



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 2.00 p.m. – 6.10 p.m.

Gibraltar, Thursday, 20th November 2014

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The Gibraltar Parliament

The Parliament resumed at 2.00 p.m.

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

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

Questions for Oral Answer

HEALTH AND THE ENVIRONMENT

Q653-654/2014

Old St Bernard's Hospital site (continued)

Clerk: We carry on with Question 654.

Hon. J J Netto: Yes, I think, Mr Speaker, I was in mid flow when we started with the problems with the microphones, so just to recap on my latest supplementary question. One of the things in the original answer that the Hon. Minister gave was that there has been no on-site visit by any of the officials of the Environmental Agency on this site.

Can I therefore ask the Hon. Minister whether a site visit can take place, because undoubtedly there is work going on and by the very nature of the work means more dust is going to be dispersed in the surrounding area, and I think it is only right and proper that this is considered, and if necessary, a variation to the permit contract is done, so that the contractor can put the dust sheets to avoid any more dust being flown around in the neighbouring area.

But can I also point out to the hon. Gentleman that the scaffolding has not got either any netting whatsoever. Now, netting by definition, as we know, is there simply to avoid any particular item of construction from a particular construction site from falling over and injuring, whether it is a worker within the site or members of the public. And we have had already an incident, which is being investigated in Governor's Meadows, which he is going to investigate and that is fine.

But surely there should be some sort of netting as well in the old site of the old St Bernard construction taking place there, with a view of putting netting to avoid any incident that may seriously injure a worker or a member of the public.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, what I said in my answer was that the Environmental Agency had not inspected the construction site on a monthly basis. When the Member opposite raised the issue in the last meeting, I immediately contacted the Environmental Agency. They confirmed that there had been no reports of dust specifically, and I believe that they visited the site subsequently, just to ensure that they did not detect a problem themselves. But what I said was that they had not gone on a monthly basis, because the Member opposite had asked for a breakdown on a monthly basis.

I think it is clear that it is the contractor's responsibility to comply with the conditions of the regulations. Obviously the Environmental Agency is the one that issues the certificate, but as I say, it is not that they have not been there at all. It is just that they have not been on a monthly basis.

Hon. J J Netto: Yes, Mr Speaker, but unfortunately I do not want to necessarily keep asking more supplementary questions, but the latest supplementary answer just simply does not address the very reasonable request which I am making, and that is to say that by the very nature of the work being carried out at the old St Bernard site, by nature, regardless of the fact whether there are complaints by the residents or not, by the nature of the works being carried out, that will mean further dust being dispersed in the surrounding area. And what I am asking is for the Environmental Agency to consider that, the extent of the work that needs to be done with the view of perhaps putting the dust sheets. So that is one issue which I have asked.

45 The other issue which I have raised is that there is not netting on the scaffold there. Therefore can I ask that the... It is not something that the Environmental Agency; it is to do with the factory inspector. Unfortunately the Minister for Health and Safety is not here, but could I ask them that he communicate this with his colleague, so that the factory inspector can also look into the netting to avoid simply any item of construction falling over and injuring someone. I think that is a very reasonable request.

50 **Hon. Dr J E Cortes:** Mr Speaker, the hon. Member should take it as understood that any concerns that come to my notice, be they here across this House, members of the public, or when I access other sources like social media and so on, any concerns I always act upon them and I always take it very seriously. So he should take it as read that I will look into the concerns that have been expressed, whether they are justified or not. I am not in a position to say, but I never, ever hear anything which can be of concern to any of my fellow citizens and just do nothing about it.

Q655/2014
Macaques –
Preventing entering flats

55 **Clerk:** Question 655, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for the Environment state what plan, if any, the Government has in place to stop the rogue pack of macaques entering into the flats at Knights' Court, St Joseph's Estate and Alameda Estate?

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

65 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the macaque management team has members of staff working in urban areas, whose sole role at the moment is to push macaques out of urban areas back into the nature reserve. These teams are working on this task seven days a week.

70 **Hon. J J Netto:** Well, Mr Speaker, that is fine to know, but given the fact that we have had in the last couple of weeks a surge of a particular group of macaques entering into the flats, which I have said, I think it will be more pertinent if the Minister actually answered the question, as to what can he tell the residents of those particular areas, as to what is being done in order to alleviate the concerns and the fear that the neighbours have in those areas.

75 **Hon. Dr J E Cortes:** Mr Speaker, exactly what I have just said. I find that I am having to repeat my answers almost on every occasion. The macaque management team has members of staff working in urban areas, including these areas, whose sole role at the moment, while there is this issue, is to push macaques out of urban areas back into the nature reserve. And they are working seven days a week.

80 If for this statement I have just made, you read the three sites which the Member opposite has mentioned, that answers the question: they are there seven days a week, causing as much disturbance to these animals as possible, with a certain measure of success, because the fact that they are in Alameda Estate is as a direct result of them having been pushed away from Main Street and the Trafalgar area.

It is a work in process and as I said, we are dedicating more resources than ever to this control and hopefully the situation will continue to improve.

85 **Hon. D A Feetham:** Mr Speaker, can I tie in a supplementary to some figures that the hon. Gentleman has provided in relation to Question 650?

90 If he looks at the statistics that he has provided in answer to Question 650, the hon. Gentleman will see that, in terms of incidents recorded at Accident and Emergency as a consequence of ape bites or ape incidents, in 2012 the total is 75 incidents reported to Accident and Emergency recorded at Accident and Emergency. In 2013 there is 106, which is a significant jump. And in 2014 up to September we are already at 99. So that shows an upward trend.

Now, can the hon. Gentleman provide a reason as to why there is this upward trend in incidents relating to apes and ape bites?

95 **Hon. Dr J E Cortes:** Mr Speaker, I thank the Hon. the Leader of the Opposition for giving me the opportunity to respond. I had some supplementaries prepared when the question was asked, and with your

leave, Mr Speaker, I will, as I was not given the opportunity by the Hon. Mr Netto earlier, I will respond now.

100 The causes of bites by macaques is usually as a reaction to some stimulus which is normally provided by a person who may make some kind of movement which the macaque misinterprets using their criteria of how a primate behaves. It may be that they have taken something and they are trying to get it back, so you cannot really attribute necessarily any increase or decrease and these are not I think statistically significant in any way to the macaques. You can perhaps attribute at least part of that to the human being.

105 I think that it is worth pointing out that it is known, and it is known in the scientific literature, that the incidents of macaque bites in relation to interactions between humans and macaques is in fact very low in Gibraltar, and studies which were published some years ago in the *International Journal of Primatology* of which I was a co-author, actually mention that in some of the Asian macaque sites, 11.4% of interactions result in bites; whereas in Gibraltar only 1.2% result in that.

110 But the Leader of the Opposition may be interested if I go back a few more years, in relation to macaque bites, because he says that in 2013 there were 104 or 106 – I have totted them up so maybe we are out by one or two; in 2012, 67. In 2000, there were 150; in 2007 there were 109; 2008, 122; 2009, 127; and the peak in fact was in 2011, when there were 156. You cannot relate it necessarily to any change in behaviour and you cannot use those statistics to prove anything because if you could, then I would have proved that there are fewer macaques now than there were before 2011 – fewer macaque *bites*, that is.

115 **Hon. D A Feetham:** Yes, Mr Speaker. And we acted upon it. There were incidents an increase in bites and incidents, and of course then there was culling, and then there was a significant criticism from the Opposition at the time because you were totally against culling. The reality is that if there is an explosion in ape population, it is then going to lead to an increased coming together with human beings, a contact with human beings that is going to lead to an increase in incidents.

120 Can I suggest – and what does he think about this – that in fact the increase in incidents from 2012-13...? And indeed there is an increase, or there is going to be an increase in 2014, because we are already at 99. We are only seven away, or five on his figures, from the 2013 figures, and there are still three months to go. That what we are seeing effectively is an increase in contact between human beings and macaques, probably because macaques are running wild in certain areas in town, and that is what is leading to an increase in the number of incidents and the number of bites. I am giving him an opportunity to answer that suggestion.

Hon. Dr J E Cortes: No, Mr Speaker, not necessarily, as I explained before. It is not directly related to the number of contacts, there can be certain relationships but you cannot make that assumption.

130 The figures in my opinion are probably not statistically significant, I have not carried out a statistical analysis. This can be done, but I think that the majority of those bites – and sadly I do not have that information, and I do not even know whether that information is correct – that the majority of those bites are occasioned on the Upper Rock and not in the urban areas. So I am not sure that one thing follows the other.

135 In any case there are now fewer macaques in urban areas, thanks to the successful export of one particular group, and so I think that the danger is probably reduced. But I cannot, as a scientist, say that it is definite cause and effect.

I do not want to cause offence to those lawyers on my side of the House, but it would be much more comfortable for me if there were perhaps more scientists than lawyers in Parliament.

**Q656-657/2014–
Marine life in British Gibraltar Territorial Waters –
Damage by nets**

140 **Clerk:** Question 656, the Hon. D A Feetham.

145 **Hon. D A Feetham:** Mr Speaker, can the Minister for the Environment please state whether his Department maintains any statistics on the damage done by drift and other nets to marine life in British Gibraltar Territorial Waters?

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

150 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 657.

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

Hon. D A Feetham: Mr Speaker, does the Minister for the Environment accept that Spanish fishermen continue to enter into British Gibraltar Territorial Waters in order to fish with nets?

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

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, damage to marine life can be quantified through physical damage to species or to ecosystems. There are also direct and indirect effects. The Department has some data on direct effects of damage, but these however, cannot be attributed to nets alone. Under the Southern Waters Management Plan, threats to marine ecosystems are discussed, and the Department monitors these in compliance with EU legislation.

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And in answer to Question 657, yes, sir.

Hon. D A Feetham: Well, Mr Speaker, I am grateful for the answer to 657.

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I want to ask him this supplementary, but I want to first of all place it into context. It does relate to a matter within his responsibility. But I want to draw his attention to a statement issued by GONHS on 19th September 2011, just two months prior to the last general election. I do not know whether he was the co-author, or just the author of that statement or he had nothing to do with that statement, but certainly he led GONHS at the time, for a considerable period of time. And it said this: it talked about the use of illegal nets, the effect on marine animals, including dolphins; it said that Spanish fishermen had gone virtually unchallenged by the Gibraltar Authorities and then it said this, and I quote:

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‘The situation is a veritable mess. There must be a change in the way that it is being handled. What is needed is the courage to enforce the laws of Gibraltar and Europe’.

Is the way that it is handled now any different to the way that it was handled in September of 2011, by the Government and by the Department that he is responsible? And has he had the courage to enforce the laws of Gibraltar and of Europe?

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Mr Speaker: I am going to allow the Minister to answer that supplementary, but I am not going to allow a lengthy debate on this issue.

Hon. Dr J E Cortes: Mr Speaker, as a Government Minister I make the laws; I am not a law enforcer. Do I have the courage? Yes, Mr Speaker, I think I do. I think there is a fundamental difference in that now we are actually actively involved in trying to obtain information which will inform how nature protection laws develop.

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We have very recently published, I think, very brave regulations, very courageous regulations, which aim to protect for the future use of future generations our marine resources, including tuna, and therefore I think that we are now introducing a lot more, not just legislation, but also fact finding possibilities.

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The strengthening of the Department of the Environment, which is now a completely different Department to the one that I inherited, the Chief Executive is now a scientist and there are more people working directly on environmental matters who are technically qualified.

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We are setting up, we are obtaining equipment and facilities in order to inform us better. And therefore all the statements which were made by GONHS at the time will be able to at least be followed up, in the sense that we will have the information as to see how much damage has been done.

As I said in my answer and I said in my answer earlier, it is very difficult to gather these statistics, but nevertheless we are now building up gradually a system and a group of people who will be able to inform us in the future and to better be able to manage our marine resources.

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Hon. D A Feetham: Well, Mr Speaker, I note the hon. Gentleman’s answer that he is a law maker and is not involved with the enforcement of our laws. But let me read something from the 2011 GSLP manifesto, and I quote:

‘We do not believe it is right to allow illegal fishing in our waters and we will stop this immediately. We will ensure that the ban on the use of drift nets and other nets is enforced’.

Is he now accepting that, in the light of the answer that he has given me just a few moments ago, that the public were being misled by the commitment that the GSLP/Liberals gave at the last general election which I have just read?

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205 **Hon. Dr J E Cortes:** No, Mr Speaker, this is a process. It is my aim and my vision to ensure that the marine resources of British Gibraltar Territorial Waters continue to develop and thrive, and it is my Department's aim to provide the habitat the scientific input and the protection that is required in order to achieve this.

210 If this takes a little bit longer and if the methods that we employ are a little bit more subtle as long as they result in what our aims and ambitions are, then I will be satisfied that we have fulfilled this and much more.

215 **Hon. D A Feetham:** But, Mr Speaker, if enforcement of the law is just purely a matter for the Police, and therefore the Government has absolutely nothing to do with a situation where the law is being flouted, either in British Gibraltar Territorial Waters or anywhere else... which I think is a curious statement, I have to say, because no government anywhere in the world will allow its laws to be flouted with impunity without stepping in and saying, 'Well, hang on a minute, law enforcement may be up to the police but this is not being enforced', and I want to do something about it.

220 Mr Speaker, therefore is he accepting that when they said in their manifesto that they would put an end to illegal fishing in our waters immediately, that they were misleading the people of Gibraltar, because quite clearly, Mr Speaker, he has already admitted that illegal fishing in British Gibraltar Territorial Waters is occurring today?

225 **Hon. Dr J E Cortes:** Mr Speaker, I do think that we are extending this into a debate, which is not directly related to – (*Interjections*) No, no, but nevertheless, I will comment.

Mr Speaker, the steps taken to protect and enhance marine life in British Gibraltar Territorial Waters started immediately. There may not have been the steps that clearly the Members opposite want to see with whatever intention they have. But I am convinced that already the state of marine life in Gibraltar waters is improved to the one that I inherited, and will be improved further.

Perhaps the Members opposite could do with a little bit more vision and a little less impatience.

EQUALITY, SOCIAL SERVICES AND THE ELDERLY

Q658-659/2014

Dr Giraldi Home employees –

Outcome of disciplinary hearing; bullying and harassment complaint

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Clerk: Question 658, the Hon. J J Netto.

235 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services please state the outcome of a disciplinary hearing of an employee of the Dr Giraldi Home as a result of taking an undeclared packet of 200 cigarettes in her handbag through the Spanish Border, whilst travelling with other employees of the Home and a resident with challenging behaviour, back in February of this year?

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

240 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I will answer this question together with Question 659.

Clerk: Question 659, the Hon. J J Netto.

245 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services please state the outcome of a complaint of bullying and harassment made in July of this year by an employee of the Dr Giraldi Home.

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

250 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I am unable to comment on matters that concern specific individuals and make it possible for them to be identified.

The way that the question is framed is misleading, in that it suggests that such an allegation is true. The Care Agency is cautious not to accept allegations made against its employees without proper investigation.

255 When allegations of misconduct are made towards any employee of the Care Agency, these are dealt with in accordance with the Care Agency's internal policy and procedure, which are subject to the basic principles of employment law. The overriding principle is fairness.

260 All complaints are thoroughly investigated. In the event that the matter results in disciplinary proceedings the matter will be considered before an independent panel which will consider the evidence put before it, which includes both the evidence in support of the complaint and evidence in support of the employee against whom the allegation is made. It is not simply a one-sided account. The disciplinary panel is required to consider the available evidence put before it and be satisfied that the complaint is proved to the required standard. The outcome of the disciplinary hearing is a matter that is subject to confidentiality and as such it would be wholly improper of me to breach the duty of confidentiality that is owed.

265 **Hon. J J Netto:** Mr Speaker, could I ask the hon. Lady whether the investigation has now been finalised in terms of the disciplinary hearing is concerned and the particular person in question is now back at work?

270 **Hon. Miss S J Sacramento:** Mr Speaker, as I said in my substantive answer, I am not at liberty to comment on specific instances, other than to say that we apply the rules and procedures of natural justice and of employment law and every single allegation that is made in relation to the Care Agency is thoroughly investigated. I cannot comment any further in relation to any particular matters.

275 **Hon. J J Netto:** Well, Mr Speaker, I can assure the hon. Lady that the person sitting to his right and the Hon. Mr Bossano, when I was the Minister for Social Services, they used to question me at length on any allegations that were brought to their attention, and we had sessions here where the Members now in Government used to provide all sorts of details from the allegations made to them.

280 I am not asking for details of the name of the particular person. All I am saying is where there was such an incident, that a junior manager of Dr Giraldi Home actually took with her certainly one employed care worker of the Dr Giraldi Home, along with another one, who I understand was on a kind of probationary basis not by the Care Agency, but by another company, with a resident of Dr Giraldi Home who this particular person has challenging behaviour, went inside a car of the Care Agency, passed the Border into Spain and when stopped by the *Guardia Civil*, the *Guardia Civil*, when checking the particular bag of this particular junior manager found an undeclared packet of 200 cigarettes.

285 Now, it may be that the Minister does not want to answer the question. But it is a very serious allegation if a particular employee of the Care Agency has crossed into Spain with an undeclared pack of 200 cigarettes during normal working hours, and surely the Minister ought to come with a statement to state whether the evidence being investigated by the Care Agency backs up the claim made or not.

290 **Hon. Miss S J Sacramento:** Mr Speaker, the hon. Member can rest assured that everything is investigated, and things are investigated thoroughly, and things are investigated properly, and nothing is swept under the carpet. So if he is going to refer to debates which occurred in previous Parliaments, he may well recall that many questions were asked, but very few answers were given. (**Several Members:** Hear, hear.) (*Banging on desks*)

295 **Hon. Miss S J Sacramento:** What I am saying, Mr Speaker –

A Member: By me particularly.

300 **Hon. Miss S J Sacramento:** Mr Speaker, what I am saying on this occasion is that he can rest assured that allegations are thoroughly and properly considered and investigated, but that the Care Agency is under a duty to its employees to keep any outcome of any disciplinary matter confidential, because we have a duty to that employee.

305 I am happy to discuss the matter with the hon. Gentleman in confidence behind the Speaker's Chair, but he has now actually, Mr Speaker, made it almost impossible for me to give him any more information because all he has done is made the situation more specific than it was when he initially started to phrase the question.

310 So, Mr Speaker, there is no further information that I can give right now, not in this Parliament, without breaching my duty to the employee, other than to say that he can rest assured that if an allegation is made, any allegation no matter how serious, but obviously the more serious, the more serious that it will be taken but every single allegation is taken seriously and appropriate and proper action is taken in that regard.

Hon. J J Netto: Mr Speaker, I am very glad that the hon. Lady has been so diligent in looking back all the answers I have given, although I doubt it very much.

315 But could the Hon. Minister tell Parliament why the particular person who has made a complaint of bullying and harassment has been unsuccessful in trying to get to have a meeting with the hon. Lady since back in August of this year? Has she been so worked up that she could not find time for this particular man?

320 **Hon. Miss S J Sacramento:** Mr Speaker, even though this supplementary question pretty much has nothing to do with the first one, I can tell the hon. Gentleman that he can rest assured that while I am very, very busy, extremely busy – and the staff in my office, who used to be the staff from his office can tell him that they are much, much busier now than they have ever been in their life, Mr Speaker – on this particular occasion and without at risk of identifying anybody on this particular occasion, I did see this particular gentleman immediately when he asked to see me. I think I saw him the following day or the day after, and
325 he asked to see me again. I arranged a meeting and this gentleman did not attend. The meeting was arranged at least twice after that occasion and that gentleman did not attend.

So it is not true to say that I did not see that gentleman. I see everybody who asks to see me. I do not necessarily see them within 24 hours but I see them as soon as I am available to see them, regardless of how busy I am. And I am indeed very busy.

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

Q660/2014
Contract workers in Social Services –
Details

Clerk: Question 660, the Hon. D A Feetham.

335 **Hon. D A Feetham:** Mr Speaker, can the Minister for Social Services please state how many employees other than those referred to in answer to Question 508/2014 currently working in positions within her areas of responsibility are doing so on contracts of less than a year, providing a breakdown by reference to position nationality – separating British Gibraltarians and others – length of current contract and total length of time that individual has been working in a position for which any Minister has responsibility, if he or she
340 has entered into more than one contract?

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

345 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, there are four employees working in positions on contracts of less than a year, three as care workers, and one as an RGN, a registered general nurse. Three are British Gibraltarians and one is Spanish. The four have 11-month contracts and the four are on their first contracts.

Q661/2014
Third-party workers in Social Services –
Details

Clerk: Question 661, the Hon. D A Feetham.

