



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 11.34 a.m. – 12.45 p.m.

Gibraltar, Friday, 28th October 2016

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The Gibraltar Parliament

The Parliament met at 11.34 a.m.

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

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

Questions for Oral Answer

CHIEF MINISTER

Q690/2016

GJBS and its subcontractors– Work done on Ministers' private property

Clerk: We continue with Answers to Questions.

We are now doing questions to the Chief Minister and we commence with Question 690, the Hon. R M Clinton.

5

Hon. R M Clinton: Mr Speaker, can the Government please list all works undertaken by GJBS or its subcontractors on the private properties of Government Ministers over the last five years to date, describing the nature and monetary value of the works undertaken?

10

Clerk: Answer, the Hon. the Chief Minister.

15

Chief Minister (Hon. F R Picardo): Mr Speaker, the following works have been undertaken by the GJBS in the homes of Government Ministers and paid for by the Government. Before 1996, in the home of the Hon. Joe Bossano MP, security works carried out on the recommendation and advice of the Royal Gibraltar Police. The total: circa £15,000.

Between 1996 and 2011, at the home of Sir Peter Caruana QC, security works carried out on the recommendation and advice of the Royal Gibraltar Police, circa £30,000.

After 2012, at my own home, security works carried out on the recommendation and advice of the Royal Gibraltar Police, in the value of about £34,500.

20

Hon. R M Clinton: Mr Speaker, I am grateful to the Chief Minister for that answer. I notice that his answer – it may be that that is the nature of the reply – in that it only seems to be in respect of Chief Ministers, but my question was wider, in respect of Government Ministers.

25

Was he saying that the only work undertaken by GJBS – and again, I am not asking just in terms of paid by the public purse but actually conducted by them – whether it is limited or this includes not just Chief Ministers but also all Government Ministers?

Hon. Chief Minister: Mr Speaker, these are the works paid for by the Government. The Government is answerable for the work paid for by the Government. GJBS does works for the

30 Government and for third parties. It has traditionally always done so. It is a company that operates in the private sector as much as it does in the public sector.

We are the shareholders of GJBS but, as we do in relation to other Government companies, we do not answer questions about the work of those Government companies, neither GibTelecom nor the Gibraltar International Bank, etc.

35 Mr Speaker, as far as the records show, the only work paid for by the Government – which is what I am answering for: work paid for by the Government – are these works which relate to these three Ministers who also happen to be the Chief Ministers of the particular period, who are the ones who have had security works done. No other work has been paid for by the Government in any other Minister's home that the records indicate.

Q691/2016

Bluewater Project, Coaling Island Project and Rooke Development – Updates

40 **Clerk:** Question 691, the Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government please provide updates in respect of the Bluewater Project, the Coaling Island Project and the Rooke Development?

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

Chief Minister (Hon. F R Picardo): Mr Speaker, the position remains as set out in answer to Question 435/2016, which I note is less than six months ago.

50 **Hon. R M Clinton:** Mr Speaker, I think, following parliamentary Rules, I was asking for an update which is not the same question as I asked six months ago.

From the Chief Minister's answer, if he can just confirm to me: basically, there is no progress from the last time he provided an update?

55 **Hon. Chief Minister:** Well, Mr Speaker, following parliamentary Rules, asking almost exactly the same question, whether it is for an update or not, is asking the same question within six months. Question 435 was:

Mr Speaker, can the Chief Minister please provide Parliament with an update in respect of the Bluewater Project, Coaling Island development and reclamation project, and the proposed Rooke development and any premiums received, due or contractually agreed?

And this one is:

Can the Government please provide updates in respect of the Bluewater Project, the Coaling Island Project and the Rooke Development?

60 So to me, Mr Speaker, it is asking exactly the same question within a period of six months. I have not said that there is no progress or development. I have said that we are in exactly the same stage as we were at the time that he asked Question 435.

Mr Speaker: Next question.

Q692/2016
Chief Secretary –
Links to Civil Service and Government pay scales

65 **Clerk:** Question number 692, the Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government please provide a list of all pay grades in the Civil Service and Government authorities whose pay scale is in any way linked to that of the Chief Secretary?

70

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the grades of Financial Secretary, Attorney General, Members of Parliament, Leader of the Opposition, Speaker, Ministers and Chief Minister are linked to that of the Chief Secretary as a result of the motion of December 1998 carried by GSD majority.

75

Since then, the pay scale of the Principal Auditor has also been linked to the pay scale of the Chief Secretary.

80 **Hon. R M Clinton:** Mr Speaker, I am grateful for that response. Would the Chief Minister be able to tell us or tell the House what his analogue is to the Chief Secretary as a percentage?

Hon. Chief Minister: Mr Speaker, I do not think it is a question that arises from here. I would need notice. I think actually it is something that was provided for in the motion. I would have to read the motion to work it out or otherwise, but if he gives notice of the question I can, I am sure, provide it to him.

85

Mr Speaker: If the original question had said, 'and explain how these are linked, the manner in which they are linked to the salary of the Chief Secretary', then it would have been perfectly in order and no need for a separate question.

90

Hon. Chief Minister: Of course it is not a legitimate supplementary. How do you expect me to know every formula going? I will tell you, somebody who works it out will tell you, and it is what the GSD thought it should be.

95

Hon. R M Clinton: Mr Speaker, I will of course follow your advice.

Perhaps the Chief Minister might be able to answer this. Given the list of grades that are linked to the Chief Secretary, would I be correct in saying, that in some way, shape or form, they would get some kind of pay increase, as the Chief Secretary is getting, of 28% – I am still pending a response from him on that – in some shape or form?

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Hon. Chief Minister: Mr Speaker, I believe that would be the ordinary meaning of what the word 'linked' means.

105

Mr Speaker: Next question.

Q693/2016

**Bob Peliza Mews and Hassan Centenary Terraces –
Updates**

Clerk: Question 693, the Hon. R M Clinton.

110 **Hon. R M Clinton:** Mr Speaker, can the Government please provide an update in respect of
Bob Peliza Mews and Hassan Centenary Terraces?

Clerk: Answer, the Hon. the Chief Minister.

115 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the answer remains as set out in answer to
Questions 534/2016 and 535/2016, which I note is just about a month ago, certainly within the
six-month period.

120 **Hon. R M Clinton:** Mr Speaker, I notice the Government is not shy of issuing press releases –
certainly one dated 26th August – saying that negotiations for both developments are now in an
advanced stage and the Government continues to push to get the best possible deal for the
Taxpayer. Can I ask the Chief Minister how he is progressing in getting the best possible deal for
the Taxpayer?

125 **Hon. Chief Minister:** Very well, Mr Speaker.

Hon. R M Clinton: Mr Speaker, does he have any idea as to when ground might be broken in
these developments as there are people waiting still to hear from the Government following the
glossy brochures that were issued more than a year ago?

130 **Hon. Chief Minister:** Yes, Mr Speaker.

Hon. R M Clinton: Does he have a date, Mr Speaker?

135 **Hon. Chief Minister:** A likely date, Mr Speaker.

Hon. R M Clinton: Would that be in the lifetime of this Parliament, Mr Speaker?

Hon. Chief Minister: Certainly, Mr Speaker.

It is your turn again, as we are answering these sort of questions every month.

Q694-695/2016

**Gibraltar Capital Assets Ltd –
Mortgage use and Hassans' fees**

140 **Clerk:** Question 694, the Hon. R M Clinton.

