



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.15 a.m. – 9.23 a.m.

Gibraltar, Thursday, 22nd January 2015

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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: P E Martinez Esq *in attendance*]

PRAYER

Mr Speaker

Tribute to the Hon Dr Bernard Linares

Mr Speaker: May I ask hon. Members, since this is the first occasion that Parliament is meeting since the death of Bernard Linares, may I ask them to stand to keep a minute's silence in memory of him? After all, he graced this debating Chamber for more than 10 years from 1996 to 2007.

5 *Members stood in silence.*

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 18th December 2014.

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

Mr Speaker signed the Minutes.

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

ADJOURNMENT

15 **Clerk:** The Hon. Dr John Cortes.

Hon. Dr J E Cortes: Mr Speaker, I have the honour to move that this House do now adjourn to the 29th January, at 9.15 a.m. in the morning.

20 **The Speaker:** I now propose the question, which is that this House do now adjourn to Thursday 29th January at 9.15 a.m. I now put the question, which is that this House do now adjourn to the Thursday 29th January at 9.15 in the morning. Those in favour? (**Members:** Aye.) Those against? This House will now adjourn to Thursday 22nd January at 9.15 a.m. (*Interjection*) Will somebody move an amendment?

25 Thursday 29th January at 9.15 a.m. in the morning. Thank you.

The House adjourned at 9.23 a.m.



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.15 a.m. – 12.40 p.m.

Gibraltar, Thursday, 29th January 2015

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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: P E Martinez Esq *in attendance*]

Tribute to Mr Bernard Linares

Clerk: Mr Speaker.

Mr Speaker: The Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Mr Speaker, I am grateful to hon. Members for having agreed to adjourn last week when I was unable to attend.

I am conscious of the fact that whilst I was not here, the House held a minute's silence to mark the passing of Bernard Linares, who was a Member of this House for 12 years. I was not here then and I know that not much was said at the time and I am grateful for the opportunity to lead a tribute to a man who I think has touched everyone in this community in different ways, and had friends across the political divide as much as he had friends across all the divides that he might have represented.

Bernard Linares was a man who took positions in his life, but the fact that he took positions did not stop him from being friends with those who might have taken opposite positions – an art which not everyone is able to emulate.

He was a man, Mr Speaker, as I have said in some of my public tributes, who lived many lives in the time that he was with us. A man who baptised us, who gave us communion, who married us and who then led us in understanding political principles and then taught and did so much more. He was a man who will be very sadly missed across the political divide in Gibraltar, because he had strong friendships on both sides of this House and across the community and that is what really represented the man that Bernard Linares was. (*Banging on desks*)

Mr Speaker: The Hon. the Leader of the Opposition.

Hon. D A Feetham: Mr Speaker, I would like to, first of all, start by associating myself with the words of the hon. the Leader of the House, but I would also like to say this, that very often politicians talk about integrity and they talk about conviction and in my experience, looking at world politics – leaving aside Gibraltar politics – those are rarely apposite descriptions of many politicians out there, but I think, that in relation to Bernard Linares, rarely has there been a man with whom you could associate the words 'integrity' and 'conviction'.

He was a great, great friend of mine. I will always cherish a note that he sent to me just before Christmas when he was in England about to receive treatment, and it will always remain one of my most cherished possessions. I think it is a sad, sad loss for this community. He is obviously a very sad loss for his family, but equally he is also a sad loss for his friends and he will be sorely missed. (*Banging on desks*)

Welcome back to Hon. Mrs Isobel Ellul-Hammond

Chief Minister (Hon. F R Picardo): Mr Speaker, before we continue can I just recognise that the Hon. Lady is back amongst us. It has been a source of sadness for all of us that she has not been with us for three or four months and it is a pleasure to see her back. (*Banging on desks*)

Hon. Mrs Isobel Ellul-Hammond: Mr Speaker, if I may, with your indulgence, thank all those present in the Chamber today, the MPs and members of the Parliament staff, thank you all for the support you have shown me these last few months while I have been away due to medical reasons.

I would especially like to thank the Chief Minister and Government Ministers who have extended a hand of friendship during what has been a very difficult time for me and to a certain extent still is a little difficult. I would like to thank you for that. You have shown love and compassion in my hour of need. The Chief Minister has said in the past it is about the issues and not about the man – and I think in this case, the woman – and in that regard you have risen to that and I am very grateful and would like to thank you.
(Banging on desks)

Questions for Oral Answer

ECONOMIC DEVELOPMENT & TELECOMMUNICATIONS

Q56/2015 Public sector – Labour supply

Mr Speaker: Answers to questions.

Clerk: We now start answers to questions and we commence with Question 56, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Economic Development provide details of the companies which provide labour supply to the public sector to include the numbers of companies which do so, their names and how many employees they are each currently supplying?

Clerk: Answer, the Hon. the Minister for Economic Development and Telecommunications.

Minister for Economic Development, Telecommunications & the GSB (Hon. J J Bossano): The companies supplying labour to the public sector are the following, Mr Speaker: G L Limited, 44; P S Limited, 96; Rhino Construction, 98; Workforce, 150, Rock Admin, 28; Endash, 43; W & N Limited 11; S & K, 90.

Q57/2015 Employment Service – Refurbishment works

Clerk: Question 57, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Employment confirm that all refurbishment works carried out to the offices of the Employment Service in the financial year ended March 2013 have received the appropriate approval with details of the contractors which have carried out these works?

Clerk: Answer, the Hon. the Minister for Economic Development and Telecommunications.

Minister for Economic Development, Telecommunications & the GSB (Hon. J J Bossano): No, Mr Speaker.

Hon. D J Bossino: Mr Speaker, why not? Why not? That is the question.

Hon. J J Bossano: Well, Mr Speaker, because no works have been carried out in the Employment Service.

Hon. D J Bossino: Mr Speaker, maybe I have interpreted... I will explain why this question arises. It arises from the Public Auditor's Report, page 17, which deals with the expenditure which arises from, I think, the Improvement and Development Fund, part two, and with your permission, Mr Speaker, I will just read the relevant paragraph. It deals with works and equipment, Government buildings works and structures, and it says:

‘I asked the Principal Secretary, Ministry of Employment and Labour, whether three payments selected in a sample exercise regarding refurbishment works carried out to the offices of the Employment Services’

– that is very clear and I do not think I have misinterpreted that –

‘by three contractors amounting to £46,000-odd had been channelled through the Government’s Procurement Office, or alternatively, if an internal selective tendering process had been performed. The Principal Secretary’

– I assume that is the Director of Employment –

‘informed me that although the works predated his appointment as Principal Secretary’

85 – I think there have been various changes in that position –

‘he and staff of the Employment Service could not trace any relevant paperwork leading up to the works being approved. The Financial Secretary confirmed that authority was not sought from his Office to charge the cost of the works to the I and D F, nor to dispense with the Government’s official procurement process.’

Really, what I wanted was an explanation from the Hon. Minister. The question was addressed to the Minister of Employment, and I know there has been a reshuffle, but I suspect that it is the Hon. Mr Bossano who will have the information, given that he has been in post only until relatively recently. So I want an explanation of this.

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Hon. J J Bossano: Well, Mr Speaker, I will go back to the person who was then the controlling officer of the Department and find out what this work is about. I am not aware of any work having been done in the office while I have been there.

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Hon. D J Bossino: But, Mr Speaker, will he therefore accept that the answer he gave me, the previous answer he gave me that the answer was no, because the works had not been carried out in his office, I think he said, is incorrect on the basis of the Principal Auditor’s description, where he says:

‘Works which were carried out to the offices of the Employment Service by three contractors.’

So on that basis is there not a contradiction? And I give him the opportunity to dispel any contradiction which I can clearly see on the face of the words that I have just read and the answer he has just given.

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Hon. J J Bossano: Mr Speaker, there is no contradiction. No works have been carried out while I have been there and I am not aware of what works are being referred to. So I will investigate how there is apparently a reference to works which as far as I am concerned have not taken place.

Q58/2015

Approved List of Government Contractors – Number of incorporated companies

Clerk: Question 58, the Hon. D J Bossino.

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Hon. D J Bossino: Can the Government state how many of the companies which have been admitted on to the Approved List of Government Contractors have been incorporated since they came to office?

Clerk: Answer, the Hon. the Minister for Economic Development and Telecommunications.

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Minister for Economic Development, Telecommunications & the GSB (Hon. J J Bossano): Forty-six, Mr Speaker.

115 **Hon. D J Bossino:** Mr. Speaker, this question also arises out of a comment made, again in the Principal Auditor’s Report, where again, with your permission, if I could simply read the numbers, where he says:

‘The review also highlights’ –

Mr Speaker: On this occasion I am going to allow that procedure whereby you quote extensively from the Principal Auditor's Report. May I commend to Hon. Members that in future, perhaps in the main question, there should be a reference to the particular paragraph? Other than that, what the House can do of course is to debate the Principal Auditor's Report, which was a feature of life in the House of Assembly in days gone by. We cannot have a repetition whereby you are quoting at length from the Principal Auditor's Report, paragraph after paragraph.

But I am allowing that today because it is the first occasion that it arises. Okay?

Hon. D J Bossino: Mr Speaker, I am grateful for that, but the only concern that I have is the premise on which the comment is made and it is this, that first of all it is not an extensive quote from the report. I have literally just quoted a few lines and I think I am more than entitled to proceed in the way that I proceeded this morning in the future.

I will take on board what the Chair has said for the future, but by doing so I am not necessarily agreeing that that is the way I will be proceeding in the future, Mr Speaker. But this is not an extensive quoting of the report; it is simply a quotation based arising from the answers that the Hon. the Minister gives.

Mr Speaker: The Hon. Member will appreciate that if he wants to get a fuller answer, if the Minister who is answering the question knows what the subject matter is going to be, he can give a much fuller and much more accurate answer.

Hon. D J Bossino: Indeed, Mr Speaker, and that is obviously clearly a matter for the relevant Member asking the question.

Mr Speaker, paragraph 2.6(8) says:

'The review also highlighted a vast number of tenders which had not been channelled through the Government's Procurement Office, but directed via the Construction Industry Temporary Scheme for Government Contractors'

– which I assume is the approved list system –

'The scheme was created in August 2010'

– during our time –

'with the purpose of attempting to aid the local construction industry in order to achieve flexibility in the allocation of contracts to registered contractors who meet a set of terms and conditions.'

However, Mr Speaker, the number of contractors in the approved list of Government contractors has risen from 53 in June 2012 to 185 in March 2014. In that context he has answered the specific question which I asked which was presumably, out of those, 46 have been incorporated during his time in office. But can he give this House an explanation as to why there has been such a massive increase from the figure of 53 in June 2012 to the current figure or the March 2014 figure of 185?

Hon. J J Bossano: The original question is how many companies that are currently on the list were incorporated after we came into office, and I have given him that figure.

He then asked me, as a supplementary – nothing to do with the 46 that I have given him – what do I think about something that the Auditor says. Well, he should have asked me that in the original question and then I would have brought an explanation for him.

Clerk: Question 59, the Hon. E J Reyes.

Hon. D A Feetham: Mr Speaker, may I come back?

Mr Speaker: Yes.

Hon. D A Feetham: Yes, Mr Speaker, let me try and make it easier for the hon. Gentleman in the supplementary that I am going to ask, because he has answered that there has been 46 new construction companies that are on the approved contractors list and that means that even on those numbers, taking the 53 that were there when we were there, another 46 in three years, that is double... in fact, it is much more. It is 185, the number at the moment.

Can he give an explanation as to why we have seen this significant increase in the number of construction companies that are now on the approved contractors list?

Hon. J J Bossano: Well, Mr Speaker, the hon. Member knows the answer to that question already, because he has been asking me questions about the companies that were incorporated from people who were previously unemployed and who then set-up small companies in order to be able to compete for Government work. The bulk of these 46 companies are one-man companies – one-man outfits.

Hon. D A Feetham: Yes, but, Mr Speaker, part of the criteria for coming onto the approved contractor's list is also experience as well, experience to deal with a job, and when we were there certainly my recollection is that there were limits. So, for example, any contractor below, I think it was, £½ million, you required X number of years practising in that particular area as a construction company and then over a £1 million... so the experienced companies would obviously do the more complicated jobs, because at the end of the day there is a quality issue.

But here in Gibraltar we have seen companies, such as, for example, Busy Bee, which is a company that was incorporated a year and a half ago, that is awarded a £1.5 million contract. How does the hon. Gentleman justify that?

Hon. J J Bossano: I justify it on the basis that I justified it when he first raised the matter. It was the lowest tenderer.

Hon. D A Feetham: Mr Speaker, with respect that does not answer the question. Leaving aside whether it was or it was not the lowest tenderer, it is about *quality* too and it is about experience to do a job, and if you have a construction company that has been incorporated (*Interjection*) a year and a half ago, and in a year and a half it gets a substantial contract for £1.5 million, surely there is a quality issue there.

Is he satisfied that the quality of jobs done by companies that have been recently incorporated getting these very substantial contracts, that the quality is being retained?

Hon. J J Bossano: Mr Speaker, I am satisfied that the people who do the work for me are satisfied that that is the case. I am myself not a construction expert.

Hon. D A Feetham: So, Mr Speaker, have the qualifications, the quality threshold for coming onto the approved contractor's list and for being able to do these substantial contracts, has that changed between when we were in Government to them taking over, because quite frankly I cannot remember when we were in Government – and I had some involvement in relation to this – I cannot remember that in our time you could ever have a situation where a company that has only been there for a year and a half since incorporation gets a contract for £1.5 million.

Hon. J J Bossano: I certainly do not want to emulate their record of disasters in the construction industry and so therefore I am not going to look to his record to see what we should be doing now. But I can tell the hon. Member that when I asked about the list that he talks about with the thresholds, that list had been out of date for 10 years out of the 15 that they were there, according to the people in the Technical Services, and included at least six companies that had gone bust and disappeared from the scene and were still on that list.

Hon. D A Feetham: So, Mr Speaker, if Mr Bossino and I were to incorporate a construction company tomorrow, is he saying to me that in a year's time we would be perfectly entitled to be allocated contracts for £1.5 million or is our membership of the GSD going to count against us, Mr Speaker?

Hon. J J Bossano: Mr Speaker, the membership of the GSD will not count against him, but I would think that those 46 that were originally GSD will by now have changed their voting pattern, given the attack that they are constantly being submitted to since they left the unemployment list. But I would welcome it if they both decide to devote their energies to construction because they are doing a lousy job in politics. (*Laughter*)

Q59-64/2015

**Construction and Engineering Training Centres –
Instructors/trainees; details**

Clerk: Question 59, the Hon. E J Reyes.

225 **Hon. E J Reyes:** Mr Speaker, further to the answer provided to Question 767/2014, can the Minister for Training provide a breakdown of the 11 instructors currently delivering training at (a) the Construction Training Centre and (b) the Engineering Training Centre, indicating the number of instructors delivering training in each individual discipline or course, showing at which training centre they are based, together with details of each individual's instructor qualifications held?

230 **Clerk:** Answer, the Hon. the Minister for Economic Development and Telecommunications.

Minister for Economic Development, Telecommunications & the GSB (Hon. J J Bossano): Mr Speaker, I will answer this question together with Questions 60 to 64.

235 **Clerk:** Question 60, the Hon. E J Reyes.

240 **Hon. E J Reyes:** Further to the answer provided to Question 765/2014, can the Minister for Training provide details in respect of the 11 assessors, indicating how many are currently based at (a) the Construction Trades Training Centre and (b) Engineering Trades Training Centre, together with details of each individual's assessor qualifications held?

Clerk: Question 61, the Hon. E J Reyes.

245 **Hon. E J Reyes:** Further to the answer provided to Question 767/2014, can the Minister for Training say in which company the non-Government employee instructor is employed?

Clerk: Question 62, the Hon. E J Reyes.

250 **Hon. E J Reyes:** Further to the answer provided to Question 768/2014, can the Minister for Training please provide a breakdown of the individual and specific NVQ levels the 134 trainees attained, broken down by discipline or course, together with details of the examination board and qualification awarding body who certified the qualifications attained?

255 **Clerk:** Question 63, the Hon. E J Reyes.

260 **Hon. E J Reyes:** Further to the answer provided to Question 766/2014, can the Minister for Training provide a breakdown with details of the specific NVQs, showing their individual corresponding levels, the 74 trainees are currently undertaking, indicating the discipline or course being followed, the examination board and awarding body who will upon successful completion certify the award as well as indicating at which training centre they are enrolled?

Clerk: Question 64, the Hon. E J Reyes.

265 **Hon. E J Reyes:** Can the Minister for Training provide details of any new Trainees enrolled at either (a) the Construction Trades Training Centre and (b) Engineering Trades Training Centre, since the answer provided to Question 766/2014, indicating the specific discipline or course being followed, indicating at what level, the examination board and awarding body who will upon successful completion certify the award as well as stating at which training centre they are enrolled?

270 **Clerk:** Answer, the Hon. the Minister for Economic Development and Telecommunications.

275 **Minister for Economic Development, Telecommunications & the GSB (Hon. J J Bossano):** Mr Speaker, there are eight instructors in the Construction Training Centre, two are delivering carpentry training up to NVQ level 3, one is delivering painting and decorating training up to NVQ level 2 and one up to NVQ level 3. One instructor is delivering plumbing up to NVQ level 2 and three are delivering training in bricklaying, plastering, wall and floor tiling up to NVQ level 3.

All instructors have qualifications under the CITB and are approved under City and Guilds.

280 There are three instructors in the Engineering Training Centre, one of which is employed by Gibdock, delivering training in mechanical and electrical engineering and fabrication and welding up to NVQ level 3.

There are eight assessors at the Construction Training Centre, with lead body qualifications City and Guilds D32, D33 and EAL L Unit, and three assessors at the Engineering Training Centre, two possess the EAL Award in assessing competence in the work environment level 3 and one is in the process of obtaining it.

The qualifications obtained by the trainees are as follows.

Awarding Body City and Guilds: Carpentry level 1, 13 trainees and level 2, four trainees; Plumbing level 2, one trainee; Bricklaying level 1, two trainees, level 2, three trainees; Plastering level 2, two trainees; Tiling level 2, one trainee; Painting and Decorating level 1, seven trainees; Combined Bricklaying, Plastering and Tiling level 1, 76 trainees.

Awarding Body EAL Fabrication and Welding: Electrical Engineering level 3, 12 trainees; Mechanical Engineering level 3, two trainees.

Construction Training Centre: Combined Bricklaying, Plastering and Tiling level 1 City and Guilds, 17 trainees. City and Guilds Carpentry level, three trainees and level 3, four trainees; Bricklaying level 2, five trainees; Plastering level 2, five trainees; Tiling level 2, two trainees.

In the Engineering Training Centre, doing EAL: Fabrication and Welding level 2, there are four trainees and level 3, four trainees; Mechanical Engineering level 3, seven trainees; Electrical Installation level 3, 16 trainees; Motor Vehicle Mechanic level 2, eight trainees.

There have been no enrolments since the answer to Question 766/2014.

Mr Speaker: I can arrange for the hon. Member to receive a photocopy of this if it will facilitate him, unless he is satisfied with the main answer.

Hon. E J Reyes: Yes, please.

Mr Speaker: Okay, if you just wait a moment then we will arrange for that to be done.

Hon. E J Reyes: In the meantime, Mr Speaker, it is a very comprehensive answer and I am very grateful for your offer, but can I just clarify one thing that may be very clear to the Minister, but not to me?

When he said that since the answer he gave to my hon. colleague to Question 766/2014, he said there have been no new trainees, perhaps I could have used a better language. Does he know from there if any...

Although there may not be a new name enrolled at the Training Centre, since that answer has there been any trainee who has completed a particular level and has kept on being enrolled but has now moved to a higher level – for example, Mr Speaker, those who completed level 1 moving on to level 2 or from level 2 to 3? The Minister may or may not have that, but if he does have it, then it would save me having to pursue it in the future.

Hon. J J Bossano: Mr Speaker, the answer is that the trainees who are at level 2 are people who are continuing having level 1 and the ones at level 3 are continuing, and so they only have to enrol once, I am told by the Training Centre, which is when they first enter and they do not need to re-enrol to continue with level 2 and level 3. Indeed, in the case of the construction sector, they spend time in the industry and then they can come back and continue. We do not treat that as a new enrolment, but as a continuation of the previous one.

Hon. E J Reyes: Yes, Mr Speaker, and I think it is only fair that if I require further details I will come back to the Minister. I doubt I will be able to deduce from his figures what trend there is. If I give you a hypothetical example. If 20 trainees completed level 1, how many of those 20 wish to move on and actually carry on with Level 2? But perhaps the Minister may know and offer some information.

I believe from some of the trainees there present that despite those within the construction trades receiving qualified craftsman status on completion of level 2, there seems to be a desire by three or four, maybe half a dozen of them to continue on to level 3 and for which the Training Centre I know in the past has tried to accommodate them. Does the Minister have any information he can offer to this House whether they are allowing those, despite that they will have to spend far more time out in the industry? I think it is one of the conditions set by the Examination Board, but is he, as a matter of policy, willing to encourage these youngsters to carry on with their qualifications?

For the sake of those not well versed in this issue, Mr Speaker, if I can draw you to our educational system, a craftsman in the construction trade who attains a qualification at level 2 to continue to level 3 would be the equivalent of us carrying on doing in the education world, like a post-graduate type of study. Can the Minister enlighten us if he has any information?

Hon. J J Bossano: Well, it is not something that we encourage because the whole purpose of the training is that we want to get people replacing craftsman that we are currently importing; therefore, as he rightly says, going on to level 3 is really in order to take on more the level of charge hand, a foreman or a supervisory, and I think frankly it is not the best thing to come straight out of training and go in there without having experience of some work in the industry.

So for those who want to do their level 3, what we are saying – there are not all that many of them – is that they should go into the industry and get day release and we will enter into an agreement with the

employer so that when they need to get released to carry on with their level 3 studies, that will be funded by the Training Programme so that the employer will not be hostile to the idea of releasing people because it will not be at the expense of the employer.

350 **Hon. E J Reyes:** Mr Speaker, with your leave may I say to the Minister that I think that sounds extremely sensible and I simply say to you, thank you for that type of commitment. He can rest assured of my support that we are not only training people to fill up the type of vacancies that will arise now, but we are looking forward towards succession planning, if one wants to call it that, so that in a few years' time there will no longer be a need to import any labour to take over supervisory roles. We are talking about the
355 the managers of the future and time runs away and so the Minister can count on the support from this side of the House in respect of continuing up to level 3.

Hon. J J Bossano: Mr Speaker, if we are able to continue to attract people into the construction industry, eventually we will see a significant move, but we are still at the early stages of that transition.

360 **Mr Speaker:** Next question.

Q65-74/2015
Gibraltar Savings Bank and Credit Finance Company Limited –
Investments and loans

Mr Speaker: Question 65.

365

Clerk: Question 65, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, can the Chief Minister please state what the Government cash reserves were as at 31st August 2014, 30th September 2014, 31st October 2014, 30th November 2014 and
370 31 December 2014?

Clerk: Answer, the Hon. the Minister for Economic Development and Telecommunications.

Minister for Economic Development, Telecommunications & the GSB (Hon. J J Bossano): Mr
375 Speaker, I will answer this question with Questions 66 to 74.

Clerk: Question 66, the Hon. D A Feetham.

Hon. D A Feetham: Can the Chief Minister please give a breakdown by bank and amount of that part
380 of the aggregate public debt which comprises bank debt, as at 31st December 2014?

Clerk: Question 67, the Hon. D A Feetham.

Hon. D A Feetham: Can the Chief Minister please provide this House with a breakdown, by debenture
385 issue, of that part of the aggregate public debt which comprises Government debentures, as at 31st December 2014?

Clerk: Question 68, the Hon. D A Feetham.

Hon. D A Feetham: Can the Chief Minister please provide details of the value of Gibraltar Savings
390 Bank debentures or other debt security as at 31st December 2014?

Clerk: Question 69, the Hon. D A Feetham.

Hon. D A Feetham: Can the Chief Minister please provide a breakdown of where and how all the monies deposited in the Gibraltar Savings Bank have been invested and the rate of return on each of these
395 investments as at 31st December 2014?

Clerk: Question 70, the Hon. D J Bossino.

400 **Hon. D J Bossino:** Can the Minister for Finance state how the funds to pay for the purchase by the Government of the shareholding in Gibtelecom, previously owned by a third party, were sourced?

Clerk: Question 71, the Hon. D A Feetham.

405 **Hon. D A Feetham:** Can the Chief Minister please provide details of (a) the date or dates when Credit Finance Company Limited deposited monies with Gibraltar Investment (Holdings) Limited; (b) the amounts involved on each such occasion; (c) the bank and bank account from where the money was transferred in the name of Credit Finance; (d) to the bank and bank account in the name of Gibraltar Investment Holdings Limited?

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Clerk: Question 72, the Hon. D A Feetham.

Hon. D A Feetham: Can the Government please provide the exact terms on which Credit Finance Company Limited has deposited the sum of £347 million in Gibraltar Investment Holdings Limited and whether all the Directors of Credit Finance approved that transaction?

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Clerk: Question 73, the Hon. D A Feetham.

Hon. D A Feetham: Can the Chief Minister please provide details of all monies deposited or investments made by the Government in Gibraltar Investment Holdings Limited over the last calendar year, together with the dates and details of bank and bank account into which the money was deposited?