350 **Hon. D A Feetham:** Mr Speaker, can the Minister for Social Services, please state how many employees other than those referred to in answer to Question 509/2014 currently working in positions within her areas of responsibility are employed by a third-party corporation such as recruitment consultants, providing a breakdown by reference to position, nationality, length of current contract, and length of time
355 that individual has been working in, or occupying a position for which any Minister in the Government has responsibility?

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

360 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, the individuals being referred to are not employees of the Care Agency and as such there is no contract between the Care Agency and them.

And the answer to this question is one, Mr Speaker.

365 To clarify, Mr Speaker, as the hon. Gentleman just said, on the last occasion I did say it was 33, since then to today there is one additional one.

Q662/2014

**Dr Giraldi Home allegations made –
Report by Sir Jonathan Parker**

Clerk: Question 662, the Hon. D A Feetham.

370 **Hon. D A Feetham:** Mr Speaker, has the Government received a copy of the report by Sir Jonathan Parker into the allegations made in relation to the Dr Giraldi Home.

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

375 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** No, Mr Speaker.

TRAFFIC, HOUSING AND TECHNICAL SERVICES

Q663-664/2014

**Alameda Estate –
Addressing parking concerns**

Clerk: Question 663, the Hon. S M Figueras.

380 **Hon. S M Figueras:** Can the Minister for Traffic provide an update to this House of the work he is doing to address the concerns raised with him by the tenants of Alameda Estate in relation to parking?

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

385 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, I will answer this question together with Question 664/2014.

Clerk: Question 664, the Hon. S M Figueras.

390 **Hon. S M Figueras:** Yes, Mr Speaker, can the Minister for Traffic say what contact he has had with members of the Tenants' Association of Alameda Estate in relation to concerns raised by tenants in relation to the dearth of parking in the area, and if he has indeed had contact, could he explain the nature of the contact and when this has taken place?

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

395 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, I have had contact via correspondence with the Alameda Estate Tenants' Association on the issue of parking on two occasions, once on 19th September and then on 23rd October 2014, regarding the question of parking in the area.

400 Specifically, this was in connection with a request for information regarding the possible implementation of a residential parking scheme for the South District. Both letters were replied to on 16th October and 13th November 2014 respectively. Traffic and parking issues were also raised on three other occasions at Tenants' Association meetings regarding housing matters. These were on 7th June 2013, 25th February 2014, and 7th August 2014.

405 The concept of a residential parking scheme for the whole of the South District, which could or could not include Alameda Estate is being considered under the Government's Traffic and Parking Plan, which, as I have already publicly stated, will be the subject of a public consultation document that will be made available shortly.

410 **Hon. S M Figueras:** Mr Speaker, I am sorry, did I hear correctly when the Hon. Minister said that the Sustainable Traffic and Transport Plan is now going to be the subject of an additional public consultation paper?

415 **Hon. P J Balban:** Mr Speaker, as publicly stated, the Traffic Plan now will go for another round of public consultation once the document is ready.

Hon. S M Figueras: I am sorry, Mr Speaker, at the risk of being cornered, when exactly was this publicly stated.

420 **Hon. P J Balban:** Mr Speaker, the last occasion when it was publicly stated, I believe, was in the programme *Direct Democracy* by the Chief Minister on GBC.

425 **Hon. S M Figueras:** Mr Speaker, can the Hon. Minister say whether the issue of parking at Alameda Estate is one that has been on the cards to be addressed as part of that plan from the very beginning, and I suspect I know the answer to the question obviously because I have had it about 100 times in the House. Is there an indication of when this particular issue might be addressed by the Hon. Minister specifically in the context of the concerns and difficulties being endured by tenants of Alameda Estate?

430 **Hon. P J Balban:** Mr Speaker, this part together with all the other issues relevant to the Traffic Plan will be... Shortly this will be made and then after the public consultation, it will all come – we are not going to be going... Certain things will be done at different times depending... So for example, the issue of residential parking is something that will be considered and whether we go forward with it or not will depend on exactly that.

435 **Hon. S M Figueras:** Mr Speaker, I did not ask a question – there is no question on the Order Paper about the Sustainable Traffic and Transport Plan because I have heard the answers often enough to know what was coming. But perhaps with the indulgence of the Chair, and if the Minister has the information available – which if, of course, he does not have I will be happy to make the subject of another question next month – this public consultation which was announced on Monday, and of which I was not aware, is there an indication of how long that consultation is expected to take?

440 **Hon. P J Balban:** Mr Speaker, it was actually prior to the Chief Minister's *Direct Democracy*, it was actually announced in the Party Political Broadcast. I actually did say that the document would be out for public consultation.

445 As to how long it will be out there available, we have not taken that decision yet. But, obviously it is not going to be there for an extremely long time. Remember, the public has already had a lot of opportunity to be able to put their views across.

450 Especially the initial parts of the plan when all stakeholders were asked, and everyone from Tenants' Associations to people who use our roads were consulted for their own opinions and views, and now that the feedback has come back from the consultants, there are obviously other things that people will appreciate to have an input in. Obviously this is not our plan; it is Gibraltar's plan, so it is important for us to seek any final comments that people may have.

455 It does not mean that people are going to say, 'I want this done', and the Government will go and do that. Obviously, we will be looking at the greater picture in context, but there will be that final opportunity for people to be able to have their final say in 'what about this, and what about that?', just to make sure that it really ticks all the boxes.

FINANCIAL SERVICES AND GAMING

Q665/2014

Finance Centre website –
Designer; costs

Clerk: Question 665, the Hon. D J Bossino.

460 **Hon. D J Bossino:** Can the Minister for Financial Services state which entity designed the Finance Centre website launched earlier this year, together with details of its cost?

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

465 **Minister for Financial Services and Gaming (Hon. A J Isola):** Mr Speaker, the Finance Centre website was designed by Maverick in line with the new branding as 'Gibraltar Finance'. The design, build and implementation of the website was delivered in two phases. The cost of the first phase was £19,875.08, and the cost of the second phase was £9,600.04. The website has been hugely successful and it has recently celebrated its first anniversary – so it was not launched earlier this year, it was actually last year –
470 including, of course, its Facebook and Twitter functions. As the hon. Members will recall, this was launched at the Gibraltar Day in London in October 2013.

Hon. D J Bossino: Mr Speaker, Maverick I think is the same company which has done the Tourist Board websites. (**Hon. A J Isola:** Yes.) I think I have understood that correctly. In relation to that, is the
475 Hon. Minister in a position to tell me whether the opportunity to provide the service went out to tender?

Hon. A J Isola: Mr Speaker, in respect of the Financial Centre website, no. Maverick were already engaged in the rebranding of the Gibraltar Finance; it was previously known as the Finance Centre. At the time, the Finance Centre had commissioned some work from another supplier, which we did not believe sat
480 at all within what we were trying to achieve, and therefore we chose Maverick to continue with our website as opposed to the previous supplier.

There are not that many people in Gibraltar that can design websites. I am aware of one which is the one that was previously doing it, and consequently we went directly to Maverick, who were involved, as the hon. Member will know, in the GFA Campaign which is where they were first really introduced to working
485 in Gibraltar.

Hon. D J Bossino: Sorry, I am not sure if the Minister for Tourism answered this question when I posed it to him: is Maverick an outside company? It is not a Gibraltar company, is that the case?

490 **Hon. A J Isola:** Mr Speaker, it is an international agency based in London, but I believe they have a Gibraltar vehicle with Gibraltar employees, who assist in the provision of services they provide in Gibraltar.

Hon. D J Bossino: I did ask these questions of the Minister for Tourism. He did not have that information available to him. But is he able to tell me what the name of the company is? Is this some
495 business name, and is there a limited company sitting behind that, and if so, who are the shareholders of that particular company are? Does he have any information available to him?

Hon. A J Isola: Sir, this is a very well known international brand agency working out of London with a very large number of staff. I certainly do not have the information as to who the shareholders are. I have
500 met one of the directors on one of my visits to London, when we went to meet with them to discuss these issues. But no, I have got no idea as to who the shareholders are. It is an international agency in London, very well known: if you Google it, they represent some of the best known brands in the world.

Mr Speaker: Next question.

Q666/2014
Gibraltar Government website –
Contracted designer

505 **Clerk:** Question 666, the Hon. D J Bossino.

Hon. D J Bossino: Can the Chief Minister state which entity was contracted to design the recently launched website for the Gibraltar Government and why it has not been maintained?

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

Minister for Financial Services and Gaming (Hon. A J Isola): Mr Speaker, the design of the Government website was originally contracted to Elitech Lab, previously known as Elitad Ltd, who worked
515 on developing the site and its data management system. Once the rebranding of Government had been completed, Maverick and Elitech Lab jointly worked to complete the website incorporating the new

branding and recommended management system. The new website will enable Departments to keep and maintain their own content updated and fit for purpose.

520 The website has not been maintained, as we were advised that the content had not been entirely reviewed and Government Departments have been given further time to review the data on the site. The amount of information on the website is enormous and we were advised that it was preferable to delay the new website until this exercise had been completed. We therefore reverted to the old website pending this exercise, which I understand is due to be completed next week. We expect it to be done shortly, at which time the new website will go live.

525

Hon. D J Bossino: Mr Speaker, obviously Maverick features in relation to this particular venture as well, as I understand it. But he mentions another company I have taken a very quick note, is it Elitech Ltd he mentioned? (**Hon. A J Isola:** Elitech Lab.) Elitech Lab. Are they also an outside of Gibraltar company? What is the connection between Elitech Lab and Maverick, if there is any? I just need to understand it a bit better.

530

Hon. A J Isola: Elitech Lab, previously known as Elitad, have no relationship with Maverick, it is an entirely different company. They have a presence in Gibraltar and they have a presence in many other countries as well.

535

Hon. D J Bossino: Is it a Gibraltar company?

Hon. A J Isola: Yes, I believe it is. It has other companies elsewhere but there is a Gibraltar company.

540 **Hon. D J Bossino:** And, Mr Speaker, why was the decision to use both entities, as opposed to one, as happened in relation to the Finance Centre website, where he said that a local company had produced something it was not for some reason deemed sufficient and they went to Maverick. So why is it in this case they have decided to go for both entities instead of the one successful entity in relation to his other website which was Maverick.

545

Hon. A J Isola: Mr Speaker, in respect of this site the reason to merge the two providers was because Elitad had already started, then the rebranding came on board and they were then merged together, and the reason why they were merged together was because each one brought something extremely different. The data management system on the Government website is very different. That was provided to us by Elitad and they have consequently been involved throughout the whole process and they still are today.

550

Hon. D J Bossino: Does he have this information? Can he tell me what the cost was, or has been to date in relation to the Government website?

555

Hon. A J Isola: No, Mr Speaker, I do not have that available, but I will happily get that to him.

EDUCATION, TELECOMMUNICATIONS AND JUSTICE

Q667-670, 674/2014

HM Prison –

Details of admissions, occupancy, parole and juveniles

Clerk: Question 667, the Hon. S M Figueras.

560 **Hon. S M Figueras:** Mr Speaker, can the Minister for Justice provide details of admissions to prison in Gibraltar, i.e. people who have been sentenced and sent or remanded in custody, on an annual basis, from 1996 to 2011, further to answers he gave in this House in March of this year in relation to Question 321/2014?

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

565

Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, I will answer this question together with Questions 668 to 670 and 674.

570 **Mr Speaker:** When this group of questions have been dealt with, we will have Chief Minister's questions.

Clerk: Question 668, the Hon. S M Figueras.

575 **Hon. S M Figueras:** Can the Minister for Justice provide this House with details of the total amount of admissions to HM Prison during the course of 2014 so far?

Clerk: Question 669, the Hon. S M Figueras.

580 **Hon. S M Figueras:** Can the Minister for Justice bring the House up to date with prison occupancy figures on a month by month basis from March 2014, further to answers given by him to Question 321/2014?

Clerk: Question 670, the Hon. S M Figueras.

585 **Hon. S M Figueras:** Can the Minister for Justice provide parole figures on an annual basis from 1996 to 2011, further to answers he gave in this House in March of this year in relation to Question 321/2014?

Clerk: Question 674, the Hon. S M Figueras.

590 **Hon. S M Figueras:** Can the Minister for Justice say how many nights juveniles have spent in total in HM Prison on a month by month basis since December 2011?

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

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

SCHEDULE TO QUESTION 672/2014

2011	Possession	Possession with intent to supply	Drug	Result
January	2	0	2 Cocaine	1 Guilty - Fined £800 (P) 1 Guilty - Fined £400 (P)
February	6	1	7 Cocaine	1 Guilty - 2 years probation (P) 1 Guilty - Fined £600 (P) 1 Guilty - Fined £500 (P) 1 Guilty - Fined £500 (P) 1 Guilty - Fined £600 (P) 1 Guilty - 2 years imprisonment suspended for 2 years (PWITS) 1 Guilty - Fined £500 (P)
March	2	0	Cocaine	1 Guilty - Fined £500 (P) 1 Guilty - Fined £500 (P)
April	0	0		
May	2	0	2 Cocaine	1 Guilty - Fined £90 (P) 1 Guilty - Fined £750 (P)
June	0	0		
July	3	0	2 Cocaine 1 Ecstasy	1 Guilty - 6 weeks imprisonment suspended for 18 Months (P) 2 Guilty 6 months imprisonment (P)
August	2	1	2 Cocaine 1 Ecstasy	1 Guilty - 24 months Conditional Discharge (P) 1 Guilty - 8 months imprisonment (PWITS) 1 Guilty - Fined £300 (P)
September	1	2	2 Cocaine 1 Ecstasy	1 Guilty - 21 Months Custody (PWITS) 1 Guilty - Fined £1,000 (PWITS) 1 Guilty - Fined £500 (P)
October	2	0	2 Ecstasy	1 Guilty - 3 weeks imprisonment (P) 1 Guilty fined £600 (PWITS)
November	2	0	Cocaine	1 Guilty - 10 days imprisonment (P) 1 Guilty - Fined £500 and 6 Week imprisonment sus for 1 year (P)
December	4	4	7 Cocaine 1 Ecstasy	1 Guilty - four years imprisonment (PWITS) 1 Guilty - Fined £700 (P) 1 Guilty - six months imprisonment (P) 1 Guilty 36 monthss imprisonment (PWITS) 1 NSP (PWITS) 1 Guilty -2 years imprisonment (PWITS) 1 Guilty NSP (P) 1 Guilty - 3 months imprisonment suspended for 2 years (P)

GIBRALTAR PARLIAMENT, THURSDAY, 20th NOVEMBER 2014

SCHEDULE TO QUESTION 672/2014

2012	Possession	Possession with intent to supply	Drug	Result
January	3	2	5 cocaine	1 Guilty - 2 years imprisonment - of which 1 suspended (PWITS) 1 Guilty - Fined £500 (P) 1 Guilty - 24 months imprisonment (P) 1 Guilty - 12 months imprisonment (PWITS) 1 Guilty - community service order - 100 hours (P)
February	3	0	2 Cocaine 1 Ecstasy	1 Guilty - Fined £700 (P) 1 Guilty - Fined £200 (P) 1 Guilty - Fined £500 (P)
March	2	1	1 Ecstasy 1 Methadone 1 Cocaine	1 Guilty - 2 years suspended (PWITS) 1 Guilty - fined £60 (P) 1 Guilty Fined £300 (P)
April	1	0	Cocaine	1 Guilty - Fined £900 (P)
May	1	0	Ecstasy	1 Guilty - Fined £500 (P)
June	5	0	1 Ecstasy 1 Methadone 3 Cocaine	1 Guilty - fined £700 (P) 1 Guilty - fined £75 (P) 1 Guilty - 3 weeks imprisonment suspended for 18 months (P) 1 Guilty - fined £500 (P) 1 Guilty - 1 months imprisonment (P)
July	1	0	Cocaine	1 Guilty - 2 weeks imprisonment (P)
August	1	0	1 Ecstasy	1 Guilty - Fined £500 (P)
September	5	0	3 Cocaine 2 MDMA	1 Guilty - fined £600 (P) 1 Guilty - Community Service Order - 80 hours (P) 1 Guilty - Fined £400 (P) 1 Guilty - Fined £400 (P) 1 Guilty - Fined £800 (P)
October	3	0	2 Ecstasy 1 Cocaine	1 Guilty - Fined £800 (P) 1 NSP (P) 1 Guilty - Fined £600 (P)
November	2	0	Cocaine	1 Guilty - 1 months imprisonment and £250 D/O (P) 1 Guilty - Fined £600 (P)
December	3	0	3 Cocaine	1 Guilty - fined £600 (P) 1 Guilty - Fined £400 (P) 1 Guilty - Fined £400 (P)

SCHEDULE TO QUESTION 672/2014

2013	Possession	Possession with intent to supply	Drug	Result
January	1	0	Cocaine	1 Guilty - 5 weeks imprisonment (P)
February	1	0	Cocaine	1 Guilty - Fined £800 (P)
March	0	0		
April	2	0	Cocaine	1 Guilty - fined £500 (P) 1 Guilty - time served one day (P)
May	0	0		
June	3	0	Cocaine	1 Guilty - Fined £250 (P) 1 Guilty - Fined £1500 (P) 1 Guilty - Fined £600 (P)
July	0	2	1 Ecstasy 1 Cocaine	Guilty Fined £500 (PWITS) Guilty - one month suspended (PWITS)
August	0	1	1 Cocaine	1 Guilty - 3 years imprisonment (PWITS)
September	3	0	3 Cocaine	1 Guilty - Fined £600 (P) 1 Guilty - fined £100 (P) 1 Guilty - 3 weeks imprisonment (P)
October	0	0		
November	2	0	Cocaine	1 Guilty - 1 month imprisonment (P) 1 Guilty - Fined £500 (P)
December	0	1	Cocaine	Guilty - 8 months imprisonment (PWITS)

2014	Possession	Possession with intent to supply	Drug	Result
January	0	0		
February	0	0		
March	2	0	Cocaine	1 Guilty - 3 months imprisonment (P) 1 Guilty £500 fine (P)
April	0	0		
May	0	0		
June	1	0	Cocaine	Guilty - £700 fine (P)
July	1	0	Cocaine	Guilty - 4 months imprisonment (P)
August	0	0		
September	0	0		
October	0	0		

Hon. G H Licudi: Mr Speaker, whilst the schedule is making its way to the hon. Members, can I correct one matter which has come to light as a result of the information that has been provided to me for the purposes of this information for these questions?

600 In an earlier question talking about juveniles in prison, I mentioned that in 2013, and I gave that as an example, only one juvenile had been admitted to prison. The hon. Member now has details there in the schedule of the number of nights spent by juveniles in prison. Looking at that schedule that was provided to me, it was clear to me that in 2013 it could not possibly tally to one individual in one particular month, I believe there were 37 nights spent, and that could not possibly be one, and therefore it brought to mind that
605 the information I gave in March, I seem to recall, may have been incorrect, and therefore I enquired. I wish now to correct the earlier information. The number of juveniles in prison in 2013 were in fact three, rather than one as I previously stated.

And the reason for the error is that the law has changed in relation to who is and who is not a juvenile. Previously under 17s were juveniles; now as a result of the Criminal Procedure and Evidence Act which
610 came into force in November 2012, under 18s are juveniles. The information that I was given previously related to under 17-year-olds and therefore that is why I was given the information that only one... Looking at this information, this was compiled on the basis of the law as it is, which showed that in 2013 it was actually three, and that is why I am correcting that erroneous information which was given in a previous answer.

615 **Mr Speaker:** Are there any supplementaries arising from the information, the statistical information provided by the Hon. Minister?

Hon. S M Figueras: Yes, Mr Speaker, in relation to Question 674, which is in relation to the juveniles – and I am grateful to the Hon. Minister for the clarification that he has provided, particularly given that we are dealing with important matters here of juveniles spending time in HM Prison...

I know that it is a subject that we have touched upon in the past, and whether detention in HM Prison of juveniles is something that we, as a community, are satisfied with, and in discussions that we have had in the past there has been agreement across the floor that given the particular circumstances of the prison
625 occupancy figures, and the availability of a particular wing for the juveniles, I do want to resurrect the issue and ask the Minister whether there is in his mind, or the mind of those who advise him, a need to revisit the position in relation to the detention of juveniles?

Because at the end of the day, Mr Speaker, back in 2010 a statement was issued by the Members opposite, saying that it was shocking that a juvenile should spend two nights in prison, which is why I believe I think it is important that we keep this issue alive, and that we revisit it often.
630

And I would invite the Hon. Minister to provide details to this House of what assessment is ongoing, if any at all, in terms of making the determination that a detention centre is actually required, or should be something on the list of priorities for this community?

635 **Hon. G H Licudi:** Mr Speaker, the supplementary that the hon. Member raises is almost exactly the same as the next question in the Order Paper which is Question 675. I am happy to deal with it now or we will deal with it when... because the question in the Order Paper is about the possibility of creating a dedicated unit for the detention of juveniles, which arises, so perhaps we can answer that question, then deal with any supplementaries at that time.

