



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.03 p.m. – 6.40 p.m.**

**Gibraltar, Thursday, 18th January 2018**

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# The Gibraltar Parliament

*The Parliament met at 3.03 p.m.*

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

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

## PRAYER

*Mr Speaker*

## CONFIRMATION OF MINUTES

**Clerk:** Meeting of Parliament, Thursday 18th January 2018 – Order of Proceedings.

(i) Confirmation of Minutes. The Minutes of the last meeting of Parliament which was held on 22nd November, 5th and 6th December 2017.

5

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

*Mr Speaker signed the Minutes.*

## COMMUNICATIONS FROM THE CHAIR

### **Congratulations to Sir Joe Bossano KCMG MP on receiving knighthood from Her Majesty the Queen**

**Clerk:** (ii) Communications from the Chair.

10

**Mr Speaker:** This item on the Agenda affords me the opportunity to pull rank. Moreover, the fact that I was first elected to this House on the same day as the Hon. Sir Joseph Bossano, back in 1972, perhaps also makes it appropriate that I should be the first one to congratulate the hon. Member today.

15

By any yardstick, an unbroken period of public service of 45½ years and still going strong is a remarkable achievement and throughout that time, the hon. Member has always fought Gibraltar's corner without fear or favour.

I am delighted that his well-deserved knighthood can also be enjoyed by his wife, now Lady Rose Bossano, who has been a pillar of strength for him.

20

My sincere and heartfelt congratulations to the hon. Member and to Lady Rose. (*Banging on desks*)

The Hon. the Chief Minister.

25

**Chief Minister (Hon. F R Picardo):** Mr Speaker, if you have known him for 45-plus years, you know that Joe Bossano is the hardest taskmaster that there is in Gibraltar politics. If you do

nothing, Mr Speaker, in your life, you will do nothing wrong – except of course that it is wrong to do nothing.

30 If you do things, Mr Speaker, especially if you do a lot, it is likely that amongst all the good that you have done, you may also do something which is not entirely to the pleasure of all those around you and Joe Bossano, Mr Speaker – Sir Joe Bossano KCMG MP, (*Interjection by Mr Speaker and laughter*) as I believe his name will now feature in the *Hansard* of these proceedings, has done a lot for this community, Mr Speaker. He has done perhaps more than most for this community.

35 He has, therefore, in my view, Mr Speaker, rightly earned the respect of most, if not all in our community. And he has delivered more than most for this community. He is also therefore, necessarily incurred the displeasure of some, when he has thought it necessary or appropriate in the public interest of Gibraltar to do so, and quite right too, Mr Speaker.

40 He has been the person who has most developed in the public consciousness of Gibraltarians the doctrine that the right of self-determination is acquired through the attainment first of the self-sufficiency of a people.

Mr Speaker, he is a man who has led on issues of union rights, he is a man who has led on issues of human rights and of course he was the man who in great measure led the battle on parity.

45 He led us through a difficult period when the Ministry of Defence was withdrawing the amount of spending it made in the Gibraltar economy. He transformed Gibraltarians into a community of home owners. He introduced the concept of the mandatory scholarship for undergraduates and I can tell hon. Members in this House and in the community at large that when the time came to have the debate to prepare the manifesto for the 2011 General Election, it was him leading the argument that we should introduce mandatory scholarships also for postgraduates in today's economy.

50 He led on the concept of reclamation to gain land from the sea and to be able to extend further our community. And of course, one of the incarnations of which he is proudest is Community Care: a charity that every quarter has a positive effect on the lives of so many of his fellow Gibraltarians. I will not say 'fellow pensioners', Mr Speaker; I will just stick to 'fellow Gibraltarians'.

55 But going back a little further and perhaps in terms of the most apposite today, Mr Speaker, this is a man who led in respect of the various processes that required opposition from Gibraltar. Whether it was the Strasbourg process, the Lisbon process or the Brussels process and the bilateralism linked to the United Nations resolutions that saw the transfer of the Gibraltar sovereignty into Spain, they found a rock of opposition in Sir Joe Bossano from the mid-1970s, when the attempts began to try to suck Gibraltar into those processes.

60 Then as Chief Minister, Joe Bossano, as he then was, led the return of Gibraltar to the United Nations. Mr Speaker, that return continued unabated whilst Joe Bossano was in Government; it continued whilst hon. Members were in Government, except for this agreement between us as to attendance at the C24 after 2006.

65 Joe Bossano continued whilst he was in opposition, funding the trips out of his own pocket because he thought it in the interest of Gibraltar to turn up at New York every year on two occasions and to go to the UN seminar wherever that might be held in the Pacific or in the Caribbean, where he is recognised by the secretariat of the United Nations as an authority on the right of self-determination of the people of the non-self-governing territories.

70 Mr Speaker, I should add that in respect of the latter, in respect of the seminar, they paid his way for some time because they wanted him involved in those deliberations of theirs.

75 Mr Speaker, therefore, in the context of all of that and all of the things that Joe Bossano has done which I cannot reflect just in the moments that we have here as we begin our parliamentary session, in the things that I have written about the merit of this award since it was made, those who know Joe Bossano know everything that he has done and anybody who studies the history of Gibraltar will realise the impact of the return to Gibraltar of Joe Bossano in 1972

and the effect it has had on the plans some others might have had for the future of this community.

80 Therefore in the grant of this honour, Her Majesty the Queen has not just rightly recognised somebody who I think the whole community is proud to see take a knighthood, but I see personally huge vindication of the legitimacy of the stands that Joe Bossano has taken since 1972 and vindication, if I may say so, for all those of us who have stood with him and I do not just mean for election, but who have stood with him in respect of the defence of the principles  
85 that he has espoused, in respect of the policies that he has espoused and in respect of the politics that he has represented and represents.

If I may say so with respect, Mr Speaker, I will say proudly that in my view, and I believe it is the view of all his Government colleagues, no one in the modern era has done more for Gibraltar to remain British than Joe Bossano – sometimes even in the face of the British, and I think that is  
90 the most important part of the contribution that Joe Bossano has brought to the modern history of Gibraltar. In our view therefore, Mr Speaker, Her Majesty could have chosen no better knight to continue to guard against any erosion of her unhindered dominion over British Gibraltar.

But I do think, Mr Speaker, that Sir Joe Bossano will be no silent knight. I do not expect that he is going to keep his views to himself, now that he has been knighted, in a way that others  
95 might think was more appropriate. I think that this vindication, this recognition is simply going to spur him on to do more and that is exactly the effect that those of us who believe in him would want to see.

Joe Bossano, Mr Speaker, I think has still got a lot to do. He represents a part of the past modern history of Gibraltar, he represents the present and I think he also represents a huge part  
100 of the future. He hates it when anybody gets up and says something nice about him. Imagine how much he must be hating the fact that we are all saying things about the fact that he has been honoured by Her Majesty herself! It must be embarrassing indeed to be lauded in your own presence, but it is a sign of his longevity that he is lauded whilst he is still a Member of this Parliament and still very active. It is a recognition of what he still has to contribute.

105 I say to the House today that the Government will, at the appropriate time, be moving a motion to bestow, with the support I hope of the whole House, the Freedom of the City of Gibraltar on Sir Joe also, now that Her Majesty has recognised his contribution as well. We think on this side of the House that it is important that the recognition of the people of Gibraltar in the way that the people of Gibraltar bestow that recognition also be considered.

110 Now, I suppose he will have to declare a conflict of interest and not vote on that motion, but it will be the best way of reflecting the requited love of the people of the Rock who he loves so much. Mr Speaker, he is to all of us an inspiration and a mentor. (*Banging on desks*)

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

115 **Hon. E J Phillips:** Mr Speaker, may we on this side of the House echo the sentiments expressed by Mr Speaker and the Hon. the Chief Minister and congratulate Sir Joe and indeed Lady Bossano and his extended family for this great honour that has been bestowed on Sir Joe.

120 Clearly the Chief Minister has set out the background to the honour insofar as Sir Joe's commitment – the commitment of the Father of the House to Gibraltar – and unquestionably 45 years of politics is certainly an unquestionable commitment to Gibraltar, despite where we sit on this side of the House.

125 There are many areas on which there has been disagreement over the many, many years between Sir Joe and his opposite numbers on this side of the House, and when he was sat on this side of the House, but clearly that is not for today. Today is to warmly and genuinely congratulate Sir Joe on his honour and also to remind our community of the work that he did together with others, in relation to our transition from an MOD-based economy to part of what it is today, together with others that led after him.

130 It is also true that we are reminded of his efforts and his work in relation to parity. And most importantly for me in fact is that most Members in this House of course are beneficiaries of the mandatory scholarship and the work that Sir Joe has done in relation to education and the development of opportunity for young people in our jurisdiction. I think many in this community, if not all of us that have been the beneficiaries of that, owe him a great debt insofar as the work he has done to develop opportunity for young people.

135 Although we may disagree moving forward and I think Sir Joe and I have had various debates on the question of how we increase opportunity and offer better opportunity to those in our community moving forward, it is right to recognise the hard work that Sir Joe has done in relation to mandatory scholarships, together of course in creating a nation of home owners, which I think is again an achievement that he should duly be recognised for.

140 What we say in this House, certainly on this side, is that we warmly congratulate him on this great honour and that for Lady Bossano. *(Banging on desks)*

**Mr Speaker:** Dr Joseph Garcia.

145 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, I would also like to if I may, to congratulate my friend and colleague, Sir Joe Bossano on the award of this honour by Her Majesty the Queen.

150 As you have rightly said, from 1972 until 2018 having the confidence of the electorate and of your fellow countrymen in election after election and being elected to this Parliament and to the House of Assembly before it for such a long period of time, is a record for Gibraltar and 45 years is the longest period of time that anybody has been elected to any of our institutions. That is a truly remarkable achievement.

155 I think one trait that Sir Joe has always shown is that his expositions and has taken positions on principle and not on their popularity, and that has continued throughout the years and it continues indeed to this day.

160 The analysis I recall he made at the time of the Brussels Agreement, of the Lisbon Agreement, at a time when people were taking different views on it, have been borne out in the fullness of time. It has been shown that the analysis that he made after these agreements were struck was actually the correct analysis and these views are now widely shared by everyone, even by those who opposed and who took a different opinion at that moment in time.

165 In 1965 he started with the pro-integration movement and since those days until today I think, Joe is still a revolutionary at heart, somebody who has never sought honours for himself and who probably finds, as the Chief Minister has rightly said, this whole process of congratulations uncomfortable and embarrassing.

170 The reality is that he deserves nothing less. He has been an ardent exponent of the Gibraltarian identity; he has contributed to its development significantly; the establishment of National Day in the early 1990s; his defence of Gibraltar at the United Nations – all that adds to the record that he has created in defending this community locally and abroad and in advocating our right to self-determination and our equal determination to reject the Spanish claim.

175 So it is, Mr Speaker, a very well deserved honour. It is an honour for him, for Lady Rose, for this House and indeed for our country as a whole. *(Banging on desks)*

**Mr Speaker:** The Hon. Daniel Feetham.

175 **Hon. D A Feetham:** Mr Speaker, I am delighted to be able to rise and to add my own voice to the voice of the Chief Minister, the Deputy Chief Minister and the Leader of the Opposition in congratulating Sir Joe and also Lady Rose on what is by any measure, in my view, a well-deserved and indeed a belated honour that should have been bestowed on the hon. Gentleman a long, long time ago.

180 It is a great privilege and also it is a great honour to represent this community and also to do  
what he has done, which is to lead this community for eight years in what has been a career  
spanning 45 years. But it is also phenomenally difficult as well to be a leader of this community  
and indeed to represent this community, even though it is a great privilege. The size of Gibraltar,  
185 the closeness with the electorate, it bring with it dynamics that make it at times very difficult  
indeed.

There is one quality which the Hon. the Deputy Chief Minister alluded to which I have always  
admired in the hon. Gentleman, and that is that he makes and he also defends decisions,  
however unpopular those decisions may be, but he takes them out of principle. In my view, that  
is something that our electorate expect out of its politicians. It is something that our electorate  
190 respect in its politicians and you do not have to agree with the decisions that people take, but  
you do respect the fact that people do make, as the hon. Gentleman does, decisions out of  
principle.

As he knows, because he knows that even though I am one of the fallen – one of the fallen! -  
that I came to Gibraltar in order to follow him. He knows that. Things did not work out, but that  
is the reality of the situation. I have spent the last 17 years opposing him! (*Laughter*) But I did  
195 come back in order to follow him.

There are two principles that he has always adhered to that I have, in my own political career  
and indeed as Leader of the Opposition, sought to weave into my own political discourse, out of  
conviction, and that is firstly the resolution to be resolute in the defence of our homeland; but  
200 secondly, that in order to be resolute in defence of our homeland in the long run, you must also  
be able, in a community like Gibraltar, to be able to say no to people when that is justified, to  
live within your means, to make sure that you save for future generations, and to make sure that  
you have an overriding duty to protect the standard of living not only for working class people,  
but indeed for everybody in Gibraltar today but also tomorrow too; and that that part of that  
205 Gibraltarian way of life that you are protecting is also protection against outside pressure from  
Spain, from the United Kingdom. It is terribly important that we live within our means, that we  
always have sight of those kinds of issues because they are – in my respectful view and I have  
always understood it, that is also his discourse – inextricably wound up.

