



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.30 p.m. – 5.35 p.m.**

**Gibraltar, Wednesday, 20th September 2017**

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# The Gibraltar Parliament

*The Parliament met at 3.30 p.m.*

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

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

## Questions for Oral Answer

### ECONOMIC DEVELOPMENT AND TELECOMMUNICATIONS

**Q538-544 and 553/2017**

**Government Finances –**

**Public debt; Total liquid reserves; Revenue and expenditure; Community Care investments and accounts; New £1 coin; General Sinking fund; Housing estates mortgage spending**

5 **Clerk:** We resume with Answers to Oral Questions.  
Question 538. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government please provide the total Gross Debt, Aggregate Debt after application of the Sinking Fund to Gross Debt, Cash Reserves and Net Debt figures for Public Debt for the following date, being 1st July 2017?

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

**Minister for Economic Development and Telecommunications (Hon. J J Bossano):**  
Mr Speaker, I will answer this question together with Questions 539 to 544 and 553.

15 **Clerk:** Question 539. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government please advise the total liquid reserves figure and its constituents namely Consolidated Fund, Improvement and Development Fund, Government Owned Companies, deposits, contingencies and other funds for the following date, being 1st July 2017?

**Clerk:** Question 540. The Hon. R M Clinton.

25 **Hon. R M Clinton:** Mr Speaker, can the Government please advise how total liquid reserves are invested/held giving details of all bank/savings bank accounts and cash held for the following date, being 1st July 2017?

30 **Clerk:** Question 541. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, will the Government confirm that it will, as per last year, provide a six-month statement of revenue and expenditure to 30th September 2017 and if so when is it anticipated it will be provided?

35 **Clerk:** Question 542. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government advise what financial oversight or monitoring does it perform over Community Care and its investments and what are the latest audited accounts of Community Care and its companies that are in the Government's possession?

**Clerk:** Question 543. The Hon. R M Clinton.

45 **Hon. R M Clinton:** Mr Speaker, can the Government advise if it is to introduce a new design for the Gibraltar £1 coin given that the UK £1 coin is to be withdrawn in October 2017?

**Clerk:** Question 544. The Hon. R M Clinton

50 **Hon. R M Clinton:** Mr Speaker, can the Government advise the balance on the General Sinking Fund at 1st July 2017?

**Clerk:** Question 553. The Hon. R M Clinton.

55 **Hon. R M Clinton:** Mr Speaker, can the Government advise how much of the net £275 million raised from the mortgage of the housing estates has been spent and on what?

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

60 **Minister for Economic Development and Telecommunications (Hon. J J Bossano):** Mr Speaker, the figures requested for 1st July are:

<b>Gross Debt</b>	447.7
<b>G. S. Fund</b>	5.2
<b>Aggregate</b>	442.5
<b>Cash</b>	114.5
<b>Net</b>	338

The position regarding the total liquid assets composition when, where and how these are invested on a particular date chosen by the Member opposite continues to be as previously stated.

The six-month estimate of revenue and expenditure will be provided as per last year.

65 Community Care is an independent charity which was set up in November 1989 with the specific purpose of providing support to our senior citizens. No Government, since its inception, has ever introduced any financial oversight or monitoring of the charity and there is no intention to change this. Regarding the audited accounts of the charity, I understand that the most recent accounts are for the year 2014/15.

70 It is the intention to introduce a new design £1 Gibraltar coin.

With regard to 553 there has been no change since the answer to Question 298/2017.

**Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his answer.

75 If I can start perhaps with the easy question, 543, the £1 coin. If he recalls we did touch upon this in December 2016 in a supplementary to Question 893 when there was a discussion about the use of coins in the coin machines in Gibraltar.

80 Can the Minister give an indication as to when this coin is likely to be introduced, given that obviously the banks in Gibraltar are having to deal with the withdrawal of the old UK pound coin and the new design, and of course the Gibraltar £1 coin looks very similar to the old UK coin and they have to literally eyeball these coins to separate them from the Gibraltar £1 coin.

**Hon. J J Bossano:** Mr Speaker, the problem, as I mentioned at the time, is the availability of the blanks which are only available from the Royal Mint that produces them for themselves and sells them to the Tower Mint, which is the one that mints the Gibraltar coins. In effect, until they tell us that they have got a sufficient quantity to spare, we are not able to fix a date.

85 The position of the Royal Mint is, not unreasonably, since they have got a deadline of October after which their coins will no longer be usable in shops, they are clearly using all the available supplies in order to be in a position to replace the millions and millions of coins that will cease to become legal tender in October. Presumably, after October, the situation may improve because there will still be, it is calculated, several millions in the system that will be accepted at the Mint but will no longer be accepted in the retail trade. So hopefully, by the end of this year, they will have caught up with their own backlog sufficiently to make blanks available for us, and then it would be the 2018 coin set of Gibraltar that will include the new coin. In any coin set we do for the remainder of this year, we will be using the old design of coin.

95

**Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his clarification.

100 Has the Government presumably already designed this new £1 coin? Obviously the volume in circulation in Gibraltar is a lot lower than in the United Kingdom so hopefully we should be able to get some blanks off the Royal Mint in the UK. But I presume you have already got the design prepared and it is just a question of placing an order? And how long does it take between placing the order and receiving in terms of the lead time to receiving coins?

**Hon. J J Bossano:** Well, it takes a couple of months to get the design approved in fact because it is a lengthy process.

105 The designs are usually produced by the Mint, we do not have anybody doing designs in Gibraltar. We give the theme to the Mint, and the Mint produces a number of designs which are looked at by the Minister for Finance, who is responsible technically for coinage, and then it is sent to the Governor and then it is sent to the Palace, and then the Palace sends it back to the Foreign Office, the Foreign Office sends it to the Governor, the Governor sends it to the Minister for Finance, and then it comes to me and eventually the coin is done!

110 So the whole process takes six to eight weeks. And we are not at the start of that process because when we do the new coin it will not be the only coin we do, we will do an entire new set with that new coin and we will see if there are any other changes in the United Kingdom in the offing for 2018 which we will incorporate at the same time. But our coins clearly are going to be legal tender for quite a while yet.

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**Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his comprehensive response.

120 Just going on to Question 541, I am grateful that he will give another six month statement to rolling expenditure. In terms of when we could expect it, would it be January, as per this year?

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**Hon. J J Bossano:** I am sorry, I did not follow. What is it you are expecting for this year?

**Hon. R M Clinton:** Yes, sorry, Mr Speaker, I will clarify.

125 Question 541, the six-month statement of revenue and expenditure: could we expect it in January 2018 as we did this year? I think we got it in January or February 2017.

**Hon. J J Bossano:** I think it was slightly delayed but the expectation is the same as the expectation of last year that it should be ... This is really driven by how late things come in, because in fact once the Treasury is satisfied that the figure for September is reasonably accurate in terms of how close it is to the estimates, or that it may be over the estimates in some areas, then they do not expect that there will be stuff in the pipeline which has to still be processed. But historically by December it has reached a point where you can be fairly comfortable about the level of accuracy.

**Hon. R M Clinton:** Mr Speaker, again I am grateful to the Minister for his confirmation on that.

Turning to Question 542, is the Government saying that in terms of the Community Care charity, which I recognise is an independent charity, that it does not receive information regularly from the charity? And did I hear him correctly in saying the last accounts were 2014/15 which I presume would be to June 2015?

**Hon. J J Bossano:** We do not receive information regularly because in fact the information that really we get from the charity is not so much about when the accounts are finished or not finished but it relates to the commitments of the payments that we have got and the number of people who are receiving payments. That information is based predominantly on us looking at what are the requirements they are facing in terms of their commitments for the Household Cost Allowance for Community Officers, for the widows' benefits – those are the things that they keep us informed about because monitoring that gives us the picture of the liabilities that are going to be the recurrent expenditures.

It has to be understood that we have got a commitment to provide them with money every year which we have to be confident will be over what they are likely to be spending because the commitment of this Government is to increase their reserves. Before, the position was that the Government of the GSD did not have the same commitment to maintain the reserves so their interest was to be sure that they were not running out of cash because they were not putting money in, unless it was that the reserves had been used up.

To my knowledge, the level of information that the Government gets today is the level that I used to get in 1989 and the level that was given to the previous Government in the intervening 15 years. It has always been thought important that the connection between the Government and the charity should be as minimal as possible for self-evident reasons.

**Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister again. Just to clarify, the last accounts he has in his possession, would those be June 2015?

**Hon. J J Bossano:** To my knowledge the last accounts that they were auditing were 2014/15 but I am not saying it was in the Government's possession because I do not think it necessarily means that they actually give us an account every year. But I have asked what are the last accounts that have been done, and I have been told from the charity it is 2014/15.

**Hon. R M Clinton:** Finally, Mr Speaker, I do not want to go on too long about Community Care. But does the Government have any – I would not say would they issue any 'guidelines' – but have any expectations in terms of how Community Care would be investing its surplus?

**Hon. J J Bossano:** The historical position has always been that Community Care deposits its surplus funds in the Savings Bank; that is what it has always done.

**Q545/2017**

**Government Approved Contractors Scheme –  
List of contractors and trades**

175 **Clerk:** Question 545. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government provide a list as at the commencement of each financial year of contractors on the Government Approved Contractors Scheme and their individual trades?

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

**Minister for Economic Development and Telecommunications (Hon. J J Bossano):** No, Mr Speaker.

185

**Hon. L F Llamas:** Mr Speaker, may I ask why? I understand that perhaps going back to each financial year may be complicated but perhaps the Hon. Minister would be able to provide the list as of now, or as at the commencement of this financial year?

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**Hon. J J Bossano:** Mr Speaker, I would not be able to provide him with the figure at the commencement of each financial year, unless I knew that it was each financial year since the last election, or each financial year since the previous election, or each financial year since 1972 when I came in, or each financial year since 1704 when we captured Gibraltar!