145 **Hon. R M Clinton:** Mr Speaker, can the Government please advise to what use the
£300 million loan raised in Gibraltar Capital Assets Ltd by way of mortgage over six housing
estate buildings is to be put?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer with Question 695.

150 **Clerk:** Question 695, the Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government state how much in the way of fees Hassans has been or is due to be paid in respect of work undertaken in respect of the £300 million loan raised by Gibraltar Capital Assets Ltd?

155

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Tempting as it is to say to the hon. Gentleman that he should ask the fellow sitting next him, Mr Speaker, I will say this: as the Hon. R M Clinton is aware, we are due to have a meeting to discuss all of these points. I shall look forward to discussing all aspects of this matter with him then. A full list of fees paid to all advisers will be provided at the meeting.

160

The £300 million will be held by the Government-owned companies to provide flexibility to refinance existing borrowing and to fund further capital projects by these companies.

165

Hon. R M Clinton: Mr Speaker, I am grateful for that answer. As he is aware, I did write to him on 3rd October and I would be grateful if he would give me an indication as to when he would be able to have this meeting in respect of the £300 million loan?

170

Hon. Chief Minister: Mr Speaker, I hope it will be in the next 14 to 21 days, maximum.

Hon. R M Clinton: Mr Speaker, I am grateful for that and I look forward to the meeting in due course.

175

In respect of the use of the £300 million, could he explain to the House how he would intend to get the money from Gibraltar Capital Assets Ltd to the Government's own coffers in respect of refinancing?

180

Hon. Chief Minister: Well, Mr Speaker, I do not think I have to do that because I do not think I am required to explain to him how the company structure works, especially given it is one that was established by them, but I have said that there will be further capital projects by the companies. I have not said it will be by the Government.

185

Hon. R M Clinton: Mr Speaker, will the Chief Minister be able to explain, when he says 'capital projects', these would be Government capital projects?

Hon. Chief Minister: Mr Speaker, I have said, 'by the companies'.

190

Hon. R M Clinton: So, Mr Speaker, I presume these are Government-owned companies and therefore they will be Government projects, by definition?

Hon. Chief Minister: Mr Speaker, the hon. Gentleman knows that we have a disagreement about that, we have ventilated 100 times since the time he was elected to this House, that the Government projects are the Government projects set out in the Estimates Book in the I&D.

195

Hon. R M Clinton: So, Mr Speaker, this money will be used by Government-owned companies to finance capital projects which are not going through the Improvement & Development Fund? That effectively is what the Chief Minister is saying.

Hon. Chief Minister: Repeatedly, Mr Speaker.

Q696/2016
Devil's Tower Road Workers' Hostel site –
Details of sale

200 **Clerk:** Question 696, the Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise the amounts raised from the sale of the site of the Devil's Tower Road Workers' Hostel; to whom, and for what period is the lease?

205

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the Devil's Tower Road site has been leased to G&JB (Hotels) 2014 Ltd for a period of 150 years. The amount raised from the sale is £530,000.

210

Hon. R M Clinton: Mr Speaker, this may or may not be deemed to be a justifiable supplementary, but would the Chief Minister know the date of the sale agreement or the date of the lease, when it was granted?

215

Hon. Chief Minister: No, Mr Speaker, I do not know the date of the lease. If the hon. Gentleman gives me notice, I am sure I can provide it. That probably is also a question that refers to something that will be or is in the public domain because the leases are searchable. But if he gives me notice, I can give him the date.

220

Hon. R M Clinton: Mr Speaker, just for the Chief Minister's information – this is obviously not a question – I would have him know I have done a search at Land Property and there is no such lease registered, certainly within the last month.

225

Hon. D A Feetham: Mr Speaker, GJB Hotels: is that the company that owns the Caleta Palace Hotel?

230

Hon. Chief Minister: Mr Speaker, I gave the title as G&JB (Hotels) 2014 Ltd. The Caleta Palace Hotel was built, I think, in 1965 and as far as I know is not owned by this company, but I am not able to tell him whether it is or whether it is not. It may be that it has been moved into this company by the family that owns the Caleta Palace Hotel or not.

I do not think it is a question that arises anyway from the question that has been put.

235

Hon. R M Clinton: Mr Speaker, just to connect the dots, or he may correct me if I am wrong: this is the company that is going to develop the Holiday Inn Express, or the Holiday Inn?

240

Hon. Chief Minister: Mr Speaker, I think that is also public information, because the DPC considered an application from G&JB (Hotels) 2014 Ltd for the development of that hotel, so it is public information.

Of course, the DPC now sits in public and hon. Members can attend and see what is considered and the minutes are available and it is all online. This is public information.

Hon. R M Clinton: Mr Speaker, I am grateful for the Chief Minister's confirmation.

Q697/2016
Relocation of Moroccan Hostel –
Receipt of premium

Clerk: Question 697, the Hon. R M Clinton.

245

Hon. R M Clinton: Mr Speaker, can the Government advise, as per its press release 48/2014, if it received the premium of £2.7 million from the developer of Buena Vista for the relocation of the Moroccan Hostel from the Stone Block?

250

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, yes, the Government received the £2.7 million premium in December 2014.

Q698-699/2016
GCP Investments and GAR Ltd –
Deed of Sale and stamp duty

Clerk: Question 698, the Hon. R M Clinton.

255

Hon. R M Clinton: Mr Speaker, can the Government advise the purpose of the Deed of Sale between GCP Investments – a Government-owned company – and GAR Ltd – another Government company – on 1st July 2014 for 14 properties with a combined value of £40,292,975.59; how was this valuation arrived at and where did GAR obtain the money from?

260

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer together with Question 699.

265

Clerk: Question 699, the Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, how much stamp duty was paid to Government on the sale of property from GCP Investments Ltd to GAR Ltd for £40,292,975.59?

270

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, these properties were valued in February 2013 by Land Property Services Ltd and were transferred by the Crown to GCP Investments Ltd. They were subsequently transferred to GAR Ltd as part of a rationalisation exercise.

275

The total stamp duty paid was £1.4 million.

Hon. R M Clinton: Mr Speaker, I am grateful to the Chief Minister for his response. Could he explain the rationale for this reorganisation? What was the reason for it?

280

Hon. Chief Minister: Mr Speaker, rationalisation.

Hon. R M Clinton: Mr Speaker, rationalisation to what end, I would ask?

285 **Hon. Chief Minister:** Mr Speaker, what we considered to be a better way of holding the properties.

Hon. R M Clinton: Mr Speaker, I am sure the Chief Minister will appreciate that you do not do something for no reason, especially when you have to then pay yourself £1.4 million in stamp duty.

290 Again I ask, what was the reason for moving it from one Government-owned company to another Government-owned company?

Hon. Chief Minister: Mr Speaker, of course you do not move something from one company to another company, especially if you incur a charge, unless there is a good reason for it and rationalisation is a very good reason to do something like this. In other words, rationalisation means to better structure your holding of assets. That is why we have done it, because we think this is a better way of holding the assets.

300 **Hon. R M Clinton:** Mr Speaker, I am grateful for that.
In what way is it better?

Hon. Chief Minister: Mr Speaker, perhaps he should give notice of that question, because all he has asked me is about the transaction and he has not asked me for a detailed understanding of the rationalisation. He may find that the Government does not want to give more detail, or he may find that if he writes he may get a further answer, but what he cannot do is to say that this arises.

