



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.15 a.m. – 11.50 a.m.

Gibraltar, Thursday, 20th November 2014

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# The Gibraltar Parliament

*The Parliament met at 9.15 a.m.*

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

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

**PRAYER**  
*Mr Speaker*

## Order of the Day

### CONFIRMATION OF MINUTES

**Clerk:** (i) Oath of Allegiance. (ii) Confirmation of Minutes – the Minutes of the last meeting of Parliament which was held on 16th and 17th October 2014.

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

*Mr Speaker signed the Minutes.*

### PAPERS TO BE LAID

10 **Clerk:** (iii) Communications from the Chair; (iv) Petitions; (v) Announcements; (vi) Papers to be laid. The Hon. the Minister for Sports, Culture, Heritage and Youth.

**Minister for Sport, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I have the honour to lay on the table the audited accounts for the Gibraltar Heritage Trust for the year ended March 2013.

**Mr Speaker:** Ordered to lie.

## Questions for Oral Answer

### TOURISM, COMMERCIAL AFFAIRS, PUBLIC TRANSPORT AND THE PORT

#### Q625/2014 Gibraltar Tourist Board – Cost of rebranding

15 **Clerk:** (vii) Reports of Committees; (viii) Answers to Oral Questions. Question 625/2014, the Hon. D J Bossino.

20 **Hon. D J Bossino:** Can the Minister for Tourism provide details of the cost of the rebranding of the GTB to include its web... its website? It was a heavy night last night! (*Laughter*)

**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, the cost of the GTB rebranding is £9,600. Included in this price is a comprehensive brand makeover. It covers guidelines and designs on: signage; vehicle livery; brochure design; website; pamphlets; stationery sets; advert examples; uniforms; name badges; press releases; exhibition stands; and souvenirs.

The cost for the rebranding of the website, including the updating of images, new layout and new copy is £31,748.

**Hon. D J Bossino:** Mr Speaker, can the Minister elucidate perhaps a bit further as to why it is, if one has a look at the website, if one does a direct comparison between one and the other, the old one and the new one, all that appears to have changed is the logo. I think that is right.

Can he explain how the branding element of his Department is going to be progressing into, presumably, the near future?

**Hon. N F Costa:** Yes, Mr Speaker, the hon. Gentleman is correct, we are rolling out the new identity. At this point at World Travel Market, two weeks ago now, we launched the new identity brand of the tourism site, as indeed we have launched the new Ministry logo. He will have seen that the new Government crest with the new Government branding. We have also unveiled the new Tourism logo.

As I believe I explained to the hon. Gentleman yesterday, the website is under construction and it should be ready during the course of, latest, next year, in January, and it will be launched then.

**Hon. D J Bossino:** Yes, Mr Speaker, what about the other features he talked about? I think he mentioned uniforms and matters like that. When does he expect those to be launched, if they have not already – I am not privy as to whether it has or not.

**Hon. N F Costa:** Well, Mr Speaker, as I have just explained to the hon. Gentleman, this will now take a period of time. It will be required for stationery, letterhead, when new press releases are issued, brochures as being designed and being mail shot. All of this will take some time to be able to use the new images, the new logo and the new designs. But I suspect that by the end of January next year, the complete package of new logo, new designs, new imagery and new livery will be rolled out.

I suspect, however, there will be some aspect, perhaps, that may take longer but for the most part it should be done by the end of January next year.

**Hon. D J Bossino.** And, Mr Speaker, in relation to the company, can he advise this House which company has been appointed to do this job?

**Hon. N F Costa:** Yes, Mr Speaker, the rebranding of the GTB and the construction of the new website as I said, to include images, the layout and the copy, is being done by Maverick.

**Hon. D J Bossino:** Can he advise, I think he said Maverick...? (**Hon. N F Costa:** Yes.) Can he advise whether this...? I assume this is a local company: can he confirm whether that is the position?

And if I may, Mr Speaker, a second supplementary added on to that, can he just give me details as to whether that is the company name or simply a business name and who the beneficial owner of the company is?

**Hon. N F Costa:** Mr Speaker, I am afraid that I do not have that level of detail in respect of the company. I suspect that it is a business name. I suspect that it is a UK company, but I will need to get back to him with those details.

**Q626/2014  
Hong Kong shipping event –  
Attendance**

**Clerk:** Question 626, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Minister for Tourism provide details of when he will be attending Hong Kong for the shipping event announced by the Minister for Financial Services in Parliament last month, together with details of the expected costs and who will be attending with him?

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

80 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, I will be visiting Hong Kong from 23rd to 29th November, and will be accompanied by the CEO and Captain of the Port, Commodore Bob Sanguinetti and Diana Soussi, the Gibraltar Yacht Registrar, representing the Gibraltar Maritime Administration.

85 Costs are expected to be in the region of £28,000 which covers the arrangements for meetings and a reception event being held at the Hong Kong Maritime Museum, together with flights, accommodation and other travel expenses for the Government delegation.

90 **Hon. D J Bossino:** Mr Speaker, in line with what is, I think I detect, the policy of the Government as far as financial services is concerned, which is really to invite stakeholders to attend these events – I think I am exposing the Government policy in relation to that accurately – can he advise whether he has equally invited local stakeholders to attend with the Gibraltar Government delegation as a marketing opportunity for them?

**Hon. N F Costa:** Yes, Mr Speaker.

95 **Hon. D J Bossino:** Has he been taken up on the invitation?

**Hon. N F Costa:** Three companies have, Mr Speaker.

100 **Hon. D J Bossino:** Can he advise which companies or would that be commercially sensitive? I do take the point but if he is able to provide that information, I would be grateful.

105 **Hon. N F Costa:** Mr Speaker, it is not that it is commercially sensitive; it is simply that I have not asked them whether they would feel comfortable about me advising across the floor of the House that they are attending with the Gibraltar delegation. I suspect that they do not, but before I do so, I would like, out of courtesy, to ask them first.

110 **Hon. D J Bossino:** And, Mr Speaker, I did pose the question in very general terms by stakeholders. Can he advise, because I think this will be of interest also to those in the legal profession like myself, who deal with Admiralty matters, whether he has extended the invitation or at least the announcement that he will be going to the Hong Kong event to, for example, those in the legal profession who deal with Admiralty matters and who may see this as an opportunity to market their wares as well?

115 **Hon. N F Costa:** Mr Speaker, this trip is mainly specific to Port-related matters, although we have taken also the opportunity to bring the Gibraltar Yacht Registrar, as inevitably some aspects may relate to that, but we are not attending as such as an arrest jurisdiction, although of course the subject will inevitably come up and we will have to address that. But on this occasion, it is mainly Port-related matters, but we are also taking the Gibraltar Maritime Administration as a representative of the maritime cluster.

120 **Hon. D J Bossino:** And, Mr Speaker, in relation to those three attendees who will be going with him, can he confirm – and I think it is implicit from the answer that he has given, but can he confirm please – whether they are all in the industry related to the Port, exclusively?

**Hon. N F Costa:** Mr Speaker, yes.

**Q627/2014**  
**World Travel Market, London –**  
**Cost of attendance by Gibraltar Tourist Board**

125 **Clerk:** Question 627, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Minister for Tourism provide details of the cost of the GTB's attendance at the World Travel Market in London?

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

**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, if I may, with your indulgence, just quickly return to the last supplementary, I think it is more specific to say that they relate strictly to maritime business.

135 As I said before, it will be mainly Port-related businesses, but some aspects may relate to other maritime areas.

Mr Speaker, in relation to Question 627, the detail of the costs is as follows – Flights £2,782; Hotel £3,780.60; Subsistence £688.77; Travel Expenses £878.90; Stand £37,541; Miscellaneous Other Expenses £1,553.35; less participation fees of £9,000.

140 **Hon. D J Bossino:** Mr Speaker, I have taken a quick note of the information which he has given to me for which I am grateful. In relation to the miscellaneous expenses, can he be more particular in relation to that. It is a reasonably high sum when compared with two of the other items he has given me. It is £1,500-odd pounds. Can he give me a bit more information in relation to that?

145 **Hon. N F Costa:** Yes, Mr Speaker.

In respect of Miscellaneous Other Expenses, £275.31 relates to the History Alive personnel that attended with us and accompanied us to the World Travel Market; the Stand catering £412.52; and Hospitality £865.52. They add up to £1,553.35.

150 **Hon. D J Bossino:** Mr Speaker, perhaps I am asking this question from the uninitiated because I have not had the pleasure of discharging his responsibilities, and I am not personally used to doing these things, but can he advise, and can he give further particulars in relation to what he means by ‘hospitality’ precisely? I know it is perhaps getting a bit too granular but maybe he has that information and he can provide it to this House and elucidate.

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**Hon. N F Costa:** Mr Speaker, I do not have a detailed breakdown what the hospitality/dinner bracket entails but essentially it means dinners, coffees, sparkling waters, whatever it is that one consumes when having a business meeting with a person you have invited to meet with you – hospitality. No alcohol.

160 **Hon. D J Bossino:** Mr Speaker, there is another question in the Order Paper for which this supplementary may be perhaps more relevant, but can he tell me how long the delegation was there? I am assuming in that that he was there for that duration himself.

165 **Hon. N F Costa:** Mr Speaker, the answer to that is in fact I think in the second or the other question that is coming. Yes, I was there from beginning to end. I arrived on Monday afternoon, my office and the Gibraltar House in London were already there. My first appearance at the World Travel Market was on Tuesday and of course it lasted during the week, during the course of which, as I will inform him later, we also had a UK GTA meeting.

170 So yes, these amounts cover the entirety of that week.

**Hon. D J Bossino:** Mr Speaker, I am grateful. He said when he started. Did he say when he ended the trip?

175 **Hon. N F Costa:** Saturday, Mr Speaker.

**Hon. D J Bossino:** Sorry, just to be clear, the World Travel Market started on the Monday and ended on the Friday presumably. (**Hon. N F Costa:** Yes.) I am grateful.

**Q628/2014  
World Travel Market, London –  
Attendees**

180 **Clerk:** Question 628, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Minister for Tourism state who of the GTB delegation to include those from Gibraltar who attended with the GTB delegation, attended the World Travel Market event?

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

**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, aside from Mr Nicky Guerrero, Chief Executive of the Gibraltar Tourist Board and I, the Gibraltar delegation was supported by representatives from: the Sunborn Hotel; the O'Callaghan Elliott Hotel; Bland Group International; MH Bland; Parody Tours; the Gibraltar Taxi Association; and Gibraltar History Alive.

**Q629/2014**

**World Travel Market, London –  
Meetings held with Gibraltar Tourist Board**

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**Clerk:** Question 629, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Minister for Tourism state how many meetings were held with the GTB at the World Travel Market and which of those did he attend?

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

**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, a total of nine meetings were held with the GTB and UK entities, five of which I attended. I have purposely not included the press conference in which I announced the excellent news of the Gibraltar-Bristol flight, the subsequent interviews to the press, my meetings with locally based operators the UK GTA nor my discussions on the fringes of the UK GTA with our UK commercial partners.

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**Hon. D J Bossino:** Mr Speaker, he knows that the Opposition has not been found wanting in terms of congratulating him personally and his team, who I am sure are watching, about the sterling work done in relation to the Bristol connection.

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Mr Speaker, he says nine meetings, five of which he personally attended. Can he explain why he did not attend the other four? The reason being that he has laid a lot of store on the fact that he is very keen to ensure he says, personal contacts with those industry stakeholders. Can he explain therefore why almost 50% of those meetings which were scheduled did not have the pleasure of his attendance?

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**Hon. N F Costa:** Well, Mr Speaker, in the first place to answer the preface to his question, I have to tell him, although I did not reply by way of a press release, that I am still to meet an executive of the airline industry who has told me that the reason why they fly to Gibraltar is because we have a beautiful airport. Never has that happened and I suspect that never will it happen, that people want to fly to us because we have a glass palace, where before there used to be something smaller. So let me be clear about that.