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But in any event we do not do the list by financial year, that is to say when I have asked they tell me they are not able to tell me, for example, who was on the list six months ago – the list is added to or removed from. In addition at the moment the list is being expanded, in the sense that it started off as the hon. Member may know from questions that I have answered going back a couple of years, some since he has been here and some before, the original figure that we inherited in 2011 was 91 companies which were the companies that were on the approved construction list. That was a special arrangement that was introduced in 2010 where, in order to be able to get construction work from the Government, you had to be on a list and you had to commit yourself to keeping your accounts up to date, to pay your social insurance and to give priority of employment to unemployed persons provided by the employment service to the company. Unless those conditions were met you were taken off the list. That did not mean that you could not work as a construction company but you were taken off the list of the companies that could do work for the Government.

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We found that this was not being universally applied and therefore we actually expanded the construction list in our time, some were because about 35 or 40 new companies were created by small people who were unemployed, who had been in the construction industry – mainly people who were in their 50s and therefore had difficulty in competing. We helped them to set up little companies and those 30 or 40 companies were added to the list.

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Since then, the other issue which I have explained previously to the former leader of the Opposition when he has raised it with me, was that there are companies of course that are put on the list only for the period that they are doing work here, because they are non-Gibraltar companies that are allowed to come in on specific contracts, but we only put them on the list in order to complete the contract that they have obtained. So, for example, if we have got a contract that goes out and they bring in specialist subcontractors for the Marina, the contractor for the Marina has to become a member of the approved contractor list and instead of having a definite date it will say 'until the completion of the work on the Marina', and then he drops out of the list.

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So there is nothing significant about the beginning of the financial year. What I can do is... At the moment in addition to this, there is the computerisation that is taking place with the

225 Procurement Office and we are going to finish up with one list which is electronic and which will cover every contractor and every supplier, and that may even be publicly available so that anybody can log in and see it; but if it is not, when that is ready I will provide the hon. Member with a copy. I have not got more now than I could tell him what 'It was a week ago', but that would not mean anything because it is in the process of being expanded and being put in the electronic system.

**Q546/2017**

**Continued existence of 'the Scheme' –  
Employee numbers**

230 **Clerk:** Question 546. The Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, can the Minister for Employment confirm if the 'Scheme' still exists, providing numbers of employees, or if it has been replaced by employing individuals through a recruitment agency?

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

**Minister for Economic Development and Telecommunications (Hon. J J Bossano):** Mr Speaker, from the way the question is drafted I am unable to decipher what 'scheme' in particular the hon. Member has in mind, although it is not for me to teach her how to draft parliamentary questions.

240 Given that the clue is that it is a scheme that has something to do with employment, I am assuming that the question is about the so-called Vocational Training Scheme operated by the GSD Government which existed in December 2011, when I became Minister for Employment. I know of no other scheme related to employment.

245 The hon. Lady wants to know whether it is still in existence in 2017 and if that is what she wants then I must say I am astonished that she should need to ask the question. What I ask myself is, where was the hon. Lady in 2011? Indeed where has she been *since* 2011?

I appreciate of course that there is no evidence that before she arrived in this place by hitching her wagon to the GSD and shortly afterwards unhitching it, the hon. Lady took any interest in schemes related to employment or anything else happening in this Parliament. Now that she is unhitched from the GSD it appears that she sees herself as the future first female Chief Minister and believes that this would result from what she claims to have introduced, namely a new style of political debate in this Chamber, to the support of which our citizens are flocking in masses.

255 I have to acknowledge that she has brought something new to this Parliament exemplified by the contents of this question. This is a level of ignorance that I find unprecedented in the short time she has been here and indeed in the long time that I have. Given how little she knows about the fate of the defunct Vocational Training Scheme and how it came about, I will enlighten her so that at least in this area her knowledge will be enhanced.

260 Although the Vocational Training Scheme which was in place up to 2011 was linked to employment, it did not actually have any employees as such. There were a few hundred individuals who were placed predominantly in the private sector, but with a significant number in the public sector, who were not deemed to be in employment with anybody – that is, they had no employer and were not subject to Employment Law. They had no employment contract, they had none of the entitlements to leave or anything else that the law provides; they were paid an allowance instead of a wage which was, however, well below the national minimum wage. These 'students', for want of a better name, ranged from school leavers to, in one



particular case, an individual in his 60s. When the students left the scheme, which generally was after six months but in some cases had lasted for several years, they had no guarantee of  
270 employment and it was a matter for the private sector employer whether they chose to offer them a job or not. Those placed in the public sector were not guaranteed employment either, although a few did get taken on, but I remember one particular case where a person was terminated from the scheme after seven years and was not able to do anything about it because she had not been employed by the scheme.

275 All this was fully debated and argued in the public domain in the 2011 General Election, when one of the most debated policy differences between the parties was the defence by the GSD, then in Government, of the scheme that they had – the Vocational Training Scheme – and the commitment on our side that we would scrap it if elected to Government and replace it with a strategy which we called the Future Job Strategy. This, in effect, would create specific training  
280 companies, pay the national minimum wage, and provide a contract of employment to all those then in the GSD scheme and to other people wishing to be considered from the unemployment list.

The training companies came into effect on 1st February 2012 as I had promised that they would during the 2011 election campaign and have been operating since, and continue in  
285 operation. This is public information which the hon. Lady should know from the fact that questions have been asked when she has been in this House regarding the persons in the training companies in anticipation of getting jobs in the private sector, where the difference, apart from the fact that whilst in training they are employees of the companies, lies in the commitment on the part of the employer with whom the trainee has been placed to employ  
290 them at the end of the agreed period. These are partnership agreements with firms in the private sector which have led to an increase in private sector employment since 2012 for locals in areas where previously employers might have relied on imported labour.

So the short answer is that the only ‘scheme’ that has ever existed which had a connection with employment was the Vocational Training Scheme which was discontinued in January 2012  
295 and had been operated by the GSD administration. Those persons who were in the scheme in January 2012 were transferred into training companies and given contracts of employment in these training companies, and those training companies continue to this day. All this, of course, is not new and has been raised many times in the course of the last Parliament and since the 2015 General Election.

300 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I am sorry to see that the Minister for Employment and Trade has treated my question in such an unnecessary, defensive and personal style by bringing up my past, my future which he has decided I am gunning for – I do not know if the hon. Gentleman knows me well enough but he seems to – and my style.

305 I was also just told by the hon. Gentleman that I have all of a sudden developed an interest in employment. Let me just say to the hon Gentleman, as well as to every Member of this House, that my only interest – and I always repeat this when people try to trip me up, as such – is people. So whether it is swimming, flying, employment, health, education or finance that is where I will be, and that is what I think is my job, despite whatever the Minister is trying to  
310 accuse me of.

The only scheme that I was actually talking about was the Future Job Strategy which is a scheme that this administration of today came up with in 2011. The promise to those youngsters and to those students was theirs, and it is those students who feel cheated and feel that they have been given false hopes in part, and these are representations that come to me. It is not  
315 something that I am inventing and I think that the Minister, with respect, would do well to accept that these complaints are coming to me and this is why I am representing them in this Parliament.

320 These are the questions relating to the Future Job Strategy that I was bringing up; that was the data I was trying to gather and it is unfortunate that he has spent so much time trying to judge me and come up with things that I think are irrelevant to this question.

325 But the point I was trying to make was that there is a lot of discontent among youngsters and I would have tried to ask the Minister what is going on with the Future Job Strategy – is it sustainable, and why is there a correlation between the complaints of the Future Job Strategy with the increase in recruitment companies?

**Hon. J J Bossano:** Well, I regret to say that her supplementary only increases my conviction that she does not have a clue what she is talking about. I do not know what complaints there are.

330 The original question was asking for me to confirm if the 'Scheme still exists'. The Future Job Strategy is not a scheme, it is a label that we attach to the creation of a company that employs people who, before they were employed in that company, were previously unemployed. The concept of a 'scheme' is something that disappeared in 2012 – she does not seem to know that because otherwise she would not have been using terminology which is not applicable.

335 Secondly, she wants to know if it still exists. Well, there is no 'scheme' that exists. There is a company that exists and she should know that it exists because she has been sitting where she is sitting there, and sitting somewhere else before that, and heard questions about the fact that there are people there. If she has a doubt about whether it exists, that is in conflict with her supplementary that the people who are in the scheme – that she does not know whether it exists or it does not – go to complain to her. If it did not exist there would not be anybody there, and nobody could complain to her.

340 So I am afraid that the question does not make any sense because if what she thinks is that there are no longer people being taken on in the training companies, notwithstanding the fact that we provide figures here to show that there are, then the second part of the question does not apply, because obviously if she thinks that the training companies do not exist and have been replaced by recruitment agencies – which I find very strange – the answer is the training companies, if that is what she wants to know, still exists and I have already answered that in the original question.

345 There is no indication here of anybody complaining about anything, but if she had some complaint about something from somebody then I think if she had put a question originally which reflected the complaint that she had ... I am sure nobody has come to us to say, 'Ask if the scheme in which I am working still exists', because there would be something wrong with the person if they asked that.

350 So, she has assumed presumably that the training companies have stopped existing and that we are not doing it any more, and if that is an assumption that she has made then it is incorrect, and if that is something she has been told, then she has she been told incorrect information.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, once again, the Minister accuses me of not knowing what I am saying, and perhaps when you do not know something it is a good time to ask the question, which is why I brought the question to Parliament. If constituents are telling me, or asking me, if this scheme still exists, if the Future Job Strategy is still viable because they are not hearing anything, and they are not going anywhere with it, and I come to Parliament to ask the Minister what is going on with that, I am sorry that the Minister answers me in this way. All I am trying to do is to give him the space to answer these questions for these constituents, and these are the types of answers that I get in return, so I do not think it is such a bad thing that I am coming here to ask further questions.