310 **Hon. R M Clinton:** Well, Mr Speaker, I will follow his advice and I will write in next time a question specifically asking for the Government's thinking on this.

Hon. T N Hammond: Mr Speaker, if I may just ask ... I may have missed the answer in the original question – and apologies if I did and the Chief Minister has to repeat himself – but where did GAR Ltd obtain the money from? I am sure the Chief Minister probably answered that but I did not hear.

315 **Hon. Chief Minister:** Mr Speaker, I do not have the detail of where GAR obtained the money from. The hon. Gentleman is right that that is one of the constituent elements of the question but I do not have the detail in the answer of where GAR obtained the money from. I assume it has either been dealt with by way of inter-company loans or it has been dealt with from own funds of GAR.

Hon. T N Hammond: Mr Speaker, in either of those cases, GAR being a Government-owned company, its own funds would effectively be money obtained through Government – or would it be through another income source?

325 **Hon. Chief Minister:** Mr Speaker, it would be from the pool of cash that the companies have, a pool of cash which was established for the companies by the GSD administration.

Q700-701/2016
Derivative contracts –
Details of policy, current contracts and valuation

Clerk: Question 700, the Hon. R M Clinton.

330 **Hon. R M Clinton:** Mr Speaker, what is the Government's policy in respect of the entering into and use of derivative contracts; who is authorised to enter into them and what exposure limits have been set and by whom?

Clerk: Answer, the Hon. the Chief Minister.

335 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer this question together with Question 701.

Clerk: Question 701, the Hon. R M Clinton.

340 **Hon. R M Clinton:** Mr Speaker, can the Government please provide a list of all derivative contracts, excluding interest rate swaps, held by the Government, Government agencies or companies, together with the current valuation?

Clerk: Answer, the Hon. the Chief Minister.

345

Chief Minister (Hon. F R Picardo): Mr Speaker, derivative contracts are entered into with the approval of the Government in order to hedge interest rates on loans, fuel costs and currency risks.

350 In the case of fuel hedges, the authority of the GEA board is required as well as that of the Government. Hedging of currency risks are authorised by the Financial Secretary with the approval of the Government.

Excluding interest rate swaps, the only derivative contract currently held is the five-year Fuel Hedge entered into by the Gibraltar Electricity Authority which expires on 30th September 2017.

355 **Hon. R M Clinton:** Mr Speaker, can I ask who would be responsible, then, for monitoring these contracts?

Hon. Chief Minister: The Ministry of Finance.

Q702/2016

Government financing for commercial property development – Details

Clerk: Question 702, the Hon. R M Clinton.

360

Hon. R M Clinton: Mr Speaker, has the Government or any Government agency or company provided any financing for any commercial property development in Gibraltar?

Clerk: Answer, the Hon. the Chief Minister.

365

Chief Minister (Hon. F R Picardo): Mr Speaker, my Government stopped the financing of a commercial property development by third parties which the GSD was pursuing and for which they had taken a mortgage of £20 million secured over more than 20 Government properties to the value of £32,914,000.

370

Hon. R M Clinton: Mr Speaker, the Chief Minister can correct me if what I say now is wrong. He is effectively confirming that there is no current Government financing for any commercial property developments in Gibraltar.

Hon. Chief Minister: That is right, Mr Speaker.

375

Mr Speaker: Next question.

Q703-704/2016
Air Terminal –
Purchase, lease and stamp duty

Clerk: Question 703, the Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise the purpose of the transaction executed between Gibraltar Air Terminal Ltd and Gibraltar Land Holdings Ltd and the Crown on 20th May 2013 whereby Gibraltar Air Terminal Ltd surrendered its lease to the Crown, Gibraltar Land Holdings Ltd purchased the Air Terminal for £90 million and then gave a lease to Gibraltar Air Terminal Ltd for 20 years at an annual rental of £5.4 million?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer with Question 704.

Clerk: Question 704, the Hon. R M Clinton.

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Hon. R M Clinton: Mr Speaker, can the Government advise the amount of stamp duty paid on the £90 million by Gibraltar Land Holdings on the purchase of the Air Terminal; has the £90 million been paid to the Crown; and where did Gibraltar Land Holdings obtain £90 million from?

Clerk: Answer the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the purpose of this transaction was to reflect the Airport Terminal building in the balance sheet of the Government-owned companies at cost and to reflect the annual market rental value of this asset.

The total stamp duty paid was £3.3 million – and I think he could have worked that out for himself.

Hon. R M Clinton: Mr Speaker, I do not believe I heard an answer in respect of where did the £90 million comes from.

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Hon. Chief Minister: He did not, Mr Speaker, but I assume it comes from the pool of cash which the GSD established for the companies, which is where the companies' monies lies.

Hon. R M Clinton: Mr Speaker, when I ask a question I would like the answer rather than the Chief Minister's assumption. Does he have any clarity on the question?

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Mr Speaker: Repeat the question please.

Hon. R M Clinton: Mr Speaker, I asked, other than his own assumption, does he have any actual information as to where the £90 million came from?

415

Hon. Chief Minister: That is a question, Mr Speaker! Before there was not a question. Before, he got up and said what he would like, which is a matter for him. He can tell us what he likes, what he wishes and all the rest of it.

420 No, Mr Speaker, I do not have the information, but my assumptions are usually correct.

Hon. R M Clinton: Mr Speaker, with respect to the Chief Minister, I have asked a fairly simple question and he has responded with his personal assumption. I am asking the Government of Gibraltar do they know, do they not know, where the £90 million came from for this transaction?

Hon. Chief Minister: Mr Speaker, I have told him that it has very likely come from the pool of cash that the companies have available to them, which the GSD established, because that is where the companies get their money from.

430

Hon. R M Clinton: Well then, Mr Speaker, let me ask him this question: can he confirm that the £90 million was actually paid over in respect of this transaction?

Hon. Chief Minister: Mr Speaker, I would need notice of that question, but when a transaction occurs for an amount, it occurs for an amount.

435

Hon. R M Clinton: Mr Speaker, I believe I have given notice to this question in 704 where I said specifically, '... has the £90 million been paid to the Crown?'

Hon. Chief Minister: Well, Mr Speaker, the Crown has not entered into a transaction with its own companies for which it has not been paid, because I would have been notified of that.

440

Hon. R M Clinton: Mr Speaker, so can I assume by that remark that the Crown has been paid?

Hon. Chief Minister: Mr Speaker, as far as I heard the hon. Gentleman say, 'I will assume from that ...' – well, that is fine.

445

Hon. R M Clinton: Mr Speaker, I will ask again of the Chief Minister, has the Crown been paid the £90 million in respect of this transaction?

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Hon. Chief Minister: Mr Speaker, I refer the hon. Gentleman to the answer I gave a few moments ago.

Hon. R M Clinton: Mr Speaker, as I do not have *Hansard* in front of me could he perhaps refresh my memory as to what he said a couple of minutes ago, because I did not hear him say the Crown was paid £90 million.

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Hon. Chief Minister: No, Mr Speaker, he can go on *Hansard* and look at it when it comes out. I am not here to refresh anybody's memory about anything.

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Hon. R M Clinton: Well, Mr Speaker, I guess then the Crown has not been paid the £90 million since he will not confirm it.

Hon. Chief Minister: Mr Speaker, I said something before which led him to assume the opposite and now he wants to guess the opposite. It is up to him. He is getting rather confused this morning.

