent measure?

1525 **Acting Clerk:** Answer the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Questions 58 and 59.

1530 **Acting Clerk:** Question 58, the Hon. J J Netto.

1535 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment provide Parliament with an explanation as to the procedure covering the new bunkering arrangement from the Detached Mole, and what protection is in place to safeguard the environment?

**Acting Clerk:** Question 59, the Hon. J J Netto.

1540 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if, as a result of the new arrangements for bunkering at the Detached Mole, whether local fishermen will be able to continue fishing from that location?

**Acting Clerk:** Answer the Hon. the Minister for Health and the Environment.

1545 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, before I answer that, I would just like to say that the Hon. Minister for the Port would likely have answered at least some of these questions, as he has been leading on this, but in his absence on Government business outside Gibraltar, I am happy to provide the information.

1550 Bunkering activities in British Gibraltar Territorial Waters are regulated by the Gibraltar Port Authority, under the Bunkering Code of Practice, and the Ship to Ship Code of Practice. Bunkering activities at the Detached Mole are regulated in accordance with these codes of practice, and are subject to the same level of supervision and control as other bunkering activities in BGTW.

Among the measures in place to ensure protection of the environment are limitations on cargo temperatures, and hydrogen sulphide content of cargoes, booming requirements for transfers of persistent



cargoes, GPA inspections for cargo transfers, and unannounced inspections of both the mother ship and the bunker barges involved in these operations.

At the moment this is considered a temporary arrangement.

New procedures have been introduced to ensure the safety of anglers and ships berthed at the Detached Mole, while ensuring that the impact on fishing activities, which will continue, is minimised. These procedures have been agreed with the fishing associations.

**Hon. J J Netto:** Mr Speaker, the Hon. the Minister has said that these are temporary measures, or operations that are taking place. Can the Minister perhaps provide Parliament with a more elaborate explanation as to what the more permanent measures will be? I say this, because in the statement issued by the Environmental Safety Group, they argue that this will not in the future be a permanent onshore operation for bunkering.

**Hon. Dr J E Cortes:** Yes, Mr Speaker, the comment that... clearly this is a statement by a non-Governmental organisation, and the Government is not party to those, or to what may have gone behind arriving at that statement. I am not able to offer more information than the one that I have given: I was asked whether it is temporary or not. I have answered that, and as I explained, my colleague, the Minister responsible for the Port is away on Government business, and did make it known to the Opposition that he was going to be away, and therefore I am not able to offer more information than what I have offered this morning.

**Hon. J J Netto:** Do I take it that the only thing that has changed, really, is that before, this particular refuelling or bunkering operation was done in the Bay of Gibraltar, and now what we have is a large bunker storage tanker, which will be permanently docked or anchored inside the Bay, on the inside of the Detached Mole?

**Chief Minister (Hon. F R Picardo):** Mr Speaker, if I may assist. The bunkering operations have not changed; what has changed is the location of the storage. Right. The hon. Gentleman needs to know that bunkering did not occur when this vessel was lying in anchorage, it did not occur between this vessel and the vessels that came to receive bunkers. This vessel was the storage vessel. It transferred bunker supplies to a smaller vessel, and that smaller vessel went out to the vessels that wanted to receive bunkers in Gibraltar.

So the only thing that has changed is the location of the storage vessel. That has now been brought alongside. Now, I think it has been said, in the context, I believe, of an answer to a question put by one of the local newspapers, by the *Chronicle*, that this was at the instigation of the company, and was part of a process towards moving to a new more permanent solution in respect of storage of bunkers. But the hon. Member's supplementary is about the actual bunkering operation. The bunkering operation has not changed.

**Hon. J J Netto:** Indeed, Mr Speaker, the fact that the bunkering operation was done outside in the Bay of Gibraltar, now is done inside the Bay of Gibraltar – (*Interjections*) sorry.

**Hon. Chief Minister:** If I may, if the hon. Gentleman will allow me to assist him on this. The bunkering operation, the actual bunkering is still happening in the Bay outside of the Port. It is the storage of the bunkers that has come within the Port, not the bunkering operation.

**Hon. J J Netto:** Well, given that the storage is inside the Bay, at the Detached Mole, given the concerns of the local environmental group here, where they argue that as a result of that new location, which is hypothetically, or hypothetically will be, close or adjacent to where the future gas storage facility for the power station will be, and considering that on the north end we have nuclear submarines being stationed from time to time, has any health and safety and environmental audit been carried out on the potential risk that may emanate from such a decision?

**Hon. Chief Minister:** Mr Speaker, if I may say so to the hon. Gentleman, that question to a great extent was already answered when he was asking questions of the hon. the Member with responsibility for Utilities, when he was asking about whether the gas storage was the subject of any health and safety audit, etc and he was told that it is presently the subject of such audits. So he knows, I put it to him, as a result of that answer, that such investigations are ongoing.

But he needs to remember, and this is a point that all of us are unfortunately stuck with, we made a huge success of this community, being two and a half miles by one mile: if we had the land mass of others, I cannot imagine how the Gibraltarians would have led the world. Whether the bunkering vessel is storing

bunkers on the Detached Mole, or whether it is in its old location, it is probably within 500 or 600 metres of the nuclear berth, and the residential facilities, etc. So it is all a question of determining what are the best places to put this, as I said to him before in relation to gas.

So, yes, it is. This is the subject, the issues surrounding the gas and where the gas could potentially go are the subject of health and safety investigations. Hazardous operations investigations, I think they are called.

**Hon. J J Netto:** Mr Speaker, the Hon. Chief Minister mentioned the fact that the Hon. the Minister for Utilities did mention that there are indeed health and safety and environmental reports which the Government is considering. However, the Opposition clearly does not have sight of such a report, so can I ask the Government that they provide Parliament with copies of such report, so that at the very least, the Opposition will be in a position to know the issues that have been considered, and be able to ask the relevant questions on this matter in the future?

**Hon. Chief Minister:** Mr Speaker, I have told the hon. Gentleman, those reports are being prepared. It is not that they are ready; it is that they (*Interjection*) are being prepared –

**Hon. J J Netto:** What the Minister for Utilities said before was that they had already been done, and they are currently being discussed in Government. (*Interjection*)

**Hon. Chief Minister:** No, Mr Speaker, that I am afraid is not what the hon. Member said. But, look, if the hon. Gentleman's recollection is that, all he needs to do is, when the *Hansard* is ready, go back and check. But what I am telling him is there are a lot of reports, and the ones that he was asking about, which are those relating to gas, are in the process of being prepared.

Mr Speaker, this will be a big change for our community. We will go from using one particular fuel type, which is diesel, to using a new fuel type, which is gas. People will need to understand whether there are any risks involved in using gas, what those risks are. There is risk involving any internal combustion fuel, any fossil fuel that is burnt, but of course, is there more risk, is there less risk? So, the hon. Gentleman can rest assured that when decisions come to be made about these issues, they will be fully explained, not just to this Parliament, and not just to Members opposite, but to the whole of the community.

**Hon. J J Netto:** Yes, Mr Speaker, but the reality is that the environment does not work in isolation, and we cannot say we are going to have a report simply for the gas storage on one side of the Detached Mole and then next to that particular location, there will be another function which may require a more holistic one, in terms of risks of concern. Now, can I put it, can I ask the Chief Minister, or the Government, by when they reckon that the health and safety and environmental report will be ready, so that at least the Opposition may have sight of them?

**Hon. Chief Minister:** Mr Speaker, (*Interjection*) before the hon. Gentleman, in respect of his request for sight of the report, to the answer I have just given, and in respect of the timing of those reports, that is exactly the same question, with respect to him, that he asked when he was questioning the hon. Gentleman, and I got up to assist in respect of exactly this matter, and I told him I was not going to give him a timeline.

Let me put it in this context for him: the power station, we have all agreed, is an important issue for Gibraltar. We have said we are committed to delivering it, so it is something that is, obviously, going to happen as soon as possible.

**Hon. J J Netto:** Mr Speaker, in the Environmental Safety Group's statement, they urge the Government to have a rethink on the matter, as far as the location for the storage of – well the large bunker tanker storage facility there, and in fact, they go further to that, they suggest the Government that perhaps an alternative site that should be considered by the Government should be the King's Lines depot there, obviously once sufficient investment is done to infrastructural works to make it fit for purpose. Is the Government considering the suggestion of the Environmental Safety Group?

**Hon. Chief Minister:** Mr Speaker, the Government is not just considering the proposals of the Environmental Safety Group; it is considering a very large number of proposals in relation to this issue, and long before the Environmental Safety Group suggested the King's Lines, the Government, the MOD, and third parties are looking at possibilities, for example, involving King's Lines – something that he might recall I used to urge them to do, when I was in Opposition and dealing with these issues. And not just King's Lines, Mr Speaker, we are considering all sorts of other potential areas for bunkering storage, and not just bunker storage, but fuel storage. And, he will recall, Mr Speaker, that when they were in Government, I also used to urge them to consider about how to have a strategic reserve for Gibraltar, etc.

So, if he were to think back, he would know that the Government is considering that and much more, for much longer than just the period since the ESG made their statement.

1680 **Hon. J J Netto:** Mr Speaker, given that this new large bunker, storage tanker, is now closer to a built-up area, the west side of Gibraltar, have new procedures been considered or even implemented to avoid nauseating smells, bad smells associated with this particular industry, within the whole of the west side of Gibraltar?

1685 **Hon. Chief Minister:** Mr Speaker, I am afraid the hon. Gentleman is wrong. The ship is not closer now to residential areas than it might have been. The ship was actually very close to residential areas where it used to be, and in the past when they were in Government, we had repeated incidents of noxious smells, and of what... the smell is of sulphur, like rotten eggs.

1690 And what he will know, Mr Speaker, if he bothers to think back to the issues, is that those things relate to the mix of the oil which can give rise to those smells, and the non-use of what is known as capture technology to have those fumes sucked in when the bunkering operations are ongoing. That is why it is important that he remind himself again, as I did a moment ago, that the bunkering operations are not going to change location. They will continue to happen where they used to happen. The only thing that is changed is that the storage, and therefore the replenishment of the smaller, the lighter that takes the bunker out for the bunkering operation, is now happening at the Detached Mole. Happening at the Detached Mole is not  
1695 any closer, in my view, than when it used to happen, where the vessel used to be, in respect of those who have homes in the south district in Gibraltar.

1700 But, look, noxious smells are something that will always be a concern, and the Government ensures that there are no noxious smells, using the procedures that have long been put in place in respect of such bunkering operations. Those do not change.

**Hon. J J Netto:** Right, Mr Speaker, the Hon. Chief Minister, reminds us of what he used to tell us when we were in Government, but, I have to ask him, in terms of the new technologies, of capture of those bad smells, have they been implemented now?

1705 **Hon. Chief Minister:** Mr Speaker, look, I do not know whether the position is that they were implemented when they were in Government, or just after we were elected, but – this is what I am saying to him – they have long been implemented. And the movement of the vessel is not relevant to those things, or rather that does not change because of the movement of the vessel. There was a big issue with noxious smells some time ago, and at the time, mix or blend of oils was identified as the problem and recapture technology was one of the issues that was introduced, to ensure that these things did not happen – the way that the bunds are put around the pipes that take the oil from one vessel to another, and look, Mr Speaker, we have not had complaints of noxious smells at the rate at which we used to have them.

1710 I cannot remember, Mr Speaker, whether they deserve the credit for that, or whether we deserve the credit for it, but this is something now in the past.

1715 **Hon. Dr J E Cortes:** If I may assist, Mr Speaker, as to credit, because the hon. Members opposite like to refer to my past. Whether it happened before or after December 2011, I can certainly take a lot of the credit, because I campaigned in order to resolve this before I was elected a Minister. (*Banging on desks*)

1720 **Mr Speaker:** Next question.

## EQUALITY, SOCIAL SERVICES AND THE ELDERLY

Q60/2014

Equal Opportunities Commission –  
Establishing

**Acting Clerk:** Question 60, the Hon. Mrs I M Ellul-Hammond.

1725 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Equality say, as per the Government's manifesto commitment, when the Equal Opportunities Commission will be established, and how it will be set up?

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

1730 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, it will be set up in this term of office.

**Q61-66/2014**  
**Social Services' homes and buildings –**  
**Fire alarm systems and smoke detectors**

1735 **Acting Clerk:** Question 61, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state whether there are fire alarm systems and smoke detectors installed throughout Mount Alvernia?

1740 **Acting Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

**Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I will answer this question together with Questions 62 to 66.

1745 **Acting Clerk:** Question 62, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state whether during 2012 and 2013 the fire alarm systems and the smoke detectors installed throughout Mount Alvernia have been tested and certified, and if so, by which professional entity and on what dates this has taken place?

1750 **Acting Clerk:** Question 63, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state whether there are fire alarm systems and smoke detectors installed throughout the Care Agency Building for Looked After Children?

1755 **Acting Clerk:** Question 64, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state whether during 2012 and 2013 the fire alarm systems and the smoke detectors installed at the Care Agency Building for Looked After Children have been tested and certified, and if so, by which professional entity and on what dates this has taken place?

1760 **Acting Clerk:** Question 65, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state whether there are fire alarm systems and smoke detectors installed throughout the premises of Dr Giraldi Home and St Bernadette's Occupational Centre?

1770 **Acting Clerk:** Question 66, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state whether the fire alarm systems and the smoke detectors at the premises of Dr Giraldi Home and St Bernadette's Occupational Centre have been tested and certified during 2012 and 2013 and if so, by which professional entity and on what dates this has taken place?

1775 **Acting Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

**Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, there are fire alarm systems and smoke detectors in Mount Alvernia, Dr Giraldi Home, and St Bernadette's Resource Centre, and smoke detector alarms in the Looked After Children facilities.

No fire alarm system or smoke detectors were installed in Mount Alvernia during 2012 and 2013.

Dr Giraldi Home and St Bernadette's Resource Centre were tested on 28th February 2013 and 25th May 2013 by GibElec.

The Looked After Children facilities have smoke detector alarms which are inspected for quality assurance on a daily basis by managers responsible for the facilities and looking after the children. Repairs,

when these are needed, are carried out by the Care Agency maintenance crew, who also inspect alarms on a monthly basis.

1790 **Hon. J J Netto:** I think I missed, actually, Mr Speaker, the first part of the hon. Lady's answer to the question. Did I understand rightly, she said that there were some premises... I think, she might have said the KGV... I beg your pardon, Mount Alvernia, where there were not any fire alarms or smoke detectors. Have I understood it wrongly, perhaps?

1795 **Hon. Miss S J Sacramento:** No, Mr Speaker, what I said, in answer to the question which asked whether any had been installed in 2012 and 2013, I answered that none had been installed because they were already there. They have not been installed in 2012-13.

**Q67-69/2014**  
**Social Services' homes and buildings –**  
**Fire evacuation drills**

**Acting Clerk:** Question 67, the Hon. J J Netto.

1800 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state if there have been any fire evacuation drills at Mount Alvernia during 2012 and 2013?

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

1805 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I will answer this question together with Questions 68 and 69.

**Acting Clerk:** Question 68, the Hon. J J Netto.

1810 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state if there have been any fire evacuation drills at Dr Giraldi Home and St Bernadette Occupational Therapy Centre during 2012 and 2013?

**Acting Clerk:** Question 69, the Hon. J J Netto.

1815 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state if there have been any fire evacuation drills at the Care Agency Home for Looked After Children?

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

1820 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I can confirm that fire drills have been carried out at Mount Alvernia, Dr Giraldi Home, St Bernadette's Resource Centre and the Looked After Children facilities during 2012 and 2013.

1825 **Hon. J J Netto:** Mr Speaker, can the hon. Lady, perhaps, inform the House as to how often perhaps the fire evacuation drills happen? Is it once a year or perhaps more than once a year?

1830 **Hon. Miss S J Sacramento:** Mr Speaker, they happen more than once a year. For example, in Mount Alvernia, we had drills, two in July 2012; two in December 2012; one in March 2013; two in April 2013; one in August 2013; and one in September 2013.

1835 **Hon. J J Netto:** I am grateful for that, Mr Speaker, but can I ask another supplementary question in line to what I asked to his colleague before, given the vulnerability of some of the service users, given their conditions, mobility, perhaps disability, and other complications – not all, indeed, but some of them – does the management have in all these facilities a personal plan designed, taking into account the various needs of those particular individuals for the purpose of executing those fire drills?

1840 **Hon. Miss S J Sacramento:** Mr Speaker, it is significant that, actually, we do have it now. I just gave an example of the drills that we have had at Mount Alvernia, but if I can say that, at Giraldi Home and St Bernadette's we have had drills in March 2012; June 2012; September 2012; January 2013; August 2013;

and October 2013. Prior to December 2011, Mr Speaker, we can only find a record of one such drill taking place at Dr Giraldi and St Bernadette's (**Several Members:** Shame, shame!) and that was in 2011. But, in any event in answer to the question, yes there is – in the same way as my colleague answered, yes there is now a strategy going forward in all the homes that we are looking at our requirements in terms of the fire procedures. Of course, fire alarms and fire systems were already in place; fire evacuation drills did take place in some of the facilities – not all of the facilities, but going forward, this is now happening in all of the facilities.

**Hon. J J Netto:** Mr Speaker, given the fact that there have been fire drills, exercises being carried out in various parts of the buildings that pertain to Social Services, when they actually carry out those fire evacuation drills, do they take on board different possible scenarios? For instance, a fire may emerge in the front entrance of a particular building, and therefore the requirement is needed that the evacuation actually takes place through a different route.

I say this because, again, this is part of the research I was doing in relation to the UK, that the actual plans they may have on particular premises differ every single time – or sometimes it differs when they do the actual drills. Of course, that will depend as well on the characteristic of the building. But, what I would like to ask the hon. Lady is whether they have taken into account that there is a need, perhaps, to have different routes of evacuation, depending where the fire location is.

**Hon. Miss S J Sacramento:** Mr Speaker, this is not information that I have, that I can confirm, but I would imagine that those tasked with ensuring that there are drills taking place will do so responsibly and however necessary. So, the hon. Gentleman can rest assured that going forward, in any event, I will check that this is the case, but I am sure that it is already.

## FINANCIAL SERVICES AND GAMING

**Q70-75/2014**

### **Gibraltar International Bank – Plans for establishment and running**

**Acting Clerk:** Question 70, the Hon. D J Bossino, on behalf of the Hon. S M Figueras.

**Hon. D J Bossino:** Can the Hon. the Minister for Financial Services provide details to this House of progress in the establishment of the Gibraltar International Bank?

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

**Minister for Financial Services and Gaming (Hon. A J Isola):** Mr Speaker, I will answer this question together with Questions 71 to 75.

**Acting Clerk:** Question 71, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Hon. the Minister for Financial Services say the precise extent to which the Government and/or the Gibraltar Savings Bank will be involved in the establishment and running of the Gibraltar International Bank?

**Acting Clerk:** Question 72, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Hon. the Minister for Financial Services say whether any premises have been identified for use by the Gibraltar International Bank, and if so, which premises and on what terms?

**Acting Clerk:** Question 73, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Hon. the Minister for Financial Services say how the Gibraltar International Bank will be funded and, in particular, whether the Bank will be funded by either of the Gibraltar Savings Bank, Credit Finance Limited, or any other Government agency or company, whether directly or indirectly?

**Acting Clerk:** Question 74, the Hon. D J Bossino.

1895 **Hon. D J Bossino:** Can the Hon. the Minister for Financial Services say how the Government intends that the Gibraltar International Bank will be capitalised?

**Acting Clerk:** Question 75, the Hon. D A Feetham.

1900 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister please say who are the Government's proposed directors and managers of the Gibraltar International Bank, giving their names and professional backgrounds?

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

1905 **Minister for Financial Services and Gaming (Hon. A J Isola):** Mr Speaker, in answer to Question 70, a high level steering group has been established to assist me, in defining the shape, substance and form of the Gibraltar International Bank. The group includes input from the Financial Services Commission, the Finance Centre Department, the Gibraltar Banking Association, and experienced bankers.

1910 In addition, accountancy, banking and legal professionals have been engaged to prepare the licensing application, including a business plan, and other necessary components. The application was submitted to the Financial Services Commission in late December, of last year, and I am confident that an in-principle decision will be received, by us, in due course. These professionals continue to assist us, in all technical aspects of the Bank and its application.

1915 Banking platform providers are being examined, and one particular operator in this field has already been to Gibraltar to familiarise themselves with the relevant systems.

Premises have also been identified and architects engaged.

1920 In answer to Question 71, as has been stated before, Mr Speaker, the specific intention of the Government is to ensure that the Gibraltar International Bank's day-to-day operations are independent of Government. It will be run on commercial lines by an independent management team with significant banking experience.

I am pleased to inform this House that the Government has identified premises for use by the Gibraltar International Bank. A number of options have been considered, including privately owned property.

1925 The premises that have been identified, after discussions with the Banking Committee, are Government owned and the terms of occupation are currently under consideration. An announcement will be made, once these matters have been agreed.

In respect of Question 73, Mr Speaker, no decision has yet been taken as to how the Gibraltar International Bank will be funded.

In answer to Question 74, Mr Speaker, the Gibraltar International Bank will clearly need to be capitalised by its shareholder. No decision has yet been taken as to how this will be achieved.

1930 In answer to Question 75, Government is not yet in a position to disclose the proposed composition of the Executive team, nor indeed of the intended Directors of the Gibraltar International Bank. Although discussions continue with regard to these appointments, no announcement can be made at this moment in time.

1935 **Hon. D J Bossino:** Mr Speaker, in relation to the answer the Hon. Minister has given in connection with Question 70, he talks about the high level steering group, I think he described it, and of course, we asked about progress, and I am grateful for the full answer he has given, but is he able to tell me now, whether he is in a position to advise this House whether he thinks that the Government will be able to stick to its publicly announced timeline of completion by, I think it is autumn this year. I think it is October this year.

1940

**Hon. A J Isola:** Yes, Mr Speaker, it is certainly our intention, to meet the very tight and strict timeline that we have set. As you will appreciate, it is not just the property or the platform or the people; there are a whole host of things that require to be prepared and put into place, long before the opening of the branch. But we have set a strict timeline, because that is a necessity that we have.

1945 So the simple answer is, yes, Mr Speaker, we have every intention of sticking to the timeline we have set, and very much hope that we do.

1950 **Hon. D A Feetham:** Mr Speaker, did I hear the Hon. Minister correctly, when he said that the business plan had not been completed, in his answer to 70, and that it was in the process of being completed by this high level steering group, as he described it?

**Hon. A J Isola:** No, Mr Speaker, I said that the business plan had been prepared in consultation with the accounting, legal and banking team that we had engaged, not the Banking Committee, and that has actually been submitted to the Financial Services Commission.

**Hon. D A Feetham:** But, in that application, the Government has not identified how the Bank is going to be capitalised, and where the money is actually going to be coming from? Because, of course, he has said to this House today that no decision has been made, but anybody that has any experience of applications to the Financial Services Commission in respect of any licensing issues, that is one of the issues that one would expect the application form to contain – how a bank or a company is going to be capitalised. So, has the Government not made a decision, and that has not formed part of any disclosure that has been provided to the Financial Services Commission? What is the position in relation to it?

**Hon. A J Isola:** Mr Speaker, it is really quite simple. The hon. Member has touched on a number of different areas which have different facets to them. As I have said, in answer to a separate question, the Executive team has not yet been appointed. That is relevant to the extent that we wish to engage them in issues like capitalisation. Of course, the business plan has been put forward to the Financial Services Commission, and of course, the shareholder, being the Government, will arrange for its capitalisation, but as the hon. Member will know full well, at the end of the day, the capitalisation of the company is done by a process of consultation with the Regulator, meeting the ICAP requirements, meeting the requirements of the business plan, and then a conclusion is then reached. So the capital will be provided by the shareholder, and the capital will be fixed in consultation with the Executive team, the Financial Services Commission, to ensure that we meet the regulatory requirements that will be set on us, as a regulated entity.

**Hon. D A Feetham:** Yes, but with respect, that does not follow the previous answer that he has already provided to this House. You see, one of the questions that Mr Figueras asked was whether this bank was going to be funded out of the proceeds from the Gibraltar Saving Bank or from Credit Finance, and the answer that the hon. Gentleman gave is the Government had not made a decision in relation to that.

Now, I would have thought that before one submits an application to the Financial Services Commission, the Government would have made a decision in relation to that, because that is precisely one of the questions, certainly, that one would expect a regulator to make, because if it is capitalised from monies coming from the Gibraltar Savings Bank, and from Credit Finance, the Government wants this to be an independent run institution, independent of the Government. But I would have thought that if it is being funded from the Gibraltar Savings Bank, or from Credit Finance, that that is information that ought to be before the Financial Services Commission, and it is certainly a decision that the Government ought to have made before making the application.

It seems to me, Mr Speaker, that this is an application that really is being rushed through with the Financial Services Commission – I do not know why, but it appears to be rushed through, without essential information that one would have expected to have been included in an application of this nature, going to a regulator. Can the Hon. the Minister for Financial Services comment on that?

**Hon. A J Isola:** Mr Speaker, if we do it quickly, we are rushing it; if we do it slowly we are being lethargic. I do not think we could ever quite keep the Members opposite happy, or indeed, with respect to their obsession with Credit Finance. Anything that we do or suggest, like a jack-in-the-box, up comes Credit Finance. What this Government is doing, in consultation and being advised by serious professionals, including the hon. Member's partner, who submitted the banking application on our behalf, I do not think would agree with him, that it is rushed or done in a haphazard manner.

In fact, entirely the opposite: a huge amount of work has been put into this application by our lawyers, our accountants and our banking experts, in conjunction with a very high-powered Banking Committee that includes the regulator. Now, for the hon. Member to stand up and say that this is being rushed through, ill thought and ill conceived, with the best intentions, in my view, Mr Speaker, is completely ill conceived, to the extent of being irresponsible, on something as serious and important to the community as this bank is.

And it is also worthy of note, Mr Speaker, that the entire community have welcomed this process, and this bank, because they fully understand and recognise the need and the importance of this bank to our community. I say the entire community: I am perhaps misleading the public, because the hon. Members opposite have not. They very cautiously welcomed, as they usually do, anything that is positive or good for the people of Gibraltar.

Mr Speaker, it would be entirely irresponsible for this Government to say how or what the capital is going to be, when it has not yet been agreed with the regulator. If the capital is to be £500,000, or £50 million, I think Government would require to consider how best to capitalise, and where that capital should come from.

The Members opposite should know, there is a European Union Directive which sets a minimum capital, but there will be very few banks that go with a minimum capital. We certainly have no intention of doing it, to ensure that people know, before the Opposition start talking it down, that it is 100% capitalised, properly and effectively, and so, if the Government follows the advice of our legal advisers, our accounting professionals and our banking professionals, I am happy for them to have that discussion with you directly.



**Hon. D A Feetham:** What a load of nonsense I have to say, Mr Speaker!

I have not said that this is ill conceived or ill thought out. I will reserve my judgement until I hear more from the Hon. the Minister for Financial Services, in relation to how this is going to be structured, where the money is going to be coming from, and exactly what it is going to be used for. That is precisely why we have cautiously welcomed the enterprise.

Indeed, if we had been elected into Government, we would have done something similar, but it would have been truly independent of Government, and would have been capitalised through funds provided by the Government.

Now, with respect to the Hon. the Minister for Financial Services, on the one hand he says, that we are obsessed with Credit Finance, but he himself has said that he is not ruling out that the money to capitalise this bank comes from Credit Finance Company Ltd. He has not ruled it out, so how can we be obsessed by something that he is considering as an option. It is a ridiculous statement for the Minister, with respect, for him to make.

Now, Mr Speaker, can I ask the Hon. the Minister for Financial Services, will this decision in principle, from the Financial Services Commission, wait until the new Chairman or Chairwoman of the Financial Services Commission is in place? As I understand, she is going to be in place in February – March, I mean, he will correct me if I am wrong. But will it wait until... bearing in mind, this is a very important application indeed? Will it wait until then, bearing in mind that it is an important application, and it is also an application that has been filed, lacking some information necessary, at the end of December of last year?