365 I still do not have any of the answers clearly, really, and now I will finish off with a question: if we are talking about the GSD as he said, your Government changed the scheme, you closed that side of the way that the GSD used to do things. Where is the training aspect that the GSD used to provide, which clearly is not happening today?

370 **Hon. J J Bossano:** Mr Speaker, the hon. Member stands up and says things that either she  
knows are not true – and I do not want to say that because that is something we do not do in  
this House, we do not to say to people, ‘You are not telling the truth’, so I do not want to say  
that. Therefore, I am left with only one alternative: if she does not know that what she is saying  
is not true, it means she thinks it is true. And she says, ‘Where is the training that used to be  
375 done with the GSD?’

Where was she? Where was she when I gave the breakdown of the training of the  
construction and of Gibdock that is going on when I was answering questions from Mr Phillips?  
Where was she that she thinks we stopped that training in 2011, and it has been going on all the  
time? It was going on before and it went on after. We did not stop the training of the people in  
380 Gibdock in the construction, we doubled the pay of the people who were there and we gave  
them a contract of employment. Before, they were treated as if they were in school with an  
allowance of £300 a month and we came in and we gave them the minimum wage which was  
then just under £1,000 a month, we gave them a contract of employment, we gave them the  
right to protection against employment injury, we gave them the right to annual leave, we gave  
385 them the right to public holidays, we treated them as workers – in fact, we introduced a national  
minimum wage at the age of 15 and we are paying our apprentices in Gibraltar almost double  
what they get paid in the UK!

Now, I know they may be complaining to her about it, because people in Gibraltar are  
notorious for complaining irrespective of what they get, that does not surprise me. But the point  
390 is that she seems to think, firstly, that we have discontinued training, notwithstanding the fact  
that the information is in the public domain and has been given in this Parliament; and secondly,  
she is speculating in her original question that the training companies have disappeared  
altogether.

I cannot understand how she can justify the nature of her questions on the basis that is what  
395 people tell her, which she is bringing to my attention, because the question implies that people  
are telling her, ‘We are not being trained any more’. Well, if they are not being trained any  
more, certainly I will want to know because I am paying for them to be trained; or, ‘We are not  
being employed any more’, and then I would want to know what is happening with the money  
that I am providing for wages.

400 So people are getting paid every month and people are receiving training every month. Some  
of the training is in training centres and some of the training is on the job where an employer  
commits to taking on the person; and the commitment, as I have explained many times, is done  
on the basis that we guarantee the first month to everybody, irrespective of how little training  
there is, so that the person does not have the argument of saying, ‘Well, look, I have to ...’. For  
405 example, in some areas employers have said, ‘I have to provide a uniform and then I find out  
that after the first few weeks the person is failing to turn up for work, and everything else, and I  
have got to take on a new employee’. So there is a very high turnover.

Many employers in the private sector say to us that the people from the unemployment list –  
we do not necessarily believe it, it may be in some cases they are but it is not true of everybody  
410 – are less reliable than people who come across the border. Well, obviously, one thing that is  
true is that I have been an immigrant worker in the UK and when you are an immigrant worker  
somewhere else I suppose you are more worried about losing your job than when you are in  
your home territory. But the fact is that providing through the company for the payment of  
wages for a period of time while the person is being trained and acquainted with the nature of  
415 the work, means that in the period when theoretically the worker is less productive because he  
is not familiar with the job, we provide the necessary financial incentive to encourage private  
sector employers to employ Gibraltarians.

We monitor that by looking at the degree to which we have got more Gibraltarians in the  
private sector in employment. It has not been a huge increase, firstly, because not everybody  
420 wants to work in the private sector, and secondly, because there was not a huge increase of

labour available anyway. But there has been an increase in the numbers working in the private sector. It is still happening and we are still employing people and we are still paying them.

425 If she was more specific in pinpointing what it is that she thinks is happening now which has led her to say whether the companies have been replaced, then I might be able to provide her with concrete answers to specific questions. But at the moment the things she has said in her last supplementary are no more accurate than what she said at the beginning. It is not true that we have discontinued training and it is not true that the companies are not employing people.

430 It is driven by demand, so we say to an employer when they open their vacancy, 'We have got a person here that may have some previous experience of working in this industry, and if you are willing to take him on instead of asking for permission to bring in somebody from outside, we are prepared to make that attractive for the company financially by providing financial help' ... some of it we do with our own money and some of it we do with EU money. That is what was being done before, during the GSD years, and it was being done by the GSLP who were the first Government in Gibraltar to achieve money from the EU from the Social Fund for Employment.

435 It was a GSLP Government that brought this to Gibraltar and it carried on throughout the years of the GSD and it has carried on with us. It was partly Gibraltar money and partly EU funding and it is still there and it will go on presumably until 2019, and then after 2019 what we have said is it will have to be 100% funded by us, because we are not going to stop it when the EU stops giving us money.

#### CHIEF MINISTER

#### Q460/2017

#### Information Technology – Works outside of ITLD and costs

**Mr Speaker:** We will move on to the next question.

**Clerk:** We now move to Questions to the Chief Minister. We commence with Question 460. The Hon. L F Llamas.

445

**Hon. L F Llamas:** Mr Speaker, can the Government provide a schedule since December 2011 of information technology works carried out which have not been carried out by the Government Information Technology and Logistics Department and the cost of each work?

450

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, before I start to answer can I just point out for those who are not in the House that this is a question posed to the Hon. the Minister for Commerce, Albert Isola, who is away from Gibraltar and I shall be dealing with the questions posed to him.

455

Mr Speaker, the information cannot be provided in the time available since the question was asked. On many occasions, there is an overlap between the purchase of equipment and services provided by the companies that supply the equipment, making the determination even more challenging. To provide the information for one year alone is a challenge, to go back five years is considerably more.

460

**Hon. L F Llamas:** Would the Hon. Chief Minister guide me in rephrasing the question by perhaps providing a cap on the cost of the works? Could that perhaps provide an answer in the future if I table this question again?

465

**Hon. Chief Minister:** Mr Speaker, I am not here to advise him but I will do what I can. For example, I would suggest to him that if he looks at the Estimates Book there will be the cost of the complement of this Department and then there will be funding available for other works. Perhaps if he asks us for a breakdown of the type of other works which are undertaken by that Department he might there be able to see what is work undertaken by the Department itself and work undertaken by third parties.

470

I used to carry this portfolio and I can tell him, for example, the way that Government accounting works you might find that the ITLD Department is paying the Gibraltar Electricity Authority for works which are done by the Gibraltar Electricity Authority. So he will see a lot of that in the context of that breakdown. That is likely to be easily accessible for the year just gone and the year which we are in, and that might be an easier way of understanding how that Department spends the money which is not spent on the salaries of the people in that Department, etc. who are the ones working themselves at ITLD.

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**Q461/2017**  
**Gibraltar International Bank Limited –**  
**Audited accounts for 2016**

**Clerk:** Question 461. The Hon. R M Clinton.

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**Hon. R M Clinton:** Mr Speaker, can the Government advise if it has, as sole shareholder, approved the audited accounts of the Gibraltar International Bank Limited for the year ended 31st December 2016?

485

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, no, sir.

490

**Hon. R M Clinton:** Mr Speaker, I am grateful to the Chief Minister for his answer. Is it possible for him to explain why the Government has not yet approved the annual audited accounts?

**Hon. Chief Minister:** Mr Speaker, because the annual general meeting has not yet been called.

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**Hon. R M Clinton:** Mr Speaker, the Chief Minister will be aware that the audited accounts obviously exist, the FSC has a copy, but they have not been filed at Companies House presumably because, as sole shareholder, they have not been approved. Does he have any idea as to when the AGM might be called?

500

**Hon. Chief Minister:** I do, sir.

**Hon. R M Clinton:** Mr Speaker, I would be grateful if the Chief Minister could enlighten us as to when that would be.

505 **Hon. Chief Minister:** No, Mr Speaker, because I have an idea of when it might be called, it is not something that is fixed in time, it might change and I do not want to give this House information which may turn out not to be correct.

510 **Hon. R M Clinton:** Mr Speaker, as anybody who works in financial services will tell you, banks usually compete with each other to file their accounts promptly. Can the Chief Minister indicate if, in his thinking, this meeting would occur before the end of this year?

515 **Hon. Chief Minister:** Mr Speaker, it is not for my thinking, because I am not the person who is going to be attending the Annual General Meeting or whose timetable is relevant, but the information I have at the moment is that it will happen during the course of this calendar year.

**Q462/2017**

**Gibraltar International Bank Limited –  
Capital restructuring approval**

**Clerk:** Question 462. The Hon. R M Clinton.

520 **Hon. R M Clinton:** Mr Speaker, can the Government advise why it approved the capital restructuring of the Gibraltar International Bank Limited such as to convert its authorised share capital into two classes namely an A class with voting rights and a B class with non-voting rights and what is the purpose?

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

525 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the capital restructuring of the Gibraltar International Bank was carried out pursuant to advice received and with the approval of the Financial Secretary. As the hon. Member knows, the new shareholder with the Government of Gibraltar is the Gibraltar Development Corporation, a Government-owned company; and its investment in the Bank is entirely consistent with its objectives.

530 **Hon. R M Clinton:** Mr Speaker, I am grateful for the Chief Minister's answer, and indeed a filing at Companies House dated 5th September shows that the Gibraltar Development Corporation has indeed subscribed for £6 million of share capital, ordinary B shares, of the Gibraltar International Bank.

535 If I may ask the Chief Minister why was this money not routed through the Improvement and Development Fund?

**Hon. Chief Minister:** Mr Speaker, because the Government decided it should not be, and it should be routed in the way that it was routed.