CHIEF MINISTER

Q689/2014

Schengen Agreement and EU Common Customs Union – Public consultation on Gibraltar joining

640 **Mr Speaker:** Chief Minister's questions. The Hon. Damon Bossino. (*Interjections*)
Chief Minister's Questions, the first one is Question 689, the Hon. Damon Bossino.

645 **Hon. D J Bossino:** Can the Chief Minister advise this House what progress has been made following his announcement that he would carry out a public consultation as to whether Gibraltar should join the Schengen Agreement and the EU Common Customs Union and in particular what representations have been made in relation to the impact of VAT being imposed?

Clerk: Answer, the Hon. the Chief Minister.

650 **Chief Minister (Hon. F R Picardo):** Mr Speaker, this work is ongoing with the Chamber of Commerce
the GFSB and the EUID. Further information will soon be made public.

Hon. D J Bossino: Mr Speaker, there has been.. I was going to say ‘relative’ silence, but I think
probably complete silence, since the Hon. the Chief Minister announced this, I think it was back in May
655 2014. I do not have *The Chronicle* article reporting on the announcement.

And then there was a debate between both parties in relation to the advisability of him having
announced the consultation without having done the consultation prior to the announcement.

660 But in relation to that, Mr Speaker, he mentions the bodies that he is speaking to. Is anybody else, say
for example in relation to the gaming industry? We have had representations from that particular sector,
where they have raised concerns about VAT being imposed, for example, should there be an accession to
the Customs Union. And I ask him that specific question which I would ask whether he is limited to those
entities which he has referred to earlier in his answer.

Hon. Chief Minister: Mr Speaker, it is true that it appears that we had an argument about whether there
665 should have been a consultation about the consultation being held. But I do sincerely hope that we have
moved on from there.

Mr Speaker, the hon. Gentleman has said that there has been either relative or absolute silence in respect
of this matter. Well, I suppose that can only be the case in the context of what he hears. In other words in
the context of what is made public. The context of the public debate on this subject.

670 But, as I have told him, there is a lot of work going on in the context of the relationship between the
Government and the Chamber, the GFSB and the EUID developing this process.

It is true that in the gaming industry we have had questions asked about what would the Government’s
intentions be in respect of VAT and, of course, what the Government is saying is that all that we intend to
do is to ask questions of the industry and give the industry the information of what parameters are actually
675 relevant.

There are many people in Gibraltar who are labouring under the misapprehension that forming part of
the Common Customs Union means – and the hon. Gentleman has given it away in the way that he has
posed this question – the imposition of VAT.

680 It is true that those of us who learnt about VAT and European Union Law may be, if I may say so
generously to all of us who are on these benches, about 20 years ago or more, might have understood the
rules to be of one particular type.

The rules on VAT have developed quite considerably as the European Union has enlarged, and therefore
the parameters available to any member state that is part of the Common Customs Union are much wider
than they might have been many years ago. The preparation of that information in the user friendly way to
put to different industries and to put different options to different industries is the work that has been
685 undertaken with the Chamber and the EUID, and the other representative organisations, and for that reason,
Mr Speaker, although there may have been public silence, that does not mean that there has not been a lot
of work ongoing, in order to prepare for the consultation.

690 **Hon. D A Feetham:** Mr Speaker, does the Hon. the Chief Minister accept – I may be wrong – but does
he accept that for this to become a reality it would require consent from the Kingdom of Spain for us to
effectively join Schengen and the Customs Union, whether you impose VAT or not, coming into both of
those?

695 **Hon. Chief Minister:** Mr Speaker, I do not want to venture into territory where I give opinions on the
latest version of the applicable Treaty of the European Union, but I do believe that these are matters which
do require unanimity at the European Union level. And the hon. Gentleman may know that some of the
things that we are talking about are things that the Kingdom of Spain has long seen as advantages that
Gibraltar has had, and therefore if she has seen our non-VAT status as advantageous it is not impossible to
700 see her agreeing to us form part of the Common Customs Union. The question is whether we should ever
want to take that step.

But in order to understand that, one needs to understand with the right information, what the resilience
of our respective industries would be.

705 No Government of Gibraltar is going to do anything which is injurious to any of the many successful
industries that we have. If I may simply point to retail, the insurance sector, the financial services sector,
generally, and the gaming sectors, those would be the ones that we would certainly want to ensure can
prosper in future. But it may be that there are parameters in respect of membership of the Common
Customs Union which are actually more welcoming in respect of those industries, but they have to have the
right information.

710 They do not need to labour under misapprehensions, and they then need an opportunity to express themselves. It may be that at the end of all of that process, having at least understood the position ourselves, we find ourselves in a situation where Spain is able to effectively veto any change we might want to make. That is also a possibility, but let's face it, Gibraltar has never looked at what its next steps should be, simply on the basis of whether Spain is likely to veto or not veto its steps.

715 Spain was very clearly going to abusively seek to prevent Gibraltar forming part of UEFA for example, and a campaign that encompassed the whole community succeeded in us now forming a very proud part of UEFA. And if I might say so, given that I am there, and no doubt across the floor of the House there is unanimity that our boys did exceedingly well in Germany last Friday.

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

Hon. D A Feetham: Yes, Mr Speaker, certainly 4-nil and the performance of the GFA in Germany was absolutely fantastic, and marvellous. (*Interjection*) Whether they played in Schengen or outside Schengen, absolutely we can all agree! (*Interjections and laughter*) We could all agree it was a wonderful performance. Bearing in mind that Germany beat Brazil, I think it was 7-nil in Brazil – (**A Member:** 7-1) or 7-1 in Brazil.

725 But Mr Speaker, has the Government also conducted an analysis of what effect it might have, which must be also paramount to any decision making process that the Government entertains in relation to this - what impact it may have to join the EU Customs Union on, for example, Government revenue for import duty? Is that something that the Government has done? Is there any impact or is it in the process of being done so that the Government cannot provide any further information in relation to it?

Hon. Chief Minister: Mr Speaker, I think what I have said in the past when dealing with this issue, is that the Government actually cannot do an exercise in respect of this potential step without data from the industry. It is possible to do a very limited exercise. It is possible, just to deal with a particular commodity, like for example tobacco, you could look at what effect the imposition of VAT and Excise Duties on tobacco sales might have, by trying to match up the price differential against other places. But you need to understand what the parameters actually are, and where people are buying tobacco from, and where they are selling it to. That is one of the particular obvious areas for consideration. You need to talk to all of the industries in order to understand the macro-economic effect of what such a step may be.

740 All I am saying, Mr Speaker, is that these decisions have been made in the past, and there has been an exercise in 1972. There have been exercises done afterwards, (**Mr Speaker:** 1984- 85) which have involved consideration of these things. An exercise was done under the previous administration where consideration was given to these things.

745 A similar exercise has been commenced but we believe that we cannot actually have reliable data on which to make up our own minds, or make a recommendation to the community, until we have engaged with each of these very important industries, and given them the information as to what the parameters available are, and not simply allow people to think, 'Ah well, we are going in to the Common Customs Union – that is 20% VAT on everything.' That is not the position. It may be possible that there are some areas where VAT can be rated as zero, even after we are in the Common Customs Union.

750 For example, there is a possibility – and I am just talking about issues on which the Government is in the process of taking advice and working with the Chamber and the GFSB, in order to be able to put this before the industries – there is a possibility that VAT may be rated at zero on many different sectors. On the services sector, for example, and on the advertising sector and on the gaming sector, so that each of those financial services, insurance and gaming, might not suffer any change as a result of entering into the Common Customs Union. There is such a possibility. There is a possibility alternatively of a very low rate of VAT being applicable.

760 In relation to other commodities, goods, Mr Speaker, there are areas where countries have the right to levy no VAT. There are areas where the countries have the right to levy the split of VAT from the highest level to the lowest level but not zero.

And there are some commodities, Mr Speaker, which are subject to other duties, known as the excise duties, which are in addition to VAT.

Those particular parameters all have to be looked at in order to be able to do the macro-economic exercise that we have to do.

765 And, Mr Speaker, why do we have to do it? Not because we have any particular desire to do it, but because we have to look at where we are going, we have to make sure that we are on the right road, we have to make sure that there is not a better road, and we have to make sure that we are not pushed off this road by actions outside our control – for example, what is known in shorthand as a 'Brit Exit', despite the fact Gibraltar might vote into any, will vote in any referendum in the UK, if there is a Conservative Government after 2015, but the referendum in 2017. We might be derailed, and we might need to be ready

to accept other terms if we want access to the single market, and that is why we must do these exercises. But we must do them carefully, and with the right information, not based on layman's understanding of what forming part of VAT and/or the Common Customs Union and the VAT regime might be. We need to have the real advice, the up to date advice.

775

Hon. D J Bossino: Mr Speaker, I know he answered the question at the very beginning in his formal reply but can he remind me please, when does he envisage that the exercise will be completed?

780

And also if I may, Mr Speaker, can he give the House the Government's view, if it has one yet? It may not dare to have one until it has carried out all the consultation, and it has more information at hand. But can he give us what the Government is thinking in terms of what aim it has in relation to where this process ought to end, in an ideal scenario?

785

Hon. Chief Minister: Mr Speaker, what I said in the course of my first answer was 'soon', and I want to be in a position where the Government is able to make a determination based on facts, and that is why this is a fact-finding exercise.

I do not want to venture opinions, which might then be demonstrably wrong because the fact-finding exercise demonstrates that empirically the position is other than what the Government might think.

Mr Speaker: Next question.

Q690/2014

Self-Determination for Gibraltar Group – UN attendance and related expenses

790

Clerk: Question 690, the Hon. D J Bossino.

795

Hon. D J Bossino: Can the Chief Minister state whether the Government has made, whether directly or indirectly, any financial contribution towards the expenses incurred by the SDGG in its recent attendances at the UN and if so, details of the amounts of such contribution?

Clerk: Answer, the Hon. the Chief Minister.

800

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government only gives the SDGG an annual grant. I am unable to tell the House whether they have used that money for expenses incurred by them in recent attendances at the UN.

Hon. D J Bossino: Can he state what the amount of the annual grant is?

805

Hon. Chief Minister: Mr Speaker, there is a written question from Mrs Isobel Ellul-Hammond which asks about the Head which deals with grants. I think we are all disappointed that she is not yet with us. I think we all understand she is better, but unfortunately not yet well enough to be with us, and I am sure the whole House will want to join me in hoping that she is back very soon indeed.

810

But there is a written question that deals with this issue. The answer that I am going to Mrs Ellul-Hammond in respect of that Head, is that the Government considers the information, or the breakdown, confidential in the terms that we do not want it published, but that we are very happy to share it with Members opposite.

815

Why is it confidential, Mr Speaker? There is a list there of charities that each receive different amounts from the Government, and we do not think it would make sense for every charity to see what other charities get from the Government, because that has been happening for some time, and people might suddenly think that the charity that gets the highest is now the benchmark, and that would really alter the balance.

But I am very happy to share, as I say in my answer to Mrs Ellul-Hammond – of course, also with Members opposite, not just her – that information on the basis that it is not information that would then be published for those reasons.

820

Hon. D J Bossino: Now, Mr Speaker, thank you for that.

Can a distinction not be made between the SDDG, which is a political group, and a charity? If the Hon. the Chief Minister agrees with me in relation to that, would that not therefore remove the strictures in terms of providing this information publicly and across the floor of the House?

825

Hon. Chief Minister: Mr Speaker, there are other non-partisan political entities that receive payments in respect of that Head. Can I invite the hon. Gentleman to see the list, if they accept, once I have given the answer to Mrs Ellul-Hammond that they do want to see the list, and perhaps then he can with the information he and I can talk and we can perhaps agree a way forward in respect of that Head.

830

Hon. D J Bossino: Non-political?

Hon. Chief Minister: Non-*partisan* political entities, yes. He will see them if they accept the information.

835

Mr Speaker: Next question.

Q691-701/2014
New power station –
Details

Clerk: Question 691, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, further to the answer given to Question No. 573/2014, can the Minister for Utilities please provide the following breakdown for the remaining power outages that did not correspond to a power cut due to the engines of SoEnergy: (a) due to cable failures, not accidentally caused by contractors work; (b) due to cable failure as a result of an accident caused by contractor's work; (c) due to inclement weather; (d) due to generation faults at the former OESCO Power Station and/or the former MOD Power Station; (e) due to generation faults at Waterport Power Station; (f) due to switchgear failures, and (g) due to other reason or reasons?

840

845

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this question together with Questions 692 to 701.

850

Clerk: Question 692, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, given the answer provided last month by the Hon. Chief Minister in relation to the new power station and the liquid natural gas installation, can the Minister for Utilities please state when is it expected: (a) to have concluded the risk assessment, site investigations, vapour dispersion modelling, and general safety considerations, in order to know the exact location of the LNG installation, the position of pipelines across the north entry of the Port, the general transportation of fuel, type of LNG receiving terminal technology for regasification, inclusive of either low or high pressure systems, the supply arrangements with the preferred supplier, the construction type of storage tanks, and how often they will need to be replenished; and (b) by which entity and for what price?

855

860

Clerk: Question 693, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, given the answers provided by the Hon. Chief Minister last month in relation to the new Power Station, can the Minister for Utilities please state when the UK Health and Safety Laboratory will be providing the Government with its views in relation to all relevant issues such as exclusion zones, spillage, type and size of storage facilities vapour dispersion modelling, plus all other risks and hazard?

865

870

Clerk: Question 694, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, given the answer provided by the Hon. Chief Minister last month in relation to the new power station, can the Minister for Utilities please state when is it expected the contractor will have finalised the assessment of the Environmental Health and Safety and Fire Prevention measures which are in place at the South Mole, the Detached Mole and the North Mole due to any possible impact arising from the new power station and the LNG facilities to be installed?

875

Clerk: Question 695, the Hon. J J Netto.

880 **Hon. J J Netto:** Mr Speaker, further to the answer given to Question No. 575/2014, can the Minister for Utilities please state by when will the details being discussed with Bouygues be finalised so that we will be able to know the location of the new power station and the LNG installation?

Clerk: Question 696, the Hon. J J Netto.

885

Hon. J J Netto: Mr Speaker, can the Minister for Utilities please state how much 'strategic reserve' of LNG storage is being considered by the Government, where it will be located, who will be responsible for its management and control, and how much this new facility will cost?

890 **Clerk:** Question 697, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, given the answer provided by the Hon. Chief Minister last month in relation to the new power station, can the Minister for Utilities please state when Gibelec is expected to be in a position to submit an application for a permit under the Pollution, Prevention and Control Regulations?

895

Clerk: Question 698, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Utilities confirm that despite having a new building to house the engineering facilities of the new power station, including the workshops that offices and welfare facilities has been included and that its cost further is included in the overall contract price given by the government? In addition, can the Minister confirm at what location will the management and administration staff of Gibelec, who are currently based at Waterport Power Station be moved to and what is the cost involved for providing this?

900

905 **Clerk:** Question 699, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, assuming that the new waste heat recovery system is based on a steam cycle, can the Minister for Utilities please confirm if the cost for providing the necessary pipework and infrastructure for the feed water supply required by the station's waste heat recovery steam system is included in the contract price stated, or will this have to be provided at an extra cost, and if so at what price?

910

Clerk: Question 700, the Hon. D A Feetham.

915 **Hon. D A Feetham:** Mr Speaker, can the Government please state what is the total cost to date of the temporary power generators imported by the Government in 2012?

Clerk: Question 701, the Hon. D A Feetham.

920 **Hon. D A Feetham:** Can the Government please state whether it has signed contracts for the construction of the new power station?

Clerk: Answer, the Hon. the Chief Minister.

925 **Mr Speaker:** May, I say that whilst the Chief Minister is answering these 11 questions together, some of the answers which are highly technical, and detailed, I am going to suggest that copies of the answers to all these questions should be made available to the Opposition if he agrees, which will facilitate their work. Is he agreeable?

930 **Chief Minister (Hon. F R Picardo):** I have absolutely no difficulty with that, Mr Speaker.

Mr Speaker: Then, please proceed.

Hon. Chief Minister: Mr Speaker, since December 2012 there have been 40 power cuts not attributed to the SoEnergy power plant.

935

The causes for these are as follows: due to high voltage cable failures, two in number; due to cable failure as a result of an accident caused by contractor works, one in number.

Mr Speaker, can I just point out that that one and the two above are inclusive. In other words, one of the high voltage cable failures came about as a result of an accident caused by a contractor. So that is a total of two, not a total of three.

940

Due to inclement weather, one in number; due to the generation faults at the former OESCO Power Station and/or the former MOD Power Station, 19 in number; due to generation faults at WPS, 10 in number; due to switchgear failures, one in number; and due to any other reasons, seven in number.

945 Mr Speaker, that adds to 41 not 40, unless hon. Members bear in mind what I have told them about answer (a) and answer (b).

Mr Speaker, risk assessments, site investigations, vapour dispersion modelling, general safety and other considerations in order to know the exact location of the LNG installation, the position of pipelines across the north entry of the Port, the general transportation of fuel, type of LNG receiving terminal technology for regasification, inclusive of either low or high pressure systems, the supply arrangements with the preferred 950 supplier, the construction type of storage tanks, and how often they will need to be replenished, are ongoing, and it is expected that all will be completed by mid 2015 at the latest.

Fourteen companies responded to the Prior Information Notice (PIN) in respect of the supply of gas to the Government. Some of these will be presenting proposals to the Government and of course the price is likely to vary between them.

955 Mr Speaker, the UK's Health and Safety Laboratory (HSL) has already, and continues to be engaged by the Government through the Environmental Agency, to advise on the project. As has been the case to date, and between now and mid-2015, Gibelec, the Environment Agency, HSL and entities planning to submit a gas supply solution will be working together to ensure that all potential submissions meet all relevant health and safety criteria.

960 The finalised assessment by the contractor in respect of the Environmental, Health and Safety and Fire Prevention measures that are in place at the South Mole, the Detached Mole and the North Mole, due to any possible impact arising from the new power station and the LNG facilities to be installed, will be completed when the final design details of both the new power station and the LNG facilities are complete.

965 Details are indeed presently being discussed with Bouygues and following on from the answer to Question 2/2014 earlier this year, i.e. when the gas supply proposals are received and have been duly considered, the exact location of the new power station and the LNG installation will be known.

970 The amount of 'strategic reserve' of LNG storage, where it will be stored, and how it will be managed and controlled, will be proposed by the selected gas supplier after consultation with Gibelec, who have provided them upon request with electrical demand forecasts and fuel consumption figures of the selected technology for the new power station. It is not envisaged that there will be an extra cost for this facility as gas suppliers build in this contingency into their designs.

975 Gibelec is indeed aware of the requirements that the operator of the new power station needs to submit an application for a permit under the Pollution, Prevention and Control Regulations (PPCR). The submission will take place once all the new power station detail designs have been finalised between Gibelec and Bouygues, as is the norm with any project where a submission under PPCR is required.

I can confirm that the cost of housing the engineering employees, including the workshops, offices and welfare facilities, is included in the overall contract price provided by the Government. Furthermore, provisions have also been made to house management and administration staff currently based at Waterport Power Station, and this too is included in the overall contract price.

980 The new waste heat recovery system is indeed based on a steam cycle. The cost of all the equipment and materials associated with the heat recovery system is £8 million and is included in the stated contract price. The heat recovery system is an additional 4MW of electrical power.

985 The Government imported the 25MW SoEnergy generators in December 2012. The cost to date is as follows: For the calendar year 2013, £4,416,000; for the calendar year 2014 to date, £3,901,000 – there is a little bit extra that the gentleman can see in the figures that are being handed over.

Having awarded the tender to Bouygues in June 2014, the parties have advised they are now in contract although formal contract execution has not taken place and is envisaged to take place in the next few weeks.

At present Gibelec and Bouygues are finalising the detail design of the project.

990 **Hon. D A Feetham:** Mr Speaker, I have asked this question about the total cost of the temporary power generators imported in 2012, of the Government in the past, and the figure that I was given in the past – I do not have *Hansard* in front of me, I did not think that it was going to be contentious – was £10 million.

Is there a reason why these two figures are less than £10 million when the Government has already answered that question earlier on in the year, telling me it was £10 million?

995 I specifically use 'what is the *total* cost to date of the temporary power generators?' I do not know what is being deducted from there to bring the figure down, but it does seem to me that if it was £10 million, I think it was in March of this year, it should be higher than that by today.

1000 **Hon. Chief Minister:** Mr Speaker, I do not know the answer to that question. I have not been referred to the hon. Gentleman having asked a similar question before. Either they are in some way including or excluding fuel costs. I will go back and ask whoever prepared the answer to look at the answer that was

given last time, and how it was computed and why – if he asked exactly the same question and got a different answer that is very surprising. Is he sure that he asked about the same engines and the same contract or, that he did not ask about fuel in a different way?