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Meetings at the UK GTA or indeed any other trade show are planned well in advance, so that there will be matters which I think require my personal attendance which ordinarily involves the cruise lines and the airlines and also if there is any specific marketing campaign which I think I ought to have an input. There are other matters which can be dealt with at official level, which is why members of Gibraltar House in London or the Chief Executive will be able to progress but of course, because I am not at that meeting does not mean that I am not conducting some other business elsewhere.

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It is a moveable feast, as I have explained to him in the past, and it is a constant stream of work and it is simply just an economic allocation of existing resources of how best we divide ourselves and get the most out of the World Travel Market.

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**Hon. D J Bossino:** Yes, Mr Speaker, but it is simply not clear why he does not attend the meetings, as far as I am concerned. He has got nine which are scheduled for his Department, he is there in any event, so in terms of economics I just do not see, given the high level of expenditure spent in relation to this, I just do not see why he simply does not attend the meetings.

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He has not said, 'No, I could not attend those four because I had a clash, because I had other meetings to attend'; he simply said that he took the decision, exercising his discretion, as of course he is entitled to do, to not attend. But I just need to understand more particularly why it is that those particular four meetings he decided not to attend and he presumably decided to attend – as he said earlier – he decided to allow his officials to attend on their own and not with him. He just simply has not explained that. Could he explain why he did not attend those four meetings?

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**Hon. N F Costa:** Mr Speaker, the hon. Gentleman clearly has repeated my answer now, in the preface to the question. I have told him that there were several meetings which I thought it was excellent for the Chief Executive to be able to deal with on his own, because there were matters that did not really engage

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me at a ministerial or policy level or which did not really engage the use of Government funds. I thought that the Chief Executive, being a person who has been in the tourism industry for far longer than I have been, was perfectly able to do that on his own.

245 But as I have already told him, just because I was not at that meeting, it did not mean that I was whittling my time away walking around the conference centre seeing what I could do. I was doing other things at that time.

And apart from that, I do not think that he wants to draw me on the question of expenses and costs. I really do not think he wants to do that because our costs are – in the light of what they used to spend, up to £70,000 one year – *quite* reasonable; and I do not think he wants to draw me either on how many meetings the former Minister for Tourism used to attend.

250 So I think he should accept my explanation that we have reasonable costs, that I think it is fair that the Chief Executive is able, along with other officials, to progress matters which either do not engage Government funds, which do not engage Government policy and where I can make better use of my time.

255 **Hon. D J Bossino:** No Mr Speaker, I am judging him on his own standards – on *his* own standards. He has said that all these wonderful things are happening under his watch, because of his personal attendance at meetings and his personal contact with stakeholders. This is why I think it is a legitimate question for this Opposition to ask, why almost 50% of those meetings, which were scheduled far in advance, were not attended by him.

260 Now, he says that he exercises that discretion based on a decision which he has that, he says, that matters were not engaging. Can he particularise as to how he comes to that decision? What criteria does he employ such that he says, ‘I will not attend that particular meeting because it does not engage or does not require attendance at a ministerial level’?

265 **Hon. N F Costa:** Because it does not engage Government funds, because it does not engage Government policy and because I think my time could have been spent elsewhere better in achieving other Government aims.

As I have already told him, just because I am not present at a meeting, does not mean that I am whittling my time away on anything else other than Government business. If he wants, I shall provide him with the series of e-mails that forensically will show him that even if I am not at a meeting, I am furiously working away at other things.

270 So if his concern is that taxpayers’ money are not being wasted, I can assure him that the taxpayer gets bang value for money from my time, because between the hours of eight in the morning until whenever I go to sleep, my time is spent on working.

275 **Hon. D J Bossino:** Mr Speaker, he is very welcome to send me the e-mails. He is very welcome to send me the e-mails but it is completely, completely with respect to him, irrelevant to the question I posed.

Mr Speaker, in the press release which he issued in relation to his visit to the World Travel Market in London, he talks about discussions in very general terms with tourism industry stakeholders and partners in the UK. Who are these people?

280 **Hon. N F Costa:** Mr Speaker, the hon. Gentleman really does himself no favours.

In 2012, when I went to the World Travel Market for the first time, I specifically said, ‘This year, I have ensured that I see as many industry players as possible.’ The year after, I did the same. This year, I specifically did not say that I was going to meet as many industry players as possible, precisely because I was only attending five meetings.

Had I had what I did in previous years, when they had nine, ten or more meetings, I would have said in the press release, ‘I am using this opportunity to meet as many industry players as possible.’ I did not say that in this press release because in the other press statements, when I did do back-to-backs, I said so.

290 This time, however, I did have the wonderful opportunity for Gibraltar, for which he is grouching and carping and he does not like, that I was able to announce a new Gibraltar-Bristol route and therefore some of my time was taken with easyJet, the marketing manager, the commercial manager, with Bristol Airport and the staff there, and the press release and giving press interviews.

I have told him that I have purposely not included the meetings I had with UK operators on the fringes of the UK GTA. I have told him that I have purposely left out the side meetings that I have had with locally based operators. It is not that the absence of my presence in a meeting with a UK operator with the GTB meant the absence of my working for tourism during that week. What is it that he does not understand, or does he think that when I am not at a meeting with the GTB, I am somehow whittling my time away? I can assure him if it is a concern that I am somehow not giving the taxpayer absolute value for money, that *I am*. And when I am not at a meeting with the GTB, I am *working*. It is not that I am at leisure.

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So if he wants me that I want to announce a policy that when I go with a delegation I must attend every single meeting, if that is his advice to me, I will tell him that I shall consider his advice that I must attend every single meeting, but then of course, if I were to do that and I have not prioritised some other work which is more important during the course of those meetings, he will tell me that I should learn how to prioritise.

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Look, as the Minister, and having planned these things at least six months in advance, and he knows that because we were able to announce a new route there was a lot of work that went into it, I think I am a little long in the tooth now, to be able to decide which meeting requires my attendance and which does not. He may decide whenever he comes here in 12 or 16 years time, that he wants to attend every single meeting. Fine, let him do so, but whilst I am the Minister for Tourism, I shall make a judicious choice. I shall exercise my discretion. I shall consider all the relevant factors that pertain to reality and I will say, 'I need to attend that meeting; I do not need to attend that meeting.'

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It is palpable that the fact that we have been able to announce three routes whilst we have been in Government, one for Birmingham, one for Bristol and one for Tangier, (*Banging on desks*) that makes him now ask me whether I am attending meetings.

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The reason why those routes have started is because of my personal involvements and having to talk to the leaders on my own with the GTB. If I thought that any of those four meetings that I was going to miss was going to mean a loss of opportunity, a loss of business, a loss of money for Gibraltar, I would have been there. Or does he think that I waste my time when I go to these meetings?

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**Mr Speaker:** The hon. Members are now beginning to debate. I will allow one – I will allow the hon. Member one final supplementary? Because really, you are beginning to debate as to why the Minister did or did not attend four particular meetings and he has given explanations, but you are now debating. So I will allow him one other supplementary on this matter.

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**Hon. D J Bossino:** Mr Speaker, with the greatest respect to the Chair, I am certainly not debating. It is the hon. Member opposite who has repeated a defence in relation to a previous supplementary that I posed. The most recent supplementary had nothing to do with the issues he has raised in his answers. It was very specific and all I wanted was to elucidate from him further information in respect of a statement which he had contained in his press release announcing the fact that he had been to that event, the World Travel Market.

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Mr Speaker, simply to point out that I think it is a bit rich of him to suggest that I have somehow been reticent in congratulating him in relation to the Bristol flight, he knows that there was a press release from my Party which very clearly, personally quoted from me, congratulates him and his staff for the sterling work he has done in relation to the securing of this particular flight to Bristol. So that is on record.

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Having said that, Mr Speaker, I do not think, with the greatest respect to him, that he has given me the information I sought, which was simply which tourism industry stakeholders and partners in the UK did he visit. That is a statement in the press release and all I want is who they are, full stop. I am grateful.

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**Hon. N F Costa:** Mr Speaker, I have already answered the question. I told him that it was an airline company and airport officials, and if he wants to know the other two it was another airline company and a media buying company.

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**Hon. D A Feetham:** Yes, Mr Speaker, I am glad that I left early from last night's dinner! Obviously this is the aftermath of staying late, I am afraid.

Mr Speaker, may I return to the hon. Gentleman – and I say this with the utmost respect for him, he knows that I hold him in high regard – but his rather petty answer in relation to what he referred to as the glass building, which was an obvious reference to the air terminal. Will he not be magnanimous in the same way as my hon. Friend, Mr Bossino has been magnanimous, in recognising the central role that the hon. Member has played in attracting this new route from Bristol and indeed his team – and we have congratulated both – but will he not recognise the fact that it is because we have a new terminal that actually we are able to attract – and it helps in attracting – new routes to Gibraltar? (*Banging on desks*)

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That does not detract in any way, Mr Speaker, from any work that the hon. Gentleman puts in to this, either he or his team, but actually we are seeing – and I do not believe that it is a coincidence – the only figures that are actually increasing in tourism, almost across the board, is increases in passengers coming through the air terminal. The rest of the figures are down; those are up.

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**Hon. N F Costa:** Mr Speaker, hand on heart, as I do every time I answer a question in this House, not ever, not once, have my team or I been told that the air terminal building is a contributing factor *at all* in deciding whether or not to fly to Gibraltar. I can assure the hon. Gentleman opposite that it is *not true*. The airport building plays no part at all as to whether a new flight starts.

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I accept that a new airport building takes larger capacity and we are working to build the numbers, but I can assure you that during the course of my negotiations with any of the airlines, including the newest airline which is Royal Air Maroc, at no point has the Chairman, the Vice President, a marketing manager, an air route development said, 'By the way, that building, that is the reason why we are going to go to Gibraltar. If you did not have that building we would not fly to Gibraltar.' That has never been said. In fact, it never forms part of the discussion. That content of the narrative is *absent*, I can assure him.

Is it welcome that the airport can handle more passengers and that we are building towards increasing passengers? Absolutely. But let me also tell him that the reason why more routes are being developed in these four years, it is not a coincidence, as I will explain to the Hon. the Leader of the Opposition. It is not a coincidence. But it is not a coincidence because of the reasons that he thinks. In other words, it is not because we have a magnificent crystal palace built for reasons which are completely unclear to me. It is because we have pursued implacably the philosophy of not allowing leads to cool, of chasing e-mails, of following up on phone calls, on chasing up the top industry players, of displacing ourselves on short notice to meet the people that make the decisions.

And the reason why we have – if I may have a vain glorious moment – one new route per year on average under this administration – Birmingham, Bristol and Tangier – is because we have not let matters drop and we have continued when the iron was hot, to *strike*.

I dare say that if the former Administration had pursued so consistently that policy, new airport or no new airport, hole in the ground or Heras fencing, they would have had more luck.

**Hon. D A Feetham:** But, Mr Speaker, nobody is suggesting that people use Gibraltar because they want to come and watch the new crystal airport – (*Interjection*) crystal palace exactly – airport terminal. Nobody is suggesting that. But *surely* there is a link between the fact that we have built a new terminal that can handle increased capacity with the ability of a Government to attract new airlines. That is the only question that I posed and that must surely follow. And it must surely follow that in fact, if we had had the old terminal with its incapacity to handle greater volumes, that the current Minister for Tourism would have been hamstrung in his ability to attract new routes to Gibraltar.

Now that must be a logical deduction from just simply looking at the facts. The facts speak for themselves.

**Hon. N F Costa:** Mr Speaker, that is to completely ignore everything that I have told him. The reason why there are more routes to Gibraltar now than there were before has nothing to do with the crystal palace, nothing at all. They come because they have every confidence in this Government to be able to pursue the leads that exist at the time.

Once a discussion starts to open a new route, this one in particular, Bristol, took two years and it could have taken longer had we not pursued the matter diligently and sometimes almost daily. And when matters go quiet and we do not receive phone calls from the airlines, when I pick up the phone or when they call me to pursue the matter, it is not 'actually having re-thought the matter, that beautiful crystal palace is so amazing, we are going to be flying there.' It never forms part of the discussion.