**Hon. A J Isola:** Mr Speaker, I do not understand how the hon. Member can say to the people of Gibraltar that –

**Mr Speaker:** Now, just a moment. I was going to interrupt the Leader of the Opposition, when he was beginning to debate with you. You are now both of you beginning to debate, and that is the first time this morning that hon. Members are beginning to debate, during Question Time, and I am not having it. You answer the last supplementary that he asked. Right, that is your job, to answer that supplementary, not to debate as to what they would have done, or what they would not have done, or what you would have done. I am not having a debate on this issue, because, I know how things can get out of hand. Alright. Particularly, when members of the hon. and learned profession of barristers are concerned.

So, I am giving a warning, right at the beginning, right, that I am only allowing the Leader of the Opposition to ask supplementaries and you will answer those supplementaries, but you will not have a debate.

**Hon. A J Isola:** I am grateful, Mr Speaker.

In answering the question, Mr Speaker, the Opposition, the Hon. Leader of the Opposition, has premised his question by suggesting that the application made has been rushed, and is not complete. That is simply not the case. And unless he has seen the banking application that has been made on behalf of the bank, he could not possibly make that judgement. So, I do not understand, on what basis he can possibly stand up here today, and say to the people of Gibraltar that the application has been rushed through, and further, that it is incomplete – because he has not seen it. So, on what basis does he make that question, or make that suggestion? (*Interjection*) Well yes, my hon. Friend is reminding me that in fact, he is suggesting that his hon. firm has made a haphazard rush to an incomplete application. I have seen it myself, I have read it through myself, Mr Speaker, and it is an excellent application. Which is why the person that is doing it for us was selected, because she is excellent at what she does.

Mr Speaker, with regard to the suggestion, which I find extraordinary, in his question that the application should wait until the new CEO of the Financial Services Commission is in place, is wholly improper. It is improper on the current Chief Executive, it is improper on the forthcoming, the new Chief Executive, and it is improper on anybody else within the Financial Services Commission who is involved in the process of licensing and regulating our financial services sector. Because, what he is implying, is that we are trying to rush it through, with the incumbent, in case the one that is coming in does not like it.

Mr Speaker, the Financial Services Commission, as this Bank will be, is an independent institution, and it dictates its own timescales, by whom, and by when, applications are considered. And in answer to the hon. Member's question, I think it is wholly improper for him to suggest that there is any advantage to be gained by having it heard through this CEO, or the next CEO. They are both professional people, and I trust in their judgement. (*Banging on desks*)

**Hon. D A Feetham:** Mr Speaker, I will take my own council as to what is proper and improper and I certainly will not take council from the hon. Gentleman. (*Interjection*)

Mr Speaker, why is the hon. Gentleman reluctant to provide this House with the information to the question that I asked – not the supplementary but the Question that I asked at 75, who the proposed

directors of this particular company are, both executive, and non executive directors, being proposed in the application.

**Hon. A J Isola:** Mr Speaker, the simple answer to that is twofold. Firstly we are in the process of identifying the people that we believe, to be best suited to do those jobs, so agreement has not been reached with them, as yet.

And the second aspect of that is that they cannot be appointed until such time as the regulator approves their appointment. As the hon. Member will know, directors and non-executive directors of any credit institution are required to be approved by the regulator, and that has not happened yet. So, as and when we have got through those two hurdles, we will make a statement as to who they are. But, at this moment in time, we are not in a position to do so.

**Hon. D A Feetham:** Well, Mr Speaker, you see, every time the hon. Gentleman stands up, and he provides an answer, the alarm bells begin to ring, in relation to my original concern with all this. He says to me, we are in the process of identifying the directors. That is what he has said to me, now. Now, every single banking application that I have seen has always identified the directors, the mind and management of the company that is applying for a licence. He does not know where the money is coming from, because he does not know whether the money is coming from Gibraltar Savings Bank, from Credit Finance or somewhere else. Well, look, I am afraid that if this is not an application that appears to be rushed and incomplete, because the Government has not made decisions on crucial aspects of this application before submitting the application, well I do not know what is. Does the Government, at the very least, have a shortlist of people that they have identified to the Financial Services Commission, so that the Financial Services Commission can at least say, well look, out of these ten (*Interjection*) these three are acceptable?

**Mr Speaker:** Let him answer that question, does the Government have a shortlist?

**Hon. A J Isola:** Mr Speaker, the Government is taking the advice from a very senior Banking Committee, comprising of representatives from the Banking Association, from the Financial Services Commission, from the Finance Centre Department and from professional bankers. We have identified individuals, we have not agreed terms, and we have not got regulatory approval. Now, surely it is better for the hon. Member to wait for these appointments to take place, before he jumps up to judge whether alarm bells should or should not be ringing. Because there is plenty of time for him to do that, and these announcements will be made, obviously, many, many months before the Bank opens, in the third quarter of this year. As indeed will the appointment of the CEO, and the COO, which are crucial to the functioning of the bank.

The Government has told the Opposition and the people of Gibraltar that it will be an independently managed bank, on commercial lines, run by people with enormous banking experience. Why do you not simply await those names and those details to be released, as and when they can be released, and then form a view, rather than jump the gun, and make suggestions of alarm bells, hastiness, and ill preparation, which is what the Member continues to do?

**Hon. D A Feetham:** But, Mr Speaker, how can the Government feel so confident that it is going to receive an approval in principle by February, when the application is so lacking in critical information? This is what I do not understand. The answer may well help me in a professional capacity as well, because maybe I can go back, and I can do exactly the same, and obtain approvals in principle, in two months, for a bank, a bank. We are not talking about a kiosk on Main Street; we are talking about a bank. An approval in principle, in barely two months, without having identified to the FSC the directors, without having identified to the FSC where the money is actually going to be coming from. (*Interjection*) I mean, I do not understand how –

**Hon. A J Isola:** Mr Speaker, I find it staggering that the hon. Member should say what he is saying, because what this Government is doing with this application is precisely what we have been advised to do by our lawyers, (*Interjection*) his firm, his partner, who tell us that it is absolutely normal when making a banking application, to receive an in-principle consent, subject to a list of conditions, which include the directors, the executives, the premises, the team – absolutely normal. Now, if my hon. and learned Friend has a difficulty with that, I suggest he takes legal advice. Because I have taken legal advice, and I am following exactly the advice that we have received.

**Hon. D A Feetham:** In terms of the steering group, this high level steering group that the Government has set up, whom from the FSC is sitting in this high level steering group that is helping the Government,

and precisely what is the nature of the assistance that the steering group is giving, in relation to this particular bank? (*Interjections*)

2140 **Hon. A J Isola:** Mr Speaker, the Chief Executive Officer of the Financial Services Commission sits on the Banking Committee, and he gives support, as he has an intimate knowledge of banking operations, from a regulatory perspective, and on an operational perspective.

2145 **Hon. D A Feetham:** Yes, but what is the purpose of the steering group? Because we have a situation where the (*Interjections*) application has already been submitted to the Financial Services Commission. It is not uncommon for the Financial Services Commission, and whoever makes the application form, to be in contact in relation to the application. But what is the steering group precisely for, in relation to the set up of this particular bank, and why does it require somebody from the Financial Services Commission, in this case a high level, the Chief Executive to be on it as – ? (*Interjection*)

2150 **Hon. A J Isola:** Mr Speaker, the Banking Committee was set up to take advice at the highest level from people across the sector, including the regulator. It has been immensely helpful to me in advising me. I have no experience of setting up a bank, I have never done it before. And consequently, the more advice and assistance that I can get in that process, the better the product will be, and that is what everybody wants.

2155 The assistance of the regulator has been as significant as each of the other members of the team. We do not meet with the regulator on the licensing application; that is done entirely by the professionals, who meet with the FSC – not with the CEO, as it happens; the person in charge of banking – on a very regular basis. They met this week and they meet again next week, as they go through the application process. I thought it was entirely appropriate that we should seek assistance and advice from them, because they have enormous experience, not just of one bank, but across the entire banking spectrum in Gibraltar.

2160 **Hon. D J Bossino:** Mr Speaker, the Hon. the Minister, and I would ask him to clarify, in two answers he has given, in relation to the identification of the directors and managers of the bank, he says that the Government is in the process of identifying, and I think, in answer to a further supplementary, he said that they have indeed been identified. First of all, can he clarify the position? What is in fact the position?

2165 And also, a second supplementary, if I may, Mr Speaker, because it is related: is it the intention, depending on how he answers, as part of the process, to advertise the positions? Is that going to form...? If the answer is you are in the process of identifying, it is possible that as part of that decision-making process, the Government intends to advertise the positions.

2170 **Hon. A J Isola:** Mr Speaker, it is an ongoing process, you speak to different people, you take advice from different people, different names are proposed, discussions then ensue. We have a good idea of who we would like. We need to agree with them, we need to get regulatory approval for them, and it is just an ongoing process. There is not any issue, there is not any difficulty. It is like if you are wishing to appoint certain people, you sound out, you take advice, you then try and agree terms, and then those terms are conditional on regulatory approval.

2175 So it is simply a process that we are going through, and we hope to be able to come back to you, and tell you who we propose that they will be, somewhere along the line. But, it is simply a process we are going through. Whether those specific jobs will be advertised, the answer is no. Whether the remainder of the jobs will be advertised, of course, yes. Outside the senior executives, because the intention is, once they are in place, they will then drive the process. They will then do the interviews, they will have a much better idea of what is needed than I do, or we do.

2180 **Hon. D J Bossino:** Mr Speaker, also, in answer to one of the questions, he made a reference to the shareholder. Is he in a position to identify to this House who that shareholder is? Or will that also have to await, as he said earlier, the conclusion of the application, and at some point, we will get another statement from the Government, providing the further details that we have asked in this House already, and this one which I am asking now.

2190 **Hon. A J Isola:** Mr Speaker, at the moment the ultimate shareholder of the company is the Government. In terms of how that evolves, if there is to be any change or not, we do not know, but that is something that is obviously being considered in line with everything else that I have mentioned this morning.

Was there a second question there? No.

2195 **Hon. D A Feetham:** Is it the Government, or a Government-owned company? Can he be more specific in relation to that? (*Interjections*) A Government-owned company?

**Hon. A J Isola:** Ultimately the Government. (*Interjections*)

2200 **Hon. D J Bossino:** The Hon. the Leader of the Opposition has asked specifically, now, who owns the  
bank, and it is directly the Government, as opposed to... because I think the Hon. the Minister for  
Employment is suggesting that the Hon. Minister was now answering questions, answering in terms of  
ultimately the Government. Obviously, it is within the realms of possibility is that in giving that answer  
2205 there is interposed between the bank and the Government ultimately, a Government-owned company. Can  
he explain the structure as it currently stands? Or have I misunderstood...?

**Chief Minister (Hon. F R Picardo):** Mr Speaker, look, as hon. Members will know, the Government  
owns many things. It owns some things directly, and it owns some things through companies. When it is  
applying for the licence, it is applying through the licence with the Government as the shareholder. Now  
2210 whether that ownership of those shares is ever going to be put into a corporate vehicle is something which,  
subject to regulatory approval, may or not happen. It is not an issue which would be surprising, given that,  
for example, the Government owns buildings, some of them directly, and some of them through companies.  
This is just part of the structure of the Government which has been in place for many years, including the  
time that they were in office, and he will know that there are a number of Government asset-holding  
2215 companies. When the shares in this bank crystallise, they may be put in a Government company, but the  
application is by the Government itself.

**Hon. D J Bossino:** Yes, Mr Speaker, I am grateful for the answer. Now, again, in relation to one of the  
questions which I posed on Mr Figueras' behalf, which relates to the premises, I think the Hon. the Minister  
2220 answered that a number of options were being considered, but they are all Government-owned properties. Is  
he...? He is nodding, so maybe he can clarify the position – that is what my note says. I assume it was  
Government-owned property, but if it is not, then I would encourage him to take the opportunity to clarify  
the position. But, my question was, Mr Speaker, whether he is able to identify in this House which options  
2225 are being considered.

**Hon. A J Isola:** Yes, Mr Speaker, I said in my answer that a number of different options had been  
considered, including privately owned property, and that premises had been identified, which is  
Government owned. That is what I said. (*Interjections*)

2230 **Hon. D A Feetham:** Effectively, you have considered a number of alternatives, but you have chosen  
Government-owned premises, and can he identify those Government-owned premises. There surely cannot  
be any difficulty in doing that?

2235 **Hon. A J Isola:** Mr Speaker, the position at the moment, as I said in my answer, is that once we have  
agreed the terms, and everything is ready and it can be formalised, an announcement will be made, but not  
at this moment in time.

**Hon. D A Feetham:** Yes, but, Mr Speaker, the terms with what – with the Financial Services  
Commission, because they might not agree these particular premises? Is that what his concern is?

2240 I am just trying to identify the reason for the Hon. Minister's reluctance in providing me with  
information that I seek, in terms of identifying these premises. If the answer is, well the FSC may not find  
those premises suitable, and there is a risk of that, then perhaps I could understand. But, having identified  
the Government-identified premises for this bank, I think it is a perfectly legitimate question for the  
Opposition to ask, which is well, what are the premises and the venue identified?

2245 **Hon. Chief Minister:** No, Mr Speaker, the issue is not a Financial Services Commission issue. The  
issue is that the Government in respect of that property has other responsibilities that it needs to ensure it  
can deal with, before it is able to finally say okay, we having identified it. We can now confirm that there is  
no other call on this property, and it can be used for that purpose, and that is the process that, I think, makes  
2250 it important for us, not to make an announcement until we are ready to do so.

Because, Mr Speaker, the hon. Gentleman will allow me to go back to this theme that I have developed  
today: Gibraltar is two and a half miles by one mile, and in respect of property, there are many calls, by  
many different parties, for each particular property – in particular, public property – so we are in the  
process of ensuring that that property can be used for this purpose, both structurally, both in terms of what  
2255 other calls there may for it, and what other commitments there are for it, and we will make an  
announcement as soon as we are ready to do so in this respect.

The hon. Gentlemen seem to be pursuing us on this issue, as if we do not intend to make an  
announcement. They like to pretend that we want to keep things secret. Well, look, Mr Speaker, at least on

2260 the day that the bank opens, we will be telling people where it is, so that they can turn up to open their accounts. They just need to abide with us a little bit more, so that we are able to make the announcements, in the proper way, when we are able to do so, having dealt with all of Government's obligations, not just regulatory but also as landlord, as owner of property and as an employer of people.

2265 **Hon. D A Feetham:** Mr Speaker, the Hon. the Chief Minister, keeping anything secret – perish the thought of that! But I can understand the answer, if it is based on this: that there might be calls from somebody in the private sector, because the premises are occupied by someone in the private sector, and identifying those premises might, for example, as an example, lead those private individuals playing hardball with the Government, in a way that perhaps is not in the public interest. But, if there are calls on these premises from, for example, Government Departments or the public service, well I do not understand why there would be any type of commercial sensitivity, or any other type of sensitivity, in identifying the premises. Can he identify what the problem is in relation to these calls? *(Interjection)*

2270 **Mr Speaker:** May I say that hon. Members of the Opposition really do need to listen, very carefully, to the main answers that are provided to questions, because sometimes the information that they are seeking is already contained in the main answer that has been given, and they may not realise that that is the case. Let me quote the sentence, that I have in the answer here, with respect to the premises.

2280 'The premises have been selected after discussions with the Banking Committee are Government owned and the terms of occupation are currently under discussion.'

That was the answer, that was the main answer that was given. Hon. Members do not seem to... perhaps they were not paying 100% attention, and they missed that point. *(Interjections)*

2285 **Hon. D A Feetham:** With respect it has nothing to do with the question I have asked –

**Mr Speaker:** Let me go back to what I am saying. These matters of... These questions are about a very important issue, and it is clear that hon. Members are going to spend more time in asking supplementaries, that may be the case with a run-of-the-mill question. But I, as Speaker, have a duty to point out to hon. Members that, very often, the answer has already been provided in the main answer, and yet they ask a supplementary about exactly the same thing, and that is quite unnecessary.

2295 **Hon. D A Feetham:** Yes, and in the last session of Parliament, Mr Speaker tried to give me a lesson about how he was a member of the Public Service Commission, and he had some kind of knowledge which made a question that we asked inappropriate.

**Mr Speaker:** That is totally irrelevant – nothing to do with what is happening at the moment. My job, as Speaker, is to see that the Rules of this House are implemented. If the hon. Members do not like the way that I am carrying out my duties, they know that they have got recourse to certain steps.

2300 **Hon. D A Feetham:** Well, I certainly do not like the way that the Hon. Mr Speaker has made interventions last time, has made an intervention now, and implied that somehow I do not know, as Leader of the Opposition, the answer that has been provided by the Hon. Minister. Well...

2305 **Mr Speaker:** Would the hon. Member sit down! Would the hon. Member sit down! Would the hon. Member sit down!

**Hon. D A Feetham:** May I, at the very least *[inaudible]*

2310 **Mr Speaker:** Will the hon. Member sit down!

**Hon. D A Feetham:** Well, Mr Speaker can shut me up, but I do not think *[inaudible]* –

**Mr Speaker:** Will the hon. Member – will the Hon. the Leader of the Opposition sit down!

2315 Look, where answers have been provided to a number of questions on the Agenda, five or six questions have been answered, and it does happen – and I notice it, because I happen to have the text, nobody else has got the text on that side, but I happen to have the text.

2320 At the last meeting, may I remind the Hon. the Leader of the Opposition that I tore out a page of my answers, and I passed it on to the Opposition, because they had missed the answer. I have the full text of the answer, and therefore I am aware whether a question that has now been asked as a supplementary has already been answered or not. I am aware of that, and therefore, because I am aware, I am saying that,

perhaps, the hon. Members, in listening, because they do not have the advantage of the text... So what I am saying is, please pay very careful attention, on these matters of vital importance, to the original answers that have been given. What is wrong with that, that I should give such guidance? (*Interjection*) What is wrong with that? What is unreasonable about that?

**Hon. D A Feetham:** Because you are suggesting, and with respect to Mr Speaker, it is not the first time – he has intervened in the past, as well, in a manner that we do not believe is fair – he is suggesting that we do not listen to the answers, or that somebody here has not listened to the answer.

I have asked a question: it is not related to the information that the Hon. Mr Speaker has actually just read to me, and it is patently obvious it is not related to what he has just read to me. And therefore, look, the Hon. the Chief Minister was quite prepared to stand up, without Mr Speaker making this a battle between the Opposition and the Chair, he was prepared to answer the question, and that would have been the end of it. But, Mr Speaker has chosen to intervene, as he has chosen to intervene last time, and indeed in previous months as well.

**Mr Speaker:** Mr Speaker will intervene whenever he deems it necessary, in order to have good order, and if the hon. Member is not satisfied, he can bring a motion of censure against me. That is the recourse that they ultimately have.

**Hon. Chief Minister:** Mr Speaker, may I rise a moment, just as Leader of the House, to say one thing. You have an invidious job, as Speaker. Not all of us will always agree with things that you may say about each of us, as is normal in the cut and thrust of debate. But, I think it is important – and I hope I speak for *all* Members, Mr Speaker – that we always accept your Rulings, and either take issues up with you calmly at the end of sessions, or in the process of sessions where we consider that the business is being interrupted, but that we always do so with the temperance that you ask us to share with each other, that we should also share with you.

And can I just ask all Members, in my capacity as Leader of the House, not as Chief Minister, just that we should reflect on that, before we take matters any further, because I think it is in the interests of our community that everybody sees full respect paid to Mr Speaker in this House when we are debating these issues.

And, Mr Speaker, if you will allow me, I would suggest that given the temperature to which the debate has risen at this moment, that we should simply recess the House now until 3.00 p.m.

**Hon. D A Feetham:** Mr Speaker, it is in his prerogative, of course, as Leader of the House, to adjourn the House. I have to say that, we, as an Opposition, have always attempted to conduct ourselves in a way that is temperate.

But at the same time, what the Opposition cannot do is accept or be pushovers in a situation where it believes that it is being unfairly treated. I have always, *always, always* when I have faced this situation, attempted to do so in a calm, measured way. But what I cannot do is refrain from calling a spade a spade, when I believe that a spade is indeed a spade. That would not be true to myself. It would not be true to my parliamentary colleagues, and I do not think that it does democracy any justice at all.

But perhaps he could just simply answer the supplementary question, and we just move away from this particular topic, because that was the last supplementary question – but it is up to him.

**Mr Speaker:** The Hon. the Leader of the Opposition is accusing me of treating the Opposition unfairly –

**Hon. D A Feetham:** No. May I say... No, I am not saying that the... and I do not want the public to go away with the impression that I am suggesting that the Hon. the Speaker is inherently treating the Opposition unfairly.

I believe that the Hon. Mr Speaker has been unfair in the comments that he has made today, as indeed he was unfair last time round in the comments that he made about the Public Service Commission.

Now, taking that position, I think that it is incumbent upon me to say we are... that the comment is not unfair. That is not being discourteous, to the Chair, or to anybody else. Indeed, it is just simply calling a spade a spade.

But I am not suggesting, for the record, Mr Speaker, that I believe that Mr Speaker has some kind of, either... you know, a campaign against the Opposition; I am not. But the comments that Mr Speaker has made today, as indeed last time round, are not, in my view, fair to the Opposition.

**Hon. Chief Minister:** Mr Speaker, this is the point I was trying to make to the hon. Gentleman before. I know that you want to reply to him, but he needs to understand that we sometimes all feel hard done by Mr

Speaker's Rulings. It is normal. Anybody who is playing football on a pitch will always feel that sometimes the referee is calling him foul, when actually one feels that one is not being called foul.

2385 During the course of this morning, Mr Speaker has allowed the Hon. the Leader of the Opposition to make some remarks before a question, but has then stopped the Minister before he was able to reply to that. Look, this is the run of play, and what I want the community to know, Mr Speaker, is that we have full confidence in the way that you are discharging your functions, and in the manner in which you are doing so, which we believe to be fair to all Members of this Parliament, because I believe Mr Speaker looks at us

2390 each as a Member of this Parliament, and not in which particular grouping we sit. I do not know whether the Rules allow it, but I think that, given the issues that have been raised, I think it is appropriate for me to move that the House vote confidence in the Speaker, and I assure you of our full support in that respect.

2395 **Mr Speaker:** By the nature of things, the job of the Speaker involves having to deal with matters that are raised... More time has to be given to matters that are raised by the Opposition than by the Government.

Questions are not asked by the Government; they are asked by the Opposition, and therefore the Speaker has the job of considering these very detailed Rules governing the right to ask questions, and it is with them that either the Speaker, directly or through the Clerk, has to deal.

2400 I consider that I am liberal in the way that I interpret the Rules governing the right to ask questions. Because, for instance, there is a particular Rule that says that a question shall not refer to any debate that has occurred or answer that has been given within the preceding six months. If I, as Speaker, were to implement that Rule strictly, perhaps we would only be dealing with 20 questions today, and not with 120. Because many of them are exactly the same question that was asked at the last meeting. (**A Member:** Every month.)

2405 At the last meeting, since the Hon. the Leader of the Opposition has referred to it, the Hon. Mr Bossino asked the question about the Labour Inspectorate. I have got 12 pages of *Hansard* here on one question – it must have taken 45 minutes, an hour. That is, I think, an indication of the extent to which I try to give the Opposition every opportunity to do their job.

2410 Today on the Order Paper, exactly the same question appears, from the Hon. Mr Damon Bossino. The only difference is that 'further to Question 799'. No one is going to tell me that in the exchanges that are going to occur, further to when answers are given that there will be no repetition of what went on in the 12 pages. Nevertheless, I mean Parliament is Parliament, and the Speaker wants to see that Parliament get an opportunity, that Members get an opportunity, to do their job.

2415 I just mention that as an indication of the fact that it is very often... liberality has to be given to Members of the Opposition, because they are the ones that are asking the questions. The Government only brings Bills to the House. That is all. So, by the nature of things, the weight of interventions on the part of the Speaker is invariably, given the nature of things, going to have to be with reference to the Opposition, more than the Government. But I do try, very hard, to strike a balance, and I have no compunction about bringing to order any Member of the Government, including the Chief Minister, if I feel that I have to.

2420 (*Banging on desks*)

Perhaps this might be a convenient time to recess until three o'clock this afternoon because if we do not, and matters carry on further, I may decide to stay at home.

*The House recessed at 12.44 p.m. and resumed its sitting at 3.00 p.m.*



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 4.00 p.m.

Gibraltar, Thursday, 23rd January 2014

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# The Gibraltar Parliament

*The Parliament met at 3.00 p.m.*

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

[ACTING CLERK TO THE PARLIAMENT: P E Martinez Esq *in attendance*]

## GOVERNMENT MOTIONS

### Suspension of Standing Orders to proceed with Government motion – Debate commenced

**Acting Clerk:** Suspension of Standing Orders – the Hon. the Chief Minister.

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

**Mr Speaker:** I would like to draw the attention of hon. Members to Standing Order 59, Suspension of Standing Orders:

‘Any Standing Order may, with the consent of the Speaker, be suspended on motion of which at least one day’s notice, in writing, exclusive of Saturday’s, Sundays and public holidays, has been given to the Clerk. Provided that, if he is satisfied that the matter is one of urgent necessity, the Speaker may dispense with the requirement that notice shall be given. If the motion be carried the Standing Order or Orders shall be suspended so far as is necessary to carry out the object for which the motion was made. No debate shall be allowed on such motion being made.’

10 I do not wish myself to dispense with the requirement that notice shall be given, and therefore I leave it to hon. Members to decide whether we should dispense with the necessary notice in order to proceed with the Chief Minister’s motion.

15 **Hon. Chief Minister:** Mr Speaker, the indication that you have given is, I believe, that you do not wish to be the arbiter of whether it should be that notice should not be given, because the motion, as Members will know, concerns you. So in that context, I am grateful that you are going to put it to a vote of Members.

**Mr Speaker:** That is the case. I naturally do not wish to myself exercise the discretion which the Standing Order gives me, and therefore it is a matter for Parliament to decide.

20 **Hon. D A Feetham:** Mr Speaker, with respect to the Hon. the Leader of the House, where is the motion? Can we read the motion? We have not got a motion in front of us here.

25 **Hon. Chief Minister:** Mr Speaker, I am sorry, I thought all hon. Members had been circulated with it. In that case – (*Interjection*) Ah, it is being photocopied, I see.

**Hon. Chief Minister:** Mr Speaker, can I invite you to put the motion to the vote, now that I understand hon. Members opposite have it? The introduction of the motion, to the vote – not the motion; the Suspension of Standing Orders?

30 **Hon. D A Feetham:** Mr Speaker, we have discussed it here across a few Chairs, I have to say, because we have not had notice of this. It is the first time now, when the Hon. the Leader of the House has stood up. But I do not think that procedurally this is actually appropriate. What Standing Order 59 says in its second sentence is:

‘Provided that, if he is satisfied that the matter is one of urgent necessity, the Speaker may dispense with the requirement that notice shall be given.’

35 Now, I do not know what the urgency is, in actually considering a motion like this on the hoof, other than... I can understand politically why the Chief Minister wants to do it. But procedurally and as a matter of substance, I do not understand what the urgency is, in order to consider a motion of this nature at this stage, when we have got a number of questions, we have still got the Chief Minister's Question Time and we could all get on with the business of the House.

40 We are certainly not in agreement that there ought to be, effectively, abridgement of notice period for these particular reasons.

**Hon. Chief Minister:** Mr Speaker, I will explain to the hon. Gentleman why this is of urgent necessity and I will explain to him procedurally what is happening. What is happening is that he has called into question your fairness this morning during the course of the last question. Therefore, before we proceed with the rest of the questions, Mr Speaker, I want the Parliament to have an opportunity to express its confidence in you.