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Clerk: Question 74, the Hon. D A Feetham.

425 **Hon. D A Feetham:** Please provide details of all investments and transfers of money made out of Gibraltar Investment Holdings Limited over the last calendar year, including the identity of the recipients.

Clerk: Answer, the Hon. the Minister for Economic Development and Telecommunications.

430 **Minister for Economic Development, Telecommunications & the GSB (Hon. J J Bossano):** Mr Speaker, as at 31st December 2014 the aggregate public debt consisting of bank debt was Barclays Bank, £150 million, and NatWest Offshore Limited, £50 million.

The Government debentures by maturity date were 2017 debentures, £15,061,200 and the one-month debenture, £237,150,400.

435 The value of Gibraltar Savings Bank debentures and other debt maturity by date was: one month, £27,929,700; 2015 debentures, £43,770,300; 2016, £22,935,600; 2017, £178,983,600; 2018, £163,997,100; 2019, £125,110,100; other debentures, £30,889,559; bonds, £104,491,469; deposit accounts, £247,618,605.

440 The earnings yield in respect of different categories of investments, vehicles held by the Savings Bank Fund for the month of November are as follows. On-call accounts with the Bank of England, the Crown Agents and the Gibraltar Banks have an average yield of around 0.52%. The Gibraltar Banks were the Royal Bank of Scotland, Barclays Bank, Nat West, Jyske Bank and Lloyds Bank.

Floating rates notes quoted on the London Stock Exchange had an average yield of 0.95%. The floating rates were issued by the following: European Investment Bank; International Bank for Reconstruction and Development; Neder Waterschapsbank; KfW, Republic of Finland Bank; Volkswagen Financial Services; Dexia; GE Capital UK; Westpac Securities; Australia & New Zealand Banking Group; Centrica plc; ASB Finance Ltd; Royal Bank of Canada; BG Energy Capital Plc; Suncorp Metway Ltd; BMW Finance; and National Grid Gas Plc.

450 Monthly income debentures are at 6% return and preference shares in Credit Finance had an average dividend of 5.6%. As previously explained, quoted stocks and call accounts fluctuate marginally on a daily basis, but these fluctuations are not considered significant.

I now hand over to the Member the Savings Bank statement, listing the investments as at November 2014.

Answer to Question 74**Schedule to Question 69****SAVINGS BANK FUND****STATEMENT OF INVESTMENTS ON 31 DECEMBER 2014**

DESCRIPTION OF STOCK	NOMINAL VALUE	MARKET PRICE ACCRUED INTEREST %	MARKET VALUE ACCRUED INTEREST	TOTAL MARKET VALUE ON 31/12/2014
EIB FLOATING RATE NOTE 22/02/17	£20,000,000.00	100.318 0.077	£20,063,564.80 £15,311.92	£20,078,876.72
EIB FLOATING RATE NOTE 05/01/16	£20,000,000.00	99.978 0.149	£19,995,609.00 £29,817.26	£20,025,426.26
INTERNATIONAL BK RECON & DEV FRN 19/01/16	£4,235,000.00	100.002 0.120	£4,235,073.77 £5,077.13	£4,240,150.90
NEDER WATERSCHAPSBANK FRN 09/04/18	£12,200,000.00	100.000 0.169	£12,200,000.00 £20,605.72	£12,220,605.72
KFW FRN 09/03/15	£17,000,000.00	99.992 0.039	£16,998,695.59 £6,707.72	£17,005,403.31
REPUBLIC OF FINLAND FRN 25/2/16	£5,000,000.00	100.027 0.060	£5,001,345.20 £2,984.79	£5,004,329.99
VOLKSWAGEN FIN SERV NV FRN 12/10/15	£5,000,000.00	99.994 0.186	£4,999,718.55 £9,302.85	£5,009,021.40
DEXIA CREDIT LOCAL FRN 15/4/16	£4,000,000.00	100.025 0.167	£4,000,989.36 £6,663.18	£4,007,652.54
GE CAPITAL UK FUNDING FRN 9/5/16	£3,000,000.00	100.483 0.155	£3,014,479.86 £4,640.85	£3,019,120.71
WESTPAC SECURITIES NZ LT FRN 2/10/17	£5,000,000.00	100.000 0.252	£5,000,000.00 £12,609.25	£5,012,609.25
AUST & NZ BANKING GROUP FRN 4/2/16	£5,000,000.00	100.213 0.127	£5,010,648.20 £6,354.70	£5,017,002.90
CENTRICA PLC 5.5% 24/10/16	£6,000,000.00	107.289 1.025	£6,437,337.00 £61,479.45	£6,498,816.45
ASB FINANCE LTD LONDON FRN 13/03/17	£5,000,000.00	100.274 0.050	£5,013,713.45 £2,499.18	£5,016,212.63
ROYAL BANK OF CANADA FRN 4/6/19	£5,000,000.00	100.082 0.070	£5,004,106.90 £3,523.87	£5,007,630.77
BG ENERGY CAPITAL PLC 5.125% 07/12/17	£5,000,000.00	109.638 0.337	£5,481,910.40 £16,849.32	£5,498,759.72
VOLKSWAGEN FIN SERV NV 2.375% 13/11/18	£3,000,000.00	102.830 0.312	£3,084,900.00 £9,369.86	£3,094,269.86
SUNCORP-METWAY LTD FRN 06/10/17	£5,000,000.00	100.139 0.271	£5,006,931.35 £13,526.88	£5,020,458.23
GE CAPITAL UK FUNDING FRN 20/3/17	£2,000,000.00	99.768 0.017	£1,995,350.18 £349.95	£1,995,700.13
BMW FINANCE NV 1.75% 20/11/17	£5,000,000.00	100.201 0.197	£5,010,072.85 £9,828.77	£5,019,901.62
NATIONAL GRID GAS PLC 6% 07/06/17	£3,000,000.00	111.491 3.403	£3,344,744.85 £102,082.19	£3,446,827.04
GOVERNMENT DEBENTURES	£213,000,000.00	100.000	£213,000,000.00	£213,000,000.00
BANK OF ENGLAND	£22,399,948.35	100.000	£22,399,948.35	£22,399,948.35
CFC SHARES	£400,000,000.00	100.000	£400,000,000.00	£400,000,000.00
GSBA	£5,000,000.00	100.000	£5,000,000.00	£5,000,000.00
GIBTELECOM	£37,798,895.33	100.000	£37,798,895.33	£37,798,895.33
ROYAL BANK OF SCOTLAND GBP CALL A/C	£2,437,266.55	100.000	£2,437,266.55	£2,437,266.55
LLOYDS BANK GBP CALL A/C	£20,406,365.46	100.000	£20,406,365.46	£20,406,365.46
BARCLAYS BANK	£73,742,145.08	100.000	£73,742,145.08	£73,742,145.08
NATIONAL WESTMINSTER OFFSHORE	£9,503,013.61	100.000	£9,503,013.61	£9,503,013.61
JYSKE BANK	£20,100,827.43	100.000	£20,100,827.43	£20,100,827.43
CASH	£4,000,000.00	100.000	£4,000,000.00	£4,000,000.00

455 The funds of Credit Finance are invested in commutation, pensions, financing and loans which provide a profitable return and the balance is held in on-call accounts, which have been explained in answer to supplementaries in previous questions on this subject. I am not prepared to provide any further details beyond what has been provided.

The monies held by GIH and its subsidiaries are managed collectively, together with Government research by the Treasury in order to meet day-to-day needs in cash flow movements.

460 The cash reserves in the months requested were as follows: August 2014, £79,000,000.57; September 2014 £96,000,000.84; October 2014 £90,720,000; November 2014 £84,000,000.65; and December 2014 £60,000,000.10.

465 **Hon. D A Feetham:** Mr Speaker, may I afford the hon. Gentleman an opportunity to answer some of the questions that he has missed out in his bunching of all these questions? He has not answered Question 65, which is the cash reserves. I have not heard him answer that for the cash reserves and he knows that I need the cash reserves in order to calculate net debt. He has not answered the question that Mr Bossino has asked about Gibtelecom. Obviously he has not answered the questions on Gibraltar Investment Holdings Limited, but I assume his answer in relation to that is that he does not want to provide me with any further information than the information he has already provided for me. But at the very least before I come back on the other matters, I want to ask supplementaries on in relation to Question 65 and also Question 70.

Hon. J J Bossano: Yes, I apologise. I think the people who have been putting this together for me are new and put it down as a supplementary when it should have been part of the original answer.

475 The investment was made by the Gibraltar Savings Bank Fund in the purchase of the Gibtelecom shareholding and that is reflected in the list of investments that I have passed over to the hon. Member, but I should have mentioned it.

I did give the figures for the cash reserves, but I will repeat them, which was August £79,000,000.57; September £96,000,000.84; October £90,720,000; November £84,000,000.65 and December £60,000,000.10.

485 **Hon. Sir P R Caruana:** I had obviously misunderstood him to have meant that that was the money that had gone into Gibraltar Investment Holdings that had been held as cash for the use of subsidiaries and that that was the monies that had been held as at those months – that was my understanding. Can he confirm that my understanding was wrong and that those figures that he has given are the public debt net reserves?

Hon. J J Bossano: The figure that I have given for the months of August, September, October, November and December are in answer to Question 65 and are the Government cash reserves.

490 **Hon. D A Feetham:** So, Mr Speaker, the net debt, as at the end of December, was the gross debt of £452 million less cash reserves at the end of December, which gives a net debt of £394 million pounds. Is that the same calculation? He must have that as one of the supplementaries... the calculations that the hon. Gentleman has.

495 **Hon. J J Bossano:** The figure that I have got shows £392 million.

Hon. D A Feetham: Mr Speaker, the net debt is effectively even higher than the net debt that the Hon. the Chief Minister announced to this House of £352 million during the Budget and so the trend is an increase in net debt. We have cash reserves which are just simply £60 million.

500 Mr Speaker, how does the Government intend to keep its manifesto commitment of actually cutting the public debt in half in the light of these figures?

505 **Hon. J J Bossano:** Mr Speaker, I do not think I have to explain to the hon. Member how I intend to complete any manifesto commitment. The point is that we intend to do it and therefore I do not recall in the 42 years of being here anybody ever explaining to me on that side of the House how they intended to do something they were committed to doing. They just told me to wait and see and I give the same advice.

Hon. D A Feetham: Well, Mr Speaker, I await with baited breath.

510 But, Mr Speaker, with cash reserves of £60 million and with a Government just very recently signing a contract for the construction of a power station at £77 million, how does the hon. Gentleman, the Government, intend to be funding the power station with cash reserves of £60 million and the position as he has described it, say, in answers to my question?

Hon. J J Bossano: Mr Speaker, I do not recall that it worried him in Government when he was intending to spend twice that much – £120 million to put one up the Rock – and so presumably if he had a scheme up his sleeve which he did not reveal in Parliament then, I am sure there must be people imitating what he was doing at the time.

Hon. D A Feetham: Mr Speaker, it is very simple. His Government and his party have been lambasting us about the fact that we would have needed to borrow money and now I am asking him to come clean. We have got a potential bill to this community of £77 million. Indeed, over the next few weeks I will be demonstrating that that bill is going to be increasing to over £140 million. That is the real cost of the power station and I just simply want to know how the Government is going to fund it.

Is the Government, for example, going to fund it via the money sitting in Credit Finance, now actually sitting in Gibraltar Investment Holdings Limited, as indeed from the answer that he has given, my hon. Friend, Mr Bossano, he appears to have funded the purchase of the shareholding in Gibtelecom because that has been funded out of the Gibraltar Savings Bank, and of course, if that is the case, then I have got other supplementaries that I wish to ask the hon. Gentleman, as he no doubt can predict.

Hon. J J Bossano: Mr Speaker, I am not going to tell him (*Laughter*) and he knows that (*Banging on desks*) but I can tell him that given the ‘nomenclature’, which was a word he liked using the last time, introduced by the former Chief Minister, I think this falls into the category of either being hypothetical or work in progress – one of the two.

I can tell him that as far as the investment in the Gibraltar Telecom shares is concerned, I think to say that it is funded is a misnomer. The Gibraltar Savings Bank has bought from Slovenia Telecom their 50% shareholding, which was yielding Slovenia 8%, and it is a good return and a *safe* investment. It has been bought at a price which I can tell Members opposite is a very good price, because my information is that the previous Administration had a valuation done in 2008 which put the value of this 50% shareholding at £40 million.

So if it was valued independently and professionally for the previous Government at £40 million in 2008 and we have been able to negotiate a buyout of our partner, what I expect is that the Savings Bank will continue with that investment until we find a suitable partner to replace Slovenia. I anticipate that in the time that we continue to hold those shares we will be taking steps to improve the profitability and consequently the value of those shares so that when we come to resell them there will be a capital gain to the Savings Bank, and so that is the rationale of that investment.

Hon. D A Feetham: Mr Speaker, is there not an alternative rationale? It is that the Government has been spending so much money and has been borrowing so much money that actually there is nothing in the coffers, in the kitty to be able to purchase those shares. It would not have been possible for the Government to have purchased the shares in Gibtelecom. It would have been impossible, taking into account the cash reserves that the Government had and indeed the formula about how much the Government can borrow, isn’t that the position?

Hon. J J Bossano: Well, no, he is wrong. Although he formed part of the Government that invented the formula, it is clear that he does not understand it as well as I do.

The formula would allow us to have a net debt of £443 million and so if we had chosen to go to the maximum allowed by the formula, the reserves could have been dropped to something like £70 million and we would still have been able to purchase those shares. But the decision was a deliberate decision that the Savings Bank would be given the opportunity to invest because it provides a good return and it is money that... rather than having it invested somewhere else with a lower return, as the Minister responsible for the Savings Bank I bid for the shares because they were a very lucrative source of funding for us to be able to increase the profitability of the Savings Bank at the same time.

So we have got an income stream now coming into the Savings Bank at 8%, which is very good, above anything we are paying out and at the same time. As I say, I expect that it will be possible to improve the value of those shares and to sell them for more than we bought them.

Hon. Sir P R Caruana: Mr Speaker, I sincerely hope that it turns out to be a wonderful investment for the Savings Bank. A little bit liquid for a bank, but nevertheless I hope it is a very good investment and I am sure it will be.

But given that the investment has been made by the Savings Bank, which is not the Government and not by the Government, would the hon. Member agree with me that all the Government’s public statements to the effect that *it* has bought out Slovenia Telecom are factually incorrect?

Hon. J J Bossano: I agree with the hon. Member that *technically* he is right, but it has been bought by the Savings Bank, which is in itself owned by the Government. So if the Government had chosen to use a Government company to buy it, as opposed to the Savings Bank, presumably it would have not been a major departure from accuracy to say that the Government owned all the shares. But I think it is preferable that all the shares should not have been held by the consolidated fund, which would have been the correct 100% accurate interpretation of the statement that the Government has bought it.

Hon. Sir P R Caruana Mr Speaker, [*Inaudible*] whether the Savings Bank is *owned* by the Government, in any normal sense of that word it is a statutory body with statutory existence. It is managed by civil servants and it is overseen by a Minister, but of course it is not the Government. It is very different to a Government Department. It is not the taxpayer that owns the asset; it is effectively, I suppose indirectly, the depositors of the Savings Bank. This is now one of the assets that answers for their deposits in due course and so it would have been, I think, more transparent for the Government statements to have said what the hon. Member has said today, which would not have added or subtracted anything from the statement but it would have been factually correct.

Hon. J J Bossano: I agree it would have been a more accurate description of what has been done.

Hon. D A Feetham: Yes, Mr Speaker, even if the hon. Gentleman is right, and I had calculated under the formula a net debt that the Government could borrow on the formula... for how much the Government could borrow, a net debt slightly below or below the £443 million, you would still, had the Government bought the shares in Gibtelecom directly, the Government would have been within less than £20 million from that...borrowing...that ceiling.

Is it not the case that really what the Government is doing here is using the Gibraltar Savings Bank as a form of borrowing, which it does not have to, which is not going to be caught by the legal borrowing limit, because the Government really does not have the money to then fund all the other things that the Government is going to be funding, including a power station? Because if the legal borrowing limit is £443 million and had these shares been bought by the Government, it would have taken them within £20 million, or slightly less I think the calculation is, of that actual ceiling.

It would not have had money to then pay for the power station. It would not have had money to pay for the small berths, which the Hon. Minister Costa is responsible for etc, etc, etc, and that is at the heart of the problem that this Government is facing, which is that it has promised so many things to so many people, funded by very high borrowing, that it really does not have the money to fund its long list of commitments, hence why it effectively needs to rely on savers money in the Gibraltar Savings Bank.

Hon. J J Bossano: Well, I know that it suits the hon. Member to put that interpretation on it and no doubt he will either rush off and do another *You Tube* thing on it or produce little squares on a paper to put through my letterbox, but I am afraid the fact that he does that, which I think is misrepresenting reality, like he is doing now, is something that does not really upset me very much because the day he put this little paper through my letterbox explaining why people should not touch the Savings Bank with a bargepole, when I got to my office there was a telephone call from somebody who wanted to know how they could go about putting £1.5 million in.

So I really want to encourage him to keep on doing these things because it seems to be getting people to put more money in, than I am able to do with my own efforts. (*Laughter*)

Hon. D A Feetham: Mr Speaker, I am going to have to instruct my activists not to post leaflets through the hon. Gentleman's door so that it does not upset the hon. Gentleman.

But this is really the most serious issue affecting Gibraltar and everybody in their political careers learn from people that they have observed in politics, and I have observed him for a very, very long time. One of the things that I took from the hon. Gentleman is his economic philosophy, which was 'always live within your means and always save something'. Leave something aside so that if the going gets tough, Gibraltar has something there that it can rely on and so that we are not vulnerable to future threats.

We have a situation here where the net debt is the highest in history and where we are within, on this calculation, £47 million of the net debt limit of the limit of the Government's borrowing. The Government could not borrow more on these figures than £47 million more, and yet the Government has huge commitments, a power station, the berths and other commitments, the final bills in relation to the cladding of the estates – that has not come through yet – and the affordable homes.

Surely he should see of all people – the architect of the rainy day fund policy – that this is jeopardising the future of our children and our children's children because the only way that this can continue is if everything goes Gibraltar's way. If I were on the board of a company and a CEO of that company were to say to me, 'My policy is that this company has always done well and therefore it is going to continue to do

well', without laying out a plan as to how it is going to continue to do well, I would vote for his sacking tomorrow.

635 And you see the problem that I have, Mr Speaker, and I am asking the hon. Member to comment on this, is that this appears to be Government policy that everything has gone well in the past and it will continue to go well. And yet, I would have thought that he of all people would have understood the dangers of Government policy and what the Government is doing here.

640 **Mr Speaker:** The Hon. Minister has answered the question. I have allowed the Leader of the Opposition effectively to make a political speech and not to ask a question. I hope I do not have a repetition.

Hon. J J Bossano: I am glad, Mr Speaker, that the hon. Member has said that that is something that he has paid a lot of attention to, because I still believe it is absolutely essential for us to think of the future and not live just for the day. Indeed, I think it is important that we should not compete with each other in doing things that maybe have short-term benefits and long-term penalties. (**Several Members:** Hear, hear.) (*Banging on desks*) The hon. Member will know that in my recent broadcast one of the things that I mentioned was the slogan of the GSLP manifesto in 1988, which surprised a lot of people, that a socialist party should be saying you cannot spend money before you make it – that is still my view.

I think there is a problem in getting people to stick to the amounts that are intended to be spent when we bring an Appropriation Bill to this House and approve it. I think the former Chief Minister found that problem at one stage and tried to see if it could be corrected by getting everybody to send him monthly e-mails with the figures. I think that at the time that he did that I said to him that the problem, in my view, was not in the Government Departments where there are civil servants and controlling officers on a long-term tradition of considering that it is wrong to spend more. Since then – it started I think in their time and has continued still in ours – through agencies and authorities and in areas like that there are individuals who seem to think that approving variations on original prices, so that the money that was intended to cover several projects now is stretched to the limit, is perfectly permissible.

660 I can tell the hon. Member that given that we have now brought the level of unemployment down to the level that we both think is desirable and attainable, which is below the 300 mark, my colleague will be ensuring that it stays in that region. I, with my new responsibility, will be taking a much greater role in ensuring that that philosophy, which he subscribes to and so do I, is reflected in the way we manage things.

665 **Hon. D A Feetham:** Mr Speaker, let me say, Mr Speaker, that we have been political opponents now for the last 14 years, despite our closeness in the past. Let me say without hesitation that I feel far more comfortable with the hon. Gentleman in the Government benches and I hope that he remains as a voice of caution in the management of our public debt for many years to come, because the reality is that what he has said, and also what he has not said, but I know that he subscribes to too, makes a lot of sense and the reality is that in an uncertain world, and increasingly we live in an uncertain world, we need to live within our means and we cannot have every four years auctions as to who pays more on both sides, and I really do believe that and I really do hope that the hon. Gentleman remains there for many, many years.

May I now deal with something that I do not agree with the hon. Gentleman (*Laughter*) and that is all that money that has been shifted from Credit Finance to Gibraltar Investment Holdings Limited? I know that he is not providing us with any information in relation to that, but he did say, and I took a note of this, 'the money is in cash flow movements within Government companies'. I think he used that phrase. That means therefore that effectively that £347 million, which is the £430 million in Credit Finance, £400 million from the Savings Bank and £30 million from the Government, less the £82 or £83 million is £347 million, that £347 million has effectively been parked in Gibraltar Investment Holdings Limited and it is being used as cash flow for the Government group of wholly-owned companies. Is my understanding correct in relation to that?

Hon. J J Bossano: Yes, as was the case before 2011.

685 **Hon. D A Feetham:** Yes, but Mr Speaker, there is, and he knows it, one important difference here. The Government-owned companies when we were in Government were funded out of the consolidated fund. In other words, it was the taxpayer that funded Government-owned companies, and for people listening, it is not only the funding of Government companies, it is the funding of their projects. So, for example, if GJBS, who forms part of that network of companies, had projects, the Government in the past would fund not only GJBS their wages, but also the projects undertaken by GJBS.

If that £347 million is being used in the same way as we injected cash in these companies from the consolidated fund, effectively is it not the case that the Government is not only funding through the Savings Bank this network of companies, but also their projects, including projects by GJBS?

Hon. J J Bossano: Mr Speaker, I know what the hon. Member is trying to do is to get me to tell him what I have told him I will not tell him. I know that. What I can tell him is the only thing I am prepared to tell him which is that the system of using the cash collectively from all sources and having that controlled centrally by the Treasury was the answer that was given to me when I asked the question about how this was being done and that is the answer that I am giving him now. He can speculate as to what the implications of that are, which is what I used to do when I got the answer.

Mr Speaker: Next question.

Clerk: We now move to Question –

Hon. D J Bossino: Mr Speaker, in relation to my question, which relates to Gibtelecom, is he able to tell this House who carried out the valuation and whether any due diligence... presumably some due diligence would have been carried out in relation to that exercise, but is he able to advise us who actually carried out the valuation? I think from the reports given to the press – I think from the Government's own press release – the purchase value was at €48 million. I think I am quoting the correct figure.

Hon. J J Bossano: I cannot remember the name of the entity that did it, but I can tell the hon. Member the Slovenian's did their own valuation and Gibtel did its own valuation, remember this is before I became a shareholder in Gibtel at Savings Bank. But I did form part of the delegation that went to Slovenia to discuss the issues with the Slovenians and in fact we actually negotiated a price which was at the bottom range of those valuations for very particular circumstances.

The background to this, Mr Speaker, is that the Slovenian group, which was state owned, was required by the EU to have to be privatised because Slovenia needed EU bailout and it so happened that although the Gibraltar investment in a group that was at one stage valued at something like €2 billion in the Ljubljana Stock Exchange, the Gibraltar outfit was the most, if not the only profitable bid of the whole empire and so there was an element, yes, from the accounts that they provided me with it was clear. So they thought they could get better value by selling us the profitable bit, which we were interested in buying, rather than by selling the whole thing where the ratio of profits of Gibraltar was lost against a background of a lot of red ink in Croatia, Albania and all the other places where they were.

So it was in their interest to buy and therefore I think we got a better price than we might have otherwise done. The price was within the parameters of the valuations that had been done, but their eagerness to sell before the whole group went on sale meant that on the basis that they could do the sale quickly and that they would get cash. The only reason why it was delayed in fact was because they wanted to get the dividend that was due in the second half of 2014 as well as the payment for the shares, and we were not able to persuade them to forego that dividend so they stuck out until the dividend was due, but that is the reason for the price and the timing. It was within what had been done independently with somebody that did it for them and somebody that did it for Gibtel and in the process of the negotiation where we had, if you like, a very keen seller as well as our interest in buying, partly because it was a very good return; secondly, because in my judgement we can get a better price than what we paid, especially if before we put it back on the market we do things to improve the return; and thirdly, because with the group being put on the market, we would never have known who we might have finished up as a subsidiary of, which is not a very good situation. So that is really the background.

Hon. D J Bossino: Mr Speaker, in terms of putting it back onto the market. I presume the Government, the Gibraltar Savings Bank has not decided to do that as yet, and the reason why I ask, I seem to recall, and I do not have a copy of the article here, but I think the Hon. the Chief Minister said in a recent interview that he had many – I do not think he gave us a number – many investors who were interested. In terms of that I just sense there is a bit of a contradiction in terms of the approach.