465

Hon. R M Clinton: Well, Mr Speaker, let me ask him this: is the £90 million sale by the Crown reflected in the books of the Government as at the date of transaction?

470

Hon. Chief Minister: Mr Speaker, those parts of the books of the Government will already have been published and the hon. Gentleman can look at them himself.

I cannot imagine any reason why the Government would not want to reflect the transaction.

475

Hon. D A Feetham: Mr Speaker, when the Hon. the Chief Minister says that the money comes from, 'the pool of monies in Government-owned companies' he is referring to the pool of money that is held on call account by Gibraltar Investments Holdings, is he not?

Hon. Chief Minister: Yes, sir.

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Hon. D A Feetham: Therefore, Mr Speaker, what he is referring to is the pool of money that is being paid to Gibraltar Investment Holdings by Credit Finance Company Ltd and indeed also the proceeds from the loan that was obtained in relation to the various estates that the Government has now mortgaged to the hilt.

485

Hon. Chief Minister: Mr Speaker, we have had a number of discussions about whether something is a mortgage or is not a mortgage. We have had a number of discussions about what is or is not in the pool of companies. The hon. Gentleman, therefore, has had extensive opportunities to try and determine what is and is not in that pool. They set it up, Mr Speaker, when they were in Government. They thought it was a good thing to have when they were in Government. We have continued the application of it and there are many things which make up that pool, Mr Speaker.

490

Hon. D A Feetham: Mr Speaker, perhaps I can simplify it and maybe he gives me a straight answer to this question: is the bulk of the money that is in Gibraltar Investment Holdings the proceeds from the £320 million paid over by Credit Finance Company Ltd – their creation – and the £300 million from the loan obtained as a consequence of the mortgage on the Government estates? When one talks about the 'pool of money', the bulk of that money is that money?

495

Hon. Chief Minister: The hon. Gentleman always wants straight answers to crooked questions.

500

Mr Speaker, that supplementary does not arise from this question.

Hon. R M Clinton: Mr Speaker, if I may return to Question 703, can I ask the Chief Minister if he would characterise the transaction as a sale and leaseback?

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Hon. Chief Minister: Mr Speaker, an analysis of a sale-and-leaseback transaction requires much more than me just to get up and answer the hon. Gentleman's question as if we were having a conversation over a pint – so he is not going to get my analysis of that here.

510

I would be delighted to have a pint with him and do this and many other analyses, but not here.

Q705/2016
National football stadium –
Update

Clerk: Question 705, the Hon. E J Reyes.

515

Hon. E J Reyes: Mr Speaker, sir, given the apparent abandonment by the Gibraltar Football Association of their plans to construct a national football stadium at the Europa Playing Fields site, can Government provide updated information in respect of what other alternative site or sites are being considered for the provision of a UEFA Cat. 3 approved stadium?

520

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, as stated in Press Release 634/2015, subject to DPC approval, the proposed move of the new football stadium is to Lathbury Barracks. But, Mr Speaker, this is not a Government project; it is a GFA project.

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Hon. E J Reyes: Yes, Mr Speaker, I accept what the Chief Minister is saying – I am sorry my wording is wrong. I know it is a GFA project, that is why I started my question by saying that ‘the apparent abandonment’ was by Gibraltar Football Association of using the Europa grounds.

530

What I do try, as well, to ask in the question, especially the part after the comma: are any other alternative sites, other than the one referred to in press release 634 – which is the Windmill Hill – being considered? Because there is a lot of talk amongst people who frequent football games, either Victoria Stadium or Faro, in that other sites could be looked into.

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I was asking the Chief Minister – not trying to catch him out but more out of concern for football lovers and above all those of us who have to put up with the inconvenience of travelling all the way to Faro – to see if there are any other sites being considered.

540

Hon. Chief Minister: Mr Speaker, I have a residual affection for the hon. Gentleman because we have been in this House together for so long, that when he asks me a question I do not think he is trying to trip me up, I genuinely think he is trying to get to the information.

545

He is right that Faro causes a number of inconveniences, in the Government certainly. Individually, as a collective, we would like to see our national football stadium happen and football coming home to Gibraltar.

550

In particular, Mr Speaker, I tell him, as somebody who is now permanently on a diet, going to Faro presents many, many temptations, usually of the fishy variety, and it is better to stay home and closer to the local and locale than it is to go to Faro.

555

Mr Speaker, there is wide sympathy in all parts of the Government for wanting football to be able to come back to Gibraltar. This is, again, a GFA project. The GFA are looking at Lathbury. I understand they have only recently finished their in-depth analysis of that location, which is the one that they have asked us to look at. If they want us to look at other locations, we will. As long as they are compatible with other land-use requirements of the Government and of this community, we will of course try to work with them if Lathbury does not work.

560

We are wishing to make this happen in Gibraltar. It is not easy to have another football stadium in Gibraltar. It has to be, as hon. Members know, a football stadium. It cannot be a multi-sport stadium. I know that the GFA are constantly trying to repatriate football, even if it is on an interim basis, just for some matches to Gibraltar, which might even be played in the existing facilities whilst they look for a new home. They have the full support of the Government in doing that, as hon. Gentlemen know. They have seen that we have refurbished part of the Victoria Stadium already in order to deal with non-national games. There is now a possibility of some national games coming, potentially, which I think we would all welcome.

This is a vexed issue for a territory that is two and a half miles by one mile at its widest point, Mr Speaker. But within the six km² we will find a way of doing business. We find a way of doing everything.

565 **Hon. Ms M D Hasson Nahon:** Mr Speaker, can I rise, can I ask?

The Chief Minister explained about Lathbury Barracks, but I just wanted to say, despite the fact that we know that there have been partisan disagreements on the location of the proposed GFA stadium, I would like to ask the Chief Minister, isn't it obvious that going for or recommending a place like Lathbury Barracks that is so aloof and so remote – when you think
570 that so many foreigners are going to be coming to Gibraltar – there are inevitably going to be transport issues, getting so far and coming back?

Isn't it obvious that it would be much better suited to recommend something in the Bayside area, especially when the schools are going to be taken down, rebuilt, or whatever, and there is scope to place it somewhere near the Frontier, near Spain, near a massive car park? Isn't it
575 obvious that logistically it would make a lot more sense to have it in the North District?

Hon. Chief Minister: Well, Mr Speaker, the hon. Lady may or may not know ... In fact, from what I know of her, she will understand that those of us who are Liverpool fans have to suffer the trek out of Liverpool City centre to Anfield, which is very far indeed, very difficult to get to,
580 etc. It does not stop Anfield from being full every time the Reds play at home. It does not mean that they always win, although I understand that this year we are not doing badly. There is one particular team just ahead of us. (**A Member:** No comment!)

Mr Speaker, look, this is about land use, and remodelling things is not easy and the UEFA requirements are not easy. I know this is not a Government issue, this is a GFA issue. The GFA
585 asked the Government for Europa; the GFA asked the Government for Lathbury. The Government have tried to help the GFA to identify other areas but we are trying to work with the GFA. The GFA have looked – for all the reasons the hon. Lady has talked about – to the North District. They have looked at Victoria repeatedly. The partisan disagreements about Victoria are not that we do not want to do it there, it is that UEFA have been insistent that it cannot be a
590 multiuse facility; we would potentially lose it for all other sports. There are all sorts of issues tied up here.