I have to say, Mr Speaker, that although I have spent 17 years opposing the hon. Gentleman,  
210 I am proud that my family has always and will always be linked with the hon. Gentleman and  
stood shoulder to shoulder with him right up to the end of the 1990s, when my father resigned  
from politics. I have absolutely no hesitation in adding my voice to congratulate the hon.  
Member. (*Banging on desks*)

215 **Mr Speaker:** The Hon. Marlene Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, I rise from this corner of the House to congratulate  
the hon. Gentleman. We have not always agreed on much, but I suppose that maybe we can  
agree on the fact, coming from a political family, that politics takes its toll on the family as much  
220 as on the politician himself or herself.

So I take this opportunity to wish congratulations to Sir Joe and his entire family on this  
knighthood.

Thank you. (*Banging on desks*)

225 **Mr Speaker:** The Hon. Neil Costa.

**Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I think it is the very first  
time ever that I stand in this House to congratulate and to speak on the merits of a particular  
person. I think that it is in the character of Sir Joe that he should be a living legend today in our  
230 politics.

I remember, Mr Speaker, in St Anne's, when in 1987 the class was asked as to whom parents would vote and every single person in that class – and there are other persons in this building today, who were also part of that class – who held up their hands to say that they would be voting for Sir Joe and his team. It is incontrovertible, Mr Speaker, that Gibraltar underwent a transformation during those eight years, in terms of the mandatory grants where students who wanted to go to university and who may not have obtained three As nonetheless went. I thought that was transformative.

I think the fact that there was so much reclamation and co-ownership and affordable homes built for the community, that was transformative, Mr Speaker, and also of course as has been mentioned, the tenacious defence of Gibraltar's interests abroad in foreign affairs. Very few people will also doubt that Joe was also transformative and fearless in the way that he defended Gibraltar.

Mr Speaker, Sir Joe for me has always been an inspiration and certainly a guiding light. I do not think I have ever told him this, but I in fact was drawn to politics when I was in St Anne's because of his programme, because of his politics. Every day he has served as a true inspiration for me. He always has time for me to provide guidance and to provide advice.

He has been a tireless and fearless promoter I think of all of us on this side of the House, always ready to help, always ready to provide advice, always ready to be painfully honest when required and, Mr Speaker, from the bottom of my heart I wish to sincerely thank Sir Joe and Lady Rose. I think that it is most certainly a most well-deserved and richly deserved honour and I could think of no-one better to be knighted than Sir Joe Bossano. *(Banging on desks)*

**Mr Speaker:** The Hon. Lawrence Llamas.

**Hon. L F Llamas:** Mr Speaker, from the other corner of the House, I would like to congratulate Sir Joe Bossano and his family and anybody who supports the last 45 years in which he has been serving this community.

For my part, having served this community for just two years, knowing what it entails, the endurance that Sir Joe has had over the last 40 years is admirable and I congratulate him.

Thank you very much. *(Banging on desks)*

**Mr Speaker:** The Hon. Dr John Cortes.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I had the honour and pleasure of serving with the Hon. Sir Joe Bossano when he was Chief Minister. I was the General Manager of St Bernard's Hospital at the time and we achieved great things then.

I also had the honour and pleasure of working with Lady Rose Bossano when she was a union representative. We developed an excellent working relationship and took the health service very far and completely converted the old health service at the time, back in the late 1980s, and gave it another boost of life, which we then took on again when we were elected more recently.

Apart from that, Mr Speaker, I do not know whether other people are aware that it was in the Government of Sir Joe Bossano that the first Minister for the Environment and the first Ministry of the Environment was created.

It was during his time and because of his vision and his commitment to the environment that the Botanic Gardens were created, that the Nature Reserve was created, that nature conservation legislation was created. So that Sir Joe Bossano had a profound effect on my own life personally and I owe him much of my development since then, but also to the environment and the governance of the environment in Gibraltar.

I am not going to repeat everything that has already been said that I totally agree with, but I thought I had to add my own personal congratulations. We go back a long, long time and I never

thought at the time that I would have the honour and pleasure of serving with him as a Minister in the Government.

285 So, my own personal congratulations to Sir Joe, Lady Rose and all the family, who I know very well. *(Banging on desks)*

**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, I too wish to add my congratulations to Sir Joe because, Mr Speaker, I think I have known Sir Joe since the day I was born. Mr Speaker, I was born in the same year that Sir Joe founded the GSLP and I am a  
290 third generation member of the party that he created. It is therefore, no surprise, Mr Speaker as to why all my life I have looked up to Sir Joe Bossano, particularly because of his socialist principles that he has enshrined throughout his life and in Gibraltar.

Mr Speaker, I have to have particular gratitude to Sir Joe because I am one of those in the generation of Gibraltar that we have to be particularly grateful to the visionary policies that  
295 were introduced in the late 1980s and the early 1990s such as the grants that were given to students, Mr Speaker. I and people of my generation are examples of the success of the policies of Sir Joe Bossano's Government at the time.

Mr Speaker, we all know that Sir Joe's principles and steadfast ideals are unquestionable and it is always about having Gibraltar and the best for Gibraltar and Gibraltar citizens in his heart. I  
300 frequently refer to Sir Joe as my role model and as a legend, and I know that he hates it when I say it but it is true, Mr Speaker: you cannot help but feel like that with someone who has been a very close family friend all my life.

I therefore wish to also extend congratulations to Sir Joe, to Lady Rose and all of the family.  
*(Banging on desks)*

305 **Mr Speaker:** Perhaps for the sake of the accuracy of *Hansard*, I should have said that that was the Hon. Samantha Sacramento.

The Hon. Albert Isola.

310 **Minister for Commerce (Hon. A J Isola):** Mr Speaker, Sir Joe is probably having the worst time in Parliament in 45 years this afternoon, but I think it is absolutely right and proper that we should be airing our thoughts on an individual whose contribution to Gibraltar, as the Chief Minister has said before, I think is unprecedented.

It is impossible in the time that we have today to begin to list each of the things that he has  
315 been involved in, whether it is defence of our community, whether it is in relation to our health services, our housing, our education, our business community and indeed our economy. Because in each of those areas that I have mentioned, his contribution and the work that he did between 1988 and 1996 is absolutely critical and crucial to the success that we enjoy today.

Because what he did in those years was do what was joked by Members on the other side of  
320 the House as, 'Oh yes, so Joe Bossano is going to deliver an economic miracle!' The truth is, he actually did. Because what he did in those eight years in the transformation from the MOD to a private sector based economy was an absolute economic miracle. And the success that we have enjoyed since then can be traced and tracked very simply back to the work that was done in that time.

325 A few of the speakers today have talked about his vision and I think that is absolutely right. When you rewind the clock to 1990 and you imagine a socialist Chief Minister of Gibraltar engaging with a professional accounting firm, like KPMG I think it was at the time, who were instructed by Joe – *(Interjection)* PWC my apologies – who were instructed by the Chief Minister at the time to do a review of our entire financial services product range to see how they could  
330 be improved, to see how they could be adapted and made more fit for purpose at the time, the first and only time it has ever happened. And those same products today are still being used by our professionals every day of the week. That is the sort of vision that Sir Joe has brought to Gibraltar and to this Parliament and that is which we should be applauding.

335 But there is another side to the man which we all know and love. Every single time that  
Sir Joe has stood in an election in Gibraltar in the 45 years that he has been, whatever the result  
the day after the election, he has gone back to thank the people in all the estates that voted for  
him. You would say that is clever politics: it could be, but to do it every time you have lost an  
election, to still go back to the people and thank them for trusting you with their vote, is  
340 something that I have never, ever seen before and I am delighted that this party, under our  
current Chief Minister's tenure, is continuing with that programme in thanking people for their  
support the morning after an exhausting night, when people have voted for you at the election.  
That tells you a little bit about the principles-based individual that Sir Joe is and has led by  
example for all these years of service.

345 Mr Speaker, when I heard the news of the appointment, I was absolutely overjoyed and what  
struck me most was that many of my friends who have not voted for him every time that he  
stood for election like I have said to me was that they too were delighted, because even they  
recognise the contribution, not just to Gibraltar but its structure; its fundamental base of  
success in its economy is down to Sir Joe. Even they, those who have not voted for him, fully  
agree that this honour is necessary and very, very richly deserved.

350 I have had the benefit of working with Joe within this party since 1987-88 but of course as a  
young child when Sir Joe would come home to my house in Bell Lane, in the days of the IWBP, I  
had the pleasure as a younger child of having spent many, many fantastic hours listening and  
learning from this wonderful Gibraltarian.

355 So it is with huge pleasure that I congratulate Sir Joe, Lady Rose and the family on an honour  
that is absolutely deserved and I am delighted to be a part of the Parliament that is here to greet  
him.

Thank you. *(Banging on desks)*

**Mr Speaker:** The Hon. Paul Balban.

360

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, I cannot remain  
seated and not contribute and therefore also I wish to associate myself with the comments  
made here today.

365 I have had the privilege of sitting at the left hand of this man, the Father of the House, for six  
years; now giving me also a great opportunity to share time with him and to discuss matters  
while I sat behind him. A man who, love him or not, agree with him or not, you cannot fail to  
recognise what he has done for Gibraltar and its people. His beliefs and his actions have been  
purely dictated by what in his mind he felt was best for Gibraltar and its people, and he has  
stood by this regardless as a man of principle.

370 I have many things to thank Sir Joe for, not least his work on the Government's mandatory  
scholarships for all, which allowed me to gain an education and countless others in Gibraltar. His  
addictive attraction to the youth and its work with them is something quite remarkable and  
special.

375 I see countless young people run up to him to greet him or simply shout out his name, 'Joe,  
Joe', and I have been present when this has happened and you can see the immense pride  
within him every time that happens.

380 Only yesterday I was given a photo of him taken at this year's New Year's bash standing with  
my eldest daughter, the same daughter who clung to him just a few years ago now, thinking that  
he was Father Christmas – but if not Father Christmas himself, she was already thinking that  
there was something very special in him.

Sir Joe is synonymous with Gibraltar. I wish to congratulate him for his work and his wife,  
Lady Rose for her years of support. I am sure that she would love me to say that clearly behind a  
great man, there is a greater woman.

Congratulations, Sir Joe. *(Banging on desks)*

385

**Mr Speaker:** The Hon. Roy Clinton.

**Hon. R M Clinton:** Mr Speaker, the Members of this House I think have already said a great deal about the qualities and virtues of Sir Joe. I alas have only known him in active politics for the last two years. But I can say, Mr Speaker, from my heart, that it has certainly been an experience (*Laughter*) and in every exchange that we have had across the floor I certainly do learn something new each time. I think just for that, Mr Speaker, I thank Sir Joe for his contribution to politics.

He said recently, I think in a *Chronicle* interview, that he felt that if in Gibraltar and in politics you could make a contribution you should do so. I think, Mr Speaker, he has certainly done so – 45 years' worth of doing exactly that. I do know he is a man of conviction, a man of principle and I salute him for that, and I think the people of Gibraltar also salute him for that.

Thank you, Mr Speaker. (*Banging on desks*)

**Mr Speaker:** The Hon. Steven Linares.

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, in honouring Sir Joe, I can say that when I returned from the UK in 1987 to become a young teacher, one of the things that I did was join the union and join the GSLP. I was a member of the GSLP for a long time and during the time that I was in the union, one thing that I remember when I was negotiating with him, Juan Carlos and Joe Moss, one of the things that were very clear to me was that if you made your case, whatever the case, and you made your arguments, then you would be listened to and they were implemented. That was Joe Bossano who at the back used to say, 'If you can justify why you should get things, you will get them'.

Due to differences that we had, I presented myself in 1996 and lost my deposit and there was a change of Government. But in the year 2000, when the Liberal Party and the GSLP got together, one thing that I asked Joe Garcia to say to Joe Bossano was, 'Look, I have been very much of an opposition against the GSLP in many cases. How do you feel now that I present myself with you?' I can tell you, there was not a shadow of doubt because Sir Joe actually realised that I was defending the teachers and that what was I was doing was as a matter of principle, and that is why he used to agree with these things.

After that, from the year 2000, I sat on that side in the Opposition because that is when the GSLP Liberals were in Opposition as an alliance, and I can tell you that the experience, the wise advice that I used to get from Joe Bossano in helping me draft questions, in helping me deal with the issues at the time is immense. I could not have had a better person helping me draft questions and getting statistics, which he used to love me to get from the utilities, whether the utilities were ... how many units things were costing and all that.

But it is a learning curve. Whatever I know now about politics and whatever I know now about this House is thanks to Sir Joe. He has given me a vision and that is why it is very easy for me to be on this side and to be serving in a Government with Sir Joe.

So, Sir Joe, thank you very much for helping me and I think you really deserve what you have got and also Lady Rose, I would also like to congratulate her.

Thank you very much. (*Banging on desks*)

**Hon. T N Hammond:** Mr Speaker, I do not rise simply to continue to the misery that Sir Joe must be enduring or indeed to –

**Mr Speaker:** Let me say for the record of *Hansard*, the Hon. Trevor Hammond.

**Hon. T N Hammond:** – or indeed because I do not want to be the only one in this House not to rise and say something in terms of congratulating Sir Joe, and indeed I do congratulate Sir Joe. In the two years that I have now spent in this House, I have learned to appreciate a very

different side to Sir Joe that I was not aware existed prior to entering this House and that is a side that represents a man who dearly loves politics. I will not say loves politicians, but whether  
440 you are with him or against him, he has a deep respect for what you do and say. That is always very evident in interactions both in this House and indeed outside of this House.