45 You have said, Mr Speaker, that because the subject matter is confidence in you, you do not want to be the one making the decision. Therefore, you have offered the Parliament the opportunity of indicating whether *it* believes that there is an urgent necessity to progress this matter now. That is why you are offering us the opportunity to express our view to you, so you then exercise your discretion in that way.

50 All I am offering the hon. Members is the opportunity to deal with this now, before we continue with questions. I would have thought that this could be dealt with very quickly and very shortly, with all Members of the Parliament then expressing confidence in you before we continue with Question Time.

55 If the hon. Member does not understand the substantive importance of that, the necessity of that for our community, then he was not listening to himself this morning, when he created the spectacle that he created.

**Hon. D A Feetham:** I am afraid that all I understand is the hon. Gentleman's desire to take political capital and mischaracterising effectively what I said this morning. I did not say that the Hon. the Speaker was unfair towards the Opposition *in a systemic way*. The day that we have to bring a motion of censure against this Speaker or any other Speaker because we felt that the Speaker was being systemically unfair to the Opposition, we will do so and we will not shy away from doing so.

60 What I said was that in relation to Mr Speaker's intervention this morning, as indeed in relation to an intervention last month as I pointed out, he was being unfair. Indeed, I believe that he was belittling the Opposition in relation to that particular intervention.

65 Now, that does not require a vote of confidence, and the only reason why the Hon. the Chief Minister is bringing this particular motion is in order to take political advantage and political capital, and it really ill befits a Chief Minister and the Leader of the House to take advantage of the situation for his own narrow political ends and doing away with all public interest and, in my view, all decorum and proper parliamentary conduct.

70 I have to say, we are certainly not going to be press-ganged by the Chief Minister and the Leader of the House, into considering this motion as a matter of urgency, because there is nothing urgent about the motion.

75 **Mr Speaker:** May I suggest to hon. Members that the House should recess for 10 or 15 minutes and give an opportunity to the Chief Minister and the Leader of the Opposition to thrash the matter out.

**Hon. Chief Minister:** Mr Speaker, of course we will accept that invitation, but I must tell you that the intention of the Government is to proceed with this motion.

80 **Mr Speaker:** The House will now recess for 10 or 15 minutes.

*The House recessed at 3.15 p.m. and resumed its sitting at 3.34 p.m.*

85 **Suspension of Standing Orders to proceed with Government motion –  
Adjournment of House –  
Debate continued and adjourned**

**Mr Speaker:** I understand that the Chief Minister and the Leader of the Opposition have not been able to come to an agreement to resolve this particular issue. Since the matter concerns me personally, I am not prepared to exercise the discretionary powers which are given to me under the Standing Rules, in order to make it possible for this particular motion to be debated this afternoon.

90

Therefore, in the absence of my dispensing with the requirement, what Standing Order 59 effectively requires is that a day's notice shall be given and therefore, if it is the decision of the Government, the matter can be taken tomorrow if they so wish.

95 **Chief Minister (Hon. F R Picardo):** Mr Speaker, in those circumstances, the Government is not content to continue today with Question Time, until this issue has been resolved and the Parliament has had the opportunity of expressing its confidence in you and your ability to discharge your functions as Speaker, without fear of favour of either side.

100 In the circumstances, I therefore move that the House do now adjourn until tomorrow at 9.30 a.m. when the first thing that we will be able to do will be to consider this motion.

**Mr Speaker:** I now propose the question in the terms of the motion moved by the Chief Minister, namely that the House do now adjourn to 9.30 tomorrow morning.

105 **Hon. D A Feetham:** Mr Speaker, I rise to speak on the motion to adjourn as I think that I am entitled. The Rules provide for a one-day notice. Tomorrow morning at 9.30 does not constitute a one-day notice.

110 Now, Mr Speaker, can I say that an adjournment as far as the Opposition is concerned is preferable to the Government riding roughshod over the procedures and the dignity of this House, by effectively masquerading a motion on a vote of confidence in the Speaker, in order to make political capital out of the events of this morning.

I will also say this: that although Mr Speaker says that because it concerns him, he is not prepared to consider exercising his discretion, the reality of the situation is that Mr Speaker can only exercise his discretion to suspend Standing Orders if the matter is one of urgency. The matter is not one of urgency –

115 **Hon. Chief Minister:** It certainly is.

**Hon. D A Feetham:** And again, the matter is not one of urgency –

120 **Hon. Chief Minister:** It certainly is.

**Hon. D A Feetham:** And, in my respectful submission and view, no objective Speaker, objectively exercising his discretion, would come to the conclusion that the matter is urgent so that we have to take it now.

125 What is happening here is that the Government effectively is willing to just simply do away with the political session which is Chief Minister's Question Time, move that until tomorrow, so that he just simply gets his chance to present what is an empty, futile motion of confidence.

130 **Hon. Chief Minister:** Well, Mr Speaker, I rise to reply to that intervention as mover of the motion to adjourn the House.

The hon. Gentleman has said repeatedly, earlier and now, that he believes that this is not an urgent matter.

135 You see, it is interesting, Mr Speaker, you have rightly decided, perhaps in your own view, not to become involved in determinations of whether the Rules allow suspension or not, because this involves you. But of course, what the hon. Gentleman tries to make us all forget is that it was *he* that was also the participant of the events of this morning. It is therefore *he* who is suggesting now that it is not urgent, as if nothing had happened this morning, out of his own self-serving desire to avoid standing up to this community for what he did this morning, and the effect and import of what he did this morning by impugning your fairness as he did.

140 The Government's position, Mr Speaker, is that this *is* an urgent matter and that it is a necessary matter before we are able to continue dealing with issues relating to questions.

145 But I was very interested to hear the hon. Gentleman say that he called this Chief Minister's Question Time the political session of the Parliament. Interested, Mr Speaker, because it is something that I introduced when I have become Chief Minister. It appears to be something that he thinks is a valuable thing that should have been done before. So I will take at least that from the hon. Gentleman's speech, that he recognises that in having introduced sessions at a regularity, on a monthly basis on the third Thursday – although this first month, it is on the fourth – at 3.00 p.m., we are in fact, introducing something which is 'the political moment' in our Parliament.

150 But the fact is that this morning during the course of Question Time, fairness was impugned and therefore the Government considers it is appropriate not to progress matters until that issue has been dealt with.

I would have thought, Mr Speaker, that all that was going to happen here this afternoon, instead of the hon. Gentleman trying to hide his shameful behaviour of this morning behind allegations that the Government is somehow trying to create political capital out of something, all that would have happened – which is what I expected when I said this morning that I would be moving this motion – is that we would simply have been able, all of us, to rally round a simple motion of no confidence, which is literally one sentence, support you and agree that we sometimes all might feel hard done by your decisions.

Well, Mr Speaker, it has not been possible to do that, because the hon. Gentleman has decided that he wants to do everything possible to avoid having this motion. He has described this, Mr Speaker, as a motion that he will not be bounced into. I think it is important that people realise what it is that we are talking about. One would not want to be bounced into a 20-line motion dealing with complicated issues of international relations.

*This* motion, Mr Speaker, is one sentence and I think it is important that the community know that the motion is simply this:

‘This House has full confidence in Mr Speaker, the Hon. Adolfo Canepa, GMH OBE MP.’

That is the motion that the hon. Gentleman will not be bounced into. That is a motion, Mr Speaker, that I would have thought all of us would be able to support, when we are able to consider it, and if that is tomorrow at 9.30, then so be it, if it is not going to be this afternoon.

But the fact is, Mr Speaker, that the events of this morning require *urgently* and necessitate that this House take this motion. That is the Government’s view, and that is how the Government will proceed. And those, Mr Speaker, who want to continue to make – or attempt to make – politics even of the most basic Rules need to address for themselves whether they understand parliamentary democracy and whether they understand the role of each of us in this place.

**Hon. P R Caruana:** Mr Speaker, had the –

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

Mr Speaker, you reminded us last time that points of order related to the Rules. I moved a motion, somebody spoke on that motion, nobody else appeared to want to speak, I rose to reply and I now move that you put the motion on the adjournment to a vote. (**Several Members:** Ah!) If the hon. Member wanted to speak earlier, he should have got up.

**Mr Speaker:** There was a comment this morning in the 1.30 news, that I conduct the affairs of this House as a school master, putting school children in their place. Sometimes one wonders whether precisely it is not a headmaster that is required here to try and knock some sense into hon. Members! Because quite honestly sometimes I despair about what I am up against, in trying to get things done in a manner which raises the esteem in which this House is held and should be held, and which people outside find that they can understand – because sometimes I think the public, notwithstanding the fact that the proceedings of the House are being televised, sometimes the public really do not understand what is going on and why things are going on.

Very often, when it suits hon. Members, there is no problem: even during the Second Reading of a Bill, they get up and they intervene more than once. But of course, if we want to go strictly by the Rules, we are also able to do that and I suppose on the basis of what is good for the goose is good for the gander. I regret personally that that should be the case.

I really am opening my heart to hon. Members. I enjoy this job enormously: I never thought I would have an opportunity to do it. I would like to do it for a while longer, for as long as God gives me good health to do it and for as long as hon. Members wish me to be here. But I think hon. Members, some hon. Members in particular, who may sometimes think that this is a court of law and not the Parliament, they ought to realise that they do not make the work of the Speaker easy at all.

It is not easy to be totally objective in applying the Rules, to appear to be fair and to try to ensure that the perception that people have outside is the correct one. That is not easy. I strive, I even pray about it, because I believe in the power of prayer, but I do not find it easy.

And I also have a strong personality, as hon. Members know, and I do make mistakes and I apologise when I make a mistake, and I hope that that is the end of the matter and that it should not be referred to again.

What I am trying to say is that hon. Members, particularly those who are going to be here for a number of years, must realise that it is not easy to sit in the Speaker’s Chair and that not everybody is going to want to do the job and the time may come when someone will say, ‘I’m throwing in the towel, I’m leaving and that is the end of the matter.’ I am not in that position myself: as I say I enjoy the work enormously, I want

to carry on, but I do have to make an appeal that if I make a mistake, I am only human and I am prepared to apologise.

I do make mistakes. Right. It is not easy for me because I have sat on both sides of the House and perhaps I am a more proactive person than other Speakers who have never been Members of the House. And if I do make a mistake in that respect, I apologise unreservedly.

But I would like to see hon. Members putting their heads together, trying to make life not too difficult for me and, in the process, *enhancing* the reputation of this Parliament and the regard in which Parliament should be held.

If I am speaking nonsense, I apologise again. (*Banging on desks*)

Now, does the Hon. the Chief Minister wish me to proceed and to formally put the motion on the adjournment? Yes.

I should remind him then that notice of the suspension of Standing Orders was given at three o'clock this afternoon and therefore, he cannot actually move the suspension of Standing Orders until three o'clock tomorrow afternoon.

**Hon. Chief Minister:** Mr Speaker, I understood the 9.30 was sufficient. If it is three o'clock, then three o'clock tomorrow –

**Mr Speaker:** A day... I do not want to be...

**Hon. Chief Minister:** It does not say 24 hours –

**Mr Speaker:** It does not say 24 hours, but if –

**Hon. Chief Minister:** I have no difficulties as proposing that the adjournment be until 3.00 p.m.

**Mr Speaker:** It does not say 24 hours, but if we wish to be pedantic, it *has* to be 24 hours. If that is challenged... If it is challenged, it has to be 24 hours. If it is not challenged, it can be the first thing in the morning, tomorrow morning at 9.30. It is up to hon. Members.

**Hon. Chief Minister:** Mr Speaker, I am quite happy, given the statement of the Leader of the Opposition, I am quite happy to move the adjournment to 3.00 p.m. instead of 9.30.

**Mr Speaker:** I therefore now put the question, which is that the House should now adjourn to tomorrow morning at 9.30. Those in favour?

**Hon. Chief Minister:** At 3.00 p.m. (*Interjections*)

**Mr Speaker:** At 3.00 p.m., sorry. I now put the question –

**Hon. P R Caruana:** Mr Speaker, I believe that that is a different motion, may I now be [*Inaudible*] (**Mr Speaker:** Yes.) (*Interjections*) Thank you.

Mr Speaker, for the avoidance of doubt and although I speak for myself, if the motion to adjourn had gone to the vote on the floor of the House today, I personally would have voted against it and it would have had nothing whatsoever to do with whether I have confidence in Mr Speaker, or whether I do not have confidence in Mr Speaker – on which question I do not hesitate to say, which I believe also to be the position of my friends on the Opposition bench, that I have complete confidence in you.

I would have voted against it, because I have not... There is one person who has been in this House longer than I have, and it would be interesting to see whether his memory is different to mine. In the years that I have been in this House, I have never known it for a Chief Minister to try and railroad the procedures of this House to the point that the Opposition discover the existence of a motion, have to ask for it to see it in print, are shown it in print, it is moved by the mover and we are expected to vote on it, all in the space of three and a half minutes! It is an issue, therefore, that I would have voted against, as a matter of principle to preserve the procedural integrity of this House.

And then, when the Chief Minister's motion had come to be heard tomorrow or whenever it comes to be heard – tomorrow at three o'clock now it appears – I will certainly intend to be voting in favour of the motion and it has nothing to do with the reasons why I... I just wanted to be clear Mr Speaker, to clearly record in *Hansard* today, that the need to delay the motion until tomorrow has got nothing to do with my willingness to express confidence in Mr Speaker today – nothing whatsoever.

I am obliged to have this opportunity. [*Inaudible*]

270 **Mr Speaker:** May I... There is one point I wish to mention. I need – well, I do not need to, but – I want tomorrow at 6.15 to attend a church service. It is a funeral mass at 6.15. I would feel very bad if I was not able to meet that commitment, because it means a lot to me. Therefore, if we are returning tomorrow at 3.00, it may not be easy. It may be difficult to conduct all the business of the House between 3.00 and say 6.00 p.m. It may be difficult.

275 **Hon. Chief Minister:** Mr Speaker, first of all, let me reassure you that there is no question of us holding you back from a commitment. We can recess or adjourn if necessary at that time, if we have not dealt with all the business of the House tomorrow, having started at 3.00 to continue to deal with it.

Let me, Mr Speaker, reply to the hon. Gentleman in his intervention.

280 Mr Speaker, he does not seem to remember anything that happened in the 16 years when he was in power. I am not surprised that he wants to blank it out, but those of us who sat opposite him for a period of that time, or part of that time, will have seen what a House railroaded really looks like. Never, Mr Speaker, has the House had to consider a motion as simple as the one that is going to be asked to consider tomorrow, and this idea that they have had three and a half minutes to consider it really does surprise me.

285 Well, perhaps it should not surprise me from him, Mr Speaker, because given that when he became a backbencher he decided that he was not going to come to all of the meetings of this House and this morning he was not here, he might not have heard me say this morning that I was going to move the motion this afternoon. I have therefore been surprised to hear that hon. Members were surprised that the motion was there – because during the course of the debate this morning, they were told and it is not as if this is a difficult motion to understand and support.

290 But I am very happy, Mr Speaker, to hear that the hon. Gentleman, if he deigns us with his presence – perhaps I should call him the hon. Knight rather than just the hon. Gentleman – if the hon. Knight is going to deign us with his presence tomorrow, I am very pleased to hear that he is going to be voting in favour of the motion, and that in fact, if those of us who are very keen to see Parliament progress with its work had been able to prevail, we might simply have been able to deal with that such positive support of you and of this motion that is important to the Government and to the community, simply being dealt with this afternoon.

But, Mr Speaker, for reasons that have now become apparent, hon. Members opposite do not want to simply support confidence in you this afternoon.

300 I shall have more to say, Mr Speaker, about the historic proceedings of this Parliament when issues like this have been raised in the past, tomorrow during the substantive debate on the motion.

**Hon. D A Feetham:** Mr Speaker –

305 **Hon. Chief Minister:** Mr Speaker, no. Mr Speaker, I am sorry. On a Point of Order.

**Hon. D A Feetham:** But this is a –

**Hon. Chief Minister:** On a Point of Order.

310 We are dealing with an issue which is going to require the Government to adjourn because the Opposition wants to stick to the letter of the Standing Orders. Well, the letter of the Standing Orders say that there has been a motion amended put, I have moved the amendment, somebody has spoken against it – or spoken on it, not necessarily against it. I have then been invited to reply and therefore I think that is the end of the debate, otherwise the Opposition are going to be allowed to make up the Rules as to when they reply or not.

320 **Mr Speaker:** We have a difficulty. The original motion for the adjournment was for 9.30. That the Chief Minister ‘amended’ to 3.00 p.m. tomorrow. In proposing the motion, I did not myself say, ‘Does any other hon. Member wish to speak on the motion before I call the mover to reply?’ I did not do that. And because I did not do that, I am allowing the Leader of the Opposition to take the floor.

325 **Hon. D A Feetham:** Mr Speaker, having heard the difficulties that Mr Speaker has, and my reading of the Rules – and at the end of the day, the Rules are the Rules; the Rules the Rules are there – my reading of the Rules, when it talks about one day’s notice, means 24 hours’ notice. That is what I believe in all fairness that the Rules indicate. Otherwise, we could end up in a situation where we could have an adjournment at 12 o’clock just simply for nine o’clock the next day. I do not think that is the intention.

However, having heard Mr Speaker’s personal difficulties, I have no difficulty with the adjournment to be... for the motion to be taken at 9.00 or 9.30 tomorrow. I say that as an olive branch to the Hon. the Leader of the House.

330 And may I also say this on Mr Speaker's words a few moments ago: everybody makes mistakes – I  
make mistakes, everybody in this Parliament makes mistakes, but the reality is that I have not at any stage  
today questioned Mr Speaker's impartiality in a systemic or general way. But one must also be honest and  
335 hold to one's views, if I felt that Mr Speaker, mistakenly or otherwise had not treated us fairly in relation to  
that particular point, and I do not believe that that either questions the integrity of Mr Speaker, nor  
necessitates a motion of confidence, which the Opposition, as I indicated this morning, would be  
supporting, but what we cannot do is allow the Hon. the Leader of the House to effectively ignore proper  
procedure of this House and railroad a motion for the reasons that I have already explained.

**Mr Speaker:** In the light of what the Leader of the Opposition has said, does the Chief Minister wish to  
340 ask one of his colleagues to move an amendment to the motion for the adjournment so that the House  
adjourns to tomorrow morning at 9.30? Does he wish to do that?

**Hon. Chief Minister:** No, Mr Speaker. Given the way that the debate has developed this afternoon, I  
think it is better all round that we simply stick to the Rules, or at least to the stickler's interpretation of the  
345 Rules.

I do not believe that a day has to be, in the context of these Rules, 24 hours. But if Members opposite  
say that that is how they would interpret the Rules, then I am going to allow them to have those 24 hours to  
ruminate over how they deal with the motion.

350 But nonetheless, Mr Speaker, you must rest assured that I will certainly move an adjournment or a  
recess at six o'clock to allow Mr Speaker good time to attend his other commitments.

#### ADJOURNMENT

355 **Mr Speaker:** I commend to the Select Committee that they have a very close look at the Standing  
Orders of the House and decide what amendments they want for the future!

Having said that, I now put the motion, which is that this House do now adjourn to tomorrow at 3.00  
p.m. Those in favour? (**Members:** Aye.) Those against? Carried.

360 The House will now adjourn to tomorrow at 3.00 p.m.

*The House adjourned at 4.00 p.m.*



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.00 p.m. – 7.45 p.m.**

**Gibraltar, Friday, 24th January 2014**

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## The Gibraltar Parliament

*The Parliament met at 3.00 p.m.*

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

[ACTING CLERK TO THE PARLIAMENT: Paul E Martinez Esq *in attendance*]

### GOVERNMENT MOTIONS

#### Standing Orders suspended to proceed with Government motion – Motion carried

**Acting Clerk:** Meeting of Parliament, Friday 24th January, 2014.  
Government Motions – the Hon. the Chief Minister.

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

10 **Mr Speaker:** I now put the question in the terms of the motion proposed by the Hon. the Chief... no, I think the Chief Minister has to formally... If he looks at the crib, he will see that he should read out the motion.

**Hon. Chief Minister:** The crib that I have has the vote before the motion, Mr Speaker.

**Acting Clerk:** No, you should have had this one.

15 **Hon. Chief Minister:** I have not had it. I am quite happy to do it that way.  
Thank you, Mr Speaker. So I should read this motion, Mr Speaker, which is:

*‘That this House approve, pursuant to Standing Order 59, the suspension of Standing Order 19 but only to the extent that at least five days, exclusive of Saturdays, Sundays and public holidays, notice is required of the motion notified by the Hon. the Chief Minister on 23rd January 2014, and circulated by the Clerk on 23rd January, 2014.’*

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

#### Vote of confidence in Mr Speaker – Motion carried unanimously

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

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

*‘This House has full confidence in Mr Speaker, the Hon. Adolfo Canepa GMH OBE MP.’*

Mr Speaker, it is a little bit like groundhog day to have to start again the session of Parliament at 3.00 p.m. with moving those motions, for the reasons that everyone is aware of.

30 I think, Mr Speaker, with all due respect to you, it is fair to say that nobody who has held the position of Speaker in the history of this Parliament has had the experience that you have had before you have taken the Chair. Nobody has ever been better qualified for the post of Speaker than you have been when you have arrived in it.

You have presided over a period of change in this Parliament, when the Government has been changing the mechanisms in which Parliament meets and the timing through which Government meets, there are many more meetings for Questions. Therefore you have wanted to change the way that Members of the Parliament behave during the course of Question Time and you have constantly been encouraging people on either side, Members on either side to raise issues in debate on motions, rather than trying to extend Question Time into debate.

Yesterday, Mr Speaker, your fairness was called into question by the Leader of the Opposition because you had called his attention to something that had been said during the course of a first answer, and during the course of his intervention the Leader of the Opposition said that he felt that you had been unfair to him yesterday, that you had been unfair to him last month and that you had been unfair before then.

Well, Mr Speaker, I do not know whether fairness and unfairness is exactly the best way to raise these issues, but of course in the cut and thrust of debate, those of us who are putting a point might always feel that we are right and we want to put our point across. I consider that putting one's point across vehemently during the course of a debate or even during the course of wanting to put a question or answer a question at Question Time is part of the cut and thrust and the proper cut and thrust of debate, as I am sure all of us in this Chamber believe and I am sure you believed, Mr Speaker, when you were also a Member on one of the sides of this House.

Therefore, Mr Speaker, a little bit like football players playing each for their team, when one is called up on one of those occasions when the referee might think that one is committing a foul, players usually feel that that is unfair, that they are not committing a foul, that the foul was the other fellow. But, Mr Speaker, much as in that hypothetical football match the referee's decision is final, well, of course, the Speaker's decision is final in a Parliament. Those are the rules at Westminster and of course they are also the rules here.

Standing Order 51 giving you responsibility for order is much in the identical terms to the rule at Westminster, which says:

'The Speaker in Parliament'

– and I am reading ours –

'and the Chairman in any Committee shall be responsible for the observance of the rules of order in the Parliament and Committee respectively and their decision upon any Point of Order shall not be open to appeal and shall not be reviewed by the Parliament except upon a substantive motion made after notice.'

Mr Speaker, in the context of your rulings, despite the fact that there is no appeal, you of course allow Members to put their point of view. But, Mr Speaker, to see a repeated questioning of your fairness, I think is not something which is edifying and I do not think that it is good for the workings of this Parliament.

That is why yesterday, Mr Speaker, I said during the course of the morning that I felt it was appropriate that whatever parties on either side might think about a particular decision that we should all, *all of us*, say, 'Well, we have full confidence in the Speaker', even though some of us might have wanted to express a lack of fairness evident in some ruling or another, and that is the purpose of the Government bringing this motion. It is important, Mr Speaker, I think for our community to understand that every Member of this Parliament has full confidence in the Speaker, even though there may have been instances when we might have felt hard done by, by one of your decisions.

Mr Speaker, I think as democrats – those who want to play by the rules of the Westminster parliamentary system that we have adopted in this community of ours – our democratic credentials are actually most tested when you are ruling against us and that is when we have to demonstrate that we accept your rulings, whether we agree with them or not and that we have confidence in you as Speaker, whether it is that you are pulling us up on a particular issue or you are not pulling us up on a particular issue or you are pulling up a colleague on a particular issue and if we are seeking to remonstrate with you. We are never suggesting that you are being partisan in any way.

Mr Speaker, it is for all of us in this Parliament, whatever post we hold within it, whether one leads the House, whether one leads the Government, whether one leads the Opposition, it is for all of us to understand that in the Parliament, yours is the final word. I am reminded of a parliamentary sketch by Ann Treneman that I read in *The Times* about a month ago, where she was referring to the relationship between the present Prime Minister of the United Kingdom and the present Speaker of the Westminster Parliament who, according to that particular columnist, apparently do not get on and do not see eye to eye, despite the fact that they are of the same political party. Miss Treneman put it this way, she said,

'The most powerful man in the Commons looked at the most powerful man in Britain and they did not like what each of them saw.'

Mr Speaker, I put it to you that this community should understand that in exactly the same way as Mr Speaker was referred to, in respect of the Westminster Parliament, as the most powerful man in Westminster when compared to the Prime Minister, the most powerful man in the United Kingdom, people in this community need to understand that the Speaker of *this* Parliament is the most powerful person in this Parliament because the Parliament has asked him to take responsibility for its Rules and that he should be their enforcer, that he should be their arbiter, he should be their referee.

Mr Speaker, I do not think there is more to say, other than to ask all Members of the Parliament to confirm their full confidence in your discharging of your functions as Speaker.

**Mr Speaker:** I now propose the question in the terms of the motion moved by the Hon. the Chief Minister. Does any Member wish to contribute?

**Hon. D A Feetham:** Mr Speaker, the Opposition will be supporting the motion, but I have to say that on this side of the House, certainly we take the view that this is the most shameful device and political opportunist device that actually does the contrary of what the motion seeks to do, because what it does is actually create the impression with the public at large that somebody in this House has sought to question the confidence or integrity of the Speaker or the House's confidence in him, which no one at any stage did yesterday (**A Member:** Hear, hear.)

Indeed, to continue the Hon. the Leader of the House's analogy about football matches, the best referees are the ones that go through games not being noticed. What this motion does is actually place the referee at the centre of the game, because all that people are going to be talking about is the referee and not in fact what we ought to be doing, which is getting on with the business of the politics of this community and the running of this community and the holding of the Government to account for the running of the affairs of this community in this Parliament.

Mr Speaker, no one at any stage yesterday sought to question your integrity or sought to question the confidence of the House in Mr Speaker. No one criticised Mr Speaker on the grounds of, as the hon. Gentleman has put it today, partisanship. I have never accused, nor anybody on this side of the House, that the Speaker was partisan; but, of course, I am entitled as Leader of the Opposition, when I feel that the Opposition has not been treated fairly in any particular instance, to say so. I believe it is also my duty to say so and I need to explain to the public so that the public understands what happened yesterday.

The Hon. Minister for Financial Services, Minister Isola had provided information to an original question, saying that the bank would be housed in a Government-owned building. I was not asking in my supplementary about whether the bank would be housed in a Government-owned building. I asked where it is going to be housed – in other words, the location of that Government-owned building – and it is obvious to anybody who heard the debate yesterday that Mr Speaker had misunderstood the nature of the question that I had asked.

Now, in those circumstances I believe that I am perfectly entitled to stand up on behalf of my colleagues and myself and say, 'No, Mr Speaker has got it wrong. That is not the supplementary that I am asking. It has not been answered previously and it is clear to anybody in this House that it was not.' In those circumstances I am entitled and I would be lacking in my duty as Leader of the Opposition if I did not point out that Mr Speaker had got it wrong. I believe that I am entitled to be heard on that.