I get the impression, and I certainly do recall this when I think the first press release was issued by the Gibraltar Government, that the intention was to take control now, to therefore control who the next private sector partner would be, but that as quickly as was reasonably possible, the Government – and that is the only information that we had – the Government was very interested to sell that shareholding back into the private sector. Whilst I sense from the answers which the hon. Member has given this morning that his approach seems to be different. He has gone in and he wants to make a profit out of it and then in time, when he thinks that the timing is correct, he will then sell on to a third party private bidder. Is that analysis correct?

Hon. J J Bossano: From the point of the Savings Bank this is a good investment. We are in no rush to sell it. We believe that we can sell it profitably and we believe that if certain things are done with Gibtel the price that we can get is going to be even higher. So obviously the Government does not need this money

755 back as a Government because it is not the Government that has put the money in. It is the Savings Bank that has put it in and the Savings Bank... I, as the Minister responsible for the Savings Bank, believe that a timescale of within a year would not be a long-term investment. If we look at the portfolio where I have given a breakdown in terms of the maturities, then in fact the bulk of the money that we have got in the Savings Bank is more than 12 months' money and therefore the bulk of the money that is coming in is predominantly in three-year and five-year maturities. So the Savings Bank itself is attracting funds which are in for more than one year and I would think that one year would be more than sufficient time to achieve the kind of targets that I think are possible to achieve.

760 But of course, if somebody turned up tomorrow very keen to buy it and gave us a very good price, we would reconsider the situation, but it is not that we have a desperate need to resell this because we need to use the money for somebody else or something else because we have not used Government money. If we had used Government money we might have been in that situation, but given that it is an investment by the Savings Bank, the Savings Bank is getting a sound return.

BUSINESS AND EMPLOYMENT

Q1-2/2015

Industrial Tribunal – Employing permanent Chairman; reforms to procedure

Clerk: Question 1, the Hon. D J Bossino.

770 **Hon. D J Bossino:** Can the Minister for Employment state whether he has any intention of employing a permanent Chairman to the Industrial Tribunal?

Clerk: Answer, the Hon. the Minister for Business and Employment.

775 **Minister for Business and Employment (Hon. N F Costa):** Mr Speaker, I shall answer this question together with Question 2/2015.

Clerk: Question 2, the Hon. D J Bossino.

780 **Hon. D J Bossino:** Can the Minister for Employment state when he expects he will have completed the promised reforms to the Industrial Tribunal procedures?

Clerk: Answer, the Hon. the Minister for Business and Employment.

785 **Minister for Business and Employment (Hon. N F Costa):** Mr Speaker, at present we are considering the long-term sustainability of appointing a full-time Chairperson against the feasibility of retaining the current system of appointing a Chairperson from a panel. The expectation is that all the reforms will be completed before the summer.

790 **Hon. D J Bossino:** Mr Speaker, clearly from the answer he has given, is it within the realms of possibility that the Government may change its position in relation to the permanency of that position?

He may recall that when I asked the then Minister for Employment back in March 2014, Question 333/2014, I asked him that precise question and I asked him when it was going to happen and he was very forthright in his answer, saying it would happen before the next General Election, Mr Speaker.

795 But can he confirm that he will not be held to that and that he may be considering going down another route, which is to have, basically, the system that we have had before where you draw people from a panel?

800 **Hon. N F Costa:** Yes, Mr Speaker, the hon. Gentleman is correct. The intention is to reform the entirety of the Industrial Tribunal system before the summer and whether it is before the General Election or not is a matter entirely in the hands of the Chief Minister if he calls an election before then. But I do think that six months would be sufficient time to be able to consider the different proposals that have been sought from the Bar Council, the Unions, the Chamber of Commerce and the GFSB. They will be writing to me, hopefully by the end of February.

805 In the meantime, and in any event, we have been liaising with the Bar Council and the law firms – his firm may have received a letter from me – where I seek lawyers wishing to be appointed Chairpersons in

employment cases. I am sure he will be happy to learn that from the 32 existing cases that I inherited that did not have a Chairperson presiding, we only have three left.

810 But to answer specifically the question that he asks, I am looking at both possibilities. Whether a permanent Chairperson is sustainable insofar as there would be a continuous number of cases for a full-time Chairperson to deal with throughout a year or whether that is not likely and therefore we better have a system where we choose Chairpersons from a list of a panel, but certainly relooking at and reviewing the existing structure of appointment, fees paid etc.

815 **Hon. D J Bossino:** Mr Speaker, yes, he is absolutely right in relation to the reference to the letter which he said was sent to the Gibraltar Bar Council and then it was distributed amongst the Chambers and that is why I had a copy of it.

In that context, he does not seem to refer to the possibility of having an appeal body comprising three individuals, and the reason why I say that specifically is because that does feature in an electoral commitment on behalf of his Party.

820 So can he confirm that it will be the intention as part of the proposals, which presumably will be reflected in legislation in the future – perhaps not necessarily primary legislation, but certainly changes in the rules – that that specific proposal, i.e. the Appellate Body, comprising three individuals, will feature in that?

825 **Hon. N F Costa:** Mr Speaker, I do not know whether the hon. Gentleman has had the opportunity to consider the letter that I circulated, but if he were to look at the third paragraph, the last line in fact says:

‘The intended effect of the reform is to simplify the Industrial Tribunal process, including the appeal process.’

So therefore we are in fact looking at that manifesto commitment as well.

830 **Hon. D J Bossino:** Oh, I see. So, exactly, as part of the simplification procedure he is envisaging complying with the electoral manifesto commitment, which is to have a three-man or three-person Appellate Body, and presumably he sees that as a simplification because at the moment the only other course open to an aggrieved party is to appeal to the Supreme Courts.

835 **Hon. N F Costa:** Mr Speaker, yes. The manifesto commitment set out that the intended effect of the reform is to simplify the Industrial Tribunal process and as part of our thinking currently is that we may even have to come to this House to enact primary legislation on perhaps an Industrial Tribunal Act, because having considered the English laws so far, there is an Industrial Tribunal Act and then there are subsidiary rules. Given that the reference to Industrial Tribunal in the current Employment Act, if I recall correctly, 840 only relates to two or three sections, we think that it actually makes a lot of sense to have a separate piece of primary legislation that sets out the entirety of the objectives, the effect and the procedures of the Industrial Tribunal and also the subsidiary legislation that may cover other matters. But that is what we are currently thinking and it may be that we need to come to this House therefore to enact primary legislation.

845 I wish to stress to the hon. Gentleman that the reform that we are presently considering relates exclusively to the Industrial Tribunal and I have already written to the Chamber to say that at this juncture we are not considering any other changes to the employment laws, but simply and exclusively on Industrial Tribunal Reform.

850 **Hon. D J Bossino:** Mr Speaker, has the Government in relation to that last answer, that portion of his answer, has the Government adopted a position? I have not had the opportunity of reading the proposals made by the Gibraltar Chamber of Commerce, but I have had the opportunity of reading the reported reaction by the Unions in Gibraltar. I think one of the concerns which they have and they are absolutely dead against is the possibility that potential complainants will have to be, I think it is, paying for part of the filing process. 855

Has the Government adopted a position specifically in relation to that? The reason why I ask that question is relevant from the answer that he has just given, because it I think impinges upon one of the procedural aspects which he is looking at.

860 **Hon. N F Costa:** Mr Speaker, in the first place to stress that since my appointment as Minister for Employment, I have only been able to sink my teeth into this very recently. But I can tell him categorically that on the question of whether a complainant will need to file a fee to start an Industrial Tribunal process, the answer is categorically no. (*Banging on desks*)

865 **Mr Speaker:** May I say to the hon. questioner, there is a limit about the extent about which he can ask supplementaries on the reforms. He has asked for a date and he has been told it is going to be done by the summer, but we must not get carried away in discussing here this morning the actual reforms – that can be the subject of a separate question on the Agenda Paper of course.

Q3/2015
Unemployed Gibraltarians –
Quarterly average

870 **Clerk:** Question 3, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Employment provide details of the quarterly average of unemployed Gibraltarians for the last quarter of 2014?

875 **Clerk:** Answer, the Hon. the Minister for Business and Employment.

Minister for Business and Employment (Hon. N F Costa): Mr Speaker, the quarterly average of unemployed Gibraltarians for the last quarter of 2014 was 268.

It gives me great satisfaction to be able to report to the House that thanks to the unstinting efforts of the former Minister for Employment, the Hon. Joe Bossano, the lowest unemployment figures since records began was in December of last year, when the figure stood at 228. (*Applause and banging on desks*)

880

Q4, Q6 & Q8/2015
Dry-dock –
Operating procedure; complaints received

Clerk: Question 4, the Hon. J J Netto.

885 **Hon. J J Netto:** Mr Speaker, can the Minister for Health and Safety say what health and safety procedure is implemented by companies operating at the dry-dock when using blasting materials on ships at the dock in order to ensure that no adverse effect occurs to the environment, and what external monitoring procedure to ensure compliance with the law is carried out to ascertain that companies using such materials do not cut corners that might damage the marine environment, given the type of hazardous contaminants that blasting has?

890 **Clerk:** Answer, the Hon. the Minister for Business and Employment.

Minister for Business and Employment (Hon. N F Costa): Mr Speaker, I will answer this question together with Questions 6 and 8/2015.

895 **Clerk:** Question 6, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Health and Safety please say on how many occasions have the Factories Inspectors had inspection meetings, advice, complaints, site visits and accident investigations in the ship building/marine repair industry sector during 2014, broken down by the categories above mentioned?

900

Clerk: Question 8, the Hon. J J Netto.

905 **Hon. J J Netto:** Mr Speaker, can the Minister for Health and Safety say if Factory Inspectors have inspected recently the dry-docks arising from complaints made by the residents in the nearby area, and if so, provide Parliament with a statement of their findings?

Clerk: Answer, the Hon. the Minister for Business and Employment.

910 **Minister for Business & Employment (Hon. N F Costa):** Mr Speaker, with respect to the hon. Gentleman, I am not answerable in the House for procedures implemented by private companies that may

operate at the dry-dock when conducting any operations. What I can tell the hon. Gentleman is that all works at Gibdock are undertaken in accordance with the Safety Systems of Work Policy Document in accordance with ICA 9, 14 and 18 thousand accreditations and in accordance with the relevant domestic
915 legislation.

I can also tell the hon. Gentleman that I am informed by Gibdock that blasting is conducted by Gibdock employees and not by subcontractors. The Health and Safety Inspectors also collaborate with the Environmental Agency on matters relating to blasting.

The Inspectorate has effected three meetings in respect of the ship building marine repairs industry sector during last year and the Health and Safety Inspectorate have not visited the dry-docks as they have not received any complaints from residents.
920

I am advised however, by the Health and Safety Inspectorate, that the Environmental Agency has received a number of complaints.

Hon. J J Netto: Thank you, Mr Speaker.
925

Could I ask the Hon. Minister whether in relation to the sand blasting operation that takes place from time to time, at least during 2014, whether the company – not the sub-company but the company directly operating there – does have a planning supervisor appointed every time that sand blasting takes place on a ship? And in relation to having a planning supervisor appointed, whether the Health and Safety Inspectorate have been notified every time that such an operation takes place?
930

Hon. N F Costa: Mr Speaker, I do not have the answer to those questions.

Hon. J J Netto: Well, Mr Speaker, I did have a number of supplementary questions in relation to this, but it might be the case that the Hon. Minister himself might not have the kind of detailed answers to my specific supplementaries. So I wonder whether in order to just save time I simply write to the Hon. Minister detailing them, because I fear that in the same way he may not have available to him there, the information, he might not have the information to my other supplementary questions, which really emanates from these type of detailed questions.
935

Hon. N J Costa: Mr Speaker, as the hon. Gentleman will know, we have corresponded in the past as a result of questions that he has asked in this House. So I am, once again, more than happy to reply to any supplementaries that he may have.
940

Mr Speaker: Question 5.
945

Q5/2015
Health and Safety –
Statistics for December

Clerk: Question 5, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Health and Safety please provide the Health and Safety Statistics for the month of December as these were not available on the Government website at the time notice of questions was notified?
950

Clerk: Answer, the Hon. the Minister for Business and Employment.

Minister for Business and Employment (Hon. N F Costa): Yes, Mr Speaker, I will now hand over the set of statistics to the hon. Gentleman.

SCHEDULE TO QUESTION NO 5/2015

Table HS.1

Monitoring Activities, 2014

Industry Sector	December							Total
	Meetings	Advice	Complaints	Inspections	Follow-ups	Accident Investigations	Site Visits	
Air Transport Related	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-
Construction	3	5	2	10	4	-	13	37
Education	-	-	-	-	-	-	-	-
Electricity Supply/Related	-	-	-	-	-	-	-	-
Horticulture	-	1	-	-	-	-	-	1
Hotel Trade	-	-	-	-	-	-	-	-
Manufacture	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-	-	-
Police, Security, Fire Services	-	-	-	-	-	-	-	-
Post & Communications	-	1	-	-	-	-	-	1
Public Admin & Natl Defence	-	-	-	-	-	-	-	-
Repairs Consumer Goods	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	-	-	-	-	-
Retail Trade	-	-	-	-	-	-	-	-
Road Transport Related	-	-	-	1	-	-	-	1
Sanitary Services	-	-	-	-	-	-	-	-
Sea Transport Related	-	-	-	-	-	-	-	-
Shipbuilding/Marine Repairs	-	-	-	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-
Total	3	7	2	11	4	-	13	40

Updated 5 January 2015

Source: Ministry of Enterprise, Training, Employment and Health & Safety

CONT ANSWER TO QUESTION NO 5/2015

Table HS.2

Occupational Reportable Accidents, 2014

Industry Sector	July			August			September			October			November			December		
	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal	Minor	Major	Fatal
Air Transport Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bank, Finance, Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Construction	1	-	-	4	1	-	6	1	-	4	1	-	7	-	-	-	1	-
Education	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Electricity Supply/Related	1	-	-	-	-	-	2	-	-	1	-	-	1	-	-	-	-	-
Horticulture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hotel Trade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manufacture	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Medical & Health Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Police, Security, Fire Services	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Post & Communications	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Admin & Natl Defence	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-	-
Repairs Consumer Goods	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Restaurants, Bar etc	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Retail Trade	1	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
Road Transport Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sanitary Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sea Transport Related	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Shipbuilding/Marine Repairs	-	-	-	-	-	-	1	-	-	1	-	-	1	-	-	-	-	-
Water Supply/Related	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	7	1	-	4	1	-	10	1	-	6	2	-	10	1	-	-	1	-

Updated 20 January 2015

Source: Ministry of Enterprise, Training, Employment and Health & Safety

CONT ANSWER TO QUESTION NO 5/2015

Table HS.3

Enforcement Activities, 2014

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

Updated 5 January 2015

Note:

PN: Prohibition Notices Served

IM: Improvement Notices Served

Source: Ministry of Enterprise, Training, Employment and Health & Safety

CONT ANSWER TO QUESTION NO 5/2015

Table HS.4

Number of times legal advice has been sought during the month in relation to the number of inspections conducted, 2014

As at	Advice
January 2014	-
February 2014	-
March 2014	-
April 2014	-
May 2014	-
June 2014	-
July 2014	-
August 2014	-
September 2014	-
October 2014	1
November 2014	-
December 2014	-
Total	1

Updated 5 January 2015

960 **CONT ANSWER TO QUESTION NO 5/2015**

Table HS.5

Reasons for Factories Inspectors issuing Improvement and Prohibition notices, 2014

As at	Industry Sector	Improvement Notices	Prohibition Notices	Reason
31 January	-	-	-	-
28 February	-	-	-	-
31 March	Construction	-	1	Incompliance with Factories (Working at Heights Regulations) 2006 Reg 8 (c) . Protection to window openings at height. The dangerous use of improper access equipment.
30 April	Road Transport Related	-	1	Incompliance with Factories (Lifting Operations Lifting Equipment Regulations) Reg 9 (a) Failing to provide a valid test certificate of thorough inspection.
31 May	-	-	-	-
30 June	Construction	-	1	1) The company failed to appoint a Planning Supervisor, notify the project to the Health and Safety Inspectorate and to nominate a competent Principal Contractor. 2) The Contractor failed to provide the Risk Assessments to which its workers and others are being exposed. 3) The Contractor failed to provide the Health and Safety Plan. 4) No Asbestos survey has been carried out.
31 July	-	-	-	-
31 August	-	-	-	-
30 September	-	-	-	-
31 October	Post & Communications	1	-	Incompliance with Workplace (Health and Safety and Welfare) Regulation 5.1 & 2 Maintenance of workplace, and of equipment, devices and systems.
30 November	-	-	-	-
31 December	-	-	-	-

Updated 5 January 2015

Source: Ministry of Enterprise, Training, Employment and Health & Safety

965 **Mr Speaker:** The schedule consists of five pages, so perhaps we can go on to the next question and if necessary, come back to anything that may arise.

970 **Hon. J J Netto:** I think, Mr Speaker, that will not be necessary because last night I did notice that the information had already been uplifted to the Government website and so in a way the information, which is now coming through, I already have it available to me. There are, I think, two small issues that I would like to raise, if possible, with the Hon. Minister.

One relates to the table in relation to monitoring activities. If the hon. Member looks at the table, both for December and November, he will be able to see that in December there were 11 inspections carried out, 10 to the construction industry, one to, I think it is, the road transport as far as December, and in relation to November there were 16 to the construction industry.

975 The one thing I would like to point out to the Hon. Minister, given that, as he has just said, he has only just sunk his teeth into his new portfolio, is the same kind of comments that in the past have been made to the two previous Ministers for Health and Safety, and that is that there is a constant predisposition by the Health and Safety Inspectorate only to target, not only... 'only' is perhaps the wrong word – *mainly* to target the construction industry, and this is probably due to the fact of their own Health and Safety Inspectors background and qualifications.

I think there is a disproportionate amount of time dealing with the construction industry and what I would urge the Hon. Minister is to look at this, have a discussion with the Inspectors so that we can have a more fair balance of inspections right across all the industry groups and not just mainly on construction. So if he could take that on board I think it would be good for all the industry groups.

985 The other point I would like to raise with the Hon. Minister is in the table of occupational reportable accidents. If the Hon. Minister goes to the December figures, he will see that there was one major accident, I think. Let me just get this right. Is it the construction industry? Yes, in the construction industry. I wonder whether this has been highlighted to him and whether he can give Parliament a brief account of what happened as a result of that major accident in the construction industry in December.

990 **Hon. N F Costa:** Mr Speaker, in the first place to say to the hon. Gentleman that he is absolutely correct in saying that the statistics were not available on line when he went to prepare the question, and I apologise to him for that. I have made it clear to my new staff that statistics have to be updated regularly and they have to make sure they are ready for the hon. Gentlemen, certainly before we are to appear in Parliament to

995 answer questions. As the hon. Gentleman will have realised, as he has in fact, they were ready for today's session.

The hon. Gentleman has urged me to look at why there seems to be a predisposition to mainly target the construction industry and he urges me to look at this in order to have a more balanced inspection or a more balanced review of all industries. I am sure it will please him to learn that in fact one of the first things that I asked on being made responsible for the portfolio was for a plan. To ask in fact how we achieve that. How we are able to have a balanced continuous review of all industries throughout the entire year and therefore what resources, in terms of infrastructure and human resources may be required. So I take on board the comments made by the hon. Gentleman and I will hopefully be able to update him on progress in that respect during the coming months.

1005 As to the question on the accidents, is that in relation to Question 7, which we have not yet got to or is that a separate question? The hon. Gentleman in Question 7 asks me about a major accident report in November.

1010 **Hon. J J Netto:** Will the hon. Gentleman give way?

Hon. N F Costa: Yes of course.

1015 **Hon. J J Netto:** I think Question 7 has not been read yet and in fact – I may as well say it now or say it later – I think there is a mistake actually in the question form, because I might have been looking down the table and spotted that the major accident was in the electrical supply industry, which it is not... again, checking as I did last night – it is in the sea transport related industry as opposed to that. But the question has not been read for *Hansard* purposes.

1020 **Hon. N F Costa:** Actually, the hon. Gentleman is correct. When he did formulate the question to me, there was a typographical error and so it was not his mistake. It was the fact that the – (*Interjection*) No, not at all. It was that the website did not accurately reflect the reality which I will now answer to him when Question 7 is read.

1025

Q7/2015
Minister for Health and Safety –
Statement in relation to major accident November 2014

Clerk: Question 7, the Hon. J J Netto.

1030 **Hon. J J Netto:** Mr Speaker, can the Minister for Health and Safety please provide the House with a statement in relation to the major accident reported in the November 2014 statistics on the Government website, Table HS2, in the electricity supply industry sector, and state what, if any, consequences have emanated from such incident?

Clerk: Answer, the Hon. the Minister for Business and Employment.

1035 **Minister for Business & Employment (Hon. N F Costa):** Mr Speaker, as I was informing the House and the hon. Gentleman, I was informed that there had been an administrative error with this particular statistic. The major accident in question is related to a sea transport incident and not a major electrical supply incident.

1040 **Hon. J J Netto:** Mr Speaker, normally when I have asked questions in the past in relation to not minor accidents, but major accidents, because obviously minor accidents, we are not going to have a debate here or are for a discussion here in relation to such matters, but at least when it is major accidents normally in the past the Minister has stood up and said, 'Well, this happened on this particular site. The inspectors went there and they observed that a number of things were not done properly and we have taken action', and a small brief statement is normally done by the Minister.

1045 I do not know whether the *new* Minister now for Health and Safety has been prepared with a brief statement as to the nature of the major accident, what was wrong, what lessons have been learned, in order to avoid such a thing happening in the future.

1050 If he has the information, he can provide it to the House. If he has not got the information available right now, again I can write to the Minister and perhaps he can get the information later on for me.

Hon. N F Costa: Mr Speaker, it is one of those ironies of life that in fact the accident relates to the Gibraltar Maritime Authority for which I was responsible just a few months ago and we are in exactly the same situation that I was when I answered the question to him then, about the fact that the MAICO has prepared a report, and this is one of these preliminary reports which has been sent now to the new relevant Minister, who is Minister Isola.

Without wishing to rehearse the answer that I gave to him in respect of that question two months ago, he will recall that a preliminary report is sent to the Minister and that the question of whether the MAICO does report a report is entirely a matter for him and not for the relevant Minister. But on the last occasion, I did write to him with a summary of the report, the recommendations and the actions taken. So whereas I am no longer the relevant Minister, I have no doubt, speaking on behalf of Mr Isola, that he will be willing to do the same.

SPORTS, CULTURE AND YOUTH

Q9-10/2015

Gibraltar Rugby Football Union/Gibraltar Cricket Association – Provision of facilities

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

Hon. E J Reyes: Mr Speaker, further to the answer to Question 137/2014, can the Minister for Sports inform this House if he has now identified and agreed upon potential facilities for use by the Gibraltar Rugby Football Union for the playing, teaching and development of the sport?

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

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, I will answer this question together with Question 10.

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

Hon. E J Reyes: Further to the answer to Question 485/2014, can the Minister for Sports say if any potential alternative facilities have been identified for use by the Gibraltar Cricket Association in respect of provision of facilities for the playing, teaching and development of cricket in Gibraltar?

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

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, no further facilities have yet been finally identified for the Gibraltar Rugby Football Union, other than formalising with the Ministry of Defence for them to have easier access to use the Devil's Tower Camp facility at no cost to them.

In relation to Question 10, no further facilities have been identified for the use of the Gibraltar Cricket Association, other than already stated, that is the Gibraltar Cricket Association will be able to use the Europa Point Sports Ground as it always has and we are working with them in order to refurbish the Garrison Gymnasium so that they can share this facility for teaching and developing cricket in Gibraltar. The latter is an improvement to what they had before we came into Government.

Hon. E J Reyes: Mr Speaker, this time round, my questions for both Question 9 and Question 10 refer to where he has identified 'potential' facilities. The Minister has addressed what facilities there are and one welcomes whatever ease of access you can achieve into Devil's Tower Camp, and of course, the use of the Garrison Gymnasium, which under my term in Office was mainly used by the Basketball Association could be easily diverted to the Cricket Association. But about the potential facilities, can the Minister shed some light on that?

Hon. S E Linares: No, Mr Speaker. I have just answered that no further facilities have yet been identified and so therefore the answer is no. But also say to the hon. Member that it was not an easy task to get the Garrison Gym. As he well knows, the Garrison Gym was solely used for basketball, was *given* to the Basketball Association and we negotiated with them because they saw that it could be used for other sports and we went with the cricket, who were willing to use it for indoor cricket, which is a vast improvement for

1105 their development for young children. Therefore, this is an extra thing which we have done for the cricket, but as to the facilities to identify, we have not been able to identify at this moment in time for the rugby.

Hon. E J Reyes: So for the sake of clarity then, Mr Speaker, the Minister has not in any of his meetings has not said, 'Look, potentially or possibly we could...' I get the feedback from some Members involved in
1110 those sports that they seem to have identified a place that may or may not materialise, but that there is potential in it. Can the Minister confirm that that is incorrect information reaching my ears?