1005 I will go back, Mr Speaker, if he has the question that he says he asked before, it would be very helpful in referring whoever prepares these answers to refer to both.

1010 **Hon. D A Feetham:** Mr Speaker, I do not know whether perhaps I did not catch the answer in his long answer, but I have asked the question whether the Government has already signed contracts for the construction of the new power station with a French company. I am not sure that he has provided an answer to that. (*Interjection*) If he has, I apologise, but can he just tell me whether the Government has signed contracts or not?

1015 **Hon. Chief Minister:** Mr Speaker, in the sheet that he should have got, it is the last answer given, because it is the last of all the questions being answered. The contract has not yet been signed, but the tender has been awarded, and therefore there is an element of contractual privity already between the parties. There are already expenses being incurred by the successful tenderer.

1020 The final contract signature will not happen until the next... literally days or weeks as they attach the final design to the contract and the final locations which are part of the issues that are being discussed, which will probably leave in place different options, given the different potential sitings for the gas. But I certainly anticipate it will be signed before Christmas.

1025 **Hon. D A Feetham:** Does the hon. Gentleman also envisage that any payments under the contract will be made this side of the end of the financial year; and that the payments are not going to be deferred until after the end of this financial year? Are there going to be any payments before the end of the financial year in relation to this particular contract?

1030 **Hon. Chief Minister:** Mr Speaker, the terms of the contract are not yet finalised and agreed, and I would rather answer that question, if the hon. Gentleman would put it, at the next meeting, by which time I certainly expect the contract will have been signed.

I can give him an indication of why I do not want to say more about price and payment behind the Speaker's Chair, where he will appreciate it is in the public interest that we each hold out just a few more days before we answer questions like that.

1035 **Hon. J J Netto:** Mr Speaker, if I may just ask one supplementary question.

1040 In relation to the information given by the Hon. Chief Minister to my first question which is Question 691, at the end of his answer due to, any power outages we are talking about, due to any other reasons, there were seven in number. I do not know whether the Hon. Chief Minister has available to himself by way of supplementary notes as to the reasons of what other specific reasons were under that general category?

1045 **Hon. Chief Minister:** Mr Speaker, I do, the note I have been given is that these power outages are attributed to frequency oscillations, SCADA malfunctions, and unbalanced load pick up and shedding between power plants.

SCADA, Mr Speaker, he may know from his time with this brief is the system that allows the energy to flow into the grid. In other words, the thing that sits between the engines and the grid.

1050 **Mr Speaker:** The hon. Member will now have another three additional sub-headings to ask further questions, won't he? (*Laughter*)

Hon. J J Netto: I am most grateful, Mr Speaker.

Hon. D A Feetham: Mr Speaker, just returning to the question that I asked: the question that I asked, it was on 29th May 2014, and I asked:

'Mr Speaker, can the Chief Minister state what has been the cost so far to the taxpayer of all the temporary generators which the Government has imported since 2012?'

1055 Today I have asked:

'Please state what is the total cost to date of the temporary power generators imported by the Government in 2012?'

1060 It is in substance the same question, and the answer that he gave me then was the total cost so far of the temporary generators since 2012 until the end of April 2014 has been £10,252,000. That is the answer that he gave me last time round. Indeed, I then asked, at the next sitting of the House, whether that figure included any additional costs, the costs of importing for example the power generators and the Hon. the Minister for Public Utilities responded that there was an additional cost, but actually those were just simply, I think it was, £40,000.

But there is a discrepancy between the £10,252,000 and the answer that he has given me today.

1065 **Hon. Chief Minister:** Actually, Mr Speaker, I think I have made the error when I have read the answer, because I have been given two columns, one of them is headed supplementary, but actually I think it is not supplementary because I think I need to read both of the columns, and I think if he bears with me, I think that then the mathematics will then work out. So I am going to read the answer again, as I think it should have been, read as a whole.

1070 The Government imported the 25MW SoEnergy generators in December 2012. The cost to date is as follows: for the calendar year 2013, £4,416,658.99; for the calendar year 2014 to date, £3,901,119.

And then I think I should have added this – which is not supplementary, I think it is actually directly related to his question – the Government has also imported generators from Spark Energy Limited. These will substitute the SoEnergy generators which will be moved to allow for the construction of the Bouygues Plant.

1075 The cost to date is as follows, since May 2014, £4,661,385.18 out of which the monthly rental fee is £2,443,746.70. This figure includes the deposits necessary for Spark Energy Limited's move of engines.

I think that is not supplementary; I think that is actually part of the first answer. And if he then reads that together, I think the numbers make more sense.

1080 **Mr Speaker:** £12 million.

Any other supplementaries on these 10 or 11 questions? No.

So let me see, we therefore move to Question 702, I think.

**Q702-703/2014
Sunborn Hotel –
Government payments made**

1085 **Clerk:** Question 702, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, can the Government please provide details of all payments made by the Government, Government-owned, or partly owned companies, public agencies and authorities, to the Sunborn Hotel since it opened, identifying what those payments were for and when they were made?

1090 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this question together with Question 703.

1095 **Clerk:** Question 703, the Hon. D A Feetham.

1100 **Hon. D A Feetham:** Mr Speaker, can the Government please state what payments have been made to third parties, for example law enforcement unions, or the Sunborn Hotel, by the Government or any Government-owned, or partly owned company, public agency or authority related to the use of services offered by the Sunborn Hotel by those third parties?

Clerk: Answer, the Hon. the Chief Minister.

1105 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the total amount of expenditure invoiced to and paid by all public authorities to the Sunborn floating hotel since it started operation at the beginning of this year is £35,495.

1110 **Hon. D A Feetham:** Mr Speaker, anybody that reads the newspapers or indeed watches the news cannot help but notice that the Government appears to be pushing quite a lot of business in the direction of the Sunborn Hotel. Is there a rationale behind this particular policy, bearing in mind that obviously pushing

business in the direction of the Sunborn Hotel then means pushing it in the direction other than other hotels in Gibraltar?

1115 **Hon. Chief Minister:** Well, Mr Speaker, we put five-star hotel business the way of the floating hotel, because it is a five-star hotel. We continue to put a lot of business the way of the Caleta Hotel. We would have continued to put a lot of business the way of the Rock Hotel, except that they are presently undergoing a refurbishment, but as soon as it is finished the Government will put business towards that hotel as well.

1120 In fact, I understand that I am going to be seeing the finished product of the Rock Hotel very shortly during the course of the next couple of weeks, and I am very much looking forward to going back to that hotel, where we do a lot of entertaining as well. And in fact we also put a lot of business the way of the Elliott's Hotel, which is the hotel closest to my office.

So Mr Speaker, the Government has traditionally put work towards *all* hotels, and the hon. Gentleman should not think that we are putting work towards one particular hotel and not the others.

1125 He might have noticed, Mr Speaker, that the Literary Festival did not involve any dinners at the Sunborn Hotel, but did involve dinners at other hotels. So, what the Government is always trying to do is to ensure that it spreads itself across local businesses as fairly as possible.

It has not always been the case, Mr Speaker, but this Government tries its best.

Mr Speaker: Next question.

Q704-705/2014
Spanish media outlets –
Confirmation of no Government payments made

1130 **Clerk:** Question 704, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, can the Government please confirm that no Government Minister has been involved in any arrangements whereby *Radio Bahia* or Samuel Fernandez have received any financial assistance whatsoever from anyone connected to Government or third parties?

1135 **Clerk:** Answer, the Hon. the Chief Minister. (*Laughter*)

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this question together with Question 705.

1140 **Clerk:** Question 705, the Hon. D A Feetham.

1145 **Hon. D A Feetham:** Mr Speaker, can the Government please provide a list of all media outlets in Spain which have benefited from any direct or indirect payments from the Government, Government-owned or partly owned companies or agencies, authorities or bodies funded by the taxpayer?

Clerk: Answer, the Hon. the Chief Minister.

1150 **Chief Minister (Hon. F R Picardo):** Mr Speaker, my answer remains the same as those of a similar nature relating to *Radio Bahia* or Samuel Fernandez: HM Government of Gibraltar has not provided any financial assistance to these parties.

1155 In relation to Spanish media generally, I refer the hon. Member opposite to the answer to Questions 462 and 463/2014. I continue to believe that sharing information of this nature publicly is not in the public interest of Gibraltar. I am, still however, happy to share the information with the hon. Member confidentially if he wishes.

1160 **Hon. D A Feetham:** Well, Mr Speaker, can I ask the Chief Minister why is there a difference in policy, and a difference in approach, and a difference in terms of transparency and openness, between *his* Department and the way that *he* answers questions in this House, and the Hon. Minister Costa, who in an answer to questions posed last month, did in fact provide the answers and figures of funding to *La Verdad* and other Spanish media in Spain. What is the difference? Because of course, if it is not in the interest of Gibraltar to do it now and to answer this particular question now, well it is not in the interest of Gibraltar for Minister Costa to do so. Why the difference in approach between Minister Costa and the Hon. the Chief Minister?

1165 **Hon. Chief Minister:** Mr Speaker, I would have thought it was obvious: because they are two different things that are being dealt with.

Minister Costa is dealing with marketing Gibraltar. Minister Costa places adverts so that people see Gibraltar and its logo in their newspapers and come to Gibraltar.

1170 The lobbying effort is something completely different and, Mr Speaker, I put it to him that he should simply reflect on this issue, and if he likes, he and I can have a conversation about this. But what we do not want to do is provide a route map to those that might want to thwart our ability to ensure that Gibraltar's message is transmitted internationally and in Spain.

1175 **Hon. D A Feetham:** But, Mr Speaker, I have no difficulty – if what the Chief Minister is saying is that apart from the payments that have been disclosed by Minister Costa in relation to marketing in the tourism sector, there are no other advertisement, advertising payments that have been made to any other media in Spain, because every other payment has been made in relation to lobbying efforts, well look, I can understand the answer. I may not agree with it, or whatever, but I can understand the answer.

1180 But you see, the previous question that I asked, a number of months ago, related to advertising placed in Spanish newspapers in relation to the Airport. Now, what is the difference between providing me that kind of information and the information that Minister Costa has already provided, which is advertisements and campaigns run in the Spanish media by his Department? There is surely an inconsistency in approach there.

1185 **Hon. Chief Minister:** Well, Mr Speaker, there is not an inconsistency in approach. What I am telling him actually if he goes back through Question 462, and the earlier incarnations of this question that he puts, much as he puts most of the same questions every month in a different way, I am following the position established by the previous administration, which started really as far back as 2002 when we first faced this question of joint sovereignty and the campaign that led to the Lobbying Head really becoming much more important in the Estimates Book, to ensure that we can continue to do that.

1190 Mr Speaker, I do not think I am doing anything other than simply ensuring that Gibraltar can continue to effectively fight its battles in the international press, just like every other Government does.

I do not see absolutely any inconsistency with the position that the Department that goes out to sell Gibraltar, and get Gibraltar's image placed as often as possible in front of readers in an obvious way, has taken in telling the Parliament what those particular advertising campaigns may cost.

1195 There are many different instruments that the Government uses for the purposes of influence and I would rather not say more than that, Mr Speaker.

But, look given what the Chief Minister of Gibraltar is telling him, can he just reflect on pressing me further?

1200 **Hon. D A Feetham:** Mr Speaker, I have already reflected in relation to this matter, and I am afraid that his answer does not stack up. The rationale does not stack up.

1205 Question 462 I asked the Hon. the Chief Minister, 'can he please provide details of all sums paid to the Spanish media in respect of *advertisement* associated with the Gibraltar Airport?' Now, advertisement in relation to the Gibraltar Airport has absolutely nothing to do with any campaign, political campaign, by the Chief Minister, by Gibraltar in relation to the protection of our rights – which I would understand in the context of his answer, if that is what he was trying to protect.

1210 And in the context of that question, advertisement associated with the Gibraltar Airport, surely there cannot be any difference between that question, and the information that the Hon. Minister for Tourism has already provided in respect of advertisement in the Spanish media for campaigns in relation to his Department generally.

Hon. Chief Minister: Well, Mr Speaker, he says he has reflected and come to a different conclusion. I suppose that is why we are in different parties.

1215 My reflections continue to indicate to me that I am right to offer him the information confidentially, but not across the floor of the House.

Mr Speaker: Next question.

Q706/2014
Gibraltar Day in London –
Total cost last month

Clerk: Question 706, the Hon. D A Feetham.

1220 **Hon. D A Feetham:** Can the Government please provide details of the total cost of last month's Gibraltar Day in London?

Clerk: Answer, the Hon. the Chief Minister.

1225 **Chief Minister (Hon. F R Picardo):** Mr Speaker, we are unable to provide the details requested at this time. The information requested requires that all accounts be reconciled. To date we have still not received all invoices in order for us to complete this exercise. I will, however, endeavour to provide this information in the New Year. The reconciliation of costs is usually available by late January.

Q707/2014
Europa Stadium Ltd –
Preference shares

Clerk: Question 707, the Hon. D A Feetham.

1230

Hon. D A Feetham: Mr Speaker, who does the Government envisage will take up £41 million worth of preference shares in Europa Stadium Ltd?

Clerk: Answer, the Hon. the Chief Minister.

1235

Chief Minister (Hon. F R Picardo): Mr Speaker, the GFA.

1240 **Hon. D A Feetham:** Mr Speaker, £41 million is an awful lot of money. Does the Government envisage that it will be providing, either directly or indirectly – and the term 'indirectly', the Hon. the Chief Minister should take to include, any Government-owned or partly owned companies or any public agencies or any public authorities – does the Government envisage, directly or indirectly, that it will provide some assistance to the GFA in order for this investment to be made?

1245 **Hon. Chief Minister:** Mr Speaker, it is possible, but it is not anything that has been agreed. At the moment the issue is with the DPC and that process is not yet completed, and the GFA has many potential sources of funding. The Government is one of them but we may not be the cheapest.

1250 **Hon. J J Netto:** Mr Speaker, with your indulgence, perhaps if you do not mind me going back to Question 704?

Mr Speaker: Does the Hon. Mr Feetham, or any other Member have a supplementary on Question 707, to do with the shares at Europa Stadium Ltd? Any other supplementary on this issue?

1255 **Hon. D A Feetham:** Mr Speaker, I am trying to get my... My hon. Friend, Mr Figueras, is looking into *Hansard*. (*Interjection*) The last time that I asked – but perhaps I can ask the question, because perhaps the Chief Minister accepts that is what he told me on the previous occasion.

1260 Earlier on this year I asked whether the Government would be either directly or indirectly contributing anything towards, and assisting the GFA financially, in relation to the building of the Stadium, and from recollection the answer that the Chief Minister gave me was that the Government would *not* be investing, either by way of loans or otherwise helping the GFA in relation to the building of this particular Stadium.

1265 Now, does that signify that there has been a change of approach from the Government from when he answered that question earlier on this year to now, because obviously at the moment what he is saying to me is that the Government does envisage that potentially it *could* provide some financial assistance to the GFA, which is not my understanding of the answer that he gave me earlier on?

Hon. Chief Minister: Mr Speaker, I think the hon. Gentleman confuses a lot of concepts in the way that he poses the question.

1270 There is no such thing as an investment by way of loan. A loan is a loan and investment goes to equity. And one thing is whether the Government would fund part of this development if it were to proceed, and quite another is whether the Government might loan money to the GFA in some way, because the GFA may be receiving receipts of money in some other way, but not have that money available immediately.

Mr Speaker, I do not think that I have ever said that the Government would not consider the possibility of a loan. As I have indicated to the hon. Gentleman we are likely not to be the cheapest option available to

1275 the GFA. There have been some discussions about the possibility of a loan, but that is so far down the line, and there are so many other potential sources for the GFA to go to, which are likely to be more affordable to them in terms of lending, that it is very unlikely that they would get to us. But look, there is that possibility. I do not believe I have ever ruled that out.

I believe what I have ruled out, Mr Speaker, and I continue to rule out – I do not know whether the hon. Gentleman wants to listen to me or not, because this is important – what I *have* ruled out and I *continue* to rule out is the taxpayer funding the Stadium in any way. In other words, the taxpayer is not going to have a stake. We are not going to own it. We are not going to pay for part of it.

The possibility, although I think it is remote, is that they might ask us for some bridging finance whilst they source funds from elsewhere. And I think that is entirely consistent with what I have said previously.

1285 **Hon. D A Feetham:** Mr Speaker, if I find the reference in *Hansard*, may I return to this and we can continue?

Mr Speaker: The Hon. Mr Netto.

1290 **Hon. J J Netto:** Yes, Mr Speaker, thank you very much.

With your indulgence if I could go back to Question 704, the one in relation to *Radio Bahia*. It is a fact that *Radio Bahia* does have an advert inviting people to go to the Ice Rink at King's Bastion Leisure Centre, and given that it is a Government advert, whether the Government, the Chief Minister, or the Minister for Tourism or even the Minister for Sport may be aware of such an advert and where is the payment for such an advert coming from?

Hon. Chief Minister: Mr Speaker, that question does not arise from a question which asked about financial assistance, in my view.

1300 **Hon. J J Netto:** Mr Speaker, even if it does not arise, will the Chief Minister not contemplate that there is an advert which has been placed for a period of time, and therefore is receiving money from the Government, whatever sector, or quarter it may be?

1305 **Mr Speaker:** Is the hon. Member suggesting that that advertisement in the Leisure Centre is being paid for by Government or a Government agency?

Hon. J J Netto: What I am suggesting, given that *Radio Bahia* put in an advertisement within their own radio in Spain inviting people to go to the Ice Rink in the King's Bastion Leisure Centre, it follows that that must be paid in one form or another by the Government directly or indirectly. I am asking therefore whether any Member of the Government is aware of this, and from which particular part of the Government this has been paid for?

1315 **Hon. Chief Minister:** Mr Speaker, I do not think that arises from Question 704. But if there is an advert for an Ice Rink in the GSLA's facility, it is likely to be an advert paid for by the GSLA or King's Bastion Leisure Company Ltd, whatever it is called, which is the one that runs the Ice Rink.

But the question is about financial assistance, not about advertising.

1320 **Mr Speaker:** I have looked at the question again. It certainly does not arise because the question talks about any arrangements whereby Radio Bahia have received any finance whatsoever from anyone connected to Government – any arrangements. I do not think it strictly arises from that.

Next question.

Clerk: Question 708, the Hon. D A Feetham.

1325 **Hon. Chief Minister:** Mr Speaker, before we carry on to Question 708, I have now had an opportunity of looking at Questions 462 and 463. None of them in my view refer to the Airport by the way, and the answer I gave is entirely consistent with the answer I have given today.

Mr Speaker: The Hon. the Leader of the Opposition, made a reference to a previous question –

1330 **Hon. D A Feetham:** I do not understand the answer that he has given, I have not mentioned the Airport.

Mr Speaker: You did, in supplementaries.

1335 **Hon. D A Feetham:** Now, the Airport?

Mr Speaker: Yes, yes.

Hon. Chief Minister: You said advertising for the Airport.

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Hon. D A Feetham: Oh, sorry, I beg your pardon, I thought we were on the Europa Stadium. I understand.

The Question... (*Interjection*) 462 does actually mention advertisement in the context of the Gibraltar Airport. That is the question.

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Mr Speaker: I am amazed that these little boxes carry so much information –

Hon. Chief Minister: Question 463 does not mention the Airport, sorry, which is the one I have seen, and my answer relates to 463.

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Hon. D A Feetham: And 462 does.

Hon. Chief Minister: Question 462 does mention the Airport, yes. But my answer remains the same – because my answer was to Questions 462 and 463 together.

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Hon. D A Feetham: Mr Speaker, can we come back to the question of Europa Stadium Ltd?

In the light of the fact that he is saying that the £41 million is going to be taken up by the GFA, is it therefore envisaged that this particular company is the company, the vehicle that is going to have carriage, effectively, or indeed ownership of the land, and the development of the land in order to build a new Stadium at Europa Point, if indeed it goes ahead.

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Hon. Chief Minister: Mr Speaker, this is the company to which the Government would grant the land at Europa, the shares of which would then be transferred to the GFA.

1365 **Mr Speaker:** Next question.

Q708/2014
Dockyard –
Development plans

Clerk: Question 708, the Hon. D A Feetham.

1370 **Hon. D A Feetham:** Mr Speaker, has the Government received any proposals or are there any plans to build a marina at any part of the dockyard?

Clerk: Answer, the Hon. the Chief Minister.

1375 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government has no plans to build a marina in any part of the dockyard. The Government regularly receives proposals for the development of sites for different purposes. Since it was elected into office, two separate proposals have been submitted for the construction of a yacht marina within the area of the dockyard. Neither dealt with the issue that the dockyard is presently leased to Gibdock Ltd and is not available for any such redevelopment.