Mr Speaker, I refer to my speech that I gave on the occasion of the setting up of the Committee on Parliamentary Reform, and I said this in June of last year, and I quote:

'We cannot always collectively get it right'

– I include us and the Chair in that –

'...but there has to be some flexibility in order to allow us to do our job I hope that when a point is taken about the appropriateness of a supplementary, for whatever reasons that we are allowed the floor to explain why we believe it was an appropriate supplementary or why we should be allowed to continue with a particular line of questioning. When we are told "You do not have the floor", we will abide by it but we are entitled to be heard as to where we are going with a particular line of questioning that we think is actually being quite effective.'

That is what I said last time and I stand by every single word, and if it happens again... if in the future Mr Speaker intervenes in circumstances where he has obviously got it wrong, in my view, I think that I have the right to say so. If Mr Speaker rules on a Point of Order, that is the end of the matter and I accept that; but if Mr Speaker is intervening and he has got it wrong, I believe that I have got a right to be heard. That is all I ask for, a right to be heard. A right to express the view as to why Mr Speaker has got it wrong.

And I believe that if the Leader of the Opposition of this community does not get the right to express why Mr Speaker has got it wrong in any particular instance, well, look, I think it does a disservice to democracy. This is the heart of our democracy. I ought to be allowed. There is nothing sinister, nothing

wrong in the Leader of the Opposition expressing that view without being told, ‘Sit down, sit down’, or not being allowed to express his views.

Mr Speaker, of course one also has to take into account... one focuses on supplementary questions, but of course supplementary questions also arise from the nature of the answers provided by the Government. If the Opposition get evasive answers to questions, the Opposition are perfectly entitled to press the Government to have clear answers to clear questions.

May I remind Members of this House that when I asked in July of last year whether the Government had provided indirect financial assistance to the owners of the Sunborn, the answer was no when the Government had indeed, through a Government-owned company run by directors, provided assistance to the owners of the Sunborn. The answer was no. On many occasions on this side of the House we are faced with evasive, shifty answers, in my view, and we ought to have – (*Interjection*) That ought to be factored into the equation in terms of any leeway that the Opposition is afforded.

Mr Speaker yesterday made – and I have to congratulate him – a moving intervention and I feel for Mr Speaker. I know he has a difficult job and he said that he often prays – and perhaps I am paraphrasing him – for the strength to do his job. Look, I do not like to talk about these things, because they are private matters, but I pray every single day. But I pray for the strength... not for any kind of victory. I pray for the strength to be able to do my job fearlessly and to the best of my ability and this is not an easy job to do as Leader of the Opposition.

Tony Blair once said that the worst day in Government is always better than the best day in Opposition. The hon. the backbencher, when I took over from him, gave me some very sound advice. He said something that will always stay in my mind, that being Leader of the Opposition is like running a marathon race where you run in all kinds of weather and it is a question of just simply continuing until there is better weather at the end of the race.

Look, I have a difficult job, but I have a duty to my parliamentary colleagues. I have a duty to 40%, according to the last by-election, of the electorate, who are supporters of my party in Opposition, to stand up, and if I feel that the Opposition has in a particular instance not been treated fairly, to say so. That does not question the systemic integrity or the confidence of this House or my party in the Speaker or anybody else. But all I ask – and I think that I am entitled to – is to be able to explain why I believe a particular intervention was not right and why I believe that a particular line of questioning is apposite and we ought to be allowed to continue with it. (*Banging on desks*)

**Mr Speaker:** Does any other hon. Member wish to speak on the motion?

**Hon. Sir P R Caruana:** Yes, Mr Speaker, I would like to speak on the motion.

Mr Speaker, I have full confidence in you. I have the same confidence in you today as I had when I first invited you to be Speaker many years ago, which you had to decline for personal reasons, and the same confidence that I had when I supported, as Leader of the Opposition, your appointment as Speaker by the present House. That confidence does not depend... it does not fluctuate and does not increase or wane depending on whether you give rulings that are fair to the Opposition or unfair to the Opposition, or fair to the Government or unfair to the Government. Confidence – and this is really why I have been motivated to rise as I had not intended to – is something quite different, in my opinion, from the obligation of people in this House to accept the ruling of the Speaker. One has nothing to do with the other.

We are obliged to accept the Speaker’s ruling as a matter of the Standing Orders of this House, whether or not we have confidence in the Speaker. To suggest that we should have confidence in the Speaker because we are obliged to effect his rulings is a *non sequitur*. It is not therefore like the referee in a football match because of course the referee’s decision in a football match is final.

How many times have we met on a Monday morning when I was at Number 6 and you came in when Arsenal had lost as a result of a refereeing decision (**A Member:** Manchester United!) or Manchester United? (*Laughter*) Of course, the referee’s decision had to be accepted, it did not stop you from being highly critical of the referee. There is all the difference in the... and indeed you may have lacked confidence in that referee. So the next time he referees an Arsenal match, you are not certain whether Arsenal is going to get... what is going to happen?

Confidence is different to subscription to the obligation to accept rulings tested this way. If I did not have confidence in you, would I be any less obliged to accept your ruling as final? Answer, no. Your ruling is final, because it is final regardless of confidence, and I think actually, reflecting on the Chief Minister’s opening presentation, it is not appropriate. It is not right to focus this question of confidence in the Speaker and the importance that it should exist on any analogy to do with finality or obligation to accept the finality of rulings. I do not know, because in this House we have always been different to Westminster in terms of these things... I mean, I do not know whether in the House of Commons Members are entitled to banter or do banter... not ‘banter’, it is the wrong word... exchange, have exchanges with the Speaker in making a

point or whether the Speaker simply speaks and then nobody else is allowed to engage. You know, with Question Time is the only bit of Parliament that I see, it does not happen of course.

But, of course, the Speaker, whatever might be the Rule about whether Members can forcefully put their views to the Speaker, and I do not know what the answer to that is, but even if it were the case that Members are allowed to do that, certainly when the Speaker says, 'Enough. I rule A, B, C', at that point that is it. I understand the parliamentary practice is that if Members then persist, the Speaker stands up in some form of notional final warning... sort of a yellow card in football analogy and thereafter the red card is that you are named, but that is to do with the finality of the ruling, it is not to do with the question of confidence.

The last point that I will make whilst I am on my feet is this, and I heard the incident in the morning on the radio... it is true that I was not in the House. I really do wish the Chief Minister would resist the temptation every time he gets annoyed with me to tell everybody in Gibraltar whether I was in Parliament or not at the time. It seems...

**Hon. Chief Minister:** It is entirely up to me.

**Hon. Sir P R Caruana:** Of course it is entirely up to you, that is why I said, if it were not up to you it would not be a matter of wish on my part. But nevertheless, but nevertheless it has to be said that I consider this motion to be entirely unnecessary. Or is it that the Opposition, and are we now...

Does the confidence, does the Speaker's ability to do his job and to have the respect that he deserves, and which I think he enjoys, now depend and is for all time going to depend on there being an immediate motion of confidence whenever somebody strays across a line in this House which impugns the possibility that the confidence in the Speaker may have been put into question? Well, look, Mr Speaker, the respect and the stature and the standing of the Speaker has to be more robust and more resilient than that or it is nothing. I think that this motion does much more damage to the standing and stature of the Speaker than any good that might come from it. My personal instinct therefore would have been for that reason – having said that I have every confidence in you, Mr Speaker – would have been to abstain on this motion, not thereby showing any degree of ambivalence as to the degree of confidence that I have in you, but simply to signal that I do not think that your standing and status in this Parliament depends on whether this House passes this motion or does not.

But I will vote in favour of the motion, because that is what this parliamentary group has decided that it wishes to do and I do not wish to do anything different. But I want to have it recorded that my personal instinct, and for the reasons that I have explained, would have been to abstain and not to vote in favour. *(Banging on desks)*

**Mr Speaker:** Before I ask the mover to reply, does any other Member wish to speak on the motion? The Hon. Joseph Bossano.

**Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** I feel I have no choice, Mr Speaker, but to contribute to this debate, having heard how onerous it is to be the Leader of the Opposition. I suppose I have broken all world records in running marathons in all weathers, having done it for 32 years. *(Laughter and banging on desks.)* I think the hon. Member opposite, if he ever gets into Government, is going to have a very tough time indeed if he thinks that being over there is tough *(Laughter)*

The latest contribution from the hon. backbencher has focused on the semantics of what the issue before us is, and he argues that whether you have confidence or you do not have confidence, you have to accept the rulings of the Speaker, and that is true for as long as the Standing Orders say that that is what happens. So therefore accepting the ruling is no evidence of confidence in the Speaker any more than rejecting the rulings is evidence of lack of confidence. *(Interjection)*

But of course there is something that has changed in the way the discontent with the ruling was expressed yesterday and that has been expressed today by the Leader of the Opposition, something which I think is implicit and has been acknowledged by the contributor who described it as when someone strays across the line. So we can take it that he agrees that the Leader of the Opposition strayed across the line, because if he did not *(Laughter)* then there is no relevance between whether one is straying across the line or the motion is justified by straying across the line. So having strayed across the line, to what degree did he stray across the line? Well, when he was challenging the ruling of Mr Speaker, which was not really a ruling. It was just advice saying to the hon. Member, 'If you paid more attention to the original answer you would realise that the question that you are asking has already been answered'. Now, it may well be that in making that judgement, Mr Speaker, in fact, was mistaken, as the hon. Member is saying today; but the hon. Member did not stand up yesterday and say, 'Excuse me, sir, but you have got it wrong because you have made a mistake'. What he said was that he was being unfairly treated, and when Mr Speaker said,

‘Well, look, if you think I am not doing my job properly, which is to be fair to both sides of the House, move a motion of no confidence’, and then the Hon. Leader of the Opposition says, ‘Well, I will not move a vote of no confidence in you, Mr Speaker, because it is not systemic. Your bias against me is not systemic.’ That is to say you have done it today and you did it a few meetings back.

So what is the difference, because he then went on to say, ‘If it was systemic, I would move a motion of no confidence in you’? So it is... well, Mr Speaker, the hon. Member was not in here yesterday, he can shake his head, but he can actually either go back and watch it or read it. He said it was not systemic, but if it were, I would have no problem in bringing a motion of no confidence. So therefore what the hon. Member was saying yesterday was that in fact you were not being fair, that is you were not showing the neutrality that you should be showing, but that you did not do this consistently. It was not systemic. It was sporadic, and as long it was sporadic, as long as you treated him well on some occasions and badly on others, he would not bring a motion of no confidence; but if it happened consistently, he would have done it.

Well, let me tell him something about what happened to me when I was in the Opposition, because if it had happened to him, he would have had to bring a vote of no confidence in every meeting of the House. *(Laughter)* The previous Speaker that was here ruled that the Opposition could only put two supplementaries – period. They were not allowed to put any more. As a concession, as Leader of the Opposition, I was allowed three *(Laughter)* and that none of the supplementaries could refer to anything in the answer – it was limited to something in the question that had not been answered. That ruling was systemic. That is, it was not sporadic. It was permanent. *(Interjection)*

Well, by the definition of the hon. Member of systemic bias, of constrain on his ability to express his mind and to question whether things are being done properly, he would have needed to bring a motion of no confidence in the Speaker in every single meeting of the House. If what he is facing now is a marathon, I would say he would have fallen by the wayside in the first hundred yards of the marathon in that context.

I think that perhaps in the heat of the moment he expressed himself in a way which he should not have done and I think that now that he has had the opportunity of reflecting on what he said, he has tried to retract from the position that he adopted yesterday. But there is no doubt in my mind that what he was saying to the Parliament was that the only reason why he was not questioning the neutrality of Mr Speaker, and consequently expressing lack of confidence in him, was because the treatment that was being accorded to the Opposition in the freedom that they have to put questions and supplementaries was not something that happened on every single occasion, that it only happened once or twice, and that to him it had happened on this occasion and on a previous occasion.

Indeed, the clearest evidence that that was the essence of the issue and not a question of understanding – *(Interjection)* – No, Mr Speaker, I will not give way – that that was the understanding of what was going on, was the fact that you yourself pointed out that how could somebody in the Opposition argue that you were not being sufficiently lenient or sufficiently liberal in allowing questions when one single question as to how many Health and Safety inspectors or how many Labour Inspectors there are, took 15 minutes... 15 pages and 45 minutes in order to try and satisfy the curiosity of the Hon. Mr Bossino, whose *[inaudible]* was as good as me.

Therefore it was clearly about the opportunity, the opportunity that is given to the Opposition to ask questions and the reality of it is that on many, many occasions they ask the questions, notwithstanding the fact that in our judgement the answer they have got is the only answer they are going to get, because as any of the Members on the opposite side will remember – if they still remember how they behaved when they were in Government – people in Government have the right to answer questions in the way they choose to answer it, and that is it. In the Opposition you can say you do not like the answer, but what you cannot do is insist that the answer that you get in Opposition is the one you would like to get in order to get the greatest political advantage out of it.

Therefore if there was any question that in future in the judgement of the Leader of the Opposition, your behaviour moved from being sporadic to being systemic, then I would hope that the result of this vote of confidence will not lead to the forceful statement made that he would not shy away from bringing a motion of no confidence against you Mr Speaker.

On this basis, I am happy to support the motion.

**Hon. D A Feetham:** Mr Speaker, may I ask for the indulgence of the Speaker to respond very briefly to some of the points that the hon. Gentleman has made?

**Mr Speaker:** It is not allowed for in the Rules, but I will allow you.

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

Mr Speaker, I think it is important and I am very grateful to Mr Speaker. I think that it is important that hon. Gentlemen understand the distinction that I am drawing, which I think has been mischaracterised by the hon. the father of the House.

Yesterday, what I was questioning was whether it was fair. Indeed, I was saying it was *unfair* for the Speaker to characterise my intervention in the way that he characterised it. It is not talking about bias or anything else, and I am entitled to say, Mr Speaker, I do not believe that you are being fair on this occasion. Now, the point that I made yesterday, and I think it was in response to some of the points that were being made from across the floor, or Mr Speaker, was that if I felt that Mr Speaker was being unfair systemically over a long period of time or that he was showing any kind of bias, then I would say so, but that was not the case.

But what I was saying was you are being unfair on this particular occasion, because the question has not been asked previously and has not been answered. I think it is unfair for Mr Speaker to characterise my intervention as not having been careful enough and not having listened to the answers carefully on such an important matter, because I believe, genuinely, that anybody listening to that would think, well, the Opposition is not doing their job properly. The Opposition is asking questions when the answer has been received and the Opposition does not know what it is talking about, and that is unfair. It was unfair because the Opposition... because I had not asked the question before the information had not been provided, and in that kind of situation I am perfectly entitled to say so, that Mr Speaker had not made a ruling. If Mr Speaker had made a ruling on a Point of Order and said, 'This is my ruling', I am bound by it. I sit down and that is the end of the matter, but he did not make a ruling. What he was doing was giving me advice on the basis that was, in my view, on the wrong premise, because I had not received that information and that is the point.

I have said, and the point that I made during the course of my speech is that I have made that point before. It is not questioning the integrity of the Speaker. Nobody has done so. It is not accusing the Speaker of bias. Nobody has done so and it is not a good enough reason to effectively place Mr Speaker at the centre now of this particular process and effectively be making him the item of news and not what we ought to be doing, which is getting on with the business of this House.

**Hon. Chief Minister:** Well, Mr Speaker, it is incredible that yesterday we could have dealt with this matter in a moment, but because we wanted to be sticklers following the Rules, we have had to adjourn Parliament for a day to be able to continue. Yet today, the Hon. the Leader of the Opposition says there is absolutely no need for this and that this is just putting you at the centre of the political debate when it is unnecessary.

Well, look, the first thing that the Hon. the Leader of the Opposition says when he gets up is that this is a shameful device and a politically opportunistic device being taken by the Government. Mr Speaker, that is – and everybody in Gibraltar who was watching will have seen – a politician wriggling on the end of a hook that he made for himself yesterday with his absolutely shameful behaviour before lunch.

We have heard a lot, Mr Speaker, from both Members opposite who have spoken about how nobody was impugning your integrity and how there is absolutely no need for this vote of confidence. We have heard a lot about how accepting the finality of the Speaker's rulings is nothing to do with confidence in the Speaker. Of course, Mr Speaker, what they are trying to do is to make the general public forget how all those things were conflated by the Leader of the Opposition yesterday.

Let us remind ourselves what exactly it is that the Leader of the Opposition said. I do not think he wants to be reminded, but *Hansard*... now there, Mr Speaker, there is a useful device, *Hansard*, because it tells us the truth of what happened yesterday.

Now let us look at the shameful things that the Leader of the Opposition said yesterday. He was not wanting to hear what you were saying to him about listening to first answers, and he said this to you, Mr Speaker, and this is a quote Mr Speaker:

'Well, I certainly do not like the way that the Hon. Mr Speaker has made interventions last time, has made an intervention now, and implied that somehow I do not know, as Leader of the Opposition, the answer that has been provided by the Hon. Minister.'

'I do not like the way that you are talking to me, Mr Speaker...' How dare any Member of a Parliament say to a Speaker, 'I do not like the way you are talking to me, Mr Speaker'? That sort of petulance, that sort of remarkable attempt to pretend that he can be the arbiter of how the final arbiter addresses us all is but a mere indication of what was to come.

After your next intervention, where you were saying:

'What is wrong with that, that I should give you such guidance? (*Interjection*) What is wrong with that? What is unreasonable about that?'



The Hon. Leader of the Opposition says:

‘Because you are suggesting, and with respect Mr Speaker, it is not the first time – he has intervened in the past, as well, in a manner that we’

– all of them –

‘we, do not believe is fair...’

And he goes on and says:

‘Mr Speaker has chosen to intervene, as he has chosen to intervene the last time, and indeed in previous months as well’

– systemically.

Now, last month, in previous months as well, there is the system that is being implied.

You then say to him later, Mr Speaker:

‘The Hon. the Leader of the Opposition is accusing me of treating the Opposition unfairly –’

Well, this is remarkable, Mr Speaker, and it is going to be difficult for people at home to understand. If I just remind the public that I read a sentence where the Hon. the Leader of the Opposition said this:

‘...it is not the first time – you have intervened in the past, as well, in a manner that we do not believe is fair –’

He said:

‘...we do not believe is fair –’

You say, Mr Speaker:

‘... the Opposition is accusing me of treating them unfairly –

He says:

‘No, I am not saying that...’

*(Laughter)*

‘and I do not want the public’

– then he realises that people are going to see what a fool he has made of himself –

‘and I do not want the public to go away with the impression that I am suggesting that the Hon. the Speaker is inherently treating the Opposition unfairly.’

He has just said a moment ago, Mr Speaker, you are not fair to the Opposition, today, last month, or in previous months, but he has realised what he has done, Mr Speaker, and now he wants to row back, just as he has during the course of this intervention.

He goes on:

‘I believe that the Hon. Mr Speaker has been unfair in the comments that he has made today...’

– remember that in just the sentence before he had said he was not suggesting that you were inherently treating the Opposition unfairly, although you had done it three times previously –

‘I believe that the Hon. Mr Speaker has been unfair in the comments that he has made today, as indeed he was unfair last time round in the comments that he made about the Public Service Commission.’

‘Now, having taken that position, I think it is incumbent upon me to say that we are... that is a comment not unfair. That is not being discourteous to the Chair or to anybody else.’

‘Who do you think you are to talk to me that way, Mr Speaker? You are being unfair to me, but I am not saying that you are being unfair to me. You have done it three times already, Mr Speaker, but I am not

saying that you have done it systematically. I am not being discourteous to you, Mr Speaker, by saying, "How dare you speak to me that way, Mr Speaker?" Well, I am just calling a spade a spade. Mr Speaker. I commend this transcript to Mr Cleese and Mr Gillingham, who have now got to come up with a script for their new *Monty Python* reunion. (Laughter)

'I am not suggesting, for the record, Mr Speaker, that I believe Mr Speaker has some kind of, either, you know, a campaign against the Opposition – I am not. But the comments that Mr Speaker has made today, as indeed last time round, are not in my view fair to the Opposition.'

So he says you have got a campaign by saying that you have done it three times. He impugns fairness. He does not say, 'I think that you are interpreting this Rule in the wrong way'. It is not Rule 51 in this way or Standing Order 29. No, Mr Speaker, this is *fairness* and in imputing fairness or unfairness to you, what is being impugned is confidence in you.

Well, look Mr Speaker, that is what the *Hansard* tells us happened yesterday. That is why the Government decided that there was an urgent necessity to raise the issue of confidence and invited all Members to express confidence in you, including the Member who said that you were unfair to him this month, you were unfair to him last month, you were unfair to him before then, but he is not questioning your fairness and that he does not say there is a campaign.

Well, Mr Speaker, I think at least what this does is to demonstrate the level of incoherence in the arguments that the Hon. the Leader of the Opposition puts, not just in respect of this matter, but in respect of everything else, and we do it by looking at the record of *Hansard*; but, Mr Speaker, that is a hook that he made for himself and it is there for the whole community to be reminded of.

Of course the Hon. the Leader of the Opposition has a right to be heard, Mr Speaker, and that is why we are here. I am calling a meeting of this Parliament every month. He has a right to be heard every month. Of course he has the right when you raise an issue of order, if you raise an issue of order, to be heard by you in respect of those issues, although you are the final arbiter and decision maker. Mr Speaker, you have shown yourself to be open to hear each side's interpretation of a particular Rule before you make a ruling – all Speakers have, Mr Speaker. You have shown yourself prepared to listen to any of us, who might be slightly aggrieved by a ruling you may have made, later in your Chamber to make us understand why you felt it was appropriate to make that.

So what is the Hon. the Leader of the Opposition doing getting up and saying today that he will be heard, as if he were having to become a champion of free speech, as if somebody were trying to shut him up? Mr Speaker, we do not only hear him and today, you have allowed him to speak even when the Rules do not allow him to speak. Yesterday, you allowed him to put all the arguments that he wanted. Of course he can be heard, but when in being heard he says things as incoherently as he said them and he questions fairness, then he has to understand what he is doing and how he is impugning confidence.

Look, Mr Speaker, but I suppose that in the context of this debate you are having to get used to the sort of thing that I am having to get used to, which is that the Leader of the Opposition repeatedly says things that he is then not prepared to defend. He said about this business of evasive and shifty answers about financial assistance to the Sunborn. He constantly says that, Mr Speaker. I have invited him publicly. If he wants to talk about that issue, to bring a motion, and let us debate what was said and what was not said. I said to him to put up or shut up, but he does not, Mr Speaker. He does not want to have an argument where we look at exactly what was said and when because he knows that he is wrong. He just wants to repeat things that are wrong, over and over again, hoping that by repeating them they might somehow become a reality. He thinks, Mr Speaker, that the politics of repetition is somehow the politics of what becomes reality.

But the speech that I have been treated to today, Mr Speaker, by the Hon. the Leader of the Opposition, really made me think that we were not considering what happened yesterday and whether we should have confidence in you. As usual with Mr Feetham, Mr Speaker, it was all about him. It was all about him. It was all about, 'I will defend my right to be heard' and 'I will call a spade a spade'. Well, Mr Speaker, he can bring his bucket and he can bring his spade if he likes and we will hear him call them everything he likes, but what we will not do, Mr Speaker, is think that what happened yesterday did not happen. We will not be persuaded by talk of spades to forget the talk of fairness and unfairness that there was yesterday, and all he was doing, Mr Speaker, was trying to make people forget that boorish behaviour yesterday.

The hon. the backbencher may not like the analogy of the referee, and of course it is the right analogy in relation to the finality of your rulings, but this is the player who turns around and remonstrates with the referee and goes into the referee's face and says, 'You are unfair to my team', whilst the match is ongoing, and rightly the referee has the right to show the red or the yellow card, whichever he thinks is appropriate. That sort of remonstrance that all of us who are watching a match believe that players should just not engage in and get on with playing, whether or not they think the foul was properly awarded or not.

So there is no need, Mr Speaker, for the hon. the backbencher – although I acknowledge that he is these days unfortunately repeatedly called upon by his party to get on the white charger and bail out the new incumbent from the trouble that he is getting them into (*Laughter*) – to pretend that somehow we have confused the concepts of the finality of your rulings under Standing Order 51 and confidence in you. There is no confusion, Mr Speaker. There is absolutely no confusion and he will now understand that it was in his absence that the Hon. the new Leader of the Opposition was impugning fairness and therefore confidence and that is why the issue had to be dealt with.

I will say this, Mr Speaker, now that I am mentioning his absence, that it is absolutely up to me and to any Member of this House on either side to point out the absence of other Members. Of course it is absolutely right and proper for Members not to be here if they have other business and the House is not dealing with business for which they are responsible – that was always the case. It was the case when I was in Opposition and I might not be here for a reason and he used to repeatedly get up and say, ‘Well, I do not know where Picardo is today (*Laughter*) but he is not here to earn his keep’. (*Laughter, interjections and banging on desks*) Well, Mr Speaker, I have to say I will not tire of pointing out to this community that they are paying £25,000 at least for the hon. Member these days to occupy a chair he is not often seen in, unless obviously watching it on television or hearing it on the radio he realises he has got to turn up quick, because the whippersnapper he left in charge of the party is taking it to the dogs. (*Laughter*)

Mr Speaker, it is a real pity, in my view, having made this intervention in reply, that the Opposition have wanted to take this debate to where they have taken it and I have had to reply to these points. The fact is that your fairness having been impugned (*Interjection*) – Mr Speaker if I may be allowed – your fairness having been impugned, it is for that reason that I got up yesterday as Leader of the House, and I said specifically that I was getting up as Leader of House and not as Chief Minister, to simply ask that all Members express their confidence in you. I expected when I came back after lunch that we would do that in a moment. That I would get up and read the motion expressing confidence in you. I would make little of no speech. We would have all have voted and have got on.

The Hon. the Leader of the Opposition says this is a device because you are today the central political feature and we are not talking about the issues that really matter. Well, Mr Speaker, that must be because he wants it to be that way because all that had to happen was that yesterday we could have dealt with this at three o’clock. We could have all voted confidence in you at one minute past three and we could have got on with Chief Minister’s Question Time immediately thereafter. So if things have been delayed, they have been delayed because the Opposition wants to be sticklers with the Rules when they are in their favour, or they believe them to be in their favour, but do not think that it is fair to apply the Rules to them when it might not be in their favour.

In that context, Mr Speaker, I have nothing more to say other than we should all support this motion and express our confidence in you. (*Banging on desks*)

**Hon. Sir P R Caruana:** May I raise a Point of Order, Mr Speaker?

I am not interested in contributing further to the debate on the motion, but rather in the same way that I feel, and I said earlier, that Mr Speaker’s reputation does not turn on expressions of confidence following individual incidents in this House. So I think I am in the happy position that my own reputation, for those who approve of it and for those who do not, in both cases, does not depend on insulting little observations that the Chief Minister may choose from time to time to aim at me; but at the very least he should seek accuracy when he does so.

The statement that my presence in this House costs the taxpayer £25,000 is to his knowledge untrue. He must know that if I was not in this House, I would be earning a pension from my Chief Ministerial and parliamentary career which would cost the taxpayer more than the £25,000 that I am earning for being an MP (*Interjection*) and that as a result of occupying this seat I am not collecting that higher pension. So far from my presence in this House costing the taxpayer £25,000, it is *saving* the taxpayer the difference between £25,000 and my slightly, albeit slightly higher pension.

So I do not mind the Chief Minister taking pot shots at me, but at least he should have the respect for this House and the respect for the community that he is addressing through the GBC microphones, to tell them the truth and not to mislead them.

**Hon. Chief Minister:** Mr Speaker, I wish to respond to that point, because first of all I do not believe that is a Point of Order; it was an issue relating to fact, and as you ruled last time – I think the hon. the backbencher was not here then either, not earning either his salary or his pension – you ruled that points of order were points which relate to the Rules and the interpretation of them, not to facts.

**Mr Speaker:** The Hon. the Chief Minister is quite right, but there is also provision in the Rules, and we could look at the relevant section, when an hon. Member wishes to make a personal statement and that is the way that I interpreted what the Hon. Sir Peter Caruana wished to say. (*Laughter and interjections*)

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

## Questions for Oral Answer (continued)

570

### CHIEF MINISTER

#### Q104/2014

#### Relocation of GBC – Current stage in process

575 **Acting Clerk:** Answer to Oral Questions continued. We shall now continue with the Chief Minister's questions.