Hon. S E Linares: Well, if that is the information that they are giving you, it is incorrect. But what I can also tell the hon. Member is that in the Europa Point Ground, as I have stated before in this House, that
1115 we laid down some turf which is not only now used by young children, which is a great improvement for young children to play football, but the rugby is also using it, and I am glad to say that the cricket have indicated that this summer they will also be using it for the development of sports.

As to identifying other areas, the answer remains that no further details are available.

1120 **Hon. E J Reyes:** Thank you, Mr Speaker.

Can the Minister clarify he said before that the Garrison Gymnasium, under the GSD Administration, had been given to the basketball. My understanding was that that always remained an asset that was under the control of the Gibraltar Sports and Leisure Authority. There may have been an arrangement about its allocation, use and upkeep and so on, but can the Minister clarify what he really means by the word
1125 'given'? Was it that the land or the lease was actually donated to basketball?

Hon. S E Linares: Well, Mr Speaker, he was the Minister at the time when the Garrison... when I say given, I say loosely given, because no other association were able to use it and therefore it was for the sole use of GABBA and one could say the keys were given to them and they were using it. No legal pass over
1130 was given to GABBA, that is for sure. So there was not a legal lease, licence or anything passed on to GABBA, but GABBA has always used that as if it was theirs, and he well knows that because the GSLA had very, very little, if any, input in the Garrison Gymnasium.

Hon. E J Reyes: Well certainly, Mr Speaker, the GSLA had an input and accountability to this House because if one looks at the estimates of that period you show that the controlling officer of the GSLA still
1135 had to answer to this House for those funds.

Thank you, Mr Speaker.

Hon. S E Linares: Is there a question, Mr Speaker.

**Q11/2015 Bishop Fitzgerald School –
Calanetics and Taekwondo activities; facilities available**

1140 **Clerk:** Question 11, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Sports now provide the details missing in his answer to Written Question W85/2014, so as to show which team association has been allocated the use of Bishop Fitzgerald School facilities, in respect of Calanetics and Taekwondo activities?
1145

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

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Yes, Mr Speaker, I now hand over to the hon. Member opposite the schedule providing the information that was missing in the answer to the Written Question, which I would like to thank the hon. Member for highlighting this to me because it
1150 was a Written Question and when he got the answer he highlighted that to me and obviously the answer was missing. I now hand over the correct answer.

Answer to Question 11/2015

Community Use 2014/15
BISHOP FITZGERALD SCHOOL

DAY	TIME	GAME	ORGANISATION
MON	6pm - 8pm	Calanetics	Calanetic Club
	8pm - 10pm	Taekwondo	Gibraltar Taekwondo Association
TUES	6pm - 8pm	Calanetics	Calanetic Club
	8pm - 10pm	Taekwondo	Gibraltar Taekwondo Association
WED	6pm - 10pm	Taekwondo	Gibraltar Taekwondo Association
THURS	6pm - 8pm	Calanetics	Calanetic Club
	8pm - 10pm	Taekwondo	Gibraltar Taekwondo Association
FRI	6pm - 10pm	Taekwondo	Gibraltar Taekwondo Association

**Q12/2015 Cultural grants awarded –
Financial year 2014/15**

Clerk: Question 12, the Hon. E J Reyes.

1155 **Hon. E J Reyes:** Can the Minister for Culture provide updated details of any cultural grants awarded so far pertaining to the financial year 2014/15?

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

1160 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Yes, Mr Speaker, I now hand over to the hon. Member opposite details of all cultural grants awarded so far appertaining to this financial year 2014/15.

Schedule to question No. 12/2015

CULTURAL GRANTS, APR 2014 - JAN 2015

Gibraltar World Music Festival - Sponsorship, Gibraltar Productions Ltd	£15,000.00
Dragonfly Arts Ltd - So'lo comedy show performance, 11 July 2014	£5,750.00
Patricia Lubyche - Flight, accommodation, travel expenses and subsistence to accompany son to Summer School in New York	£3,000.00
GNDO - World Show Dance Championships (Prague), European Showdance Championships (Riesa Germany) plus International Dance Organisation Licence & Workshops in Gibraltar	£8,700.00
Gib Photographic Society - Replacement of computer system	£1,800.00
Gibraltar Sea Scouts Band - New Ross Canister System kit for bagpipes and drumming equipment	£600.00
M/O Productions - 13th Gib International Dance Festival/Dance World Cup Portugal/Sussex	£6,700.00
Stylos Dance Studio - Participation at Dance Excellence 2015	£6,000.00
Allegro Music Productions - Gibraltar Festival for Young Musicians 2015 plus woodwind instruments to develop a Gibraltar Youth Orchestra	£6,411.00
Kings Chapel Singers - Sheet music for new repertoire	£1,340.35
Santos Productions - Participation in World Choir Games, Riga Latvia	£7,000.00
Gibraltar Philharmonic Orchestra - Woodwind instruments to develop a Gibraltar Youth Orchestra	£10,000.00
Gibraltar National Choir - Creation of a website, laptop to store tracks, purchase of tracks plus sheet music	£500.00
Andrew Felices - Elmhurst School for Dance, School Tuition Fees for daughter, Janice Felices	£3,000.00
Gib Re-enactment Society - Repairs, refurbishment plus additions to kit and weapons	£350.00
Gib Face & Body paint Association - 3rd Annual Face & Body Painting Festival, 17th - 20th April 2015	£2,882.50
Gibraltar Arts & Crafts - Works for community projects	£1,750.00
1st/4th Scout Group - Upkeep and purchase of musical instruments	£1,334.00
Manuel Ruiz - Payment in respect of a book grant for FY 2014/15, "Life in Gibraltar's Patios"	£929.00
Group 2000 - Poetry recital	£76.45
It's 3 o'clock Somewhere Entertainment Ltd - Fringe Festival 2015 funding	£5,000.00
Gibraltar Re-enactment Society - Additional grant for uniforms and equipment	£350.00
Gibraltar Interfaith Group - Interfaith Calendar	£996.50
Andrew Felices - Elmhurst School for Dance, School Tuition Fees for daughter, Janice Felices	£2,000.00
GFSE - Sponsorship for Rock Chef prize money	£2,000.00
Sonia Golt - Book grant	£1,600.00
Tracey Lee - Book grant	£9,650.00
Michelle Olivera - World Beauty Fitness & Fashion London	£350.00
Gibraltar Interfaith Group - Cultural Grant iro Interfaith Calendar	£996.50
Andrew Felices - Cultural Grants on behalf of Janice Felices iro dance academy	£12,000.00
GFSE - Sponsorship for Rock Chef prize money	£2,000.00
Sonia Golt - Being payment for book grant	£1,600.00
Tracey Lee - Cultural grant iro book grant	£9,650.00
M Olivera - Cultural Grant for iro World Beauty Fitness & Fashion London	£350.00
Geraldine Celecia - Being payment for Cultural Grants for Danza Academy	£5,850.00
Charles Trico (Printers) Ltd - Book grant	£9,500.00
Gibraltar Productions Ltd (GWMF) - Sponsorship for Gibraltar World Music Festival 2015	£20,000.00
Gibraltar Savings Bank - Grant for Re-enactment Society	£2,088.00
Rumbert Hernandez - Being payment for book grant	£2,407.00

Mr Speaker: It is a lengthy schedule. Perhaps we can go on to the next question and come back to this one, if necessary.

**Q13/2015 Heritage sites –
Works undertaken; details**

1165 **Clerk:** Question 13, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Heritage provide details of all works, together with a breakdown of respective cost undertaken at any heritage related site, since the answer provided to Question 732/2014, stating by whom these works were carried out?

1170 **Clerk:** Answer, the Hon. the Minister for Sports, Culture and Youth.

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Further to the answer to Question 732/2014, further works undertaken at Heritage sites inclusive of costs and works carried out is – and I will read it, Mr Speaker, as there is only one – the site at the Devil’s Tongue Battery. The works were cleaning, general repairs and paintwork. The contractor was Casais and the amount was £12,839.50.

Mr Speaker: Perhaps I suggest we deal with the next question from Mr Netto and then Mr Reyes can come back if necessary.
1180 Mr Netto, please. Question 14.

**Q14/2015 Advertising in Spain –
Source of funding; costs involved**

Clerk: Question 14, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Government say if any funds from the Ministry for Sports, Culture, Heritage and Youth, or through the Kings Bastion Leisure Centre, has been spent on advertising in Spain, via television, radio or press; and, if so, please provide the amount since January 2012, specifying the name of the media outlet and the date or dates of each individual payment?

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

1190 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the answer to this question remains the same as those of a similar nature relating to questions asked to the Chief Minister in previous Parliamentary sessions, and that is that HM Government of Gibraltar continues to believe that sharing information of this nature publically is not in the public interest of Gibraltar.

1195 **Hon. J J Netto:** Mr Speaker, the reason why I have asked this question is because probably in the previous questions that the Hon. Minister has just stated, there was a change between questions and answers and supplementary questions and answers in which in fact the Hon. Chief Minister did say that some funding emanated from either the Ministry or the Kings Bastion Leisure Centre. So it is as a result of the statement made by the Hon. Chief Minister that I am now posing the question.

1200 So there seems to be an acknowledgement, at least on the part of the Government, through the Chief Minister, that such payment has materialised, either through the Ministry for which the Minister is responsible or the Kings Bastion Leisure Centre. All I am trying to do is to see – now that I have this confirmed – what amounts and to what particular entity is concerned. So I am not trying to open any new ground; it is ground that has been opened by the Chief Minister.

1205 **Hon. S E Linares:** Mr Speaker, I do not recall when the Chief Minister has said that, because I have here *Hansard* to Parliament in which he did state and that is why I have answered the question in the manner I have, and there is no mention of Kings Bastion Leisure Centre at all. The answer remains the same.

1210 **Hon. D A Feetham:** Mr Speaker, yes, but can I just ask a question in relation to Government policy, because the hon. Gentleman, in his answer, portrays a situation as if Government policy were exactly the same for all Government Ministers? But actually the Hon. Minister Costa has provided us with details of advertising in Spain, on the radio and in the press in Spain, in relation to his own Ministry.

1215 What is the difference between Minister Costa’s approach, which I commend to the House, which is open, transparent and providing us with that information and the approach of the hon. Gentleman in relation

to his own Ministry. I just do not understand what the difference is and perhaps the hon. Gentleman might want to explain that to me.

1220 **Hon. S E Linares:** Mr Speaker, the simple answer is no, I am not going to explain it, because the Chief Minister actually did that, made the explanation and this discussion was already had when the answer to Question 462/2014 was answered by the Chief Minister. So therefore I am not going to get into the same debate now as has already been had here in this House.

1225 **Hon. D A Feetham:** Mr Speaker, can he at least answer this, without identifying I am not asking him to identify who the recipients of any funding have been, but can he at least confirm or deny that there has been funding by his Ministry in relation to Spanish press and radio in relation to the subject matter of this particular question, Kings Bastion etc?

1230 **Hon. S E Linares:** Mr Speaker, the answer remains the same as I stated at the beginning.

Hon. D A Feetham: But, Mr Speaker, I just simply do not understand the answer.

1235 If you tune into Spanish radio, I think it is *Cuarenta Principales* I cannot remember exactly which one it is, but there is clearly advertising on that radio station in relation to Kings Bastion. So in the very least he could say to me, 'Well, look, it is public knowledge that this particular radio station does advertise Kings Bastion'. What is the state secret? What is the big national point of public importance and national interest in the hon. Gentleman effectively giving me a non-answer to the question?

1240 **Hon. S E Linares:** Well, Mr Speaker, he has already answered the question himself. Why am I now going to... He says he is listening to *Los Cuarenta Principales* and he hears that that there are adverts for Kings Bastion Leisure Centre Limited. Why then ask the question? You know the answer. Why do you want me to tell you? I do not hear the *Cuarenta Principales* I do not tune into those radio stations. So if he does and he has heard it, there is the answer.

1245 **Hon. D A Feetham:** Mr Speaker, of course the hon. Gentleman is a model of patriotism for not listening to *Cuarenta Principales*, a radio station in which his Government advertises Kings Bastion. I have to say, Mr Speaker, that is a contradiction in the same sentence if ever I heard one (*Laughter*).

1250 But, Mr Speaker, well at least perhaps he can answer this: is the advertisement of Kings Bastion on Spanish radio the only advertisement that his Ministry places in the Spanish media? At least he can say that. He can say, 'Well, no, it is'. I am not pressing him further where, but can I press him to at least say to me 'Yes, that is exclusively what we do' or 'No, there are other areas, but I am not telling you'?

1255 **Hon. S E Linares:** No, Mr Speaker, when he says that I contradict myself, I do not contradict myself and it has nothing to do with nationalism; it is to do with the hard work that I do and I do not have time to listen to *Los Cuarenta Principales* and that is the issue because if I had time, I would be listening to *Cuarenta Principales* because I would be listening to music and I would try and see which type of music I could bring to the successful music festival. So therefore the premise of nationalism and all that is just an invention of his.

1260 As to being advertised in other media, well, it seems that if he listens to radio and reads all these newspapers, wherever they are, it is exactly where Kings Bastion Leisure Centre Limited advertises.

1265 **Hon. D A Feetham:** But, Mr Speaker, with respect, the point I quite understand. There might be an argument in relation to public interest of not giving me the exact amounts that the Government advertises on this particular radio station or in that particular newspaper, it provides that information to Gibraltar in relation to the Gibraltar media, but it might choose not to do so, despite the fact that the Hon. Minister Costa did provide that information in a question that I asked.

1270 I quite understand that there might be an argument, a difference, but I am asking him where are you advertising, and that cannot be of national interest. If the answer is, 'Well, you should find out by reading every single newspaper in Spain', that is not an answer. It is not a reasonable answer that a reasonable Minister coming to this House, discharging his obligations, as he must, to the people of Gibraltar in providing reasonable information, it discharges... it cannot possibly.

1275 So therefore, can I press him one more time, the final time, for at least for him to answer my original question or at least the *areas* where the Government, through his Ministry, is advertising in the Spanish press?

Hon. S E Linares: No, sir.

**Q12/2015 continued –
Cultural grants awarded –
Financial year 2014/15
Supplementary questions**

1280 **Hon. E J Reyes:** Thank you, Mr Speaker. Can I please ask the Hon. Minister, is it a question of... how
can I put it – a question of an error of a repetition of some of the figures provided in his system. If I look,
for example, the figures coincide, the name of the recipients coincide, and if one looks towards half way
down the page, Andrew Felices, Elmhurst School of Dance, there is £12,000 and just six lines further down
it is the same name for exactly the same quantity. Is it that the entry has been duplicated, as a simple human
1285 clerical error, or that two payments, indeed a third one as there is one further up the page for £3,000, and so
therefore the grand total is £27,000 and does that correspond to one academic year or to more than one
year?

The same thing happens when we come to Sonia Golt book grant and Tracy Lee book grant and so on –
it is exactly the same figure. Is it because they were 50% payments on each occasion or does the Minister
1290 perhaps need time to double check that it is not a simple repetition?

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, I can explain the
Andrew Felices issue, which is for Janet Felices, and if the hon. Member remembers the Chief Minister
announced that there will be two cultural grants given to two individuals, who were like elite cultural
1295 persons like Dance and all that and therefore it could well have been that it was given before the financial
year, because it goes from April to January, and it was agreed in the previous financial year, the first
£12,000, but not paid until *this* financial year. So it is not quite a double up.

As to Tracy Lee and Sonia Golt, I will check whether it is a double up, because if I remember correctly,
with Janet Felices, we gave her an initial £3,000, but then it was agreed that she would get as a grant, the
1300 sort of thing like an education grant, but a cultural grant, because the Chief Minister had announced it, and
therefore they probably invoiced the previous year's or at least some part of it from the previous year.

Like I said, as to Sonia Golt and Tracy Lee, I will check on this.

Hon. E J Reyes: Yes, I am grateful that he is going to check on that one.

1305 Can I then come back and hone in on something Mr Speaker, about six lines down, the MO Productions,
13th Gib International Dance Festival/Dance World Cup Portugal/Sussex, is Sussex a reference to
Portugal? Otherwise, if it stands alone, we do not quite know what Sussex was. The other one does say it is
a Dance World Cup, but I have no idea what Sussex is. The Minister may need time to go into that one.

I come back to another issue, the Gibraltar Re-enactment Society has an additional grant for uniforms,
1310 which was £350, and so one would take it that is in addition to another figure given, but it does much
further up, which was repairs, refurbishments plus additions to kit and weapons. So they all seem to be
additions so what was the original source. If you are adding something then you are adding it to what had
been granted or is that what is on the penultimate line of the page where Gibraltar Savings Bank. Why is
Gibraltar Savings Bank receiving any grant? I think there is a very logical explanation for that, but for the
1315 sake of the record and for clarity, if the Minister could enlighten us on that.

Likewise, four lines from the bottom, a printer has been given a grant. I think what the Minister means
there is that the printer was paid in respect of, logic would say, printing a book; but printing a book, there is
no entity of what the book was.

I will accept, Mr Speaker, with your leave that the Minister may need time and I do not want to delay
1320 the other questions. He could come back to this House before we adjourn *sine die*, otherwise we do not
have that for the record and I do need it, especially when it comes to budget time for the future, to see
where the monies have been spent.

Hon. S E Linares: Yes, Mr Speaker. I thank the hon. Member for highlighting these and I will be
1325 questioning all those. For example, like the hon. Member rightly says, Charles Trico (Printers), it must have
been somebody who wrote a book and has actually contracted or done it through Trico Printers and
obviously this list is... the cheque or the PV has passed to Trico Printers. Likewise with the Gibraltar
Savings Bank and probably the Re-enactment Society have accounts or something there and the money has
gone through there, but it is not clear and therefore I will go back and ask to whom or which entity and to
1330 explain these things.

**Q15/2015 Gibraltar Music Festival –
Mega Concert; further expenditure**

Clerk: Question 15, the Hon. D A Feetham.

Hon. D A Feetham: Can the Government please state whether it has paid any further expenditure in respect of the Mega Concert since this question was last asked?

1335

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

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, since my last answer, a further expenditure of £29,875.12 has been made in respect of the Gibraltar Music Festival.

1340

Hon. D A Feetham: Is that net or gross?

Hon. S E Linares: That is net. If you are saying that it has been counted out with the revenue, no, it has not. This is expenditure, purely expenditure.

1345

Hon. J J Netto: May I ask, Mr Speaker, I could have got the wrong thing, the Minister has just mentioned that the £29,875.12 in respect of the Music Festival, but that is a totally different festival to the one that appears first in the schedule that he gave me in answer to Question 12, where it says, 'Gibraltar World Music Festival, £15,000'. Am I correct in assuming they are totally unrelated?

1350

Hon. S E Linares: Yes, sir, they are completely different; it is two different entities that organise two different things.

HEALTH, THE ENVIRONMENT AND ENERGY

**Q16/2015 GHA Eating Disorder Programme –
Access to programme; details**

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

1355

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain the protocols involved to access the GHA's Eating Disorder Programme and what the programme entails?

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

1360

Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes): Mr Speaker, if you would first of all allow me to say what a pleasure it is to hear the Clerk announce the hon. Member opposite and we have missed her and clearly as somebody who has had to answer her questions, I personally have also missed her and I am so glad to see her here. **(Several Members: Hear, Hear.)** *(Banging on desks)*

1365

Mr Speaker, referrals from the doctor are normally made to the dieticians and psychologists simultaneously and the patients, whether adults or children, are advised and/or treated accordingly and there is a good communication within the team in order to deal with these.

**Q17/2015 GHA Review Report –
Publication date**

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

1370

Hon. Mrs I M Ellul-Hammond: Mr Speaker, if I may first say that it is a pleasure to be asking the Hon. Dr. John Cortes questions again and thank him for his very kind words.

Mr Speaker, further to Written Question 233, can the Minister for Health state when exactly the GHA Review Report will be published?

1375 **Clerk:** Answer, the Hon. the Minister for Health, the Environment and Energy.

Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes): Mr Speaker, the prepared answer is a bland no, sir, but I think I can expand that, with your permission.

1380 I had explained in the past that we were not going to publish it until we had reformed the structure of the DHA and that process is now fortunately complete. So it is now a question of doing so and we are preparing to publish it, there is no other impediment than that, and whereas I cannot give an exact date, it will not be long now because it is now a question of actually getting it out. I thought that might be helpful.

**Q18/2015 St Bernard's Hospital –
Provision of meal service**

1385 **Clerk:** Question 18, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health say if the Xanit Hospital model of food distribution and/or the providers of their meal service is, or are being considered for food distribution at St. Bernard's Hospital?

1390 **Clerk:** Answer, the Hon. the Minister for Health, the Environment and Energy.

Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes): No, sir, we are not considering that at the moment.

1395 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, so can the Hon. Minister confirm that the bulk meal service is a model that will be followed and plated food will be phased out?

1400 **Hon. Dr J E Cortes:** Yes indeed, Mr Speaker. The intention is with the move to the new kitchen facility on site that we will now be phasing out the plated food service and revert to the more traditional, and I believe better, bulk food which is served on the spot so to speak. We are hoping to be able to pilot this in one of the wards in advance of the new kitchen, just to make sure that we have got our systems and so on in order. So that is the intention.

1405 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, just a couple of supplementary questions. The pilot that will be started is, I believe, at John Ward, can the Hon. Minister say when the pilot will start? Also, is the intention to offer a choice of different foods, because different people have different dietary requirements? Also, will the foods prepared in the new kitchen be providing food for other social services – for instance, the prison and so on?

1410 **Hon. Dr J E Cortes:** Yes, Mr Speaker, if I start with the last one, yes, the new catering facility will continue to provide a variety of locations with the food.

The other question as to when the pilot will start, I could not say exactly. I do know that it was going to start in January and it may well be about to happen. We needed just to tweak some of the equipment which is clearly different equipment to the one that has been used before.

1415 I cannot recall the third question, if you would just repeat that.

Hon. Mrs I M Ellul-Hammond: Different choices of food.

1420 **Hon. Dr J E Cortes:** Yes, when the new facility comes in closer, then the intention is to provide the ability to choose food by the patient.

**Q19/2015 New prostate cancer clinic –
Details of GP and Consultant Surgeon protocols**

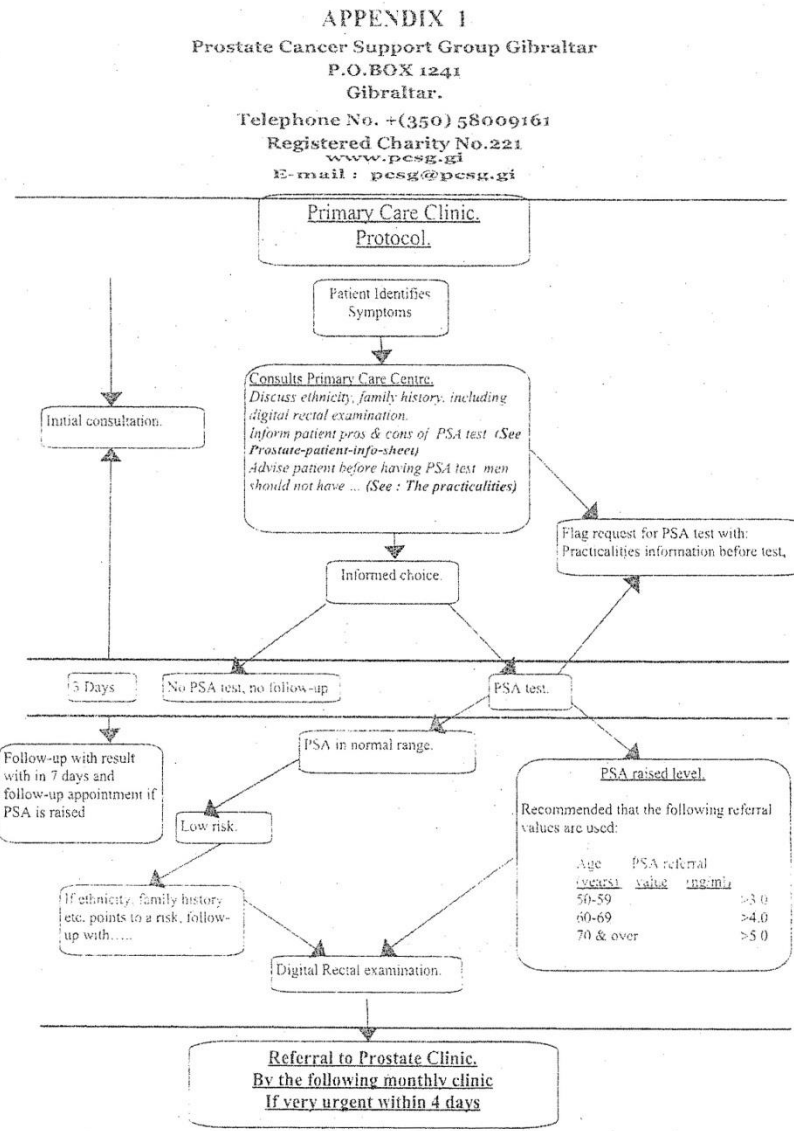
Clerk: Question 19, the Hon. Mrs I M Ellul-Hammond.

1425 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Written Question 242, can the Minister for Health state what the prostate cancer GP and Consultant Surgeon protocols are now that the new clinic has been established?

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

1430 **Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes):** Mr Speaker, the protocols are described in the schedules that I now hand over. As would be seen from these schedules, they have been produced in conjunction with the Prostate Cancer Support Group.