So in that regard I think the honour is wholeheartedly deserved. The surprise for me was not so much that the honour was extended to Sir Joe, but that he accepted. (*Laughter*) But there you go! (*Interjection*)

445 So Sir Joe and all your family, congratulations. (*Banging on desks*)

**Mr Speaker:** On this historic day, 18/1/18 – again I am pulling rank – something that I forgot, really, is that Members have mentioned the extent to which the hon. Member was responsible for improvements in various areas of public administration.

450 I recall how from 1972 to 1980 with his questions from that side, from the Opposition, he influenced the work of a young Minister for Labour and Social Security who adopted measures like legislation against unfair dismissal, linking the level of old age pensions to average earnings. Those were matters which, from where the hon. Lady is sitting, he urged me to adopt and I was very happy to do so. A lot of the credit is due to him in that respect as well. (*Banging on desks*)

455 And last but by no means least, the Hon. Edwin Reyes.

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

It is indeed a real personal pleasure for me to be able to stand up today and round up and re-echo, and re-echo the ... what is it the 15 or 16 ...? (*Interjection*) Yes, the congratulatory  
460 messages towards Sir Joe.

Sir Joe and I, I do not know if he remembers or not, actually first came into contact in a formal situation way back in 1973. I had just left school and was working as an extremely young civil servant at the time and I had joined the GGCA union. Sir Joe was considered as a walking legend already back in 1973. They were the early, early days of the fight for parity and Joe  
465 Bossano sat there in his right as a branch officer of the TGWU and certainly we all looked forward, like my colleagues have said, to the inspiration that Joe gave. He always came across as an extremely fair person, he came across as someone who would never be afraid to call a spade a spade and when he had to put someone in their place, he did it with a decorum and a smile that only Sir Joe could have done.

470 I know he has done it in this House (*Laughter*) for the last 45 years, and in the 10 years that I have sat in this House, Joe and I have never coincided on the same side, we have been on one side or the other, but certainly I welcome the way that he has encouraged Ministers to work, like Mr Speaker has just said, the way that he can advise you behind the Speaker's Chair and above all, his frankness and his love for Gibraltar and all things Gibraltarian is what will always remain  
475 in my heart.

Congratulations, Sir Joe, for many more years to come. (*Banging on desks*)

**Clerk:** We now carry on: (iii) Petitions; (iv) Announcements; (v) Papers to be laid.

480 **Mr Speaker:** For the first time in this Parliament (*Laughter*), the Hon. Sir Joseph Bossano.

**Members:** Hear, hear! (*Banging on desks*)

**Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** I do not know whether I have earned the honour in the last 45 years, Mr Speaker, but  
485 I have certainly earned it in the last 45 minutes! (*Laughter*)

I can understand the surprise that I have been persuaded to accept the honour because I do not believe in honours. That is to say I am a socialist and we socialists believe that a better world can be created, one in which there is not a hierarchy.

490 But clearly I was wrong because the reaction has been that I have made more people happy by saying a three-letter word in five minutes than I have done in 45 years for all the other things put together because the response to the information that came out, the news that came out in the New Year, has been quite astonishing, I have to say.

I knew that those close to me who had been urging me to accept this for many years would  
495 be happy that I had finally relented. It is not very often that people change my mind! But certainly I did not expect that almost every sector in Gibraltar and every person that I have known either as a friend or a foe would be so happy to see it happening.

I think it is good that it should be so, because when the whole of our community celebrates something, we do something that is the envy of the rest of the world, when we all share in  
500 something and we see it as a collective good.

You know we always see that every year on National Day. On National Day we put our differences on one side and we are one people and I think when we are like that about an individual, if it happens to be the misfortune that on this occasion it is me, (*Laughter*) that what is happening is a good thing.

505 So I would like to thank everybody, Members of the House, my colleagues here, my family in the GSLP and my biological family, and everybody that has written to me or e-mailed or texted me. I am still in the process of answering each one individually, it reduces my efficiency of and productivity but I have to do it! (*Laughter*)

I think that there are two important messages that I would like to take this opportunity to  
510 give for the benefit of Gibraltar and for the benefit of my colleagues in Parliament, whose responsibility it is to lead the people of Gibraltar in the problems that we face in the future like we have faced in the past.

I think the importance of economic self-sufficiency in our case is greater than in any other community because we have got somebody on our doorstep who is several thousand times  
515 bigger than us that wants to take us over against our will. Therefore, economic strength is not just something desirable; it is something *essential* for our survival.

We are not in a position to be able to say no to the UK, no to Spain and no to the UN if we are not in a position to pay our way. That is why it is so important to be prudent in the use of money and to be putting money away for the future. You know, the rainy day fund now has got  
520 universal acceptance – well, it used to be derided as a joke in 1996!

It is easier for politicians to do things that are popular with the money rather than to leave it as I did for somebody else to use it to be popular with the money I left him, which is what happened. (*Laughter*) And that meant that you are tempted to say, 'Well, I am not going to make the same mistake twice.' Well look, my advice to my colleagues is well we have to make  
525 the same mistake again, even if the same thing happens again in the future, because it is the right thing to do.

It is the right thing to do that when we have got an opportunity to have more money than we need to spend, that that money should be there for the time when we may not have more money than we need to spend, and there is therefore a strength in having that money there.

530 The thing that has got mentioned less but in fact what was then the rainy day fund has now become the standard for anybody that creates a sovereign fund because whatever is the source of their revenue there is a surplus and they do not spend the surplus. They do not give it away back to taxpayers. They actually put it away in order to provide a safeguard.

In the world in which we live, independent of our own particular problem, today, in my 45  
535 years of experience, I have to say the level of uncertainty in the world is something that I have not seen before in the whole of the 45 years. I think the level of uncertainty on a global scale is unparalleled and it is the first time that that level is happening since 1945, since the end of the war when the European countries decided that they should work to have a permanent peace time, which has only been broken occasionally in different geographical spots.

540 But what we are seeing also is a reaction against the establishment almost everywhere. That is a myth that I do not object to. (*Laughter*) But the way that that reaction is manifesting itself is

545 very dangerous because the reaction against the establishment is a reaction that is leading to people that instead of being people who seem to be capable of improving on the performance of the establishment, in many cases – in the case of the United States – that is now a scenario that the most powerful nation in the world is being led in a direction which changes almost on an hourly basis, never mind from one day to the next.

550 We cannot escape what happens in the world. The nature of the global economy is such that every day that globalisation is reaching deeper and deeper into every corner of life. We have to position ourselves wherever the future is going to be. The essence of success is to make a judgement – an intelligent judgement based on a logical analysis of where the world is going to be in x years and be there when that happens and be ahead of the rest.

555 That is part of the responsibility you have in Government. That sometimes makes it difficult for the people in the Opposition who may not understand where it is that you are heading for in what you are doing today. But again, in the case of Gibraltar we have to do that on the basis that there is somebody a few yards away from us that does not want us to succeed and therefore, planning for success requires us to do it so that when things are dried and signed is when we then can have the luxury of making them public because otherwise, they might never happen.

560 I believe that one of the most important things that has happened since the entire process of the attempted handover of Gibraltar to Spain which is what we have been subjected to in this Parliament almost since 1972 – certainly it is was not as clear in 1972, but it became very clear post-1975. But already in 1972 I think the transition was being seen in Spain. The days of the dictatorship were numbered and the position in the United Kingdom was changing, not in the political sphere in the people in Whitehall, that a Spain that had a democratic government should receive greater reception to its aspirations over Gibraltar than a dictatorship had.

565 As far as we are concerned in Gibraltar whether there is ... I often used to say if there were to be a socialist republic in Spain and a Conservative government in the United Kingdom, I have no doubt where I would want to be: as a socialist with a Conservative government in London and not with a socialist government in Spain.

570 Governments change. You cannot put the destiny of a country and its people simply because a particular government be there at a particular point in time because you do not know. We have seen how the things in the Córdoba Agreement that the previous Government genuinely believed could not be cherry-picked, they did not just pick a cherry; they picked the whole tree when they came in! Therefore, we know that we need to learn from those lessons when we take decisions for the future.

575 But for me there are some very important things about the situation we have today and one of the most important is that we have got a situation where we agree on both sides of the House of the need to be prudential in the use of money and put money away for the future. The rainy day fund is now a position that Members on that side take as well as we do and as important for the security of our country.

580 And we both agree that there is no future in the bilateral Brussels process which for many years only the GSLP was the entity that attacked Brussels when other people were defending it, Mr Speaker. I know that the position of the AACR was not one that was particularly popular within the AACR, but one that the leadership of the AACR at the time felt that it was and said so publicly. The best that could be obtained in the circumstances was what was agreed in Brussels and the same was true of the airport deal which is now being revived again by Spain.

585 So, we are now back with Spain thinking that it has the upper hand, as it has thought so many other times in our history and it is up to us – not just the Government, but we the 17 representatives of the people of Gibraltar – it is up to us to make sure that we fight shoulder to shoulder to defeat Spanish aspirations for Gibraltar.

590 And of course as I am the Knight Commander for the Queen (*Laughter*) I would expect every man and woman in this House to do their duty! (*Banging on desks*)

**Mr Speaker:** After those 17 communications from the Chair (*Laughter*) we can move on.

PAPERS TO BE LAID

**Clerk:** (vi) Papers to be laid – the Hon. the Chief Minister.

595 **Chief Minister (Hon. F R Picardo):** Mr Speaker, can I thank you on behalf of the whole House for your indulgence in respect of Communications from the Chair.

Can I reflect that it is probably the first time in the history of his presence in this House that Joe Bossano comes to a Parliament where the Opposition come to praise him and not to bury him, (*Laughter*) and can I beg your forgiveness for the disclosure by Neil Costa that in 1987 there was a plot at St Anne's School to vote for Joe Bossano and not for Adolfo Canepa. (*Interjection by Mr Speaker and laughter*)

600 To take a leaf out of the things that Paul Balban said, Mr Speaker, I rise from the right hand of the Father with the honour to lay on the table the Consolidated Fund (Supplementary Funding) Statement (No. 1) 2015-16, the Consolidated Fund (Reallocation) Statement (No. 2) 2015-16, the Improvement and Development Fund (Reallocation) Statement (No. 1) 2015-16 and the Annual Report of the Gibraltar Police Authority for the year ended 31st March 2017.

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

## Questions for Oral Answer

### ECONOMIC DEVELOPMENT, TELECOMMUNICATIONS AND THE GSB

Q1/2018

Chinese trade mission –  
Tangible outcomes

610 **Clerk:** We now move to Answers to Oral Questions. We commence with Question 1/2018. The Hon. R M Clinton.

**Hon. R M Clinton** Mr Speaker, can the Government advise if there have been any tangible outcomes from the four-day Chinese trade mission to Gibraltar in November 2017?

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

620 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** Yes, Mr Speaker.

**Hon. R M Clinton:** Mr Speaker, would the Hon. Minister care to share with the House what those tangible outcomes might be – whether there are any inward investments or any particular business lines that the Government are looking to develop with the Chinese?

625 **Hon. Sir J J Bossano:** No, Mr Speaker.

**Hon. R M Clinton:** Mr Speaker, seeing as the Minister is not willing to share with the House any of the tangible outcomes, may I ask perhaps if he could tell the House who paid for the visit?

630 **Hon. Sir J J Bossano:** Mr Speaker, I am not prepared to share any tangible outcomes because in fact I am following his advice, which is also my view, that we should not make announcements until they are signed, sealed and ready to be delivered. That is what he said we should do and that is what I am doing, although I would have done it even if he had not advised it.

635 The visit was funded by the Embassy in London, except for what was provided here in terms of receptions or the accommodation and that kind of thing. They paid their own fares to Gibraltar and we looked after them while they were here, which is the normal thing that happens in situations like this.

640 I can tell him that I will be staying a day in London during our visit next week and I can tell him that I will be having meetings in London with both the China Development Bank and the Bank of China, so that shows that something is happening.

**Q2-5/2018**

**Public debt, liquid reserves and General Sinking Fund balance –  
Figures as at 1st October 2017**

**Clerk:** Question 2. The Hon. R M Clinton.

645 **Hon. R M Clinton:** Mr Speaker, can the Government please provide the total gross debt, aggregate debt after application of Sinking Fund to gross debt, cash reserves and net debt figures for public debt for the following date, being 1st October 2017?

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

650 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** Mr Speaker, I will answer this question together with Questions 3 to 5.

**Clerk:** Question 3. The Hon. R M Clinton.

655 **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 October 2017?

660 **Clerk:** Question 4. The Hon. R M Clinton.

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

665 **Clerk:** Question 5. The Hon. R M Clinton.

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

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

675 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** Mr Speaker, the position as regards 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 figures requested for 1st October are: gross debt, £447.7 million; General Sinking Fund, £5.2 million; aggregate debt, £442.5 million; cash, £150.4 million; net debt, £292,100,000.

**Q6-7/2018**

**Government supply workers –  
Maternity leave; services provided**

680 **Clerk:** Question 6. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, what is the Government's policy in relation to supply workers who have been covering vacant posts for over 12 months within the Civil Service, Government-owned companies or agencies and have to take themselves up to six months' maternity leave?