Question 104, the Hon. Mrs I M Ellul-Hammond.

580 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can Government say what the plans are for the relocation of GBC to the town area and at what stage they are in this process?

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

585 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government is progressing the establishment of office and studio space for the Gibraltar Broadcasting Corporation in the town area. Discussions are ongoing with the CEO of GBC about how best to achieve this move, in keeping with the needs of the GBC and the professionals who work within it.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, are the plans still to locate to the Ince's Hall complex?

590 **Hon. Chief Minister:** Mr Speaker, because there is discussion ongoing with the CEO of GBC about how the best way to achieve this, I do not want to be drawn further at this stage. An announcement will be made.

595

#### Q105/2014

#### Spanish fishermen – Changes to legislation

**Clerk:** Question 105 the Hon. D A Feetham.

600 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister state whether Spanish fishermen who are existing members of the *Cofradias* of Algeciras and La Línea at the date any legislation is enacted will have to apply for a Licence in Gibraltar in order to fish in British Gibraltar Territorial Waters with nets, as opposed to being automatically licenced to fish by virtue of their membership of their respective *Cofradias*?

605 **Acting Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the position will be set out in the relevant legislation when it is published.

610 **Hon. D A Feetham:** Yes, Mr Speaker, what a surprise. I have to say that I am not surprised by the answer because the Government is very reluctant to provide us with an answer to this particular question. I have asked it in the media, not in this House, but can I ask the Government this: has the Government made a decision in relation to the question? I am not asking what the decision is, but has it made a decision in relation to this particular matter?

**Hon. Chief Minister:** Mr Speaker, the Government makes decisions every day about many matters. This is one we have made a decision about and he will see what the decision is when the legislation is published.

**Hon. D A Feetham:** But hang on a minute, what you are effectively saying is you have made a decision in relation to this, but you refuse to say to this House whether Spanish fishermen will have to apply for a licence in Gibraltar. That is correct, isn't it?

**Hon. Chief Minister:** Mr Speaker, what I am telling the House is that the Government makes announcements when it considers it is appropriate to make them, not when the Leader of the Opposition decides that he wants us to make them.

**Hon. D A Feetham:** Mr Speaker, I am sorry, but the Hon. the Chief Minister is accountable, as is his Government, to this House and this is a matter of public interest, whether Spanish fishermen will have to apply for a licence in Gibraltar in order to fish with nets.

Now can I ask a different question? What does the Chief Minister say that the Government has achieved in the last two years since it tore up the 1999 Agreement to land us in a position where effectively Spanish fishermen... the law has now been changed in order to allow Spanish fishermen to fish in British Gibraltar Territorial Waters? You know I am entitled to draw the inference that the Hon. the Chief Minister's reluctance to provide me with an answer to this particular question is because they are not even going to have to apply for a licence here in Gibraltar in order to fish in our waters.

**Hon. Chief Minister:** Mr Speaker, he can draw whatever inference he likes. I am accountable to this Parliament and I am accountable to this community. I do not think anybody will think that I am not being accountable, simply because I am saying, when the law is published you will have the answer to that question.

I am not suggesting this is something that is going to be done without the community knowing how it is going to be done. It is going to be done because a law is going to be published for that purpose and the hon. the now backbencher taught us all the lesson of saying that the Government will make an announcement when the Government is ready to make an announcement. That is not to impugn accountability; that is simply not to accept that the agenda and timetable of Government announcements is run by the Leader of the Opposition.

Now he wants me to say what has been achieved... something which I think is really to propose a debate by what has been done in the last two years. Well, look, Mr Speaker, I will tell him what has been achieved. We have finally, *finally* re-established the rule of law that went out of the window in 1999 when the illegal agreement was entered into. I have said so on a number of occasions. If he wants to set himself up for me to tell him that his party was responsible for creating a problem with the rule of law in Gibraltar, I will tell him again.

An illegal agreement was entered into that allowed certain people to break the laws of Gibraltar and others were subjected to it. So we have re-established the rule of law. We have re-established the rule of law and that is what has been achieved in the last two years by what we have done. Quite right that we have done it, Mr Speaker, and I am delighted to have been the Head of Government in Gibraltar in order to be able to bring about exactly that re-establishment of the rule of law, exactly as set out in our manifesto we would do.

**Hon. D A Feetham:** Well, I am afraid that is not true, but I do not want to be drawn in relation to a debate about the legality or otherwise of the 1999 Agreement. We have had a debate about this in this House in the past.

But you see the 1999 Agreement was torn up by an infelicitous announcement on Facebook by the Hon. the Minister for the Environment, Minister Cortes, in March 2012 – so nearly two years ago – and in those two years we have seen a record number of incursions, not only by Spanish State vessels, but equally as important, Spanish fishermen accompanied by Spanish State vessels, something that had never happened in the past. (*Interjection*)

Why has it taken so long for the Government to make a decision to change the law and still for the Government not to be able to announce whether those same Spanish fishermen are now going to have to apply for a licence to fish in British Gibraltar Territorial Waters? Is it because effectively the Chief Minister wants to delay the day in which the entirety of this community will have found out that despite all his robust statements that he has made about the rule of law and our British Gibraltar Territorial Waters. He is going to be lowering his trousers all the way down to his ankles.

675 **Hon. Chief Minister:** Mr Speaker, I do not think that is a very parliamentary expression to use about lowering trousers all the way down to the ankles. I must tell him, I am not that sort of politician (*Laughter*) and if I were, Mr Speaker, if I was going to do a U-turn then, because I am slightly better tactically than he is, I would have done it as quickly as possible before the next General Election. I would not be delaying it to do the U-turn and lower the trousers, as he suggests, closer to the General Election. I think the hon.

680 Member thinks that we are all as bad at our jobs as he is.

We have not made an announcement about changing the law. There is absolutely no question of this Government doing a U-turn on anything. He needs to go back and look at what we have been saying from the very beginning and again, Mr Speaker, this business of the politics of repetition, whatever the truth may be in order to make things which may not be true, true. There is no question of the notorious 1999 *illegal*

685 Fishing Agreement having been torn up on Facebook, but he says it so often, Mr Speaker, that he wants people to believe it.

There was a manifesto commitment saying that the 1999 illegal Fishing Agreement would not be abided by, by this Government, because we do not believe in illegal agreements that break the rule of law. But Mr Feetham gets up in this House, and outside it, Mr Speaker, and repeatedly says the same thing because he wants people through repetition to believe that is the truth: something torn up on Facebook.

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Well, Mr Speaker, look it just does not make any sense. You cannot tear things up on Facebook; it is digital. (*Laughter*) You just write in, 'We are complying with our manifesto commitments and ensuring that the 1999 Fishing Agreement is no longer being adhered to because it is an illegal Agreement, contrary to the rule of law'.

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Have we had more incursions? Yes. Mr Speaker, were they about fishing? Mr Speaker, even the Hon. the Leader of the Opposition cannot believe that the incursion by States vessels have anything to do with fishing because the hon. the backbencher, when he was Chief Minister, addressed the nation in a ministerial statement and talked about the increasing number of incursions *then*, and it was all about the SAC declared by Spain and the numbers are going up, and we must all be against it. Have there been more 'incursions' of

700 fishing boats? Well, Mr Speaker, those were never counted as incursions before 2012 because they were allowed.

Nobody went out and counted how many Spanish fishing vessels there were before 2012 because between 1999 and 2012 they were not classed as an incursion. So if there are two Spanish fishing boats here today, they are counted as two people who are here who should not be here, but if there were 10 in 2005,

705 they were not counted as an incursion because they allowed them. This is a case, Mr Speaker, of them behaving like the dog trainer that sees the dog sit down and when the dog is sitting down, they say, 'Sit. You see how he does what I say?' Our seas were full of Spanish fishing boats between 1999 and 2011 and nobody counted them.

Now that we count them he says, perish the thought the number of incursions that we have by Spanish fishing boats and he says that things have got worse. They come with Spanish State vessels. Well, things have not got as bad as Spanish State vessels being beached in Gibraltar with Spanish State actors coming ashore with their handguns drawn – that did not happen in my time. It did not happen in my time. Neither, Mr Speaker, have I been pushed to say, if you are interfered with, 'Oh, Gibraltarian pleasure craft owner, go for your handgun...' sorry, 'your flare gun and discharge it into the air'. A real low point, Mr Speaker,

710 which could have led us into even more dangerous ground.

But, Mr Speaker, his position on the issue of Spain is well known. His position on a number of matters is now becoming clearer and clearer, especially after the meeting yesterday, Mr Speaker. He is against the Bank. He is against my speech at the United Nations and yesterday, Mr Speaker, he was even against you. Who is he for? Daniel Feetham.

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**Hon. D A Feetham:** That is the most self-serving answer I have heard yet from the Hon. the Leader of the House and the Chief Minister.

I will repeat the point about the 1999 Agreement being torn up on Facebook for as long as the hon. Gentleman repeats that the 1999 Agreement was illegal and *ultra vires* because he sins from the very same thing that he accuses me of – (*Interjection*) I have not given way. (*Interjection*) He sins from the very same thing... Do you now want to be Speaker as well as Chief Minister? (*Interjection*) He sins from the very same thing that he accuses – (*Interjections*)

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**Mr Speaker:** Will the Leader of the Opposition continue with the preamble to the supplementary question which I am sure he is going to ask shortly.

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

He sins from the very thing that he accuses me of and indeed there are more fishermen fishing in British Gibraltar Territorial Waters now than there were in the past and we see them every single day in the bay,

735 for all his talk about the rule of law.

But still, Mr Speaker, he has not answered the supplementary that I asked him. Why has it taken him two years effectively, or just under two years, to introduce the changes to the law to allow Spanish fishermen to fish with nets, but why is it still taking even longer to announce whether those Spanish fishermen will have to apply for a licence in British Gibraltar Territorial Waters? It is not difficult. It is not rocket science. The hon. Gentleman even commissioned an expert report on fishing. An expert report –

**Mr Speaker:** Why do you not allow the Chief Minister to answer that supplementary question.

**Hon. Chief Minister:** Mr Speaker, I am going to talk about making statements in this House or elsewhere when the Government thinks it is ready to do so, without having to have regard to when the Leader of the Opposition wants us to do so, as long as the Leader of the Opposition insists in asking us questions of why we do not do things according to his timetable.

But let us look at something which is very apposite. He says it has taken you two years from being elected to making this law, which we have not yet made, to allow fishing with nets, as he interprets the law will be. Well, Mr Speaker, it took them 12 years to do an Agreement, that I call an illegal Agreement and not to change the law to simply reflect in the law what the Agreement provided for. They could have done it immediately. They could have said, Mr Speaker, ‘We have done this Agreement whilst we change the law and will tolerate this breaching of the law by some and enforcement of it against others for a short period whilst we change the law’. They had 12 years to do it and he has the gall to ask me why we have taken two.

**Hon. D A Feetham:** Mr Speaker, changing the law two years ago may or may not have prevented much of what has transpired later, but it certainly in my view would have prevented much of the uncertainty.

Mr Speaker, can I ask him a simple question: did the expert’s report that he commissioned – they now have the report – did the expert report recommend to the Government that the law be changed to allow Spanish fishermen to fish with nets?

**Hon. Chief Minister:** Mr Speaker, there is one thing that he said before that I have not answered yet which I will answer first. He said there are more fishermen now. Mr Speaker, that is patently nonsense.

**Hon. D A Feetham:** That is not the question I asked.

**Hon. Chief Minister:** That is patently nonsense because –

**Hon. D A Feetham:** Mr Speaker –

**Hon. Chief Minister:** Mr Speaker, I have said that before I answer his second question I will deal with this point.

**Mr Speaker:** Yes.

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

He is entitled to answer the question that I have asked if he has missed in a speech that he has given in answer to my previous question. If he has missed the point that he should have made last time round, well he ought to have made it in answer to my question (*Laughter and interjections*)

**Hon. Chief Minister:** Mr Speaker, I am afraid that the hon. Gentleman is not going to be the arbiter of what I say in answer to his questions.

**Mr Speaker:** May I ask the hon. Members really to come to order, avoid the temptation to debate, and let us get on with short supplementary questions, short answers? Let us see if we can make progress on that basis.

**Hon. Chief Minister:** Thank you very much indeed, Mr Speaker.

As I was saying, what I was going to say in relation to what he said before his latest supplementary was this: he said before that there are more fishermen. Well, Mr Speaker, that is patently nonsense. The issue is this, and I am going to explain it to him again in case he has not understood it... I would actually like to think that he has not understood it because otherwise he is being mendacious in the way that he is pretending not to have understood it.

There was no count of how many fishermen there were before 2011... before 2012. So for 1999 for 2000, for 2001, for 2002, for 2003, for 2004, for 2005, for 2006, for 2007, for 2008, for 2009, for 2010 and for 2011 there is no figure for him to compare with 2012 and 2013 and what has gone of 2014. So therefore,

Mr Speaker, it is not possible for him to say there are more Spanish fishermen coming now than there were then. So when he makes remarks like that, as you rightly said to him last time, Mr Speaker, he needs to be responsible for his statements.

800 Secondly, did the experts report recommend that we change the law? Mr Speaker, I am afraid I am going to tell him that the expert's report is a public document. He can read it himself and make up his mind.

805 **Hon. D A Feetham:** Mr Speaker, yes, I have read it and in the light of the fact that the expert report does not recommend that the law be changed in order to allow Spanish fishermen to fish with nets, why is it that the Government has taken this decision to change the law in order to allow Spanish fishermen to fish with nets? Yes, the decision has been taken. The only issue that remains pending that is not in the public domain is whether Spanish fishermen will have to apply for a licence in Gibraltar or not; not whether they will be allowed to fish in British Gibraltar Territorial Waters.

810 It took nearly a year, I think, for the report, for the full report certainly to be made public, the fishing report to be made public. Now, that does not recommend that the law be changed, on the contrary it actually congratulates the legislation in Gibraltar for its resilience. Why is it that the Government in the light of that ignores the recommendations of its own report and effectively is embarking upon the changing of the law in order to allow Spanish fishermen to fish?

815 **Hon. Chief Minister:** Mr Speaker, it appears from his second answer that he asked a question that he knew was related to something that was in the public domain. A report that he had read and he had made up his mind about the answer to the question that he was asking. I thought the rules were very clear. We should not be asking questions about things that are in the public domain and the Hon. the Leader of the Opposition knew that he was.

820 Well, he is making all sorts of assumptions. He has made an assumption as to what the law I have told him is to be published is going to do and how it is going to do it, and he has decided that he knows what it is that that is going to be. Mr Speaker, I must say I am delighted to continue to have this debate with him because this is what this has become. This is a question about the manner of application for licences by members of Cofradias in Spain and we are now at 'What does the report say? Why are you doing it?' etc.  
825 Delighted to have the debate. He can put the motion or he can wait and see what the legislation says.

**Hon. D A Feetham:** But I have to say that he is still not answering –

830 **Mr Speaker:** I am going to allow the Leader of the Opposition another supplementary, but we have now been dealing with this particular question for well over 20 minutes, which, important as it is, I think it is enough because there are other important questions on the Agenda. I will allow him the most important supplementary question that he feels he should ask and give the opportunity to do so now.

835 **Hon. D A Feetham:** Mr Speaker, he now appears to be suggesting in his answers... I mean he is shifting from one side to the other and he now appears to be suggesting or he has indicated to members of the public and I do not know how he is going to get out of it when the legislation is finally published, but we have all understood, even reporters that sit in this Parliament today, that the Government's intention is to allow Spanish fishermen to fish in British Gibraltar Territorial Waters with nets.

840 Is it, or is it not the Government's intention to allow Spanish fishermen to fish in British Gibraltar Territorial Waters with nets – a step backwards from the question that I asked in the Order Paper – because he seems to be placing that in doubt?

845 **Hon. Chief Minister:** Mr Speaker, the only shifty thing about this afternoon are the questions from the Hon. the Leader of the Opposition. One must be left with the impression that he has a dodgy recollection about everything. The Government has made the statements that it has made in this House and publicly on this issue. He is now asking me to repeat them. I am not going to do so. They are already in the public domain. What we have said we have said, and what we will say, we will say.

#### Q106/2014

#### Private companies with links to Government – Directorship details

850 **Mr Speaker:** Next question.

**Acting Clerk:** Question 106, the Hon. D A Feetham.



**Hon. D A Feetham:** Mr Speaker, the question contains a typographical error. I will read it without the error.

855 Can the Chief Minister name each public servant who is a director of a private company not owned, directly or indirectly, by the Government, but which either has a registered address at a Government office or the benefit of a contract from Government?

860 **Acting Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, there are none.

**Q107/2014**

**Government-owned companies –  
Directorship details**

**Acting Clerk:** Question 107, the Hon. D A Feetham.

865 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister state which individuals are presently directors of companies owned directly or indirectly by Government, providing the names of the companies concerned, the names of the individuals, whether they are civil servants or GDC employees, and if annual remuneration is provided for such directorships, the amounts?

870 **Acting Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I hand the hon. Member a full list of the directors of the Government-owned companies. No remuneration is provided for such directorships.

875 **Mr Speaker:** The schedule is four pages long. Could I suggest to the Leader of the Opposition we proceed with the next question and then I will allow him to come back again if he feels a need to ask any supplementary arising from Question 107?

**Hon. D A Feetham:** Yes, Mr Speaker.

**Answer to Question 107**

<b>Company name</b>	<b>Directors</b>
Gibraltar Investment (Holdings) Limited	D D Tirathdas E Gomez F C Carreras
Brympton Co-Ownership Company Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Commercial Property Company Limited	D D Tirathdas E Gomez J Collado F C Carreras
Gibraltar Community Projects Limited	M Pecino E Gomez W Crisp F C Carreras D D Tirathdas
Gibraltar Co-Ownership Company Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Industrial Cleaners Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Information Bureau Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Joinery & Building Services Limited	M Estella W Crisp E Gomez F C Carreras D D Tirathdas
Gibraltar Land (Holdings) Limited	D D Tirathdas E Gomez F C Carreras J Collado
Gibraltar Residential Properties Limited	D D Tirathdas E Gomez F C Carreras J Collado
Gibraltar Bus Company Limited	D D Tirathdas E Gomez F C Carreras D Garcia

KIJY Parkings Limited	E Gomez W Crisp F C Carreras D D Tirathdas
Westside Two Co-Ownership Company Limited	D D Tirathdas E Gomez F C Carreras
Europa Incinerator Company Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Defence Estates and General Services Limited	C Victory D D Tirathdas F C Carreras E Gomez
Gibraltar Mechanical & Electrical Services Limited	D D Tirathdas F C Carreras M Alecio E Gomez
Kings Bastion Leisure Centre Company Limited	D D Tirathdas J Hernandez F C Carreras E Gomez
Gibraltar Strand Property Company Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Car Parks Limited	D D Tirathdas E Gomez F C Carreras
Giblaundry Company Limited	D D Tirathdas F C Carreras E Gomez
Gibraltar Cleansing Services Limited	M Pecino W Crisp D D Tirathdas F C Carreras E Gomez
Gibraltar General Support Services Limited	M Pecino E Gomez W Crisp F C Carreras D D Tirathdas
Gibraltar Air Terminal Limited	D D Tirathdas E Gomez F C Carreras

GCP Investments Limited	D D Tirathdas E Gomez F C Carreras
Waterport Terraces Management Limited	D D Tirathdas E Gomez F C Carreras J Collado
Cumberland Terraces Management Limited	D D Tirathdas E Gomez F C Carreras J Collado
Bayview Terraces Management Limited	D D Tirathdas E Gomez F C Carreras J Collado
Nelsons View Management Limited	D D Tirathdas E Gomez F C Carreras J Collado
Gibraltar Strand Management Company Limited	D D Tirathdas P Canessa F C Carreras E Gomez
Gibraltar Facilities Management Limited	D D Tirathdas E Gomez F C Carreras
GRP Management Company Limited	J Collado D D Tirathdas F C Carreras E Gomez
Gibraltar Residential Properties Aerial Farm Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Residential Properties Bishop Fitzgerald Limited	D D Tirathdas E Gomez F C Carreras
Strand Finance Company Limited	D D Tirathdas E Gomez A A Poggio
Gibraltar Manchester Property Company Ltd	D D Tirathdas E Gomez F C Carreras
Gibraltar Commercial Asset Rentals Company Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Residential Properties Coach Park Limited	D D Tirathdas E Gomez F C Carreras

Royal Gibraltar Post Office Limited	D D Tirathdas E Gomez F C Carreras
Economic Development & Employment Company Limited	D D Tirathdas E Gomez F C Carreras
Supported Employment Company Limited	D D Tirathdas E Gomez F C Carreras
Graduate Research and Development Company Limited	D D Tirathdas E Gomez F C Carreras
Employment Training Company Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar General Construction Company Limited	D D Tirathdas E Gomez F C Carreras
Construction Training Company Limited	D D Tirathdas E Gomez F C Carreras
Credit Finance Company Limited	D D Tirathdas C Victory F C Carreras E Gomez
Gibraltar International Bank Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar National Exploration of Minerals, Gas and Oil Compa	D D Tirathdas E Gomez F C Carreras
Gibraltar National Mint Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar Home Loans Company Limited	D D Tirathdas E Gomez F C Carreras
Gibraltar International Mint Limited	D D Tirathdas E Gomez F C Carreras

**Q108/2014**  
**Government-owned companies –**  
**Written rules for directors**

**Acting Clerk:** Question 108, the Hon. D A Feetham.

**Hon. D A Feetham:** Can the Chief Minister state whether there are any written rules for managing potential conflicts of interest of anyone appointed a director of a company owned, either directly or indirectly, by the Government?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the rules that regulate potential conflicts of interest of directors are set out in law.

**Hon. D A Feetham:** Yes, I understand that the rules in relation to directors. There are legal rules in relation to conflict of interest for directors, but are there any specific rules that may relate to civil servants appointed as directors of Government-owned companies? Is there anything, any rules that the Chief Secretary or the Civil Service may have in relation to those conflicts of interest?

**Hon. Chief Minister:** Mr Speaker, if he is asking me if there is anything which describes the rules for civil servants or is there anything that is provided as a *guidance* for civil servants as to what the rules in law are, I understand that there is not such a handout and there has not been for the past 20 years.

**Acting Clerk:** Question 109 –

**Mr Speaker:** Just a moment.

Does the Hon. Leader of the Opposition have any questions arising from the schedule?

**Hon. D A Feetham:** I have not seen it.

You can continue now because Mr Bossino and I will look at it later.

**Mr Speaker:** Okay, right.

Carry on.

**Q109-120/2014**  
**Gibraltar Savings Bank and Credit Finance Company Limited –**  
**Investment, loans and employees**

**Acting Clerk:** Question 109, the Hon. D J Bossino.

**Hon. D J Bossino:** Further to Question 844/2013, can the Chief Minister now confirm whether the developers of the Marriott project or any other entity or person connected with the project has received, or will in the future receive, financial or any other form of assistance from the Government, the Gibraltar Savings Bank or Credit Finance Company Limited?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer this question together with Question Nos. 110 to 120.

**Acting Clerk:** Question 110, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Chief Minister advise whether the developers of the recently announced project to expand and refurbish the Caleta Hotel or any other entity or person connected to the project to include the owner of the hotel has received or will in the future receive, financial or any other form of assistance from the Government, the Gibraltar Savings Bank or Credit Finance Company Limited?

**Acting Clerk:** Question 111, the Hon. D J Bossino.

930 **Hon. D J Bossino:** Can the Chief Minister advise whether La Línea's Ayuntamiento or any entity connected to it has received financial or any other form of assistance from the Government, the Gibraltar Savings Bank or Credit Finance Company Limited or on the authority from any of these entities?

**Acting Clerk:** Question 112, the Hon. D A Feetham.

935 **Hon. D A Feetham:** Can the Chief Minister please list all the employees of Credit Finance Company Limited?

**Acting Clerk:** Question 113, the Hon. D A Feetham.

940 **Hon. D A Feetham:** Does Credit Finance Company Limited, or the Government on its behalf, hold directors' and officers' insurance to cover its directors for any potential causes of action against them in their capacity as directors?

**Acting Clerk:** Question 114, the Hon. D A Feetham.

945 **Hon. D A Feetham:** Can the Chief Minister state whether in relation to Credit Finance Company Limited there are minutes of board meetings appropriately minuted showing, for example, why decisions were taken and whether they received unanimous support of all the directors?

950 **Acting Clerk:** Question 115, the Hon. D A Feetham.

**Hon. D A Feetham:** Can the Chief Minister state, what is the rate of return on the money invested by the Gibraltar Savings Bank in Credit Finance Company Limited and when that money has to be repaid?

955 **Acting Clerk:** Question 116, the Hon. D A Feetham.

**Hon. D A Feetham:** Can the Chief Minister state how much money the Gibraltar Savings Bank has invested in Credit Finance Company Limited together with a breakdown of how much of that sum derives from the proceeds of the Gibraltar Savings Bank debentures?

960 **Acting Clerk:** Question 117, the Hon. D A Feetham.

**Hon. D A Feetham:** Can the Chief Minister please state how much has the Government either directly or indirectly invested in Credit Finance Company Limited and where that money has come from?

965 **Acting Clerk:** Question 118, the Hon. D A Feetham.

**Hon. D A Feetham:** Can the Chief Minister please provide details as of 13th January 2014 of all sums paid by Credit Finance Company Limited to individuals and entities in order to allow them to pay off their debts to the Government in respect of Government arrears, broken down by (a) the amounts of each loan indicating in each case whether these loans were provided to individual, company or partnership (b) the dates such loans were provided and (c) the type of Government arrears each loan was used to pay for?

970 **Acting Clerk:** Question 119, the Hon. D A Feetham.

**Hon. D A Feetham:** Can the Chief Minister please state, as at 13th January 2014, how much has been paid by Credit Finance Company Limited in respect of commuted pensions of civil servants?

980 **Acting Clerk:** Question 120, the Hon. D A Feetham.

**Hon. D A Feetham:** Other than Government arrears and the commuted pensions to civil servants, can the Chief Minister please state, or please provide up-to-date details of all payments made by Credit Finance Company Limited, in respect of loans or any other kind of financial assistance, broken down by (a) the amount of each payment made, and in each case whether the payment was made to an individual, company or partnership (b) the date of each such payment and (c) their purpose?

985 **Acting Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, Government welcomes the fact that the developers of the proposed Caleta Hotel expansion and the proposed Marriott Hotel development are looking to invest in Gibraltar. At this stage the Government is in discussion with both parties as to the terms of what Government support can be provided in respect of each of these projects.

No financial or other assistance has been provided to the La Línea Ayuntamiento.

Other than the directors, Credit Finance Company Limited has no employees.

There is no directors' and officers' insurance in respect of Credit Finance Company Limited.

As with all companies in respect of Credit Finance Company Limited, board resolutions and other minutes of board meetings are prepared as and when required and signed by the Chairperson of the board.

Investments in Credit Finance Company Limited by the Gibraltar Savings Bank Fund attract an average return of 5.58% per annum. The maturity dates of redeemable preference shares are matched against corresponding maturity dates of deposits in the bank.

Of the figure of £344 million previously provided in answer to Question 663 of October 2013, there is no distinction made in respect of debentures, save that the redemption rates of the redeemable preference shares broadly match the maturity profile of the deposits in the Gibraltar Savings Bank – whether in respect of debentures or other investment accounts, or with any distinction as to the identity of the depositor or whether it is Government or not.

The Government itself has invested directly £10 million in the Ordinary Share Capital of Credit Finance Company Limited.

The details requested in Question 118 remain the same amount as was paid by individuals, companies or partnerships to Government and which Government provided in answer to Question 758/2013 by letter of 23rd November 2013.

The value of the commutations obtained by Government pensioners from Credit Finance Company Limited, as at 13th January 2014, is £19,890,863.