1380 **Hon. D A Feetham:** And, Mr Speaker, does he envisage that perhaps in the near future it will be available for such redevelopment?

Hon. Chief Minister: No, Mr Speaker, but I know why he is thinking that.

1385 **Hon. D A Feetham:** Well, perhaps I can tell him why we are thinking about this!

I have here a letter from the Cumberland Committee which was sent to residents of Cumberland Terraces after a meeting between himself and the Committee. It has been sent to me by somebody who has received it –

1390 **Hon. Chief Minister:** There are 500 suspects.

Hon. D A Feetham: – 500 suspects indeed! (*Interjection*) And it says this:

‘We complained about the restricted conditions of the underlease which were written to stop speculations and similar stuff, but never written to protect rights of the residents who were disillusioned and although were grateful and had seen enormous reinvestment in their homes had lost trust in the investment and might still want out.’

And then it goes on further, some of the grievances, and then it says:

‘The Chief Minister’s answer was surprising, and out of the blue, but relevant in a way, as he mentioned the Police Station was going to be moved from there. He envisaged that a luxury development would probably spring up there in that site. And he then states, “what if I told you that Gibdock is going and a luxury yacht marina will be in its place? Wouldn’t your surroundings and investment go up so much that you would not care about the underlease so much?”’

Is that a statement that he made to the Committee of Cumberland Terraces, or indeed anybody else?

1395

Hon. Chief Minister: Mr Speaker, let me start at the very beginning.

The Government has had, at huge cost to the taxpayer to undertake remedial works to fix the building of Cumberland Terraces, which was done under the auspices of the previous administration, and which was shoddier than any construction we have seen before. And at huge cost to the taxpayer, we have had to go back into Cumberland Terraces, back into Nelson’s View and back into all of those developments, and spend millions of pounds to reinstate those homes to what they should have been.

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And that work which the Government has done, we have done with the assistance of excellent and responsible tenants, who have had to suffer years of remedial works as a result of the homes delivered to them so shabbily by the previous administration.

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Norman Apap is the Chairman of the Cumberland Terraces Association. He has done a particularly good job in working with the Government and its contractors to ensure that all concerns are addressed in a timely fashion. At a meeting last week, Mr Speaker, with Mr Apap, where we had the opportunity to look at the excellent progress that has been made – the millions of pounds that the taxpayer has had to spend to fix GSD negligence, and the amount still left to pay – one of the issues that Mr Apap raised with me was that, of course, they have issues now that for three or four years, they have been residents of a building site, and they have had controls on how they can sell their properties, and would the Government consider changing the underleases?

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The discussion related also to some of the ambient issues that people in that area suffer. The fact that they are near to a police station and sometimes have the noise that blue light operations involve late in the evening. The fact that they are next to a dockyard that however much in keeping with modern legislation one may wish to run it may sometimes cause a nuisance to those who live near it.

1415

Mr Speaker, that discussion suggested Mr Norman Apap should lead us to the possibility of being more generous in the leases available to people at Cumberland Terraces so close to a police station and a dockyard, that we might consider not having the onerous terms that are identical, or almost identical in every co-ownership estate since the concept of co-ownership commenced in 1988.

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And my retort to Mr Apap was, although he was very congratulatory of the work that the Government has done on behalf of all his tenants, that for example it is no secret that the Royal Gibraltar Police wish to now find premises more suitable to the growth that they have experienced, certainly in the last three years that we have been in administration, and that that may involve a move away from New Mole House, and that therefore it is very likely that New Mole House, given the aspect of the area, might be redeveloped for high-end residential purposes, which would likely be how the Government might make the most out of that land. And that, look, given the type of length of tenancy that we were talking about, who knows whether Gibdock might tomorrow convert itself into a marina?

1425

The owners of Gibdock today are an American investment fund that looks for the maximum return on its money. And that what would the Government say to those who hold underleases of the sort that are each identical from 1988 until the recent co-ownership sales, if having changed the Cumberland underlease because they were next to a dockyard and next to a police station and therefore potentially the more onerous of our residents in co-ownership, if those facilities were to change and actually become high-end facilities, where living close to them might add value rather than take away value, it was an explanation of why the Government will not agree to change the underleases that are the model that are applicable across the co-ownership estates, *despite* the great hardship to which the people of Cumberland Terraces and the associated estates have been put by the negligence of the previous administration in the delivery of their properties.

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1440 **Mr Speaker:** Now look, let me make one thing clear now at this stage, to the Hon. the Leader of the
Opposition and to the Hon. the Chief Minister. We have had a perfectly reasonable question, ‘has the
Government received any proposals or are there any plans to build a marina in any part of the dockyard?’
The Chief Minister has been answering questions for over an hour, and the temperature of the House has
1445 to make, quotes from record of a meeting. That niggles the Chief Minister to point out that it was the
negligence of the GSD in their term of office not to have done this and not to have done that, which has
caused problems with the people in Cumberland and now having heated themselves up, there is the danger
that they are going to do what they usually do – what they usually do on a Thursday afternoon, alright? –
and that is embark on a long and lengthy debate. (*Interjection*)

1450 Well, let me tell both of them that I am not going to allow it. So if the Hon. the Leader of the Opposition
has any supplementary let him ask it, *short, sharp and to the point*, or else the successor to the mind of
Betty Boothroyd will bring matters to a halt.

1455 **Hon. D A Feetham:** Mr Speaker, I shall endeavour to behave.

Mr Speaker: You have been behaving. That is what has been excellent.

Hon. D A Feetham: Indeed, indeed Mr Speaker, indeed –

1460 **Mr Speaker:** And so has the Chief Minister, (**Hon. D A Feetham:** Yes, he has.) but I detect signs of
the temperature rising.

Hon. D A Feetham: Mr Speaker, I assure the Speaker that my temperature is well under control.
But Mr Speaker, there has been a very lengthy answer. It has taken the Chief Minister seven minutes –

1465 **Mr Speaker:** A very lengthy supplementary.

Hon. D A Feetham: – seven minutes, eight minutes, to answer the supplementary that I posed, and
what he really says is, ‘Well, who knows whether Gibdock is going to be leaving and a luxury marina is
1470 going to take its place?’

Therefore my supplementary is: is he therefore suggesting that the Committee members of the
Cumberland Terraces were wrong when they heard the Chief Minister say, ‘What if I told you that Gibdock
is going and a luxury marina will be in its place?’ That is what the Chief Minister is alleged to have said in
that particular meeting. That is what has gone out to the residents of Cumberland Terraces, and I am just
1475 asking the Chief Minister, in fairness, whether that is true or it is not true, and whether the Committee are
mistaken in what they say that they heard the Chief Minister say?

Hon. Chief Minister: Mr Speaker, if I may say so, just starting with your remarks earlier. My old Head
of Chambers used to say to me that in the Grammar School, in the mornings when he arrived, one particular
1480 boy sometimes might suffer at the wrong end of a Christian Brother and when asked, ‘What’s that for? I
haven’t done anything’, the Christian Brother might reply, ‘It is not for what you’ve done; it is for what you
are about to do.’ So, I think both the Leader of the Opposition and I shall stand by that remark tonight.

Mr Speaker, the hon. Gentleman I think cannot have heard what I told him. Because what I am saying is
that I gave those remarks to the Committee in explanation of why their leases would not change: because
1485 the environment which they now regard as one that has a negative effect on the value of their properties
could change at any time, for reasons unrelated to the Government.

I have told him that we have received a number of proposals, two proposals to turn Gibdock into a
luxury marina. But none of those have come from the owners of Gibdock or anyone who has any right or
interest in that property and is entitled to redevelop it.

1490 The hon. Gentleman may know that when one is in Government, one receives a lot of proposals, and
some of them come from people who simply have an idea and believe that the Government is the
leaseholder of a particular area, when actually the Government has leased that property a long time ago.

It is only in explaining – and this is what I said earlier – only in explaining why we would not change
the model of underlease from the existing model of underlease to a different and more positive model, or
1495 more agreeable model, of underlease for the residents of those estates, because their environment which
they regard as negative and affecting them negatively could change into a positive environment, which
might have a positive value on their properties.

He will know, like I do, Mr Speaker, that coming to the nuisance is not a defence against the person
doing the nuisance as a maxim of the law that we studied, and that what is a nuisance in Bermondsey is not

1500 a nuisance in Belgravia or the other way round. And all of those issues are relevant to one's assessment of what a property may or not be worth in that area.

With these underleases being a 99 years in length, will Gibdock always be... or will the area know today as Gibdock always be a dockyard for those 99 years, having a negative effect on those underleases?

1505 As I put it to him, Mr Speaker, if Gibdock, or anything else were to turn in that area from being not so luxurious to being very luxurious, it would have a positive effect on the value of those properties. That is the example that I was giving the Committee. That is the example which they have translated into, I think, their hope that one day Gibdock might turn into a luxury marina.

But Mr Speaker, that is very much in the hands of the shareholders of Gibdock and at the moment, they seem to be doing very well indeed as a yard.

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Hon. Sir P R Caruana: He has provoked me to rise.

Mr Speaker, does the Hon. the Chief Minister think that in the very harsh criticism that he makes of the previous Government in relation to these two projects – and I deeply regret that they should be suffering from defects of the sort that he has alluded to – but in his very harsh criticism of the previous Government, 1515 does he think he is being sufficiently fair in not acknowledging the fact that these were two developments that the Government first had to take over from a developer after they had already been designed and substantially built, and then had to take over from the contractor, and that therefore these were projects that may well have had defects built in to design and construction before the Government took over responsibility for either of those two things?

1520 And perhaps more importantly, because political criticism between Governments and Opposition are to be expected and not to be taken too seriously, does he think he is doing sufficient fairness and justice to GJBS, a company that used to do work, and I believe still does excellent work for the Gibraltar Government and the Gibraltar taxpayers, and that it was they who finished the construction of those two projects, and that if there was negligent construction it was necessarily by them, and that really, both in the case of GJBS 1525 and in the case of the Government as developer, effectively after it had taken over, that defects might well have flown from problems that had already been built before either of us took over our respective positions?

Can he bring himself to accommodate either of those two facts, preferably both of them, in his assessment of the situation?

1530 **Hon. Chief Minister:** Mr Speaker, I am delighted to say that now that the hon. Gentleman is not Leader of the Opposition, or Chief Minister, he takes such a more measured approach to interventions in this House.

But it is really in recalling the spirit of his attitude to the defects in Harbour Views that he repeatedly referred to in the time that he was in office, even 15½ years after he had taken over, and in alluding to that 1535 generosity of spirit of his own, that I have approached the issue of Cumberland.

Because, of course, in relation to Harbour Views, the situation was such that the Government had not the role of either the developer or contractor. The Government had provided the land at no cost because this was to be land to be used for affordable co-ownership. The developer there suffered the defects of the contractor and was able to sue to recover the costs of putting those defects right.

1540 With the Government there, three steps away from the problem, the then previous administration, the GSLP suffered considerably from the criticism of the hon. Member, who despite the recovery of the cost of repairing the defects insisted in laying the fault at the door of the previous GSLP administration. And if I may say so, may I doff my political hat to him, because he did it very successfully, and managed to persuade people that the people who made up the Government of the GSLP somehow had responsibility for the failures which happened in that estate. I have absolutely no doubt that he his ingenuity will lead him to 1545 be able carve out an argument to suggest that they might, even though they did not.

But in this instance, Mr Speaker, as he has himself so eloquently put it this afternoon, the Government here has suffered from the collapse (a) of a developer and (b) of a contractor, and then had to call upon the excellent facility that is GJBS to complete works, and in fact this Government has actually been relying on 1550 GJBS to *fix* the defects, because the defects are not defects just in construction – and look, the best company in the world goes through a snagging process when they hand over a building, and those are *not* the issue.

The issues here are the serious problems in the design that was approved, and it was approved clearly, given the absence of any co-ownership and a serious dent being made in respect of co-ownership homes 1555 being put on the market, at the time when the hon. Members were clearly under pressure to deliver those homes as soon as possible.

So the GJBS factor is the redeeming factor. They do the excellent job of completing, but to those terrible designs, which were approved by the previous contractor and developer and by the GSD administration of which he was the leader, Mr Speaker.

1560 And so, with the most generous spirit, trying to be as unlike the attitude he used to take when he was here – and I do remember him so fondly, Mr Speaker, whipping us repeatedly on the subject, in relation to the issue of Harbour Views, Mr Speaker – one cannot but visit the blame for the negligence and cost that is now being visited on the taxpayer on any other than the political leadership that he represented for the period that these projects were in the making.

1565 And I should leave him under no misapprehension, Mr Speaker, that most of the tenants feel likewise.

Mr Speaker: The relevance of the issue of Cumberland to the original question having been exhausted, does any Member have any other supplementary arising from this question? Because I think we have had enough on Cumberland – having regard to the fact that it has nothing to do really with the original question. It does not stem directly from it and I think it has been ventilated.

1570 Now, the hon. backbencher does not spend, unfortunately, a lot of time with us and he does not intervene too often. I will allow him. I think he is entitled to one final supplementary in which he can encompass any concerns.

1575 **Hon. Sir P R Caruana:** Well, Mr Speaker, if that is going to be your ruling, for which I am very grateful, you might have saved me the trouble of sitting down and standing up again, (*Laughter*) and the admonition that separated my two standings up and sitting downs! But nevertheless, I am grateful to Mr Speaker for giving me the opportunity to come back with a second supplementary.

1580 And would the Hon. the Chief Minister then not accept my urgings to reconsider the harshness of his political criticism, in the context of the fact that he well knows that Ministers do not consider or approve those aspects of design which could result in construction problems? We may approve things about whether we like the look of them or whether they are more... but we do not approve. He must know that, and I accept his political attack as nothing more than a political attack, but he has to be aware that obviously we do not accept the degree of political responsibility for that. And I should distinguish... except, of course, to the extent that one is responsible at a high political level for everything that happens on one's watch, regardless of the degree of *actual* culpability.

1585 But would the Hon. the Chief Minister not be willing to recognise that the political attack that I do remember making on a sustained basis, against the then Government in relation to Harbour Views, was of a different nature? We were not saying to the Chief Minister or to the Minister for this or that that they were responsible for construction defects. The political attack – he will not remember it because he was not in Parliament at the time – the political attack was on the basis that warnings were being made to the Government at that time and that the Government was not paying sufficient heed to them, given that it was a co-financier and indeed, under the guaranteed purchase scheme, the potential purchaser of an unlimited number of apartments, and that the political attack was focused on the extent to which the Government could, and we obviously at the time thought should, have reacted to tell-tale signs that we were being informed about and which the Government chose not to attach importance to.

1590 Now, if that were the fact, the equivalent of that would have been that the GSD Government would know or would have known that there were problems in the construction of those two developments, did not respond to them and then the purchaser suffered difficulty. I am not inviting him to accept the factual premise of my distinction; simply to asking him to accept that such a distinction, if the factual premise were correct, would exist.

Hon. Chief Minister: Mr Speaker, he reminds me, and indeed no doubt those who continue to support the GSD, of why we miss him so much.

1605 Mr Speaker, first of all let me say, that I accept, something which I do not think he ever did when he held my position, but I think he does now: that all Governments act in good faith, and that all Governments have different imperatives, but all of them are seeking to act in the best interest of Gibraltar and Gibraltarians; and that some of them have things pointed out to them and they act in relation to those things in a particular way, and others have other things pointed out to them and they act in relation to those things in a particular way – always wanting to ensure that things are done right.

1610 Very often things arrive at the ears of Members in Opposition which is not actually... or the information that arrives to the ears of Members of Opposition is not always true, and when it is synthesised through the ears of Government Ministers, they may be able to point out to things which actually are true on the ground.

1615 And it is also true, Mr Speaker, I assure him – and well, he has been in Opposition, he knows that it is true – sometimes the information that reaches the Opposition is the truth and the truth just does not reach the Government, because there are so many layers of other people trying to sometimes protect politicians from those truths, for whatever reasons.

I accept all of those things. I dare say we were never able to persuade him of those things when he held this Chair.

1620 Mr Speaker, in particular, given the examples that he has relied on, the GSLP administration was even further from the construction because they were not in the saddle of developer, and I see him nodding, he accepts that point.

1625 So, look, there are faults in construction. Ministers, unless there happens to be a builder among them, and we have none on this side at the moment and they had none on their side, should not have the expertise to understand these things. We all rely on advice.

1630 Opposition points out things they hear, usually in the street and sometimes very often from disaffected entities. In other words, you might be told that the windows being fitted are not fit for purpose by the guy who did not get the contract for the windows. And the Opposition might be persuaded of something which appears to be rational and when put to the Government, it actually just turns out that the reason for the argument being put is not exactly the correct technical one.

1635 But we have a situation where at Cumberland and at Nelson's View, Mr Speaker, the Opposition was making the points in this House, and in press releases, to him in Government, about the different types of construction, the number of floors that were one type of construction and the other type of construction for the fifth floor and above, of whether the weight would be carried with tiles or whether it had to be wood, about the windows and the type of windows and what they would put up with.

1640 So, look, Mr Speaker, what happened before 1996 – and he is absolutely right I was not here before 1996, so I cannot recognise what he suggests that I recognise. But as then a member of the public, what happened before 1996 was that things were said and a political position was taken, but the result of that was that clearly the problems found their master in court, and the developer was able to recover the cost of curing defects.

And then there were defects on the repairs of the defects, which is another thing to talk about in respect of Harbour Views.

1645 Here we were pointing things out to them and they also continued, and absolutely no doubt in good faith, on the basis of technical advice, but nonetheless there are many millions of pounds which are going to have to be spent in putting things right.

1650 Mr Speaker, the final comment I would make is that it is rare for him to get up. I know that he now makes points from the position of somebody who wants to be a backbencher in this House and is not pretending to take a front bench brief, but I do sometimes miss Caruana versus Bossano, and I just wonder whether Mr Bossano might wish to make any points in relation to the position pre-1996. It has been many months since we have had one of those good old Caruana-Bossano exchanges.

Mr Speaker: Next question.

1655

Q709/2014
Double Taxation Agreements –
Negotiations

Clerk: Question 709, the Hon. D A Feetham.

1660 **Hon. D A Feetham:** Mr Speaker, how many Double Taxation Agreements is the Government currently negotiating?

Clerk: Answer, the Hon. the Chief Minister.

1665 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government is currently negotiating the text of two Double Taxation Agreements and is in discussions with a number of other countries in relation to the same.

1670 **Hon. D A Feetham:** Can he identify the two countries? If he cannot, is he prepared to give me the information behind the Speaker's Chair? I do not mind receiving the information either in this House or outside on this particular occasion.

Hon. Chief Minister: Mr Speaker, I would prefer to give him the information behind the Speaker's Chair, because those negotiations are, of course, sensitive.

I will say, Mr Speaker, that one of them is seen as really a framework agreement and that once that one is done, a lot of others will be easier to do.

1675 But I am quite happy for him to have a discussion with me about this after the close of the session.

Q710-711/2014
Allegations of bullying against Ms Joanna Hernandez –
Investigation

Clerk: Question 710, the Hon. D A Feetham.

1680 **Hon. D A Feetham:** Can the Government confirm whether the investigation into the allegations of bullying by 35 trainees against Ms Joanna Hernandez has concluded?

Clerk: Answer, the Hon. the Chief Minister.

1685 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer this question together with Question 711.

Hon. D A Feetham: Mr Speaker, can the Government confirm that Ms Hernandez has been provided with full details of the complaints made against her?

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Clerk: Answer, the Hon. the Chief Minister.

1695 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I understand from the Chief Secretary that the investigation which is being conducted under his authority has not yet concluded. The Government considers it would be inappropriate, Mr Speaker, to comment further on anything pertaining to the investigation, given that anything said may adversely affect the fairness of the process for all parties.

Hon. D A Feetham: Mr Speaker, I do not understand how it can affect the fairness of the process to provide me with the information that I have requested.

1700

But in relation to the second question which is whether Ms Hernandez has been notified and provided with full details of the complaints, or allegations, made against her, the reason why I am asking that is because she herself in correspondence in the press alleges that she has not been provided with details of the allegations which have been made against her, which I found surprising given the fact that this was a complaint that was made in February or March of this year, and the investigation has now been ongoing for quite a considerable period of time.

1705

Hon. Chief Minister: Mr Speaker, I am not going to become involved in the investigation which the Chief Secretary is carrying out, even in respect of making public statements as to whether he has given such information to *x* or to *y*.

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The matter is with him, he is the Head of the Civil Service, he is dealing with this issue, and – I know the hon. Gentleman makes public statements about this case all the time – I do not think it is in the interests of the people making the complaints, or the person complained of, that we should be looking at a blow by blow of what has or has not happened in relation to that investigation across the floor of the House.