685

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

690 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** Mr Speaker, I will answer this question with Question 7.

**Clerk:** Question 7. The Hon. L F Llamas.

695 **Hon. L F Llamas:** Mr Speaker, can the Government provide a schedule as at 8th January 2018 relating to supply workers within the Civil Service, Government-owned companies and agencies detailing: (a) the Department/company/agency the worker is providing services for; (b) the grade/position the supply worker is covering; (c) the reasons for which the cover is required; and (d) since when the supply worker has been providing services to the Civil Service, agency or company?

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

705 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** Mr Speaker, it is not possible to provide the information for the date required in the timescale of the question. If the hon. Member repeats the question for the next meeting it will be answered.

710 As regards persons employed by private sector companies and who provide relief cover, they are employed on private sector pay and conditions of employment. It is not therefore a matter of Government policy but of statutory provisions.

**Mr Speaker:** May I say to the hon. Member I would have no difficulty in exercising my discretion and allowing him to put the question again at the next meeting.

715 **Hon. L F Llamas:** Mr Speaker, I understand fully that obviously the employees and supply workers are employed directly by private sector companies and as such their conditions and rates of employment are as such. However, when a person is covering a vacant post within the Civil Service over 12 months they commence to acquire rights towards that post or to any other

720 vacancy which may arise within the Civil Service. Therefore, does the Government not see that perhaps there is a case of discrimination where women who are covering for these vacant posts are then having to leave to take three to six months maternity leave but then when they return from their maternity leave they go back obviously to the private company and they lose out on that right which they acquired and perhaps they might be sent to another company or agency where the right is lost?

725 Therefore, Mr Speaker, would it not be possible for the Government to look into this policy? I believe there is a case for discrimination because obviously men do not have to have babies and the vacant post continues, so it only affects a demographic of women who have to go and exercise their right of maternity leave.

730 **Hon. Sir J J Bossano:** I am not sure whether the hon. Member is saying that it has happened to somebody or that it is capable of happening to somebody, (**Hon. Chief Minister:** Absolutely.) but I am certainly not aware that it has happened to anybody and I am certainly prepared to have a look at the point he has made; I thought he was referring to the nature of the entitlement that exists amongst the workers. Certainly I am not aware that anybody was deprived of the  
735 opportunity of applying for a vacancy on the basis that they were back in doing supply work but there had been an interruption in the period because of their maternity cover. If it happens, then I think he has got a point that merits examination but we will see if it is really happening or not. I do not think we would take a policy decision on something that is not happening and has not happened just because it might.

740

**Mr Speaker:** From a procedural point of view, may I advise the hon. Member there are two things that he can do: he can either write to the Hon. Minister saying 'please can I have the information in February'; or for the February meeting you can give notice of the question straight away, but for the February meeting.

## CULTURE, THE MEDIA, YOUTH AND SPORT

Q8/2018

### Gibraltar Sports and Leisure Authority – Grade 9 Administrative Assistant post

745 **Clerk:** Question 8. The Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, further to the answer provided to Question W194/2017, can the Minister for Sport update this House in respect of the Grade 9 – that is Administrative Assistant – post, which was or is vacant within the Gibraltar Sports and Leisure Authority?

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**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, the vacant Grade 9 Administrative Assistant will be advertised shortly, after which the standard recruitment and selection process will be undertaken.

755

**Hon. E J Reyes:** Mr Speaker, this question obviously was a follow-up to the Written Question last time where the Minister in his Written Answer said that there was one vacant post, a Grade 9, which we have now heard is to be advertised shortly. Is the Minister aware, can he  
760 confirm, that this is the only pending vacancy at the moment, or have there been any changes?

765 **Hon. S E Linares:** Mr Speaker, after the extensive review that we have had in the GSLA, which I have explained in this House before to the hon. Member, this is the last post in the managerial side of the GSLA. As the hon. Member knows, there are admin and then there are the SLOs and centre managers and all those other posts, but in the case of the management this is the last post to be advertised.

**Q9/2018**  
**GSLA indoor facilities –**  
**Cancellations**

**Clerk:** Question 9. The Hon. E J Reyes.

770 **Hon. E J Reyes:** Can the Minister for Sport inform this House as to how many cancellations have been necessary at any of the Gibraltar Sports and Leisure Authority's indoor facilities since September 2017, indicating the location, date and reason for the cancellation?

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

775 **Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, the Tercentenary Hall was closed for the Christmas and New Year events on 19th December 2017 to 3rd January 2018. The impact on sports use was minimal due to the normal diminished use because of the festive period and training allocations were not requested.

780 Additionally, the Victoria Sports Hall had been closed on Tuesday, 9th January 2018 after 3.30 p.m. due to water ingress.

785 **Hon. E J Reyes:** Mr Speaker, in my question on Gibraltar Sports and Leisure Authority's indoor facilities, I took it that within that the 25-metre pool or the pool for the learning of swimming and so on should have been included. Can the Minister confirm that those have not required any closures at all?

790 **Hon. S E Linares:** Mr Speaker, I do not have that information, actually, but I will ask for him if the pool was closed. I guess that in the question when you say indoor facilities they have taken it as should I say the 'dry' indoor facilities, but I will check for him.

**Hon. E J Reyes:** Yes, I am satisfied, Mr Speaker, if the Minister is going to check and if he has anything then in a follow-up session ... if he is able to present it during this session of Parliament, so much the better because then it remains in *Hansard*. I appreciate it.

795 **Hon. S E Linares:** Mr Speaker, just to say that I will be communicating with the CEO straight away after this – at least the exchanges we are having now – to find out whether the answer also includes ... i.e. that there was no closure of the pool.

**Q10/2018**  
**GSLA facilities –**  
**Criteria for whole season bookings**

**Clerk:** Question 10. The Hon. E J Reyes.

800 **Hon. E J Reyes:** Can the Minister for Sport say what are the qualifying criteria in order to be able to attain a fixed booking or allocation valid for the whole season in respect of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority?

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

805

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, fixed bookings or allocations in respect of facilities are only offered to those governing bodies of sports who are registered with the Gibraltar Sports and Leisure Authority. In addition, regulated and registered commercial entities, i.e. aerobic classes, are also allocated slots for the whole season on a rental basis.

810

**Q12/2018**  
**Garrison Gymnasium –**  
**Policy re use**

**Clerk:** We move to Question 12. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government explain the change in policy for usage of the Garrison Gymnasium, given the facility is being used but not by the whole of the sporting community?

815

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, there has not been any change in policy regarding the usage of the Garrison Gymnasium. No GSLA facility is used by the whole of the sporting community.

820

**Hon. L F Llamas:** Mr Speaker, in the last session I asked about allocations to Garrison gym and there had been none. This time – well, December last year, in 2016 – the Hon. Minister did say that the Garrison gym would undertake a refurbishment which would enable the use for the sporting community. However, it seems that the Garrison gym is back up and running but no allocations have been made, and at the same time we do not have any allocations or identification of who the premises are being exclusively used by. Is the Minister able to confirm what the situation is?

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**Hon. S E Linares:** Mr Speaker, the situation is exactly the same as I said when this question was last posed, which is that the Garrison Gymnasium is still under the auspice of the GSLA. The GSLA will give allocations to the general ... and that is why I said it is not used by the whole of the sporting community.

835

Does the hon. Member expect that every single sport is going to be using the gym? The gym will be used by those sports that might not have allocations elsewhere, so it might be two sports that use the Garrison gym as opposed to the whole of the community or the whole of the sporting fraternity. What I am saying is that the gym itself allocations... As has been the case, the

840 GSLA will be ... Because of the refurbishment, the allocations have not yet been given, but once the refurbishment is finished, allocations will be given to those sports which will be able to use the gym.

845 **Hon. E J Reyes:** I think I understand that, but the allocations ... Am I right then in saying that the allocations will be available to those who fall under the criteria that he answered in Question 10 – that is, as well, not only governing bodies but also registered businesses and so on? Am I correct in deducing that as well?

850 **Hon. S E Linares:** Yes, Mr Speaker, as has always been the case with the GSLA, the GSLA is the one that manages the allocations of these premises. So, when sporting governing bodies come and ask for an allocation, depending on the sport and depending on the places that are allocated, they are given allocations.

855 For example, I can tell you that allocations for basketball are not any more given in the Garrison gym because the Garrison gym happens to have a low ceiling and it is not the actual size of a basketball court, although there are baskets there. I remember playing basketball there and it was not the actual size of basketball, so we have other facilities which we then allocate to the basketball the GABBA to play in the Tercentenary Hall, albeit in the Victoria Sports Hall and not in the Garrison gym. But there might be other sports that might be able to use that and that is up to the GSLA to give those sports the allocation in the Garrison gym.

860 **Hon. L F Llamas:** Mr Speaker, given that there is a sign belonging to a football club outside the gym, can the Minister confirm that the gym has not been given exclusively to one football club in particular?

865 **Hon. S E Linares:** No, Mr Speaker, I have just said that the gym ... What has been given to the football club that he is mentioning is just the mezzanine. I know the hon. Member knows that place really well. It is just a mezzanine of the premises, so the premises has a mezzanine and then there is the gym. That football club has taken over because we have come to an agreement that they can use the mezzanine. They have refurbished the mezzanine and therefore the mezzanine they can use as their club. The rest of the gym is still for the community, not the whole of the community but the community who are able to use it.

870 **Hon. D A Feetham:** Mr Speaker, just returning a moment to Question 10, the Hon. the Minister said commercial entities as well as sports organisations. If I give the hon. Gentleman an example he will know where I am coming from with this particular question.

875 At the Tercentenary Hall on 31st December there was an event that was for all intents and purposes an event run by the Young GSLP, where I am told in fact the Hon. the Father of the House, Sir Joe, provided a speech. If, for example, the Young GSD would wish to undertake something similar at some point, how would that be structured? Would it be structured (*Interjection*) by a commercial entity? How much experience does that commercial entity have to have in order to be able to book something like that? Could he give us a flavour of that, please? (*Interjection*)

880 **Hon. S E Linares:** Yes, Mr Speaker, it is very simple. If the person who is in the young youth GSD, *the* person, can come and approach the GSLA and say they want to do a function there, (*Interjection*) they can then go through the process as if it was a private entity. A private entity pays for the use of the hall, but so does the GSLP youth pay for the use of the hall; there is a fee and any private ...

890 What we cannot have is what we used to have with the previous administration, where you have private entities doing, for example, concerts in the MUGA area, the private entity making the money and taking all the profits and the GSLA being left with a bill, and the bill is the

overtime of the people who have to be there, the cleaning and any damage that is done to the place. So we do not allow private entities to do events there unless they pay the fee, and the fee is to cover the costs to the GSLA. I think it is sensible that the Government does not have to subsidise private entities to use the venue and the Government subsidising and then they take their profit. That is the idea.

**Hon. D A Feetham:** Thank you very much and I quite understand the rationale behind it. The confusion has arisen – and we were debating it internally – because the hon. Gentleman in his original answer said ‘commercial entities’ and of course a political party is not a commercial entity. So effectively the answer is that it is open to private entities as long as they pay their way?

**Hon. S E Linares:** Yes, but the GSLP contracted a private entity to do it for them, so they can say ... The GSLP says, ‘I want to organise –’ (**Hon. Chief Minister:** A private party.) (**Hon. A J Isola:** A joint venture.) Yes, well, a joint venture! What happens is that there is somebody who organises it for the GSLP youth and then they come as an entity and they say, ‘Well, we want to do this for the GSLP youth.’ So it is similar to what the hon. Member has explained, yes.

**Hon. E J Reyes:** Just one small thing, Mr Speaker, because I know the Minister quite well and I am sure he is not trying to mislead this House or anything but perhaps it could be misinterpreted. In referring to how facilities have been used in the past, the Minister said under previous administrations private entities have used the place and it could have been deduced that the GSLA had to foot exclusively the bill for overtime and so on without having recovered those expenses from the private entity. I can testify in this House that certainly during my tenure as Minister for Sport, the CEO of the Sports Authority did include the costs of any GSLA staff that may have had to work over and above for that there. If I am wrong, then the Minister can obviously check the information, but I do not want to just accept it on a point blank basis without either of us having the real facts, having checked it up on the accounts. But I know recovery of those moneys did have to come through, and the Estimates Books in the past I believe will reflect that.

**Hon. S E Linares:** Mr Speaker, he is right in the sense that what entities used to do before was leave a deposit, so any private entity that used to use the premises of the GSLA, the other CEO used to say, ‘Right you put down a deposit just in case there is ...’ and it used to be only damages but the rest was not charged and what they used to have was a deposit. I think, if I remember correctly, it was in the region of £500, where the private entity used to put up front £500 and then give back to the GSLA the premises. If there were any damages, they used to deduct the damages from the £500 but there was not a regime of actual charging all the costs.

#### Q13/2018

#### Ministerial direct allocations over £2,000 – Government website

**Clerk:** Question 13. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Minister for Culture confirm that all ministerial direct allocations over £2,000 appear on the Government’s website in a document entitled ‘Government Contracts GC.6 Government awarded contracts (over £2,000) by Ministerial application’?

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, I can confirm that all ministerial direct allocations over £2,000 on behalf of my Ministry appear on the Government's website.