It only comes about because of our personal contacts and pursuing the negotiation. It has nothing to do... So the logic he ascribes that, as a result of greater capacity there are more airlines flying to Gibraltar, I tell him that had the old air terminal shed that existed still been in existence, we still would have had a new Bristol route, the Birmingham route that we started and the Tangier route that is starting next year. I am *absolutely confident* of that.

**Mr Speaker:** Does the Hon. Mr Bossino have any further supplementary in the light of anything since his last one?

No, next question then.

**Q630/2014**

**EasyJet –**

**Terms of agreement with Gibraltar Tourist Board**

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**Clerk:** Question 630, the Hon. D J Bossino.

**Hon. D J Bossino:** Mr Speaker, can the Minister for Tourism provide details of the terms of the agreement between the Gibraltar Tourist Board and easyJet which he referred to in the context of the announcement of the new flight to Bristol?

415

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

**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, as I have answered before with similar questions of this nature, I refer specifically to Questions 826/2012 and 348/2014, all commercial discussions are commercial in confidence as part of the Government's strive to increase air connectivity.

420

**Hon. D J Bossino:** Mr Speaker, I appreciate the hon. Member's restriction in that regard, but can I press him a bit further? The reason why I pose this question is because it did not form part of the press release which announced the new route, but it did form part of an answer that he gave to Kelly Anne Turnbull, the GBC interviewer, when he was being interviewed I think in London, when he said that... The question posed was why is he so confident about this flight connection when compared to, for example, the recent and failed Marrakesh flights, and he said that the distinguishing feature is that in this case – and I am quoting from him – 'this is an agreement between the Gibraltar Tourist Board and easyJet.'

425

430

So subject to the restrictions which he has already alluded to, can he give me any further information in relation to what he said to the GBC interviewer?

**Hon. N F Costa:** Mr Speaker, I am almost tempted to read from *Hansard*, given that that is almost exactly the supplementary he asked me on the last occasion.

435

**Mr Speaker:** Resist the temptation! (*Laughter*)

**Hon. N F Costa:** But I will not, Mr Speaker. I shall pass it to him later.

The previous Government, in 2008, reduced landing fees at the airport, which was a very welcome thing. That I agree does contribute directly to why new routes want to start to Gibraltar. The previous Government started an incentive scheme on discounts on fees and departure charges. Again, they introduced that and we have continued that policy and unlike the crystal palace, this does have a direct bearing on negotiations with airlines.

440

So as a result of that regime, the Government, the GTB in particular, has an ability to be able to discuss with any particular air operator whether they wish to obtain a discount on landing fees or on departure charges or both and that is what forms part of the discussion.

445

For the reasons that he has said before, I know that he accepts that such agreements with an airline are commercially sensitive and in confidence, but I can tell him, as I told him last time as well, that they are limited in time. So each airline will have an agreement with the Tourist Board which is limited in time and each agreement is different.

450

But of course, it is part of the commercial discussions that we have that (1) the airlines know that we accept the sensitive confidential nature of such agreements and they know that we will not disclose that either publicly or to anyone else; and (2) the Government needs to have the ability to be able to negotiate *qua* a new airline without reference to the other, because of course, if one airline knew what the other airline had, they may insist on obtaining the same deal or a better deal. So it is in the best interests of everyone involved, the Gibraltar taxpayer, and the airline and of course the Tourism, to obtain more passengers to fly to Gibraltar, that these remain commercially in confidence.

455

I am happy, and I have told him this before, to provide to him a copy of the incentive scheme which we provide to airlines and that will detail to him the ability that we have in terms of what we can offer an airline. But it is very defined and there is only so much room for manoeuvre.

460

**Hon. D J Bossino:** I am grateful for that reply and just so that I understand this, the negotiation is limited to that particular discrete issue, which is the playing around – for want of a better expression – as to where to pitch the costs of landing in Gibraltar, and I fully understand and accept the explanation he has given.

465

But when I heard what he said on television, I just wanted to know whether there was anything further beyond what he has just explained, for example – and I put it to him by way of example in terms of my thinking at the time when I watched him and heard him – which is whether there was any direct financial assistance being provided either directly by the Government, which I would doubt, or indeed by... he well knows the debates we have had in this House in relation to Credit Finance Company Limited, whether anything has come from that particular quarter. I would like him if he could, for the sake of *Hansard* to confirm whether my understanding is in fact correct.

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475 **Hon. N F Costa:** Mr Speaker, first of all let me explain that when I made the comment in relation to the fact that this particular agreement is between an airline and the Government, it was in reply to the question of the Marrakesh flight. It was within that context that I explained that the Marrakesh operation was by a private entity and therefore it was not, as I explained then, our baby, our project. We did not negotiate with RAM. It was a private company that negotiated with RAM and then the Government supported it, but it was not a direct agreement between the GTB and a particular airline.

480 Therefore, it was within that context that I said the reason why the Tourist Board and my Ministry is confident that this route will work is because *we* have crunched the numbers, *we* have sifted the data, *we* have gone through the numerical analysis – as of course has easyJet.

485 As I also said in that interview – and of course I am very glad that the hon. Gentleman does follow my statements – if easyJet, after two years of discussions, is finally persuaded to fly to Gibraltar, it can only be because after two years of data crunching, they are satisfied that there will be sufficient traffic to make the route sustainable and of course profitable for them. That is the answer to the first part of the question which relates to the Marrakesh flight.

490 I said to him in a previous answer relating to a similar question that apart from the incentive package that we are able to negotiate with an airline, we also provide marketing funds. So there is an incentive package which is agreed with the airline and then we also agree – which was actually interestingly or ironically the meetings which I held at the World Travel Market – how we market the route.

495 So that is the extent of the contribution. An incentive which means that there is absolutely no direct cash given at all whatever, it is simply that they get discounts, and we agree with the airlines how we market the route. That is the absolute full extent of the assistance. That is it. (*Interjection*) Which is what I said in my first answer, to be totally fair, the policy that was started by them in 2008, which I think works quite well.

500 **Hon. D J Bossino:** Yes, Mr Speaker, my hon. and learned Friend makes a valid point to me privately which is in relation to the Marketing Fund: he says no financial assistance, so can he explain that further. Is there money passing between the Government, put in as broad as possible terms, and any company wishing to set up an airline route to Gibraltar in relation to that specific issue which he has referred to, marketing funds, and simply, by way of clarification, I assume that ‘RAM’ means Royal Air Maroc – I assume. Just for the sake of *Hansard*, he maybe ought to confirm that and explain that further.

505 **Hon. N F Costa:** Mr Speaker, every air carrier has an incentive package and of course with some it may have already expired. But where even if an incentive package has expired because three years have gone by, or two years, whatever has been agreed, the GTB is always committed to provide marketing funds every year.

510 I do not know exactly how the Accounting Department or the GTB works that out. What I do know is that we agree the marketing package with the airline – with BA, Monarch, now with Royal Air Maroc and with EasyJet. So we sit down – well, my marketing team and the accounting team sit down and they decide ‘Right, we have so much money in terms of marketing: this is the value. How do we do it?’ and then from that amount, a package is worked out.

515 Whether that is invoiced at the beginning, during or at the end, I am not sure but it is – well, we talk about marketing funds. This is not a pseudonym. This is not something to hide something else. These are marketing funds. If we are to hold, for instance, a boutique event which we did for BA at Gibraltar House, where we invited BA’s corporate clientele to Gibraltar House so that they were able to meet the Tourist Board and the Gibraltar Government, that would be part of those marketing funds. But it is pure marketing.

520 **Hon. S M Figueras:** Yes and I think we probably now grasp the concept but is the Minister effectively saying that it is essentially an allocation to a marketing budget of sorts in the context of the flight itself, is that what he is getting at?

**Hon. N F Costa:** Yes, Mr Speaker, it is a capped amount which means that in one year it could be less. It is a capped amount and it relates to a specific route.

525 **Mr Speaker:** Next question.

**Q631-632/2014**  
**Gibraltar Bus Company –**  
**Details of blue and red buses**

**Clerk:** Question 631, the Hon. S M Figueras.

530 **Hon. S M Figueras:** Mr Speaker, can the Minister for Transport provide details to this House of the weight of the blue buses currently in service with the Gibraltar Bus Company, to include the weight of the buses specifically serving the areas of the Upper Town?

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

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**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, I shall answer this question together with Question 632.

**Clerk:** Question 632, the Hon. S M Figueras.

540

**Hon. S M Figueras:** Mr Speaker, can the Minister for Transport provide details to this House of the weight of the new red buses now entering service with the Gibraltar Bus Company, as well as the weight of the vehicles it is anticipated will be servicing the Upper Town in the future?

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

**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, the weight of the blue buses currently in service is as follows:

550 Mass of the vehicle in use: 6,750 kilos without passengers; permissible maximum laden mass, 12,000 kilos – maximum passengers.

Buses serving the upper city area: Toyota Coaster – mass of the vehicle, 2,780 kilos without passengers; permissible maximum laden mass, 5,020 kilos – maximum passengers.

Mercedes Benz – mass of the vehicle in use, 3,570 kilos without passengers; permissible maximum laden mass, 5,350 kilos – maximum passengers.

555 Man Midi-City – mass of the vehicle in use 9,500 kilos without passengers; permissible maximum laden mass, 13,500 kilos – maximum passengers.

Government is currently conducting road tests on bus types which it considers to meet the specifications to ably negotiate the narrow road network of the upper town.

560 After this answer was drafted, Mr Speaker, with your indulgence, simply to add that just yesterday we tested a second new bus for the upper town.

**Hon. S M Figueras:** Mr Speaker, there is a Question in the Order Paper, Question 633, which probably deals with the matters that I might ask in supplementary, so it may in fact be a good idea just to proceed on to the next question.

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**Mr Speaker:** You would like Question 633 to be called.

**Hon. S M Figueras:** Indeed, Mr Speaker, I am grateful.

**Q633/2014**  
**Gibraltar Bus Company –**  
**Routes of red buses**

570 **Clerk:** Question 633, the Hon. S M Figueras.

**Hon. S M Figueras:** Can the Minister for Transport say which routes the new red buses are currently serving and if there are any not being serviced that were serviced by the original Dennis blue buses, can he say why not?

575

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

580 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, the Gibraltar Bus Company Ltd has deployed the new buses as and when required, replacing the old buses that were becoming unusable. Further, all routes are being serviced.

**Hon. S M Figueras:** I am grateful, Mr Speaker.

Can the Minister then – and he has alluded to it in his answer to the question on the Order Paper – confirm then that there are no issues whatsoever with the new buses in the context of the weight of the new buses and their use in particular areas in Gibraltar, namely the southern most parts of Europa Road?

585

**Hon. N F Costa:** Mr Speaker, the hon. Gentleman I know is a transport enthusiast so I am sure that he appreciates that when the new bus fleet was brought here in 2004, the maximum permissible laden mass in fact far exceeded the allowed weight on all of our roads. And between 2004 and 2011 they did nothing to reinforce those parts of the road that required reinforcement. In fact when we came in –

590

**Mr Speaker:** No, no, that is totally irrelevant. Totally irrelevant. You are referring to 2004 to 2011 – totally irrelevant.

**Hon. N F Costa:** Mr Speaker, it goes to the answer that I am going to give.

595

**Mr Speaker:** Get to the point.

**Hon. N F Costa:** Yes. The point is that as a result of certain parts of Gibraltar's roads requiring reinforcement as a result of the blue buses, we gave instructions to reinforce certain parts of Line wall Road. So for example, the Smith Dorrien Bridge and other parts of Line wall Road which have been continuously used by the buses have required reinforcements.

600

Similarly, the Technical Services Department advises me that perhaps one or two points at Europa Road may require – in which case we have also instructed, Mr Speaker, that such works be done should they be required and these studies are being conducted as we speak.

605

The preface to that, Mr Speaker, was only to explain that it was not just part of Europa Road but in fact part of the entire road network that are being currently and have been used by the buses. That was the reason, Mr Speaker.