**Q547/2017**

**Runway Tunnel project –  
Projected completion date**

540 **Clerk:** Question 547. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, could the Government say what is the latest projected date for the completion of the runway tunnel project, including associated roads?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the situation has not changed since the reply given in answer to Question 223/2017 which is that the completion date for the runway tunnel project is expected to be in the first quarter of 2019. The associated roads will also be completed by that time.

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**Q548/2017**  
**Cooking oil –**  
**Quantity imported**

**Clerk:** Question 548. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, how much cooking oil was imported from 1st September 2016 to 1st August 2017?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, cooking oil is presently imported under 'other foodstuffs' (OF) in the Customs tariff; for example, Morrisons imports most of its food products as other foodstuffs, or OF, otherwise their customs declarations would be very time consuming to complete and an administrative nightmare to check – just to give the hon. Gentleman an example. I am therefore unable to single out 'cooking oils' and extract that data for the hon. Gentleman.

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**Hon. T N Hammond:** Mr Speaker, bearing in mind obviously the importance of recycling where possible products such as cooking oil, particularly as opposed to other foodstuffs of whatever nature they may be, would the Government consider actually separating out items such as cooking oil in this case, just so that we can monitor how much is coming in and compare those figures with the amounts being collected, and we can get an idea of what then is being disposed of by means other than the most appropriate means, which would be to recycle? I only ask that question for Government's consideration.

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**Hon. Chief Minister:** Mr Speaker, as I understand it, unless foodstuffs are specifically required to be declared, there is no ability to drill down into the foodstuff imported, so I could not answer the question today with more particularity in relation to cooking oil, as I would not be able to answer it in respect to cookie dough, for example, or Smarties – that is probably a brand name I should not have mentioned, but 'chocolates of a particular variety coated lightly with sugar and bright colours'.

575

The reasoning there is not entirely national thinking. There is an international customs tariff which under WTO-style rules applies between countries that subscribe to the United Nations tariff structure for customs purposes; and there is a centre of excellence in respect of the United Nations Customs practice at the Gibraltar University of which we are all duly proud.

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It is not therefore entirely in my view, given what I know of the subject, which is superficial, possible to do that. But I will certainly go back and check whether it is possible, going forward, to seek to require specific declaration of an item and whether there is a good reason that we

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should do that in relation to cooking oil, something which I shall consult with the Hon. the Minister of the Environment in order to make an informed decision.

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**Q549/2017**  
**Bus fleet –**  
**Enaction of buy-back clause**

**Clerk:** Question 549. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, has Government given consideration as to when it might enact the buy-back clause on the bus fleet and if so, when might that be?

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

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

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**Hon. T N Hammond:** So, Mr Speaker, from that answer I ascertain that consideration has been given. Is it that the Chief Minister is telling me that he is not willing to answer the second part of the question as to when it may be?

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**Hon. Chief Minister:** Mr Speaker, 'giving something consideration', which is what the hon. Gentleman has asked me whether the Government has done, is not to say that one has reached a conclusion or decision, and therefore it is not that there is a consequent 'if so, when?', which runs from the first part of his question.

He has asked us whether we have given consideration; I have given the answer that we have given consideration, there is no consequent 'if so, when?' that necessarily flows.

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**Hon. T N Hammond:** I thank the Chief Minister for his answer and I only followed up in the way I did for clarification and clarity over the point I was asking.

Is there any limitation on the buy-back in terms of time? Does it expire at any point within the contract, or is it open-ended and would it be as valid 10 years from now as it may be at the moment?

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**Hon. Chief Minister:** Mr Speaker, from memory I am not able to give that information. If the hon. Gentleman asks next time perhaps I will be able to come with the detail.

**Q550/2017**  
**Gibraltar ID card –**  
**Validity post-Brexit**

**Clerk:** Question 550. The Hon. R M Clinton.

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**Hon. R M Clinton:** Mr Speaker, can the Government advise whether the Gibraltar ID card will still be a valid travel document for entering the UK post-Brexit?

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

625



**Chief Minister (Hon. F R Picardo):** Mr Speaker, at this stage in the Brexit negotiations it is not possible to answer this question beyond speculation. The issue will, however, clearly be a bilateral one for Gibraltar and the United Kingdom.

630 **Hon. R M Clinton:** Mr Speaker, I raise this question because as the Chief Minister may be aware, in a recently leaked UK government document they kind of indicated that national ID cards may not be accepted as valid travel documents in the United Kingdom. I would just ask the Chief Minister to bear that in mind in his future negotiations.

Thank you.

635

**Hon. Chief Minister:** Mr Speaker, I am grateful that he thinks he needs to bring matters to our attention for the list of issues. This is very much something that has already been the subject of consideration and has been a matter which, for the past year and a half, we have been dealing with in the context of heat maps, etc. that were prepared by the Office of the Deputy Chief Minister with their usual efficiency.

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Mr Speaker, if he does think that there is an important point to bring to our attention for the negotiations, can I just say to him that the best way to do it in the interest of Gibraltar is to pick up the phone and call us, or to write to me if he wishes to put one of his inevitable stickers on the letter about how parliamentary and how urgent the letter may be – it is up to him. But if something is important for Gibraltar in his view as he says this is, and it is for the negotiations between Gibraltar and the United Kingdom, if I may say so, with respect, putting a question in Parliament is not the best way to advance Gibraltar's position in respect of matters to be put on the list for negotiation.

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650 **Hon. R M Clinton:** Mr Speaker, if I could remind the Chief Minister there is in fact a Select Committee where perhaps these matters could be discussed and I would urge him to convene it sooner rather than later.

**Hon. Chief Minister:** Well, Mr Speaker, I am surprised that he feels the need to ask me here to convene the Select Committee and if he has thought it appropriate that we should have a meeting of the Select Committee that he has not approached myself or the Deputy Chief Minister and asked that we convene one. We have just come out of a period of recess in the United Kingdom, we have been in continued contact with colleagues in the UK. There may be material to brief, or there may not be material to brief, until after the party conferences. But, Mr Speaker, this does not obviate the point I am making to him: if he thinks something is important to Gibraltar then the best thing to do is to tell us about it directly and not put a question on the floor of the House, otherwise one is left with the impression that this is something that is important for *him* to highlight that he has highlighted.

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#### Q551/2017

#### Gibraltar Constitution Order 2016– Research paper commissioning

**Clerk:** Question 551. The Hon. R M Clinton.

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**Hon. R M Clinton:** Mr Speaker, has the Government commissioned any research paper into the Peace, Order and Good Government clause in the Gibraltar Constitution Order 2016, and if so from whom, for what purpose and at what cost?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government is undertaking work on an analysis of that aspect of the Constitution. The analysis is being undertaken by Dr Hakeem Yusuf at the University of Birmingham School of Law. Dr Yusuf is not charging for his work. Disbursement costs of research assistants undertaking the necessary ancillary work amounts to a total of £52,286.60.

**Hon. R M Clinton:** Mr Speaker, I am grateful to the Chief Minister for his comprehensive response. I did not quite catch the purpose of the research paper.

**Hon. Chief Minister:** Mr Speaker, it is an analysis in respect of that aspect of the Constitution.

**Hon. R M Clinton:** Mr Speaker, if I may ask the Chief Minister, why does the Government feel it needs such an analysis?

**Hon. Chief Minister:** Well, Mr Speaker, I would be quite happy to brief him behind the Speaker's Chair rather than here. If the hon. Gentleman thinks that it makes sense to have that debate across the floor of the House I do not think he knows what these words mean, or what they have been used for in the past.

**Q552/2017**  
**Gibraltar's 'Great Repeal Bill' –**  
**Managing and consultations**

**Clerk:** Question 552. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government advise how it intends to manage the introduction of Gibraltar's own 'Great Repeal Bill' in respect of Brexit and what consultations are envisaged?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government will make a statement in due course about how it intends to manage the introduction of a Bill in respect of the repeal of Gibraltar's European Communities Act. It would be premature to say more at this stage

**Q554-555/2017**  
**Affordable housing schemes –**  
**Detailed announcement and updates**

**Clerk:** Question 554. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, further to the Minister for Housing's June 2017 Budget speech, can the Government advise what were the technical difficulties in respect of infrastructure that caused a delay in the affordable housing schemes; what is the change in footprint and when will a detailed announcement be made in respect of the affordable housing schemes?

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

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer with Question 555.

**Clerk:** Question 555. The Hon. L F Llamas.

715

**Hon. L F Llamas:** Mr Speaker, can the Government provide an update on its affordable housing and government rental projects?

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

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**Hon. Chief Minister:** Mr Speaker, an announcement on the new affordable housing schemes will be made before the end of September. The changes and the technical issues that gave rise to them will be apparent then.

**Hon. R M Clinton:** Mr Speaker, I am grateful to the Chief Minister for his answer.

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Is there anything in respect of these technical difficulties that is in any way confidential that cannot be disclosed to this House now?

**Hon. Chief Minister:** Mr Speaker, the technical issues that gave rise to the changes will be apparent when we make the statement; and when we make the statement the hon. Gentleman will be able to understand what the reasoning behind the decision to move away from the original designs and the geographic changes arises from.

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**Hon. R M Clinton:** Mr Speaker, would the Chief Minister be able to confirm that Hassan Centenary Terraces and Bob Peliza Mews are going ahead, albeit perhaps on a different footprint?

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**Hon. Chief Minister:** Mr Speaker, as I have already said – in fact I believe I confirmed that during the budget session to a question that was from the hon. Gentleman if not in identical terms then in almost identical terms.

#### **Q556-564/2017**

#### **Midtown parking –**

**Escalator installation; Unsuitable doors; Cleaning contract; Cleaning company name; Sale of parking spaces revenue; Cleaning company payments; Pay and display revenue; Rental spaces revenue; Public parking revenue**

740

**Clerk:** Question 556. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, did the Government consider installing an escalator between the Coach Park at Midtown Parking and the bus tour level in the same building?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer with Questions 557 to 564.

**Clerk:** Question 557. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, why did the Government not install disability, elderly and pram-friendly doors at the Midtown Parking?