1715

I think what all of us would want is that any investigation of this type be dealt with in the appropriate way by the appropriate parties and if the hon. Gentleman wants to go out and make further comment, it is a matter for him. The Government is not going to be involved in doing so.

Hon. D A Feetham: Mr Speaker, no, the only comment that I have made is that this investigation appears to be shrouded in mystery, and that there is a lack of transparency in relation to this particular issue. That is the only comment that I have made. I still maintain that that is so, and indeed that is reinforced by the answer that the hon. Gentleman has given me today.

1720

We have here an investigation that is taking place, it is the first time that the Government policy on anti-bullying and its legislation is being tested, and this investigation is taking months and there is no information at all arising out of it.

1725

Now, Mr Speaker, can he at least tell me when he envisages that this investigation is going to be concluded? We are already several months into the investigation. Can he at least tell me that?

Hon. Chief Minister: Mr Speaker, the hon. Gentleman says that this is an investigation that is shrouded in mystery. Well, this is the investigation that I think has most been talked about in history. It is an investigation that he puts on the front pages of newspapers. The person who is the subject of the investigation engages in correspondence with him in newspapers. I fail to see which part of this investigation can adequately be described as being shrouded in mystery.

1730

It is taking a long time, he says. Well, Mr Speaker, as the hon. Gentleman has said, this is the first investigation dealing with anti-bullying. It may be that for that reason it is taking a long time. It may be that

1735 for that reason it is going to be quicker than any of the others. We do not know, because there are no others to compare it with.

But, Mr Speaker, it is certainly true that matters which related to, for example, unfair dismissal claims brought against the previous administration sometimes took a very long time – one of them involving a very senior member of the GHA who took Industrial Tribunal proceedings against the previous administration, and that took five years.

1740 The hon. Gentleman says to me, how long does he envisage the investigation is going to take. Well, look if he was asking me about an investigation I was conducting, I might have some opportunity of giving him some view. But this is not my investigation, and therefore, Mr Speaker, I am not able to answer that question.

1745 I have already indicated what I would have thought all of us would want, which is that the matter be dealt with as fairly as possible. We should not, in my view, be venturing into giving further opinions, or being involved in this matter in any further way.

It appears that the hon. Gentleman wants to, I assume because he wants to pretend to be making common cause with those who are making complaint or those being complained of. In respect of that person being complained of, I doubt there is much common cause from what I read on the front pages of the newspapers, so it must be the 35 that he is trying to deduct from the tally of difference between us of 200 odd votes at the last election, come to a conclusion that he is maybe one seventh of the way there if he can persuade them to vote for him.

1750 But this is a serious issue he should just allow it to run its course and then it might actually reach its conclusion sooner.

Hon. D A Feetham: Well, Mr Speaker, I do not know where the hon. Gentleman has been over the last 10 years. I do not understand on what basis he can say that this is the most talked about investigation in history, when they made this particular individual a *cause célèbre* when the hon. Gentleman to his left, the leader of the House, went to Spain to talk about the Dr Giraldi inquiry and which led to a Spanish programme describing the Dr Giraldi as the house of horrors, Mr Speaker –

Mr Speaker: That has nothing to do with the question. Carry on.

1765 **Hon. D A Feetham:** Now, Mr Speaker, can he at the very least tell me whether the report, when it is produced, in relation to this investigation, will be made public in order to allay the concerns of those who believe that the Government is fudging this particular issue, because of the individual concerned – who they turned into a *cause célèbre* over the last seven years since 2006/2007.

1770 **Hon. Chief Minister:** Well, clearly, Mr Speaker, I do not recognise any of the premise of that question. Nobody has turned anyone into a *cause célèbre*. In fact, Mr Speaker, the hon. Gentleman said that Mr Bossano went to Spain to do something. Mr Bossano never went to Spain to make any comment about anything. In one particular instance, Mr Bossano was interviewed in Gibraltar about a particular issue –

1775 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** In the GSLP Office.

1780 **Hon. Chief Minister:** In the GSLP Office, Mr Speaker, and certainly not a place that could ever be described as Spain. (*Laughter and interjection*) But, Mr Speaker, the hon. Gentleman attributes to us the ability to raise to the status of *cause célèbre* anything that we simply happened to be concerned about during Opposition.

Well, what about that other *cause célèbre* which was the case I was telling him about, which involved a very senior member of the GHA who sued in an Industrial Tribunal and that case took five years? A public forum, the Industrial Tribunal, people can go and see what happens and read a judgement. But what about the many other cases which took so long under the previous administration?

1785 Mr Speaker, look, this is an internal complaint, which has hit the headlines. Mr Speaker, it has hit the headlines in very great measure, because the hon. Gentleman keeps putting it there. But an internal complaint continues to be an internal complaint, whether it is put in the headlines or not. And he is asking me whether I will publish, or the Government will publish, a report into an investigation which we are not conducting, which is being conducted by the Chief Secretary.

1790 Well, look, my instinct – although it is not my report, Mr Speaker, and it is not a matter for me to say anything other than what I think, which is what I am going to do – my instinct is that internal reports continue to be internal reports whether the Leader of the Opposition puts them on the front pages of

1795 newspapers by his repeated reference to the person who is involved as being complained of, because of what appears to be an unhealthy obsession with this person.

Now, Mr Speaker, my own view is that it is likely that a conclusion will be known but that the report will not be made public. But that is a matter entirely for the Chief Secretary as far as I am concerned.

1800 **Hon. Sir P R Caruana:** Mr Speaker, may I raise a point of administrative order? And that is somebody appears to be taking Mr Speaker's comments about temperatures earlier in this afternoon's session very literally. Either that or there is an attempt being made to freeze the Opposition out of Parliament. *(Laughter)* In either case, could we turn the air conditioning down and the temperature up? *(Interjections)* Oh, you have...

1805

Hon. Chief Minister: Mr Speaker, may I just reflect on the fact that that is I think a moment of common cause between Bossano, Garcia and Caruana of the sort one does not often see in this House. *(Interjections and laughter)*

Q712/2014

British Overseas Territories – Relationship with UK

1810 **Clerk:** Question 712, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, does the Government believe that the statement made by Albert Poggio at the reception to celebrate the 20th Anniversary of the founding of the United Kingdom Overseas Territories Association to the effect that 'there is still a long way to go in establishing a modern relationship between London and the Overseas Territories' is applicable to the relationship between the United Kingdom and Gibraltar?

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Clerk: Answer, the Hon. the Chief Minister.

1820 **Chief Minister (Hon. F R Picardo):** Mr Speaker, yes, sir.

Hon. D A Feetham: Well, Mr Speaker, can he expand on that? What else needs to happen in order to ensure that there is a modern relationship between Gibraltar and the United Kingdom? Because, of course, his statement is at odds with statements that we have made, and that is his prerogative, but it is at odds with the statement that the United Kingdom has also made in relation to the relationship between Gibraltar and the United Kingdom post the new constitution.

1825

Indeed I think it is also at odds with statements that the hon. Gentleman may have made in the United Nations, when he has described the relationship that Gibraltar has with the United Kingdom – although I understand that he may have made those statements because he is asking the Committee what else needs to happen in order for the Committee to decolonise Gibraltar, or for Gibraltar to be decolonised.

1830

Hon. Chief Minister: Mr Speaker, the statement that Mr Poggio made is not in the nature of the statement that either the previous Chief Minister has made, or that I have made, about a modern relationship not based on colonialism, as a reflection of the constitutional position, which they might think is enough and need not go further, and some of us think could potentially go further.

1835

Mr Poggio's statement is not about that, and he has quoted Mr Poggio's statement: Mr Poggio's statement was about London and the Overseas Territories – in other words, not Gibraltar; London and the Overseas Territories, and there are different aspects to the relationship between Gibraltar and London which you could describe as modern and not needing to go any further, some as modern that could go further, some as modern that must go further, and some as not so modern and still very much in need of modernisation.

1840

In relation to London and the Overseas Territories as a collective, it is much easier to justify the statement that the relationship needs to be modernised, although I am very happy to say that I believe it is much more modern today than it was five years ago before the coalition Government, or indeed 15 years ago before the New Labour Government. And these things happen in steps.

1845

But Mr Poggio's remarks, and I know that he was – I could see exactly where he was going and where he thought he was going to catch me, Mr Poggio's remarks are not about London and Gibraltar; they are about London and the Overseas Territories as a collective.

1850 **Hon. D A Feetham:** Mr Speaker, I am not trying to catch the hon. Gentleman out. (*Interjection*) I can assure the hon. Gentleman! This statement took me by surprise, and what I wanted to explore with the Government was well how far is it applicable – that is the question – to the relationship between the UK and Gibraltar. No-one is trying to catch anybody out.

1855 So the answer to this is effectively that yes, the relationship between the UK and Gibraltar needs further modernisation, but that that modernisation is not in a constitutional context but is more in terms of a general relationship context. Is that the answer, because I have not understood it?

1860 **Hon. Chief Minister:** Mr Speaker, in constitutional terms, in non-constitutional terms, in decolonisation terms and in non-decolonisation terms, there is always going to be room for further modernisation.

1865 And now if he wants to go back and have the argument about whether the constitution that we have is modern and not based on colonialism, and whether that is it, and that amounts to decolonisation, or whether there is more that can be done and things can be even more modern, and even less based on colonialism – well look, that is an argument we have had on a number of occasions. But this does not reflect that, Mr Speaker.

There are many aspects to the relationship between London and Gibraltar, and the relationship between the two Governments is not the only one. There are other types of relationships between the community and the United Kingdom.

1870 Mr Speaker, one of the ones which vexes some people more than others – it does not vex me so much, but I respect the people who it genuinely vexes quite considerably – is whether each of the Overseas Territories should be able to lay a wreath at the Cenotaph on Armistice Day, Mr Speaker. That is an issue where an element of change would be very welcome by the Overseas Territories. It is really one which is representative more than of substance.

1875 The fact that the flags of the Overseas Territories now fly over the Foreign Office on the days of the National Celebrations of each of the Territories is a step in the right direction.

The flags of the Overseas Territories now fly with the flags of the Commonwealth in Parliament Square on important occasions of the Commonwealth – a step in the right direction. But those are illustrative only of the issues of substance in the relationship.

1880 Mr Speaker, whilst there is still the power to legislate over the heads of the Parliament of Gibraltar, if that is the nature of the power that is in our constitution – even that is an issue that we could hopefully debate for very long indeed – I would have thought all of us would believe that there is room for modernisation. There may be some of us who do not want that modernisation to happen, for other reasons. There may be some of us who believe there is potential modernisation that should not be pursued. But this is not an argument that we can simply have across the floor of the House, based on trying to compare the remarks that Chief Ministers have made in the United Nations about the constitution in the context of trying to get the Committee to recognise that the maximum possible level of self-government has been reached, which is I think a common endeavour, and the remark that Mr Poggio, in our view rightly, makes about the relationship generally between London and the Overseas Territories, which to a very great measure is applicable to the relationship between London and Gibraltar.

1890 **Hon. D A Feetham:** Mr Speaker, I said I was not trying to catch the hon. Gentleman out, and I am not trying to increase the temperatures in this House, but he is catching himself out.

1895 The quote from Albert Poggio, or the words attributed to him, were ‘there is a long way to go’ – ‘a long way to go in establishing a modern relationship between London and the Overseas Territories.’ Now he appears... and I ask well is that applicable to the relationship between Gibraltar and the United Kingdom?

1900 I am going to try and simplify that. Does he agree or is it his view that there is still a long way to go in establishing a modern constitutional relationship between the United Kingdom and Gibraltar? Because he seems to have included constitutional arguments and the constitutional position in the answer that he has just given me before, when I had understood him previously that really he was not talking about the constitution; he was talking about other aspects of the relationship between the United Kingdom and Gibraltar, which I could understand if it is in that context.

1905 **Hon. Chief Minister:** Mr Speaker, I know I introduced complex arguments into my previous answer and the hon. Gentleman has therefore not been able to understand me.

Mr Speaker, the relationship between Gibraltar and the United Kingdom in constitutional terms is modern and not based on colonialism. Can it be further modernised? Yes. Do I wish to see it further modernised? Yes. Is it possible to see it even further away from colonialism? Yes. Would I like to see it further based from colonialism? Yes.

1910 We have had the argument before on a hundred occasions. I have talked about continuing to be able to salami slice different options, short of independence, which would also produce a modern constitution not

based on colonialism. Does that amount to decolonisation? Completely different concept. That is the issue at the UN – probably the issue that divides us.

But, Mr Speaker, can there be further modernisation in the constitutional relationship, without getting to independence? Yes, there can.

1915 Can there be further modernisation in the relationship generally? Yes, there can.

Is there a long way? *Absolutely* there is. *Absolutely* there is.

The hon. Gentleman looks at relationships between other overseas territories of other nations and in some instances they are much more developed than the Overseas Territories' relationships with the United Kingdom. Is the relationship between the Overseas Territories and the United Kingdom and London a good one and a modern one? Yes, it is, but it could be so much more modern, so much more effective, and so much more respectful.

1920

And, Mr Speaker, I put it to him that those who have held office as Chief Minister for longer than I have would be of the same view, and would be able to give even more examples of instances where that might be of benefit.

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Hon. D A Feetham: Well, Mr Speaker, I welcome the first part of the answer, which was that he agrees that Gibraltar and the United Kingdom have a modern, non-colonial relationship – *non-colonial* relationship –

1930

Hon. Chief Minister: I have not said that. I have said – and if he goes back to *Hansard* he will see, Mr Speaker – a modern relationship not based on colonialism.

Now, I have also specifically said that decolonisation is a separate issue (*Interjection*) and it is something that we deal with in the Committee of 24. But I have not said non-colonial. I have said not *based* on colonialism.

1935

Hon. D A Feetham: Well, Mr Speaker, I do not see what the distinction is. It is a distinction without a difference. 'Non-colonial' and 'not based on colonialism' as far as I can see is exactly the same way, and I am not treading on the decolonisation argument, which is effectively a delisting issue, because the argument is, well, the relationship is a non-colonial relationship, it is a modern non-colonial relationship. It ought to be sufficient to delist. The decision to delist is yours. You are taking the political decision not to delist. But that does not mean that the relation is a matter of substance, is not a non-colonial.

1940

So I still welcome the Chief Minister's statement that it is a modern relationship that it is not one based on colonialism, which effectively is the position that we have had since the new constitution in 2007.

But what I want to ask him is: what other steps is he taking in order to further slice the salami, as he put it, on the road to further modernisation, which is what he believes ought to take place?

1945

Mr Speaker: He does not have to answer that question, it does not arise. If he wants to he can, but it does not arise.

1950

Hon. Chief Minister: I am very grateful, Mr Speaker, because it clearly does not arise. But –

Mr Speaker: I would welcome a debate on the issue, really. I would welcome a motion on the Agenda of this House precisely giving everybody, and surely the issue is sufficiently important, for all the Members here to participate in such a debate. Why not? Why does it have to be the Chief Minister and the Leader of the Opposition under the guise of a particular question, on a matter which is no longer relevant – to the question, that is?

1955

Hon. Chief Minister: Mr Speaker, I think I agree with you. I think these are subjects for motions – they are important subjects about the future of our community, not just for exchanges at Question Time, although sometimes it is useful to ventilate these issues – at least the tip of these issues – at Question Time.

1960

Mr Speaker, look I believe, like I believe most people who have had the opportunity to hold my office do, that it is important that the people of Gibraltar are respected, and that their political leadership is respected, in particular in London. And that the degrees of respect with which we are held are not necessarily the degrees of respect which we are shown in which we are held.

1965

But the way that the United Kingdom deals with its Overseas Territories is not, in my view, the best example in international law of how different countries with overseas territories have resolved those issues, and have reached understandings with the people of those territories.

I would be delighted if somebody were to lay a motion on this subject. I probably am too busy to deal with other subjects but it would be a very interesting thing to explore further together as a Parliament.

1970

Mr Speaker: Next question.

Q713/2014
Gibraltar Airport resurfacing work –
Costs

Clerk: Question 713, the Hon. D A Feetham.

1975 **Hon. D A Feetham:** Mr Speaker, can the Government confirm that UK Defence Secretary Michael Fallon was mistaken when he said in a written parliamentary statement last month that the UK and Gibraltar will share equally the cost of the first resurfacing work at Gibraltar Airport next summer and such cost will be borne entirely by the UK?

1980 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, yes, sir.

EDUCATION, TELECOMMUNICATIONS AND JUSTICE

Q671-672/2014
Class A drugs possession –
Convictions

Clerk: We now move back to Question 671 and the questioner is the Hon. S M Figueras.

1985 **Hon. S M Figueras:** Mr Speaker, can the Minister for Justice provide details of convictions for the possession of Class A drugs in Gibraltar, on a month by month basis, broken down by drug type, from January 2011?

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

1990 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, I will answer this question together with Question 672.

Clerk: Question 672, the Hon. S M Figueras.

1995 **Hon. S M Figueras:** Can the Minister for Justice provide details of convictions for the possession with intent to supply of Class A drugs, on a month by month basis, broken down by drug type, from January 2011?

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

2000 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the information requested by the hon. Member is set out in the schedule that I now hand over to him.

SCHEDULE TO QUESTION 672/2014

2011	Possession	Possession with intent to supply	Drug	Result
January	2	0	2 Cocaine	1 Guilty - Fined £800 (P) 1 Guilty - Fined £400 (P)
February	6	1	7 Cocaine	1 Guilty - 2 years probation (P) 1 Guilty - Fined £600 (P) 1 Guilty - Fined £500 (P) 1 Guilty - Fined £500 (P) 1 Guilty - Fined £600 (P) 1 Guilty - 2 years imprisonment suspended for 2 years (PWITS) 1 Guilty - Fined £500 (P)
March	2	0	Cocaine	1 Guilty - Fined £500 (P) 1 Guilty - Fined £500 (P)
April	0	0		
May	2	0	2 Cocaine	1 Guilty - Fined £90 (P) 1 Guilty - Fined £750 (P)
June	0	0		
July	3	0	2 Cocaine 1 Ecstasy	1 Guilty - 6 weeks imprisonment suspended for 18 Months (P) 2 Guilty 6 months imprisonment (P)
August	2	1	2 Cocaine 1 Ecstasy	1 Guilty - 24 months Conditional Discharge (P) 1 Guilty - 8 months imprisonment (PWITS) 1 Guilty - Fined £300 (P)
September	1	2	2 Cocaine 1 Ecstasy	1 Guilty - 21 Months Custody (PWITS) 1 Guilty - Fined £1,000 (PWITS) 1 Guilty - Fined £500 (P)
October	2	0	2 Ecstasy	1 Guilty - 3 weeks imprisonment (P) 1 Guilty fined £600 (PWITS)
November	2	0	Cocaine	1 Guilty - 10 days imprisonment (P) 1 Guilty - Fined £500 and 6 Week imprisonment sus for 1 year (P)
December	4	4	7 Cocaine 1 Ecstasy	1 Guilty - four years imprisonment (PWITS) 1 Guilty - Fined £700 (P) 1 Guilty - six months imprisonment (P) 1 Guilty 36 monthss imprisonment (PWITS) 1 NSP (PWITS) 1 Guilty -2 years imprisonment (PWITS) 1 Guilty NSP (P) 1 Guilty - 3 months imprisonment suspended for 2 years (P)

SCHEDULE TO QUESTION 672/2014

2012	Possession	Possession with intent to supply	Drug	Result
January	3	2	5 cocaine	1 Guilty - 2 years imprisonment - of which 1 suspended (PWITS) 1 Guilty - Fined £500 (P) 1 Guilty - 24 months imprisonment (P) 1 Guilty - 12 months imprisonment (PWITS) 1 Guilty - community service order - 100 hours (P)
February	3	0	2 Cocaine 1 Ecstasy	1 Guilty - Fined £700 (P) 1 Guilty - Fined £200 (P) 1 Guilty - Fined £500 (P)
March	2	1	1 Ecstasy 1 Methadone 1 Cocaine	1 Guilty - 2 years suspended (PWITS) 1 Guilty - fined £60 (P) 1 Guilty Fined £300 (P)
April	1	0	Cocaine	1 Guilty - Fined £900 (P)
May	1	0	Ecstasy	1 Guilty - Fined £500 (P)
June	5	0	1 Ecstasy 1 Methadone 3 Cocaine	1 Guilty - fined £700 (P) 1 Guilty - fined £75 (P) 1 Guilty - 3 weeks imprisonment suspended for 18 months (P) 1 Guilty - fined £500 (P) 1 Guilty - 1 months imprisonment (P)
July	1	0	Cocaine	1 Guilty - 2 weeks imprisonment (P)
August	1	0	1 Ecstasy	1 Guilty - Fined £500 (P)
September	5	0	3 Cocaine 2 MDMA	1 Guilty - fined £600 (P) 1 Guilty - Community Service Order - 80 hours (P) 1 Guilty - Fined £400 (P) 1 Guilty - Fined £400 (P) 1 Guilty - Fined £800 (P)
October	3	0	2 Ecstasy 1 Cocaine	1 Guilty - Fined £800 (P) 1 NSP (P) 1 Guilty - Fined £600 (P)
November	2	0	Cocaine	1 Guilty - 1 months imprisonment and £250 D/O (P) 1 Guilty - Fined £600 (P)
December	3	0	3 Cocaine	1 Guilty - fined £600 (P) 1 Guilty - Fined £400 (P) 1 Guilty - Fined £400 (P)

SCHEDULE TO QUESTION 672/2014

2013	Possession	Possession with intent to supply	Drug	Result
January	1	0	Cocaine	1 Guilty - 5 weeks imprisonment (P)
February	1	0	Cocaine	1 Guilty - Fined £800 (P)
March	0	0		
April	2	0	Cocaine	1 Guilty - fined £500 (P) 1 Guilty - time served one day (P)
May	0	0		
June	3	0	Cocaine	1 Guilty -Fined £250 (P) 1 Guilty - Fined £1500 (P) 1 Guilty - Fined £600 (P)
July	0	2	1 Ecstasy 1 Cocaine	Guilty Fined £500 (PWITS) Guilty - one month suspended (PWITS)
August	0	1	1 Cocaine	1 Guilty - 3 years imprisonment (PWITS)
September	3	0	3 Cocaine	1 Guilty - Fined £600 (P) 1 Guilty - fined £100 (P) 1 Guilty - 3 weeks imprisonment (P)
October	0	0		
November	2	0	Cocaine	1 Guilty - 1 month imprisonment (P) 1 Guilty - Fined £500 (P)
December	0	1	Cocaine	Guilty - 8 months imprisonment (PWITS)

2014	Possession	Possession with intent to supply	Drug	Result
January	0	0		
February	0	0		
March	2	0	Cocaine	1 Guilty - 3 months imprisonment (P) 1 Guilty £500 fine (P)
April	0	0		
May	0	0		
June	1	0	Cocaine	Guilty - £700 fine (P)
July	1	0	Cocaine	Guilty - 4 months imprisonment (P)
August	0	0		
September	0	0		
October	0	0		

2005 **Hon. S M Figueras:** Mr Speaker, while I wait for that to arrive and have a review of it, I am happy to move on to the next question if it will help move things forward.