**Hon. S M Figueras:** Mr Speaker, can the Hon. Minister say then categorically that there is no concern currently as far as Government is aware in relation to the continued use of the red buses. I know the Hon. Minister suggests that he has already answered the question, but I am merely asking him to confirm because he has explained that they are aware of the issues and that there is a report being prepared in relation to specific areas of Europa Road and I am very grateful for that answer.

610

But my supplementary is a little different in that I would like him to confirm, Mr Speaker, that there is no concern about the immediate possibility of a hazard or any kind of undue risk in continuing to use the red buses in those particular areas.

615

Would the Minister be so kind as to confirm that?

**Hon. N F Costa:** Well, Mr Speaker, this was why I started the answer the way that I did. The point that I am making to the hon. Gentleman opposite is that the blue buses already exceeded the maximum permissible weight on our roads and they have been using our roads since 2004. So if we do have concern, it is only to the extent that we need to find out whether certain points in Europa Road, which have been serviced by those buses since 2004, now represent a greater risk because there is 1,000-kilos difference between the old and the new. But that is why we have instructed our Technical Services Department to confirm whether that is the case or not.

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625

If it is the case that one or two points of the stretch of Europa Road in their view requires some reinforcement, we will do so in the same way that we were able to do the reinforcement at Smith Dorrien Avenue Bridge and the other parts of Line wall Road.

**Hon. S M Figueras:** Mr Speaker, yes, one final supplementary but dealing first with the answer that the Hon. Minister has given us, the reason why I am asking today, Mr Speaker, is because as we have been informed the new buses are a ton and a half heavier when they are in maximum use. Well, I know the details now, Mr Speaker, but it has been suggested to us by a number of concerned constituents that there was potentially an issue arising from the weight of the buses.

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Therefore, having now confirmed that that is the case, Mr Speaker, and that the red buses are in fact, when in service with the maximum number of passengers, a whole ton and a half heavier than the blue buses which have been using our road network from 2004 to 2011, I thought it appropriate to raise the issue in the House because clearly, the concern must be slightly greater than it was perhaps when the buses were slightly lighter.

640

I would then ask, Mr Speaker, the final supplementary, when is it anticipated that the report will be conducted and a determination made as to what works if any, need to be done?

645 **Hon. N F Costa:** Mr Speaker, let me just tell him that some of the blue buses are still operating today so they did not stop in 2011. We came into Government in 2011, but the blue buses continued. Yes, and on that magnificent day the blue buses continued to service the existing routes and, as I have already told him, the blue buses exceeded the permissible weight by 2,500 kilos, so the concern has always been there – or should have been there certainly – before and when we were notified, one of my first meetings in fact with the Hon. the Minister for Traffic was, if that is the case we need to make reinforcements to the roads and it has been confirmed that the Line wall Road, the parts of it which in the view of the Technical Services Department were not suitable, have been upgraded to take up to 16,000 kilos. Mr Figueras may –  
650 *(Interjection)*

In the event that the report which I have been told should take between four to six weeks it was started two weeks ago, if I recall correctly. Time is a bit of a blur – it could have been before, it could have been later. If there is a need to reinforce, then we shall move to do so in the same way that we did on the last occasion to reinforce up to 16,000 kilos.  
655

**Hon. D A Feetham:** Now, Mr Speaker, so can he just confirm for my benefit that the red buses are not being used on Europa Road until such time as the Government conducts this study to ensure that the roads are resilient enough or those stretches of the road affected are resilient enough in order to take these red buses? So the red buses are not being used in Europa Road or in that stretch of Europa Road near I think it is the library up there, that is being affected by this.  
660

**Hon. N F Costa:** Mr Speaker, when I received the question, I asked the bus manager on what routes the red buses were being used and he informed me that the buses were being deployed depending on the popularity of the route. As I understand it, those routes do not currently include the Upper Rock. So they are being deployed where the buses are most in use – not Europa Point.  
665

**Q634/2014**  
**Gibraltar Bus Company –**  
**Employees**

**Clerk:** Question 634, the Hon. S M Figueras.

670 **Hon. S M Figueras:** Mr Speaker, can the Minister for Transport provide details to this House of the full complement of staff employed by the Gibraltar Bus Company on a month by month basis, since December 2011?

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

675 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, I have just realised that there is a table but perhaps it would be easier if the lady usher could kindly make a photocopy rather than read the entirety of the table and perhaps the hon. Gentleman could consider and ask me supplementaries with your indulgence, later.

	2011	2012	2013	2014
<b>January</b>		63	56	61
<b>February</b>		62	56	61
<b>March</b>		59	56	64
<b>April</b>		59	55	62
<b>May</b>		59	55	62
<b>June</b>		59	55	61
<b>July</b>		60	57	61
<b>August</b>		60	57	63
<b>September</b>		56	57	63
<b>October</b>		57	56	63
<b>November</b>		57	59	
<b>December</b>	63	57	61	

680

**Q635/2014**  
**Gibraltar Bus Company –**  
**Employee policies and staff handbook**

**Clerk:** Question 635, the Hon. S M Figueras.

685 **Hon. S M Figueras:** Mr Speaker, can the Minister for Transport provide details to this House of the Gibraltar Bus Company's employee policies and, if these are detailed in a staff handbook, provide me with a copy of said staff handbook?

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

690 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, the former directors of the bus company did not agree a handbook with Unite. As a result the handbook is a draft document which the current manager and employees use as guidelines, but which all parties accept is the touchstone to any employment issue.

695 It should be noted that the bus company manager and I are currently in discussions with Unite to agree the contents of the handbook and to implement these. The handbook contains policies that one would ordinarily expect to be contained in an employee handbook, such as an equal opportunities policy, a health and safety policy, a training policy and other conventional employee policies.

700 I am, however, also informed that the handbook sets out the terms and conditions of employment applicable to these employees. May I just say that I am not entirely sure why it reads, 'I am, however, informed'. I have read the handbook now at least four or five times so I *know* that the handbook sets out the terms and conditions of employment applicable to the employees.

705 I am advised that the handbook is a private and confidential document and that therefore it is not appropriate to hand a copy to the hon. Gentleman across the floor, but I am happy to share it with him confidentially if he so wishes.

**Mr Speaker:** I notice that the manner in which the Answer... in fact it follows from the next Question 636, there is also statistical information covering four years. Would the Hon. Minister like to anticipate that and also make available a photocopy for convenience? It is conducive to better business.

710 **Hon. N F Costa:** Yes, of course, Mr Speaker.

**Mr Speaker:** Now, we return to Question 634, and the Minister should actually go through the answer, otherwise it will not appear in the *Hansard*. If it is just a case of handing over, it will not...

715 The Clerk will arrange for it to appear. Very well.  
Now, does the Hon. Mr Figueras then have any supplementaries?

**Hon. S M Figueras:** Mr Speaker, I have not received the table yet.

720 **Mr Speaker:** You have not received it. It is on its way.

**Hon. S M Figueras:** Thank you.

725 **Mr Speaker:** You will be getting statistical information on two Questions, 634 and 636. Question 636 will come after you have asked the Question obviously.

**Hon. S M Figueras:** Yes, Mr Speaker, with your indulgence I would be grateful for an opportunity to ask supplementaries on 635 before moving on if that is alright.

730 **Mr Speaker:** Well yes, very well.

**Hon. S M Figueras:** Thank you. Mr Speaker, in relation to the staff handbook, I am grateful for the Hon. Minister's offer of sharing it confidentially, an offer which I will certainly take up.

735 Can, however, the Hon. Minister say whether there has been any professional advice engaged in relation to the discussions or the preparation of the drafting of the handbook itself in anticipation of discussions with the Union and agreement of a final version of it?

**Hon. N F Costa:** Mr Speaker, I will have to check, I think the answer is yes. I think if I recall correctly – please, I ask him not to quote me, but – I think the handbook was originally drafted by Mark Isola of



740 Isolas and I am not certain whether further revisions were done by him, my in-house counsel or a further firm. But if he were to ask me either at the next session or write to me, I will provide him with the answer.

**Q634/2014 continued –  
No supplementary questions**

**Mr Speaker:** Now, does the hon. Member have the statistical information relating to Question 634?

745 **Hon. S M Figueras:** I do, I have just received it.

**Mr Speaker:** Well, look at it and if you wish to ask any supplementaries...

750 **Hon. S M Figueras:** Mr Speaker, on reflection this is perhaps a question that would better have been asked for answer in written form. In that vein, I do not propose to ask any supplementaries myself in relation to this question. So unless any of my hon. and learned Friends have supplementaries to ask, I will propose that we move on to the next question.

**Mr Speaker:** Any supplementary questions?

**Q636/2014  
Gibraltar Bus Company –  
Road traffic incidents reported by employees**

755 **Mr Speaker:** Call Question 636.

**Clerk:** Question 636, the Hon. S M Figueras.

760 **Hon. S M Figueras:** Mr Speaker, can the Minister for Transport provide details to this House of the number of road traffic incidents/accidents reported by the employees of the Gibraltar Bus Company, on a month-by-month basis since January 2010?

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

765 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker –

**Mr Speaker:** The answer then should be, ‘The figures are...’

770 **Hon. N F Costa:** Yes. Mr Speaker, I hand now to the hon. Gentleman a schedule with the information that he requests.

	2010	2011	2012	2013	2014
Jan	0	1	2	3	2
Feb	1	4	1	0	1
Mar	0	1	5	0	1
Apr	1	1	0	1	2
May	0	0	1	1	0
Jun	0	2	0	1	1
Jul	2	1	0	2	2
Aug	0	3	0	1	1
Sep	3	0	0	1	0
Oct	2	1	1	0	2
Nov	1	0	0	3	
Dec	1	0	0	2	

775 **Hon. S M Figueras:** Mr Speaker, I am happy to move on to 637 whilst that is handed to me. Mr Speaker, if I could perhaps with your indulgence just one moment have a look through...

**Q637/2014**  
**Gibraltar Bus Company –**  
**Cost of new buses**

**Clerk:** Question 637, the Hon. S M Figueras.

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**Hon. S M Figueras:** Mr Speaker, can the Minister for Transport say how much the new buses are costing the taxpayer?

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

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**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, the cost of the new MAN Caetano bus fleet is £4,790,000.

**Hon. S M Figueras:** And, Mr Speaker, perhaps he can just refresh my memory: is it 20 buses that make up the fleet?

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**Hon. N F Costa:** That is correct, Mr Speaker.

**Q638/2014**  
**Gibraltar Bus Company –**  
**Cost of improvements to new red buses**

**Clerk:** Question 638, the Hon. S M Figueras.

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**Hon. S M Figueras:** Mr Speaker, can the Minister for Transport say how much cost additional to the cost of each of the buses the Gibraltar Bus Company is anticipated to incur in the making of improvements for access to rear seats and other modifications planned to improve accessibility and usability of the new fleet of red buses?

800

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

**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, the Government is not aware of any accessibility issues with the rear seats of the new buses, and therefore has no plans to make any alterations.

805

**Hon. S M Figueras:** Mr Speaker, perhaps the Minister catches me off guard and he will correct me if I am wrong, I am happy to be corrected if that is the case. Had the Minister not publicly said that certain alterations are being looked at in terms of access to the rear of the bus, within the bus?

810

**Hon. N F Costa:** Mr Speaker, the way that I understood the question, I am not trying to be obtuse, is that the hon. Gentleman was referring to the rear of the seats. There are no issues with the rear of the seats.

What I have said in an interview, was that we are aware of difficulty of access in respect of one part of the bus, not the rear of the bus and that we are looking at modifications to ease that part. Is that what he is referring to?

815

**Hon. S M Figueras:** Yes... *[Inaudible]*

**Hon. N F Costa:** There is no issue –

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**Hon. S M Figueras:** Mr Speaker, yes I will try and articulate what it is I am getting to. As I understand it, and again I may be misinformed and I am happy to be corrected, Mr Speaker. I understand that the difficulty that we are getting to is in accessing the rearmost half of the bus and in particular, the one step from the level platform which is level with the disabled access and for push chairs. The step up to the rest of the seats at the back of the bus is where we are informed there is significant difficulty in gaining access.