**Clerk:** Question 558. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, can the Government disclose the contract entered into between Government and the cleaning company at Midtown Parking?

**Clerk:** Question 559. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, can the Government state which company is responsible for the cleaning and maintenance of Midtown Parking?

**Clerk:** Question 560. The Hon. L F Llamas.

765

**Hon. L F Llamas:** Mr Speaker, can the Government state how much revenue has been collected on the sale of car parking spaces at Midtown Parking?

**Clerk:** Question 561. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, can the Government provide a monthly schedule of how much has been paid to the company responsible for cleaning Midtown Parking?

**Clerk:** Question 562. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, can the Government provide a monthly breakdown of revenue received from each pay and display location since April 2012?

**Clerk:** Question 563. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, can the Government state how much revenue has been collected per month for rental car parking spaces at Midtown Parking since it first opened?

**Clerk:** Question 564. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, can the Government provide a monthly breakdown of revenue received from public parking at Midtown Parking since it first opened?

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

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, in answer, the Government has not considered an escalator for the Midtown Parking.

The doors fitted at Midtown Car Park are wide enough to allow for disability wheelchairs and scooters, the elderly and prams to go through.

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The company in charge of cleaning this car park is Jetsweep Limited. The contract is a monthly roll-over agreement between both parties at a cost of £4,900 per month for three cleaners.

The total revenue generated from the sale of car parking spaces at Midtown Coach and Car Parks is £9,029,500.

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The information requested by the hon. Member in respect of his other questions is set out in the schedule I will now hand over to him.

**Answer to Question 561**

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Since the commencement of the contract the cleaning company has been paid as follows:

Payments	
May 2016	£1,260.00
June 2016	£3,600.00
July 2016	£3,600.00
August 2016	£3,600.00
September 2016	£3,600.00
October 2016	£3,600.00
November 2016	£3,600.00
December 2016	£3,600.00
January 2017	£4,271.00
February 2017	£4,900.00
March 2017	£4,900.00
April 2017	£4,900.00
May 2017	£4,900.00
June 2017	£4,900.00
July 2017	£4,900.00
August 2017	£4,900.00

**Answer to Question 562**

2012	Flint	Shackelton	Landport Ditch	Ragged Staff	Airport Terminal
January	£ 271.02	£1,064.36	£ 6,944.65	£ 2,157.09	
February	£ 268.57	£ 914.61	£ 4,638.15	£ 2,129.86	
March	£ 356.58	£1,129.67	£ 5,162.30	£ 2,953.92	
April	£ 331.94	£ 821.59	£ 5,047.78	£ 2,814.03	
May	£ 262.91	£ 842.81	£ 4,319.40	£ 2,532.99	
June	£ 345.71	£ 908.50	£ 2,317.67	£ 2,524.25	
July	£ 331.40	£ 489.77	£ 3,173.00	£ 2,582.81	
August	£ 383.28	£1,317.83	£ 5,716.09	£ 3,048.77	
September	£ 292.11	£1,134.42	£ 5,561.04	£ 1,973.07	
October	£ 288.58	£1,070.61	£ 4,855.09	£ 2,746.19	£ 2,578.12
November	£ 354.78	£ 548.39	£ 6,260.22	£ 2,966.21	£ 3,337.65
December	£ 358.46	£1,064.21	£ 6,911.84	£ 2,259.53	£ 3,105.79

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2013	Flint	Shackelton	Landport Ditch	Ragged Staff	Airport Terminal
January	£ 246.76	£ 835.29	£ 5,015.93	£ 1,504.80	£ 2,774.31
February	£ 327.70	£ 1,219.86	£ 5,543.99	£ 2,591.16	£ 2,494.45
March	£ 428.58	£ 1,494.58	£ 7,078.22	£ 3,675.97	£ 3,092.50
April	£ 329.63	£ 1,075.16	£ 5,594.21	£ 3,527.53	£ 3,190.53
May	£ 295.93	£ 1,228.22	£ 5,926.08	£ 4,776.75	£ 3,433.39
June	£ 268.75	£ 1,270.54	£ 6,435.49	£ 5,027.38	£ 3,962.28
July	£ 236.83	£ 959.49	£ 6,405.15	£ 5,075.89	£ 3,414.48
August	£ 184.35	£ 874.48	£ 4,256.47	£ 2,374.19	£ 2,820.76
September	£ 178.94	£ 727.63	£ 4,862.84	£ 3,054.09	£ 3,307.65
October	£ 152.96	£ 747.25	£ 4,463.57	£ 3,908.83	£ 2,973.85
November	£ 302.00	£ 1,120.61	£ 4,780.13	£ 4,056.98	£ 4,189.33
December	£ 260.53	£ 672.51	£ 6,161.44	£ 3,850.52	£ 3,893.42

2014	Flint	Shackelton	Landport Ditch	Ragged Staff	Airport Terminal
January	£ 78.57		£ 4,173.76	£ 2,173.43	£ 3,165.66
February	£ 177.19	£ 252.82	£ 3,784.22	£ 3,707.30	£ 3,158.33
March	£ 240.90	£ 618.72	£ 4,941.75	£ 3,533.15	£ 3,889.59
April	£ 298.45	£ 842.52	£ 6,029.47	£ 4,040.66	£ 4,618.48
May	£ 213.10	£ 800.75	£ 5,181.40	£ 3,797.54	£ 3,915.03
June	£ 258.06	£ 675.97	£ 5,414.83	£ 4,955.58	£ 4,754.64
July	£ 257.62	£ 645.48	£ 8,628.70	£ 9,526.38	£ 6,102.83
August	£ 215.59	£ 438.73	£ 7,764.26	£ 8,300.11	£ 5,052.46
September	£ 226.54	£ 574.75	£ 8,770.81	£ 9,263.50	£ 6,675.48
October	£ 194.67	£ 482.92	£ 6,015.10	£ 6,127.27	£ 4,923.39
November	£ 134.90	£ 582.29	£ 5,961.33	£ 5,295.44	£ 4,984.27
December	£ 148.68	£ 254.92	£ 8,162.41	£ 5,856.84	£ 6,209.57

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2015	Flint	Shackelton	Landport Ditch	Ragged Staff	Airport Terminal
January	£ 72.03	£ 191.84	£ 5,068.47	£ 2,950.50	£ 3,715.82
February	£ 132.63	£ 254.36	£ 6,159.60	£ 5,368.67	£ 3,942.77
March	£ 215.70	£ 339.02	£ 7,798.89	£ 6,086.50	£ 5,710.83
April	£ 125.63	£ 310.33	£ 6,398.55	£ 4,805.98	£ 5,082.45
May	£ 211.15	£ 362.96	£ 7,526.82	£ 6,428.78	£ 5,704.35
June	£ 119.90	£ 187.85	£ 6,067.83	£ 5,967.40	£ 4,769.93
July	£ 157.40	£ 229.68	£ 7,459.45	£ 7,059.12	£ 5,110.68
August	£ 158.64	£ 366.00	£ 10,718.23	£ 8,121.24	£ 6,593.69
September	£ 78.17	£ 278.35	£ 7,082.86	£ 5,425.22	£ 5,178.56
October	£ 59.90	£ 324.47	£ 7,463.32	£ 7,710.85	£ 4,585.22
November	£ -	£ -	£ 8,733.76	£ 8,153.85	£ 4,838.31
December	£ -	£ -	£ 7,947.69	£ 7,446.64	£ 5,353.18

2016	Romney Huts	Landport Ditch	Ragged Staff	Queensway	Ragged Staff	Airport Terminal	Small Boats Marina	Line Wall Road	Watergardens
January	£ 5,801.86	£ 2,220.49	£ 1,005.89	£ 1,535.65	£ 3,728.77				
February	£ 9,057.26	£ 3,276.92	£ 2,426.83	£ 1,838.73	£ 3,827.74				
March	£ 2,861.94	£ 1,380.27	£ 3,673.98	£ 2,097.89	£ 5,379.17				
April	£ 2,935.05	£ 5,390.34	£ 4,169.64	£ 2,087.69	£ 4,714.00				
May	£ 2,491.43	£ 7,154.75	£ 3,358.93	£ 1,411.52	£ 4,368.27	£ 203.23			
June	£ 3,254.15	£ 11,585.25	£ 4,368.53	£ 1,333.54	£ 2,194.26	£ 5,654.47	£ 384.17		
July	£ 3,211.73	£ 11,120.65	£ 4,193.55		£ 1,853.38	£ 4,850.03	£ 835.03		
August	£ 2,884.89	£ 11,325.18	£ 4,044.67		£ 2,133.75	£ 4,692.62	£ 1,083.75		
September	£ 2,713.67	£ 11,245.54	£ 4,378.85		£ 1,595.72	£ 4,981.85	£ 2,205.08		
October	£ 4,218.75	£ 14,204.40	£ 4,796.76		£ 4,067.88	£ 6,196.75	£ 2,093.65	£ 6,143.13	
November	£ 2,973.29	£ 11,284.74	£ 2,897.70		£ 1,384.65	£ 4,461.59	£ 974.33	£ 4,512.37	
December	£ 3,641.66	£ 13,455.63	£ 4,739.55		£ 1,873.23	£ 5,520.68	£ 1,195.39	£ 4,933.33	£ 2,107.56