If the hon. Member opposite wants to write to me with any particular contract he feels has been awarded or is not listed on the website, I can investigate the matter and revert to him with further information in this respect.

**Hon. L F Llamas:** Mr Speaker, there is one query and I will say it now: can the Minister explain why he has not included in this list the allocation to Neon Angel Ltd for the MTV Gibraltar Calling Music Festival in this document?

**Hon. S E Linares:** Mr Speaker, because that did not go out to tender. Neon Angel are the agents of MTV. (**A Member:** Direct allocation.) No, we came to this House and gave a whole explanation because the question was posed before about Neon Angel and the relationship between Neon Angel, MTV and the Gibraltar Government. The hon. Member may want to go back to *Hansard* and see that everything was explained there in relation to Neon Angel.

**Hon. L F Llamas:** Mr Speaker, if I recall correctly, the Minister said that he would not divulge the value of the contract due to commercial sensitivity. Is that correct?

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the hon. Gentleman needs to put his question into context. The Government made a public statement in a press conference that this was being directly allocated and gave the reasons why it was being directly allocated, and said that the amount would be reflected in the Estimates as the cost of the concert but not the detail of the amounts paid to each party. And so, Mr Speaker, I think the Government has done exactly what the hon. Gentleman has asked us, whether we have done or not. That is to say we have disclosed any contract which has not been awarded by tender. That is the contract that the hon. Gentleman is referring to in respect of Neon Angel because it was directly allocated in the context of the statements which set that out in detail at the press conference, which was followed up with a press release, which is on the record, and the statements in this House when we have been questioned about it.

**Hon. L F Llamas:** Mr Speaker, although I agree that that is how the Government presented the festival, in the past obviously it has been through a tender and the taxpayer has been – (*Interjection*) Well, at least it was on the same document on the Government website, so the taxpayer was able to compare the value of the previous organisers in comparison to what we have now. At the moment we are not seeing what the direct value of this contract is and I feel that the taxpayer is not being informed of the full disclosure of this contract.

**Hon. Chief Minister:** Mr Speaker, for all of the reasons that we have set out before there are some contracts which are commercially sensitive. The hon. Gentleman may want to go back and read what we said about the music industry and the commercial sensitivity of it, but the taxpayer knows exactly what the Music Festival costs because it is set out in the Estimates and then the Hon. Mr Clinton asked us to tell the House not just what the estimate had been but what the final account is and we provide that when it is ready and we have a ding-dong about when it should be ready, but when it is ready it is provided for.

So you have an estimate of cost and then you have an actual cost. The breakdown within that of each artist, each organiser etc. is not provided because it is that sort of industry; it cannot be provided. We would not be able to go back and organise it the following year if we had disclosed

sensitive information the year before about an artist, about an agent etc. Nobody would touch us.

990 But the taxpayer knows exactly what it costs and what he or she gets for the value that is paid. So on an estimate of £2.5 million you got one concert one year and on an estimate of £2.5 million a year later you got a different concert the year after – so you know what you are getting. Whether Bananarama costs x or whether Duran Duran costs y or whether the agents that organise them cost x or cost y is not detail that we can give, but I have told the hon. Gentlemen before – at least I think I have told one of them – this is not information that we will  
995 keep from them, it is just information that we are not allowed to give publicly. Therefore we are quite happy to tell them the amounts behind the Speaker’s Chair on the basis of confidentiality, but they cannot share that amount because this is the nature of that industry. It would be the death knell of the Gibraltar Music Festival if we started to disclose what we are paying artists and what we are paying agents or what we are paying organisers. It would be the end; nobody  
1000 would touch us the year after.

Assuming that hon. Gentlemen want to see the Government prosper and deliver on its commitments – and one of the things that we were committed to doing was to organise a mega concert; we are now organising a mega festival – we want to continue doing that because we think it is good, not just for taxpayers but for Gibraltar as a whole in the context of the  
1005 entertainment that is provided, how Gibraltar becomes a magnet for people, how international companies based in Gibraltar bring their international boards to Gibraltar around the Music Festival, all of the things I have said before when I have had to justify the existence of the festival to Members opposite who sometimes feel as if they do not want us to continue with it.

Well, we think it is a good thing for Gibraltar, we are going to continue with it and we are not  
1010 going to do things or give information which does not enable us to continue with it.

**Mr Speaker:** Let me make one position clear. Under the guise of the question in the manner in which the hon. Member has made it, the Minister has invited him to say whether there is any instance where the information has not been included and he is prepared to investigate and  
1015 revert to him. I cannot allow, in the exercise of my discretion of the matter of the Music Festival, greater ventilation of the matter than I have already done. There have been a number of exchanges on the Music Festival which do not arise directly out of this question, so I warn the hon. Member that I will allow him one last question but that is it.

**Hon. L F Llamas:** Mr Speaker, I just wanted to clarify that it has got nothing to do with the artists or the agents who are bringing the performers over; it is to do with the organisers that the taxpayer used to see what the organisers were costing the taxpayer and that is no longer the case. I feel that obviously the commercial interests of a private company are being put over and  
1020 above those of previous organisers, and the Gibraltarian taxpayer is none the wiser.

**Hon. Chief Minister:** That is plainly and utterly ridiculous! How are the interests of the commercial entity being put ahead of the interest of the taxpayer if what we are doing is in the interest of the taxpayer to ensure that the taxpayer can continue to enjoy the festival at the best possible prices? Does he think that we do not want to disclose it, Mr Speaker, because it costs us  
1030 more if we do that? Doesn’t it obviously make sense if you apply a modicum of consideration that we are saying that we should not disclose it because that is how we get a better deal? Well, look, Mr Speaker, maybe by WhatsApp he can be told what to ask us next.

**Q14/2018**

**Gibraltar Music Festival –  
Impact of change of dates**

**Clerk:** Question 14. The Hon. L F Llamas.

1035 **Hon. L F Llamas:** Mr Speaker, has the Government considered the impact of the return of students to university when changing the dates of the Gibraltar Music Festival?

1040 **Mr Speaker:** Let me make it abundantly clear before the Hon. Minister answers this question that I will only allow supplementaries in respect of students, no other members of the community. Are you with me? Very well, answer then.

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

1045 **Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Yes, sir.

**Hon. L F Llamas:** Mr Speaker, can the Minister confirm how many students the Government expects will not be able or be able to attend the festival?

1050 **Hon. S E Linares:** Mr Speaker, to tell him the truth I would not know how many students would like to go to the Music Festival, so that question does not arise. How on earth could I assume? Or is it that all the students who go to the UK like music? Is it that every single student who is studying in the UK is going to come to the Music Festival? There are probably students who do not like music and therefore they do not come to the Music Festival. What I am saying to him in answer to his question, which is 'did we take into account?' ... I have already given a public statement as to why we chose the dates. There is a reason why we chose the dates. So, yes, of course when the dates were given to me one of the things that I said was, 'Well, the students are probably going to miss out' – and one of them is my daughter, who is cursing me because I have got it on the 21st and the 22nd and she might be leaving for university on the 19th. These are things that you have to work around other people. I have told him that we work around the GFA. It is to do with the dates that the GFA give us. So, do I take into consideration? Of course I take into consideration. These are people that are not going to pay in because if there are 200 students that are not going to come to the Music Festival, it means that we are going to make less money from those 200 people, but I expect people to come from the UK on that date because it might be better that they come from the UK on that date.

1065 Mr Speaker, I can tell him that I have got a little bit of experience of doing events now, I think, and when you do events of course you look at whether it is the high or low season of tourism; whether the fraternity of darts, for example, are going to come in March or April; which is the best time after the premier league in darts; are we going to have the tournament here. All these things are taken into consideration, of course they are, but when you are tied up with the GFA telling you these are the only ...

1070 By the way, last year the hon. Member must know that on 3rd September when we were all enjoying the Music Festival there were about 150 people going to Faro at the same time because there was a football match on the same day. We could then dictate, because the Victoria Stadium was ours, and I said to the GFA, 'I am sorry, you are going to go to Faro because I am doing the Music Festival on that date.' This year, because of what we have done with the GFA, it is a completely different ball game; I cannot do it on the week that it was done last year because there are football matches. That is where the dynamics of all these things are. So yes, of course I take ... That is why I said yes, sir – there is no other answer to the question: of course I did take into consideration students and everybody in the community.

**Q15/2018**  
**MTV Gibraltar Calling –**  
**Viewing figures**

1080 **Clerk:** Question 15. The Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, with regard to last summer's MTV Calling Festival, does Government accept viewing figures in the UK; and if so, how do they measure up to the one billion global audience that they said it would reach?

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**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, the one billion reach figure has a specific definition in the media industry in that it is an estimate of the total number of people who can access, i.e. see, a particular TV programme on MTV networks globally as opposed to the number of people that actually watch the programme.

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To date the programme has been broadcast in 16 countries and on five MTV channels. Furthermore, *MTV Gibraltar Calling World Stage* was also broadcast last Friday, airing around another 150 countries worldwide.

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**Hon. Ms M D Hassan Nahon:** Mr Speaker, it is very easy to say 'access' but at the end of the day no one cares about access unless you actually watch it, and the Broadcasters Audience Research Board (BARB), who provide a minute-by-minute report which I have right here, on two of their programmes have shown that the average viewing was 0.06% at best on both programmes. So how can the hon. Gentleman expect us to believe that simply because it has got a access to a worldwide audience that everybody watched it, when at the end of the day the typical rate of viewing was 0%? Either the hon. Gentleman has misled the House or somebody in MTV has misled the hon. Gentleman about the potential of who was going to watch this programme, or these programmes, which both came at 0%.

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, nobody has misled the House. What the House has been told is that this is the reach, in other words the number of people who can watch it – 0.6% of the UK watching population on television is more than watched the year before, I think the hon. Lady will accept that, so the exposure is going further, let alone what the hon. Gentleman has told her, which is the many other instances when the programme has been shown.

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The hon. Lady just wants to concentrate on two occasions when the programme has been shown because of the data that she has, no doubt having read an article about the subject in the *Gibraltar Chronicle*, as we all did. If that is the case, then the hon. Lady of course is entitled to say, 'On this occasion it was watched only by this number of people: are you disappointed?' Of course I am disappointed, Mr Speaker. I would like 100% of the UK audience available to switch off BBC1, switch off BBC2, switch off Channel 4, ITV and Channel 5 when there is something on which is about Gibraltar on MTV, and when *Gibraltar: Britain in the Sun* is on, I would like people to switch off MTV, switch off Channel 4, ITV, BBC2 and BBC1 and just watch *Gibraltar: Britain in the Sun*, because as a proud Gibraltarian I think we would all agree we want the whole of the available UK audience to watch the programme about Gibraltar – let alone when I am on *Andrew Marr*, Mr Speaker! If the Gibraltar programme is then going to be shown on the worldwide channels, as the hon. Gentleman has told her that it is being shown, not all of which are subject to the BARB because one of those Bs stands for 'British', we do not know exactly how many people have watched this programme but we know it has been watched by many more people who did not watch the programme, that did not exist, the year before; and we know that the advertisements that were shown about Gibraltar and MTV reached an audience.

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1130 What the hon. Lady has to decide is whether she is taking the position that having the exposure is valuable or that you only are interested in actual viewers. This is a very live issue in the world of advertising. Do you pay a channel based on the number of people who might watch it, on the number of people who do watch it on average, or the number of people who watch the programme where your advert appears? If you have ever done a contract for advertising you have to pay based on the potential reach of the channel and its average view, and that is what the hon. Gentleman has talked about in this House when we have been talking about viewers, 1135 when we have been talking about the potential number of viewers. We are very happy that the Gibraltar programme is going further; we wish it would go even further still. Perhaps as we continue in this process we will be able to persuade more people to watch the magnificent Gibraltar Music Festival programmes that are being produced by MTV.

1140 The reality is that this is a great advertisement for Gibraltar, it is a good thing for Gibraltar, Mr Speaker, and I do not understand why Members – if I may say so, on the extremes on the other side – now seem to want to do it down. Perhaps we should consult them on the list of people who are coming to perform and we might find them happier Members of the concert-viewing community.

1145 **Hon. Ms M D Hassan Nahon:** Mr Speaker, with respect, I think we continue to be misled.

By the way, following on from the Chief Minister talking about *Britain in the Sun*, just to get an idea, the BARB has shown that *Britain in the Sun* gets 1.9 million viewers. Now that is viewing. Viewing is 1.9 million, which would only have been a fraction of the one billion we were told, but actually we had 7,000 people watching this. So, of course my position is that I want to know whether Gibraltar has had the exposure that we were promised or led to believe, and saying that this was only the British association that was putting out the figures and that therefore does not mean much, I think actually the MTV show being in Gibraltar, for obvious reasons of proximity and accessibility, if it was going to be watched anywhere at a peak it was going to be the UK. So, even taking that as an average and timesing that by 30, you do not even get to 1150 130,000.

1155 So, yes, I continue to think we have been misled and I would like to ask the Government if they actually agreed to pay MTV to air the *Gibraltar Calling* shows directly or indirectly.

1160 **Hon. Chief Minister:** No, Mr Speaker, there is no question of us having paid MTV to air a show directly or indirectly. We explained to this House what the deal with MTV was when we came to this House and we set out to the hon. Lady and all Members opposite what the position was.