825

Has the Hon. Minister referred in the interview to access to this particular area of the bus and that is the issue that they are in fact planning to deal with?

830 **Hon. N F Costa:** Yes, Mr Speaker, by way of update, as I think I explained that in the interview, I do not remember if I did, the manufacturers were invited to Gibraltar where we met with the OT, the Care Agency and all the other related professionals who advise the Government on such matters and we have come up with a first possible solution. We are not in a position therefore yet to give him costs. We will not be able to do so until we agree on the solution.

835 As I said during the course of the interview, the reason for bringing the buses over as quickly as we had to was because the Bus Company informed me in no uncertain terms – and the hon. Gentleman and I have in fact discussed privately the state of the blue buses on previous occasions and he knows – that the blue buses by this point were having some serious difficulties; not all of them, some of them. He is aware, because I have put this in the public domain and he has asked me by way of a written question, the cost of repairing the Dennis Dart bus fleet.

840 So the decision was taken to bring as many as possible as quickly, even if the step as we asked for had not been installed.

Of course once they arrived we knew that this could well become an issue and we were informed immediately. Given however that the buses were here, we might as well thought given there is an issue let us maximise the opportunity, so we once again brought in the professionals to see how we could even further improve on what we had originally envisaged.

845 We have received a possible solution, it is currently being looked at by the professionals and we should be able to move quickly enough so that hopefully by before the end quarter of next year all of the new buses will have whatever new modification is agreed by then.

850 **Hon. S M Figueras:** I am grateful to the Hon. Minister for that answer.

There is an aspect of the usability of the bus fleet that we have not alighted upon yet, but which I would quite like to raise in the context of the original question and that is that certain concerns that have been raised with me directly and which have been observed on social media, in relation to the usability of the bus in a particular manoeuvre, which is at the bottom of Red Sands Road and the junction with Rosia Road when they are turning to head northbound.

855 We are informed, Mr Speaker, and perhaps the Hon. Minister is already aware of this, that there is an issue in relation to the visibility for the driver of the bus in negotiating that manoeuvre and perhaps the hon. Minister will be so kind as to let us know whether (a) he is aware of the issue; (b) whether it is in fact an issue at all and (c) if it is, what is proposed to be done to address it?

860 **Hon. N F Costa:** Mr Speaker, in respect of the immediate supplementary that he asked me, I am informed by the Bus Company manager that has been resolved. So I am sure the hon. Gentleman will be happy about that, as certainly am I. The moment I was informed, we met to see what the issue was and I am informed reliably by the Bus Company manager that that is no longer an issue.

865 I would like to say to the hon. Gentleman, and I know that he will appreciate the answer, because again he is an enthusiast about transport and motor vehicles, that he will know that Gibraltar is not hamstrung, but Gibraltar has to abide by European Regulations. He knows that Gibraltar had to buy, at this juncture, the best available technology which was the Euro 6. He will know from his own reading that the Euro 6 and the catalytic converter are big pieces of equipment and that fitting that into a tight configuration... Remember that the buses can only be of certain length in Gibraltar because otherwise they are unable to negotiate, for example, the corner of the Supreme Court and other parts of Gibraltar. If Gibraltar had wider roads, and did not have these difficulties, we could have ordered a longer bus and therefore the configuration inside would not have been determined by the width of our roads. So that is the conditionality on which any bus negotiating those roads has to be built. And of course you need to incorporate the catalytic converter in order to reduce emissions. It is an EU Regulation which we must adhere to.

875 Our second point to make which I know the hon. Gentleman also knows, but I am also saying it for the record of *Hansard*, the EU mandates a certain ability and certain dimensions for people who are wheelchair bound to be able to negotiate and turn around in a bus independently.

880 Now, if you take into account those EU mandatory guidelines in respect of the ability of a person in a wheelchair to be able to turn around, if you take into account the length of the road, the configuration of the bus suddenly becomes quite a limited feast indeed and we had to work within those parameters. But again, having said that and being satisfied that a wheelchair user is perfectly able to independently manoeuvre inside the bus and turn etc and in fact it may interest the hon. Gentleman to know, that in yesterday's test we had the President of the Senior Association and also a wheelchair user in a small bus to in fact make sure that the small buses servicing the Upper Town were as accessible and as friendly as they could be.

885 The small bus also has inevitably a small step, because of course the narrowness of the Upper Rock, Upper Town streets are so narrow that it is impossible to have a bus with the best engine on a flat ground level unless of course we could make them longer, which we cannot in Gibraltar. And I now, I wish I had

890 invited him to the test because there were parts of those routes in the Upper Town which really are extremely narrow and it takes great manoeuvrability to be able to negotiate them!

895 So the configuration – what I am trying to say perhaps in a clumsy, long winded way – is mandated by certain laws that we need to adhere to, which is why we came up initially with the idea of this step. But given that we had representations in the same way as he had, we thought that there was actually a further opportunity to try to better it and we think that the solution we are studying now, which of course will be approved not just by the professionals but also the by Senior Citizen Association etc, will be the right solution.

900 And I appreciate it if the hon. Gentleman were to ask me next month whether we have been able to implement them, I will be able to give him details, not just of the configuration which we will be happy to explain to him even before, but also the cost.

**Mr Speaker:** I have been liberal in allowing the Minister to make this wide-ranging answer because the question of the buses is a matter of public interest. But I think we have to be conscious of the fact that this is a question about additional costs in respect of certain modifications and that we cannot discuss the whole ambit of where the buses are going to be, the different routes and the problems of all routes.

905 So I have been liberal but I think that unless the hon. Member has a specific supplementary arising, we have to make further progress and move on.

**Hon. S M Figueras:** No, Mr Speaker, I am entirely grateful to the Minister for a very comprehensive answer which I have found extremely helpful. I am grateful.

910 **Mr Speaker:** Okay. Next question.

**Q639/2014**  
**Gibraltar Bus Company –**  
**Revenue from advertising**

**Clerk:** Question 639, the Hon. S M Figueras.

915 **Hon. S M Figueras:** Mr Speaker, can the Minister for Transport say what revenue the Government of Gibraltar has received by way of bus and related advertising by the Gibraltar Bus Company on a month by month basis, since January 2010?

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

**Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, revenue received by the Gibraltar Bus Company is not structured on a month-by-month basis but I can provide the figures based on revenue received by financial year.

925 April 2010 to March 2011 – £65,773.75; April 2011 to March 2012 – £43,500.75; April 2012 to March 2013 – £30,231.25; April 2013 to March 2014 – £8,473.88; April this year to date – £6,873.

The Gibraltar Bus Company currently awaits the production of audited accounts from the contracted party in order to determine what further amounts are due.

930 **Hon. S M Figueras:** Mr Speaker, can the Hon. Minister provide an explanation and I will accept from him the possibility that he may not have been made aware of the reasons why, but certainly if he has the information, could he provide more details to this House as to what the significant decline from £65,000 in the financial year 2010-11 to £8,000 effectively in the last financial year 2013-14 to what it can be attributed?

935 **Hon. N F Costa:** Mr Speaker, I am advised that there is a difference of opinion as to the amount owing, which is why the company has asked for audited accounts. I am also advised that once that figure, that difference is agreed, there should of course be substantial more revenue to the Bus Company. I personally have asked for a full report on this and requested the reasons for the outstanding amounts.

940 **Hon. S M Figueras:** Could he confirm just for clarification's sake that the company that has been asked for audited accounts is the current supplier of the service to the Gibraltar Bus Company, i.e. Big Publications Ltd?

945 **Hon. N F Costa:** Yes, Mr Speaker.

**Q640/2014**

**Gibraltar Bus Company –  
Government contribution to advertising contractor**

950 **Clerk:** Question 640, the Hon. S M Figueras.

**Hon. S M Figueras:** Mr Speaker, can the Minister for Transport say what contribution the Government has made to the contractor managing the advertising on the buses since they were awarded the contract in 2012?

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

960 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, as I noted to the hon. Gentleman in Question 213/2013, upon commencement of the agreement Big Publications Ltd received the sum of £15,000 to cover initial costs relating to the production and installation of the advertisements. These costs were, when I answered the question in 2013, paid back in full to the Gibraltar Bus Company Ltd.

965 **Hon. S M Figueras:** And for the avoidance of doubt, Mr Speaker, can the Minister say therefore that the £15,000 paid back to the bus company was as an independent transaction to the receipt of revenue by the Gibraltar Bus Company?

**Hon. N F Costa:** That is correct, Mr Speaker.

**Mr Speaker:** Next question.

**Q641/2014**

**VemaOil –  
Ship to ship bunkering at night**

970 **Clerk:** Question 641, the Hon. J J Netto.

975 **Hon. J J Netto:** Mr Speaker, can the Minister for the Port state if VemaOil is conducting ship-to-ship bunkering at the Detached Mole during the silent hours – that is from 11.00 p.m. to 7.00 a.m. – and if so, could this practice stop so that the noise emanating from the pumping from ship to ship does not continue to stop the sleeping habits of people in the Westside of Gibraltar?

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

980 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, in the first place, I do not accept, with respect, the premise of the question posed by the hon. Gentleman, that the sleeping habits of Westside residents are disturbed by the noise emanating from the pumping.

985 If, however, the hon. Gentleman has any evidence to substantiate his assertion, which I do not accept for the reasons I will develop later to him, I would be very grateful for that information.

Bunkering operations are conducted at all times of the day and therefore VemaOil does conduct ship to ship bunkering operations during silent hours. The latest report from the Environmental Agency, which recently conducted noise level readings during the silent hours, indicates that whether operating or not, the noise levels from the Vemaspirit remained at acceptable level at all times.

990 Mr Speaker, if I may add, stopping bunkering operations during silent hours would have a very negative impact on the bunkering industry in Gibraltar. It is worth noting that VemaOil's business accounts for 24% of the bunker supplied.

To further assist the hon. Gentleman, the GPA – the Port Authority – has not received any complaints that are specific to bunkering operations from the Vemaspirit, but should there be any complaints, we will

995 of course be happy to co-operate with our colleagues at the Environment Department to reduce any impact on the public.

With respect to the hon. Gentleman, I think he may be confusing the noise levels emanating from the generators of arrested vessels which have previously been held at the Detached Mole and in the Western Anchorage, but have since been repositioned further away from populated areas in the Eastern Anchorage.

1000 Although not in the Answer, Mr Speaker, it is just to say that the complaints received relate specifically to that: to the noise of generators.

**Hon. J J Netto:** I am grateful, Mr Speaker, for that explanation.

1005 In relation to one of the statements made by the Hon. Minister in relation to the information I have, I had representations made to me which I am not at liberty to be able to pass on to the Government because they very clearly told me that they want to keep it in that particular way.

1010 However the Hon. Minister does confirm the fact that this particular work does occur during the silent hours and obviously to a lot of residents in that particular area of Gibraltar, the Westside of Gibraltar, no doubt it is a nuisance, despite the fact, which I take on board that the Hon. Minister does say that the Environmental Agency maintains the view that they are within acceptable levels.

Now, despite that sort of difference of view between the representation I have had and the views of the Environmental Agency, could I not perhaps ask the Minister whether he can actually look at the specific contract with the particular company involved in this particular work to see whether the work can be done during normal working hours as opposed to the silent hours?

1015 I am not a lawyer, I do not know what sort of legal issues do emerge here, but if there is a particular way that the work can be done during normal working hours as opposed to the silent hours, I suppose then we could find a win/win situation for everyone. So could I leave it to the Minister, if he could actually look into this matter?

1020 **Hon. N F Costa:** Mr Speaker, let me start by saying that I wish to clarify that it is not that the Environmental Agency has taken a view; the Environmental Agency has in fact conducted a test. So it is not a human being going and listening. It is actually a test which the Environmental Agency tells me are at acceptable levels in respect of the bunkering.