2017	Romney Huts	Landport Ditch	Ragged Staff	Portland	Airport Terminal	Small Boats Marina	Line Wall Road	Grand Parade	Rosia Rd	Bayside Rd
January	£ 2,846.26	£ 9,184.08	£ 4,735.90	£ 286.18	£ 4,285.11		£ 4,090.39			
February	£ 3,055.25	£ 12,140.30	£ 5,610.11	£ 1,382.69	£ 4,164.10		£ 4,755.33			
March	£ 3,744.28	£ 15,614.44	£ 7,264.70	£ 1,591.43	£ 5,668.55		£ 6,186.89			
April	£ 2,098.21	£ 10,529.71	£ 4,603.19	£ 1,026.36	£ 5,708.58	£ 900.71	£ 4,820.08			
May	£ 2,019.73	£ 12,016.47	£ 3,997.27	£ 1,241.54	£ 5,156.96	£ 2,926.56	£ 4,450.50			
June	£ 3,382.81	£ 13,804.50	£ 5,253.71	£ 1,475.40	£ 5,955.07	£ 3,975.99	£ 5,053.87			
July	£ 3,353.03	£ 11,681.38	£ 4,731.94	£ 1,156.89	£ 6,726.84	£ 3,733.18	£ 4,608.39	£ 4,298.84	£ 1,405.34	£ 3,064.42
August	£ 3,247.01	£ 13,303.95	£ 5,308.13	£ 1,103.26	£ 5,181.27	£ 3,428.23	£ 4,458.03	£ 6,343.98	£ 2,005.85	£ 3,904.57

Answer to Question 563

Rentals	
Month	Amount
August 2016	£1,650.00
September 2016	£1,950.00
October 2016	£1,950.00
November 2016	£15,880.00
December 2016	£11,505.00
January 2017	£10,665.00
February 2017	£6,790.00
March 2017	£9,570.00
April 2017	£6,915.00
May 2017	£8,500.00
June 2017	£8,170.00
July 2017	£8,755.00
August 2017	£7,550.00
September 2017	/

820

Answer to Question 564

Public	
Month	Amount
August 2016	£7,499.63
September 2016	£25,532.53
October 2016	£16,583.65
November 2016	£15,391.39
December 2016	£18,794.50
January 2017	£14,880.90
February 2017	£10,520.33
March 2017	£11,749.53
April 2017	£11,175.20
May 2017	£13,269.31
June 2017	£9,923.72
July 2017	£13,307.61
August 2017	£12,314.88

825

**Hon. L F Llamas:** Mr Speaker, with reference to Question 557, the Hon Chief Minister states that the doors are wide enough to accommodate a wheelchair and pram, and suitable for the elderly. However, they are extremely heavy and only two nights ago on City Pulse we saw a wheelchair user trying to open the doors and saying that the doors were probably the heaviest he has had to manoeuvre with.

Is it not possible to adapt these doors, given that it is a new build and it should have been taken into consideration at the time that these doors should have been automatic, or with an



830 automatic feature on them in order to enable wheelchair users in particular, as well as the elderly and parents with prams to access the building in a much more friendly way?

**Hon. Chief Minister:** Mr Speaker, I was struck by that and it is something that is being looked into. I do not think necessarily this is the sort of facility that is seen in car parks, because car park doors have particular characteristics which are a requirement as to fire retardant capabilities. But it is something that is being looked at in the context of ensuring that those types of difficulties can be married with the requirement for the doors to be of a particular weight and type.

**Q565-566/2017**

**Boats –**

**Numbers imported and import duty paid**

**Clerk:** Question 565. The Hon. L F Llamas.

840

**Hon. L F Llamas:** Mr Speaker, can the Government disclose how many boats have been imported since they waived import duty on boats, and the value of each?

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

845

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer with Question 566.

**Clerk:** Question 566. The Hon. L F Llamas.

850

**Hon. L F Llamas:** Mr Speaker, can the Government disclose since December 2011 how much import duty has been paid regarding the importation of boats?

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

855

**Chief Minister (Hon. F R Picardo):** Mr Speaker, since 1st July 2014 a total of 907 vessel import licences have been issued, with a total value of £16,312,395 – that is the date of the waiver.

Between 9th December 2011 and the waiver of import duty, £207,895 was collected over those three and a half calendar years.

**Q567/2017**

**Ocean Plaza construction and fitting out –  
Estimated import duty**

**Clerk:** Question 567. The Hon. L F Llamas.

860

**Hon. L F Llamas:** Mr Speaker, can the Government disclose what the estimated import duty revenue would have been for the construction, fitting out and equipping of Imperial Ocean Plaza had it not been waived?

865

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, £440.66.

870 **Hon. L F Llamas:** Mr Speaker, going back to a question asked back in June by the Leader of the Opposition, the reason for waiving the import duty was explained as having been paramount for the project to have succeeded. Surely £440 would therefore not have pushed the developer enough in order to complete the project.

Could the Chief Minister explain the rationale behind the £440, please?

875 **Hon. Chief Minister:** Mr Speaker, I am told that Imperial Ocean Plaza is presently a derelict site and that the works done there have been of very little value and that the import of equipment, etc. has been very minor and therefore that is why the figure in £440.66. If it is any consolation I get very confused about the names of the Ocean Village Towers as well!

880 **Hon. L F Llamas:** Would the Chief Minister know what the estimated import duty would be for the project, and the figure that the Government considered at the time of whether they waived the import duty or not?

885 **Hon. Chief Minister:** Mr Speaker, I do not have that number with me. I do not know whether the calculation was based on Imperial Ocean Plaza or it was based on the gross development value and then extrapolation from there, which is not something that the developer gives us but that we consider. But it is not in respect of Imperial Ocean Plaza and its particular fitting out, etc. it is not based on a brochure or description of what this particular developer may eventually issue publicly as the fitting out that they will do there. I think it is based more on an analysis by the Financial Secretary's Office of what is the type of accommodation that is being designed, is it 890 the sort of accommodation for which we would approve Category 2 citizenship, therefore what is the m<sup>2</sup> cost and what is the gross development value, what is therefore the potential value of building materials that would be used, and therefore what extrapolation can you do from that. That analysis I do not have with me today for this particular project.

895 I cannot recall entirely, but if I may just remind the hon. Gentleman in respect of matters that were discussed at length in this place and in fact in the media, at the time that we were first elected and at the time of the 2011 General Election from memory – and relying also on the memory of the Deputy Chief Minister – but no more than that I would have to go back and look at it in detail. The waiver of import duty in respect of Ocean Village projects was a waiver entered into in a composite agreement entered into between the former administration and the 900 Ocean Village developers, not by this administration. So it may be that we inherited that aspect of the calculation and were persuaded to keep it either because it was relevant for the banking of the project, which all developers say these waivers are; and/or in addition because we might have had advice to suggest that this was a commitment already entered into on which the developer had detrimentally relied, which is the legal position. But I cannot exactly remember, 905 talking about *this* particular tower, what the issue was.

**Hon. L F Llamas:** I would just indulge one final time, Mr Speaker.

910 If I table the question for next month would the Chief Minister be able to provide the estimated figure for this particular tower?

**Hon. Chief Minister:** With all the caveats that I have given, Mr Speaker, to suggest that it may be something that it is in a 'D file', i.e. a file to which I do not have access, I will endeavour to do so if it is possible.

**Q568-569/2017**  
**Gibraltar Audit Office –**  
**Monthly rentals and recipients**

**Clerk:** Question 568. The Hon. L F Llamas.

915

**Hon. L F Llamas:** Mr Speaker, can the Government state what the monthly rental for the Gibraltar Audit Office is at their World Trade Centre office and who it is payable to?

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

920

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer with Question 569.

**Clerk:** Question 569. The Hon. L F Llamas.

925

**Hon. L F Llamas:** Mr Speaker, can the Government state what the monthly rental for the Gibraltar Audit Office was in their Irish Town location and who it was payable to?

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

930

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the monthly rentals paid by the Audit Office in the Irish Town location under a licence was £8,007.64. The monthly rental paid by the Audit Office at the World Trade Centre is information that is publicly available, I am advised.

**Q570-571/2017**  
**Number 6 Convent Place –**  
**Number of employees; internal and external areas**

**Clerk:** Question 570. The Hon. L F Llamas.

935

**Hon. L F Llamas:** Mr Speaker, can the Government state how many employees have been physically based at Number 6 Convent Place in each financial year since April 2012?

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

940

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer with Question 571.

**Clerk:** Question 571. The Hon. L F Llamas.

945

**Hon. L F Llamas:** Mr Speaker, can the Government state what the internal and external area of Number 6 Convent Place was before the refurbishment and what it is following the refurbishment?

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

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, beyond the complement numbers set out in the estimates book, it would now be impossible to provide the figures of who was based at Number 6 Convent Place in earlier financial years with any degree of accuracy.

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The internal and external area of Number 6 Convent Place before the refurbishment was 1,173 m<sup>2</sup> and 149 m<sup>2</sup>. The internal and external area of Number 6 Convent Place after the refurbishment is 3,380 m<sup>2</sup> and 987 m<sup>2</sup> respectively.

**Q572/2017**  
**Gibraltar Wine Vaults Ltd –**  
**Financial assistance**

**Clerk:** Question 572. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government disclose whether they have directly or indirectly provided any financial assistance to Gibraltar Wine Vaults Limited?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government has not provided any financial assistance to Gibraltar Wine Vaults Ltd.

**Q573-576/2017**  
**Former Rooke site –**  
**Details of plans; answer update; Eastside development**

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**Clerk:** Question 573. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government provide details of its plans at the former Rooke site?

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

**Chief Minister (Hon. F R Picardo):** Nobody wants to talk about the Sunborn today, Mr Speaker. I will answer together with Questions 574 to 576.

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**Clerk:** Question 574. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government provide an update to the answer provided in Question 209/2017?

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**Clerk:** Question 575. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government state what is happening with the Eastside development?

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**Clerk:** Question 576. The Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** Can Government inform the House if there have been any developments on the Bluewater Project at the Eastside?

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

**Chief Minister (Hon. F R Picardo):** Negotiations as to the future developments on these sites are ongoing.

## Questions for Written Answer

995 **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 Questions W116/2017 to W130/2017.

1000 **Mr Speaker:** Ordered to lie.

### Procedural

**Chief Minister (Hon. F R Picardo):** Mr Speaker, before we start the process of dealing with Bills I propose that the House should recess for 10 minutes.