What would be the best area? The hon. Lady is probably right that it is easier and more convenient for those who are coming into Gibraltar if it could be further north. It is also true that, if you want to make more of those who are coming to Gibraltar, you want them to walk
595 through Gibraltar. In some respects, you also want to keep them away from some parts.

This is not an easy decision. The only thing a Government can do in this situation is work with the Association that has the responsibility to provide the facility and try and help them as much as possible. I am sure whoever might have been in Government, we would all be trying to work
600 with the Gibraltar Football Association to deliver this facility as soon as possible in the best possible place and in the best possible way so that football fans from Gibraltar and from the rest of the world can enjoy the GFA's matches in Gibraltar, and Champions and Europa League matches in Gibraltar, where our lads and ladies do us so proud.

It is particularly true that now the ladies' game is taking off in Gibraltar as a result of the efforts being made by the GFA. It is also true that in the men's game we have had some
605 extraordinary successes in the past six months. Lincoln Football Club beating Celtic in Gibraltar was really quite an incredible thing that people might not have imagined possible. All of those things, I think, contribute to the affection that there is for what is already one of the most popular sports in Gibraltar.

She can rest assured that the Government is doing everything possible in working for the GFA
610 to deliver the best possible facility for those sportsmen who play the game and those fans who want to go and watch the game being played in Gibraltar.

615 **Hon. D A Feetham:** Mr Speaker, what UEFA will not do is actually fund a national stadium, or provide a contribution in respect of funding of a national stadium, if it is used for other sports. It does not actually prevent national football games being played – and indeed there are examples elsewhere – in a multipurpose facility. UEFA will allow that.

620 My question is this: the question by my hon. Friend, Mr Reyes, talks about UEFA Cat. 3. The football stadium that is being planned by the GFA is a Cat. 4. UEFA rules provide that in the absence of a Cat. 4 – and there is no Cat. 4 here in Gibraltar at present – international football can be played at a Cat. 3. Victoria Stadium is very close to a Cat. 3. The Government has done a good job in relation to the upgrade of Victoria Stadium – it is very close.

625 Therefore, will the Government, just as a temporary measure ... Because we all know that the Government's policy is to facilitate the release of land to the GFA in order to build its own football-exclusive Cat. 4 stadium. Will the Government consider – and again I urge on them to consider – the upgrade of Victoria Stadium just that little bit more from that Cat. 2.8, as the hon. Gentleman described it, to a Cat. 3 which would enable the Victoria Stadium to be used – only on a temporary basis – for our home games? I am not sure what the position is on FIFA, but certainly on UEFA, that is the position.

630 **Hon. Chief Minister:** Mr Speaker, I do not accept anything that the hon. Gentleman says is or is not UEFA's position. The Government will continue to work with the GFA and consider the things that the GFA ask us to consider, not anything that he asks us to consider about what is, in effect, their responsibility, their obligations, and their membership of UEFA and their membership, now, of FIFA – something that we all welcome.

635

Mr Speaker: Next question, please.

Q706/2016

Write-offs of Government arrears – Number and Limitation Act

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

640 **Hon. D A Feetham:** Mr Speaker, how many write-offs of Government arrears have taken place in each of the last five years and how many will the Government now pursue in the light of the recent changes to the Limitation Act?

Clerk: Answer, the Hon. the Chief Minister.

645 **Chief Minister (Hon. F R Picardo):** Mr Speaker, details of arrears written off are published in the Annual Audited Accounts. Details of the arrears asked about are previously provided in answer to Question 576/2016.

650 The amendment to the Limitation Act will no longer prevent the Government from following up arrears due which were previously statute barred or debts which are reaching six years from becoming statute barred.

Whenever possible, in future actions brought against a debtor in respect of Government arrears due, the full extent of the arrears due to the Crown may be pursued as appropriate, notwithstanding that none of this debt may have previously been written-off as a result of the Limitation Act.

655

Mr Speaker: Next question.

Q707/2016

**Allegation against GSD Minister made 7th October –
Information to substantiate**

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

660 **Hon. D A Feetham:** Mr Speaker, will the Chief Minister place before this House the information he had on Friday 7th October 2016 to substantiate the allegation that in January 2003 the GSD Government had made a loan to a company in which a Government Minister apparently had an interest?

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

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government will make a further statement in due course to provide all relevant information at its disposal in respect of this matter.

670

Hon. D A Feetham: Mr Speaker, with respect, that is not a satisfactory answer. What information, Mr Speaker, did he have at his disposal on that Friday to basically say to this House that he thought or there was some kind of *prima facie* evidence that Inverigan Ltd had received a loan and that Inverigan Ltd was owned or that a GSD Minister had an interest in Inverigan Ltd?

675

Hon. Chief Minister: Mr Speaker, he may or may not be satisfied with my answer, but I have told him what I have told him: I will make a full statement in due course which will provide that and all the other information which I consider appropriate.

680 **Hon. D A Feetham:** Mr Speaker, has he, in a professional capacity, acted for any of the shareholders in Inverigan Ltd and was that the reason why, in his own mind, he made this link – I will ask him some further questions in relation to this – which is completely and utterly spurious as far as this inference that a Government Minister had an interest in this particular company in January 2003?

685

Hon. Chief Minister: Mr Speaker, I am not answerable in this House for the things I may or may not have done in my professional capacity.

690 **Hon. D A Feetham:** Mr Speaker, if he acted for one of the shareholders of Inverigan Ltd, does he not agree with me that he ought to have declared his interest when he made the statement that he made on Friday 7th October to this House?

Hon. Chief Minister: No, Mr Speaker, I do not agree. But I do not see how that is a question that arises from.... How is that a supplementary that arises from this question?

695 **Hon. Gentlemen** know that we spend hours here because they do not follow the Rules that they have to ask questions which arise. The hon. Gentleman wants to go on an exciting cross-examination of the Chief Minister to try and lead him to the place that he wants to try and catch him in the trap of. I have given the answer to this question: I will make a full statement and provide the full information when I am ready, Mr Speaker. I am not answerable in this House for things I did as a professional – which I am very proud of having done.

700

Hon. D A Feetham: Mr Speaker, to use the phrase that he used in relation to us when he surprised us with this information, surprised the rest of Gibraltar – it appeared in the *Gibraltar Chronicle* the next day, front page – ‘The Opposition is wriggling on a hook.’ Well, it appears to me, Mr Speaker, that it is the Chief Minister who is now wriggling on a hook.

705

What information did he have to slur the reputations of eight GSD Government Ministers when he made the statement that he made on 7th October, two weeks ago, Mr Speaker?

710 **Hon. Chief Minister:** The hon. Gentleman can rest assured, Mr Speaker, that I am not wriggling and I am on no hook. But just asking the same question over and over again is not going to change how I am going to answer, nor is it going to change the statement I am going to make which will clarify everything for the whole of this community, especially given that it is something that has been contained in the auditors' accounts for many, many years.

715 The community will be very pleased to see what I have to say about that particular matter and will be very interested to hear what I have to say in relation to the matters that have been ventilated in this House. I very much look forward to making it, Mr Speaker. Perhaps the hon. Gentleman does not look forward to my making it and that is why he is trying to dissemble it and trying to suggest that I should be saying something now instead of when I am ready.