1025 If the Environmental Agency has said to me that during the night the bunkering sound was emitting a noise decibel level which would detrimentally impact on residents of Westside area, I would have immediately intervened and he has my personal assurance on that. And if I had not, the Hon. the Minister for the Environment certainly would have.

1030 What the tests of the Environmental Agency and what the Port Authority advises me and that certainly is a view from the Port Authority, as opposed to a test conducted by the Environmental Agency, is that the noise that emanates sometimes at night, relates to generators and the generators are of arrested vessels.

I am assured, Mr Speaker, it has nothing to do with the Vemaspirit. As I said, if it did, both the Minister for the Environment and I would have acted immediately.

1035 What we have done, when we were advised that as a result of the forensic tests the noise level emanated from the generators, the Port has repositioned these arrested vessels further away and where possible, the Eastside. In the same way that he has received representations which I totally believe because I have received representations, it was as a result of those representations that we conducted the investigation that we did and which is why we are satisfied that it is nothing to do with the Vemaspirit and everything to do with the generators.

1040 So if I thought there was an issue, I would certainly have looked at the contract but because it is not anything to do with the Vemaspirit, there is no need for me to do that, which is to answer specifically the supplementary of the hon. Gentleman.

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

1045 Can I now concentrate on this latter part which is on the vessels which have been arrested and have now been moved away as a result of the noise emanating from the generators?

Does the Minister have in mind a date when this decision took effect as to moving away the ships? Are we talking about weeks, months or more than six months perhaps? Just to have an idea basically.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** If I may assist, Mr Speaker.

1050 I held a number of meetings with the representatives of the Port and the Environmental Agency and so on. This decision is probably several months old, but that is in relation to one particular vessel which had to come back for a short period. I am not sure whether it was to shelter from heavy seas and therefore there might have been a little incident over a short period of time when it had to come back to the west. However, I have no knowledge of arrested vessels on a day-to-day basis.

1055 The thing is that arrested vessels are often not in very good condition and it is quite often that it is these  
vessels that have generators which are particularly noisy. But we took steps quite some time ago but if there  
have been any cases recently, it may have been that they have come into the Westside either to shelter from  
severe weather on the Eastside or perhaps for fuel or something else. But obviously I do not have the exact  
1060 details here.

## HEALTH AND THE ENVIRONMENT

Q642/2014

### Bunkering at Detached Mole– Monitoring air pollution levels

**Clerk:** Question 642, the Hon. J J Netto.

1065 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if there is on-sight sampling of  
air pollution of the Detached Mole or in the Westside of Gibraltar taking place, in order to monitor the air  
pollution emanating from the bunkering activities and if so, please provide a statement as to the levels of  
pollution taking place throughout the last 12 months?

1070 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, there is no on-sight  
sampling of air pollution on the Detached Mole. There are diffusion tubes forming part of the passive  
1075 monitoring programme that monitor volatile organic compounds in the area of North Mole, Harbour Views  
and Queensway.

Levels recorded in the past few years have been consistently low.

1080 **Hon. J J Netto:** Mr Speaker, if I may ask a supplementary question, the Hon. Minister for the  
Environment mentioned the fact that there are diffusion tubes recording the levels of pollution taking place  
and whilst accepting what the data shows is within permitted levels of pollution, can I not put to the Hon.  
Minister that perhaps we ought to try and impose on the different contractors in this field better  
technologies in relation to the capture of toxic fumes in order to avoid even lower levels of pollution taking  
place, particularly in the west of Gibraltar.

1085 If my memory serves me right, I think the Hon. Minister himself alluded to this technology at his  
Budget speech. Perhaps this would be an opportunity for them to give us an updated statement on progress  
on this front.

1090 **Hon. Dr J E Cortes:** Mr Speaker, that is not exactly what the question is about, but I believe that I  
would need confirmation on this that bunkering operations already use vapour recovery technology.  
Certainly we have not had complaints of smells associated with bunkering that there were some years ago,  
so I can only assume, but I would have to confirm this because I am asked about air pollution monitoring  
not specifically what comes out of the bunkering vessels, but I am fairly sure that there are vapour recovery  
systems in place but I would need notice of that question, and I would have thought that my colleague, the  
1095 Minister with responsibility for the Port would provide that information.

**Hon. J J Netto:** I am quite happy Mr Speaker for the Hon. Minister to provide that kind of confirmation  
without necessarily having to put another question next month, so long as he can provide the information.

Q643-644/2014

### Fishing with long lines in British Gibraltar Territorial Waters – Monitoring since January 2012

1100 **Clerk:** Question 643, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if the Department of the  
Environment or any other official entity has kept a list of vessels and its owners with regard to fishing with

1105 long lines, since January 2012, the monitoring of fish stock caught, quantity and the sustainability of such stock in the foreseeable future in British Gibraltar Territorial Waters?

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

1110 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this Question together with Question 644.

**Clerk:** Question 644, the Hon. J J Netto.

1115 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if the Spanish fishermen have been fishing with long lines in British Gibraltar Territorial Waters since January 2012 and if so, provide the total figure broken down by month?

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

1120 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, may I as a preamble to the prepared answer just say that long line fishing was not caught and not covered by the Nature Protection Act and therefore not regulated until the new regulations come into force at the beginning of next year.

1125 Mr Speaker, the fishing report as it is colloquially known, performed an assessment of marine stocks in BGTW. Anecdotal evidence has been received since then, but one of the main conservation measures delivered through the new legislation is, or will be, the collection of robust data of fish stocks which will in turn ensure truly sustainable management of this resource.

The Department has both anecdotal evidence as well as some visual observation of Spanish fishermen fishing with long lines in BGTW. The Department does not have records broken down by months.

1130 **Hon. J J Netto:** Could I therefore translate the answered statement given by the Hon. Minister to saying that there is no official record as to fishing with long lines by Spanish fishermen and there is no evidence in the past as to the quantity and sustainability of such stocks at the moment?

1135 In other words, what the Minister is actually saying is that as a result of the new regulations, we will start monitoring what actually has been fished with long lines and the sustainability of such stocks in the foreseeable future. Is that the correct interpretation of what the Hon. Minister has said?

1140 **Hon. Dr J E Cortes:** Mr Speaker, that is certainly what the regulations set out to do. Clearly the practical nature of this sort of monitoring is not simple. It is not something that can be done without a certain amount of work but certainly the intention is that there will be monitoring of this, which has not been monitored in the past, because it was absolutely not covered by any law. Therefore there was no regulation whatsoever, but that is the intention.

1145 **Hon. J J Netto:** Mr Speaker, given that that is the intention, can I then ask the Hon. Minister as to when anyone wishing to fish with these sort of customs, with long lines, will be issued with a licence?

**Hon. Dr J E Cortes:** Mr Speaker, the requirement of the new marine regulations which were recently published makes it clear that in order to fish with long lines, as from the date when they come into effect, people will require licences.

1150 **Hon. J J Netto:** Will this include Spanish fishermen also fishing with long lines as well?

**Hon. Dr J E Cortes:** Mr Speaker, the law does not distinguish between nationality.

1155 **Hon. J J Netto:** I take it from the regulations that the permit issued will be for three years. Therefore, during the course of hopefully the next 12 months, sufficient data will be recovered in the monitoring of such stocks to be able to view and give the Department an informed view as to re-providing licences in the future.

But when does the Minister think the Department should be in a position to have sufficient scientific data to be able to know the level of licence to be issued or indeed if any licence should be issued at all?

1160 **Hon. Dr J E Cortes:** Mr Speaker, clearly when the data are sufficient. We are talking about a completely new area. We are talking about things, as I said earlier, which are not simple and the collection of data on fish stocks is complex at the best of times, and therefore I cannot give a date. But at least there is now an attempt to have such data, which there has never been in the past.



1165 **Hon. J J Netto:** Mr Speaker, I obviously take on board what the Hon. Minister is saying that this is new ground and they have to do a lot of work. So in that particular way, I am quite lenient as to allowing him to make that statement.

But given that the actual regulation – and I am talking about clause 7(2) – makes it clear that:

‘permission to fish with long lines granted pursuant to this chapter shall be valid for a period of three years which *may* be renewable in the light of available evidence on the sustainability of marine stocks within British Gibraltar Territorial Waters’.

1170 Therefore, if licences start to be issued say from next week, for anyone that is fishing with these particular practices, either people who do it in Gibraltar or people who do it from La Linea or Algeciras or whatever, there has to be a point in time during the period of which the licence has been issued that will allow the officials to be able to gather the data and then make an informed decision as to renewing the particular licence.

1175 What I am trying to get at is a reasonable answer. I am not trying to pin him down as to it has to be 12 months or three months, but some kind of reasonable answer as to by when the fishermen are in a position, long before they have to renew the licences again, to be able to say, ‘Well, now we have got the data and now we can take the decision whether we will renew the licence or not.’ That is all I am asking.

1180 **Mr Speaker:** Yes but I cannot allow the hon. Member to ask a series of questions arising from the regulations which are not related to the two questions that he has asked. He cannot continue to do that.

What he can do, by all means if he wants to, is have a debate on the whole question of the fishing regulations that have recently been published by the Government. Nothing stops the hon. Member from doing that.

1185 But under the guise of these two questions, which are specific, he cannot deal with every aspect arising from those fishing regulations. He cannot do that.

**Hon. Dr J E Cortes:** Mr Speaker, I am happy to offer a comment on that, if I may.

1190 **Mr Speaker:** And I will allow the Hon. Minister certainly to do so. I think the point should be clear that what we cannot have now is a series of supplementaries, bringing up certain issues in those fishing regulations which are very, very detailed. We cannot have that now.

**Hon. Dr J E Cortes:** Mr Speaker, I refer specifically to the supplementary question that I have been asked. Any use of scientific data has to go through a number of processes.

1195 Firstly is the collection of the data – and the collection of the data in these situations clearly is not simple. Secondly, the analysis; and thirdly the data as analysed has to statistically be significant in order for that to be realistically and accurately used in order to inform policy.

1200 So all these variables have to fall in place. This is not easy, this is a challenge but the challenge is there. We have put this in. We want to do it in this way, but clearly in science you cannot know what the results of your analysis is going to be until you have carried out the analysis. So I cannot be more specific than that.

**Mr Speaker:** Next question.

1205 **Hon. D A Feetham:** Mr Speaker, I have –

**Mr Speaker:** Yes.

1210 **Hon. D A Feetham:** Yes Mr Speaker, perhaps the Hon. Minister would assist me with this. When we talk about licensing in relation to long lines, what we are really talking about is the drawing up of a list of boats and those boats are then deemed to be licensed to fish with long lines, commonly known as *palangres*. That is the case is it not?

1215 **Hon. J E Cortes:** Mr Speaker, I do not have the regulations in front of me, but I believe that in the section on long lines we are talking about the boats. I believe so, but I do not have the regulations in front of me.

1220 **Hon. D A Feetham:** Yes, but what I mean is that effectively somebody will go to the hon. Gentleman’s Department and say, ‘I have got a boat. I have fished with long lines historically. I want my boat to be listed, in whatever schedule or list pursuant to the regulations, in order to be able to fish with long lines. That is effectively in a nutshell what the procedure is, is it not?’

**Hon. Dr J E Cortes:** I repeat, I believe that is the case but I do not have the regulations in front of me. They are very extensive. My memory is still good but I do not have it but I believe that is the intention.

1225 **Hon. D A Feetham:** Mr Speaker, bearing in mind that the hon. Gentleman in answer to an earlier question said that there were Spanish fishermen that were fishing in British Gibraltar Territorial Waters with long lines, the same procedure will apply to those Spanish fishermen. If they want to fish with long lines in British Gibraltar Territorial Waters, they will have to come to Gibraltar in order to effectively have their boat added on to the list.

1230 Or is it, Mr Speaker, that perhaps the Government envisages that some kind of arrangement with the heads of *Cofradias* of La Linea and Algeciras for them to provide a list of boats to the hon. Gentleman's Department?

1235 **Hon. Dr J E Cortes:** Mr Speaker, in relation to long lines, which is what we are talking about now, the latter is not correct. The former is correct – and I am qualifying it that I am going on memory – because there will be no distinction between nationalities.