**Q673/2014
Rehabilitation periods –
Progress of review**

Clerk: Question 673, the Hon. S M Figueras.

2010 **Hon. S M Figueras:** Mr Speaker, can the Minister for Justice say whether he has made any progress on the review of the rehabilitation periods, as alluded to in this House he was looking into, in the context of answers he gave in relation to Question 321/2014?

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

2015 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, when I read this question I honestly thought this was a trick question, but perhaps it was not. (*Interjection*) The question asked whether we had made progress on the review on rehabilitation periods.

2020 Mr Speaker, not only have we made progress on the review of the rehabilitation periods, that review has been carried out, a Bill following the review was published on 10th April 2014, the Bill came before Parliament on 30th May 2014 and it was passed on that day with the support of the Opposition.

The Criminal Procedure and Evidence (Amendment) Act 2014 which contains the new rehabilitation periods which the Opposition supported received assent on the 10th June 2014 and was published in *The Gazette* and came into force on 11th June 2014. (*Interjection, banging on desks and laughter*)

Q675/2014
Detention of juveniles –
Creation of dedicated unit

2025 **Clerk:** We move now to Question 675, because Question 674 has previously been answered. Question 675, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Minister for Justice say whether the Government is revisiting the possibility of creating a dedicated unit for the detention of juveniles?
2030

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

Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the position remains as stated in my reply to Question 322/2014.

Q676/2014
HM Prison –
Recruitment

2035 **Clerk:** Question 676, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Minister for Justice provide details to this House of anticipated recruitment, if any, at HM Prison in the coming 12 months?

2040 **Clerk:** Answer, the Hon. the Minister for Education, Telecommunications and Justice.

Minister for Education, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, it is not possible to say with any certainty whether any prison officer will resign or retire within the next 12 months. We do however anticipate that a Principal Officer will retire during this period. This will lead to the recruitment of one prison officer, and there may of course be more if there are other retirements or resignations.
2045

Hon. S M Figueras: Mr Speaker, I am asking the question, and I am grateful for the answer, particularly in the context of matters that may or may not arise from Question 678, and whether there are any discussions ongoing with the Prison Service in relation to any developments in that way.
2050

I suspect from the answer the Minister has given that there is nothing programmed, but could he confirm that there is no wholesale overview or any exercise of that nature being conducted in relation to staffing levels or any other issues related to HM Prison?

2055 **Hon. G H Licudi:** Mr Speaker, that is in fact contained in the answer to Question 678, which the hon. Member has alluded to so perhaps we can just wait for that answer.

Q677-678/2014
HM Prison –
Health and safety; terms of employment

Clerk: Question 677, the Hon. S M Figueras.

Hon. S M Figueras: Can the Minister for Justice provide details to this House of health and safety procedures currently in place at HM Prison?
2060

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 678.
2065

Clerk: Question 678, the Hon. S M Figueras.

2070 **Hon. S M Figueras:** Can the Minister for Justice say whether there are any discussions ongoing with Prison Officers in relation to their terms and conditions of employment and to the extent that he is able to, can he provide the House with a flavour of what these discussions entail?

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

2075 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, Health and safety is an extensive subject that encompasses the safe, efficient and effective running of all operations and activities within the prison. To this end Prison management issues sets of instructions, policies and procedures known as Standing Orders. These cover topics that include: (1) procedures for high risk prisoners; (2) routine precautions to prevent infection from blood-borne viruses; (3) guidance for the safe use of the gymnasium and the exercise yard; (4) guidance for hospital bed watch; (5) medical reception of inmates; (6) security instructions when escorting prisoners outside the establishment; (7) cellular confinement.

2080
2085 As part of initial training, officers attend classes on unarmed defence tactics and control and restraint. These classes ensure that the officer will know how to deal with scenarios where the use of minimum force might be required and ensure that they can do so in a safe and efficient manner, minimising the possibility of injury either to him or herself, or to the prisoner. Officers are also trained in the use of batons. In scenarios where authorisation is given for a cell extraction, officers can be further equipped with helmets, gloves, arm/leg guards and shield such as personal protective equipment. The Government is working with Unite the Union to further improve this training.

2090 As part of initial training, officers attend a course of First Aid at Work. The Prison also has a fully qualified Hospital Officer on duty seven days a week and on call at night time. This ensures that any minor accidents to officers or inmates can be seen to quickly.

2095 Prison Officers might be more susceptible to exposure of infectious diseases. To protect them, they are offered both Hepatitis 'B' and the Flu vaccinations. As a result of the Ebola crisis and in response to concerns on the possibility of receptions of Central African nationals a briefing was held between professionals from the GHA, Prison Hospital Officers and Management. Procedures and protocols were discussed and agreed.

2100 With respect to prisoner activities, two of the most popular facilities are the gymnasium and the handicraft workshop. All gym sessions are monitored by a Sports and Games Officer who ensures that all weights/machines are used in a safe manner by prisoners. Prisoners using tools in the workshop do so under direct supervision of qualified staff who ensure that they do so safely.

2105 The Prison Estate is well equipped with fire fighting equipment. Fire extinguishers are fitted throughout, and serviced regularly. All wings are additionally fitted with fire hoses. The Prison has a well designed evacuation plan and fire drills are practiced with regularity. The Fire Brigade conducts regular familiarisation visits to the Prison in order to ensure that they are familiar with the building and evacuation routes.

2110 The Chief Minister, as Minister with responsibility for Industrial Relations, has formed a working group comprising of his Private Secretary for Industrial Relations, the Prison Superintendent, Prison Officers and Unite the Union Officials, to undertake a review of terms and conditions of service, training and development, health and safety, security, and the state of infrastructure and facilities. Huge progress has already been made thanks to the professionalism and commitment from all parties involved and we expect this review to be completed by the first quarter of next year.

2115 **Hon. S M Figueras:** Mr Speaker, can the Hon. Minister say whether there is a dedicated Health and Safety Officer appointed at HM Prison?

Hon. G H Licudi: Mr Speaker, I am not sure of the answer to that, whether someone has specific responsibility for health and safety. But certainly the Prison Superintendent would have overall responsibility for all health and safety aspects of the Prison.

2120 **Hon. S M Figueras:** Yes, for clarification's sake, Mr Speaker, I was alluding to an officer having specific responsibility for that. I am grateful for the answer in any event.

2125 **Hon. J J Netto:** Mr Speaker, could I ask a supplementary question to the one asked by my hon. Friend. Is the Minister aware whether there is a health and safety committee between the management and the union?

Hon. G H Licudi: Mr Speaker, I am not aware of a specific committee between management and the union on health and safety. That does not mean that there is not one; it is simply that I am not aware.

2130 But what the hon. Member must note is, and I have alluded to relations with the union on a couple of aspects in the answer I have given. One is in relation to training, and secondly as part of the working group which has been formed by the Chief Minister, with his Principal Secretary for Industrial Relations, and also with Unite, and one of the items clearly that is on the agenda there, apart from terms and conditions and training, is certainly health and safety. So to that extent there is that Committee and that working group that is looking at with Unite the Union all aspects of health and safety at the Prison.

2135

Mr Speaker: Next question.

Q679-683/2014
University of Gibraltar –
Recruitment and advertisement

Clerk: Question 679, the Hon. D A Feetham.

2140 **Hon. D A Feetham:** Mr Speaker, when does the Government expect the recruitment process to the faculty of the University of Gibraltar to commence?

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

2145 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, I will answer together with Questions 680 to 683.

Clerk: Question 680, the Hon. D A Feetham.

2150 **Hon. D A Feetham:** Why did the Government consider that it was unnecessary to advertise the position of CEO of the University of Gibraltar?

Clerk: Question 681, the Hon. D A Feetham.

2155 **Hon. D A Feetham:** Mr Speaker, how many extra posts does the Government envisage will be created at the point at which the Gibraltar University commences to operate as an institution of learning?

Clerk: Question 682, the Hon. D A Feetham.

2160 **Hon. D A Feetham:** Mr Speaker, can the Government please state what procedures it will put into place to ensure that the selection and appointment to the faculty of the University of Gibraltar will be independent of, I should say, Gibraltar Government?

Clerk: Question 683, the Hon. D A Feetham.

2165 **Hon. D A Feetham:** Mr Speaker, can the Government please state whether staff employed to work in the University of Gibraltar will have Civil Service status, or what other part of the public service will employ them?

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

2170

2175 **Minister for Education, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, as I indicated in answer to Questions 540 to 544/2014, the University of Gibraltar Ltd or UniGib has already been incorporated and will be the operating vehicle through which staff will be employed. Staff will not have Civil Service status. They will be employed by the operating company. Recruitment of staff will be carried out by UniGib through its board of directors.

We are in the process of finalising the initial structure for the University. Part of this is identifying the human resource requirements. It is not possible at this stage to say the precise number of staff which will be employed when the University commences next year. However, I expect this exercise to be completed very soon and that recruitment should start early in the New Year.

2180

No-one has yet been engaged by UniGib and therefore the company does not currently have a CEO.

2185 **Hon. D A Feetham:** Mr Speaker, just in relation to that last aspect of the answer, I may have got this wrong, but my understanding was that if somebody has not been recruited as the CEO, certainly somebody has been identified to be the CEO of the University of Gibraltar, and has effectively been identified to fill this post. So the Government has taken a decision not to advertise because it has already identified the individual. Am I right in that?

2190 **Hon. G H Licudi:** No, Mr Speaker, that is not the position.
The hon. Member may be alluding to a particular member of the project team that was seconded and I did announce in the press conference that Dr Darren Fa had been seconded to the University on a full-time basis from the Museum, and it was envisaged that Dr Fa will continue to be engaged through the operating company in due course, on a full-time basis in a position of leadership. But that position will not be CEO. I have seen allusions to Dr Fa as the CEO of the University of Gibraltar Ltd, but that is in fact an error. There is no current CEO, nor has the Government decided to embark on a process to identify the person as CEO.

2195 **Hon. D A Feetham:** Well, Mr Speaker, just for the sake of completeness in relation to this, so it is the intention of the Government or indeed the board of this particular company once it is operational to advertise for the position of CEO when that position is required to be filled in the future when the company is effectively operational or just about to become operational?

2200 **Hon. G H Licudi:** The first thing we have to do, Mr Speaker, is to get the structure right. Whether it will be a CEO or some other title that remains to be seen, and the board will decide on the recruitment process that will be followed.

2205 There may be individuals who are seconded or identified as being suitable for certain positions, but certainly no decision has been taken as of today in respect of a CEO or the ultimate Head of the University.

Mr Speaker: Next question.

ENTERPRISE, TRAINING, EMPLOYMENT AND HEALTH & SAFETY

Q684/2014

Government policy on business start-ups – Registered companies

2210 **Clerk:** Question 684, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Employment provide an update of how many companies are currently registered at No. 6 Convent Place and Town Range supposedly as part of the Government's policy on start-ups?

2215 **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): There are none, Mr Speaker.

2220 **Hon. D J Bossino:** Mr Speaker, I think on the last occasion that he answered a similar question, there were 13 at No. 6 and seven at Town Range. Is that because they have all found alternative corporate service providers?

2225 **Hon. J J Bossano:** Well, Mr Speaker, the first thing to point out the to hon. Member, is that he has chosen to qualify the companies as being *supposedly* part of the Government policy of start-ups. Now I do not accept that there are any companies or have ever been any companies *supposedly* as part of the start-up. (*Laughter*) Either they were part of the start-up or they were not part of the start-up. So there has never been any that were *supposedly* part of the start-up. (*Laughter*)

2230 **Hon. D J Bossino:** Mr Speaker, he knows what I am talking about, and we have a different point of view in relation to the start-up issue. Can he tell me which companies are currently registered in No. 6 Convent Place and 31 Town Range, which according to him are in pursuance of the Government's policies in relation to start-ups?

2235 **Hon. J J Bossano:** Well, Mr Speaker, there are none of those either. *(Laughter)*

2240 **Hon. D J Bossino:** Mr Speaker, if you record that I can just go back to the question that I posed I think in my first supplementary, which is that there were 13 in No. 6 and seven registered at 31 Town Range, he will recall that I think the intention was that part of the start-up policy was to give them this facility, a registered office, but that eventually the expectation was, I think I am quoting him accurately, the expectation was that they would eventually find alternate corporate service providers. Can he confirm that all of these have now found alternative corporate service providers?

2245 **Hon. J J Bossano:** I can indeed confirm that, Mr Speaker.

Hon. D J Bossino: And, Mr Speaker, given that there are none, can he advise this House whether the intention is to continue to provide this facility?

2250 **Hon. J J Bossano:** I think that I have explained it in the past, Mr Speaker, but I will explain it again, because he may have had a lapse of memory. When you get on, it happens to you. *(Laughter and interjections)*

2255 The policy was initiated at the time when unemployment was much higher and amongst the unemployed there were quite a number of people... well look, it was a very small number compared to the total unemployment, but there were at least a dozen people who were interested in the possibility of moving into a self-employed position, because in fact there were people who had been predominantly in the construction industry, most of their working lives but were now having difficulty in being hired by other construction companies because they were mainly in their late 40s or 50s and some near 60. So the way to help them get a foothold in the industry was to help them set up a small company of their own, and they finished up with a company with a few trainees and now they are entirely operating on their own, and they are no longer

2260 needing any assistance.

If tomorrow, we find somebody with problems of getting into activity in a self-employed capacity or as an employer with difficulty or having a background of being able to do it or being able to afford for example the fees that lawyers charge these poor people for setting up a company, then the Government will once again step in.

2265 **Hon. D J Bossino:** I think out of consideration for the excessive number of lawyers already competing in the market, I do not think I want to harm the legal profession any further with more competition. *(Laughter)*

2270 **Mr Speaker:** Next question.

**Q685/2014
Sunborn Hotel –
Employees**

Clerk: Question 685, the Hon. D J Bossino.

2275 **Hon. D J Bossino:** Can the Minister for Employment state how many individuals are employed at the Sunborn Floating Hotel, broken down by nationality and activity and how many have had their employment terminated since the vessel started operations?

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

2280 **Minister for Enterprise, Training, Employment and Health & Safety (Hon. J J Bossano):** Mr Speaker, there are a total of 183 individuals employed in the Sunborn Floating Hotel. Their nationalities are Australian, Belgian, British, Czechoslovakian, Dutch, Finnish, French, Gibraltar, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Malaysian, Moroccan, Filipino, Polish, Portuguese, Romanian, Slovakian, Spanish and Turkish. The areas of employment are administrative activities, maintenance activities, and catering and hospitality services.

2285 A total of 63 individuals have had their employment terminated since the Hotel started operations.

Hon. J J Netto: Mr Speaker, if I could ask the Hon. Minister for Employment, out of the 183 that he referred to as the total how many are Gibraltarians, how many are Spanish, how many are British and how many are Moroccans?

2290

Hon. J J Bossano: Well, a third are British and Gibraltarian, a third are Spanish and a third are made up of the other nationalities. There may be one or two Moroccans in that third.

2295

Hon. D A Feetham: Mr Speaker, when he says a third are British, did he say British Gibraltarian or did he say British and Gibraltarians? And can he give a further breakdown between British and British Gibraltarians?

2300

Hon. J J Bossano: I think they are about equal, there may be one more British than Gibraltarians, but I think they split half and half. That split of course is not 100% accurate in the sense that it is always mentioned in the surveys. Sometimes people are classified because of their surname, which may be an English surname but they are Gibraltarian because they have been brought up and lived here all their lives.

2305

Hon. D J Bossino: Mr Speaker, does he have this information to hand? Does he know how many trainees are currently placed? I know they would not be employed by the Hotel but does he know how many trainees would be under the FJS scheme placed at the vessel, at the moment? I think the last time there were about three or four. Something like that.

2310

Hon. J J Bossano: I think at the moment we have got one, who is training to be a chef, and is a Gibraltarian. And I think that the people we had before training are now taken on full-time.

Hon. D J Bossino: Following on from that particular supplementary, he will recall that I think he told me in a previous session that he had somebody from the ETB stationed there to deal with matters relating to the FJS. Is that person still on board the vessel, so to speak?

2315

Hon. J J Bossano: That is no longer the case. We had somebody there who was a Labour Inspector because at the time we identified some problems in terms of the registration of employees not being consistent with the numbers of people who were seen coming in and out of the boat. But things have now settled.

2320

Hon. D J Bossino: And how is he seeing the movement of trainees going in that direction, in terms of getting placements at the Sunborn?

2325

Hon. J J Bossano: The problem of trainees is not reluctance on the part of the employer. We register an average of eight or nine people a day in the Employment Service, and every single person is seen within 24 hours in an interview, and they are helped to produce a CV, and included in that we tell them where are the training opportunities, and where are the vacancies, which clearly changes every day.

2330

In that context we do not have much interest in training in the catering when people learn what the level of remuneration is compared to other jobs, and compared to other places with different hours of work that are more amenable from 9-to-5 jobs compared to working in a hotel where you have to work very unsocial hours, and the wages do not compare favourably, unless you happen to be at the top of a profession.

So there is not much of a demand, but if the demand were there we would be able to find hotels willing to take trainees, I think in both the Sunborn and in some of the other hotels.

Mr Speaker: Next question.

Q686-687/2014
Strand Credit Finance Company Ltd –
Purpose; details of incorporation

2335

Clerk: Question 686, the Hon. D J Bossino.

Hon. D J Bossino: Can the – well it is put to the Chief Minister – I will read it out as it is – can the Chief Minister state what the purpose of Strand Credit Finance Company is?

2340

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): I will answer the question together with Question 687, Mr Speaker.

Clerk: Question 687, the Hon. D J Bossino.

2345

Hon. D J Bossino: Can the Chief Minister provide details of when Strand Credit Finance Company Ltd was first incorporated, with details of shareholding, to include details of authorised and issued share capital, directors and secretaries since the date of incorporation?

2350

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 purpose of Strand Credit Finance continues to be as stated in answer to Question 656/2013.

2355

The details of the shareholdings and the date of incorporation continue to be the same as stated in answer to Question 665/2013.

The directors and secretaries since the date of incorporation have been as follows: Dilip Dayaram until 31st August 2014; Ernest Gomez until 30th October 2014; Albert Poggio throughout; Christine Victory Secretary throughout; and Gibraltar Investment (Directors) Ltd since 30th October 2014.