720 What we are doing, Mr Speaker, is having a debate on the subject rather than dealing with questions. I commend to the hon. Gentleman that he should watch the Westminster Parliament more often. He might learn how to ask questions in Parliament, because it is completely different to asking questions in court. He does not seem to be able to change the guise in which he asks the questions.

725 **Hon. D A Feetham:** Does he know, Mr Speaker – and he ought to have known, because I believe that he acted for the shareholders of this particular company – that a GSD Government Minister had a shareholding in this particular company and sold his shareholding in this particular company on 28th April 2000? Therefore, when the loan was granted in January 2003 there was absolutely no interest. Therefore, it was wholly improper of the Chief Minister to have made the assertions and the allegations that he made on 7th October, two weeks ago.

735 **Hon. Chief Minister:** Mr Speaker, I do not see how that arises from this question. This is a statement that the hon. Gentleman has obviously been itching to make. I remit him to the answer I gave a few moments ago. I will be making a full statement of what I knew and what else I know and why I said the things I said in due course. But he obviously wanted to get up and say those things. He might have just done it in his first supplementary and we could have avoided all of this uncomfortable dancing around each other that he insists on doing – although I must say he is one dancer that cannot be described as having two left feet anymore because he seems to have gone to the other side.

740 **Mr Speaker:** Perhaps it will be of assistance if I explain that, given that the Chief Minister has committed himself to make a ministerial statement on the matter arising from a question, the attitude that I will adopt will then be different as to when a normal ministerial statement is made –

745 **Hon. Chief Minister:** Mr Speaker, my answer has been that I will make a *further* statement. I have not said it is a ministerial statement and I have not necessarily said it will be in this House.

750 **Mr Speaker:** That further statement will arise from a question. Therefore, unlike a ministerial statement, when only questions on clarification are permitted, the questions that will be asked will be part of the normal process of question and answer.

755 **Hon. D A Feetham:** Mr Speaker, in order to assist the Hon. the Chief Minister – and bearing in mind that the Hon. the Chief Minister invites us constantly, rather than answer questions in this House, to do searches at Companies House and expects us to trawl through hundreds of companies – we have made our own enquiries in relation to this. I have a file with all the documents here to substantiate what I have put to the Chief Minister and, if he wants me to

send copies of this, I will be delighted to do so during the course of next week, if he wants me to send copies.

760

Hon. Chief Minister: I do not want copies of any documents he has, Mr Speaker.

Mr Speaker: We move on to the next question.

Q708-715/2016
Top 30 Government debtors –
Details

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

765

Hon. D A Feetham: Mr Speaker, can the Government provide a list of the amounts owed by the top 30 debtors for PAYE tax arrears, without disclosing the names of those debtors?

Clerk: Answer, the Hon. the Chief Minister.

770

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this question together with Questions 709 to 715.

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

775

Hon. D A Feetham: Mr Speaker, can the Government provide a list of amounts owed by the top 30 debtors for Social Insurance arrears, without disclosing the names of those debtors?

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

780

Hon. D A Feetham: Can the Government provide a list of amounts owed by the top 30 debtors for Personal Tax arrears, without disclosing the names of those debtors?

Clerk: Question 711, the Hon. D A Feetham.

785

Hon. D A Feetham: Can the Government provide a list of the amounts owed by the top 30 debtors for Corporate Tax arrears without disclosing the names of those debtors?

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

790

Hon. D A Feetham: Can the Government state whether any individual or company listed in the lists of arrears provided for PAYE, Social Insurance, Rates, Corporate and Personal Tax appears in more than one list and how many do so?

795

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

Hon. D A Feetham: Can the Government please provide a list of the amounts owed by the top 30 debtors for Rates arrears, without disclosing the names of those debtors?

800

Clerk: Question 714, the Hon. D A Feetham.

Hon. D A Feetham: Can the Government provide a list of the amounts owed by the top 30 debtors for electricity arrears without disclosing the names of those debtors?

805 **Clerk:** Question 715, the Hon. D A Feetham.

Hon. D A Feetham: Can the Government please provide a list of the amounts owed by the top 30 debtors for rent arrears without disclosing the names of those debtors?

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

Chief Minister (Hon. F R Picardo): Mr Speaker, the information requested is in a schedule I now hand over.

ANSWER TO QUESTION 708 Top 30 Amounts outstanding for PAYE
£582,402.73
£364,113.32
£352,613.02
£271,008.39
£256,717.72
£217,118.40
£176,527.52
£168,908.44
£154,446.93
£147,630.02
£144,411.90
£140,430.74
£132,866.71
£119,186.99
£115,695.64
£110,012.40
£107,557.71
£103,611.40
£100,040.99
£98,548.17
£90,680.00
£90,116.59
£82,860.18
£80,872.62
£75,425.23
£69,841.78
£67,394.77
£65,527.55
£60,003.31
£57,972.68

ANSWER TO QUESTION 709 Top 30 Amounts outstanding for SI
£316,998.09
£306,069.88
£252,406.96
£220,876.09
£155,370.69
£153,079.29
£139,414.29
£131,095.55
£128,389.24
£118,396.84
£60,000.00
£92,236.04
£91,514.17
£84,913.95
£84,188.98
£80,230.54
£73,608.33
£71,353.70
£70,119.03
£65,728.97
£64,019.25
£62,131.66
£54,317.07
£53,713.65
£52,458.91
£52,137.06
£51,364.54
£50,098.04
£49,764.10
£47,946.01

ANSWER TO QUESTION 710 Top 30 Amounts outstanding for Personal Tax
£320,978.48
£231,430.52
£208,962.65
£170,171.48
£129,760.63
£117,175.67
£116,961.29
£112,832.80
£108,886.78
£87,509.52
£86,448.04
£81,790.08
£77,160.50
£75,448.16
£73,409.65
£72,131.38
£71,650.00
£67,666.66
£66,571.68
£64,471.24
£63,878.00
£62,475.36
£59,129.00
£58,816.49
£58,367.09
£58,080.00
£57,660.66
£55,934.43
£55,488.77
£53,177.78

ANSWER TO QUESTION 711	
Top 30 outstanding for Corporate Tax	
£359,008.29	
£325,982.97	
£248,994.34	
£164,640.02	
£153,614.93	
£143,816.86	
£137,857.80	
£121,012.27	
£110,238.96	
£98,518.68	
£96,205.88	
£89,656.27	
£88,372.47	
£84,961.17	
£81,083.65	
£77,758.00	
£75,813.18	
£75,046.29	
£72,284.23	
£67,788.50	
£65,717.60	
£64,320.74	
£56,895.48	
£53,727.95	
£52,988.30	
£52,797.07	
£52,366.09	
£51,414.00	
£50,079.14	
£39,019.42	

ANSWER TO QUESTION 712

Companies/ Individuals appearing more than once on the various lists (with amounts on each list)

Companies					
PAYE	SI	PERSONAL TAX	CORPORATE	RATES	
£582,402.73	£306,069.88				
£364,113.32	£316,998.09				
£271,008.39	£131,095.55				£46,576.40
£147,630.02	£252,406.96				
£256,717.72	£118,396.84				
£140,430.74	£220,876.09				
£168,908.44	£155,370.69				
£154,446.93	£84,913.95				
£154,446.93	£84,913.95				
£60,003.31	£153,079.29				
£100,040.99	£92,236.04				
£107,557.71	£70,119.03				
£90,680.00	£80,230.54				
	£91,514.17		£52,797.07		
£57,972.68	£65,728.97				
£69,841.78	£50,098.04				
	£52,458.91				£28,100.41