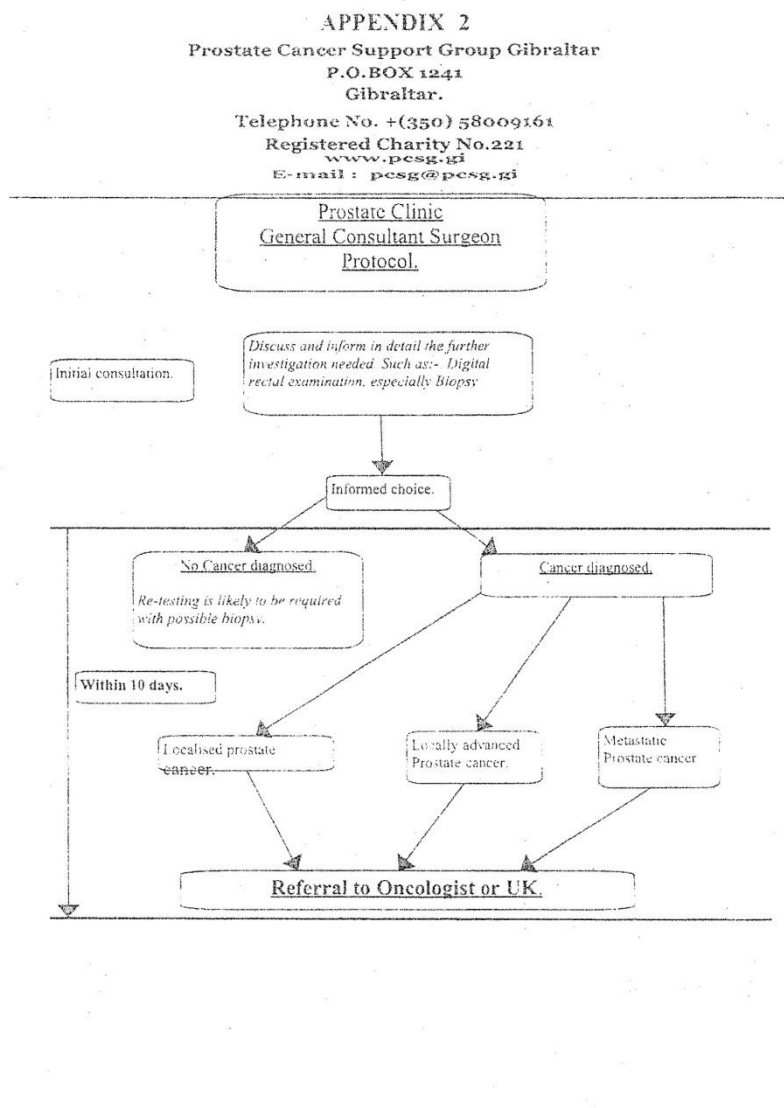
Schedule Answer to Question 19 of 2015



Main Sponsor

2012/2013

Schedule Answer to Question 19 of 2015



Main Sponsor

2012/2013

Hon. Mrs I M Ellul-Hammond: Mr Speaker, while I wait for the schedule, if the Hon. Minister could confirm whether PSA testing will be used as a screening programme. I understand there is controversy about the use of PSA testing because evidence shows that it produces a lot of false positives and so it may be unreliable. So if the Hon. Minister can reassure us that that is not going to be introduced yet without very close and careful consideration.

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

PSA will not be used as the screening method, because as the hon. Member has pointed out, this can give false positives and without proper counselling, particularly, can create unnecessary alarm, although clearly PSA is an indicator.

Therefore these tests will be carried out in consultation with the doctor and with the patient being fully informed as to the consequences and the different things that can cause an elevated PSA test.

1445 There will be some patients who will be monitored with regular PSA, but, as I say, this is very much a patient-by-patient issue between the patient and his medical practitioner.

**Q20/2015 Bonita Trust –
Purchase of MRI machine for GHA**

Clerk: Question 20, the Hon. Mrs I M Ellul-Hammond.

1450 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say if it is true that the Bonita Trust was prepared to buy the GHA an MRI machine, but this was rejected?

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

1455 **Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes):** Mr Speaker, not in the time since we were elected, certainly, not that I am aware of. It has not come to me.

**Q21-23/2015 Waste management strategy –
Hazardous waste exported to Gamasur, Los Barrios**

Clerk: Question 21, the Hon. J J Netto.

1460 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment please provide an explanation as to why there was a sharp drop in the collection of glass, paper/cardboard in February 2013 as shown in the Gibraltar Waste Management Plan 2013, on page 33?

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

1465 **Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Questions 22 and 23.

Clerk: Question 22, the Hon. J J Netto.

1470 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment say the amount of hazardous waste sent to Gamasur, Los Barrios plant in 2013 and 2014 in tonnage in relation to waste blasting material containing dangerous substances?

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

1475 **Hon. J J Netto:** Mr Speaker, is the Minister for the Environment aware that the Gamasur facility plant in Los Barrios is being investigated by the Spanish Prosecution Service and *La Junta de Andalucía* for alleged serious breaches to Spanish environmental laws and what independent verification does the Minister locally have that hazardous waste from Gibraltar to this plant is being safely disposed of in accordance with European Law?

1480

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

1485 **Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes):** Mr Speaker, the figures for the collection of glass and paper or cardboard are based on the figures of recyclates exported to the recycling facilities in Spain. These are summed up for each calendar month.

1490 While the figures for February indicate a sharp drop in the collection of the recyclates, this can be explained by there being fewer recyclates *exported* in this particular month and not necessarily a decrease in the amount of glass and paper/cardboard recyclates deposited locally by the community. It could be that being a shorter month there were fewer deliveries in February and therefore it is an artefact of the way that it is calculated.

In answer to Question 22, the total amount of hazardous waste sent to *Gamasur Los Barrios* plant in 2013 and 2014 concerning waste blasting material containing dangerous substances was 3,444.844 tonnes and 2,265.58 tonnes respectively.

1495 In answer to Question 23, we are aware, although not directly, that there is currently an investigation into the plant; however, neither the Ministry for the Environment nor the Environmental Agency, which is competent authority for the export of waste, have received any official notification from the *Junta de Andalucía's Consejería de Medio Ambiente, Dirección General de Prevención y Calidad Ambiental, Servicio de Residuos y Calidad del Suelo*, that the *Gamasur* facility in *Los Barrios* is being investigated or is in breach of European Law. Should the facility be found to be in breach of any applicable laws, the Ministry will then take appropriate action.

1505 **Hon. J J Netto:** Mr Speaker, in relation to the answer provided by the Hon. Minister to the last question, Question 23, the reason why I posed this particular question is because after doing a quick search in Google, I found an article – I do not know whether the Minister has got the same article at his disposal – in the Spanish Newspaper *El Pais*, which came out on 8th January 2015, basically where it stated under the title '*Un Vertedero, fuera de control*' a Rubbish Dump Out of Control', whereby both the Spanish Prosecution Service and the *Junta de Andalucía* was completely concerned about many environmental laws being breached by this particular company at this particular plant.

1510 In fact the article goes on to say that the *Junta de Andalucía* is I think proposing – perhaps not done so far – a fine of €6.12 million to the company as a result of breaches to environmental laws. So given that we have clearly a duty of care in relation to whatever waste we export to this particular plant as we do to other plants indeed, it is important that we follow this as much as we can possibly do to ensure that we have safe disposal.

1515 So if the Minister is not aware, perhaps I can give him the details of the article and indeed come to the bottom of it and ensure that we do our very best in relation to the safe disposal.

1520 **Hon. Dr J E Cortes:** Yes, Mr Speaker, we share the same concern. I have not seen that particular article so I would be grateful for a copy, although I am aware. In fact I can say that officials from the Department of the Environment have enquired to officials in the *Auntamiento de Los Barrios* and we are in fact in conversations and awaiting more information.

1525 **Hon. J J Netto:** Mr Speaker, just to say that I will make a photocopy right now and pass it on to the hon. Minister for his attention.

Q24/2015 New Waste Treatment Facility – Production of electricity; portable water; bio diesel; syngas

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

1530 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment state if the new Waste Treatment Facility to be constructed will produce any of the following: (a) electricity and, if so, how much; (b) portable waste and, if so, how much – I am not sure whether (b) should be portable waste or portable water. It should have been portable water and that is a typographical mistake – and (c) bio diesel and, if so, how much and (d) syngas and, if so, how much?

1535 **Clerk:** Answer, the Hon. the Minister for Health, the Environment and Energy.

1540 **Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes):** Mr Speaker, at this stage it is not possible to state what the by-product or products of the Waste Treatment Facility will be, given that the tender process is ongoing. This information will become available once the tender is awarded.

1545 **Hon. J J Netto:** Mr Speaker, I take on board the answer provided by the Hon. Minister, but what I cannot reconcile, at least in my mind, is that when I look at the Waste Management Plan, which the Hon. Minister gratefully sent to me, it is a plan that was issued in January 2013, and if the Hon. Minister goes to page 78, after talking about the future Waste Management Plan in Gibraltar it did say that Government has required that the tendering process has the capability of all the things, which I have said. Then he goes on to say that the tender process was started in February 2013, when the advert was published in the Official Journal of the European Union and it goes on to give the number of the contract. The tender process has now closed and the tender submissions are now being reviewed and assessed by the Government and so something must have happened for this particular process to have been stopped for some new reason. So perhaps can the Minister inform the House what has happened here?

Hon. Dr J E Cortes: Certainly, without any problem at all, Mr Speaker.

1555 The tender process resulted in two companies, who came up with some of the conditions that had been required, but neither was found to fulfil and therefore that tender was not proceeded with. The companies were informed and the tender was then reissued and we are now in the closing stages of the second tender. There have been more expressions of interest and they seem to be providing what we require. So that tender process stopped and we issued a new one.

1560 I can confirm that one of the requirements of this tender is that the proposed treatment includes for one or several of the following, which is largely what the Member opposite has asked: generation of electricity and/or production of portable water – and I take it that that was a typographical error; the production of bio diesel; the production of syngas; and the disposing of *ad hoc* waste including saline sewage sludge.

But we are now quite advanced in the second round of tenders because the first one did not provide one that would have fulfilled these environmental requirements, and that is the reason for the delay.

1565 **Hon. J J Netto:** Mr Speaker, just for my own benefit to try and get this right, back in November... I think it was November – I asked the question about how was the municipal waste treatment plant proceeding and the Hon. Minister in his reply said that we were currently – then in November – in the pre-qualifying questionnaire stage. Has that process now finalised? At what stage are we right now in relation to the tender process? When is that likely to close? When is it likely that the Government is going to consider or the Procurement Office consider the different bids in relation to the tender and whether the Government still holds to the view that the target date for completion of the plant is still, as stated in November, at the end of 2015?

1575 **Hon. Dr J E Cortes:** Yes, Mr Speaker, it is a legitimate supplementary or perhaps a little bit more, because the question was whether the treatment plant would produce the following. Therefore I do not have the timescales in front of me and so I am talking from memory and I may be one or two weeks out of date.

We have gone through the pre-qualification. A number of companies, and I will pick up a figure, I think it was seven qualified and have now been to Gibraltar at least some of them, if not most of them have been to Gibraltar to look at sites and so on and I think we are now just weeks away from the final stage.

1580 The intention is still, because of the technology that we are looking at, to... I am still hopeful that we will be able to deliver by the end of this year; if not, very early in the next year. But obviously this is something that is all subject to all the usual nuances of this kind of process, but we are certainly further along than we were in November.

1585 **Hon. J J Netto:** I am grateful, Mr Speaker.

So to round up, can the Hon. Minister provide the House with an idea as to when the current tender process is going to be completed so that the Government will be able to know which of the particular bids tendering will be able to provide either electricity, portable water, bio diesel or syngas? When will the Government be in a position to know when is this likely to emerge so that I do not have to come every single month and ask the question to the Minister and so I can leave the question until such time as the Minister may think the process has completed and therefore I can ask the relevant question?

1595 **Hon. Dr J E Cortes:** Yes, Mr Speaker, as I am not directly involved in the tender, I do not have the answer, but I am happy to provide it if he calls my office or writes to me, as he often does, I will be very happy to inform him where we are exactly in the process, rather than approximately which is all that I am able to do now.

Q25/2015 British Gibraltar Territorial Water – Fish stocks; collection of data

Clerk: Question 25, the Hon. J J Netto.

1600 **Hon. J J Netto:** Mr Speaker, further to the supplementary answer given to Question 643/2014, can the Minister for the Environment please say how the collection of the data with regard to fish stocks in British Gibraltar Territorial Water, is progressing?

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

Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes): Mr Speaker, the collection of fish stock data within British Gibraltar Territorial Waters is still in its early stages, but nevertheless progressing well.

The Department of the Environment is in regular contact with the local fishing clubs who are providing valuable information on fish stocks. This will be used to develop a fisheries database, together with the data that will become available as part of the fish tagging programme. One of the key developments in this area has been the creation of the Fishing Working Group, which met on 16th December 2014. The Fishing Working Group forms the ideal platform to discuss any issues of relevance to the sustainable management of fish stocks, including the provision of fisheries data.

Hon. J J Netto: I am grateful, Mr Speaker, but could I perhaps press the Minister a bit further? He did say in his answer that the collection of the data was in its early stages, that is what he said, and that was in fact is what he answered, I think it was, back in November as well.

What I want to try and put together is a picture where we are able to see by when the data will be sufficient to be analysed? Yes, the data to have been sufficiently great to be analysed and conclusions drawn from such data, to be able to inform the Government as to the renewal of licences in relation to fishing in the various categories within the legislation. So can he provide the House with a bit more information as to when the data is likely to be concluded so that an analysis can take place?

Hon. Dr J E Cortes: Mr Speaker, this is a totally new initiative. There has never been such a collection of data and in order for data to be reliable they have to go on for a long time – I would say years more than months. However, as soon as we have a few months' worth of information, we can take some preliminary views, although they would not stand a statistical test.

This is the beginning of a long process; however in the fullness of time, if I may use that term, clearly it will allow us to make a much more informed decision on the potential use of our waters for fishing in every kind of way. But it is very early days yet and I cannot commit myself to a date.

Hon. J J Netto: Mr Speaker, indeed, yes, there is a lot of work to be done and I take that on board, but is the Minister confident that by the time the renewal of the fishing licences, which have to take place every three years, the data will be collected and long analysed before the Government take a decision on the renewal of such licences?

Hon. Dr J E Cortes: Well, I would like to think that in three years' time two things will have happened, and one is that we have sufficient information at least to take a view, even though clearly, for statistical significance you need a long time and a lot of data. The other thing, I hope that I am still Minister for the Environment so I can answer questions on this particular topic.

Q26/2015 New fishing regulations – Details

Clerk: Question 26, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for the Environment say if the new fishing regulations have now come into force and if not, when?

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

Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes): Mr Speaker, the Marine Protection Regulations 2014 came into force on 1st January 2015.

Q27/2015 European Commission – Complaints received

Clerk: Question 27, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, following the favourable statement made by the European Commission in dismissing the latest complaints made by a Spanish political party with regard to the reclamation of the East

Side Project, can the Minister for the Environment say if this is now the last complaint to be considered by the Commission or if there are more in the pipeline?

1655

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

Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes): Mr Speaker, Her Majesty's Government of Gibraltar is not aware of any further complaints that may be in the pipeline.

1660

**Q28-29/2015 Environmental Agency –
Inspections of ship building/marine repair companies**

Clerk: Question 28, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for the Environment and Health say on how many occasions has the Environmental Agency inspected companies in the ship building/marine repair industry sector during 2014, broken down by companies and dates and what the finding of such inspections have concluded?

1665

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

Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes): Mr Speaker, I will answer this question together with Question 29/2015.

1670

Clerk: Question 29, the Hon. J J Netto.

Hon. J J Netto: Can the Minister for the Environment and Health say if employees of the Environmental Agency have inspected recently the dry docks, arising from complaints made by the residents in the nearby area and if so, provide Parliament with a statement of their findings?

1675

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

1680

Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes): Mr Speaker, the Environmental Agency inspects Gibdock the only ship building marine repair company presently operating in Gibraltar. Inspections are carried out to ensure compliance with their waste licence issued under Part VA of the Public Health Act and when members of the public lodge complaints on alleged nuisances.

1685

A breakdown of the visits undertaken by the Agency in 2014 for both waste licensing issues and general complaints lodged by the public is provided in the schedule that I now hand over.

In answer to Question 29, which is very closely linked, a statement of their findings has been included in the schedule that I am handing over.

ANSWER TO QUESTION 29**Answer to Question No. 28/2015**

Table A. Waste licensing.

Date	Remarks
17.2.14	General waste inspection. - Improvements to be done to waste point storage. - Area of sludge oil containers to be tidied and sorted.
6.3.14	Waste meeting discussion.
14.3.14	Waste meeting re: TFS MV Pilsenlake
3.4.14	Meeting and visit re: items as raised 17.2.14 now completed
24.4.14	On-site visit re: barnacles smells issue.
24.4.14	Meeting re: barnacles smells issue.
5.5.14	Visit re: TFS barnacles smells issue.
19.5.14	Oily water loading for TFS.
17.6.14	EA meeting re: licence renewal.
23.10.14	General site visit – no issues of note. Grit loading supervised prior to export.

Table B- General complaints from the public.

Date	Complaint	Findings/Action
14.1.14	Flotsam. Inspection regarding flotsam and oil in the area directly outside the dry docks.	Upon investigation it was discovered that the flotsam and oil must have come in with the current and did not come from Gibdock.
18.3.14	Noise. Inspection of catamaran which had been a source of a noise complaint the night before.	Gibraltar explained that this was a discrepancy as workers had continued banging when instructed not to.
30.7.14	Noise. Noise from Grimaldi ventilation system.	Ventilation on to remove fumes from welding. They were switched off.
12.11.14	Noise. Banging during silent hours.	Had ceased by the time the officer arrived.
4.4.14	Smells. Paint smells	No significant overspray and clearly as a result of curing process.
23.4.14	Smells. Paint smells	None detected upon arrival. BAT being used and no overspray.
8.5.14	Smells. Paint smells	Upon arrival no paint smells constituted a nuisance. Could be smelt but not overpowering.
3.10.14	Smells. Paint smells	No strong smells, normal anti-fouling being used and no overspray witnessed.

1690

Mr Speaker: Shall we deal with the next question and then come back if necessary?

TOURISM, EQUALITY, SOCIAL SERVICES AND HOUSING

**Q30/2015 Sandy Bay Beach Project –
Details of total cost**

Clerk: Question 30, the Hon. D J Bossino.

1695 **Hon. D J Bossino:** Can the Minister for Tourism please provide details of the total cost of the Sandy Bay Beach Project?

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

1700 **Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the cost is broken down as follows: construction of groynes and breakwater , £7,370,799.80; beach replenishment, £1,441,590.00; additional sand supply, £117,737.46; design costs, £49,088; environmental impact assessment, £51,211; consultancy/supervision services, £25,710; stevedoring costs, £41,449.

1705 I trust that the hon. Member will agree that this was money very well spent.

**Q31/2015 Tourism Department –
Advertising expenditure; details**

Clerk: Question 31, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism provide details of further advertising expenditure in relation to the Tourism Department since asking Question 474/2014?

1710

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

Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, the information requested is contained in the schedule being handed over to the hon. Gentleman.

1715

ANSWER TO QUESTION 31 OF 2015

DATE	PUBLICATION	AMOUNT
25/09/14	GLOBE MAGAZINE	£180
02/10/14	LA VERDAD MAGAZINE	£4,710
02/10/14	LA TRIBUNA MARBELLA	£4,025
14/10/14	CRUISE TRADE NEWS	£1,400
14/10/14	CRUISE TRADE REVIEW	£2,100
14/10/14	EASYJET INFLIGHT MAGAZINE	£4,525
14/10/14	DISCOVER GUIDE	£1,220
17/10/14	CRUISE BUSINESS REVIEW	£2,374
17/10/14	CRUISE INSIGHT MAGAZINE	£2,650
17/10/14	INSIGHT VISITORS GUIDE	£780
24/10/14	LA TRIBUNA MARBELLA	£4,863
11/11/14	LA VERDAD MAGAZINE	£4,751
11/11/14	EASYJET INFLIGHT MAGAZINE	£4,525
21/11/14	LA TRIBUNA MARBELLA	£4,893
21/11/14	CUNARD YEARBOOK	£3,620
02/12/14	LA VERDAD MAGAZINE	£4,724
09/12/14	EASYJET INFLIGHT MAGAZINE	£4,525
09/12/14	SEA TRADE CRUISE REVIEW	£2,100
16/12/14	THE STRAITS SAILING HANDBOOK 2015	£600
16/12/14	LA TRIBUNA MARBELLA	£4,493

**Q32/2015 Doctor Giraldi Inquiry –
Publication of Report**

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

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services say when the Doctor Giraldi Inquiry Report will be published?

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

Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, a statement in respect of the Report of the Inquiry into the Dr Giraldi Home will be made later today by the Chairman of the Inquiry.

**Q33/2015 Housing Department –
Refurbishment programmes; provision of guard patrols**

Clerk: Question 33, the Hon. E J Reyes.

Hon. E J Reyes: Following on from Government Press Release 504/2014, can the Minister for Housing provide details and relevant information appertaining to the engagement of high visibility guard patrols in residential areas where refurbishment programmes are in progress, together with details of cost and what co-ordination arrangements have been made with the Royal Gibraltar Police?

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

Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, following on from Government Press Release 504/2014, a security company was engaged to provide this service. Laguna Estate, Glasis Estate and Moorish Castle Estate are patrolled daily between the hours of 8.00 p.m. and 8.00 a.m. The cost of this service is an average of £10,300 per month.

The arrangements, in terms of co-ordination with the Royal Gibraltar Police, are the same as that of any other security companies with no different or special arrangement.

Hon. E J Reyes: Mr Speaker, the company that has been contracted and the hon. Lady has said that it covers three housing estates, are there separate guards for each individual estate or are they sharing on a patrol basis, just one patroller and taking it in turns to go round the three estates?

Hon. Miss S J Sacramento: Mr Speaker, I understand it is one guard per estate, although there are separate guards for each estate.

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

Would the Hon. Minister please just take it upon herself, if possible, it seems that, based on the press release, the neighbours who felt that the security guards should have been there for a particular incident could not find a guard and called the Royal Gibraltar Police to try and see how they could best contact the guards. The Royal Gibraltar Police said, or at least the operator answering the phone on that day said that they had no details and no information in that respect. So I am asking the hon. Lady, can she please take it on board that perhaps some notice could be put up within the estate so that if there is a need to contact the security guard, a contact number for them and so on, and that the Royal Gibraltar Police Control Room at least has that information, if possible.

It was in respect of an issue of a winch or something that had come loose and it was not serious enough to have to dial the police emergency number, but the residents found that the other source of avenue, especially after normal working hours, was not available. Could she please give me an undertaking that she will try and look into that?

**Q34/2015 Alameda Estate –
Refurbishment works**

Clerk: Question 34, the Hon. E J Reyes.

1765 **Hon. E J Reyes:** Can the Minister for Housing provide details of all the remaining refurbishment works still to be carried out at Alameda Estate, together with estimated dates when these works will be carried out?

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

1770 **Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, I can confirm that external refurbishment works have been successfully completed to Kingsway House and most recently Red Sands House. Remaining blocks will be done, but not in this financial year. The hon. Member will have to wait for the estimates to be published.

**Q35/2015 Housing Department –
Unpaid rents; amounts written off**

Clerk: Question 35, the Hon. E J Reyes.

1775 **Hon. E J Reyes:** Can the Minister for Housing provide full details of how much has been written off in respect of unpaid rents pertaining to Government rental homes, since the answer provided to Question 745/2014?

1780 **Clerk:** Answer, the Hon. the Minister for Tourism, Equality, Social Services and Housing.

Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, work in this respect is ongoing with the Office of the Financial Secretary.

1785 **Hon. E J Reyes:** Yes, but does the Minister have any details of what sums have been written off since the answer to the question?

Hon. S J Sacramento: No, I do not, Mr Speaker. That information has not been provided and it is not decisions that I take at ministerial level.

1790 **Hon. E J Reyes:** Where can I obtain the information, Mr Speaker?

Hon. S J Sacramento: Sorry, Mr Speaker, I did not hear the question.

1795 **Hon. E J Reyes:** I am asking, the Minister, where can I obtain the information in respect of the sum of monies that *may* have been written off by whoever takes that decision? I am trying to find the right channel where I can pose a legitimate question, Mr Speaker.

1800 **Hon. S J Sacramento:** Mr Speaker, as I understand it, it may be that figures have not actually been written off, as such, but that work may be ongoing with the Financial Secretary. The reason I have no details is maybe because no sums have actually been written off in the period in question, but it may be that some may be written off in the future. I do not know. It is not something that I would deal with at a political level; it is something that is a financial question.

1805 **Hon. D A Feetham:** Yes, but, Mr Speaker, the question is posed to the Minister for Housing and she may not have responsibility for this area, but surely, if a question like this is posed, somebody in the Government benches takes responsibility and ownership of the question and provides the answer. I do not understand why the Government has chosen on this occasion not to provide the answer, because I do not think that it is reasonable for the Minister to just stand up and say, 'It is not my area of responsibility and I do not know', when she forms part of a Government.