**Hon. D A Feetham:** Mr Speaker, in terms of enforcement is it the Wildlife Wardens who will be enforcing this particular piece of legislation or will it be the Police?

1240 I ask because I saw – as indeed many people in Gibraltar saw – an interview by Chief Superintendent Mifsud just before the *Viewpoint* programme, in which he appeared to indicate that the enforcement of the regulations was a matter for the hon. Gentleman's Department, not for the Police and that the Police would be more in an assisting role but the enforcement would be the hon. Gentleman's Department. I just wonder whether the hon. Gentleman could comment on that?

1245 **Hon. Dr J E Cortes:** Mr Speaker, I do not think that is a supplementary arising from this question. The only thing I will offer is that clearly the Department of Environment's officials do not have powers of arrest.

1250 **Hon. D A Feetham:** And, Mr Speaker, can I ask the hon. Gentleman, he would expect that this particular legislation would be enforced as against Gibraltarians in exactly the same way as they were enforced against Spanish nationals coming in to our waters, and that if there are Spanish boats coming in to our waters laying long lines without being registered and licensed in accordance with the regulations, that the Hon. Minister would expect that they be treated with the full force of the law in exactly the same way as Gibraltar national fishing in these waters without a licence would be dealt with.

1255 **Hon. Dr J E Cortes:** Mr Speaker, the law does not distinguish between nationalities.

#### Q645/2014

#### Fishing arrangements within British Gibraltar Territorial Waters – Nature Conservancy Council discussions

**Clerk:** Question 645, the Hon. J J Netto.

1260 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment provide a date since January 2012 in which the Nature Conservancy Council has met in order to discuss the fishing arrangements within British Gibraltar Territorial Waters, and provide Parliament with a statement of its deliberations and conclusions?

1265 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, as I have repeatedly stated in this House, the Nature Conservancy Council is a statutory consultee which runs independently of the Ministry and Department.

1270 I therefore do not have information as to when they meet, nor regarding their deliberations.

1275 **Hon. J J Netto:** Well, Mr Speaker, with the greatest respect to the Hon. Minister, that is not entirely true because while it may be true that he does not sit when the Nature Conservancy Council is actually meeting, he certainly has his Head of Department who does sit in the Nature Conservancy Council and presumably, one would have thought that the Head of Department would make regular reports to the Minister in this field, as indeed in many other fields, in order to keep the Minister abreast of information

taking place in what is an extremely important body, which is there set out to advise the Minister in matters pursuant to the environment. So that is not entirely correct.

1280 I think it is also true to say, and it is quite reasonable to say, that if we are talking about transparency on such important matters, then the Minister ought to really provide Parliament with the kind of information which I am seeking, and giving advanced notice, so that we can have proper discussions, so we can have proper debate on matters that affect Gibraltar and not try to hide away on this kind of artificial barrier that he does not sit in the meeting.

1285 Could the Hon. Minister just simply brush away the artificial barrier and provide Parliament with a decent answer?

**Hon. Dr J E Cortes:** Mr Speaker, it is really incredible the Member opposite is factually incorrect. He may think that my Head of Department sits in on the Scientific Authority because that in fact is what he wanted to do when he was Minister for the Environment and the Scientific Authority was an independent scientific body and he wanted to change it completely. I believe he wanted to *chair* the Nature Conservancy Council and he wanted his officials to be members of the Nature Conservancy Council.

1290 I have gone down a completely different avenue precisely because I believe in independence and transparency and the Nature Conservancy Council now is made up of independent experts. *No* public official is a member, they run themselves independently, they meet independently, I ask them for an opinion when I need their opinion, they offer an opinion when they think that I should have one but I do not get involved in running them. I do not control it, I do not wish to control it, I think they have to have the independence of mind, to be able to debate things scientifically and to give me sound advice without any political interference.

1295 If what the Member opposite is saying that I should interfere politically in what is an independent scientific consultative body then, Mr Speaker, I am afraid that is not the kind of Minister that I am, nor is that the kind of Government that I belong to. It is absolutely incorrect and therefore I completely reject his statement. (*Banging on desks*)

1300 **Hon. J J Netto:** Mr Speaker, the hon. Minister is actually talking nonsense. (*Laughter*) He is actually talking nonsense because by definition, those people sitting on the Nature Conservancy Council, as he has just rightly pointed out, are scientific academic people – people who are used by the very nature of their careers, to be able to make decisions based on evidence and be able to publish it.

1305 There is nothing wrong with people who are scientists to publish that information and it would be good for democracy and it would be good for transparency and it would be good for Parliament, if such information made by scientists would be provided not just to Parliament but indeed to the whole society so that the whole society could have a proper discussion on what is an extremely important matter.

1310 I put it once again to the Minister: the Minister is simply hiding away with a lot of nonsense he is uttering, in order not to provide the information. And what brings me back to my question, is that there are particular references in the actual regulations like 12(2) which actually argue that the Minister shall, after consultation with the Nature Conservancy Council, have the power to terminate the fishing period, etc, etc.

1315 In other words, the Minister shall have consultation with the Nature Conservancy Council so *he* can have it. He can then say it is independent but he can have it – but Parliament cannot have it. I think, Mr Speaker, it is most unreasonable and the Minister ought to reconsider his position.

1320 **Chief Minister (Hon. F R Picardo):** Mr Speaker, for matters unrelated to anything that has been discussed, can I just invite the House to recess for 10 minutes to give you an opportunity to recess for 10 minutes.

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

*The House recessed at 11.10 a.m. and resumed sitting at 11.19 a.m.*

1325

**Clerk:** We carry on with supplementary answers to Question 645.

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

1330 Mr Speaker, if the Nature Conservancy Council, as the independent body that it is, wants to publish its deliberations, it is free to do so. Mr Speaker, they are an advisory body to me. I will listen to their advice and I will I think, usually follow it, but I am free not to, and then I am answerable for those decisions. I am answerable for the decisions that I take based on the advice, whether I follow it or not. But the Nature Conservancy Council is not answerable to Parliament, nor am I answerable for the Nature Conservancy Council's deliberations and views.

1335 Therefore, I think that my statement is perfectly justified, I will remain answerable for whatever I do following consultation, but the Nature Conservancy Council cannot be held to account for the views that it holds as an independent scientific body. Well, they can be held responsible for them but they are not answerable to anybody other than themselves.

1340

**Q646/2014**  
**Wildlife Wardens –**  
**Offences against Nature Protection Act**

**Clerk:** Question 646, the Hon. J J Netto

1345 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state, since the inception of the Wildlife Wardens, how many vessels have been stopped and searched, found the owners to be acting against the Nature Protection Act and have been prosecuted, broken down by nationality, nature of offence, the fine imposed and date?

1350 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, none, sir.

1355 **Hon. J J Netto:** Mr Speaker, given the powers given to the Wildlife Wardens in terms of matters of being able to search vessels, is that not being given any priority by the Department of the Environment?

**Hon. Dr J E Cortes:** Mr Speaker, the Wildlife Wardens were... Well there were not Wildlife Wardens appointed; there were powers of Wildlife Wardens given to employees of the Department of the Environment. It is a slight difference, but I think it should be pointed out nonetheless.

1360 They were appointed some time ago, but their ability to go out at sea only commenced a couple of months ago on the acquisition of the vessels about which there is another question later on. At this point in time, priority is being given to getting the vessel in running order, to monitoring and gathering observations and data.

1365 The enforcement is something that they are able to do within the law, as I said they have no powers of arrest and their role will develop as time goes on. This is a very new body with very new utilities and therefore it is a role that is being developed that is not fully rolled out yet.

**Hon. J J Netto:** Well, Mr Speaker, given the fact that there is another question in the Order Paper which is Question 648, I might as well leave it until that question arises.

**Q647/2014**  
**Climate change –**  
**Gibraltar's latest submission to combat**

1370

**Clerk:** Question 647, the Hon. J J Netto.

1375 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment provide Parliament with the latest copy of Gibraltar's submission to combat climate change in compliance with the EU requirements for 2020?

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

1380 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, there is no one document which can be classified as Gibraltar's submission to combat climate change. The Government is working on various fronts to this effect. If the Member opposite could clarify if he is referring to a particular report or process, I can then provide an answer.

1385 **Hon. J J Netto:** Perhaps Mr Speaker, if I can put it in a different way, what are the documents that the Hon. Minister is referring to?

1390 **Hon. Dr J E Cortes:** Well, I think that really the onus should be on the Member opposite to tell me which documents he wants to see. I can tell him that there are various energy reports as well as the report which the Climate Change Taskforce is working on and will present to Government, which will then feed into the Revised Climate Change Programme. So there are a number of things that we are doing in relation to climate change, but without knowing specifically...

1395 The Member opposite asked for the latest copy of a submission which does not exist in the way that this has been formulated. I do not really know what submission – submission to whom? There is no such one report and therefore as I say, there are a number of areas in which we are working, but I cannot pin down from the question what he is actually referring to.

If he wants to be more specific and ask me for next time, I will be very happy to provide.

**Hon. J J Netto:** Mr Speaker, I will take this matter further by writing to the Minister.

#### Q648/2014

#### Marine research and monitoring programmes – Purchase of two vessels for Department of the Environment

1400 **Clerk:** Question 648, the Hon. J J Netto.

1405 **Hon. J J Netto:** Mr Speaker, since the purchase of the two vessels for the Department of the Environment, can the Minister for the Environment state what marine research and monitoring programmes have been conducted, or are envisaged to be conducted, in the next 12 months?

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

1410 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the two vessels that have been purchased by the Department of the Environment have, and will be used, in order to carry out monthly coastal monitoring and sampling.

In addition, both vessels have and will continue to be used, in relation to sub-tidal and marine ecological surveys, as well as reef surveillance conducted by the Department.

1415 **Hon. J J Netto:** Mr Speaker, perhaps if the Hon. Minister could provide more information in relation to this particular aspect of new work which the Minister is actually alluding to: does this involve the powers of search of vessels fishing in Gibraltar?

1420 **Hon. Dr J E Cortes:** Mr Speaker, the question specifically refers to marine research and monitoring programmes, and I have answered on marine research and monitoring programmes.

To expand, this includes sampling of sea water for analysis. It involves monitoring, carrying out ecological surveys along the shore and reef areas. It allows the Department to carry out work in its own vessel, whereas in the past it would have to hire or borrow the use of vessels from either private entities or other Government agencies.

1425 The power to follow up possible infractions of marine regulations at sea is not a power that the vessel has, but the people on the vessel have. Those powers, as I said earlier exist, no powers of arrest and the body is developing and gathering information and planning a strategy which we need to roll out in the fullness of time.

1430 **Hon. J J Netto:** Mr Speaker, I am actually bringing back the previous question which I mentioned before and I am putting the two together. We do know from the regulations, that is clause 45, that they do have the powers of search and what I am trying to get at with my questions is, whether that power to search is being carried out.

1435 In other words now that they have the vessels at their disposal, since the time that they have had the vessel at their disposal, are they actually going out – amongst other things that they may be doing, which I take for granted – searching vessels in compliance with the Nature Protection Act? Are they doing that, yes or no?

**Hon. Dr J E Cortes:** Mr Speaker, so far no vessel has been searched.

1440 **Hon. J J Netto:** Is it the intention to search vessels over the next 12 months?

**Hon. Dr J E Cortes:** I cannot predict what may or may not happen, Mr Speaker. They have a power, they have not yet used it. Those are the facts. (*Interjection*) Precisely, we make the law and as I say the powers are there, they have not yet been used.

1445

**Hon. J J Netto:** Mr Speaker, given the context that we have a set of new regulations where it talks about the sustainability of fish stocks, where it talks about the power being given to the Wildlife Wardens in relation to be able to monitor and have the powers of search, is it not reasonable, given that the Government has provided both the resources and the legislation to carry it out, that it would be a priority then, amongst other things, to be able to search boats which are fishing in accordance with the Nature Protection Act? I would have thought that the answer is yes.