Individuals					
PAYE	SI	PERSONAL	CORPORATE	RATES	
		£57,660.66			£77,195.60

ANSWER TO QUESTION 713	
Top 30 Rates Arrears with penalties	
RATES	PENALTIES
£590,127.48	£56,125.08
£115,211.12	£169,123.93
£14,766.80	£196,966.70
£39,155.15	£152,226.60
£34,528.39	£138,371.61
£35,693.91	£84,569.32
£60,254.51	£45,572.00
£83,852.93	£15,259.07
£46,576.40	£48,520.27
£22,491.81	£62,977.12
£49,301.82	£29,406.15
£7,562.97	£69,632.63
£27,091.13	£41,083.50
£15,779.21	£50,063.71
£45,587.72	£18,316.48
£25,835.34	£35,906.49
£43,879.69	£15,906.96
£12,813.40	£41,084.12
£28,100.41	£23,931.79
£41,169.59	£10,524.66
£14,365.77	£28,743.87
£22,695.90	£19,219.66
£8,906.97	£30,386.23
£8,130.64	£31,140.62
£17,857.28	£20,991.77
£4,741.22	£32,766.88
£22,774.76	£14,729.01
£6,376.07	£30,057.99
£18,639.20	£16,179.63
£5,710.11	£28,566.87

ANSWER TO QUESTION 714	
Top 30 Elec Arrears	
£19,691.00	
£18,474.68	
£17,899.35	
£17,641.56	
£16,179.62	
£15,497.52	
£15,394.82	
£15,000.00	
£14,721.10	
£13,887.77	
£13,704.40	
£12,983.44	
£12,761.82	
£12,420.81	
£12,397.13	
£12,307.70	
£12,241.31	
£11,777.38	
£11,768.52	
£11,765.07	
£11,437.48	
£11,417.47	
£11,297.85	
£11,137.65	
£10,661.73	
£10,495.72	
£10,128.53	
£10,041.28	
£9,891.15	
£9,824.78	

ANSWER TO QUESTION 715	
Amount owed by top 30 debtors	
£14,483.04	
£14,543.94	
£14,706.61	
£14,722.97	
£14,745.79	
£14,762.69	
£14,911.83	
£14,987.90	
£15,078.09	
£15,123.17	
£15,197.56	
£15,356.51	
£15,421.68	
£15,613.47	
£16,403.75	
£16,907.63	
£16,961.80	
£17,078.88	
£17,427.03	
£17,482.27	
£17,586.52	
£17,651.45	
£17,737.72	
£17,748.27	
£18,027.60	
£18,253.79	
£18,509.41	
£18,933.53	
£19,227.15	
£19,707.52	

Questions for Written Answer

815 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to table the answers to
Written Questions numbers W56/2016 through to W59/2016.

Questions for Oral Answer

Q708-715/2016 Top 30 Government debtors – Supplementary questions

Mr Speaker: Are there any supplementaries arising from the schedule?

Hon. D A Feetham: Yes.

820 Mr Speaker, in relation to this schedule, there are quite a few staggering amounts. I do not
say that in a way that I hope will be politically contentious, but if one looks at, for example, the
answer in relation to PAYE, the highest one is £582,402. That same company – well, it must be a
company – owes, as well, Social Insurance of £306,000. That is £800,000.

Mr Speaker: Do you know that it is the same company?

825

Hon. D A Feetham: Yes, because it is provided. It is one of the questions that I asked. If you
actually look at Question 712. Does Mr Speaker have it? (**Mr Speaker:** Yes.) Question 712: Mr
Speaker, will see £582,000 and then for Social Insurance it has £306,000. Does Mr Speaker have
it? Then underneath it, there is a £364,000 and Social Insurance £300,000. That is equal to
830 £600,000. Then, underneath that, £271,000 and £131,000.

Mr Speaker, have any of these companies gone into liquidation or does the Government
envisage that it will still be able to recover these amounts from these debtors? I am talking in
particular, Mr Speaker, about the high amounts at the top of these various columns, say the first
five, which are quite high in each sector?

835

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government's intention is that everybody
should pay what is due and every corporate should pay what is due. If they are not in liquidation,
then they are companies that are going to be or are being already very actively chased by the
Government. In respect of some, Mr Speaker, we are dealing with companies that are in
840 liquidation. In respect of others, we may be dealing with different scenarios.

The position of this Government is that these arrears must be paid and they must be paid
timeously – and there is a constant exercise now ongoing in respect of this matter. A lot of the
debt is aged debt which comes from before our time and may not be recoverable, although
there is, of course, a hesitation to write-off large amounts, in particular if there are directors
845 who might be within the jurisdiction who have liability in respect of Social Insurance, etc. But
nobody is going to be let off and there is already ongoing a process of recovery.

Hon. D A Feetham: Well, can he help me with ...? Does he know how many of these
companies that owe these vast amounts of money are in liquidation? Does he have that
850 information?

If he does not, I am going to ask another question on notice in relation to this anyway. I may ask it by way of a written question. But does he have that information, as to whether these companies are or are not in liquidation?

855 **Hon. Chief Minister:** I do not have it with me, Mr Speaker, but it is information that can be provided, I am sure, because we will have the information through the Official Receiver.

Hon. E J Reyes: May I, Mr Speaker ...? Just to clarify, from the list provided in answer to Question 715, it refers to debtors for rent arrears. I know they range from £19,707 to £14,483 for the top 30 debtors. Is the Chief Minister aware, are all these 30 arrears in respect of Government rental homes or could some of them be because Government does own, for example, properties where they are leased out on a commercial basis? I am thinking, for example, if one takes, let's say, Laguna Estate or Varyl Begg Estate, underneath the blocks there are some commercial premises, so someone could owe rent from there. It belongs in the housing estate, but not necessarily for a rental home; in fact, it is a commercial enterprise rather than a family home.

I do not know whether, between the Ministers, they can work it out.

870 **Mr Speaker:** Are you saying that the question –

Hon. E J Reyes: The question did not make a distinction between residential or commercial.

Mr Speaker: – did not make a distinction between residential or commercial?

875 **Hon. E J Reyes:** No, I am asking because ...
Yes. I know, Mr Speaker, but –

Mr Speaker: It could be both.

880 **Hon. E J Reyes:** The Minister for Housing and I talk a lot behind the Chair. She knows how supportive I am that those –

Mr Speaker: Does the hon. Lady or the Chief Minister have the information?

885 **Hon. Chief Minister:** Mr Speaker, the Chief Minister is not yet an hon. Lady, but I do hope in future that the GSLP ... *(Laughter) (Interjection by Mr Speaker)*

Mr Speaker: Does the hon. Lady or the Chief Minister. I look forward to the day when an hon. Lady becomes Chief Minister–

890 **Hon. Chief Minister:** So do I, Mr Speaker, and I sincerely hope that she is a socialist lady that takes the post and leads by example.

Mr Speaker, I do not have the information, but the information has been sought from all the Departments that receive rents or that have properties that receive rents, and then the top 30 have been provided. I do not have a breakdown of what is commercial and what is residential.

Mr Speaker: Any other supplementaries?

900 **Hon. D A Feetham:** Yes, Mr Speaker.

Mr Speaker, is the Government going to pursue a policy of naming and shaming these various companies for the high levels of arrears that are owed to the Government?