1810

Hon. S J Sacramento: No, Mr Speaker, that is not what I have said, because what I have just said is that I do not think that any sums have actually been written off, but it may be that there may be things in the

pipeline and therefore they are being considered by the Financial Secretary. It does not mean that a decision to write them off has been taken. It may be that a decision to write something off may be taken, but, as such, Mr Speaker, I have no details, therefore no sums have been written off as such.

Hon. D A Feetham: Mr Speaker, she talks in terms of maybes, ifs and mays, and effectively what she is really saying is, 'I do not know what the answer to this question is', but somebody surely within the Government benches must know.

It may well be that the answer is that no monies have been written off, which is not the answer that the hon. Lady gave originally. It appears what she is saying now... although it was a terribly circumspect answer, maybe what she is saying now is that there has not been at the moment anything written off, but it is being considered by the Government. Well, if that is the answer then that is the answer, and that is the straight answer that the hon. Lady should give, but what the hon. Lady cannot do is come to this House and talk about ifs and buts and maybes and not take responsibility for providing clarity in relation to an answer to a question that clearly ought to be answered by the Government.

Hon. S J Sacramento: Mr Speaker, I do not think my answer could have been any clearer. If the hon. Gentleman does not understand plain English then you know, Mr Speaker, I do not think how I can make it clearer when I say, first of all, that I have not said that there are any matters being written off. I have said that to my knowledge *none* have been written off, but that matters are ongoing. I do not know how much clearer I can make it to the hon. Gentleman.

Clearly, he has understood what I have just said because he has just read it back to me. So, Mr Speaker, that is the position.

Mr Speaker: Is the Hon. Minister saying that the Office of the Financial Secretary, the Treasury, have not been able to provide her with information in order to answer this question?

Hon. S J Sacramento: Mr Speaker, as I understand it, nothing has been written off, which is what I have said very clearly, but it may be that there are things in discussion, ongoing, as I said in my original answer, that work in this respect is ongoing with the Office of the Financial Secretary.

I have not been given figures of anything that has been written off and therefore on that basis I understand that nothing has actually been written off.

Mr Speaker: By being ongoing, she means that no final decisions have been taken.

Hon. S J Sacramento: Yes, precisely, Mr Speaker. Thank you.

Hon. E J Reyes: Mr Speaker, I do not want to –

Hon. D A Feetham: Mr Speaker, can I just come back because Mr Speaker... his intervention is absolutely correct. The position is very simple –

Mr Speaker: Let me say one thing... my intervention really. Obviously the answer was provided for the 22nd of... there has been another week and there has been a little bit more time available in case information that was not available at the time that the answer was drafted may have become available later, that was what I was trying to elucidate.

Hon. D A Feetham: Yes, I understand because of course the position is very simple, and it is yes there has been something that has been written off or no there has not been. If, as at a week ago or two weeks ago, the position was that nothing has been written off, then that is the answer and the hon. Lady is then perfectly entitled to say, 'It is being reviewed and I do not know what is going to happen in the future'.

But the answers that she is giving us, the ifs, the buts, the maybes and now 'it is my understanding', I just want to get clarity from the hon. Lady that the information that she has been provided with from the civil servants, not her understanding, but the information is that as at the date of this question nothing has been written off. That is the position.

Hon. S J Sacramento: Mr Speaker, I do not know where the hon. Gentleman gets the words 'if', 'but' or 'maybe'. I have said 'none' I think, twice already, if not three times, Mr Speaker – none. But because I am being absolutely transparent, I am also saying that matters are ongoing with the Financial Secretary. How much clearer can I be, Mr Speaker?

**Q31/2015 continued –
Tourism Department –
Further advertising expenditure; details**

Clerk: Question 31, the Hon. D J Bossino.

1875 **Mr Speaker:** We will come back to Question 31 the Hon. Mr Bossino wishes to ask some supplementaries.

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

1880 I just commend the Hon. the Minister for being so transparent and open in providing this information and following in her predecessor's footsteps and perhaps she can advise the Hon. the Minister for Sports to do the same. (*Laughter*)

1885 Mr Speaker, there are certain recipients of funding in respect of which I would wish to ask further questions. Some of them are very obvious in what they relate to – for example *Cruise Trade News* – and it is not just because they happen to be the Spanish ones that I asked this question, but if she could elucidate what the nature of the advertising, which has been undergone in relation, for example, to the payments which have been made to *La Verdad Magazine* and *La Tribuna Marbella*. I think they appear at least on three or four occasions and they receive about the same amounts of money of about £4,000 on each occasion.

1890 **Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, in respect of *La Verdad Magazine*, payment is made for editorials and advertorials. As for *La Tribuna Marbella*, this is in relation to a front page cover advert and editorials.

**Q36/2015 Housing Department –
Reallocation of empty homes; expenditure incurred and works undertaken**

Clerk: Question 36, the Hon. E J Reyes.

1895 **Hon. E J Reyes:** Can the Minister for Housing provide details in respect of all expenditure incurred since the answer to Question 747/2014 in respect of contracts awarded for making empty homes suitable for reallocation, stating to whom payments were made, how much has been paid, the number of residential homes pertaining to each payment, as well as indicating if the services were either for repair works or cleaning services?

1900

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

1905 **Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the answer is in relation to four residential premises: one to ESS at a cost of £6,350; one to AJEC at a cost of £11,080; one to Keyway Construction at £11,325; and one to N & S Services £8,150. All services contracted were for repairs, none were for cleaning.

1910 **Hon. E J Reyes:** Mr Speaker, would the Minister have any sort of relevant details of what type of repair works they were?

Hon. Miss S J Sacramento: Mr Speaker, I understand that these were in relation to refurbishment works.

1915 **Hon. E J Reyes:** I could have been a bit clearer as it was a question of whether they were electrical, plumbing or roof repairs.

1920 **Mr Speaker:** Could I suggest to the hon. questioner that in future, because this is a standard question that he has from meeting to meeting, if he wants details of the repair works, then say so in the question, 'And could the Hon. Minister give some indication of what the repair works are?', and then he is covered. The Minister will then bring that information to the House.

Hon. E J Reyes: I take your advice on board, Mr Speaker, yes because although I welcome the Lady as the new Minister for Housing, and this should be absolutely no problem whatsoever, the previous Minister

1925 did know me and always kept that sort of additional information. But I will take your advice on board, Mr Speaker.

**Q37/2015 Housing Department –
Tenants requiring urgent decanting from homes; details**

Clerk: Question 37, the Hon. E J Reyes.

1930 **Hon. E J Reyes:** Mr Speaker, can the Minister for Housing provide details of how many tenants required urgent decanting from their homes since the answer to Question 748/2014, indicating the reason why, the date when said decanting became necessary and the date when the tenants were able to return to their home?

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

1935 **Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, one tenant has required decanting from their home and the details are as follows. It is due to works and the person has been out of the property since 12th January and there is no set date for return.

1940 **Hon. E J Reyes:** Again, Mr Speaker, I do use the words ‘provide details of the tenants’, but is there any idea of what works they were?

Hon. Miss S J Sacramento: Mr Speaker, I do not know the exact details of the works, but I understand that the reason the works were required was due to flooding and anything that may have been needed was because of that.

**Q38/2015 Housing Department/Housing Works Agency –
Comprehensive review; updated details**

1945 **Clerk:** Question 38, the Hon. E J Reyes.

Hon. E J Reyes: Further to the answer to Question 177/2014, can the Minister for Housing provide updated details of the comprehensive review pertaining to the Housing Works Agency and the Ministry for Housing?

1950 **Clerk:** Answer, the Hon. the Minister for Tourism, Equality, Social Services and Housing.

1955 **Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the technical staff, who were originally excluded to transfer to the Housing Works Agency, have now transferred so as to consolidate housing works.

Hon. E J Reyes: Transferred to where, Mr Speaker?

1960 **Hon. Miss S J Sacramento:** To the Housing Works Agency.

Hon. E J Reyes: Would the Minister know if that completes the whole exercise or are there any other matters still being considered by Cabinet as I have been informed before?

1965 **Hon. Miss S J Sacramento:** Mr Speaker, insofar as the transfer, I think that is complete. I am not aware that there are any issues. There may well be others, but, Mr Speaker, as you can appreciate after a very short period, I think that the answer is yes, it is complete. Maybe things as you know spring up from time to time, but I do not know.

1970 **Hon. E J Reyes:** Yes, I appreciate the short period of time.
Thank you, Mr Speaker. So the transfer could be completed, but I was led to believe that there were other matters because the word ‘comprehensive review’ is the one that was termed by the Government and so is the hon. Lady aware of any other matters still pending within the review?

1975 **Hon. Miss S J Sacramento:** As far as I am aware, Mr Speaker, I think that that is complete. As I said before, I am sure that things will spring up from time to time and as is the general policy, things are always reviewed because if things can be improved then they will always be looked at and so a review never stops and is always ongoing.

But in terms of the bigger picture, I think that that is complete because we have now had quite a significant restructure within the whole of the Ministry for Housing.

1980 **Hon. E J Reyes:** Would the hon. Lady like me to give her more time perhaps for raising the matter on another occasion, Mr Speaker, because comprehensive you know one tends to think would be a lot more than just the transfer of the remaining technical staff. Is there any mileage there? She may not have the answer now, but would the Minister like me to pose the question there or will she categorically say that the matter is now closed?

1985 **Hon. Miss S J Sacramento:** Mr Speaker, in my view the restructure that we have had is quite comprehensive, but of course if the hon. Gentleman would like to ask me this question again in six months then he is free to do so.

**Q39/2015 Housing Works Agency –
List of employees retired, transferred or seconded**

1990 **Clerk:** Question 39, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing provide updated information inclusive of details of grades and dates in respect of any Housing Works Agency employees who have been (a) retired; (b) transferred and (c) seconded either from or into the Housing Works Agency, since the answer provided to Question 311/2014.

1995 **Clerk:** Answer, the Hon. the Minister for Tourism, Equality, Social Services and Housing.

Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, I will now hand the hon. Member the information required.

ANSWER TO QUESTION 39 OF 2015

List of Housing Works Agency employees retired, transferred or seconded since the answer provided in Q311 of 2014.

Reasons for Leaving Agency	No. Of Employees Transferred/Retired/Seconded	Grade	Date
Retired	1	Maintenance Works Officer	23 June 2014
	1	Craftsman	31 August 2014
	1	Messenger	31 August 2014
	1	Clerks of Works	31 August 2014
	2	Housing Inspector	31 August 2014
	1	Draughtsman	31 August 2014
	1	Construction and Restoration Officer	31 August 2014
	1	Admin Officer	21 September 2014
	7	Craftsman	30 September 2014
	1	Labourer	30 September 2014
	1	Zone Manager	30 September 2014
	1	Craftsman	24 November 2014
	1	Drain Operative	30 November 2014
	1	Labourer	31 December 2014
Seconded	1	Building Surveyor	01 April 2014
	1	M/T Driver	27 October 2014
Tranferred in	3	Building Surveyor	01 April 2014
	3	Maintenance Works Officer	01 April 2014
	2	Craftsman	01 April 2014
	1	Construction and Restoration Officer	01 April 2014
	5	Clerks of Works	01 April 2014
	1	Draughtsman	01 April 2014
	6	Housing Inspector	01 April 2014
	1	Environmental Monitor	01 April 2014
		Civil Engineer	
	2	Head Housing	01 April 2014
	1	Inspector	01 April 2014
		Facilities Management	
	2	Support Officer	01 April 2014
	1	New Developments and Facilities Manager	01 April 2014

2000

Mr Speaker: Can we move on to Question 40 and come back if necessary.

**Q40/2015 Mid Harbour Estate –
Works still to be completed**

Clerk: Question 40, the Hon. E J Reyes.

2005 **Hon E J Reyes:** Further to the answer to Question 523/2014, can the Minister for Housing provide updated details, together with estimated completion dates, in respect of works still to be completed at Mid Harbour Estate?

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

2010 **Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, as informed by my colleague, the Hon. Minister Balban, in previous answers to Parliament in Question 523/2014 and Written Question 146/2014, the CCTV project and garage barriers at Mid Harbour Estate is now complete.

2015 **Hon. E J Reyes:** Mr Speaker, the reason why I ask this is because the last time Minister Balban told me that he had to finalise with the Tenants Association or whatever, about although the barriers had been installed, they still were not operational. My understanding as of yesterday when I last went there is that those barriers are still not operational. So can we have any further updates in that respect?

2020 **Hon. Miss S J Sacramento:** Mr Speaker, I am informed that the works are complete. I have to rely on the information that is provided to me by officials. I am informed that the works are complete and I will go and check whether works are complete or not, if the hon. Member suggests that they are not, but certainly the information that I have been given is that works are complete.

2025 **Hon. E J Reyes:** I do not want to use the wrong language Mr Speaker, but I do not suggest, I *affirm* that the barriers are still not operational.

2030 **Mr Speaker:** I realise that this is pantomime time when some people say, ‘No, you don’t’ and ‘Yes, you do’, but perhaps the hon. Member can be more specific – perhaps behind the Speaker’s Chair – about the information that he has, what he has been told, and clarify it with the Minister.

Hon. E J Reyes: I can be as specific as assuring, Mr Speaker, that I physically went yesterday on the eve of this meeting to see if the barriers were operational. I *physically* checked them myself and they were not, Mr Speaker.

2035 **Mr Speaker:** It is clear that the Hon. Minister is getting other information and I would hope that the two can be reconciled.

2040 **Hon. P J Balban:** Mr Speaker, if I may, the last time I answered this question, as the hon. Member says, she is absolutely right. The works are completed and the barriers are installed. The only thing that was pending in my time was the actual handing out of fobs and agreeing with the Tenants Association what the procedure would be in that respect and that is the only thing.

2045 But in terms of the answer to the question, the works have been completed; it is just the logistical matter of who gets a fob and everyone gets their permits and how the thing will be policed and structured. That was the only thing that was pending, but the works have been completed.

2050 **Hon. E J Reyes:** Yes, Mr Speaker, I have no doubt that the works have been completed as far as the Minister’s Department in that they have been able to tick the box, but I do start my question by saying, ‘Further to the answer...’ and the answer given in Question 523/2014 was that they still had to finalise distribution of the fobs and so on. So I am asking for confirmation that this has now been completed or is it still ongoing? I do not think I can reword it any other way, Mr Speaker.

2055 **Hon. Miss S J Sacramento:** Actually, Mr Speaker, I beg to differ as the question is very clear. The question says, ‘in respect of works still to be completed at Mid Harbour’ and the answer in relation to works, as my colleague has very helpfully clarified, is yes.

If the hon. Member’s question – more specifically because he is perfectly aware of the answer given on the last occasion – is in relation to the operation of the barriers, as opposed to the works, then maybe the question could have been clearer and directed at the operational function of the barriers and not the works.

Insofar as the question asked and the question asked is in relation to the works and whether the works have been completed, the clear answer to the clear question is yes.

Thank you, Mr Speaker.

Hon. E J Reyes: Yes, but I also believe, Mr Speaker, that it is equally clear that it is further to the answer given where that matter has arisen, otherwise Mr Speaker would be ruling me now as out of order that it is not a valid supplementary. I am referring to an answer that has been given. I do not know, perhaps, Mr Speaker, you and I could meet behind the Chair later and you can advise me on the correct way I can pose this wording so that one gets the answer that everyone knows I am seeking.

**Q41/2015 Housing Department –
Eviction of squatters from rental homes; expenditure incurred**

Clerk: Question 41, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing say how much expenditure has been incurred in respect of legal costs relating to the eviction of squatters from Government rental homes since the answer provided to Question 531/2014, providing a breakdown showing the number of homes involved and to whom payments were made?

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

Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, there has been no costs.

Mr Speaker: Question 42.

**Q42/2015 Housing Department –
Unpaid rents; details of arrears**

Clerk: Question 42, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing provide details of arrears in respect of unpaid rents appertaining to Government rental homes as at 31st December 2014?

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

Minister for Tourism, Housing, Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, the total of arrears in unpaid rents as at 31st December 2014 is £5,279,068.59.

TRAFFIC, TRANSPORT AND TECHNICAL SERVICES

**Q43/2015 Department's marketing and official visits –
Details of costs**

Clerk: Question 43, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for the Port provide details of the amount spent on marketing and official visits for 2013/2014?

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

Minister for Transport, Traffic and Technical Services (Hon. P J Balban): Mr Speaker, the total spent under marketing and official visits in the year 2013/2014 was £70,093.08. This can be broken down as follows: expenditure incurred for advertising, £19,284.27; expenditure incurred for membership amounts

2100 to £1,410.00; expenditure incurred for accommodation, travel and marketing amounts to £49,398.81. The total, as I said earlier, was £70,093.08.

2105 **Hon. D J Bossino:** Mr Speaker, can he tell me – I think he has categorised the breakdown into three – I think that's right. Can he tell me which of those three, if it can be so identified, has been responsible for the £10,000 increase in terms of what was estimated would be the expenditure at the time of the Budget? I think the forecast outturn for that financial year was £60,000, which in itself represented a £15,000 increase from the previous year.

I just want to understand, if he is able, of the three categorised elements he has just given us, which one is most responsible for the overrun in expenditure?

2110 **Hon. P J Balban:** Mr Speaker, I have just been advised by my colleague, the previous Minister with responsibility for the Ports, that he believes it is to do with the Hong Kong trip, but other than that, I would not be able to give him the information myself personally.

2115 **Hon. D J Bossino:** But that is information which he will have available if I give him notice of a question in the future. Presumably that would account for the accommodation and travel head.

Of the three that he mentioned, did he mention membership as one of them? Did I hear that correctly? If so, can he give me more information in relation to that and what that in fact means?

2120 **Hon. P J Balban:** Mr Speaker, under that head, memberships are included. Just to give him an example – and in fact there are only a couple of memberships detailed – one is for the International Bunkers Association, that was membership for 2013-14, and there was another one, which was the International Harbour Masters Association membership. So it is just these annual memberships for a few different associations that the Port is part of.

**Q39/2015 continued –
Housing Works Agency –
List of employees retired, transferred or seconded**

2125 **Mr Speaker:** The Hon. Mr Reyes.

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

2130 With your leave, I am going back to the schedule that was given to me in answer to Question 39. One small point, I had asked for those either seconded in or seconded out of the Agency. The schedule says seconded and there are two grades, but there is no indication whether they were seconded into the Agency or from the Agency out elsewhere.

2135 **Minister for Tourism, Housing, Equality and Social Services (Miss S J Sacramento):** Actually, Mr Speaker, I asked the same question and I did ask for clarification, but I think that on the basis that in the paragraph below we have transferred in, I am assuming that these people have been seconded out.

Hon. E J Reyes: That is strange, Mr Speaker, because on other occasions in the past there has actually been some seconded in and some seconded out. So would the hon. Lady like some time to clarify that and then before we adjourn *sine die* we could have the correct information?

2140 **Hon. Miss S J Sacramento:** Mr Speaker, what I am happy to do, in case these people are not seconded out, then I will revert to the hon. Gentleman, but my understanding is that they are seconded out.

FINANCIAL SERVICES AND GAMING

**Q44/2015 Minister for Financial Services –
Director from Maverick; details**

Clerk: Question 44, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Financial Services provide the name of the Director from Maverick whom he said he had met on one of his visits to London?

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

Minister for Financial Services and Gaming (Hon. A J Isola): Yes, Mr Speaker, the name of the Director/part owner who I mentioned having met was Carron Rees.

Hon. D J Bossino: Mr Speaker, the reason why I asked this question is he helpfully in the last session, or in the November session, told me that Maverick, which does have a presence I think he said in Gibraltar now, as a result of its involvement in relation to the GFA campaign, and somebody... I kind of joined the dots and somebody else has joined dots for me and I just wanted to give him the opportunity to explain the position.

I think Mr Henry Coelho is he involved in Maverick? He isn't. Okay. The reason why I joined the dots personally and then somebody else joined them for me is because that is where I met him, at the Airport, when I was part of the receiving party for the GFA guys as a result of their successful campaign and that is where I met him. I hadn't known him, but then he mentioned that there was actually a family connection with me.

But I just wanted to give him the opportunity whether Mr Coelho has any connections with Maverick as I understand that he is also very well known to the hon. Member himself, and whether there was, as a result of that connection, any connection in relation to him having appointed this particular company?

Hon. A J Isola: No, Mr Speaker. Obviously the engagement of Maverick was long before I came to this Parliament and my understanding is that Mr Coelho is a consultant to Maverick on certain aspects of the works that they do. Yes, he is not employed by them, but he consults with them on specific projects.

I think, as you rightly said, he was involved with the GFA "we're ready" programme as I said long before I came into this Chamber.

Hon. D J Bossino: And there is no connection as a result of that connection, which I have said between himself and Mr Coelho as to why then Maverick has been appointed, I think, to do three of the Government's websites. Isn't it not the case, I think, the Tourism one, the Finance Centre one and they have an involvement, not exclusive, but they have an involvement in relation to the Gibraltar Government website. Can he just dispel that and I give him the opportunity?

Sorry, given I understand that there is a relationship, I think Mr Coelho is a personal friend of the hon. Member, that that was not the reason why they went to Maverick for the purpose of enlisting their services. Excuse me, I have a bit of a runny nose.

Hon. A J Isola: Well, Mr Speaker, Mr Coelho is a personal friend of mine and a valued professional and in the same way that I use my professional judgement when we instruct lawyers, including partners and members across the other side of the House, and indeed on this side of the House, it is that professional judgement that is used as to whether we use them or not.

My professional knowledge of Mr Coelho is that he is superb at what he does, as are Maverick and consequently I just continued what had started before I arrived here in drawing on their resources, knowledge and expertise to assist in what we wanted to do.

Q45/2015 Gibraltar Government website – Set-up costs

Clerk: Question 45, the Hon. D J Bossino.

Hon. D J Bossino: Mr Speaker, can the Minister for Financial Services provide details of the cost for the setting up of the Gibraltar Government website?

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

Minister for Financial Services and Gaming (Hon. A J Isola): Yes, Mr Speaker, as I explained at the last meeting of Parliament, the website has been completed by Elitech Lab and Maverick working together on this project. The costs of Elitech for the build, integration, testing and training across Government of the system is £38,440. The cost for Maverick for the design, layout, and architectural content review is £37,040.

Clerk: Question 46, the Hon. D J Bossino.

2200

Hon. D J Bossino: Mr Speaker, can I go back to the previous questions, if I may?

I have just been told, and I have not looked at it myself, but I am being told by my Hon. and Learned Friend that the Gibraltar Government website has, as yet, not gone live. Is that correct? Because it just seems to us that... I think it is probably the most expensive expenditure, in terms of the other... relative to the other websites – the Tourism one and the Gibraltar Finance one. It seems much higher than the figures which I recall. I think the figures were in the region of £9,000 or £10,000, whilst in this case just Maverick is in excess of £35,000... yes, £37,000 and then we have the other company which is £38,000. So all told it is very close to £80,000 and it just seems very expensive for a website which, as yet, has not gone live.

2210

Hon. A J Isola: Yes, Mr Speaker, the Government website is a huge website and consequently every aspect of it is very much greater than if we look at the Finance Centre website where it is minute by comparison. So we always knew it was going to be more expensive to update and adjust.

I would say that from memory there are other websites, not carried out by Maverick, which are much more expensive than the previous ones you have mentioned than I think even this one, if I remember rightly, but I would have to confirm that to the Member opposite.

2215

So it is more expensive because it is a *huge* project and undertaking. The reason for the delay... it was meant to be launched some weeks back, it was then going to be launched last week and I am told it is now going to be launched tomorrow or very early next week – the big reason for the delay, this last holdup, the thing was good to go and then there was a Ministerial reshuffle and so it all had to be redone before it was launched, which set us back a while. What has held it back at this moment in time has been the huge volume of statistics that need to be ensured, when it goes live, are fully up to date and that is an enormous amount of work, which in order to launch it with current information, *accurate* information, has taken a little longer than we would have liked.

2220

2225 **Hon. S M Figueras:** Mr Speaker, could the Hon. Minister say what added functionality the new website is going to have over the old website when it is meant to be launched?

Hon. A J Isola: No, Mr Speaker. I am not a techy, I have to admit. From the sightings we have had of the draft website its functions seem to be very much easier to follow, easier to find, and so the visibility of this site, I believe, is far easier to access – you may agree or not agree.

2230

But in terms of the technical aspects of it, I am afraid I really cannot be of much assistance. I know it is under a new Drupal system which other Governments have used, including the US Government, which provides added security, which in this day and age is important, and that is part of the work that Elitech did for us, but I am not a technician and I can only tell you what I have been told myself and I do not know how accurate that is or not.

2235

Hon. S M Figueras: I understand, Mr Speaker, that the Hon. Minister may not be able to give an answer to this question and it may well be that it has been discussed previously, but I am certainly not aware of it if it has been, will the redesign form part of the strategy or the changes that need to be effected in order to give life to the e-Government programme of being able to take payments online for Government services as the Hon. the Chief Minister has discussed on a number occasions is a direction in which Government wants to go?

2240

Hon. A J Isola: There is a separate eGov website so this is not directly linked to it, but once the eGov rolls out then I would imagine there will be a link, but I do not think more than that. In other words, I do not believe the e-Government site will form an integral part of this website.