The total amount of the loan book of Credit Finance Company Limited is £45,431,016.

**Hon. D A Feetham:** Could the hon. Gentleman repeat the last figure?

**Hon. Chief Minister:** £45,431,016.

**Hon. D J Bossino:** Mr Speaker, in relation to my Questions 109 and 110, the Hon. the Chief Minister refers to the Government considering – and I am obviously paraphrasing... I took a quick note – the support that it can provide to the entities presumably that I have cited in the questions. Does that assistance include financial assistance as a possibility and, if it does, is it possible that it can come from the entities I have cited in the questions, i.e. the Government, the Gibraltar Savings Bank or Credit Finance Company Limited?

**Hon. Chief Minister:** Mr Speaker, there are a number of different hotel projects and a number of hotels in Gibraltar undergoing, themselves, refurbishment. He will know from, if I can call it his involvement in the industry through family rather than his role in Government, because he was not a part of the previous Administration, but all hotels are constantly talking to the Government about assistance.

There was something called the 'Hotel Assistance Scheme' which was introduced – I do not know whether it was during the tail end of the first GSLP Administration or the early part of the GSD Administration – and all of those things are being discussed, not just with these two hotels, but with others. But we are talking about assistance that would come from the Government and that is why I have answered in respect of the Government.

**Hon. D J Bossino:** Mr Speaker, as he well knows... for example, in relation to Question 110, the subject matter of which is the Caleta Hotel Project, figures have been referred to in the local press. I think if he adds the total it is about £45 million, which is a considerable investment, and the applications in relation to that for planning permission etc are proceeding in earnest.

I just wondered whether there was any indication that the Hon. the Chief Minister could give that the Government has decided to provide assistance in relation to that particular... make any contribution towards the financing of that particular project. I would ask the same in relation to the Marriott, but I am not too sure whether a figure has been given in relation to the Marriott Hotel.

But I would say, if he just permits me, that he will recall in the exchange that we had at the last sitting, that he did think that there may have been... I think the question specifically that I posed related to the *owners* of the Marriott, but then he said it could be possible that the developers of the Marriott may have sought assistance from the Government and he was going to provide me with this information. So that is why I posed Question 109.



**Hon. Chief Minister:** Mr Speaker, the publication of plans by the Caleta Hotel as to what they are going to apply for or not apply for, when they are going to apply for and what the cost may be is really not something that has been discussed with the Government and the Government saw that in the newspapers as other people saw it. It is a third party private project, which has been properly presented to the Planning Commission; but there are discussions, as I am telling him, constantly with all the hotels.

I am aware that the developers of the Marriott site want to talk to the Government about the Government assisting them in the context of their development of the whole site, not just the hotel site, but that assistance he should not think is funding the project. That is not what we are talking about. There are a lot of things that Governments do, as he will know. A lot of infrastructure that the Government is responsible. A lot of concessions that Governments can give. Some of them obviously have a financial implication. One of the things that he will know from his practice is that one of the things that people ask Government for is import duty waivers and this is a common thing, and development aid or whatever the equivalent may be. All of these things are financial assistance in many ways.

Is the Government going to bankroll the projects? Those issues are not being considered. The Government is not going to bankroll these projects.

**Hon. D J Bossino:** Mr Speaker, just by way of clarification, if he may, when he says that the Government, given the fact of the manner that I have drafted the questions in the Order Paper, can he confirm that that includes the other two entities that I have mentioned? In other words, the Gibraltar Savings Bank and Credit Finance Company Limited, given the structure of the funding that – *(Interjection)* Exactly – other projects have been at the receiving end of.

**Hon. Chief Minister:** Mr Speaker, the answer I am giving is for the Government, because I can tell him that the Government has neither and the Government will not and I can be very clear about that.

Is Credit Finance financing these projects? Is that what he is asking me? *(Interjection)* Well, Mr Speaker, he has just asked a supplementary. I do not know whether the Leader of the Opposition feels that he needs to supplement what the Hon. Mr Bossino has said, but I have heard Mr Bossino very clearly and I am going to answer him and I hope as clearly as the question that he has put. His questions always have the benefit of being clear, so I am happy to be clear in my answer.

Will Credit Finance do something in the future with these entities? As I understand it, there is no agreement between Credit Finance and any of these entities. Might there be in the future? I am not going to say that there might not be. I am not going to rule out that Credit Finance may or may not do any of these things in the future, but as I understand it there is no negotiation ongoing that is suggesting that there is going to be a lending.

**Hon. D J Bossino:** Or indeed that there has been?

**Hon. Chief Minister:** Or indeed that there has been.

The hon. Gentleman is clear. I will be clear. There has been no lending, as far as I am... there has been no lending.

**Hon. D A Feetham:** Yes, Mr Speaker.

Mr Speaker, in relation Question 120, which is the last question in the Order Paper, he answered by reference to a total amount, but the question asked this: other than Government arrears and the commuted pensions of civil servants, which we know are two areas the Government is funding via Credit Finance, can the Chief Minister please provide up-to-date details of all payments made by Credit Finance in respect of loans or other kinds of financial assistance broken down by amounts, the date of payment and their purpose? He has not answered that question. Is there any particular reason why he has not answered that question?

**Hon. Chief Minister:** Mr Speaker, I have answered by giving him the total amount of the loan book and I am not going to have the same debate that we have been having for the past three months – that is what I am going to give him. I know all the reasons why he wants more and he knows all the reasons why I am not going to give him more, but I have given him the up-to-date figure so that he has it.

**Hon. D A Feetham:** Mr Speaker, with respect the difference between us, as he described it in Parliament... I think it was two months ago, and indeed he has repeated in the press recently and over those two months, is that all that he has refused to disclose to me is the identity of those receiving loans. But this question does not ask for the identity of those receiving loans, it says amounts, dates of payments and their purpose. In other words, you could have commuted pensions, you could have Government arrears, you

1110 could have a project to help repair an estate etc, etc, etc. That is what this question asks. Is there a reason  
why the Government does not want to provide that information?

**Hon. Chief Minister:** Mr Speaker, the difference between him and me is that I stick by what I say and  
1115 he is shifty about the ground that he is on. He has asked us about the commuted pensions, something he  
knows we are doing out of Credit Finance. We have given him the figure up to date. He knows exactly what  
it is.

He has asked us about how much Government arrears have been paid using this mechanism. Mr  
Speaker, we have told him because, as Government, we receive those amounts and we have that  
1120 information and we give it to him, as Government, because we are the ones being paid the arrears. So he  
has got it. He has got the commutation figure. He has got the Government arrears.

What else does Credit Finance do? Is it making other payments? No information provided, because  
there are no other payments. That is why I am telling him that the amount that is relevant to that part of his  
question is the amount loaned and given him the total amount of the loan book so he knows how much has  
1125 been paid in respect of commutations, how much the Government has received in respect of arrears and he  
knows how much has been loaned. That is the money that has been used.

It is very clear, Mr Speaker, and I have told him before during the course of these debates, if I may say  
so, with respect, that we are not going to give him more information in relation to the loans. I am not going  
to give him a breakdown of the amount of loans. I am not going to give him the dates of the loans. I am not  
going to give him the identity of the loans. I am going to give him the general amount.

1130 The hon. Gentleman likes to compare, rightly, as we all do, the fact that we are shareholders in Gibraltar  
plc and this is a company owned by Gibraltar plc ultimately because it is owned by the Government. Well,  
look, if we were all shareholders in Barclays Bank, Barclays would tell us how much it has loaned, not to  
who and not when and not in what amounts. We would just get a global figure. That is the loan book. That  
is the figure I have given him.

1135

**Hon. D A Feetham:** Yes, I am reminded that actually Barclays Bank does not use public funds. I mean  
this is at the end of the day savers' money, or taxpayers' money because the Hon. the Minister for  
Employment (*Interjections*) said it was taxpayers' money; indeed, all of it guaranteed by the Government of  
Gibraltar. But you see I am not asking him for the identity and the answer that he has given me cannot  
1140 possibly be accurate because what he is saying to me now is the only two areas where Credit Finance has  
actually provided any type of loan or financial assistance is in respect of Government arrears and commuted  
pensions and I am giving you the global figure. That is what he has said.

But we know from last time round that actually Credit Finance Company Limited has also lent money –  
and we know because the chairman of the estate in question actually made it public on Facebook – to a  
housing estate to allow for the renewal of the housing estate. (*Interjection*) He does not make himself  
1145 responsible. He is responsible for the answer that he gives. It cannot possibly be accurate the answer that he  
is giving me.

Can I please ask him again: apart from arrears and commuted pensions, what else? If the answer is  
commuted pensions, Government arrears and assistance to certain housing estates, well fine, that is the  
1150 answer, but that is not the answer that he has given me today.

**Hon. Chief Minister:** Mr Speaker I am afraid he – (*Interjection*)

**Hon. D A Feetham:** Well, of course –  
1155

**Hon. Chief Minister:** Mr Speaker, I am afraid he is wrong. (*Interjection*) Mr Speaker I am afraid he is  
wrong and he just does not realise that he is wrong and I am going to have to explain it to him.

Mr Speaker; first of all he is absolutely right, I should not have said Barclays. Barclays did not take the  
King's shilling. I should have said NatWest or RBS. I should have said Lloyds Bank. I should have said one  
1160 of the others, right? But, in any event, shareholders in any of the entities do not get to see through to the  
identity of borrowers, they just get told what the loan book is, and that is what I am giving him today, Mr  
Speaker. I am giving him the balance sheet. I am telling him what the loan book is.

What he does not realise, Mr Speaker, but I think it is important that he should –he might stop making  
such a fool of himself when he makes public statements about Credit Finance if he listens – is that the only  
1165 thing that Credit Finance has paid are the commutations that I have told him about. As Government I have  
told him the arrears, because we have received them as Government, and it has made loans.

Now, he says he has read on Facebook. Mr Speaker, he keeps coming back to Facebook for fishing and  
for loans and all the rest of it. He should spend less time on Facebook and more time on *Hansard* and  
Erskine May and we might not get into the trouble that we get into in this House. He said he read on  
1170 Facebook that some housing estate has got some assistance... one thing and the other.

Mr Speaker, I am telling him – and he needs to research his facts more carefully – that Credit Finance Company Limited has only entered into three types of expenditure. The types I have told him: the payment of the commutations, the loans and the arrears agreement loans that he knows we have received as Government. So the funding of those arrears, which is part of the loan book, those are the types of expenditure that Credit Finance has incurred. That is it. That is it. He needs to do a bit more research if he thinks that there is something wrong here because I have given him scrupulously all the information that he wants.

But he wants to do something different, Mr Speaker, and again the facts do not matter to him. He wants to go out and he wants to say that Government is using Credit Finance like a credit card, and this is what he says in one of his many interventions where he confuses the facts and his fantasies. Mr Speaker, he wants to say, and they constantly now ask us about other projects, ‘Have you funded this with Credit Finance? Have you funded that with Credit Finance?’ When they asked us the whole list, I think they went through the manifesto, ‘Have you or will you or might you finance this with Credit Finance?’, we said no to all of it. We said no to all of it.

Therefore, Mr Speaker, the Government is not using Credit Finance as a credit card for its projects. The Government is not doing any of the things that they want to pretend Credit Finance is doing in order to scare the electorate, in order to scare depositors in the Savings Bank. Credit Finance is doing the things I have told him it is doing, in the amounts I have told him it is doing – full stop. Less Facebook; more facts. *(Laughter)*

**Hon. D A Feetham:** Mr Speaker, the only person who is looking foolish increasingly is the hon. Gentleman in his answers to my questions. He has answered my question by saying that the only two areas which have received assistance from Credit Finance are in relation to Government arrears and commuted pensions. Now, because I reminded him about the fact that assistance has also been provided to certain housing estates, and indeed, quite unparliamentary I admit, I also commented over his voice, for which I apologise, that of course we know that a loan has been provided to the Sunborn as well.

He then says, ‘Ah, but it is Government arrears, commuted pensions and loans’. Of course it is loans. Of course it is loans. I mean a schoolboy doing law at 16 years will be able to tell you it is loans. I am not interested in whether it is loans. I am interested in what is the purpose of the loans. In other words, I mean in headings he does not even have to be very specific about it. In headings, housing estates, tourism for the Sunborn, commuted pensions and Government arrears, he still refuses to answer and no amount of shifting and turning and making statements that are personalised, and saying, ‘We have answered it. You are wrong and you do not know what you are talking about’, is going to change the fact that the hon. Gentleman simply refuses to answer what are very simple questions in relation to this. All it does is just simply heightens my concern and the concern of the community in relation to the way that the Government is handling it **(Two Members: Hear, hear.)**

**Hon. Chief Minister:** No shifting, Mr Speaker. No turning, just hard facts. Hard facts that make it impossible for the hon. Gentleman to spin the yarns that he wants to spin in order to scare members of the public, and that is the problem that he has. He embarked on this crusade in respect of Credit Finance as the thing that would win him the election and he has found actually it has been very prudently dealt with and he cannot even scare himself.

He is asking for purpose of loans. He is asking for identity of loans in other meetings. He is asking for dates. He is asking for amounts. He is getting told none of that detail. He is getting told the total amount of the loan book. The total amount of the loan book, whether it is Sunborn, whether its housing estates, whatever it may be, he is getting the total amount of the loan book... payment of Government arrears etc.

He got a letter, Mr Speaker, from the Government explaining to him how much had been received in respect of arrears, in respect of loans paid by the Sunborn. He knows from his beloved Facebook, Mr Speaker, how much a particular housing estate has said it has received. Mr Speaker, the borrower can do what he likes, and I explained this to him *ad nauseam*.

Somebody can walk into NatWest Bank and borrow £100. The individual can go out on the street and if perhaps he had the basic understanding that he attributes to a genius 16-year-old studying law because he might have gone off to study law long before he had finished his A-levels, if he had that basic understanding *(Interjection and laughter)* he would know that the borrower can step out of the bank and say, ‘I have been lent £100’, but the bank can neither confirm nor deny that as the lender.

So he has been told the full facts by the Government as to the loan book of Credit Finance Company Limited. It has paid the commutations. It has got a loan book. Part of the loan book is to repay Government arrears. Other borrowers in respect of that loan book have said that they have borrowed from Credit Finance. Credit Finance will not give the detail. It will not give the detail as to names. It will not give the detail as to purpose. It will not give the detail as to amounts or as to dates. We think that is perfectly proper, but we want the public to know that they have got the full information as to the total amount loaned. That

which they would like the public to think is not being given. Now they find themselves, Mr Speaker, in the difficult situation that having asked the Government about every single manifesto project, whether it would be funded by Credit Finance or not, they have got the clear answer: no, it will not be. And yet, they do not hesitate to try and mislead the public by saying that Government is using Credit Finance like a credit card for its projects, having been told that that is not the case.

Mr Speaker, we could not have been clearer. No shifting. No dissembling, just facts. Hard facts and less Facebook.

**Mr Speaker:** It seems to me that we are going round in circles in respect of supplementary questions to Question 120. The Hon. the Leader of the Opposition is asking three specific supplementaries really and he is getting the same answer from the Chief Minister. He is asking it again and he is getting the same answer. We are really are not making any progress. I do have to draw the attention of Members to that reality. I am prepared to allow him to ask the same supplementary again yet another time, but I think there has to be an end to the matter.

**Hon. D A Feetham:** Mr Speaker, no, of course.

But, Mr Speaker, I do not agree with the analysis in this sense. I do not agree that he has given me the same answer. He has actually given me three different answers.

He began by saying to me that the reason why he had only provided me with the totality of the loan book was because it only related to Government arrears and commuted pensions. He then gave me another answer, saying, 'and loans', because of course we said, 'Well, what about the Sunborn and the Estates?', and it is only now that he says, 'No, no, no, no it is just that as a matter of policy. We actually are not going to be providing you with the answer to the question'. That is what is happening here.

Now, of course, if he is not going to provide me with the answer to the question, that is fine. But it is not that he has answered the question in exactly the same way, he has answered it differently and that is why he is shifting.

**Hon. Chief Minister:** Mr Speaker, with respect, I think that is the Leader of the Opposition having another argument with you and not with me. So I will leave it at that.

**Mr Speaker:** Do the hon. Members of the Opposition have any supplementaries arising from Questions 109 to 119?

**Hon. D A Feetham:** Yes, Mr Speaker.

In relation to Question 115, which is the rate of return on the money invested by the Gibraltar Savings Bank in Credit Finance Company Limited, the answer that the Hon. the Chief Minister gave me was 5.5% and that it has to be repaid when the underlying investments mature – that is how I understood it. Do I take it from that that what he is saying is that it has to be repaid when the Gibraltar Savings Bank debentures mature and that is when the preference shares will then have to be repaid... the money from Credit Finance Company Limited to the Gibraltar Savings Bank?

**Hon. Chief Minister:** Mr Speaker, the portfolio is not just made up of Gibraltar Savings Bank debentures... they are not just one type, but they are matched against the different types of deposits and that is when they have to be repaid.

**Hon. D A Feetham:** Yes, I understand that there are different, for example, types of debentures. One debenture may in fact mature in four years' time, some others may mature in two years' time others may mature in five years' time. I understand that.

What I am asking is, is there matching in relation to those debentures? It cannot be, for example, in relation to money that is on accounts on short-term call because there would not be much point, for example, for the payment of wages. There would not be much point in matching in relation to that when the money is needed every single month. That is what I am asking. Is it in relation to debentures, albeit that they mature at different points in time?

**Hon. Chief Minister:** Mr Speaker, that is exactly what I have said. Let us just say that we call them long-term deposits, rather than just debentures.

**Hon. D A Feetham:** I am grateful for that answer, but a couple of months ago we were asking questions, and in answers... the Hon. the Minister for Employment in that instance was answering. He was saying that the money that was invested in Credit Finance Company Limited – the questions were being asked by the hon. the backbencher – was taxpayers' money. Does he now accept that in the light of the

answer that he has given me today that the answer that the Hon. the Minister for Employment gave was not true... was not accurate? I am not saying it was not true, but was not accurate?

**Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, what is not accurate is what he has quoted because that is not what I said. In fact what I said to him was that it so happens, since they then attach great importance to whether the money that had been invested in shares of Credit Finance was money that had been deposited by the individual savers or deposited by the Government, that it so happens that in terms of the amount of money, there was enough money deposited by the Government to be almost the equivalent of what was there.

But since then they have made an equal criticism, irrespective of whether the money is taxpayers' money, i.e. the Government's money, or individual savers' money. So it seems to me that it is no longer a relevant consideration in their judgment of what is evil or good because they think it is equally evil whether the money comes from the taxpayer and goes into Credit Finance or it comes from savers and going into Credit Finance.

What is clear is that if it were the case that the savers that have got money in short-term deposits with the Savings Bank, which go up to five years, had to be paid immediately, the Government's own deposit is more than sufficient to cover any liability from Credit Finance, so there is no risk.

**Hon. D A Feetham:** I understand all that.

**Hon. J J Bossano:** That is good.

**Hon. D A Feetham:** I understand all that. *(Interjection)* No, no. I understand you better than you think – *(Interjection and laughter)* I understand you better than you think. *(Laughter)* Better than you think.

You see, Mr Speaker, last time round, the hon. the backbencher was asking, "Does he accept that this is savers' money?" and the answer *(Interjection and laughter)* was that it was taxpayers' money, not savers' money. So I am glad now. Can the Government confirm that what we are talking about that was invested in Credit Finance Company Limited was savers' money?

**Hon. J J Bossano:** Clearly he does not understand me enough. *(Laughter)*

Mr Speaker, the Savings Bank, as he will find out in answer to the Question that is addressed to me, has got more money than just savers' money and more money than just taxpayers' money. The share of the total amount that is invested in redeemable preference shares is not identified by the source of the depositor.

What I pointed out to the hon. Members the last time was that if their concern was that the money that was invested should not be money that did not proceed from the Government, then in fact it so happened, although I said there is no correlation, in the sense that I am telling you only the money from the Government will be used and I pointed that out on several occasions in that exchange. I am just saying that it so happens that the two figures are very close.

Indeed, the hon. backbencher, who seems to be playing a big part in our proceedings, notwithstanding that he is on the backbench, asked me whether it included something like the Note Security Fund. I actually pointed out to him that it did not include the Note Security Fund, but I was not saying that the pot of money that the Government has put in the bank is the pot of money that the bank has used to buy shares. What I was saying was the amount of monies happened to be of the same volume and that therefore if it was the case that the Government had at this point in time had to repay all the savers, the money that is invested, not in Credit Finance, is enough to compensate all the savers, given that they seem to think that it was very important that the savers should be protected from investing in Credit Finance.

Since then their public statements now mention the two categories without distinction. So the two categories are without distinction in their mind, then it does not make any difference whether it is one or the other, then they should not be concerned anymore about whether at any point in time the amount of money that the Government has in the Savings Bank is enough to cover it, because as far as they are concerned none of it should be going into Credit Finance.

**Mr Speaker:** May I say that I am really being very liberal and if I read out one of the Rules of the House, hon. Members will see why.

Rules governing the right to ask questions, Rule 17(v) says:

'(v) a question shall not refer to any debate that has occurred or answer that has been given within the preceding six months;'

For the last ten minutes, the Hon. Mr Bossano has been brought into the fray in respect of answers that he gave within the last month or two.

1350 I am being very liberal. I have allowed it, conscious as I am of the fact that it should not be done. But I really must ask hon. Members to try to stick to the Rules and not to carry on *ad infinitum* because then I would really have to stop the matter.

**Hon. D A Feetham:** Yes, Mr Speaker.

1355 In relation to the 5.5% and the maturity dates for the payments, I understand what the hon. Gentleman is saying, that effectively the Gibraltar Savings Bank had enough money to have invested £344 million out of taxpayers' money. I understand that, but of course the point is you cannot use that money to really realistically invest in Credit Finance because that is money that is on short-term call and if you are going to match investment to maturity date, then effectively what you are doing is you are using the money that the bank can retain for three, four or five years, that has been invested in the bank by way of debentures.

1360 I understand all that, but am I right in saying that therefore the money from Credit Finance Company Limited has to be repaid back to, via the redemption of these preference shares, to the Gibraltar Savings Bank at the latest within five years, because I think that is the longest term in any of the debentures from the money in the Gibraltar Savings Bank...? It is the latest in five years' time. Some of it may have to be repaid earlier in three years and some of it after four years.

**Hon. J J Bossano:** The amount in the Savings Bank is more than the amount in the Credit Finance redeemable shares – he knows that – so therefore it is not the case that the quantities are the same. The portfolio is done in a way that, for example, if 10% of the money that is on deposit is five-year money, that 10% of them are redeemable shares, but the 10% of the redeemable shares are less than the 10% of the deposits.

1370 So what has been done in the structure of the redeemable shares is that there is a parallel distribution of maturities, but not in equal quantities. For example, it also means that as the passage of time brings us clearer to the maturity of the deposit, then equally the passage of time will bring us closer to the maturity of the redeemable shares in the same proportion, but it is in terms of percentages and not in terms of volume of money.

**Hon. D A Feetham:** Yes, I understand that, too. Effectively what we are talking about is, say, 80% of the amount that represented the debentures for any particular category, but that is not what I am asking. What I am asking is, as a long stop, bearing in mind that maturities have to be matched with the debentures in the Gibraltar Savings Bank, some of which mature after three years, some of which mature after four years, some of which mature after five years... I do not know. I am not a manager in the Gibraltar Savings Bank so I do not know what the longest maturity date is. The longest maturity date, in other words, when the longest amount of time that Credit Finance has to repay some of this money, not all of it, some of this money, is it five years? How long is it?

**Hon. J J Bossano:** Well, if 80% of the money in the Savings Bank is five years, then 80% of the redeemable shares will be five years. (*Interjection*) Well, that is the position, but of course there is also 10-year money. He will know that.

**Mr Speaker:** We are now returning to Questions 70 to 72, where the composite answer was given by the Hon. the Minister for Financial Services and Gaming and I am giving an opportunity to Members of the Opposition, in case they were unable to ask any supplementary that they had in mind yesterday before lunch. I am giving them an opportunity to do that.

1395 So we are at answers to Questions 70 to 75, and in reality Question 75.

**Q107/2014 continued  
Government-owned companies –  
Directorship details**

**Hon. D A Feetham:** Mr Speaker, in relation you may recall that there was a question with a very long schedule. May I ask just one supplementary in relation to that?

**Mr Speaker:** Yes.

1400

**Hon. D A Feetham:** In the schedule –

**Mr Speaker:** That was Question 107.

**Hon. D A Feetham:** Question 107, that is right.

The third page of that schedule, three from the bottom, there is a company called Gibraltar Manchester Property Company Limited. What is that company? Is that a property holding company for a property in Manchester?

**Mr Speaker:** It is the money which Manchester United is using to buy Mata. *(Laughter)*

**Chief Minister (Hon. F R Picardo):** Withdraw it immediately! *(Laughter)*

**Hon. J J Bossano:** It is a property that was bought in Manchester to house a case of a sponsored patient where the term of the treatment would have meant that it made more sense to buy than to rent. It is just one property.

**Hon. D A Feetham:** Mr Speaker, if Credit Finance were to be used to buy Manchester United, I certainly would not object, I have to say, despite my objections about the use of the money.

**Mr Speaker:** I would make one proviso. *(Laughter)* Some money would also have to be provided for Arsène Wenger to buy somebody before the end of the window. *(Banging on desks)*

**Hon. Chief Minister:** Well, Mr Speaker, I would consider that a very risky investment indeed. If they were to buy at least somebody for Liverpool, that are clearly going to play Champions League, it would be much safer than for Manchester United this year.

## FINANCIAL SERVICES AND GAMING

### Q75/2014 continued

#### Gibraltar International Bank – Plans for establishment and running

**Mr Speaker:** Question 75 then. Any supplementary that Members were not able to ask yesterday before lunch? If not, we carry on with Question 76.

**Hon. D A Feetham:** Mr Speaker, yes, I had a question in relation to the premises and as to why the Government... Is there a particular reason why the Government does not disclose at this stage the location of the premises? I was saying yesterday that I quite understand that there might be some commercial reasons. For example, if there was a private citizen who was housed in a Government property and there might be some negotiations going on or intended negotiations that the Government did not want to alert the fact that this was the property that was going to be used, so that it bumps up the price. I do not know.

But is there a particular reason why the Government refuses to identify the location of this particular premises at which this bank is going to be housed?

**Chief Minister (Hon. F R Picardo):** Mr Speaker, my position remains as the answer I had given him just before he asked that question, where I told him that the Government had competing claims on its property, not necessarily from third parties, even from within statals and parastatals and therefore the position of the Government was that we would make an announcement as to the property that has been chosen when we are ready to. He constantly wants me to give him answers to things that we are going to do and we are going to say, and he says if I do not give him the answers that I am being secretive and unaccountable.

Mr Speaker, we are going to make a statement as to where the bank is going to be housed. We are going to make all sorts of statements about laws and things in the future. We are just going to make those statements when we are good and ready, for all sorts of reasons, and not when he wants us to.

**Hon. D A Feetham:** Yes, but Mr Speaker, you see what he is effectively doing, it really is undermining the position of this House, the Government's accountability to it, and the ability of the Opposition to hold the Government to account. All he has really said to me, and it amounts to this, is 'No, no, we are not answering your question here in this House', where the Government is incumbent to provide information and to answer questions. 'No, no, we will make the announcement outside this House when it really is convenient to us', that is what he is really saying to me, and I do not think that that is a democratic way to behave in my respectful view.

Now I will ask him a direct question: is it the Cool Blues premises at which this particular bank is going to be housed?

1465 **Hon. Chief Minister:** Mr Speaker, he does not understand what he is doing. He is pretending to the public that the Government is somehow failing in its duty of accountability to the Parliament simply because the Government is not ready to make a statement when he wants us to make it. This is very serious and very dangerous. People may actually at some stage listen to what he is saying and ask themselves the question, 'Can I ever trust this man again?' It is bad for democracy (*Interjection*) if the public cannot at least have some modicum of trust in the Leader of the Opposition. How can he say that we are undermining democracy?