**Mr Speaker:** We will now have a 10 minute recess.

*The House recessed at 4.38 p.m. and resumed its sitting at 4.48 p.m.*

## Order of the Day

### BILLS

#### FIRST AND SECOND READING

#### **Legal Services Bill 2017 – First Reading approved**

1005 **Clerk:** Bills – First and Second Reading.

A Bill for an Act to regulate the provision of legal services in and from within Gibraltar, to make provision for and in connection with the creation, membership and functions of a Legal Services Regulatory Authority; to make provision with respect to disciplinary matters in respect of the conduct of lawyers; to provide for, and in connection with, the incorporation, membership and functions of the Law Council of Gibraltar; and for purposes connected therewith.

The Hon the Minister for Health, Care and Justice.

1015 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I have the honour to move that a Bill for an Act to regulate the provision of legal services in and from within Gibraltar, to make provision for and in connection with the creation, membership and functions of a Legal Services Regulatory Authority; to make provision with respect to disciplinary matters in respect of the conduct of lawyers; to provide for, and in connection with, the incorporation, membership and functions of the Law Council of Gibraltar; and for purposes connected therewith be read a first time.

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**Mr Speaker:** I now put the question, which is that a Bill for an Act to regulate the provision of legal services in and from within Gibraltar, to make provision for and in connection with the creation, membership and functions of a Legal Services Regulatory Authority; to make provision with respect to disciplinary matters in respect of the conduct of lawyers; to provide for, and in connection with, the incorporation, membership and functions of the Law Council of Gibraltar; and for purposes connected therewith be read a first time.

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Those in favour? (**Members:** Aye.) Those against? Carried.

**Clerk:** The Legal Services Act 2017.

**Legal Services Bill 2017 –  
Second Reading approved**

**Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I have the honour to move that the Bill be now read a second time.

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Mr Speaker, as you know, a last minute amendment has arisen, notice of which I have given to you and copies of which have been circulated to Members of the House. As hon. Members will know, the Government has a long-standing commitment to reviewing the current system of regulation of legal services in Gibraltar to achieve a modernised and comprehensive system. That this review is necessary is not in doubt. The current law has not been fundamentally reviewed for 50 years and requires modernisation and amendment mainly because it has not kept pace with the growth of the legal profession and the current working environment. What is more, the current law does not fully reflect the fused nature of legal practice in Gibraltar nor does it cater for the clear regulation of persons providing legal services who are not barristers or solicitors in private practice, for example Government lawyers, in-house counsel, legal executives and law costs draftsmen.

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To that end the Government consulted with all relevant stakeholders including the Hon. the Chief Justice and the Bar Council to ascertain how 50 years of reform could be undertaken. The Bar Council and in particular its Chairman, Keith Azopardi QC, have proved to be the driving force behind this much-needed reform and it is their work which culminated in the first draft of the Bill and which they submitted to me, which forms the backbone of this Bill which is before Parliament today.

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Mr Speaker, the Bill has been through two rounds of public consultation undertaken in conjunction with the Bar Council and it is a testament to the hard work and sensible approach of the Council that the final version is in very similar terms to the first draft they submitted.

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As I mentioned, Mr Speaker, the objective of the Bill is to provide an overhaul of the regulation of legal services. This will achieve an intelligible, comprehensive, modern and effective regulatory system which: defines the provisions of legal services; provides for the registration of authorised persons, being such persons as will be authorised under the Act to provide legal services; establishes a register of authorised persons to that end; places the successor to the Bar Council on a statutory footing; establishes a legal services regulatory authority; enables the making of subsidiary legislation to govern matters of discipline, conduct and practice for providers of legal services; provides a system of statutory exemptions in defined cases; and allows for the provision of legal services through an expanded form of structures not currently provided for in law.

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As the lawyers in Parliament will know, the admission and enrolment of barristers and solicitors to the Supreme Court is governed by the Supreme Court Act 1960. The way the Act is drafted means that potentially there are people who may fall outside the current statutory regime but who are nonetheless arguably providing legal services in Gibraltar. The new regulatory system will therefore govern private practitioners, Government lawyers, in-house

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counsel, legal executives and a law costs draftsman. It also clearly provides that unauthorised and non-exempt persons cannot provide legal services. The Bill, however, does provide a system of statutory exemptions for persons regulated under the Act, regulated under other Acts or other specified persons to enable these to continue to provide core services within the scope of their respective professional activities.

Mr Speaker, the Bill is an umbrella piece of legislation under which subsidiary legislation governing professional conduct, discipline, Solicitors' Account Rules, practising certificates regulations and other matters relating to the provision of legal services will now fall under.

You will, for example, Mr Speaker, be aware that the Bar Council has already published a draft code of conduct for consultation purposes, so that they will be ready to hit the floor running when the Bill becomes law.

Given the fact that the Bill has in various forms been the subject to two rounds of consultation, I do not intend to go through the Bill on a clause-by-clause basis, rather I will summarise the main parts and highlights of the Bill.

Part II of the Bill and Schedules 1 and 2 to the Bill draw from the English Services Act of 2007 with amendments to adapt these to our particular local circumstances. In clause 3 there is an explanation for what falls under providing legal services for the purposes of the Act. Under clause 3 a person provides legal services if, not being an exempt person, he does all or any of the matters set out in the paragraphs (a) to (f) contained therein. These are very comprehensive and for the first time explicitly contain references to in-house lawyers, etc., Government-employed lawyers and legal executives. The definition of 'reserved legal activity' is contained in clause 4 and includes the exercise of rights of audience, the conduct of litigation, probate, the provision of legal advice or assistance on Gibraltar law in connection with the application of Gibraltar law, or with any form of resolution of legal disputes; and the provision of representation in connection with any matter concerning the application of Gibraltar law or any form of resolution of legal disputes.

The spine of the new regime will be the Register of Authorised Persons which is created and maintained under clause 6 of the Bill. The register consists of a number of parts to allow persons who intend to provide legal services to register as 'Authorised Persons'. The various parts of the register are as follows: (1) private practitioners who are in practice in Gibraltar; (2) foreign counsel called for specific cases; (3) Government lawyers; (4) legal executives who work for Part I lawyers; (5) in-house counsel working for companies, businesses, trade unions, statutory authorities or other bodies; (6) legal executives who work for companies, businesses, trade unions, statutory authorities or other bodies; (7) law costs draftsmen; and (8) EEA or registered European lawyers.

The Bill further provides that law practices can operate via partnerships, corporate entities, or limited liability partnerships, and must register in Part 9. Subsidiary legislation will set out more detailed provision in respect of Part 9 registration.

Mr Speaker, applicants for registration will require to pay a registration fee, which will finance the LSRA's and the Law Council's activities and will need to comply with any code of conduct under the Act. Registration under different parts of the register provides a tier of rights as set out in the Bill, with each part having different rights and duties. Exemptions are provided for by clause 7 of the Bill and particularly by Schedule 2 to the Bill. Persons who are regulated by other laws in Gibraltar, or other specified persons, are exempt from the provisions of the Act and may provide the services specified in Schedule 2 – for example, persons regulated by the Financial Services Commission and Accountants may provide certain services that would technically fall within the definition of legal services.

Mr Speaker, moving on to Part III of the Bill we see provision for the Establishment of the Legal Services Regulatory Authority. Its composition is governed by Schedule 3 to the Bill. The general functions of the LSRA are set out in clause 15. It will have wide-ranging functions including: powers to regulate the provision of legal services; to protect and promote the

interests of consumers; to encourage an independent, strong, diverse and effective legal profession; regulate the provision of legal services.

1120 The regulation includes: the administration of rules in relation to practice, discipline or conduct of authorised persons; the application, registration and removal of authorised persons from the register; the application and issue of practising certificates to authorised persons; and monitoring the adequacy of anti-money laundering and anti-terrorist financing systems maintained by authorised persons.

1125 The process of investigation of disciplinary matters is governed by Part IV of the Bill. A full procedure for making complaints and investigating them is set out, and a new disciplinary tribunal is established which would perform its functions through disciplinary panels. The disciplinary tribunal may by way of an interim measure suspend, impose conditions on or revoke the authorised person's practising certificate and ban him or her from providing legal services, 1130 undertaking restricted legal activities in Gibraltar. In addition it may recommend to the Chief Justice and apply for the authorised person to be struck off the Roll of the Court; impose a fine on the authorised person; administer any reprimand to the authorised person; order the authorised person to repay or forego a fee; and order the authorised person to make a payment of or towards the cost of investigations capped at £20,000. Appeals from decisions of the 1135 disciplinary tribunal will lie to the Chief Justice or some other judge designated by him.

Mr Speaker, Part V, the final part of the Bill, other than transitional and consequential provisions, places what is currently known as the Bar Council on a statutory footing, renaming it as the Law Council. The change of nomenclature is not merely cosmetic but it is intended to reflect the fact that the 'Law Council', as it will become known, is the body representative not 1140 just of the Bar but solicitors, in-house counsel, legal executives and law costs draftsmen consonant with the regulation of the overall provision of legal services.

The Law Council will have diverse advisory, consultative and policy-making functions and, through its officers on the LSRA, decision-making powers. The LSRA will hold regulatory functions while the Law Council will retain its role in respect of representation, policy-making, 1145 promotion and marketing. Membership of the Law Council is automatic on registration in the register established under the Bill. The constitution of the Law Council is modelled on the current Bar Council's constitution with necessary revisions. It is included in Schedule 5 of the Bill.