1165 If 0.06% of the global audience watched, that is 600,000 people around the world watching a programme about Gibraltar. If 0.06% – (*Interjection by Hon. Ms M D Hassan Nahon*) Mr Speaker, I understand that 0.06% is in the UK; I just made the point to her that it was in the UK. I am extrapolating to her 0.06% of one billion, which is the potential global audience of channels ... If we achieve 0.06% it is 600,000 people. If 7,000 of those are in the UK then 593,000 are in the rest of the world, which might not hear about Gibraltar so often.

1170 Mr Speaker, are we dissatisfied that there have not been one billion people watching? Yes. Are we dissatisfied that 1.9 million people did not watch? Yes. Are we dissatisfied that 52 million people in the United Kingdom did not watch? Yes. Do we want more to watch? Yes. Does that mean that this is the wrong deal? Quite not the case, the opposite: this is exactly the right deal because it is putting us in a position where we are potentially having that reach and where potentially more people will watch in the future, and perhaps this could become a classic and more people will watch it again in the future. 1175

But, Mr Speaker, I do not understand the belligerence. Why is it that hon. Members opposite, at least those at the extremes, do not appear to want us to do everything possible to advertise Gibraltar? I am left with the view that if we were now doing it with local promoters we would be

1180 told that we should consider doing it with international promoters who might give us a potential global audience reach of up to a billion.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, advertise by all means if it is viewed and absorbed, not if you get a 0% viewing rating.

1185 Following on from the question that has been confirmed that you paid MTV –

**Hon. Chief Minister:** Mr Speaker, a point of order. I said the opposite. I said we did not pay MTV. We did to air this programme. We did a deal which included a television programme, so the opposite.

1190 **Hon. Ms M D Hassan Nahon:** Mr Speaker, can the Minister for Culture therefore confirm whether this Government still believes, despite all these contradictory figures and promises, that the MTV deal is good value for taxpayer's money, or is this actually a case of a salesman pitching massive numbers to Government, the Government failing to conduct its own due diligence and now finding itself in a position where it either holds the provider to account and risks political embarrassment or carries on rolling forward as if everything is going to path.

1200 **Hon. Chief Minister:** Mr Speaker, I can confirm on behalf of the whole Government, before giving way to the Hon. Minister for Culture, who is going to give the hon. Lady more figures, that we consider that having a potential global reach of one billion is very good for the Gibraltar taxpayer, that we will continue not out of a fear of political embarrassment – which will not scare us; if we ever do something which turns out to be wrong, we will be the first to tell the public that we think we have got something wrong and we will deal with it – but that this is the right thing to do, both from the point of view of the entertainment provided, the cost at which the entertainment is provided and the potential reach of the advertisement that is this programme after the entertainment has been provided. A very good deal too. I commend the Minister for Culture for having done it, I believe it is absolutely right that we continue and I do not understand the potential motivation for Gibraltar not to make an international advertisement of a function in Gibraltar which is a promotion of what we do in Gibraltar.

1205 I give way, before I sit down, to the Hon. Minister so that he can give her the figures that he has available.

1210 **Hon. S E Linares:** Mr Speaker, first of all I would like to say to the hon. Lady that I do not know where the figure of 7,000 comes from. (**Hon. Ms M D Hassan Nahon:** Three and a half thousand.) She mentioned 7,000 in the BARB, which I have figures from of exactly how many people saw it. If she wants to go and say to the whole of Gibraltar that it is only 7,000 people who saw it, that is wrong.

1220 **Hon. Ms M D Hassan Nahon:** Mr Speaker, they may actually have been the same three and a half thousand twice, so he might be wrong.

1225 **Hon. S E Linares:** Mr Speaker, what she does not understand is that you might have one programme which is shown and maybe only 7,000 people see it, but if the programme is repeated and repeated then they add on how many people have seen it because there is the iPlayer and there are different ways in which people see different programmes. Nowadays you do not just sit and say, 'Oh, hold on, at seven o'clock we all have to sit round the TV and see *Gibraltar Calling*.' (**Mr Speaker:** I do.) Well, you do, sir, but then there are different ways of – (**Mr Speaker:** I'm a dinosaur) Yes, but there are different ways and means of seeing the programme. It is there for people on demand to see programmes and I can tell the hon. Lady that her figures are wrong.

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**Hon. Ms M D Hassan Nahon:** They are not mine, they are BARB'S.

**Hon. S E Linares:** And I have got BARB'S figures: 162,000. (**Several Members:** Hear, hear.) (*Banging on desks*) If the hon. Lady wants, I can now quote figures: 282,000 – (*Interjection*) Yes, I have got it here: 282,000 because you can have one TV seen by four people or one TV seen by no one, and therefore it is very difficult to see how many people are actually watching this.

And then we go to the advertising value and the social media value. MTV has millions of Twitter followers. I took a photograph with Scotty T, who has 1.8 million, and I said, 'Here, have a photograph with the Minister in *Gibraltar Calling*'. He was brilliant, the guy, and he said, 'Now I am going to put it on my Tweet.' Look: he has got 1.8 million followers. And it goes on and on. *That* is the value and I can say to the hon. Lady that it has been valued as in advertising air time to 1.4 million.

**Hon. Ms M D Hassan Nahon:** But none of them watched it.

**Hon. S E Linares:** *Nada no se entera.*

**Mr Speaker:** Next question.

## INFRASTRUCTURE AND PLANNING

### Q16/2018 Castle Steps – Ramps

**Clerk:** Question 16. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker – (*Interjection*) To more important matters, yes! Is Government intending to replace the ramps on Castle Steps to facilitate disabled and pushchair access as well as improve access to the emergency services?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the ramps at Castle Street were always intended to be temporary and were originally placed by developers to allow contractor vehicles access during refurbishment works to certain properties within the area. The ramps were defacing the original steps and in recent times were being used to illegally park vehicles in what is a pedestrianised area.

The Technical Services Department is already exploring the possibility of introducing pushchair ramps as currently exist along lower Castle Street.

### Q17/2018 Upper Town escalator – Breakdowns and costs

**Clerk:** Question 17. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, since 1st September 2017, on how many occasions has the Upper Town escalator been unserviceable, and for each occasion for how long was it broken and what was the cost of repair?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

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**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the major repairs required and carried out in September and finalised in November cost £74,316.73.

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During the period commencing 22nd November to 31st December 2017 the Upper Town Link escalators were out of service on five occasions as per the schedule I will now hand over, and on every occasion repaired under the annual maintenance contract at no additional cost.

**ANSWER TO QUESTION 17/2018**

**UPPERTOWN LINK ESCALATORS – FAULTS**

Date Reported	Fault Details	Date Repaired	Duration	Cost of repair
15.06.17	BOTH escalators out of order due to major breakages because of water ingress. 130 steps needed replacing. One escalator fixed	30.09.17	3.5 months	<b>£23,078.92</b>
15.06.17	Second escalator now fixed	15.11.17	5 months	£51,237.81
22.11.17	DESCENDING escalator out of order	22.11.17	<1 day	£0.00
23.11.17	ASCENDING escalator out of order	24.11.17	1 day	£0.00
01.12.17	ASCENDING escalator out of order	01.12.17	<1 day	£0.00
15.12.17	ASCENDING escalator out of order	19.12.17	4 days	£0.00
24.12.17	ASCENDING escalator out of order	27.12.17	3 days	£0.00
07.01.18	DESCENDING escalator out of order	Still broken		
09.01.18	ASCENDING escalator out of order	11.01.18	2 days	£0.0

**Q18/2018  
Fixed Penalty Notices –  
Forward-facing motorbikes**

**Clerk:** Question 18. The Hon. T N Hammond.

**Hon. T N Hammond:** Since the introduction of speed cameras, how many Fixed Penalty Notices have been rejected by the RGP for forward-facing motorbikes?

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**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

1285 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, since the introduction of the speed camera pilot scheme a total of 608 motorcyclists who were exceeding the speed limits have been fined using the cameras that capture the image of the rear of the motorcycle. A further 98 cases are being pursued by the RGP from images arising from cameras that capture only the image of the front part of the motorcycle.

1290 The Government expects that the introduction at the end of the pilot scheme of more cameras which capture the rear of motorcycles will result in more motorcyclists being fined for falling foul of the law. We would hope, however, that as motorcyclists see the effects of the speed cameras, their pockets, if not their consciences, will mean that less and less people offend.

1295 Finally, Mr Speaker, the Government is not aware of any model of motorcycle which has yet been developed or imported to Gibraltar which is not forward facing

**Hon. T N Hammond:** Indeed, very droll. I used the terminology that the Minister himself used at the last session of Parliament, which is why I thought by describing it that way he would understand the question.

1300 He did not actually answer the question, which is whether any had been rejected by the RGP.

**Hon. P J Balban:** Mr Speaker, those are the statistics that we have in our possession.

1305 **Hon. T N Hammond:** If I may then, just to make sure that I have understood the statistics, 608 were ... The question was how many Fixed Penalty Notices have been rejected by the RGP; the answer I received was that 608 people have been fined, 98 further are being investigated. Therefore, am I to assume that zero have actually been rejected, that there is not a case of one instance where it was not possible to identify the rider or pursue it?

1310 **Hon. P J Balban:** Mr Speaker, I have given the hon. Gentleman the figures for the amount of people that have been pursued. One must remember that before this pilot scheme was implemented everyone who rode along that road, either on a motorcycle or in a car, would have gone past at the speed they wished and only in a few instances where perhaps the RGP had the roving cameras in sight would it have been potentially possible to have caught these individuals who are obviously flouting the law. Ever since this pilot scheme has come into effect, there has  
1315 been a considerable decrease in the speed along this road, making it a lot safer, clearly, markedly safer not only for drivers but for pedestrians and for everyone in Gibraltar as a result of this pilot scheme.

1320 I am very clear and I have stated very clearly that this is a pilot scheme and before such a scheme there was no control. What will happen in the following months is that we will increase the amount of cameras throughout Gibraltar and we will also tackle the issue from both angles, as I have said in answering the question. A pilot scheme is there to be looked at, to see how it can be improved with other locations. As I said, there is a marked improvement on what was there before and this Government is extremely proud of the effect it has had on calming road traffic, making the streets safer and also reducing the levels of pollution, in terms of noise  
1325 pollution, because fast vehicles mean greater noise on our roads.

We will continue embarking upon this scheme and we can safely say it will cease to be a pilot scheme because clearly it is working and all we need to do is make it work even better in the future.

1330 **Hon. T N Hammond:** Mr Speaker, the question was not designed to pass any kind of judgement on the scheme itself. I welcome the scheme, I want it to work as well as possible; I think it is a very good and very necessary part of managing traffic on our roads.

However, the Minister still has not answered the question or confirmed whether no Fixed Penalty Notices to motorbikes have been rejected. That is all I am after: whether it is possible

1335 under the current scheme for you, if you are riding a motorbike, to pass one of these cameras in  
excess of the speed limit and not to be pursued by the RGP because it is simply impossible to  
identify either the bike or who was riding it. That is all I am asking, it is quite straightforward,  
and the information I have indicates that certainly some at least are being rejected, or it is not  
1340 possible to pursue every case where motorbikes have been flagged up and photographed by the  
cameras; but if the Minister can confirm this is otherwise I will be very happy.

**Hon. P J Balban:** And the question that has been answered is the one referring to forward-  
facing motorbikes. If the hon. Gentleman wishes further information he can pose a more specific  
question on that matter and I will be happy to respond to him at a later date.

1345

**Hon. T N Hammond:** Mr Speaker, is the Minister being deliberately obtuse? (*Laughter*) The  
question is about motorbikes and whether it has been possible to fine every single one of them  
that has been captured on the camera or whether they are being actively pursued. It is not  
about those that have been fined, it is about those that have not been fined and he has not  
1350 answered whether any have not been able to be fined for that reason.

**Chief Minister (Hon. F R Picardo):** I do not know whether the hon. Gentleman is being  
particularly obtuse on purpose or whether we all stand accused of the same thing. What we are  
saying is all motorbikes are forward facing, so the statistics that the hon. Gentleman seems to be  
1355 asking us for, we find difficulty in trying to identify. All motorbikes are forward facing, and so if  
all motorbikes are forward facing we are giving him the data in respect of which the  
prosecutions are being pursued or people have been dealt with, but we are giving him that data  
in respect of a pilot programme – a pilot programme which the hon. Gentleman has already told  
him is being changed to include the ability to identify a vehicle from the front and the back at  
1360 the same time so that we can see the licence plate ... if it is a motorbike which only has a licence  
plate on the back, how to identify them in that way. That is how the speed camera works: it  
works by identifying the licence plate. But the whole point of his question, Mr Speaker, is that it  
is phrased about forward facing motorbikes. All motorbikes are forward facing. We are giving  
him the statistics we have of prosecutions, or Fixed Penalty Notices or whatever it is, given in  
1365 respect of such bikes.

**Mr Speaker:** I think the hon. Member is entitled to receive information in the future in  
respect of the 98 cases that are being pursued. If some of those are rejected, then that would  
satisfy the Minister in respect of his actual answer, which was about any of them being rejected.  
1370 If the process had not been completed, obviously the Hon. Minister is not in a position to give  
the information, but I will allow the matter to be pursued at the next meeting if the Minister has  
the information by then. Can we move on then?

**Hon. T N Hammond:** If I just add one thing, Mr Speaker, yes, I agree entirely and if it is the  
1375 case that in every case where a motorbike is involved there has either been a fine or they are  
currently being pursued – in other words there are none that have been dropped entirely – then  
I can fully understand the Minister's answer.