1470 I am telling him that we are going to make an announcement when we are good and ready. I have not told him we are not going to make it here. It is likely we will not. It is likely that when we are good and ready we will make a statement about property, we will make a statement about directors and we will make all sorts of statements about the bank.

1475 Is he for one moment – and I told him this the other day and he does not realise – suggesting that we are going to open up the bank and not tell anybody where it is? Is he now believing that we are able to conjure the magic of Hogwarts so that people do not see where the train is and only Harry Potter can get on it? (*Laughter*)

1480 We are of course going to make a statement about where the bank is going to go when we have reached a final decision, part of which relates to ensuring that all stakeholders, not third parties, within Government have confirmed that there is no issue with using those premises. When we do that, he will not be left with an argument to say that the Government believes itself to be unaccountable. The statement is coming.

1485 The Opposition of course can ask the Government questions and the Government of course has to answer them, but we do not have to answer them in the way that the Opposition want and we do not have to answer giving information on the date that the Opposition wants and not when we are good and ready.

**Q76/2014**  
**Tax blacklists–**  
**Position with France and Italy**

**Mr Speaker:** Question 76.

**Acting Clerk:** Question 76, the Hon. D A Feetham.

1490 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister state whether France and Italy have taken us off all tax blacklists and are Gibraltar companies therefore able to trade with entities and consumers in territories on a level playing field as with entities in other Member States?

1495 **Acting Clerk:** Answer, the Hon. the Minister for Financial Services and Gaming.

**Minister for Financial Services and Gaming (Hon. A J Isola):** Mr Speaker, the phrase 'all tax blacklists' is extremely wide; however, I assume that the question is referring to tax haven blacklists, as tax blacklists in the form, for example, of controlled foreign company legislation are the application of tax measures that are not on a list basis by named country, but rather by criteria that are applied to all countries.

1500 Hence, the position as regards to France is that Gibraltar does not appear on the French tax haven blacklist.

1505 As regards Italy, we expect to be removed from the Italian tax haven blacklist as soon as the Tax Information Exchange Agreement with Italy enters into force. We completed our procedures for entry into force immediately after the TIEA was signed in October of 2012. We have been pressing Italy to complete their procedures.

Notwithstanding the above, Mr Speaker, the Multilateral Convention enters into force for Gibraltar on 1st March of this year. At that point we will have a TIEA with Italy in force and we shall be pressing them to remove us from their tax haven blacklist.

1510 **Hon. D A Feetham:** Has there been any preliminary contact between Gibraltar? Has there been any contact between Gibraltar and Italy and any assurances from Italy as to removal of Gibraltar from the relevant blacklist once all the matters that the hon. Gentleman has outlined have been completed, or is it a question of completing that and then there will be effectively contact and you will be pursuing it with Italy after that?



1515 **Hon. A J Isola:** Mr Speaker, the position is that once the procedures for entry into force of the TIEA are completed the commitment is to remove us from the blacklist. We have completed ours. They have not completed theirs.

The point of the reference to the Multilateral Convention coming into effect on 1st March of this year is that at that time we will have a TIEA with them directly anyway by virtue of the Multilateral Convention.

1520 After that time, I would hope and expect that they would remove us from the blacklist.

We are seeking the support of HMT in respect of this and other blacklists which we are seeking removal from and we have a meeting with them in early February when we will be taking this up again.

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, can I just add to that in respect of the TIEA with Italy, because I signed the TIEA with the Ambassador in London?

I can confirm that I was informed by the Ambassador in London that upon all the procedures being completed and the TIEA coming into effect, Gibraltar would be removed from the blacklist.

1530 **Hon. Sir P R Caruana:** Well, Mr Speaker, I think that that is a valuable confirmation, to which I hope the Government will hold them if needs be, but perhaps it will not be necessary to hold them and they will do it.

If I could just ask the Hon. Minister with responsibility for Financial Services about the case of Portugal, which was very much live when I occupied his portfolio. Portugal did have us on a list, the consequences of which were considerable for Gibraltar companies. We had tried for many, many months, not to say a couple of years, and failed and we asked the British Government to assist, I wonder whether in that particular case they have managed to make any progress or not. I think Portugal were saying the right things, but then doing nothing.

1540 **Hon. A J Isola:** Mr Speaker, as the hon. Member has rightly said, the confirmation that we received from them at the time was that once the TIEA came into effect they would remove us from the blacklist and they have not. The situation is exactly the same for other Crown Dependencies, who are in a very similar position and are dealing with the Portuguese authorities to see when they will be removed from the blacklist.

1545 We are doing precisely the same and we are seeking the assistance of Her Majesty's Government in the United Kingdom, and that is on the Agenda for a meeting on 5th February, the same day on which I have a meeting with the Portuguese Ambassador in London to press him on precisely this point. So, yes, we are continuing to work in that direction.

## ENTERPRISE, TRAINING, EMPLOYMENT AND HEALTH & SAFETY

Q92/2014

GDC–

Grade 1 position vacancies

**Mr Speaker:** Question 92.

1550 **Acting Clerk:** Question 92, the Hon. D J Bossino:

**Hon. D J Bossino:** Can the Minister for Employment advise this House whether any vacancies have been opened for the Grade 1 position within the GDC and if so, how many of the successful applicants were FJS trainees?

1555 **Acting Clerk:** Answer, the Hon. the Minister for Enterprise, Training, Employment and Health & Safety.

1560 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, no such vacancies have been opened.

**Hon. D J Bossino:** I am grateful for the reply and no bunching up of questions on this occasion, Mr Speaker, which obviously I welcome.

1565 Just one supplementary in relation to that question, can he advise whether any FJS trainees have been employed without a vacancy being opened?

**Hon. J J Bossano:** Mr Speaker, the vacancies that are in the book are the 21 vacancies that are occupied and none of them have become vacant and been filled. If anybody was a trainee at some point in his life before getting a position in the Government it would only be because they applied in competition with other people, but if the hon. Member is saying, 'Has anybody has gone straight in from one to the other?', then the answer is no.

**Hon. D J Bossino:** Mr Speaker, the hon. Member has interpreted my question correctly in the interpretation he has just given to me, and he has answered it. Thank you.

**Q76/2014 continued**

**Tax blacklists–**

**Position with France and Italy**

**Hon. D A Feetham:** Mr Speaker, may I just return to the question about the blacklist? It is not to make any political point or anything like that, it is just that I understood the hon. Gentlemen to say that we were not on any kind of French list. I am being informed by telephone...by text, by people who are involved and know of these things, that in fact we are on a tax haven list in France that applies to withholding tax, viz Gibraltar companies. Just for the record, is that correct or is the previous answer the hon. Gentlemen gave to me correct?

**Minister for Financial Services and Gaming (Hon. A J Isola):** Mr Speaker, the previous answer I gave to the hon. Member is entirely correct because I think what he is doing is confusing tax haven blacklist with application by the French Government of different rates of withholding tax to different countries depending on what arrangements they have reached with them. For example, if you do not have a Double Taxation Agreement the level of withholding tax is one. If you are on their tax haven blacklist, the level of withholding tax is a different one and – (*Interjection*) Well, the difficulty with that supplementary question is that what we are being told by companies dealing with France is that they seek legal advice as to what the position is and they follow it.

We are not on any list with France, but the application of our tax system may give rise to different rates of withholding tax. In other words, if you do not have a DTA with them, your withholding tax is 50%. If you are on the tax haven blacklist, your withholding tax is 75% and if you are from a jurisdiction where their tax rates differ to a particular criteria with them, then withholding tax would be 33%. The question of whether it applies to Gibraltar or not is one of interpretation and legal advice and I think that is the best I can –

**Hon. Sir P R Caruana:** Mr Speaker, this raises, if I may, a very interesting issue of, sort of, for want of a better phrase, indirect blacklists. In other words, if a country like France operates a system whereby if you have a Double Taxation Agreement the rate is a very high one of withholding tax, but if you do have one it is a very low one, and they will not entertain the possibility of a Double Taxation Agreement with you because they regard you as a tax haven, then in effect it is as if they had a tax haven list and you are on it and this is the practical manifestation of it.

Very often some countries do it outwardly and have lists, and those are the ones that we focus on because we are on a list. Other countries do not have a list. They do it a little bit more subtly and they just adopt administrative mechanisms that in effect treat you as if you were on a tax haven blacklist, but only because they will not deal with you in a certain other way because they regard you as a tax haven.

This raises the much wider issue that the Finance Centre used to raise with me regularly, and I suspect they might have raised with him since he was appointed, about Double Taxation Agreements and whether the Government feels it worthwhile pursuing any. I would have thought that, particularly with a country like France that uses Double Taxation Agreements to the same sort of end as a list, it might be worth seeing if by the same virtue that they will not put us on their tax haven list, which is positive, they might also therefore be willing to enter into a Double Taxation Agreement and give us the practical benefit, which we do not presently enjoy of not being on their tax haven list, rather than the scatter gun approach of seeking Double Taxation Agreements with all and sundry. Better, if the Government is minded, to do DTAs at all, to limit them to those countries where they have a particular relevance, in terms of immediate reward, to particular sectors that are relevant to our Finance Centre.

**Hon. A J Isola:** Mr Speaker, the hon. Member has raised a whole range of issues, which I do not quite agree take the consequence that he has referred to, but certainly during his time the drive and the push was to exchange Information Agreements, the TIEAs that he succeeded to ensure that we were removed from a

large number of blacklists. Even with that, we still struggle today with countries that committed and agreed to remove us from blacklists once the Exchange of Information Agreements were effective. So, notwithstanding that, that problem still arises today.

As he has identified, there is a second problem where countries appear to now be looking at your tax rates before they determine how they will treat you from a withholding tax perspective, which is indirectly putting you on some sort of list. We have sought to engage the French Government with the DTA to see if these issues can be bypassed, and indeed we are seeking to do the same with a whole list of other countries. As you will appreciate, Gibraltar is a very small country and therefore their priority is not necessarily to engage Gibraltar in signing a DTA now, but it is certainly something that is very much on our agenda and we are seeking to ensure that we do not run into that situation where the tax rates are being compared, in our view, entirely unfairly as the criteria was set many years ago and we have complied in every single respect with it.

**Hon Sir P R Caruana:** In particular our tax rate is not so different to certain Member States of the European Union, who may not get the same treatment. For example, I do not know what the French attitude is on withholding tax with Ireland or even with Cyprus, but as the Hon. Minister knows, the rates are broadly similar. In other words, if we are being dealt with by France – and we are picking on France because it happens to be the one, but there may be others in similar situations – if we are being treated by France in the same way as they treat Member States of the European Union as a matter of rate of taxation, that is a different matter. But if we are being treated by France, notwithstanding that our rate is not dissimilar from other Member States, because we are not a member state and they are, so in effect what we are saying is they will not quite give us the benefit of the fact that we are no longer a tax haven, then that I think is worth pushing back on.

I am very glad to hear that the Hon. Minister has on his policy agenda the whole business of Double Taxation Agreements, which I think is the way forward.

**Hon. A J Isola:** Mr Speaker, the issue of Double Taxation Agreements has been on my agenda for a fair time, my colleague, the Hon. Mr Licudi, before my time was already pursuing those. We are close to actually passing the threshold of getting our first few under the belt and we are seeking a series of further DTAs.

I am conscious of the things that you raised and the matters that you mentioned in respect of fair treatment of different countries irrespective of their size, which is what I think you were referring to by comparing between Gibraltar and Ireland or Luxembourg, for example, and that is something that we are very conscious of. It is one of the items that is on our agenda to discuss with the UK Government at our meeting in early February.

**Q93/2014**  
**Registered unemployed–**  
**Figure for final quarter 2013**

**Mr Speaker:** Question 93.

**Acting Clerk:** Question 93, the Hon. D J Bossino.

**Hon. D J Bossino:** Further to Question 645/2013, can the Minister for Employment provide the figures for the registered unemployed for the final quarter in 2013?

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

**Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, the number of Gibraltarians registered unemployed for the final quarter of 2013 was 381.

**Q94/2014**  
**Labour Inspectorate—**  
**Employment details**

**Acting Clerk:** Question 94, the Hon. D J Bossino.

1675 **Hon. D J Bossino:** Further to Question 799/2013, can the Minister for Employment provide current details to include the number of individuals, their grades and how many of them are FJS trainees, which form part of the Labour Inspectorate?

1680 **Acting 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, further to the answer to Question 799/2013, there is now one additional Labour Inspector with a grade of HEO.

1685

**Hon. D J Bossino:** Mr Speaker, two further supplementaries.

The first one, he said... in fact it is public knowledge because it has been the subject of a Gazetted notice that there are six graduate employees. Can he confirm that they are still employed in the Labour Inspectorate? I take it that they are from the answer he has given to this precise question.

1690

And, if that is the case, can he advise this House whether he has an indication now as to how long he intends to keep them in that position, because as I understood the position from his replies in the past, is that they will remain in that position for a temporary basis, rather than on a long-term basis?

1695 **Hon. J J Bossano:** Well, Mr Speaker, I do not know why he understood that because I never said anything about it being temporary. What I said was that they were given the power of a Labour Inspector in order to re-enable them to do the research work that is being done in relation to labour statistics, and there is a research team of six people, who are in fact the ones that have been doing all the skills survey, the checking with the accuracy of those records and all those records are now being updated, and as long as that work is needed, they will be still be done. What I am telling him in this answer is that the Labour Inspectorate consists of the information I gave him in 799, plus one more.

1700

**Hon. D J Bossino:** That is why I interpreted the temporary nature of their position. In other words, once they finish the task that he has just described, and he has described to me previously in this House, then their appointment as Labour Inspectors, as I understand that is the intention of the Government, will end. Is that a correct interpretation? In other words, once they finish their tasks, that is when they will stop being Labour Inspectors.

1705

**Hon. J J Bossano:** It is only a correct interpretation in the sense that he assumes that the task is a short term one and it is not. That is, for as long as they are doing labour research, which is assisted by their ability to require information to be provided, then they will continue to have the power to obtain it.

1710

**Hon. D J Bossino:** I assume that he has a control as to what progress is being made in relation to the task that he has just referred to. Is he now able to tell me when he expects that task to complete? Does he have an indication as to when that will happen?

1715

**Hon. J J Bossano:** I do not think the hon. Member understands what I am telling him Mr Speaker.

This is not a specific task. It is not the case that there is a defined job with a start date and a finish, and that it is only for one particular part of the work that they do that they were given that part of being Labour Inspector. The group exists to carry out labour research. Labour research means requiring information to be provided and checking the accuracy of information that we hold.

1720

In order to require employers to do that, they have been granted the powers of a Labour Inspector, so that when employers are asked to give information, they cannot refuse it because in fact the people who are asking it are Labour Inspectors. I do not expect that task to finish for as long as there is work for the team to do. If they were to run out of work, which would mean everything would be 100% accurate, then there might not be any need for that work to be done. It is unlikely that that is going to happen in the term of this Government.

1725

**Mr Speaker:** I can see from the *Hansard* that I have here with me, that we are now covering exactly the same ground that was covered on 19th December 2013, where the Hon. the Minister gave an explanation as

1730 to the purpose of the research and so on. Almost word for word, the same ground is being covered. I do not mind if the hon. Member has a new supplementary.

**Hon. D J Bossino:** A new supplementary I indeed have, Mr Speaker.

1735 In relation to the number of posts, the extra Civil Service posts, if you like, that I asked, I think, in the last sitting of the House or perhaps the one before that, I think he said that the intention was to have another three or four. At the moment he has said that there is one HEO. Does he know, and when does he expect the balance, assuming that I recall the answer he gave in the previous House correctly, when does he expect that the balance to be appointed?

1740 **Hon. J J Bossano:** No, Mr Speaker. I gave him an indication. He said, 'How many more were we going to have?' and I said, 'Probably two or three'. Already, since then, it is only a month and already I have got one. There is nothing magic about the figure of two or three. We will have the people that we need to do the job that needs to be done.

1745 **Hon. D J Bossino:** Yes, but, Mr Speaker, you see one of the patterns that I am seeing here emerging is that there is a task that he said requires the appointment of graduate employees in the scheme to be appointed Labour Inspectors.

1750 From my perspective, the way I see it, if there were vacancies, I understand there were four public servants, if I can use the widest possible term because I do not know if they were all properly civil servants or if some of them were GDC employees... I think they were all civil servants. There were four which comprised the Labour Inspectorate – you had HEOs and DOs. Most of them... I think one retired, the others have all transferred Department; in fact, I think the one remaining HEO, in respect of which I asked the question, had in fact already transferred when I asked the question. So, in other words, the complement that was there before is no longer there.

1755 What is the intention? Is it the intention that... what I would like to see is for the Labour Inspectorate to be comprised entirely of public servants and then for the graduates and trainees to... and for those public servants who carry out their duties, which are currently being carried out by trainees, and then for the graduates and employees to do something else.

1760 So can I ask the Hon. Minister what his intention is, as the Minister responsible for that particular section of the Department, in relation specifically to Labour Inspectorates and employment in it?

1765 **Hon. J J Bossano:** Mr Speaker, the original question is further to Question 799, 'Can the hon. Member say what is the current...' and I have told him that the current is the answer he got in Question 799, plus one more. That is the question and all the other supplementaries have nothing to do with that question. The answer is that even in the last supplementary he has got it all wrong.

1770 It is not the case that the trainees are doing the job of the Labour Inspectors that was being done by the Labour Inspectors before the trainees arrived on the scene. The trainees are doing the job that they are doing in doing research which is what they have been engaged to do, and the reason why they are gazetted as a Labour Inspector is so that employers cannot refuse to co-operate in obtaining that information.

I explained it at great length the last time. It has nothing to do with the question that is on the order paper today, and he keeps on thinking that what is happening is not what is happening, even though I have explained it at such length. It is not the case that if tomorrow there were more Labour Inspectors, the Labour Inspectors would be doing what the graduates are doing, because that is never what Labour Inspectors used to do.

#### Q95/2014 Promotions within Civil Service– Government's policy

1775 **Acting Clerk:** Question 95, the Hon. D J Bossino.

1780 **Hon. D J Bossino:** Can the Minister for Employment advise what the Government's policy is in relation to who may apply for promotions within each of the Civil Service to include those posts which are ring-fenced and the Gibraltar Development Corporation?

**Acting 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, promotions within the Civil Service are conducted by the advertising of positions internally in the Bulletin of Circulars and selection by the Public Service Commission as has always been the case.

The Civil Service posts that are ring-fenced are initially available to people within the ring-fence and then to the rest of the Civil Service.

In the GDC they are open to candidates from the GDC and the rest of the public sector. For the avoidance of doubt, I would like to point out that the Employment Service is not involved in any way in processing applications for promotion in the public sector.

**Hon. D J Bossino:** Mr Speaker, first of all dealing with the ring-fenced Civil Service contingent, he has said that initially they are to be available, the vacant posts, to those within the ring-fenced contingent and then open to other civil servants. I think I have understood his answer correctly. Is he absolutely sure that that is the case?

My understanding is... and I give him another opportunity to state the position clearly or to reconsider his answer. Is he absolutely sure that that is the case, as I understand the position that the vacancies within – and that is the agreement entered into I think by the previous Government, which his Government has now maintained – the agreement is that vacancies within the ring-fenced contingent within the Civil Service is only available to those within who enjoy the ring-fenced status?

**Hon. J J Bossano:** Mr Speaker, what he has said is absolutely correct except that there is no difference between what I have given him and what he has just said. I am telling him initially that they are open only to people in the ring-fence; but, of course, the people who do the selecting, who is not me or my Department, may decide that none of the candidates in the ring-fence are capable of doing the job that is vacant. So where do they go for candidates then? Outside the ring-fence? That is the original agreement.

**Hon. D J Bossino:** Mr Speaker, in relation to the GDC part of my question, can he answer this: is it not the case that in fact the position previously was that vacancies within the Gibraltar Development Corporation were only available to GDC employees? I think his answer is that it is now open to other entities. Obviously, that creates – if what my interpretation of the position was is correct – is a disadvantage. In other words, if there was, for example, a Grade V vacancy made available, if it was only open to GDC employees from the Grade IV contingents, then obviously it would create a better chance for those Grade IVs to be able to obtain that position, whilst if you open it out there would be greater competition.

Can he just confirm to me that my interpretation of the position as it was is correct and that what he has just told this House has been a change in policy?

**Hon. J J Bossano:** The change in policy that happened on 9th December was that the GDC came back into existence, when it was actually depleted of workers. The previous policy was that there was no GDC. When it was restored, the people who came back from the Civil Service and resumed the previous GDC status were told that they would have the opportunity of applying not just within the GDC, but in all the agencies, authorities and... so clearly it is a two-way traffic.

What you cannot do is say that people in the GDC can apply for vacancies in the Air Terminal Agency, but people in the Air Terminal Agency cannot apply for vacancies in the GDC. What tends to happen as the norm is that it is advertised simultaneously, but in reality and in practice if there are suitable candidates for the position in the entity that has the vacancy, then they tend to be the ones that get picked. That in practice means that effectively if you are a GDC applying, for example, in the Coastguards, then the guy in the Coastguards has got a better chance if there is somebody that is suitable in the eyes of the management. I think one of the things that needs to be taken into consideration in the particular circumstances of the GDC, which is different from the others, is that of course there is, in the case of the GDC, an input from the Department where the vacancy is actually placed.

**Hon. D A Feetham:** Just arising out of an answer that he has now given or the statement that he has now made, is it the case that everybody that formed part of the GDC who have been transferred to the Civil Service, as well as those who chose to remain, everybody was offered the option of either remaining within the GDC or transferring to the Civil Service?

**Hon. J J Bossano:** The position is that when we came in there were people who had not signed a piece of paper accepting going into the Civil Service. But the position of the Union on 9th December, on the advice of the backbencher, in writing, was that in fact whether they had signed that piece of paper or not signed that piece of paper, they had all been made ring-fenced civil servants the moment that the Public Service Commission had approved the recommendation of the Government.

1845 **Hon. D A Feetham:** I understand the previous policy. I am asking about *your* policy.

**Hon. J J Bossano:** Yes, I am trying to explain what my policy is. My policy is that I inherited 100 civil servants in the ring-fence and that therefore the option was not those outside in the Civil Service that want to go into the Civil Service may go after the 9th, the only option was for the people, who were in the ring-fence who did not want to stay there, to come back.

1850 The people who had been left out, possibly as an oversight, were not given the option of going into the Civil Service because I assumed that part of the reason why people who were reluctant to go into the ring-fence, were told that they had to go by the Union, was on the premise that there would be no GDC there for them. Given that the GDC was going to be there, I thought it was only fair to give the opportunity to those who had not gone willingly into the ring-fence to come out of it again. It was a one-way ticket – only out, never in.

**Hon. D J Bossino:** Mr Speaker, I give the Hon. Minister an opportunity to explain this to me. I understand the information that I am receiving, and he can deny it in this House if he wishes to, is that one of the incentives provided to those who were within the ring-fenced Civil Service to go back to the revitalised GDC was in fact that the policy in relation to vacancies, i.e. vacancies would only be made available to those within the GDC, would be maintained. Is that correct or is it not?

1865 **Hon. J J Bossano:** No, that is not correct. What is correct is that what they were told was that they would have the opportunity of applying for promotions, not just in the GDC and therefore not just in the ring-fence as it were, but also in all the other authorities and so on. Indeed, the ideal eventual development, in my view, is in fact to make the GDC the provider of labour to all the Authorities and Agencies which give people more scope.

1870 It is good from the employer's point of view that you have more choice and it is good from the point of view of the individual that individuals are not in small pockets where the opportunity for promotion may be very limited.

**Mr Speaker:** Any other supplementary?  
Next question.

**Q96/2014**  
**Civil Service and GDC–**  
**Current vacancies**

1875 **Acting Clerk:** Question 96, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Minister for Employment provide full details of the vacancies which require to be filled within the Civil Service and the GDC?

1880 **Acting Clerk:** Answer, the Hon. the Minister for Enterprise, Training, Employment and Health & Safety.

1885 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, the vacancies currently in the Civil Service are as follows: 1 Marine Surveyor; 2 SNLSA's; 6 AA/Word Processors; 20 AO's; 1 HEO; 5 SEO's; 4 Youth Workers and 1 Law Drafter.

The GDC does not have a fixed complement and therefore vacancies depend on demand from Departments.

1890 **Hon. D J Bossino:** Mr Speaker, in relation to the last bit of his answer where he says that there is no fixed complement and he has explained that before in this House some time ago, can he advise this House whether there is such a demand? I understand that, for example, within the Gibraltar Tourist Board there are a number of GDC vacancies, if I can put it in those terms, which still require to be filled.

1895 The concern that is reaching me, and certainly that we would have, is that in fact these vacancies, the duties which would have been carried out by those people who would have filled those vacancies, are in fact being carried out by trainees. Can he give some assistance and some information in relation to the points I have just raised?

**Hon. J J Bossano:** Mr Speaker, the position is that if a particular Department has got a GDC employee seconded to them, for which they pay the GDC, and that person goes, then that job cannot be filled because somebody else can be moved there from somewhere else in another placement or the host Department can decide that they want, instead of a GDC, a civil servant.

There are frequently occasions where – and I think it is a good thing to move in that direction – where Departments are looking at areas where there is a mixture and trying to move in a direction where in a particular facility everybody is either GDC or everybody is Civil Service, and that is the trend.

Where there have been trainees in the past, the trainees are not there on a long-term basis as employees of the Department; if anything, they are there as part of the training of people in the public sector where it is the training company that is paying their salary and therefore they can be removed and sent at any other time to do training somewhere else. There has been, on more than one occasion, and there is again on this occasion a question from the hon. Member as to what it is that this training consists of.

**Hon. D J Bossino:** Yes, Mr Speaker, he did say that in relation to GDC vacancies it would be subject to demands from Departments. I understand that he in effect is the GDC Chairman and so he is the one who is the mind and soul of that particular Corporation. Can he tell me whether he is on notice of any demands for vacancies to be filled, and in respect of which Departments?

**Hon. J J Bossano:** I do not have so much leisure time that I can devote some of my time to looking at the demand, but the demands are made from the Department to the staff, primarily to the Secretary, Dr. Coram who is the Secretary of the GDC, and since we have got a feedback from people who sometimes need short-term help because people are away or because there has been disciplinary problems and they have a shortage of staff.

Then there are people who come in. There are people that come into the GDC, not from outside the service, but from within other parts of the service and they come in as Grade 1's and those people are redeployed. There are, just like there is in the Civil Service, people move from Department to Department all the time and this is not something that requires political decisions or policy decisions, because they do not alter the funding provisions that have been approved by Parliament.

The Parliament approves the payment of five bodies, not five individuals with names, faces and ID cards. The five bodies that are there are not necessarily the five bodies all the time; the posts are there. So it is the posts that are funded in the Departments and the GDC effectively acts as if it were a state-owned employment agency that provides staff to the Departments that require it, when they require it, on a permanent basis all the time.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I think that might be a convenient moment to – *(Interjection)* Well, if there are supplementaries, I do not want to – *(Interjection)* Are there?

If the hon. Gentleman gives an indication that – *(Interjections)* Is there? Yes well, that's right.

Mr Speaker, I think this may be a convenient moment, given you indicated to the House yesterday you had a matter you needed to attend to, for me to ask the House to recess and for us to return at 7.00 p.m.

**Mr Speaker:** The House will now recess until 7.00 p.m.

*The House recessed at 5.55 p.m. and resumed its sitting at 7.00 p.m.*

**Q96/2014 continued  
Civil Service and GDC–  
Current vacancies**

**Acting Clerk:** Question 97 –

**Hon. D J Bossino:** No, I have a supplementary on...

Yes, Mr Speaker, in relation to Question 96, which for the benefit of the rest of the Members of Parliament, who may not have been here, it related to the number of vacancies which still require to be filled within the Civil Service and the GDC, in relation to the civil servants, the Hon. the Minister for Employment gave me a list of the vacancies... well, a list of the vacancies. Is he able to tell me when he expects that those vacancies will be made available for application, I suppose, is the way to put it?