Mr Speaker, in conclusion, the Bill provides a welcome and necessary update to our law in this area. The Bar Council and relevant stakeholders are confident that the fundamental review 1150 contained in the Bill ensures that our legislation regulating our legal profession reflects the fused nature of the profession and the numbers now involved at different levels and roles. It is, Mr Speaker, one of those occasions where all stakeholders are agreed that change needs to take place and the direction that such reforms must take. It is not change that makes life necessarily easier for the stakeholders, in fact it is important to note that those stakeholders are taking on 1155 duties and responsibilities which to date have fallen to others, and are doing so in order to ensure that our jurisdiction's legal profession is better regulated and fit for purpose with robust systems in place to protect consumers and the public, and ensure that international and domestic responsibilities are met.

Mr Speaker, the Bill is the culmination of much hard work, not least by members of the Bar 1160 Council, and two valuable and informative consultation processes where members of the legal profession all with a degree of positivity and a sense of awareness of the value of the exercise, worked together to produce this Government Bill.

Mr Speaker, I would like to take the opportunity to thank the Hon. the Chief Justice, the Bar Council, the Attorney General and all stakeholders involved in the Bill. It has been a true team 1165 effort and one of which I am extremely proud to have been a part.

Mr Speaker, I commend the 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 this Bill? The Hon. Elliott Phillips.



1170 **Hon. E J Phillips:** Mr Speaker, before I make my short contribution on behalf of Her Majesty's Loyal Opposition I must of course declare an interest in that my firm and the lawyers at my firm will of course be materially affected by this new proposed legislation. We, together with other law firms, have been closely involved in the consultation process on the Bill and have offered the Bar Council from time to time, as currently constituted, our views on the Bill and the codes.

1175 I was also a long-standing committee member of the Bar Council at various points in time when this Bill and the original concept of regulation hit the Bar Council and when it was floated before I took my seat in this House. The Bill – and I agree with the Learned and Hon. Minister for Justice – represents the most significant piece of legislation passing through this House to affect the legal profession in 50 years, and I am honoured and privileged as a Member of this House  
1180 and a member of the Bar to support this Bill, and we on this side of the House will be unanimously supporting the Bill through its various stages today.

The way in which our legal profession offers its services has changed beyond recognition in the last 50 years and we need to respond to the community's and the profession's call for more modern and relevant framework for the regulation of the legal profession. It has been a long  
1185 time coming. This Bill will, amongst other things, further strengthen the disciplinary powers that apply to legal practitioners, introduce a more modern regime for the continued education and training of legal practitioners, and it will also focus importantly – and to the Leader of the Opposition's delight, I am sure – on the involvement of lay people in the LSRA, which I believe is critical in the delivery of a modern regulatory regime which has at its heart the service to the  
1190 consumer.

The Bill will also ensure that the LSRA will set and promote, in the public interest, standards of behaviour and professional performance. The above reforms represent a substantial change, Mr Speaker, in the way in which lawyers conduct their business. At the same time the Government has strengthened the law by the creation of a regulatory body to enforce  
1195 professional standards and obligations. This approach to reform will result in a vibrant and robust legal services market that will be of benefit to the consumer, and at the same time will ensure that consumers are not exposed to any increased risk of inappropriate behaviour and poor performance. The Bill demonstrates that reform can be of mutual benefit to the legal profession, businesses, consumers and the community at large.

1200 Finally, Mr Speaker, we must thank the profession and the members of the Bar Council, past and present, for the work that has been done to produce an excellent piece of legislation, and in particular this House must record its gratitude to Keith Azopardi QC for his drive and determination in seeing through this reform in this area. We should also thank the legislative drafting team for their work, the Chief Justice and the Attorney General. Therefore we will join  
1205 the Government in commending the Bill to the House.

**Mr Speaker:** Does any other hon. Member wish to speak on the Second Reading of the Bill?  
The Hon. the Chief Minister.

1210 **Chief Minister (Hon. F R Picardo):** Mr Speaker, simply to rise on behalf of the office that I hold to thank all those that the Hon. Mr Costa has indicated have been of assistance in the context of preparing this Bill – without falling into the trap of campaigning for anyone who might be putting their name forward for any particular post – but to thank everyone who has been  
1215 involved in producing a text that the whole House can get behind and which I think will provide for better regulation of the legal profession, and which is not something that happens every day.

This is, in my view, a seminal piece of legislation that will change the legal regulatory framework in a positive, modern and forward-looking way. And if I may say so on behalf of the Government, also to thank the Hon. Minister Costa for the work that he has done driving this legislative enactment in the way that he drives everything, which is also entirely positive and  
1220 designed to produce a result that everyone can support.

**Mr Speaker:** Does the hon. mover wish to reply?

1225 **Hon. N F Costa:** Simply, Mr Speaker, to thank the Hon. Mr Phillips for the comments he has made and his fulsome support of the Bill; and of course as well, Mr Speaker, to thank my hon. Learned Friend, the Hon. the Chief Minister, for his gracious and kind remarks.

1230 **Mr Speaker:** And so I now put the question, which is that a Bill for an Act to regulate the provision of legal services in and from within Gibraltar, to make provision for and in connection with the creation, membership and functions of a Legal Services Regulatory Authority; to make provision with respect to disciplinary matters in respect of the conduct of lawyers; to provide for, and in connection with, the incorporation, membership and functions of the Law Council of Gibraltar; and for purposes connected therewith, be read a second time.

1235 Those in favour? (**Members:** Aye.) Those against? Carried.

**Clerk:** The Legal Services Act 2017.

**Legal Services Bill 2017 –  
Committee Stage and Third Reading to be taken at this sitting**

**Hon. N F Costa:** Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

1240 **Mr Speaker:** Do all hon. Members agree that the Committee Stage and Third Reading of the Bill be taken today? (**Members:** Aye.)

**COMMITTEE STAGE AND THIRD READING**

**Clerk:** Committee Stage and Third Reading.

1245 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that the House should now resolve itself into Committee to consider the following Bill clause by clause, namely the Legal Services Reform Act 2017.

*In Committee of the whole Parliament*

**Legal Services Bill 2017 –  
Clauses considered and approved**

1250 **Clerk:** A Bill for an Act to regulate the provision of legal services in and from within Gibraltar, to make provision for and in connection with the creation, membership and functions of a Legal Services Regulatory Authority; to make provision with respect to disciplinary matters in respect of the conduct of lawyers; to provide for, and in connection with, the incorporation, membership and functions of the Law Council of Gibraltar; and for purposes connected therewith.

Part I, clauses 1-2.

**Mr Chairman:** Stand part of the Bill.

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**Clerk:** Part II, clauses 3-5.

**Mr Chairman:** Stand part of the Bill.

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**Clerk:** Clause 6 as amended.

**Mr Chairman:** Clause 6, a small amendment has been circulated which I think hon. Members have. I would just like perhaps to suggest it says in subclause 4 of clause 6, perhaps that should read in subclause (4). (**A Member:** Yes.) Alright? Change that to subclause (4) as circulated. Do all hon. Members support the amendment? (**Members:** Aye.) So we will move that.

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Clause 6, as amended, stands part of the Bill.

**Clerk:** Clauses 7-13.

1270

**Mr Chairman:** Stand part of the Bill.

**Clerk:** Part III, clauses 14-25.

**Mr Chairman:** Stand part of the Bill.

1275

**Clerk:** Part IV, clauses 26-29.

**Mr Chairman:** Stand part of the Bill.

1280

**Clerk:** Part V, clauses 30-37.

**Mr Chairman:** Stand part of the Bill.

**Clerk:** Part VI, clauses 38-41.

1285

**Mr Chairman:** Stand part of the Bill.

**Clerk:** Schedules 1-5.

1290

**Mr Chairman:** Stand part of the Bill.

**Clerk:** The long title.

**Mr Chairman:** Stands part of the Bill.

**Legal Services Bill 2017 –  
Third Reading approved: Bill passed**

1295

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to report that the Legal Services Bill 2017 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 now put the question, which is that the Legal Services Bill 2017 be read a third time and carried. All in favour? (**Members:** Aye.) Those against? Carried.

#### ADJOURNMENT

**Chief Minister (Hon. F R Picardo):** Well, Mr Speaker, in an attempt to be able to get back to monthly meetings of the House after the difficulties that we have had with the Brexit referendum where the House agreed that we would not be meeting monthly, and the aftermath thereof which has sometimes made meeting monthly difficult, it is the Government's intention to continue now the pace of monthly meetings that we had established.

1300 In order to do that this month, Mr Speaker, and to deal with the remaining motions and perhaps even some Bills that are on the Order Paper, we have to do a fairly tricky exercise given that we are straddling the happy period of the Jewish Holidays – Shana Tova, to our members of the Jewish Community in Gibraltar who will be celebrating the Jewish New Year tomorrow and on Friday. I understand from the hon Lady also Sukkot in the first week of October; and also  
1305 attendance of Ministers at the Labour Party Conference and the Conservative Party Conference, and the SNP party conference, and also at the United Nations. So therefore I am going to propose, Mr Speaker, that the House should now adjourn to Tuesday 10th October at 10 a.m. while still in Bills and Motions.

1310 It is my intention that on Tuesday 10th October we will take the motions that are on the Order Paper and that as soon as we finish I will give notice of the next meeting. So I am expecting to deal with business on Tuesday 10th, adjourn *sine die* on Tuesday 10th at some time, and then immediately either during the course of that day or the next day give notice for the October meeting. So although we are going to have a session on 10th October for business relating to the September meeting, I fully intend to come back and have an October meeting as  
1315 well. There, Mr Speaker, the issues that hon. Members would be aware of will relate of course to the celebration of the Gibraltar Day events in London which I understand are the last full week of October. We will have to try and see how we can marry the monthly meetings with all of that which I have set out and the events at the end of October, whilst fully intending to come back also for a full meeting in November and December this year.

1320 So, Mr Speaker, with that explanation which I hope is of assistance to you, and to the staff of the House and to Members opposite, I now move that the House should adjourn until Tuesday 10th October at 10 a.m.

**Mr Speaker:** The House will now adjourn to Tuesday 10th October at 10 in the morning.

*The House adjourned at 5.35 p.m.*