2245

Q46/2015 Gibraltar International Bank Limited – Authorised services in UK

Clerk: Question 46, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Financial Services state why the Gibraltar International Bank Limited is authorised to carry out services in the UK, with details as to what its plans are in this respect?

2250

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

Minister for Financial Services and Gaming (Hon. A J Isola): Yes, Mr Speaker, Gibraltar National Bank Limited has entered into arrangements with providers to have a sort code to access the UK clearing system.

In order to obtain a sort code, GIB is required to passport payment services into United Kingdom and the authorisation has been sought exclusively for this purpose. There is therefore no intention to carry out any activity other than as stated.

Hon. D J Bossino: I am very grateful to the Hon. Minister for that response and the reason why I ask the question is because if one looks at the FSC website you will see that the firm will be authorised to carry out certain activities and it is much wider than the way that the Hon. the Minister has explained to us this morning.

Is there any way of narrowing that or is it just... I mean, I am not an expert, but is it just that this is the way it has to be done? You need to obtain passport services for this wide range of services, which include things like acceptance of deposits and lending etc, which is what the bank is licensed to do in Gibraltar and equally is licensed to do in the UK, and so there is no way of narrowing that is there?

Hon. A J Isola: No, Mr Speaker. I am advised that in order to have the sort code access you are required to passport payment services and payment services covers an array of things which are included within that passporting right. What I can tell you is that it is the intention of GIB solely to use that passporting right for the purposes of the sort code, and in order to have the sort code available in time for the proposed opening, this has had to be accelerated and arrangements put in place to finalise that to make sure it is ready in time – nothing more than that.

DEPUTY CHIEF MINISTER
Q75/2015 Naval Ground car park –
Cost of construction

Mr Speaker: Question 75.

Clerk: Yes, we now move to Question 75, the Hon. D J Bossino.

Hon. D J Bossino: Further to Question 688/2014, can the Deputy Chief Minister now advise what the cost of the construction of a car park at the Naval Ground is?

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

Deputy Chief Minister (Hon. Dr J J Garcia): Yes, Mr Speaker, the answer remains the same as the answer given to Question 688/2014.

Hon. D J Bossino: Mr Speaker, yes, I think the answer at the time was that the detailed design of the coach and car park had not been completed and so consequently the cost of construction was not finalised.

Is he able to give me information as to who the developer is for this particular project?

Hon. Dr J J Garcia: Mr Speaker, the developer is a private entity. This went to the Development and Planning Commission as a private sector project.

Hon. D J Bossino: But does he have that information available? Does he have the name of the private entity? It is public knowledge is what he is telling me, but if he has that information I would be grateful if he could share it across the floor of the House.

Hon. Dr J J Garcia: Mr Speaker, I do not have it with me, but if the hon. Member cannot find it in the public domain, then I will be happy to supply it. But it is public information, yes.

Hon. D J Bossino: Simply to understand this a bit better, because I think public announcements have been made in relation to this as well, but I think the cost of the car park is going to be a cost to the Government. Is my understanding correct? What we do not yet have is the price tag for that. Is that correct?

2305 **Hon. Dr J J Garcia:** Mr Speaker, there has been work obviously on designs and in progressing the project and he can see that some of it has already commenced, but in short I think the answer is what the hon. Member has said. Yes, as the hon. Member said in his question.

Mr Speaker: We are now going to recess until this afternoon at 3.00 p.m. when we shall be dealing with questions to the Chief Minister and questions to the Minister for Education and Justice.
2310 The House will recess until 3.00 p.m. this afternoon.

The House adjourned at 12.40 p.m. and resumed its sitting at 3.00 p.m.



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

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Gibraltar, Thursday, 29th January 2015

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The Gibraltar Parliament

The Parliament met at 3.00 p.m.

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

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

PRAYER
Mr Speaker

Questions for Oral Answer

CHIEF MINISTER

Q76-78/2015
Fire at Sunborn Hotel –
Cause

Mr Speaker: Question 76, to the Chief Minister, the Hon. Mr Netto.

5 **Hon. J J Netto:** Mr Speaker, has the Government obtained a report detailing the cause of the fire at the service entrance of the Sunborn Hotel at Ocean Village and provide Parliament with a statement as to what is known so far from this incident?

Clerk: Answer, the Hon. the Chief Minister.

10 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer this question together with Questions 77 and 78.

Clerk: Question 77, the Hon. J J Netto.

15 **Hon. J J Netto:** Mr Speaker, can the Government confirm or deny the rumours that the fire that started at the Sunborn Hotel emanated from a portacabin which had butane gas bottles stored therein, and if so, could the Government supply the name of the company that owns the portacabin and whether all due licences to comply with existing legislation were in place prior to the incident?

20 **Clerk:** Question 78, the Hon. J J Netto.

25 **Hon. J J Netto:** Mr Speaker, given the fire that broke out in the vicinity of the Sunborn Hotel at Ocean Village, can the Government state if there had been envisaged at the planning stage through the DPC, or is now a requirement to dredge the sea bed underneath the Sunborn Hotel in order to create a safe channel in case of an emergency and, if so, when is this likely to happen?

Clerk: Answer, the Hon. the Chief Minister.

30 **Hon. Chief Minister:** Mr Speaker, the Gibraltar Fire and Rescue Service has produced a report in relation to a fire which occurred at the entrance of the Sunborn Hotel at Ocean Village on 28th December 2014, at approximately 17:00 hours. A copy of the said report has been provided to the Government.

The report can be summarised as follows. The structure where the fire occurred was approximately 12 metres long by five metres wide and four metres high. It is not a portacabin but a service access, although the dimensions are similar to some portacabins seen around Gibraltar.

35 This was divided into two levels, the lower of one metre in height approximately and the other three metres. Most of the unit had been destroyed by the fire, leaving only part of the lower storage unit. The upper level had been mostly affected by the fire on the western end and decreasing towards the eastern end.

There was a hole on the floor approximately five metres from the western entrance. The fire had spread from the lower level to the upper level via this hole. This was later confirmed by CCTV cameras from
40 inside the unit and the Sunborn Hotel.

It had then spread upwards and devastated most of the roof and walls of the upper level. There was also extensive damage to the facade of the Admiral Casino in the Leisure Island Business Centre. The predominant wind that evening was a strong westerly and the fire had spread from this direction and been accelerated due to this.

45 In conclusion, there are two options. In the opinion of the Gibraltar Fire and Rescue Service that the fire seems to have been accidental by a person or persons. The source of ignition would have been a naked flame – possibly a cigarette, as it is an area used for smoking – that has found its way under the unit. The strong winds funnelled by the corridor between the ship and the casino building lead to the rapid spread of the fire. We, that is the Gibraltar Fire and Rescue Service, cannot discard the possibility of an electrical fire,
50 but this is less likely.

The Gibraltar Fire and Rescue Service can confirm that there were no butane gas cylinders inside the above mentioned structure.

Hon. J J Netto: Mr Speaker, I am grateful for the information the Hon. Chief Minister has provided. In
55 relation to, I think it is my last question, which was Question 78, in relation to the possibility of having to dredge underneath the Sunborn Hotel in order, in an emergency, for the Sunborn to move away quickly, has that been considered either at the early stages of the planning process or thereafter, as a result of the accident?

Hon. Chief Minister: Mr Speaker, the Sunborn floating hotel looks like a cruise ship but it does not have engines and it is attached to the marina by two very strong arms. It is a floating structure but it is not designed to sail like a cruise ship.

Therefore the idea that it may need to have a channel which allows it to sail in or out is not relevant in the context of understanding emergency procedures about this vessel or structure. It really is like a building.
65 So in the same way as the casino would not have been able to sail away as a result of the fire in an attempt to deal with it, the Sunborn is not designed in that way either. I think that is why the answer was structured not to respond to that particular part of the question.

Q79/2015

Chamber of Commerce/GFSB economic study – Details

Clerk: Question 79, the Hon. D J Bossino.

Hon. D J Bossino: Can the Chief Minister provide details of the economic study which he stated, in the
70 *Gibraltar Chronicle* edition of 5th January 2015, was being conducted in conjunction with the GFSB and the Chamber of Commerce?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, yes sir. The economic study referred to is underway and the study that I was referring to is the one I referred to on a number of occasions inside and outside this House, about the potential effects were Gibraltar to join the Common Customs Area of the European Union
80 as well as the Excise areas of the Union.

A team of economists from the United Kingdom with the appropriate expertise for such a study has been established by the Government and the Chamber working together. Members of the team have come to Gibraltar to identify the issues and in particular, the economic data that they require in order to carry out the study.

85 Data has already been forwarded to them by Her Majesty's Government of Gibraltar and further data is being collated with a view to a further meeting which will take place shortly. That will leave the Government, the Chamber and the Federation to likely put together a questionnaire to businesses on this issue, as I previously also stated in this House, I believe.

90 **Hon. D J Bossino:** Mr Speaker, I am grateful to the Chief Minister for the very complete reply. Is he able to tell me who the economists are? Is that information which he would be willing to divulge across the floor of the House?

95 **Hon. Chief Minister:** I believe I have the information. I do not know whether it is appropriate to divulge it across the floor of the House without asking them but I am quite happy to give him the information when we recess for a moment, so he knows who we are dealing with.

These are economists from Oxbridge and they have been identified by individuals in the Chamber and individuals in the Government's EUID Department as having the right sort of expertise. Because I have not checked whether they are happy for their names to be made public, I do not feel comfortable making them public today. I am quite happy to give them to him today and once I go back and check whether they have any difficulty with their names being made public, I am quite happy in the future in exchanges if necessary, to mention them by name. I cannot imagine why they might not want to be referred to in public. The instructions of a Government are usually things that people like to boast about, but I have not quite checked and therefore I will give him the names, and later we can determine whether publicity is appropriate.

105 **Hon. D J Bossino:** Yes, thank you for that as well.

Mr Speaker, as I understand the reply the purpose of the reports was basically... Is this understanding correct, if I can put it to him? The purpose of the report is to inform the type of questions which are then going to be issued to the relevant parties in Gibraltar. But is that report going to be shared with the GFSB and the Chamber of Commerce once ready?

110 If so, can he give advance notice to the House as to how he intends to treat that report once it is finalised? In other words, is he going to publish it? He is shaking his head. Is it something which he would be willing to share with the Opposition? And he is nodding – so he is answering my questions! So basically I would like some information as to how he intends to treat the report once it is complete and available to him?

Hon. Chief Minister: Mr Speaker, let us be very clear about what it is that we are doing here and what I have said before. In the event that the United Kingdom were to choose to have a referendum on potential exit from the EU and therefore potentially in the event of that referendum resulting in the United Kingdom negotiating an exit from the EU, Gibraltar needs to understand what its positions should be in a negotiation.

120 That I do not think is an issue which is simply for the purview of the Government. That is why I think it is important that we do it with the Chamber and we do it with the Federation which are the relevant business organisations. And indeed, Mr Speaker, that is why I am nodding when asked whether I would share the information with the Opposition. I think it is information that the Opposition *should* have in order to formulate policy, which I hope will likely be the same policy that whoever may be in Government at the time may be dealing with.

We are probably dealing with issues that will visit us in 2018, 2019 or thereafter because my prediction would be that in the event of there being a referendum decision that the UK wants to exit the EU, the permutations are not simply in or out. It is EEA status or non-EEA status for the UK – what does that mean for Gibraltar? – etc. So the referendum result, if a referendum were to occur and if it were to be an exit result in the UK, is only the beginning of the UK's negotiation with the EU. So we need to understand in what context this information then becomes important to the Government of Gibraltar.

130 At that stage, what the Government of Gibraltar needs to understand, what the Chamber and the Federation and businesses in Gibraltar need to understand, are the realities that could be visited upon us, depending on what type of status we were to choose.

So we know that we are comfortable and that we are prosperous in the status that we enjoy at the moment. How might that change? Would those changes be changes that we might seek through negotiation or would they be changes that might be imposed on us as a result of the United Kingdom's negotiations but that we might have to be ready for however much we might fight against them? Because we might then be fighting against the UK choosing to do a particular thing in terms of its status in Europe and we might be the only enclave of 30,000 in the UK holding out for a different sort of status.

140 So we need to understand what the reality of the Common Customs Union regime is today in legal and economic terms and how the economy would be affected by entry into that mechanism. The only way to do that is to carry out this in-depth economic analysis and then share it with the business community as a collective, i.e. Chamber and Federation and then seek information from individual businesses through questionnaires also through the Chamber and Federation, to then be able to produce a report that informs the Government, the Opposition, the Chamber and the Federation.

145 Why not the whole community? Why not simply publish such a report? Well look, such a report is likely to be determinative of what negotiating positions we take *vis-à-vis* the EU and *vis-à-vis* the UK and

150 what we do not need, is that those who would be doing their best to argue for us to have the worst possible economic scenario in the future, to have that data too. And by that of course, I mean Spain.

So this is information that I think the Chamber needs to have, the Federation needs to have and Members of this Parliament should have, but not information that should necessarily be in the public domain and the people should be able to download and then necessarily have the ability to use against us.

155 **Hon. D J Bossino:** I am grateful. Mr Speaker, just for my own understanding of what the Hon. Chief Minister says in the totality of the reply that he has just given us, is the remit of the report, from what I understand, is it as wide as looking at all the possible permutations, even to the extent as to what would be the effect of the UK, and therefore Gibraltar, leaving the EU? Because, I think, certainly the last
160 pronouncement that he made in relation to this issue was in the *Gibraltar Chronicle* article that I referred to earlier, and it was in the context of his view as to what the dire economic consequences that leaving the EU would be for Gibraltar.

So is the report wider than I originally understood from his answer which was it was only looking at the possibility, what the effect of Gibraltar's entry into I think the Customs and Excise Union would be, is it
165 wider than that or is it simply looking at that specific discrete issue?

Hon. Chief Minister: It is about looking at that and other issues. In other words, that and other permutations of different types of membership alternatives for Gibraltar within the EU and the EEA. So, in other words full EU – what does full EU mean in terms of excise duty, in terms of VAT etc? What does
170 partial EU mean in terms of VAT but not excise, or excise but not VAT? What does EEA mean, which can probably mean both of those or three other scenarios potentially also being relevant to Gibraltar? And I think you can also draw a conclusion, given the numbers that we are going to be given, of what not being in EEA or not being in the EU would mean.

So I think the data we will have will enable us to churn information and see all of those potential scenarios or as close to an analysis can take us to seeing those potential scenarios. That is the data I think
175 we need to have, and it is data we can only get in my view by talking to economists of the sort that we are talking to, talking to the representative bodies and then talking to individual businesses and asking them questions once we have the right questions to put to them about how particular aspects of those changes would affect those sectors and industries.

180 **Clerk:** We now move to Question 47, the Hon. Mrs I M Ellul-Hammond.

Hon. Chief Minister: Mr Speaker, can I invite the House to recess for five minutes before we continue with this question. I need to have a discussion with the Minister who has just arrived in Gibraltar on another
185 matter.

The House recessed for five minutes.

EDUCATION AND JUSTICE & INTERNATIONAL EXCHANGE OF INFORMATION

Q47/2015 New fire station – Establishment

The Clerk: We continue with Question 47, the Hon. Mrs I M Ellul-Hammond.

190 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister with responsibility for the Fire Service say if he is still committed to delivering his manifesto commitment of establishing a new fire station during this term of office?

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

195 **Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi):** Mr Speaker, the manifesto commitment was to commence work on a new fire station within this term of office and not establishing within this term of office a new fire station, as set out in the hon. Lady's question.

200 The Government has already commenced work on a new fire station, as it promised it would do. The work on the planning for the new fire station has been finalised and an announcement with full details will be made when the Government is in a position to do so, certainly within this term of office.

205 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. Minister say when the work, either the refurbishment or the building, will be starting?

Hon. G H Licudi: Well as I have said, we are working on plans on this matter. This is something that the Government has been working on for a while. Work continues, it is in an advanced stage and we will certainly make a full announcement as to what is going to happen and I expect work will actually commence within this term of office, before the elections are called.

Hon. Mrs I M Ellul-Hammond: I know the Hon. Minister has said that it will be within this term of office but is there any indication as to where the site is?

215 **Hon. G H Licudi:** Mr Speaker, we will make an announcement on that when we are in a position to do so.

Q48/2015
New Medical Priority Dispatch System –
When expected to go live

Clerk: Question 48, the Hon. Mrs I M Ellul-Hammond.

220 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister with responsibility for the Fire Service say when the new Medical Priority Dispatch System will go live and if it will be within this term of office?

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

225 **Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi):** Mr Speaker, we are working at having the new Medical Priority Dispatch System go live within this term of office.

Q49/2015
University of Gibraltar –
Applications

Clerk: Question 49, the Hon. Mrs I M Ellul-Hammond.

230 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education say how many students have applied to the University of Gibraltar for the new academic year 2015-16?

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

235 **Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi):** Mr Speaker, recruitment of students for the University of Gibraltar has not yet started. This will commence once the University is established, when the Act which we will be bringing to Parliament is passed.

240 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Hon. Minister said that the university would be open for business as from 1st September 2015. My understanding is that students are applying now to universities for the September 2015 entry, and this is why I have asked the question.

245 Is there any way that students can start to apply in preparation for the opening in 2015, or will they be allowed to apply at a later stage and perhaps have a late entry onto the courses?

Hon. G H Licudi: Mr Speaker, it is not a question of late entry. This is something that has been planned and will be open in September 2015. We are finalising the legislation, which I hope to be in a position to

publish very soon. I am intending to bring the matter to Parliament within the next couple of sessions at most. Once that is established, then the announcement will be made as to the precise courses and students will be invited to apply.

There will be plenty of time, if that is what the hon. Lady is concerned about. There will certainly be time between the announcement being made, between the Act being passed, the announcement as to the specific courses, enrolment for those courses being started and the students actually starting in September 2015.

Hon. D A Feetham: Mr Speaker, has there been any revision of the plans for the Gibraltar University by the Government since the announcement was made in terms of the scope of the courses that are going to be on offer by the Gibraltar University? Has there been an expansion or perhaps a contraction of that original vision that the Government presented to the people of Gibraltar when it made the announcement for the first time?

Hon. G H Licudi: Well, Mr Speaker, this is as I said when I announced the project, when we made a joint press conference at the Chief Minister's Office. This is going to be a process which will evolve and will develop over time and as we do that, then clearly new things will be added.

So yes, of course there have been new things. There is a lot of work which has been done but the core structure which we announced remains the same. Four faculties: Health and Sports Science; Tourism and Hospitality; Business; and Life and Earth Sciences. Those four faculties remain as they were when we announced. What we are now doing is fleshing out what precisely each of the faculties will be doing.

In addition, we will of course have the Institute of Professional Development and Continuing Education, as announced. Also as announced, we will have a Language Centre. What we are doing is developing specifically the areas which we are going to be in a position to announce very soon and start the recruitment of students, as I have indicated earlier in the question.

Hon. Mrs I M Ellul-Hammond: So, Mr Speaker, and I know this will relate to Question 51, students obviously will be applying outside of the UCAS system. There will be a separate system set up and that is how students will be able to apply and therefore enrol for September?

Hon. G H Licudi: Yes, Mr Speaker, the hon. Lady pre-empted another question in the Order Paper but students will be applying directly to the University.

Q50/2015
University of Gibraltar –
Awarding body

Clerk: Question 50, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education say which recognised body will be awarding degrees at the new University of Gibraltar?

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

Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi): Mr Speaker, programmes at the University of Gibraltar will include degrees awarded by the University of London in relation to Business and Computing and the University of Kingston and St George's in relation to Nursing and Paramedic Science.

In addition research post graduate students will be engaged in programmes carried out in conjunction with other universities, depending on the various specialisms that are followed by those students.

Q51/2015
University of Gibraltar –
Management by UCAS or another method

Clerk: Question 51, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education say whether undergraduate applications to the University of Gibraltar will be managed by UCAS, which is the Universities and Colleges Admission Services?

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

Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi): Mr Speaker, applications to the University of Gibraltar will not initially be managed by UCAS. We do, however, envisage that in due course discussions will take place with UCAS on the possibility of applications being managed by them.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Hon. Minister say who will be..., has it been determined who will be entitled to apply to the University and who will be setting the entry criteria and the requirements, if not UCAS?

Hon. G H Licudi: Well, Mr Speaker, UCAS does not set out any entry criteria or requirements for any university. The universities themselves set out entry criteria; all that UCAS does is process the application and then transmit those applications to the universities for a response. So that element of somebody receiving the application and transmitting it to the University of Gibraltar will not happen.

But in relation to degree programmes which we are doing in conjunction with other universities, for example if it is a University of London programme that a particular student will follow, then the University of London will set out the entrance criteria, in the same way as with the University of Kingston.

We are, as I have already announced, been developing collaborations with other universities, we already made an announcement in relation to Seychelles. I have today returned from a trip specifically on that and we will be issuing a press release in relation to further collaborative projects with other universities. So as we develop these collaborations, we will certainly have to discuss with those other universities that we partner with, the entrance requirements and criteria for those particular courses.

Q52/2015

University of Gibraltar – Recruitment of lecturers; research funding

Clerk: Question 52, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education advise where the lecturers for the University of Gibraltar will be recruited from, what research will they be conducting and where will funding for faculty research be coming from?

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

Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi): Mr Speaker, the intention is to recruit locally, but if required skills are not available, these will be sourced externally.

Most of the research will be based within the faculty of Life and Earth Sciences with Gibraltar and Mediterranean Studies. However, there will be opportunities for research stemming from any of the other faculties.

Research will be funded by the present funding streams provided by the Department of Education, as well as the university's own funds. It is expected that there will also be some funding from private sector sponsorships.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, would it be possible to allow any industry that is happy to invest in research to be able to fund facilities, perhaps linked to marine or the environment; or will it be totally state funded? Would you allow flexibility for private and state funding?

Hon. G H Licudi: Mr Speaker, the Government would most certainly welcome anybody who wants to come in and fund the university to do so. As I have said in the last part of the answer, it is expected that there will be some funding through private sector sponsorships and we are already in discussions with some elements of the private sector specifically on that area.

Hon. E J Reyes: If I may, Mr Speaker, has the Minister at least embarked into seeing it from those different categories within the EU funding that go towards education purposes and so on? Can he confirm that he is exploring those to see if some could be applicable and therefore Gibraltar become a beneficiary of such a thing such as the Erasmus Schemes and all those?

Hon. G H Licudi: Yes, Mr Speaker, this is certainly something that we are exploring and I have been advised in relation to. The Erasmus Scheme which involves an exchange of students also involves certain universities being approved for that scheme and given that we are in the process of establishing that university, it is impossible to seek that approval yet. But that is certainly a process that we will want to follow because we will want to be part of a European process in terms of standards, through the Bologna process, Erasmus through exchange of students, and also tapping into funds at a European level which will be available for research based in various areas including Sports Science.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, just one final supplementary. The Hon. Minister mentioned the Institute of Professional Development and Continuing Education that will be offering CPD and professional qualifications for both the private and public sector. My understanding is that this is a role that at present the College of Further Education has been offering through evening classes and the use of Bleak House as well. Does this mean that the remit of the College will be reviewed alongside the evolution and development of the university?

Hon. G H Licudi: It is not so much that the remit will be reviewed, but certainly it will in fact be enhanced through the collaboration with the university and in particular with the institute. As the hon. Lady says, some of the areas of the institute will be embarked upon are already being done through the college and those will be done through the university by engaging with the college and tapping upon their expertise and getting their involvement fully in this process.

But it will not be limited; the institute will not be limited solely to the work that has been done currently by the college. There will be enhanced programmes, locally developed programmes and in particular, short courses developed with industry associations and I have given some examples as possibilities, on human resource management, on compliance and money-laundering issues, with the Association of Compliance Officers, on insurance through the Insurance Association.

By working in conjunction with the private sector, by working with employers who we expect will be able to provide their staff to these courses and will be able to provide an element of day release, whenever the day or the half day that the person is engaged in this, so that the student can further his or her career within that organisation or elsewhere in Gibraltar.

So there will be a range of programmes developed within the institute and it is in fact one of the exciting parts of the university, as of course are all the other parts of the university.

Q53/2015
Gibraltar College of Further Education –
GCSE re-sits

Clerk: Question 53, the Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, further to the answer provided to Question 758/2014, can the Minister for Education now provide the missing details in respect of the number of students, broken down by gender, who are repeating subjects pertaining to GCSE examinations which they sat for during the academic year 2013-14 and currently enrolled at the Gibraltar College of Further Education?

Clerk: Answer, the Hon. the Minister for Education, Justice & International Exchange of Information.

Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi): Mr Speaker, the number of students broken down by gender, who are repeating subjects pertaining to GCSE examinations which they sat for during the academic year 2013-14 and are currently enrolled at the Gibraltar College of Further Education is 40 boys and 60 girls.

Q54/2015

**Supply Teachers/Auxiliary Staff –
Number employed by Education Department**

405 **Clerk:** Question 54, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Education provide details of how many ‘Supply Teachers’ or ‘Supply Auxiliary Staff’ are currently engaged by the Department of Education, indicating at what educational establishment they are based, together with the reasons why their employment is necessary and estimated temporary contract time?

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

415 **Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi):** Mr Speaker, the information requested by the hon. Member is set out in the schedule which I now hand to him.