905 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman must know the answer to that question. We have passed legislation in order to be able to do so – it was an initiative of this Government. We have found that very often, when we are about to publish, people pay, and if there is not yet a payment in respect of these amounts, it is very likely that a lot of this debt is aged debt which cannot be recovered, otherwise that instrument would also have been used alongside all the other instruments we use to recover debt.

910 I think it is important that people understand their liability to pay their dues in this community, whether it is in respect of residential property, commercial property; whether it is in respect of taxation or Social Insurance. It is one that must be complied with. Shaming people is, in my view, a better tool than winding them up, if you are able in that way to continue to see the company in operation and receive the monies. But, hon. Members must know, we are the ones who passed the law to do that so, of course, that is one of the things we are likely to be doing.

915 **Mr Speaker:** Perhaps there is no need to make it clear – or perhaps there is – that although the schedule will not be recorded in *Hansard*, the information provided is now in the public domain.

920 **Hon. D A Feetham:** It would be in the *Hansard*!

Mr Speaker: No, a schedule ... (*Interjection*) It would be? Okay, previously, it was not. I am glad to hear.

Anyhow, more so, it is in the public domain.

Order of the Day

COMMITTEE STAGE AND THIRD READING

Gibraltar Consultative Council Bill 2016 – Committee Stage and Third Reading

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

930 **Chief Minister (Hon. F R Picardo):** Mr Speaker, dealing with the amendments that I tabled yesterday to the Bill for the Consultative Council Act, hon. Members have, I think, the letter that we submitted ... We have not gone to Committee yet. (*Interjection by Hon. J J Bossano*) Oh, sorry.

Mr Speaker, I move that the House should now resolve itself into Committee to consider the Gibraltar Consultative Council Bill clause by clause.

935 Dealing with the letter that I provided yesterday and with the updated, track-changed version of the Bill, Mr Speaker, with the two mistakes that you spotted in respect of '2015' being '2016' and just taking out the words, 'Right Honourable' in the eighth proposed change, I would ask, Mr Speaker, that you take as read those proposed changes which are really just adding titles in most places, taking out a 'G' for a 'g', etc.

In Committee of the whole Parliament

940

**Gibraltar Consultative Council Bill 2016 –
Clauses considered and approved**

Clerk: A Bill for an Act establishing the Gibraltar Consultative Council and governing its functions and duties and prescribing the terms of membership of the same.

Clause 1, as amended.

945

Mr Chairman: Stands part of the Bill.

Clerk: Clause 2, as amended.

950

Mr Chairman: A number of amendments which have been circulated – hon. Members have had them since yesterday. Unless there is any objection, clause 3, as amended, stands part of the Bill.

Chief Minister (Hon. F R Picardo): The Act was introduced in parts, Mr Chairman. Do you want to do it by part rather than by clause? It is up to you – just to accelerate the business of the House. *(Interjection by Mr Chairman)* Ah, there is that one as well, sorry, yes.

955

Clerk: Clause 5, as amended.

960

Mr Chairman: Stands part of the Bill.

Clerk: Clause 6, as amended.

Mr Chairman: Stands part of the Bill.

965

Clerk: Clause 7, as amended.

Mr Chairman: Stands part of the Bill.

970

Clerk: Clause 8, as amended.

Mr Chairman: Stands part of the Bill.

Clerk: Clause 9.

975

Mr Chairman: In respect of clause 9, there was a matter raised by the Hon. Edwin Reyes yesterday, and I have received a copy of an amendment that he is proposing to clause 9(2) which has been circulated. I do not know whether the Chief Minister is happy to accept the amendment.

980

Hon. Chief Minister: The hon. Gentleman discussed this with me yesterday and I understood the point that he was making. As I confessed to him, issues that relate to the hierarchy of the military confuse me completely, as it is not a thing that I understand. I know he understands them much better than I do. I think this is a useful way of clarifying, given what he explained to me, and I am happy to accept the amendment as proposed.

985

Mr Chairman: Very well, then clause 9, as amended, including the amendment moved by the Hon. Edwin Reyes, stands part of the Bill.

Clerk: Clause 10, as amended.

990

Mr Chairman: Stands part of the Bill.

Clerk: Clause 11, as amended.

995

Mr Chairman: Stands part of the Bill.

Clerk: Clause 12, as amended.

Mr Chairman: Stands part of the Bill.

1000

Clerk: Clause 13, as amended.

Mr Chairman: Stands part of the Bill.

1005

Clerk: Clause 14, as amended.

Mr Chairman: Stands part of the Bill.

Clerk: Clause 15, as amended.

1010

Mr Chairman: Stands part of the Bill.

Clerk: Clause 16, as amended.

1015

Mr Chairman: Stands part of the Bill.

Clerk: Clause 17, as amended.

Mr Chairman: Stands part of the Bill.

1020

Clerk: Clause 18, as amended.

Mr Chairman: Stands part of the Bill.

1025

Clerk: Clause 19, as amended.

Mr Chairman: Stands part of the Bill.

Clerk: Clause 20, as amended.

1030

Mr Chairman: Stands part of the Bill.

Clerk: Clause 21, as amended.

1035

Mr Chairman: Stands part of the Bill.

Clerk: Schedules 1 to 3, as amended.

Mr Chairman: Stand part of the Bill.

1040

Clerk: The long title.

Mr Chairman: Stands part of the Bill.

**Gibraltar Consultative Council Bill 2016 –
Third Reading approved: Bill passed**

1045 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to report that the Gibraltar Consultative Council Bill 2016 has been considered in Committee and agreed to with amendments and I now move that it be read a third time and passed.

Mr Speaker, I would call for a division in respect of this Bill.

1050 **Mr Speaker:** I now put the question which is that the Gibraltar Consultative Council Bill 2016 be read a third time and carried. A division will be called.

Voting resulted as follows:

FOR

Hon. P J Balban
Hon. J J Bossano
Hon. N F Costa
Hon. J J Garcia
Hon. Ms M D Hasson Nahon
Hon. S E Linares
Hon. F R Picardo
Hon. Miss S J Sacramento

AGAINST

Hon. R M Clinton
Hon. D A Feetham
Hon. T N Hammond
Hon. L F Llamas
Hon. E J Reyes

ABSENT

Hon. J E Cortes
Hon. A J Isola
Hon. G H Licudi
Hon. E J Phillips

Mr Speaker: Just checking my calculations, we have four Members are absent; there are eight Members in favour; and five Members against. Carried.

The Gibraltar Consultative Council Bill 2016 has been read a third time and passed.

ADJOURNMENT

1055 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I move that the House do now adjourn to Tuesday, 8th November at 10 a.m.

1060 **Mr Speaker:** I am sorry to have to tell the Chief Minister that I think that I have a long-standing dental appointment – indeed I do. I have a long-standing dental appointment at 10.30 a.m. I could meet later that morning. If the Chief Minister will care to move the adjournment to, say, 11.30 in the morning, I could manage. Because it is a long-standing appointment, I am not confident that I can get an alternative slot.

1065 **Hon. Chief Minister:** Mr Speaker, in order to accommodate you we will, of course, try and do the best we can. 11.30 a.m. you think will be convenient? (**Mr Speaker:** Yes.) 11.30 a.m.

Mr Speaker: So the House will now adjourn until Tuesday, 8th November at 11.30 a.m.

The House adjourned at 12.45 p.m.