1450

Is it that they have no interest whatsoever or is it that the Government does not want to instruct them to do any actual search at all?

1455

**Hon. Dr J E Cortes:** Mr Speaker, really I am quite overwhelmed at the interest that the Member opposite has in protecting our marine life. I can only assume that these questions are trying to urge us on to increase the population of marine life in our waters and do not have some other less obvious political motive in order to just cause mischief.

1460

Mr Speaker, I have said it quite clearly, there are powers. I am not going to tell anybody, nor would anybody who has any connection to law enforcement or anything like this, tell people what you are going to do and when you are going to do it and whether or not you are going to do it.

Mr Speaker, the law is clear and we have the power to do certain things. We have not used that yet and time will tell.

1465

**Hon. D A Feetham:** Mr Speaker, can the hon. Gentleman help me with this: how are the roles of the Wildlife Wardens and the Police going to be defined in the context of enforcement? Because the word enforcement encapsulates a wide series of situations.

1470

Search of a vessel: that can be classified as enforcement of the Nature Protection Act, as indeed the regulations – they have not come into operation; they come into operation next year. But how is there going to be this interplay between the Wildlife Wardens and the Police?

I ask because there is confusion out there in relation to this particular issue. You heard the interview of Chief Inspector Mifsud before the *Viewpoint* programme in which he was under the impression that the enforcement of the marine regulations, for example, was going to be a matter for the Wildlife Wardens and for the Environment Department. But of course they have no powers of arrest and I just wonder whether he can provide some information in relation to that?

1475

**Hon. Dr J E Cortes:** Mr Speaker, again I do not think this is a direct consequence and a direct supplementary, but nevertheless I will assist.

1480

This is a very new concept in Gibraltar. If we were just talking about a marine protected area anywhere else in the world, it would be much simpler, but we know the complexities of Gibraltar and the fact that we have a neighbouring state with certain views and claims as to sovereignty and so on. But it is a new concept and the interaction and the procedures are being developed. This is a relationship which is being developed and is under discussion at the moment, so I am not able at this point in time, nor do I think it would be correct for me at this point in time, to give more specific details of the interaction between the different elements.

1485

**Hon. J J Netto:** Mr Speaker, is it the intention of the Department to ensure that compliance with registration in accordance with the vessel's details, are actually monitored as the law says by the Wildlife Wardens?

1490

**Hon. Dr J E Cortes:** Mr Speaker, the law says (**A Member:** What it is.) what it is, exactly. The intention is that whatever the law says within the capabilities of the Department, if it falls upon the Department, these things will be done. Am I going to have to now go clause by clause to say exactly what we are going to do, when we are going to do it, what priority it will have?

1495

This is a massive piece of legislation. I think frankly, it is a work of art and I must praise the work that has been carried out by the Department of the Environment, the countless sessions with all the different stakeholders in bringing this together, in working something which has been broadly acceptable by the stakeholders, as you could see on the *Viewpoint* programme just last week, how everybody there was praising the work of the Department.

1500

But I cannot now go clause by clause and say when we are going to do this, when we are going to do the other. Firstly, it would be an absolute waste of everybody's time and secondly, it is not something that we

should publicly state. But clearly, the law is there, the intention is there and we will do our very best to do it in the interest of both marine stocks and those who enjoy exploiting it.

1505

**Q649/2014**  
**Attack by macaque –**  
**Investigation**

**Clerk:** Question 649, the Hon. J J Netto.

1510 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if an investigation has been conducted as a result of the macaque that attacked Mr Stuart Gravenell which left him with 40 stitches to his arm and if so, please provide Parliament with a copy of the said report?

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

1515

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, Mr Stuart Gravenell has stated that he is seeking legal action and therefore I am not in a position to comment on the matter, other than to say that a report is being prepared.

1520 **Hon. J J Netto:** Mr Speaker, I take on board what the Hon. Minister has just said, in that Mr Gravenell is taking legal action. But could perhaps the Hon. Minister go as far as to confirm that the attack took place and that 40 stitches had to be placed on the arm of this particular gentleman as a result of the macaque attacking this particular person? Can he go as far as confirming that?

1525 **Hon. Dr J E Cortes:** Mr Speaker, I do not think so. Legal action could actually dispute the facts and therefore I do not think that I should go into that area at this point in time.

**Hon. J J Netto:** But he can confirm the fact that a gentleman by this name actually went to the Accident and Emergency Department of the Hospital, or someone with an incident similar to the one reported in the press.

1530

**Hon. Dr J E Cortes:** Mr Speaker, a report is being prepared and I think I would be on dangerous ground if I were to say anything and it could prejudice the position if legal action in fact is instituted.

**Q650/2014**  
**Attacks by macaques since January 2012 –**  
**Statistics**

1535 **Clerk:** Question 650, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment please provide Parliament with the statistics available in the A&E Department of the GHA and GOHNS as a result of attacks by macaques to persons since January 2012 on a monthly basis, by all categories, broken down by minor and major incidents?

1540

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

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the schedule attached, which I now hand over, refers to incidents which cannot necessarily be described as 'attacks', as some may have been occasioned by the inappropriate action of the person.

1545

It is difficult, especially in retrospect, to define these as major or minor, but in order to assist, the following will be useful. Of the incidents listed in the schedule, 14 were scratches; 69 had antibiotics prescribed; 7 required sutures; and one person was admitted.

1550

**Answer to Question 650/2014**

Ape related incidents recorded at A&E.

	2012	2013	2014
January	1	3	1
February	1	2	4
March	5	5	4
April	4	3	6
May	5	5	8
June	9	9	14
July	9	14	23
August	18	21	21
September	9	11	18
October	5	23	
November	7	3	
December	2	7	

*Note:* The figures for 2012 vary slightly from those provided in answer to question 17/2013 due to the updating of the records, which include scratches.

**Q651-652/2014**  
**New Marine Protection Regulations –**  
**Reporting by fishermen to official authorities**

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

1555 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state how the catch of tuna prescribed in the new Marine Protection Regulations will be reported to the official authorities?

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

1560 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 652.

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

1565 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state how the data provided by the fishermen with regard to compliance with Marine Protection Regulation be verified by the persons responsible for the production of statistics?

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

1570 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, it is a requirement of the Tuna Preservation Regulations for all catch data to be reported to the Department during open season, on each occasion that a specimen is landed in Gibraltar. Reporting forms are being finalised and will be published on the Department website ahead of the tuna season.

1575 The data will be verified by collaboration between the different sections of the Department. Monitoring will be done through spot checks at sea by the protection and enforcement team. I will also remind the hon. Member that it is an offence to falsify data with a penalty leading to the possible revocation of the licence.

**Q653-654/2014**  
**Old St Bernard's Hospital site –**  
**Control of dust permit application; site inspection by Environmental Agency**

**Clerk:** Question 653, the Hon. J J Netto.

1580 **Hon. J J Netto:** Mr Speaker, further to the answer given to Question 505/2014, can the Minister for the Environment state if GJBS submitted an application under the Environment (Control of Dust) Regulations 2010, prior to commencement of works at the old St Bernard site and if so, did the Environmental Agency issue the necessary permit?



1585 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 654.

1590 **Clerk:** Question 654, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state on how many occasions the Environmental Agency has visited or inspected the construction site at the old St Bernard's Hospital since commencement of work, broken down on a monthly basis?

1595

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

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the Environment (Control of Dust) Regulations 2010 came into effect on 15th July 2010. GJBS had a comprehensive generic plan approved by the Environmental Agency and the existing Certificate No. 25/13 is valid from 17th April 2013 to 17th April 2015.

1600

The Environmental Agency has not inspected the construction site at the old St Bernard's Hospital on a monthly basis. Inspections have been carried out to the north and south wing sheltered housing and dementia centre of the old John Mackintosh wing for the issuance of Certificates of Fitness in respect of the completed works in February and July 2014.

1605

**Hon. J J Netto:** I am grateful, Mr Speaker, for that answer.

The Hon. Minister says that the necessary permit was issued, if I understood him correctly, in April 2013. Is that correct?

1610

**Hon. Dr J E Cortes:** Mr Speaker, I would just like to rectify, I was reading a prepared text. This is not a dementia centre. It is currently being used for residents of the Jewish Home and also some sheltered housing, just to correct that.

Mr Speaker, it was valid from 17th April 2013 to 17th April 2015. This is the current one but the original one will have been issued when the law came into effect sometime in 2010.

1615

**Hon. J J Netto:** Yes, my understanding is that the law came into effect in 2010, the construction started I believe at the beginning of the summer 2012, so that would have been the date when the first permit might have been issued, although the Minister made reference to the second permit which he says was from April 2013 onwards.

1620

Now he may not have at his disposal in his notes there, whether one of the conditions in the permit was that in erecting the scaffold around the works for the demolition particularly that had to be carried out, it was a requirement to provide dust sheeting to avoid dust moving onto the adjoining area where residents live.

1625

Could he actually confirm whether that was a requirement or not, if he has got the information available to him there?

**Hon. Dr J E Cortes:** Well, Mr Speaker, I do not have that information. What I can say is that I believe that the works at the old St Bernard site, and this is the John Mackintosh Wing, started in 2009 which was prior to the legislation coming into effect and its first Certificate of Approval, which was Certificate No. 14/11 was in fact, according to my notes, issued in February 2011. I can only assume that there was a subsequent one which covered – or that one will have covered the period to 2013, would have probably have been two years and then they are covered now by the second one.

1630

I can repeat what I said in an intervention at the last meeting, that the Agency has not received any complaints in relation to dust emissions, and has only received one complaint about the site which was in connection with noise nuisance on 14th August this year, which was dealt with. The Agency is not aware of an issue with dust, but clearly they are covered by the certificate.

1635

**Hon. J J Netto:** Okay, so the Agency is not aware of an issue as a result of no particular resident in the neighbourhood making a complaint but that does not deter the fact from whenever the work started there was, prior to 2009 or onwards, the fact that at the commencement of the works, as is the practice all throughout any particular contractor doing works of a similar nature, they have to, require the a permit.

1640

The Agency has to consider the nature of the works, which amongst other things in this case was demolition, which does mean a lot of dust being bandied around in the neighbouring area. So one would

1645 have assumed that that would have been uppermost in the mind of the officials when considering putting dust sheets covering the scaffolding.

Now I put it to him, to the Minister again, which he may not have information available within his notes, whether that was a requirement whenever it was the beginning of the work being carried out.

1650 **Hon. Dr J E Cortes:** Mr Speaker, I do not have that information but I would assume that if he assumes that that happened, that would have happened when the site opened in 2009 and when its first Certificate of Approval was issued in 2011, so perhaps he should be asking somebody on that side of the House.

As regards whether or not it was required at the time of any permit issued during this administration, I would have to go back and check. But I can only assume that this was...

1655 If a certificate is issued, the Environmental Agency will be satisfied that the necessary steps are being taken, otherwise they would not issue the certificate. So I can only assume that the necessary steps had been taken and have been taken, to ensure that dust is not a nuisance, and the absence of complaints from the neighbours, when we all know in Gibraltar that if there were any real issues, they would have been complaining or there would have been other ways of getting the information to the Environment Agency or to myself as Minister... There have been no complaints so I can only assume that the Agency was justified in issuing the certificate because the conditions were correct for the certificate to have been issued, which has resulted in no complaints up to date. I think, Mr Speaker.

1660

**Hon. J J Netto:** Well, Mr Speaker, the hon. Gentleman's juxtaposition, the question of no complaint as an attitude of the officials not necessarily in the first place analysing the nature of the work to be carried out. I am not interested in the past. (*Interjection by Hon. Member Dr J E Cortes*) I am not interested in the past; I am interested in the present.

1665

Now the point I am making now, given that this is an issue that has been raised last month and this particular month, has the Minister asked the Environmental Agency, with the continuation of the work as it is going on right now, whether the nature of the works to be carried out will continue –

1670

**Mr Speaker:** May I interrupt, the recording equipment has crashed. We need to recess for a few minutes. Hopefully for a few minutes.

*The House recessed at 11.50 p.m.*