**Mr Speaker:** And therefore in the future I think we are all agreed that the questions would all  
1380 deal with motorbikes or motorcycles. Okay?

**Hon. Chief Minister:** Mr Speaker, there may be instances where not involving a motorcycle,  
involving a motor vehicle of another sort – there may not be a prosecution because there may  
be another difficulty with a camera, which is not the identification of a number plate on the  
1385 front or back of a vehicle. What we are doing is we are giving the numbers that we have of  
prosecutions commenced, because if we start to look at why has a prosecution not been

1390 commenced or why has a fine not been issued there could be a myriad of issues in respect of that. There could be issues in respect of visibility at a particular date in question, there could be issues relating to the conditions of the road at the time, which might be identified and which might lead people to decide that it is not appropriate to issue FPNs or any other prosecutorial mechanism in respect of that moment.

**Mr Speaker:** Does the hon. Member have any supplementary arising from the question on the escalators?

1395 **Hon. T N Hammond:** I will have to look at that in a while.

**Mr Speaker:** Okay, well, I think this is a convenient point in which to have a recess of 20 minutes.

*The House recessed at 5.06 p.m. and resumed its sitting at 5.27 p.m.*

## CULTURE, THE MEDIA, YOUTH AND SPORT

Q9/2018

### GSLA indoor facilities; cancellations – Further information

1400 **Minister for Culture, the Media Youth and Sport (Hon. S E Linares):** Mr Speaker, if I may, it is in relation to the question that the hon. Member asked me about the pool and about whether we had closed down the pool, and I have already got an answer to that.

Just to say that on Tuesday, 10th October 2017 the pool was closed for one hour due to solid stool and it was at 18.25 when there was a Tarik swim session.

1405 Then on Thursday, 12th October the pool was closed for super chlorination because of somebody who had had a diarrhoea incident that occurred within the pool.

On Friday, 20th October 2017 the pool was closed at 5.45 for 30 minutes, again for another of those incidents.

1410 And then the last one was on Thursday, 7th December, where the pool had to be closed due to an electrical problem that occurred in the GEA electrical meter room. The incident occurred at 7.36 and the pool was closed until it was actually fixed.

**Hon. E J Reyes:** I am very grateful for that, Mr Speaker. The only one I did not catch was on 12th October, the length of time it was closed. Was it the whole day? He never mentioned any actual timing – *(Interjection)* 12th October.

1415 **Hon. S E Linares:** The pool was closed for 24 hours.

ENVIRONMENT, ENERGY, CLIMATE CHANGE AND EDUCATION

Q19/2018

DNA testing of dog faeces –  
Number of samples tested, results and fines

**Clerk:** Question 19. The Hon. T N Hammond.

1420 **Hon. T N Hammond:** Mr Speaker, continuing on the scatological theme, how many samples of dog faeces have been sent for DNA testing since 1st September (*Laughter*), have any results yet been received and have any fines been issued under this scheme?

1425 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, 25 samples have been collected since 1st September. One positive result has been received and one fine issued under the scheme to date.

1430 I need to qualify that, Mr Speaker: there were in fact two positive results but they were from the same dog, so the view was taken that, being the first one, only one fine would be issued and I am informed only today that another batch of results has come in and there appear to be a number of matches there too, so they will be processed and fines issued.

1435 **Hon. T N Hammond:** Mr Speaker, does the Minister think that the pace of collection may increase as we get more habituated to this process, bearing in mind 25 collections since 1st September does not represent a very large number?

1440 **Hon. Dr J E Cortes:** Mr Speaker, the point is that of the first results received there were quite a number of non-matches, which means that the dogs had not been registered. It obviously is clear that if you have had your dog registered and you are law abiding, you are not usually going to let your dog deposit faeces in the street because you know you are going to get caught, but if you have not bothered to register your dog then you are going to take the risk. What we have now done is we have changed the emphasis over the last couple of months to challenging people with dogs and asking for evidence of registration. We are doing it in a conciliatory way and warning people that they have to do it and we have been able to entice a number of people who have not registered their dogs to do so. We will shortly step that up and then we will be issuing fines to anybody who has not followed the legal procedure. So the emphasis changed from collecting the faeces to identifying those who were breaking the law by not having registered, and hopefully that will then sort itself out.

**Hon. T N Hammond:** Mr Speaker, I certainly welcome the Minister's words in that respect. Clearly, if people are not registering their dogs it is impossible to fine them.

1455 Will the Ministry be making it known through a public campaign of some description to warn people that this is happening and you had better register your dog quickly because otherwise fines will be issued?

1460 **Hon. Dr J E Cortes:** Yes, Mr Speaker, the hon. Member may recall that we introduced this regime in January last year and we gave a period of grace of about three months. We intend to do the same and by the middle of March we will then change the chip almost and issue the necessary press comments and so on to encourage people to make sure that their dogs are properly registered, and then we will continue and enhance the number of samples collected. Hopefully the time will come when there is nothing to collect, but sadly I do not think that will actually happen.

**Q20/2018**  
**Beach lifeguard services –**  
**Privatisation**

1465 **Clerk:** Question 20. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, does Government intend to privatise the lifeguard services at the beaches; and if so, will the contract go to tender?

1470 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
1475 Mr Speaker, the Government is exploring options to improve the service offered to the public. No final decisions have been taken.

**Q21-22/2018**  
**Skywalk –**  
**Confirmation of completion and reason why not yet open; admission charge**

**Clerk:** Question 21. The Hon. T N Hammond.

**Hon. T N Hammond:** Can Government confirm that the Upper Rock glass walkway has been completed; and if so, when it was completed and why it has not yet opened?

1480 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
1485 Mr Speaker, I will answer this question together with Question 22.

**Clerk:** Question 22. The Hon. T N Hammond.

**Hon. T N Hammond:** Does Government intend to charge for access to the glass walkway on the Upper Rock?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1495 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
Mr Speaker, although the Skywalk itself was completed last year, as I think I have said before in this House, additional works along Douglas Path had to be carried out since then. These works are nearly complete and the Department is now finalising the management aspects of the attraction ahead of the official opening.

1500 The Government is considering whether to introduce a separate charge for access to the glass walkway.

**Hon. T N Hammond:** I did not quite catch the phrase the Minister used, but it certainly sounded like management speak in terms of finalising – was it ‘finalising’? – who will manage the Skywalk that you referred to?

1505

1510 **Hon. Dr J E Cortes:** Mr Speaker, what I said is that it was realised that the attraction would increase the footfall around Douglas Path and therefore some works had to be carried out to make that safer, which is what is being done now; and I said that we were considering whether there would be a separate charge for access to the walkway or whether it will be included within the general Upper Rock charge. *(Interjection)* Mr Speaker, I cannot hear.

**Hon. T N Hammond:** And in between those two points you made, you made a further point about the management of the walkway.

1515 **Hon. Dr J E Cortes:** Oh, yes, sorry. The management aspects of the attraction, as to how it is going to be run: it is related to whether there would be a separate charge and therefore you would have to raise a fee there. That is the sort of thing that we are considering.

1520 **Hon. T N Hammond:** So, Mr Speaker, can the Minister confirm which Department will be responsible for the Skywalk?

**Hon. Dr J E Cortes:** The Department responsible for all the sites on the Upper Rock now is currently the Department of the Environment and Heritage.

#### Q23/2018

#### Gibraltar Nature Reserve Management Plan – Publication of final version

1525 **Clerk:** Question 23. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, when does Government intend to publish the final version of the Gibraltar Nature Reserve Management Plan on its website?

1530 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1535 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the Government will publish the final version of the Gibraltar Nature Reserve Management Plan on its website – there is a draft version already there, just for clarification – as soon as it is ready to do so. It is currently not possible to give a firm date, given that the plan forms part of a wider and ongoing management review.

1540 **Hon. T N Hammond:** Does the Minister envisage the plan being changed substantially after the consultation process?

1545 **Hon. Dr J E Cortes:** Not changed, Mr Speaker, but expanded. Given that the Department of the Environment, Heritage and Climate Change now is responsible for the sites, which was not the case when the plan was produced, there has been a change in the way that we run the different attractions and we are trying to marry the two and come up with a product that will be beneficial both for residents and tourists, and that is the process that ... So the actual management aspects in the draft are not expected to change in themselves but the remit will widen to other areas.

1550 **Hon. T N Hammond:** So, one final question. I am not going to try and pin the Minister down to a date because he has clearly said that he cannot provide one, but are we talking about

perhaps the second half of this calendar year? Just to have a rough idea when maybe to come back with another question.

1555 **Hon. Dr J E Cortes:** Certainly within this calendar year and I suspect that we may be making announcements around the summer with a view to implementing in the autumn, but it is not a firm commitment.

**Q24-25/2018**

**Upper Rock Nature Reserve –  
Works to remove *Chasmanthe Floribunda* and *Acanthus* plants**

**Clerk:** Question 24. The Hon. T N Hammond.

1560 **Hon. T N Hammond:** Was any work conducted during 2017 – and forgive me if I pronounce it wrong – for the removal of the invasive species *Chasmanthe Floribunda* from the Upper Rock Nature Reserve, and where did that work take place?

1565 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 25.

1570 **Clerk:** Question 25. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, was any work conducted during 2017 for the removal of *Acanthus* plants from the Upper Rock Nature Reserve, and where did that work take place?

1575 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Hon. Dr J E Cortes:** Mr Speaker, *Acanthus* plants from different locations within the Upper Rock were removed, notably firebreaks, Jews' Gate, along Engineer's Road and Willis's Road.

1580 *Chasmanthe floribunda* were also removed from the roadsides near St Michael's Cave, St Michael's firebreak, Ince's Farm and Tovey Battery.

**Q26/2018**

**2016 *Thinking Green Digest* –  
Publication date; air pollution data**

**Clerk:** Question 26. The Hon. T N Hammond.

1585 **Hon. T N Hammond:** Mr Speaker, when will Government publish the 2016 *Thinking Green Digest* and will it contain data for air pollution?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
1590 Mr Speaker, the 2016 *Thinking Green Digest* is available online already from the Gibraltar Government website under Publications in the Environment section.

Data concerning air pollution are included within the 2016 *Statistics Digest*, which is the partner publication, which is also available online.

**Q27/2018**

**Thinking Green underwater camera –  
Current status, breakdowns, maintenance and repair costs**

**Clerk:** Question 27. The Hon. T N Hammond.

1595

**Hon. T N Hammond:** Mr Speaker, can the Government say if the Thinking Green underwater camera is currently working, how often was it unserviceable during 2017 and what were the maintenance and repair costs for 2017?

1600

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
1605 Mr Speaker, the Thinking Green underwater camera is presently offline since it is being serviced by the Department's diving team. It should be back online before the end of the month.

The camera has not been unserviceable in 2017. It has, however, been offline on seven occasions for a variety of reasons unrelated to unserviceability, such as internet connectivity problems. There were no maintenance and repair costs during 2017 since this was carried out internally by technicians from the Department of the Environment, Heritage and Climate Change as part of their routine duties.

1610

**Q28/2018**

**Environment Charter 2006 –  
Current status**

**Clerk:** Question 28. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, does Government agree with and adhere to the principles set out in the Environment Charter 2006, which remains on the Government website but has not  
1615 been renewed and so remains with the former Chief Minister and the former Minister for the Environment as signatories?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1620

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**  
1625 Mr Speaker, the Government not only agrees and adheres to the principles set out in the Charter, we have implemented it and enshrined it into Government policy, which the GSD, who signed it, failed to do. To us, it is not a paper exercise, as it clearly was for the GSD. This administration has made it a reality in the working practices of the public sector.

**Hon. T N Hammond:** So on that basis, Mr Speaker, would the Minister consider actually putting his own signature and that of the Chief Minister on the Charter just to complete the exercise, if you like?

1630

**Hon. Dr J E Cortes:** Mr Speaker, it is not necessary because this is signed by a Chief Minister and a Minister for the Environment and therefore we consider it still valid.

I think I am shortly going to put my signature on a document which will be much, much more extensive than this, and then this one will almost become irrelevant.

**Q29-31/2018**

**Europa Foreshore tunnels –**

**Sampling; environmental management plan; environmental impact assessment**

1635 **Clerk:** Question 29. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, were samples taken prior to the recent washing out of the tunnels accessed via the Europa Foreshore both before the activity took place and subsequent to it?

1640

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Questions 30 and 31.

1645

**Clerk:** Question 30. The Hon. T N Hammond.

**Hon. T N Hammond:** Was an environmental management plan implemented for the works currently underway in the tunnels accessed via the Europa Foreshore?

1650

**Clerk:** Question 31. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, was an environmental impact assessment conducted for the works currently underway in the tunnels accessed via the Europa Foreshore?

1655

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, both environmental and heritage assessments were indeed carried out by officials from the Department of the Environment, Heritage and Climate Change in consultation with experts.

1660

As part of the ongoing environmental management inspections, the Department has been regularly monitoring the works and liaising with the appointed contractor to ensure that no significant ecological impacts occur within the reserve.

1665

There has been no washing out of the tunnels.

**Hon. T N Hammond:** Mr Speaker, could the Minister advise who those experts were who were consulted, and would he be able to make those reports that were made available to me?