**Hon. J J Bossano:** I can tell him that what I expect is that the steps to fill them will be much quicker than they were before 9th December because they had been there. There are vacancies that have been there



1950 for years. Some of them are arising out of promotions... most of them are arising out of promotions. So normally what happens is that the system cascades down obviously. The fact that you have got five SEO's at a stage where the five SEO's are picked and the applicants have to be an HEO that has been in the post for at least two years. So in all probability the HEO would not come out until the stage of the SEO's has been gone through. So it tends to come down, because then people who are applying have got a wider choice of things to apply for.

1955 Sometimes people will not apply if it is in a particular Department, even though theoretically HEO's can be drafted anywhere. There tends to be in the Treasury, for example, the work tends to be more specialised than almost anywhere else because it is not just administrative, there is a lot of working with figures and not everybody is comfortable with figures.

1960 **Hon. D J Bossino:** Mr Speaker, is the Hon. the Minister able to tell this House if some of those, presumably not those in the higher posts, but the lower posts, for example, he said that there were six AA's and 20 AO's. Would those positions be currently filled by FJS trainees? *(Interjection)* Yes, the posts. Is he able to give me some information in relation to that?

1965 **Hon. J J Bossano:** The posts are not filled by trainees. The trainees go in those Departments whether the posts are filled or empty. So it is not a case that these are jobs that are not... there may be somebody doing the work even though the post is empty or there may be somebody working in that area over and above the complement because the complement is full – that is to say there is no relationship between one thing and the other.

1970

**Q97/2014**  
**Public sector–**  
**Training details**

**Acting Clerk:** Question 97, the Hon. D J Bossino.

1975 **Hon. D J Bossino:** Can the Minister for Employment provide details of the nature of the training which the trainees are receiving in each of the public sector areas?

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

1980 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, there has been no change in the nature of the training in each of the public areas from the answers previously given to Questions 64 and 640/2013.

**Q98/2014**  
**Leisure Construction and Maintenance Company Limited–**  
**Details of employees**

**Acting Clerk:** Question 98, the Hon. E J Reyes.

1985 **Hon. E J Reyes:** Mr Speaker sir, can Government provide details in respect of the number of employees who may have been employed since the answer provided to Question 808/2013, by Leisure Construction and Maintenance Company Limited, broken down by grade, age, gender and nationality?

1990 **Acting 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, there has been no change since the answer to Question 808.

1995 **Hon. E J Reyes:** Mr Speaker, may I... I do not know, I put myself in your mercy whether it is compatible with this question or not, but in a previous answer where we were given, in answer to Question 107, the list of companies where the directors were public service employees and so on. I see that this

company does not appear on this list, and yet I had an indication from last time round when we were talking about this same company, the Leisure Construction and Maintenance Company, the Minister for Employment explained that although they had applied for a trade licence, there still had been no specific need to have any employees. In fact the number of employees would be dependent on their obtaining the trade licence or not, which I understand makes sense.

So I do not know if the Minister is aware, upon a successful application of a trade licence, that something happened and why there are still no directors appointed for this company?

**Hon. J J Bossano:** I am monitoring this from the fact that when the question was originally asked, what the profile record of the company showed was that it had no employees and the Department is on notice from me because I expect to be asked. If anybody gets employed they tell me, and it has not happened.

So the answer is to what the number of employees is since the answer to Question 808, there is only one answer that I can give, that since Question 808 there has been no change. So they have not opened any vacancies and they have not employed anybody to date.

#### Q99/2014

#### Employment Office in New Harbours– Fire evacuation drills

**Acting Clerk:** Question 99, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Employment and Health & Safety state if there has been any fire evacuation drills carried out at the Employment Office in New Harbours in 2012 and 2013?

**Acting 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):** No, Mr Speaker.

**Hon. J J Netto:** Mr Speaker, will the Minister for Employment at least tell the House whether it is the intention to review this aspect, perhaps in 2014, and whether perhaps under the leadership or the employment of the factory inspectors they will put in place a plan in order to provide this particular training for the staff at the Employment Office?

**Hon. J J Bossano:** I am told that there has been something like four fire drills in the last 20 years, none of which happened in the time that he was Minister for Employment and there has been no fire. I would not expect that it would require a ministerial decision to hold a fire drill. I expect that if the Head of Department feels there is a need for one he will do one.

**Hon. J J Netto:** Mr Speaker, this is not an issue whether there was any fire drill when I was the Minister for Employment between 1996 and 2000 or whether there was a fire drill when he was the Chief Minister between 1988 and 1996.

What I am trying to say to the hon. Gentleman is that given that he seems to be giving the impression that when it comes to Employment and Health and Safety matters, he is very keen to abide by the best practices that there are, and given that it appears that there have been no fire evacuation drills between 2012 and 2013, could I appeal to him that at least he raises this issue, particularly with the factory inspectors and that they put in place a fire evacuation drill for the benefit of the staff therein?

**Hon. J J Bossano:** I cannot stop him appealing, so the answer is, yes, he can appeal; but the answer to the appeal is going to be... well look, in this particular meeting of the House Mr Speaker, the hon. Member has decided that he wants every Department in the Government to have fire drills. Just because that is what he has chosen to do this time round, it does not mean that all of a sudden we are going to give this the priority that he did not have as Minister in the four years when he had the choice and which he wants me now to give because he is there and I am here.

Well, look, if it is so important, I would have expected to be told that he was doing it very regularly when he was there. If he felt there was no need to... but, in any event, I do not really think that it requires a policy decision at a political level to have a fire drill or not. I think it is the responsibility of the Head of the Department if he feels that there is a need, or of the union representative if he feels there is a need.

The only reason why we should suddenly concentrate on fire drills in January is not because there is a greater risk when it is raining than when it is dry, but because he has taken it into his head to make that the topic of this meeting of the House and he has asked every Minister in every Department to have fire drills. (Laughter) Tomorrow he may decide that we should all put in air conditioning and therefore we all have to do air conditioning.

The answer is no. He can ask me and he can suggest it. He can put it forward and I will make sure that people know his feelings in the Department.

**Q100/2014**

**Factory inspectors–  
Increase in monitoring activities**

**Acting Clerk:** Question 100, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for Health and Safety explain why the figures for monitoring activities as shown in the Government website by the factory inspectors were three times more in November 2013 than in December 2013?

**Acting 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 reason why the monitoring activities by the Health and Safety Inspectors were three times more in November 2013 than in December 2013 was because there were less activities to monitor in December than in November.

In construction, for example, there were two site visits in December compared to 12 – that is six times as many in November. There was a similar seasonal pattern in the previous year.

**Hon. J J Netto:** Yes, Mr Speaker, I am aware that that seems to be the pattern and it is also true to say that there are less activities in the construction industry because a lot of the private sector companies in particular tend to close down during that particular period. But just in the same way as that is true, that the construction industry *per se* seems to be closing down, that does not mean that there are industry groups that may happen to have even more activity, perhaps in other areas within the labour market.

So I just would like to understand whether an assessment has been done that while it is true in the construction industry there may be further movement that would need to be monitored by the factory inspectors in other industry groups.

**Hon. J J Bossano:** What I am telling the hon. Member is that this is just like there are cyclical patterns in many other things. In the case of the activities related to work, it seems to me that without being a Health and Safety Inspector it is fairly evident that excessive alcohol is the most likely cause of a danger to Health and Safety in December, but not necessarily in November.

Therefore, the answer is that in December there are less places of work, other than bars that are functioning and in December in every year the activity is less than in November primarily for that reason, and quite apart from the fact of course that the public service itself shuts for a longer period.

**Q101/2014**

**Government debentures and other debt securities–  
Value as at 31st December 2013**

**Acting Clerk:** Question 101, the Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, can the Chief Minister please state the value of Government debentures or other debt security as at 31st December 2013?

**Acting 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 value of all Government debentures and other debt securities as at 31st December 2013 was £457.79 million.

2105 **Hon. D A Feetham:** Mr Speaker, we have heard two different figures here from this side of the House. Is it £457 million or £477 million?

**Hon. J J Bossano:** £457.79 million.

2110

**Q102/2014**

**Gibraltar Savings Bank debentures/other debt security –  
Value as at 31st December 2013**

**Acting Clerk:** Question 102, the Hon. D A Feetham.

2115 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister please provide the value of Gibraltar Savings Bank debentures or other debt security as at 31st December 2013?

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

2120 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, the value of all Gibraltar Savings Bank deposits as at 31st December 2013 was £840.67 million.

2125 **Hon. D A Feetham:** Yes, the hon. Gentleman has spoken about deposits. I have asked about Gibraltar Savings Bank debentures and other debt securities and I suppose that technically perhaps deposits could at a stretch rank as debt securities, but does he have the figure for Gibraltar Savings Bank debentures, as opposed to other types of deposits with him there?

**Hon. J J Bossano:** I do not have the figure with me, but I would say it is likely to be of the order of £480 million from what I know of the portfolio distribution.

**EDUCATION, TELECOMMUNICATIONS AND JUSTICE**

**Q77/2014**

**Prison inmates–  
Rehabilitation programme**

2130 **Acting Clerk:** Question 77, the Hon. Mrs I M Ellul-Hammond.

2135 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Justice advise what the rehabilitation programme for prison inmates is, in order for them to reintegrate back into society after serving their sentence?

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

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, I will answer this question together with Question 78.

**Q78/2014**

**Prison inmates–  
Rehabilitation assistance offered**

2140 **Acting Clerk:** Question 78, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Justice say how many and how often, on a weekly basis, do social workers, educators, care workers, counsellors or psychologists, visit the prison in order to work with the inmates and to help them rehabilitate and/or acquire jobs and/or housing after leaving prison?

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

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, rehabilitation of prisoners is a multi-pronged programme that encompasses a wide range of offences and/or behaviours.

From the Prison side, the first and foremost issue is health. For this reason prisoners are subjected to a Medical Reception by the Hospital Officer upon arrival and are subsequently seen on Sick-Parade by the Prison Medical Officer.

At this stage, firstly, any alcohol or drug dependency is identified and suitable steps are put in place. Prisoners on alcohol withdrawal are commenced on a 30-day programme of medication that treats the physical effects of the withdrawal. Those prisoners who are seen by the Medical Officer to require psychological support may be referred to the Community Mental Welfare Team, who would work in tandem with the Prison.

Drug dependency is dealt in the same manner, offering the required medication/psychological support. In addition, prisoners may attend the weekly visits of Narcotics Anonymous, who offer specialised support via group sessions.

The Prison also receives a number of prisoners suffering from psychological and mental disorders, some of which have been long-term sufferers. From the moment they arrive they are seen by the Medical Officer and referred to the Community Mental Welfare Team for continuation of their treatment. This involves a psychologist, psychiatrist and/or the team of support nurses. In addition, these prisoners are risk assessed by the Prison, and if there is a need, they may be housed in the Vulnerable Prisoner Unit to avoid issues, such as bullying, and assist with their monitoring.

Working very closely with these medical professionals is the counsellor, who visits the Prison two or three times a week. He has created an effective base from which he now has a number of prisoners, who he supports with their problems and acts as a link with the Employment Service and/or the Housing Department, depending on the issue.

Another aspect to rehabilitation is the educational classes, light workshop, and vocational training, which will be commencing during the next month.

Educational classes are held for prisoners every week – on average 4½ hours a week. This comprises of Mathematics, English and Spanish. These are very popular and have been very successful, having already resulted in a number of prisoners gaining a qualification. In addition, we also have Archimedes Training Centre, which is imparting lessons to one of our prisoners on business studies.

The Light Workshop is run by a retired Senior Trades Prison Officer, who was taken on as a vocational tutor and imparts lessons to approximately 8 to 10 prisoners a day, from Monday to Friday, on basic carpentry, to build simple objects, such as jewel boxes, cars and boats. These lessons provide a platform, as an alternative to educational classes, for those who want to try out a trade.

Vocational training, which commences next month at the Prison, has arisen from an initiative of the Employment Service to impart training to those serving a sentence in order to assist them in finding employment upon release.

The Employment Service in addition visit prisoners identified by our counsellor as requiring support. They assist prisoners in compiling their CVs and identifying what area they might best be suited for when applying for a job.

The Prison also runs gym and outdoor sports in order to instil positive changes in prisoners.

Gym classes are held three times a day, seven days a week. They are monitored by Sports and Games Officers, who encourage and assist with their programmes. To many, it is the first time that they have participated in this kind of activity and with a number of prisoners the ‘feel good’ effect, along with the positive changes to their bodies sees them continue their training throughout their incarceration and then on to their private lives.

As in schools, we promote sport over drugs. This is also true of outside sports activities, such as football and basketball. Prisoners find – and when I say outside sports activities, I mean within the Prison (*Laughter*) but outside in the patio, rather than outside the Prison. (*Laughter*) I thought I would just make that absolutely clear. (**A Member:** Outdoors.) So it is outdoor activities within the Prison, such as football and basketball. Prisoners find, on occasion for the first time, how they need to be part of a team to succeed.

Voluntary Drug Testing Compact Scheme: in our efforts to encourage prisoners away from drugs, a system of voluntary drug testing was commenced, with a view to reward, for those who have been in Prison for at least four months, negative results with privileges. Those prisoners that sign on to the Voluntary Drug

2205 Testing Compact Scheme will be tested at random. In return they may have a TV, DVD player, Playstation2, at their expense, in their cells, extended visits and Pin-Phone calls. This has had a very positive effect on numerous prisoners, especially those serving a longer sentence, who have come to realise that life without drugs enhances their relationships with their family, and put themselves in a position where they can receive proper help to succeed on the outside.

With regard to Question 78, the visits to the Prison are as follows:

2210 Educators: Prison Tutor, 4 times a week; Archimedes Training Centre, once a week.  
Care Workers: These visits are not carried out at regular intervals, but more on a basis of the need to interview prisoners.

Counsellor: two to three visits a week.

Employment Service: once a week.

Psychologist: once a month.

2215 Psychiatrist: three visits a month.

Narcotics Anonymous: once a week.

Community Mental Welfare Team: once a month.

Gibraltar Catholic Prison Ministry: once a week.

2220 A minister of religion of other denominations will attend whenever this is requested by a particular inmate.

Social workers are not generally involved in prison visits. (*Banging on desks*)

#### Q79/2014

#### Potential child victims of sexual abuse/exploitation – Education programmes to combat

**Acting Clerk:** Question 79, the Hon. Mrs I M Ellul-Hammond.

2225 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Justice and Education explain what the education programmes will be, aimed at enabling the identification and ability to deal with child victims, and potential child victims of sexual abuse, or exploitation, in line with the new EU laws designed to fight online child pornography?

2230 **Acting Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

2235 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the Child Victims of Sexual Abuse and Exploitation Regulations 2013 came into operation on 18th December 2013, for the purpose of transposing Directive 2011/92/EU of the European Parliament and of the Council of 13th December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography.

The Gibraltar Area Child Protection Committee has been asked to advise Government on the preventative measures, including education programmes, which are required to be put in place under the Regulations. The Government will consider the recommendations made by the Committee, as soon as it receives them.

#### Q80/2014

#### Bayside School – Sixth Form Common Room refurbishment

2240 **Acting Clerk:** Question 80, the Hon. Mrs I M Ellul-Hammond.

2245 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education say what has been the delay in opening the newly refurbished Sixth Form Common Room at Bayside School and when it will be opened?

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

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the Study Room for Years 12 and 13, which is what is commonly referred to as the ‘Sixth Form Common Room’ has

2250 an historical problem with water ingress. There was a need to identify the cause of the problem so that this was addressed at the same time as the internal refurbishment of the room. It appears that the likely cause has now been identified. Works have already started, and both the external and internal works are expected to be finished by next week, after which the Study Room will be available for use.

2255 In the meantime students from Years 12 and 13 have had the use of another study area, which is supervised by a teacher.

**Q81/2014**  
**St Joseph's School –**  
**New annex; snagging issues**

**Acting Clerk:** Question 81, the Hon. Mrs I M Ellul-Hammond.

2260 **Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education advise whether any Health and Safety issues or snagging issues have been resolved at the new annex to St Joseph's School and when it will be used for academic teaching?

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

2265 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, as stated in Government press release 761/2013, all Health and Safety requirements in relation to the new annex at St Joseph's School were met during construction and the facilities were certified as fit by the relevant authorities. All snagging has now been completed.

2270 There has been a delay in the delivery of equipment and furniture which was ordered for the annex. The furniture and equipment has now been delivered. The full use of the annex will now be determined by the head teachers of both schools.

2275 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, so if the Minister could confirm that it is not being used for teaching at the moment, but the head teachers will soon be deciding when they will be opening the annex?

**Hon. G H Licudi:** It has been used for some purpose. What I have said is that the full use will be determined by the head teachers.

2280 There are some big classrooms, which have been used for something like movement classes, and that sort of thing, but there was a problem at delivery, not with the order. At delivery there was a problem and the delay in the delivery of the equipment, which is now here, as I have said, and it is clearly a matter for the management of the two schools, who will share these facilities, to decide how and when they use it.

**Q82/2014**  
**National Institute for Adult Continuing Education –**  
**Establishment of an institute**

**Acting Clerk:** Question 82, the Hon. Mrs I M Ellul-Hammond.

2285 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education say when the Government will be establishing a National Institute of Adult Continuing Education, as outlined in their manifesto?

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

2290 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, as I believe we have stated on previous occasions, the Gibraltar College continues to develop education provision for adults. The establishment of an Institute will be carried out during the course of this parliamentary term.

**Q83/2014**

**Transport to schools –  
Increase in fleet of vehicles and drivers**

**Acting Clerk:** Question 83, the Hon. Mrs I M Ellul-Hammond.

2295 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education say when the Department of Education will be increasing its fleet of vehicles and drivers in order to fulfil its manifesto commitment to provide transport to schools for educational and sporting needs?

2300 **Acting Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, I will answer this question together with Question 84.

**Q84/2014**

**Bus driver vacancy–  
Update**

**Acting Clerk:** Question 84, the Hon. Mrs I M Ellul-Hammond.

2305 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question 76/2013 can the Minister for Education update this House on the filling of the bus driver vacancy?

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

2310 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the bus driver vacancy was filled on 1st July 2013. A new 17-seater bus was recently purchased by the Department of Education and has been in operation since September 2013. This bus does not replace, but is in addition to the 22-seater bus which the Department of Education already had.

2315 In addition, the Gibraltar Bus Company works very closely with the Department of Education to ensure that transport is available when it is required. The Government's manifesto commitment was to ensure that provision is made for schools to have transport available for educational and sporting needs. The arrangements currently in place achieve precisely that. The manifesto commitment has therefore been given full effect. *(Banging on desks)*

2320

**Q85/2014**

**'Homework Support Group' policy –  
Update**

**Acting Clerk:** Question 85, the Hon. Mrs I M Ellul-Hammond.

2325 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question 75/2013, can the Minister for Education advise as to the progress in the 'Homework Support Group' policy and the details of when, where and for which age group these sessions are being held?

2330 **Acting Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, students across all sectors, who require additional help, are being supported with their extended work, or homework, during the lunch break and after school. These sessions are happening in schools on a weekly basis, as and when needed.

2335 Furthermore, within the secondary sector, additional classes for GCSE and A-level students are systematically happening on a weekly basis in our schools. The Department of Education continues to afford support classes for GCSE and A-level mathematics at the Department on a weekly basis.



2340 **Mrs I M Ellul-Hammond:** Mr Speaker, how can the parents formally learn of how to enrol their children in these homework support groups, or is this a continuation of relying on the goodwill of teachers, as they always have done, in fact, before this Administration, that they ought to support further some of their students during the lunchtime or slightly or after hours?

2345 **Hon. G H Licudi:** Mr Speaker, if any particular parent considers that there is a need for their particular child to have additional support, I would urge them to contact their head teacher in the first place and try and put in place a system for that particular child.

As I have said in the answer, the support for particular children is available, as and when required, either during lunchtime or after school. So I would certainly urge parents to contact the head teachers in the first place and, if need be, they can certainly contact the Department of Education as well.

2350

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, these homework support groups, are they run by the teachers from the schools themselves? Do they stay on afterwards or are supply teachers brought in to supervise? How does the system work exactly?

2355 **Hon. G H Licudi:** Mr Speaker, the necessary support that I have described is being provided by the teachers from the schools themselves.

**Q86/2014**  
**TLR review –**  
**Update**

**Acting Clerk:** Question 86, the Hon. Mrs I M Ellul-Hammond.

2360 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question 71/2013, can the Minister for Education advise what progress has been made with the TLR review?

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

2365 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the Department of Education is now in possession of the survey results conducted by the GTA/NASUWT and is analysing and considering the data. I would reiterate that this does not necessarily imply that there has been or that there is anything inherently wrong with the present structure.

2370 **Hon. Mrs I M Ellul-Hammond:** Is there any timescale as to when the review will be fully analysed, and a report or an implementation of that of the recommendations in conjunction with the union?

2375 **Hon. G H Licudi:** Mr Speaker, as I have said in the answer, the fact that a survey has been conducted by the union and data has been provided by the Government, which the Government is now considering, does not necessarily imply that there is anything inherently wrong, or wrong at all with the system. So it does not necessarily follow that there will be recommendations which will have to be implemented.

The matter is now at a stage that it is being considered by the professionals at the Department and I am currently awaiting a brief following that analysis, so I am not able to say at this stage how long the professionals will take in analysing all the data that they have received.

**Q87/2014**  
**Supply teachers from outside Gibraltar –**  
**Recruitment and costs incurred**

2380 **Acting Clerk:** Question 87, the Hon. Mrs I M Ellul-Hammond.

2385 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, since the 47 new teachers were employed, can the Minister for Education say whether any supply teachers from outside of Gibraltar, over and above those already on the ‘supply list’, have been recruited to cover absences, and if so, how much has this cost the Government so far?

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

2390 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, no supply teachers have been recruited from outside Gibraltar, over and above those on the Department of Education's supply list for teachers.

**Q88/2014**

**Safeguarding Children Policy for Schools and the Gibraltar College –  
Final version**

**Acting Clerk:** Question 88, the Hon. Mrs I M Ellul-Hammond.

2395 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question 73/2013, is the Minister for Education now in a position to provide this House with a copy of the final version of the Safeguarding Children Policy for Schools and the Gibraltar College?

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

2400 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the Department of Education's document on Safeguarding Children Policy for Schools and the Gibraltar College is almost complete. Once ready, it will be disseminated directly to schools and we intend to post it within the appropriate section of the Government's website.

2405 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, about a year ago the policy was in draft form. Why has it taken so long for it not to be completed?

2410 **Hon. G H Licudi:** Mr Speaker, what I would reiterate is that what is awaited is not a policy; it is a document. I have confirmed in my answer that what is almost complete is the document, but certainly schools have the necessary policy on safeguarding children and they implement it.

What has happened is that we have compiled it altogether and put it all in a document, which is now in the final stages of preparation. So that it is in one document, which can be spread evenly across all schools so that they all have the same document from which to work on, and that is what is almost complete and will be made public as soon as it is available.

**Q89/2014**

**Gibraltar College of Further Education –  
Plans to relocate**

2415 **Acting Clerk:** Question 89, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education say what the plans are, if any, for the relocation of the Gibraltar College of Further Education?

2420 **Acting Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, Government has no plans to relocate the Gibraltar College.

**Q90/2014**

**University of Gibraltar –  
Plans for establishment**

**Acting Clerk:** Question 90, the Hon. Mrs I M Ellul-Hammond.

2425 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education say what the recommendations are and what progress has been made from Dr Daniella Tilbury's Report, on the setting up of a University of Gibraltar?

2430 **Acting Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

**Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, Government continues to work on plans for the establishment of a University of Gibraltar. The establishment of the University is a firm commitment by the Government, which will be achieved within this parliamentary term. Full details of the University will be given, when the plans which Government is working on, have been finalised.

**Q91/2014**  
**Autism Spectrum Disorder –**  
**Types of therapies given to children**

**Acting Clerk:** Question 91, the Hon. Mrs I M Ellul-Hammond.

2440 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education outline the types of therapies given to children within the Autism Spectrum Disorder and other acute special needs, and say whether he is satisfied with the level of frequency and the intensity of therapies they are receiving?

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

2445 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, Speech and Language Therapists, Occupational Therapists, Physiotherapists and the Rehabilitation Officer for the Visually Impaired currently support children with Autism Spectrum Disorder and other acute special needs in our schools.

Referrals are made by schools and prioritised by the different therapists.

2450 Decisions on the frequency and intensity of the therapies would be made by the therapists involved, based on the individual needs of the pupils. Pupils might receive the support from more than one therapist.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Hon. Minister said that the decisions of frequency and intensity were made by the therapists. I presume this is conjunction with the teachers.

2455 **Hon. G H Licudi:** Yes, Mr Speaker, as I indicated, referrals are made by the schools and the schools regularly discuss these matters with the therapists, in relation to the visits and the frequency and support needed by the therapists, but these are professional decisions. These are not decisions either for me, as a politician, or for the management of the Department of Education. These are professional decisions because we are dealing with acute needs of children.

2460 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, has there been any indication from the specialist school certainly to perhaps increase the number of therapists and therapies made available to some of the children there?

2465 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, if I may assist there, because there is a certain overlap between the Education Department and the Health Authority. I have been holding meetings with parents of children to look at how we can improve certain aspects of what really is a bottomless pit. How do you limit what one would like to do for these children?

2470 So it might not directly answer the question, but what I can say is that I am involved with parents, and with therapists, to look at how we are delivering this service and whether there is anything we can do to improve this further.

DEPUTY CHIEF MINISTER

Q103/2014

Provision of flights to Marrakesh –  
Financial/other assistance from Government

**Acting Clerk:** Question 103, the Hon. D J Bossino.

2475 **Hon. D J Bossino:** Can the Minister for Aviation advise this House if the recent initiative to provide flights to Casablanca... actually that is a mistake, I meant to Marrakesh, has received or will in the future receive financial or any other form of assistance from the Government, or either directly or indirectly by Credit Finance Company Limited or the proceeds of monies deposited in the Gibraltar Savings Bank?  
(Interjections and laughter)

2480

**Acting Clerk:** Answer, the Hon. the Deputy Chief Minister.

**Deputy Chief Minister (Hon. Dr J J Garcia):** Yes, Mr Speaker, the answer was not going to be there are no flights to Casablanca.

2485

No application for financial assistance has been received by Credit Finance Company Limited for this venture.

2490

**Hon. D J Bossino:** If the Hon. the Deputy Chief Minister could expand his reply in relation to the Government and the other entities I mentioned, in other words the Government and the Gibraltar Savings Bank. I think he only specifically referred to the limited company, as opposed to the other two entities.

2495

**Deputy Chief Minister:** Mr Speaker, there are discussions ongoing in relation to the normal incentives given to all airlines that fly in and out of Gibraltar. Those are the Airline Assistance Scheme, the passenger tax, the landing tax, the ad marketing... the usual incentives.

**Hon. D J Bossino:** Yes, and the provenance of those incentives would be the other two entities I mentioned perhaps – the Government and the Gibraltar Savings Bank?

2500

**Deputy Chief Minister:** Mr Speaker, these issues are handled through Tourism, and my colleague is responsible for the discussions with the airlines.

But in terms of funding, which is, I think, what the question is asking, the financial assistance, there is none, except the usual incentives which are given to airlines.

## Questions for Written Answer

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

2505

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to table the answers to Written Questions W1/2014 to W24/2014 inclusive.

## ADJOURNMENT

**Acting Clerk:** Adjournment.

2510

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that the House do now adjourn *sine die*.

I will, because I told him I would, note that the hon. the backbencher is not in the House, even now. I agreed with him when he left that I would point it out when I got back on my feet, but just adjourn the House now *sine die* until next month.

2515

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

The House will now adjourn *sine die*.

*The House adjourned at 7.45 p.m.*