2360

Hon. D J Bossino: Yes, Mr Speaker, the hon. Member is absolutely right in his answer – he did answer the question relating to the purpose, but that was back in October 2013 where he said the purpose for incorporation is to undertake any credit finance business that may require a UK registered company, and the purpose from what he tells me now has not changed. I just wanted to find out whether in fact there had been a change.

2365

If I could ask him, because I do not think we had any supplementaries to ask of this because this may have been the session where we walked out... But can the Minister, Mr Speaker, advise what is envisaged – can he be a bit more particular and provide further details from the sort of scripted answer that he gave to the question?

2370

Hon. J J Bossano: Well, Mr Speaker, the answer that I gave him in 2013 continues to be the position today, and what was envisaged then is what continues to be envisaged today. Nothing has happened since.

2375

Hon. D A Feetham: Mr Speaker, just in relation to this, because I asked the question last time round, I was trying to find this particular question in *Hansard* and the answer, and it does not appear in *Hansard* and the reason why it does not appear in *Hansard* is because we did not get to this question. That was the day when we asked the question about Credit Finance and where Credit Finance was investing the money, and the hon. Gentleman basically said that the Government was not prepared to provide that information. We then left Parliament and although we received the answer that he would have given, it is not in *Hansard*. I just wonder whether steps could be taken for that to be included in *Hansard* because it is not.

2380

Mr Speaker: It becomes a written answer.

2385

Hon. D A Feetham: Yes, well I have not been able to find it. (*Interjection*) No, I think that does not come from *Hansard*, I think that comes from the questions that the hon. Gentleman, if I am wrong – because I have been searching – I have spent about an hour searching for this – (*Interjections*)

2390

Mr Speaker: May I suggest that on another occasion if the Hon. the Leader of the Opposition is in that position that he cannot find something, please phone the Clerk and I am sure he will be able to clarify the matter for you.

2395

Hon. D A Feetham: Yes, Mr Speaker, if it is in *Hansard* it is in *Hansard*. I could not find it in *Hansard*. That is why I asked my hon. Friend to come to Parliament and to ferret out the actual answer provided by the Hon. the Father of the House, because that had actually been sent to me. That had been sent to me after the session.

2400

But can I ask him this: has there been any kind of any business transacted by Credit Finance Company by Strand Credit Finance Company Ltd since the last time that we asked the question? Indeed since the incorporation of this particular company?

2400

Hon. J J Bossano: Not so far, Mr Speaker.

2405 **Hon. D A Feetham:** I detect in the answer that the hon. Gentleman is hopeful that some kind of business may be transacted by this particular company. Do I detect that perhaps there are ongoing discussions whereby this particular company is going to be providing the same type of loans to UK businesses, or UK investments that were made by Credit Finance for example in relation to the Sunborn here in Gibraltar?

Hon. J J Bossano: No, Mr Speaker, the only thing he can detect is that I do not know the future and in his assumptions, what he demonstrates is what a fertile imagination he has. (*Laughter*)

2410 **Mr Speaker:** I am informed both the question and the answer are in *Hansard*, there are no supplementaries, of course, and that is why [*Inaudible*]

2415 **Hon. D A Feetham:** It may well be that it is in the written questions and written answers. I was going through *Hansard* of the oral questions, oral answers because of course it was for oral answers, it is just that we never got that far. And it may well be that it is filed under the... but thank you very much, Mr Speaker.

2420 Well, Mr Speaker, in that fertile imagination that I have, surely he can give me some credit for the fact that if the Government is incorporating a company, the purpose of which is to provide the same kind of loans that is in essence the substance of the answer that he provided last year, the same type of business as Credit Finance... It is not a fertile imagination for me to ask well, is there anything in the pipeline? Is the Government planning anything in relation to this?

2425 What has happened? Is it just simply that the Government has got cold feet after it has received all the criticism that it has received in relation to Credit Finance, and it has decided that perhaps discretion is the best part of valour, so to speak, and that it does not want to open a second front in relation to this particular company in London?

Hon. J J Bossano: Mr Speaker, I may be known for a lot of things in the 42 years I have been here but discretion being the better part of valour does not happen to be one of them. (*Laughter*)

2430 No, the answer is quite simple: it was set up because it was thought it was a good idea to have a company there that could be used if it was needed to be used. It has not – the opportunity has not arisen or the need has not arisen, and we have not made use of it. If and when it does, a decision will be taken to make it.

2435 But without him trying to read anything into it, I could give him an example. We have got a situation where we buy property, for example for medical cases in the United Kingdom, there might be a situation where because of problems or the bank insists it is impossible to raise a mortgage on a property for a patient. Well look, then we might want to do it with a UK company as opposed to a Gibraltar company. It is not happening, it is not envisaged that it is going to happen; it is just that I am trying to help him understand what might happen. (*Interjections*)

Hon. D J Bossino: Mr Speaker, yes, I think that answer is very useful.

2440 Can he confirm that the issued share capital still stands at £100,000 because that is the answer that he gave at the time?

2445 And if I may, as well, a second connected supplementary: in answer to the second question he gave me the details of the... I cannot remember actually he may have... Did he say in relation to the shareholding that it had not changed since the answer he gave to Question 665, or did he give me a name of a company? The reason why I am asking the question is because I was unable to take a full note of it – it says Gibraltar Investments and it started with a B and I sort of lost it there.

Hon. J J Bossano: Mr Speaker, the shareholding has not changed, I gave him the names of the directors, which was the information that he had not asked for before and which is new.

2450 If he wants I will repeat the directors. They are Dilip Dayaram –

Hon. D J Bossino: I have got that –

2455 **Hon. J J Bossano:** You have got that? Yes. The investment company is a director not a shareholder. (*Interjections*) As to the share capital there has been no change.

2460 **Hon. D J Bossino:** Mr Speaker, the movements of directorship I think he gave as August and October 2014, in relation to those two individuals, Mr Dayaram and Mr Gomez. I have details here of a search, the result of a search conducted on the company, which shows two terminations of appointments of directors as 6th November 2014. Can he provide any information in relation to that? They do not seem to tally unless

there is some sort of filing issue – whether it tallies with the information which he has given us, whether there has been any further movement which he may not have been able to provide information on.

2465 **Hon. J J Bossano:** Mr Speaker, this is the information that I have been provided with by the people who are involved in the Treasury in looking after this. But, of course, if the information can be obtained by a search, then it is in the public domain and he should not be putting a question.

A Member: Hear, hear. (*Interjections*)

2470 **Mr Speaker:** Next question.

DEPUTY CHIEF MINISTER

Q688/2014 Naval Ground car park – Cost of construction

Clerk: Question 688, the Hon. D J Bossino.

2475 **Hon. D J Bossino:** Can the Deputy Chief Minister state what the cost of the construction of the car park at the Naval Ground is?

Clerk: Answer, the Hon. the Deputy Chief Minister.

Hon. Deputy Chief Minister (Hon. Dr J J Garcia): Yes, Mr Speaker, the detailed design of the coach and car park has not been completed. Consequently the cost of construction is not finalised.

Questions for Written Answer

2480 **Chief Minister (Hon. F R Picardo):** Mr Speaker, can I invite the House to recess for 10 – (*Interjection*) Well yes. (*Interjection*) I do not mind doing it now if you wish – if Mr Bossano stops stealing it from me. (*Laughter*)

2485 Mr Speaker, I have the honour to lay on the table the answers to written questions W228/2014 through to W284/2014.

And can I, Mr Speaker, invite the House to recess for 10 minutes now before we return for Bills?

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

The House recessed at 5.30 p.m. and resumed its sitting at 5.50 p.m.

BILLS FIRST AND SECOND READING

Business Names Registration (Amendment) Bill 2014 – First Reading approved

2490 **Clerk:** Order of the Day – Bills, First and Second Reading.
A Bill for an Act to amend the Business Names Registration Act.
The Hon. the Minister for Tourism, Commercial Affairs, Public Transport and the Port.

2495 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, I have the honour to move that a Bill for an Act to amend the Business Names Registration Act be read a first time.

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

Clerk: The Business Names Registration (Amendment) Act 2014.

**Business Names Registration (Amendment) Bill 2014 –
Second Reading approved**

2500 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, I have the honour to move that a Bill for an Act to amend the Business Names Registration Act be read a second time.

The effect of this Bill is to end the distinction between pre- and post-1st January 2000 businesses that are registered under the Business Names Registration Act as regards the requirement to submit annual statements of particulars.

2505 Currently pre-2000 businesses do not have to file an annual statement of particulars. They are entirely exempt from this requirement. From now on, however, all registered business names will need to file a statement at least once every calendar year.

2510 The primary reason the Government has decided to remove the different treatment of pre- and post-2000 businesses is so that all businesses will be on an equal footing, irrespective of when the business name was registered. This is a simple question of fairness and abolishes the distinction of pre- and post-2000.

The practical effect of this for pre-2000 businesses is that they will need to file a statement of particulars by the end of this year.

2515 I should emphasise that Companies House wrote to each pre-2000 business on 28th July of this year. As a result every business has had sufficient time to prepare for this legislation.

I should also emphasise, Mr Speaker, three further points.

The first is that the proposed legislation will not introduce any new fees. The existing £15 fee for filing an annual statement of particulars will apply to all businesses simply by virtue of the fact that all businesses, not just post 2000 will now have to file such an annual statement.

2520 Moreover, Mr Speaker, it is equally important to note that in order to promote the formation of small businesses in Gibraltar the fee of £20 for initial registration of a business name has been kept to £20, the same level at which it has been for the past 20 years.

2525 The second is that this measure, because it will capture all businesses under the Act, will yield more complete information as to which businesses are not carrying on business. This in turn will allow the Registrar to make better decisions as to which businesses names to remove from the Register, thus freeing those names up for other businesses to use if they wish to do so.

The third is it will help Gibraltar to provide comprehensive business statistics to the OECD and the EU when this is requested or required of us by them.

2530 Finally, Mr Speaker, I want to thank my colleague responsible for Financial Services, the Hon. and Learned Mr Albert Isola, for the co-operation I received from him on this matter, as well as Companies House for the sense of initiative and their co-operation in bringing this matter to a close.

Mr Speaker, I commend the Bill to the House.

2535 **Mr Speaker:** Before I put the question, does any hon. Member wish to speak on the general principles and merits of this Bill?

2540 **Hon. D J Bossino:** Mr Speaker, the Opposition will be supporting the Bill, I have spoken to the Hon. Minister about this. On the face of my reading of this very short Bill, and the original Act which it intends to amend and the explanations he has given me before today's session, and also in today's session, I have no difficulty in supporting this Bill.

It seems that the effect of the amendment is eminently reasonable in terms of its practical effects, and I certainly have not received any representations against it. On that basis, Mr Speaker, simply to indicate that certainly at least the front bench will be supporting. But I am not sure whether the backbencher may have something to say in relation to this and what his views are.

2545

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

Clerk: The Business Names Registration (Amendment) Act 2014.

**Business Names Registration (Amendment) Bill 2014 –
Committee Stage and Third Reading to be taken at this sitting**

2550

Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa): Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

2555

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

FIRST AND SECOND READING

**Fire Service (Amendment) Bill 2014 –
First Reading approved**

Clerk: A Bill for an Act to amend the Fire Service Act.
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, I have the honour to move that a Bill for an Act to amend the Fire Service Act be read a first time.

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

Clerk: The Fire Service (Amendment) Act 2014.

**Fire Service (Amendment) Bill 2014 –
Second Reading approved**

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, I have the honour to move that the Bill now be read a second time.

Mr Speaker, the Bill does three things to the Act. One, it changes the name of the Service in order to reflect the current service given. The Brigade, as it is known in the Act, now has moved to not only Fire but also Rescue Services, such as road traffic accidents or getting people trapped out of the lift etc.

2575 Second, it updates the description of the ranks of the Service. The description of the ranks was changed without regard to the Act and this amendment just reflects what is currently the names of the ranks.

And third there are a number of sections that refer to monetary figures. The amendment removes them and replaces them by the standard scale of fines.

I commend the Bill to the House.

2580 **Mr Speaker:** Before I put the question, does any hon. Member wish to speak on the general principles and merits of this Bill?

Hon. S M Figueras: Mr Speaker, yes.

2585 I would like to take the opportunity to associate myself with the comments that the Hon. Chief Minister made in relation to my hon. Friend who is not in the Chamber with us, Mrs I M Ellul-Hammond who has asked that I deal with this matter in her absence. I join the Chief Minister in expressing the hope that she will be able to join us in the Chamber just as soon (**A Member:** Hear, hear.) as her recovery is complete enough to make that return. (*Banging on desks*)

Mr Speaker, turning now to the Bill, this side of the House will be voting in favour of the Bill.

2590 A number of points that have been raised by my hon. Friend are that, as the Hon. Minister has just explained, this Bill amends the nomenclature throughout the Act of 'Fire Brigade' to 'Fire and Rescue Service'. Perhaps the Hon. Minister could clarify if this is as a result of Sir Ken Knight, the UK Government's Chief Fire and Rescue Adviser's review, or whether it is for the sake of modernisation of nomenclature after nearly 40 years in order to reflect the breadth of work of our Fire Brigade, as I note the
2595 Hon. Minister has alluded to the fact that there is a much wider range of service on offer by the Fire and Rescue Service.

The Bill also brings any penalties in line with the standard scale of fines rather than stating a qualified monetary value as per the old Act. And that much is acknowledged as a desirable move.

2600 It also updates the description of the ranks in the Service, perhaps the Hon. Minister in his response could clarify if this is again in line with any recommendations that have been received as a result of the review of the Service?

2605 And two particular questions are asked and that is are the new titles for the posts of Leading Fire Control Operator and Fire Control Operator part of the definition of the new medical priority dispatch system in preparation for it to go live? And generally could the Hon. Minister explain if any of these changes are as a consequence of Sir Ken Knight's review? Or if indeed the new Bill is a prerequisite to the implementation of the recommendations that came out of said review?

Mr Speaker, I am asked by my hon. friend to draw the attention of the hon. Minister to section 2(16)(d) which amends section 18 subsection (5) of the Act and the new proposed amendment reads as follows:

“‘Service area’ means the area of Gibraltar, other than those areas for the time being occupied by the Ministry of Defence’.

2610 Could the Hon. Minister clarify what 'for the time being' means – if this means the new Fire and Rescue Service may at some stage service areas occupied by the Ministry of Defence, or is this an indication that the Defence Fire Service may not now be integrated with the Gibraltar Fire and Rescue Service as outlined in the Government's manifesto?

Perhaps, Mr Speaker, the Hon. Minister could clarify the queries that have been raised, and as I said at the outset of my address, this side will be happy to vote in favour of the Bill.

2615 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I am going to deal just with the issue that relates to the MoD and all the other issues can be dealt with by my hon. colleague when he speaks last as the mover.

2620 Mr Speaker, the issue of the Gibraltar Defence Fire Service has developed considerably in the past three years. The issue before was a consideration simply of amalgamation with the City Fire Brigade, who have developed quite a lot since then, into amalgamating the DFRS as it is known, the Defence Fire and Rescue Service into the Government of Gibraltar, but not into the City Fire Brigade because that creates issues for both the City Fire Brigade and the DFRS in terms of promotions etc. So the current thinking is that the DFRS will go into a free standing SPV owned wholly by the Government of Gibraltar, which is the model that works successfully in relation to other parts of the infrastructure management of the MoD that passed
2625 to the Government before the election – in particular GMES, Mr Speaker, which is the company that owns the assets and operators of the old MoD Power Station, and I think the Gibraltar Laundries which took the people who worked in the MoD laundry.

2630 And so in order to de-conflict issues between the two brigades and issues of promotions etc, the first step is to give the men of the DFRS the security of employment that they can have in being employees of the Government of Gibraltar through a state-owned company, a wholly owned company, whilst not creating an amalgamation issue with the CFB. And that as I understand it is the preferred option of the men of the DFRS and the men of the CFB who could then have more time to look at when they can merge, if that is a future that makes sense for the community and for each of their services.

2635 They provide quite different services although they are able to support each other in different ways. But the training that they receive for specific things that they are required to do is quite different. So the training to get into an A320 that has turned into a fireball is different to the training to get up a tower block and a lift.

I hope that is helpful.

2640 **Mr Speaker:** Does any other hon. Member wish to contribute before I call upon the mover to reply?

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Thank you, Mr Speaker.

2645 The hon. Gentleman raises three points in relation to the points that the hon. Lady wants to clarify. First and foremost is the fact that this Bill, the change of the name is not necessarily in relation to the audit report, but both. It is to do with... it did come as one of the things in the audit report, but also because what we are now going to call the Gibraltar Fire and Rescue Service will be 150 years next year and this has been

in the pipeline for a number of years, even before the audit report came about. So I would suggest that it is for both reasons: one is because it was intended to be done, and two because it was suggested within the report.

2650 On the second point which is whether the ranks are to do with the report, the simple answer is no. And that is because the ranks that are reflected in the Act now as in the Act of 1976 differ to the actual ranks that are existing now. So therefore the changes are reflecting, like I said in my presentation before are reflected the changes that have already happened during the years. So for example the Assistant Chief Fire Officer is no longer the Assistant Chief Fire Officer; he is now the Deputy Chief Fire Officer. The Divisional Officer: 2655 there is no Assistant Divisional Officer; there is only Divisional Officers. So the Act actually changes what has been happening through the years and now updates it. And it is therefore nothing to do with the actual report.

And on the third point which is to do with the Fire Control Officers that is an issue that is still pending, has nothing to do with the audit report, and is a thing that we need negotiating. If the hon. Gentleman looks 2660 at the Act itself, although we are changing the names to reflect what they are now, the ranks, it says the Government may by order in *The Gazette* amend the list of ranks, so we can either remove them if need be, but we have not taken yet a decision on how we are moving towards the Fire Control Officers, or what they are named now, Fire Control Officers. So basically we are awaiting that to happen, and once whatever happens, it will not reflect in the Act itself. So it is nothing really to do with the Act.

2665 So I have just tackled the three points that the hon. Gentleman raised and the Hon. Chief Minister tackled the MoD one.

Thank you, Mr Speaker.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Fire Service Act be 2670 read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Fire Service (Amendment) Act 2014.

Fire Service (Amendment) Bill 2014 – Committee Stage and Third Reading to be taken at this sitting

2675 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I beg to give notice that the Committee Stage and the Third Reading of the Bill be taken today, if all hon. Members agree.

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

COMMITTEE STAGE AND THIRD READING

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

2680 **Mr Speaker:** The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that the House should resolve itself into Committee to consider the following Bills, clause by clause: the Business Names Registration (Amendment) Bill 2014 and the Fire Service (Amendment) Bill 2014.

In Committee of the whole Parliament

Business Names Registration (Amendment) Bill 2014 – Clauses considered and approved

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Clerk: A Bill for an Act to amend the Business Names Registration Act.
Clauses 1 and 2.

Mr Chairman: Stand part of the Bill.

2690 **Clerk:** The long title.

Mr Chairman: Stands part of the Bill.

**Fire Service (Amendment) Bill 2014 –
Clauses considered and approved**

2695 **Clerk:** A Bill for an Act to amend the Fire Service Act.
Clauses 1 and 2.

Mr Chairman: Stand part of the Bill.

2700 **Clerk:** The long title.

Mr Chairman: Stands part of the Bill.

**Business Names Registration (Amendment) Bill 2014;
Fire Service (Amendment) Bill 2014 –
Third Readings approved; Bills passed**

Mr Speaker: The Chief Minister.

2705 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to report that the Business Names Registration (Amendment) Bill 2014, and the Fire Service (Amendment) Bill 2014, have been considered in Committee and agreed to without amendments, and I now move that they be read a third time and passed.

2710 **Mr Speaker:** I now put the question, which is that the Business Names Registration (Amendment) Bill 2014, and the Fire Service (Amendment) Bill 2014 be read a third time and passed. Those in favour of the Business Names Registration (Amendment) Bill 2014? (**Members:** Aye.) Those against? Carried.
Those in favour of the Fire Service (Amendment) Bill 2014? (**Members:** Aye.) Those against? Carried.

ADJOURNMENT

2715 **Clerk:** Adjournment.

Chief Minister (Hon. F R Picardo): Mr Speaker, I rise to move the adjournment and to sincerely trust that at the next meeting of this House we will have the opportunity of having our to date absent Member Isobel Ellul-Hammond back with us; and if I may say so, Mr Speaker, wish a safe return to Gibraltar from his splendid cruising holiday to Mr Edwin Reyes who I know has not been able to be here for that purpose.
2720 I move that the House do now adjourn *sine die*.

Mr Speaker: I now propose the question, which is that the House do now adjourn *sine die*.
I now put the question, which is that this House do now adjourn *sine die*. Those in favour? (**Members:** Aye.) Those against? Carried.
2725 The House will now adjourn *sine die*.

The House adjourned at 6.10 p.m.