Schedule to Question 54 of 2015

Table 1

Number of supply teachers at each school	School	Reasons for cover	Estimated length of contract
1	Governor's Meadow First	large intake/ pupil numbers	11 months
2	Governor's Meadow First	large intake/ pupil numbers	11 months
3	Governor's Meadow First	maternity	8 months
1	St. Joseph's First	maternity	7 months
2	St. Joseph's First	to meet optimum class size in sector	11 months
3	St. Joseph's First	large intake/ pupil numbers	11 months
4	St. Joseph's First	maternity	10 months
1	Notre Dame First	large intake/ pupil numbers	7 months
2	Notre Dame First	maternity	11 months
1	St. Mary's First	large intake/ pupil numbers	11 months
2	St. Mary's First	large intake/ pupil numbers	11 months
3	St. Mary's First	large intake/ pupil numbers	7 months
1	St. Paul's First	to meet optimum class size in sector	7 months
2	St. Paul's First	maternity	7 months
1	Bishop Fitzgerald Middle	maternity	7 months
2	Bishop Fitzgerald Middle	maternity	7 months
1	St. Joseph's Middle	to meet optimum class size in sector	7 months
2	St. Joseph's Middle	maternity	7 months
1	Sacred Heart Middle	to meet optimum class size in sector	7 months
2	Sacred Heart Middle	maternity	7 months
3	Sacred Heart Middle	long term illness	7 months
4	Sacred Heart Middle	maternity	10 months
1	St. Anne's Middle	maternity	8 months
1	Hebrew Primary	large intake/ pupil numbers	11 months
1	Bayside	sabbatical	11 months
2	Bayside	to meet subject demand (IT)	11 months
3	Bayside	maternity	11 months
4	Bayside	to meet optimum class size in sector	11 months
5	Bayside	to meet subject demand (mathematics)	11 months
6	Bayside	maternity	11 months
7	Bayside	to meet optimum class size in sector	11 months
1	Westside	maternity	8 months
2	Westside	to meet optimum class size in sector	7 months
3	Westside	sabbatical	11 months
4	Westside	maternity	7 months
5	Westside	maternity	11 months
6	Westside	maternity	7 months
1	College		11 months
2	College	to meet optimum class size in sector	11 months
1		short term absences	Not fixed-less than 3 months
2		short term absences	Not fixed-less than 3 months
3		short term absences	Not fixed-less than 3 months
4		short term absences	Not fixed-less than 3 months
5		short term absences	Not fixed-less than 3 months
6		short term absences	Not fixed-less than 3 months
7		short term absences	Not fixed-less than 3 months
8		short term absences	Not fixed-less than 3 months
9		short term absences	Not fixed-less than 3 months
10		short term absences	Not fixed-less than 3 months
11		short term absences	Not fixed-less than 3 months
12		short term absences	Not fixed-less than 3 months

Schedule to Question 54 of 2015

Table 2

Music Instructors	School	Type of Cover	Estimated length of contract
1	Bayside	provision of subject specialism	9 months
1	Westside	provision of subject specialism	9 months
1	Hebrew Primary	provision of subject specialism	9 months
Same person as at Hebrew School	St Martin's	provision of subject specialism	9 months

TABLE 3

SCHOOL	NUMBERS (Learning Support Assistants)	REASONS FOR EMPLOYMENT	ESTIMATED TEMPORARY CONTRACT TIME
Bayside	1 LSA	Temporary extra SEN needs support(f/t)	3 months
Westside	1 LSA	Temporary extra SEN needs support (p/t)	3 months
St. Martin's	3 LSA	Temporary extra SEN needs support (f/t)	7 months 3 months 3 months
Notre Dame	1 LSA	Temporary extra	7 months
St. Mary's	1 LSA	Temporary extra SEN needs support (p/t)	7 months
Notre Dame Nursery/ Varyl Begg Nursery (split)	1 LSA	Temporary extra SEN needs support (f/t)	3 months for Notre Dame Illness for Varyl Begg until 10 th February
College	1 LSA	Cover a new SEN course.	7 months
Governor's Meadow	1 LSA	sickness (p/t)	unknown
Notre Dame	1 LSA	sickness (f/t)	unknown
Bishop Fitzgerald	3 LSA	Temporary extra SEN needs support (p/t) and (f/t) sickness (f/t).	3 months. 7 months 13th February
Hebrew School	1 LSA	Temporary extra SEN needs support (p/t)	3 months.

Schedule to Question 54 of 2015

TABLE 4

POST	SCHOOL	HOURS PER WEEK	REMARKS
Assistant (Art & Design)	Bayside	30	In the process of being recruited
Bus Escort	Notre Dame	18.75	Special Needs Pupil requiring Escort
Senior Technician	Gibraltar College	17	Secondment to GFA
10 x Part Time Cleaner	2 x Westside 1 x Bayside 4 x St Joseph's First 1 x Bishop F 1 x St Paul's First 1 x Hebrew	20 20 20 20 20 20	In the process of being recruited
1 x Full Time Cleaner	Gibraltar College	37	Vacancy has been advertised. Interviews will be held on 22 January 2015

Hon. E J Reyes: Mr Speaker, may I ask for a bit of clarification? Towards the very end of the first page, there is one college but the reason for cover has been left blank, followed by two supply teachers also at the College to meet optimum staff sizing sector and then below that there is no educational establishment identified whatsoever.

They all seem to be not fixed less than three months: short-term absences mainly tend to be of a medical nature and so on, but the educational establishment has been omitted, as has that one in respect of the College, two lines before that.

Can the Minister enlighten me?

Hon. G H Licudi: Yes, Mr Speaker. The one where it has been left blank, that is one which I did not pick up, so I do not have the specific information on the one entry which is blank. I could assume that it relates to meeting optimum class sizes in the sector but I do not want to give that as a definitive answer and I will therefore check the information. I apologise, I just did not pick up that there was one item where one column was left blank.

The bottom part simply relates to – apart from the supply teachers which are set out at the top – a total of 12 additional teachers that are not on fixed contracts and simply cover short-term absences wherever and whenever they might be required.

I am not sure that the hon. Member wants a list of so and so spent three days in Bishop, so and so spent two days in Bayside, my understanding is that that relates to the rest of the pool of supply teachers that do cover as and when required and not on a fixed-term contract.

The hon. Member will remember that when we overhauled the system of supply work, including by employing those who we considered to have been on permanent supply and those were part of the intake of 47 new teachers that we did at the beginning of our term of office, we also added the additional benefit that whenever a supply teacher was engaged, was needed, for at least three months, that supply teacher would be given a fixed-term contract with all the necessary benefits that an employment contract brings.

So whenever there is an *ad hoc* need for a particular teacher, say for a week, or someone is off sick for two weeks, those teachers are taken from the pool of these additional teachers. It is not a fixed contract because it is on an *ad hoc* basis and they are certainly for less than three months because if it is beyond the three months then that is when the fixed-term contract kicks in, as we said we would do at the beginning of our term of office.

Hon. E J Reyes: Yes, Mr Speaker I think it has been clarified but can I double check, because the numbers 1 to 12 there are running consecutively. It is a grand total of 12 – not one plus two is three and then another three is six and four is ten – am I correct in that deduction?

Hon. G H Licudi: Yes, Mr Speaker, otherwise the number, if you add up all those individuals, 12 plus 11 plus 10, the number would be very great and we certainly do not have that many supply teachers.

Hon. E J Reyes: Yes, that is what caused a big question mark in my mind! That is understandable. Can I assume and the Minister confirm that I am correct in the deduction that really, what these 12 members of staff is... they would report somehow or another let us say to the central Department of Education on a daily basis and then would be fed out into schools as and when needed, and that is why they are not going to be based in a particular school and is then able to provide the information? Is it something similar to that effect that he was trying to explain?

Hon. G H Licudi: No, Mr Speaker, that is not quite how the system works. It really depends on school requirements. So school heads, or whoever is in charge of the particular issue on a particular day in the absence of the head, will report and will ask the Department of Education. In particular there is one of the education officers that deals specifically with the supply and one of the first jobs that he does in the morning is look at the requirements on any particular day for any particular school.

Then, what that person does is call people from the list and get the people who are available and put them in the schools which are required. So it is not that the supply teachers turn up every day and say, 'Where am I going today?' The supply teachers are on a supply list and as and when they are required by a particular school, the school informs the Department and the Department calls the teacher and says, 'Can you go to such and such a school where there is a position for, a cover for two weeks?' or a week or whatever the amount of time is.

Hon. E J Reyes: Yes, thank you, Mr Speaker, so therefore not all 12 are going to be engaged every day. Can I take the Minister to the last page, the posts of ten part-time cleaners which are in the process of being recruited? Although they are going to be part-time, and by that one normally understands that to be around about the 20 hour per week mark, 15 or 20 hours which is half of the working week of the school or

whatever. but if they are in the process, why – is it the intention then, despite being part-time that they will be on a permanent type of contract or will they be on a supply contract because...? And that is where the question mark comes in.

Hon. G H Licudi: Mr Speaker, the comment in the remarks column is ‘in the process of being recruited’. So my understanding is that these are posts of part-time cleaners which are available and the cleaners for those posts are in the process of being recruited.

Hon. E J Reyes: Yes, so therefore I did not explain myself properly. The process of being recruited, are they going to be recruited as supply workers or are they going to be recruited so that they become P&P workers?

Hon. G H Licudi: Mr Speaker, my understanding is that they are in the process of being recruited as part-time workers.

Hon. E J Reyes: Yes, Mr Speaker, it is written there ‘part-time cleaners’: on a supply basis or on a permanent and pensionable basis?

Hon. G H Licudi: Mr Speaker, I will be happy to double check. I can tell the hon. Member what my understanding is: that these are positions, posts which are being recruited and therefore they will be offered those jobs as part-time cleaners, not as supply, not simply going on a supply list, but actually engaged as part-time cleaners. That is my understanding but I will be happy to double check.

Hon. E J Reyes: Yes, I would be grateful if he could double check because I understand all that he is saying but they are being recruited to become part-time cleaners but will they be on a supply basis, for example an 11-month contract or something, or will they be on an indefinite type of contract. I don’t know if the Minister is able to understand what I am trying to get at. They may be part-time...

The second one there; perhaps my explanation will help him understand what I am trying to get at. The bus escort works for 18.75 hours a week – special needs pupil requiring an escort: as long as the special needs pupil requires an escort there is employment for that person. Once that child leaves the education system that post will not be required so one understands why it is a supply basis. Hence when it comes to the part-time cleaner, will they be employed until their eventual retirement or is it just to cover a very short period of time?

Hon. G H Licudi: Well, Mr Speaker, the position as I understand it – and if I am wrong in this I will let the hon. Member know, but my understanding when I asked about this – is that these are positions that are currently being filled because the question relates to supply workers in the Education Department, whether it is learning support assistants, teachers, cleaners, so this is the list of supply workers. Therefore these positions which currently exist are being filled currently by supply workers, but the posts exist and are in the process of being recruited.

So whilst the recruitment is ongoing and until the recruitment for the position ends, they are being filled by supply workers. Is the hon. Member with me?

Hon. E J Reyes: I think so, Mr Speaker – let me double check as a pedantic teacher. So for example, at the moment there is an assistant arts and design person who is on a supply contract but the Department is already in the process of recruiting one that will become permanent – great. So then, Mr Speaker, can he shed some light on the senior technician who is at the Gibraltar College, employed for 17 hours a week, but then gets seconded out to the GFA? I mean what needs does the College have that it has to be from the College to second to the GFA? That one, I am again, I am a bit lost and I need pointing in the right direction.

Hon. G H Licudi: Mr Speaker, this is someone who was engaged as a senior technician at the College and is now currently seconded to the Gibraltar Football Association and works for the Gibraltar Football Association.

We are looking at what precisely we do because we have a person employed in that position but the person is not physically there at the college because he is actually working with the... I know who the person is, he is actually working with the GFA because the Government agreed to second him to the GFA for that particular position. There was a request for a secondment, rather than a resignation and an engagement by the GFA and the Government agreed. But now we need to be clearly at some point need to regularise the position and we need to fill that position.

So the position is again, I go back to the table, of supply workers. So we have supply workers, my interpretation of this table is that we have supply workers filling these positions, the remarks are the reasons why these positions are being filled. In some cases because the posts are in the process of being recruited, in another one because there is an additional need for a particular purpose at a particular time and this one, because the officer that was doing that particular job has been seconded elsewhere and therefore there is a need for a supply worker to fill that position and to do that work.

What we cannot do is recruit for that position because there is somebody who holds that position already, albeit seconded somewhere else. So in the meantime, whilst that person is seconded we have to fill that position with a supply worker.

Hon. E J Reyes: Yes, Mr Speaker, that has helped to clarify it quite substantially. However, if my understanding is that the senior technician who is now seconded to the GFA – and it may be a separate question that requires separate notice – if he is on secondment is he still being paid for by the college or the GFA is footing that bill, then we can enter it another time.

The cover for that senior technician is only for 17 hours a week. That is way, way less of what the senior technician used to work at the College. Does the Minister have any idea why there is only a need for 17 hours? Either the other fellow was under-utilised or there must be some other explanation. It is not a like-for-like replacement from a full-time officer to someone being replaced for only 17 hours in the week; 17 hours in the week just about covers three days a week of actual school teaching time.

Hon. G H Licudi: Mr Speaker, I do not have a specific answer to that. It may be that the rest of the time that the senior technician used to do in the College is being covered in another way with existing staff at the College; it may be that that is the position. But what this table reflects is that we have a supply teacher covering this position for 17 hours a week which is what the hon. Member has asked. Now if the hon. Member says well why only 17 hours and what happens to the rest of the time that the senior technician who has been seconded would have been working in the College, then that is information that I do not currently have with me.

Hon. E J Reyes: If I may, because I hinted at this, does the Minister happen to know by chance whether the senior technician seconded to the GFA is his salary still being paid from the College as a sort of gratuitous secondment to the GFA or is the GFA footing that bill and therefore that money is not being paid out in that salary and thus the college making a saving in salary?

Hon. G H Licudi: Mr Speaker, I do not know for sure as I was not involved in that specific arrangement. I can only assume, subject to confirmation that the person is actually being paid by the GFA. He is actually working at the GFA and therefore I would expect that the GFA would be paying for that officer.

Q55/2015

Nature Protection Act contravention by Spanish fishermen – Applications for summons

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

Hon. J J Netto: Yes, Mr Speaker, can the Minister for Justice say if applications for summons to the Spanish fishermen who allegedly contravened the Nature Protection Act due to raking of the sea floor on Boxing Day just opposite Catalan Bay has now taken place and if so, please indicate if such summons will apply to one vessel or to the six?

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

Minister for Education and Justice & International Exchange of Information (Hon. G H Licudi): Mr Speaker, I am informed by the Royal Gibraltar Police that they have not yet laid information before the Magistrates' Court for a summons to be issued in respect of this matter.

Follow-up information to earlier questions

590 **Hon. E J Reyes:** Mr Speaker, may I, before you move on to any other item, may I... as I think we all cordially agreed this morning that the Minister for Sports, Culture, Heritage and Youth was going to try and look up on the chart and I said if we had it, then it rested in the record of *Hansard*.

Also whilst I am on my feet, Mr Speaker, I do not know if the Minister, the new Minister for Housing has had a chance to reconfirm that what she thought was going to be the terms and conditions of the
595 seconded, that they were out. Has she had a feedback from her Ministry that they were actually seconded out or is she still not 100% certain on that one?

If we know it in this session it does save and then if I have to have any follow-ups I can give you due notice for next month.

600 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, in relation to the question that was addressed to me, I did ask and the information was given to me, but I would rather wait because the information might be more confusing to the hon. Member. Therefore I would like to clear with the staff, which I have not had time because I have to go through it.

But rest assured that I will be sending him a letter with that information, most probably before the next
605 session.

Hon. E J Reyes: Yes, I am grateful, Mr Speaker, if I do have that like the Minister is trying his best to achieve before the next session then if I need to have any follow up I fall within the category of giving due notice of questions.

610 I do not know if the Minister for Housing wishes something or a similar situation that she will double check and if there is a change to seconded out, then she will give me any due information.

Questions for Written Answer

Questions W1 to W18/2015 tabled

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

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to table the answers to Written
615 Questions numbered W1 to W18/2015 inclusive.

Order of the Day

BILLS

FIRST AND SECOND READING

Public Services Ombudsman (Amendment) Bill 2014 – First Reading approved

Clerk: Order of the Day. Bills – First and Second Reading.

(i) A Bill for an Act to amend the Public Services Ombudsman Act 1998 and related matters.
The Hon. the Minister for Health, the Environment, Energy and Climate Change.

620 **Minister for Health, the Environment, Energy and Climate Change (Hon. Dr J E Cortes):** Mr Speaker, before I move that the Bill be read, let me just explain that although this is a Bill for an Act to amend the Public Services Ombudsman Act and I am not the Minister responsible for the Ombudsman, in discussion with my colleague, because this Bill pertains exclusively to matters relating to complaints
625 against the Gibraltar Health Authority, I have the honour to move that a Bill for an Act to amend the Public Services Ombudsman Act 1998 and related matters be read a first time.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Public Services Ombudsman Act 1998 and related matters be read a first time.

Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Public Services Ombudsman (Amendment) Act 2014.

**Public Services Ombudsman (Amendment) Bill 2014 –
Second Reading approved**

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

Mr Speaker, the Bill amends the Public Service Ombudsman Act 1998 so as to, as set out in the Government's manifesto, pass the responsibility for the investigation of complaints against the Gibraltar Health Authority for non-administrative matters from the GHA and the Panel constituted under the Gibraltar Health Authority Complaints Review Panel Act 2004, to the Public Service Ombudsman. (**A Member:** Hear, hear.)

The Bill provides for this transfer by amending the definition of an action which may be investigated by the Ombudsman so as to include complaints against the Gibraltar Health Authority, allowing the Ombudsman to specify certain members of his staff to be tasked specifically with investigating complaints against the Gibraltar Health Authority, creating a power for the Public Service Ombudsman to appoint one or more clinical assessors who must be external to the Gibraltar Health Authority, so as to advise him in relation to complaints against the Gibraltar Health Authority, setting out the circumstances where the Ombudsman may obtain medical records in addition to the powers already in the Act and deeming that a person who has made a complaint has waived his or her rights of confidentiality against the Gibraltar Health Authority with respect to the passing of the records and information to the Public Service Ombudsman and repealing the Gibraltar Health Authority Complaints Review Panel Act 2004 and making transitional provisions for outstanding matters.

I commend this Bill to the House. (*Banging on desks*)

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

Hon. Mrs I M Ellul-Hammond: Mr Speaker, the Opposition will be voting in favour of this Bill. We are satisfied that the Ombudsman and his staff, who have now set up a health jurisdiction for Gibraltar, will continue to discharge their statutory duties in a professional, impartial and thorough manner.

The track record of this independent public service is evidenced where most complaints and disputes are arbitrated successfully to the satisfaction of all involved.

However, the Opposition would like to learn in more detail, how written or GHA formal complaints will be processed in practical terms and whether regular reports will still be submitted to the GHA Board for scrutiny on the range of complaints made, whether they have been upheld or not and what has been learnt or improved as a consequence of the complaints.

Will the Public Services Ombudsman with its clinical assessors, as the Hon. Minister has mentioned, will these clinical assessors have a presence in the GHA, an office where service users can submit a written complaint and fill in the required paperwork, or will they need to attend the Ombudsman's Office in person to do so? We hope the process will not be overly cumbersome so that members of the public do not feel reluctant to access the service.

Now, if the service user is dissatisfied with the outcome of the written or formal complaint, can the Hon. Minister explain if the Ombudsman will provide another tier of appeal by a higher authority, such as an independent panel, and how this appeals process will be different to that of the present GHA Independent Complaints Review Panel? And obviously we understand that this is of course, was the main reason for the Government's manifesto commitment for the Ombudsman to adopt the GHA's Complaint Procedure.

Where the Opposition requires some clarification from the Hon. Minister, Mr Speaker, is in relation to dealing with verbal or what are known as the GHA informal complaints and the provision also of a Patient Advisory Service, which at present is so adeptly, or has been so adeptly provided by the GHA's Complaints Coordinator and her team. With regard to these informal complaints, will the same process continue where a verbal complaint is made to the senior staff member of the Department where the complaint originated; or will the Ombudsman's Office provide permanent personnel in the form of clinical assessors at the GHA to deal with and arbitrate this, perhaps less serious complaints? Can the Minister advise who will process these recorded informal complaints so that the information can be reported to the GHA Board?

And can the Hon. Minister advise as to the continuation of the successful Patient Advisory Service, where up until now the GHA Complaints Team troubleshoots by assisting users who do not wish to complain but need help, information or advice on GHA services? Will some members of the GHA's Complaints Team continue with this role or will they be transferred as new employees of the Public Services Ombudsman's Office, or will this role just move to another Department of the GHA, for example the reception area of St. Bernard's Hospital? Or indeed will this service be discontinued completely?

All members of our community hope that the new Ombudsman GHA Complaints Service will – and I quote from *Health Matters 2012-13* here –

‘provide a mechanism for users to report their grievances if they are dissatisfied with the services, to provide a way for the GHA as an organisation to listen to users, to create an understanding of patients’ negative experiences and identify poor practice and gaps in service and to identify any poorly performing service or department so that the GHA can improve its standards of care and service in that area.’

Mr Speaker, we are confident the Public Services Ombudsman can deliver on this, which is why this side of the House will be voting in favour of the Bill. However, reassurance from the Hon. Minister as to the provision of a complete service, i.e. to include a Patient Advisory Service, informal and formal complaints arbitration and an appeals process, would be desirable.

Mr Speaker: Before I call upon the mover to reply, does any other hon. Member wish to contribute to this debate?

I call upon the mover to reply. Hon. Dr Cortes.

Hon. Dr J E Cortes: Mr Speaker, I would like to thank the hon. Lady for those comments. I want to reassure her and I think I will cover all the points that she has raised, that we will continue with a complete service and I would like to think more complete than it used to be. The aim is certainly to improve the service that users can access.

If I start from one point right away, and that is to confirm that clearly the new procedures will be reported on a regular basis to the Board and the Board will review them – and I know the hon. Lady knows as a former member of the Board – and the Board will review them regularly at its meetings.

The Ombudsman will be providing a Complaints Handling Scheme and I believe that the Members of staff who will be handling that have already been recruited, who will be based within the GHA. They will have an office there and will be accessible directly to the public and will be able to provide together with the support of the Unit Managers and the clinical staff and indeed, my own office staff, a very wide patient advisory service to, as often happens, clarify queries which often avoid the need for complaints to be carried out in a more formal manner.

The very basic complaints will, as now be dealt with in the first instance by the members of staff themselves and very often minor complaints can be cleared at that level. If that does not work or if members of the public want to take that further, then the Complaints Handling Scheme officers will carry out an investigation liaising with members of the GHA staff, but always answerable to the Ombudsman.

The next level, if that does not satisfy it, the complaints will be referred to one of the Investigation Officers at the Ombudsman's Office who will be the second level who will try and determine the effects or the results of the complaint. Finally, if that is not satisfactory, then – and this of course as I mentioned earlier – it will allow the possibility of independent clinical assessors to come in and look at any clinical aspects that have to be reviewed, and the appeal will be to the Ombudsman himself, who will then set up the necessary investigation, if there has to be a further level of investigation.

So I think that we will have the benefit of additional members of staff from the Ombudsman's Office working within St Bernard's Hospital. Clearly if the complaints are about other sites, people will be requested to visit St Bernard's Hospital, as is the case at the moment, and I believe that this produces a robust service which I think will benefit the members of the public as a whole.

I think, Mr Speaker, that that covers the questions that the hon. Member has raised and therefore I commend the Bill to the House.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Public Services Ombudsman Act 1998 and related matters be read a second time.

Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Public Services Ombudsman (Amendment) Act 2014.

**Public Services Ombudsman (Amendment) Bill 2014 –
Committee Stage and Third Reading to be taken at this sitting**

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

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

Procedural

Mr Speaker: I understand that we are not proceeding today with the second Bill, the one to amend the Parliament Act. It will be left over for the next meeting of the next meeting of the House.

COMMITTEE STAGE AND THIRD READING

**Public Services Ombudsman (Amendment) Bill 2014 –
Clauses considered and approved**

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

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that the House should resolve itself into Committee to consider the Public Services Ombudsman (Amendment) Bill 2014, clause by clause.

In Committee of the whole Parliament

Clerk: A Bill for an Act to amend the Public Services Ombudsman Act 1998 and related matters.
Clauses 1 to 3.

Mr Chairman: Clauses 1 to 3 stand part of the Bill.

Clerk: The long title.

Mr Chairman: Stands part of the Bill.

BILLS FOR THIRD READING

**Public Services Ombudsman (Amendment) Bill 2014 –
Third Reading approved; Bill passed**

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to report that the Public Service Ombudsman (Amendment) Bill 2014, has been considered in Committee and agreed to without amendments and I now move that it be read a third time and passed.

Mr Speaker: I now put the question, which is that the Public Service Ombudsman (Amendment) Bill 2014 be read a third time and passed.

Those in favour? (**Members:** Aye.) Those against? Carried.

ADJOURNMENT

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Chief Minister (Hon. F R Picardo): Mr Speaker, for the beginning of the fourth consecutive year, it is my honour to move that the House do now adjourn *sine die* to return next month to continue its process of monthly meetings. (*Banging on desks*)

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

The House adjourned at 4.16 p.m.