1670

1675 **Hon. Dr J E Cortes:** Mr Speaker, the experts consulted included the Gibraltar Museum, the Ornithological and Natural History Society and the Gibraltar Heritage Trust. I am not aware of the format in which those comments were made but I am very happy, if he writes to me, to look into it and to make them available.

1680 **Hon. T N Hammond:** And, Mr Speaker, the Minister is absolutely certain that at no point during the building and construction phase up to this point has anyone effectively flushed out the tunnels with a hose or cleared out any rubbish that was in the tunnel by flushing with water?

1685 **Hon. Dr J E Cortes:** Mr Speaker, I saw the post on Facebook where this was claimed to have happened. I take all these things very seriously; I was very upset at the allegations. I was there on site the following morning at eight o'clock. I personally inspected the area. I determined that there was no evidence of flushing, certainly no significant flushing of any type. There was litter as a result of a digging operation, which I personally helped in collecting and removing, but certainly there was no evidence at all of the alleged flushing by loads of dirty water. It was simply not the case. I was there myself. I took photographs and a colleague, a senior member of the Department of Environment and Climate Change, was there with me. It is an area that I love and have worked very hard to protect through the decades and I took it very seriously and I personally inspected the site: there had been no flushing of any significance.

**Q32-35/2018**

**Renewable energy –**

**East Side power generator serviceability and output;  
proportion of total power from renewable sources and targets**

**Clerk:** Question 32. The Hon. T N Hammond.

1695 **Hon. T N Hammond:** Mr Speaker, following on from Question 322/2017, can Government confirm that the East Side wave power generator is still serviceable and whether it has suffered any periods of unserviceability since 1st June 2017; and if so, provide details of these?

1700 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Questions 33 to 35.

1705 **Clerk:** Question 33. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, following on from Question 323/2017, what has been the average monthly output and peak output of the East Side wave generator since 1st June 2017?

1710 **Clerk:** Question 34. The Hon. T N Hammond.

**Hon. T N Hammond:** What proportion of the power generated in Gibraltar is produced from renewable energy sources?

1715 **Clerk:** Question 35. The Hon. T N Hammond.

**Hon. T N Hammond:** Has Government set targets for production of power from renewable energy sources; and if so, could the Minister describe these targets?

1720 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the East Side wave power generator is still serviceable. However, being a prototype wave power generator, it will occasionally undergo modifications in order to enhance its efficiency and when these are ongoing it might indeed be out of service.

1725 The wave generator average monthly output since 1st June 2017 has been 82.5 kWh. Peak output was 3.2 kWh.

1730 In 2017 a total of 93,048 kWh were generated from renewable sources and fed into the network. In addition, there are also solar thermal installations at the GSLA, Victoria Stadium Tercentenary Hall, Tangier Views and St Bernard's Hospital which contribute to reducing the amount of power generated conventionally in Gibraltar.

The total is estimated to be around 1% of total generation. Government's aim is to achieve a minimum of 20% from renewables by 2020.

**Q36-37/2018**  
**LNG facility –**  
**Safety report**

1735 **Clerk:** Question 36. The Hon. T N Hammond.

**Hon. T N Hammond:** Mr Speaker, can the Government confirm that the safety report for the LNG facility being reviewed by the competent authority is that required by Directive 2012/18/EU?

1740 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 37.

1745 **Clerk:** Question 37. The Hon. T N Hammond.

1750 **Hon. T N Hammond:** Can Government confirm that the documents that they published prior to the last election and presented to the public as LNG safety reports were not the safety reports required by Directive 2012/18/EU and did not contain the information mandated by that document, and that the latter document is at present under the scrutiny of the competent authority and has not yet been published?

1755 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1760 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, yes, sir, the safety report has been submitted in compliance with Part IIA of the Public Health Act section 95F and is being assessed by the Health and Safety Executive (HSE) on behalf of Environmental Agency, which is the competent authority.

1765 The report 'Gibraltar LNG storage: Pre-consent advice and three zone maps for the Shell  
proposal' was made public by the Government on 12th November 2015 and was approved by  
the UK HSE in accordance with UK standard procedures. This report was presented over and  
above the legal requirements of Directive 2012/18/EU as transposed in Gibraltar law. The HSE  
considered the report and produced the three zone maps which confirmed the suitability of the  
project to progress to the next stage. In addition it should be noted the stricter standard that  
applied to the report published by the Government in November 2015 was a proper and full  
analysis of the proposal for LNG storage and not an unreliable attempt at scaremongering like  
1770 the report published by the hon. Member opposite which was funded by a Russian-backed  
competitor of Shell in an episode of political skulduggery, which the people passed judgement  
on, on 26th November 2015, delivering to Members opposite their worst General Election  
results in 25 years.

1775 **Several Members:** Hear, hear. (*Banging on desks*)

**Hon. T N Hammond:** So, Mr Speaker, the Minister is confirming then that when we are  
talking about safety reports the only safety report that actually matters in all of this is that one  
prescribed by Directive 2012/18/EU, the one which we all thought was in the Government's  
hands and was supposed to have been published, and which the Government perhaps suggested  
1780 was the relevant safety report to the people of Gibraltar when in fact it was not the safety  
report that is mandated and required by the EU, and indeed the safety report that contains all  
the essential and critical information with respect to liquid natural gas.

1785 Is it not the case that when the Government issued that report, what they effectively did was  
make the public believe that they were issuing the appropriate safety report under Directive  
2012, when in fact it was nothing of the sort and contained none of that information, and that  
that report has still not been made public because it is still under scrutiny? And will the  
Government make that report public now?

1790 **Chief Minister (Hon. F R Picardo)** There is nothing we would like more than to rerun the 2015  
election – nothing we would like more!

**Several Members:** Hear, hear.

1795 **Hon. Dr J E Cortes:** Mr Speaker, a little translation to what the Chief Minister has just said is  
he removed the words from my mouth: *me quitó las palabras de la boca*. If the Member  
opposite really wants to rekindle the debate which was so dramatically rejected by the people of  
Gibraltar, I will take him on.

1800 **Mr Speaker:** If he wants to do that and the hon. Member wishes to engage him in that, he  
will have to bring a motion to the House because I am not going to allow that this afternoon.  
Also, we are not here to go over the events prior to the General Election of 2015. Okay?

**Hon. Dr J E Cortes:** Mr Speaker, I will then keep it very brief and thank you for that advice  
which I will take with great pleasure.

1805 I disagree that the only report that matters is the one that is coming. All of these reports have  
been done with the utmost diligence by all the top experts and the report that we published in  
November 2015 the law did not require us to publish but we published it nonetheless and it was  
completely and thoroughly scrutinised by HSE.

1810 There is an additional report which is currently going through the process, which is the report  
that will be published which contains the preconstruction which was passed and vetted by HSL  
and therefore the construction has proceeded, and the pre-operational report, which is in the

process of a very thorough discussion and which will of course be published once it is completed.

1815 I can say, Mr Speaker, just to offer a little bit more information, that the intensity and the thoroughness with which we are dealing with this matter is much more than Shell has ever had to bear anywhere else in the world.

**Q38 and 42-43/2018**  
**Cleaning of public areas and facilities –**  
**Tenders received; current workforce;**

**Clerk:** Question 38. The Hon. R M Clinton.

1820 **Hon. R M Clinton:** Mr Speaker, can the Government advise how many tenders it has received on 27th November 2017 for the ‘provision of urban and street cleaning, upkeep of public areas and other public facilities’, have any been accepted and for what contract amount?

1825 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Questions 42 and 43 from the hon. Lady.

1830 **Clerk:** Question 42. The Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** With reference to the future of the current Master Service workforce, how are their interests going to be guaranteed vis-à-vis the successful supplier?

1835 **Clerk:** Question 43. The Hon. Ms M D Hassan Nahon.

1840 **Hon. Ms M D Hassan Nahon:** With reference to the future of the current Master Service workforce, can Government guarantee that the successful supplier will manage the workforce and all the work specified within the tender document for public cleaning and that there will be no subcontracting?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1845 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, four tenders were received in the first stage of a two-stage tender process. These four applications are currently being assessed to be shortlisted and invited to submit priced bids. Therefore, this contract has not yet been awarded.

The tender document specifically makes reference to TUPE provisions.

1850 All four tender submissions have stated in their bids that there will be no subcontracting. In any event, the Government of Gibraltar would not have allowed this, in the same way that it does not allow the current contractor to subcontract.

1855 The Government will, in the contract negotiations, be working in the interest of both the taxpayer and the workforce, given that we see those interests as being aligned. We will not allow current terms and conditions to be eroded and will be seeking improvements where commercially possible.

1860 **Hon. Ms M D Hassan Nahon:** Mr Speaker, with reference to Question 42, with regard to key personnel in the draft service agreement, with regard to key personnel, what role does Government envisage that they will play in connection with the new setup? I ask because schedule 5 in the draft service agreement, which deals with key personnel, is empty.

**Hon. Dr J E Cortes:** Mr Speaker, I am not sure whether the hon. Lady is referring to what will happen once the tender is awarded or during the negotiations in the tender.

1865 **Hon. Ms M D Hassan Nahon:** It is ambiguous to me – that is why I asked – because I do not understand who or what key personnel is now in Master Service: what is the current definition of key personnel?

1870 **Hon. Dr J E Cortes:** Mr Speaker, I think I would need notice to the amount of detail that I am being requested and I would be very happy to look into it and seek clarification, but the hon. Member is making reference to a specific section in a very vast document and I would not like to try and give what I think the answer is without checking the facts. I think it would be reasonable to at least be given notice. I am happy to respond if the hon. Lady wants to write to me. In the meantime I will seek clarification.

1875

**Hon. Ms M D Hassan Nahon:** Thank you, Mr Speaker – thank you to the hon. Gentleman. I will write to him and seek clarification.

1880 In clause 13.2 it talks about the Government having the power to get people dismissed as the authority whilst they will not be the employer. If there are issues with unfair dismissal, the fallout will be for the employer, not for the authority, so how will that work appropriately?

**Hon. Dr J E Cortes:** Mr Speaker, I believe that this is exactly the same as is currently in the present contract and the Government has never exercised that ability (**Hon. Chief Minister:** In our time.) in our time. It may have happened before our time.

1885 Because it is an exclusive Government contract there may be, very rarely, occasions on which the Government has to act categorically if there has been any particular misconduct and so on and therefore it would have to perhaps take certain action. It is highly unlikely that it would happen. I cannot envisage anything that would trigger that off in the normal run of things, but it is something that the Government does reserve as an option in the public interest and because 1890 it is a considerably large contract taking a large amount of taxpayers' money.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, thank you for that. If I could just ask one more question. I am aware that the union representing the bulk of the Master Service workers has been trying to achieve a meeting with the hon. Gentleman. At what point will the union be brought in to guarantee the existing and improved terms and conditions for the workforce? 1895

**Hon. Dr J E Cortes:** Yes, Mr Speaker, there have been meetings. The concerns of the members have been made to me directly and to the Chief Minister directly and to both of us together. They have raised a number of concerns. We have reassured them at meetings, we have reassured them at the motions that we had in Parliament just a few months ago and I think that my closing paragraph in my answer to Question 43 should further reassure them that we will have the interests of the workforce very much at heart – it is paramount to us, so I think that they need to be reassured that we will continue discussing, but clearly the contract is awarded by the Government and not by the union, but obviously the union's views will be very much taken to heart. 1900 1905

**Mr Speaker:** The Hon. Roy Clinton.

**Hon. R M Clinton:** Thank you, Mr Speaker.

1910 If I may ask the Minister: does he have an idea as to when the tender process will be complete and when he will be in a position to award the contract?

**Hon. Dr J E Cortes:** No, Mr Speaker, there is a tender board appointed. It is run by senior officials of the Government; I am not directly involved. I can seek that information but I do not have it at this moment.

1915

**Q39/2018**

**New buildings and refurbishment of schools –  
Update re completion dates, contractors and costs**

**Clerk:** Question 39. The Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, can the Minister for Education provide updated information in respect of the new buildings and refurbishment of schools which Government announced it will be undertaking, together with a schedule of completion dates, details of the contractors carrying out each project and the estimated costs of each project?

1920

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1925

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I provided the completion dates in my answer to Question 711/2017; there has been no change.

The contractor for Notre Dame School is GJBS. The other projects have not been allocated.  
Estimated costs cannot be made public as we are engaged in a competitive procurement process.

1930

**Hon. E J Reyes:** Not even the estimated costs for the one already awarded?

**Hon. Dr J E Cortes:** No, Mr Speaker, because potential contractors could take the estimated costs of the one that we are embarked on as an idea of what we may or may not be willing to consider. We feel that we should not pre-empt the issue and therefore we do not feel that it is correct at this time to reveal the estimated costs of the one that we have begun.

1935

**Hon. E J Reyes:** And, Mr Speaker, so that I know for future reference, does Government intend to publish the full costs once it has awarded all the projects to the contractors? Does it intend to publish of its own accord or would the Minister like me to re-table this question in a few months' time – unless he can give a firm commitment now and make a note to table it in a few months' time?

1940

**Hon. Dr J E Cortes:** Mr Speaker, I cannot say when. This is a matter which obviously will become public in due course. The hon. Member has a right to ask whatever question he wishes to ask, so I do not think I can comment any further on that.

1945

**Q40/2018**

**Gibraltar Teachers' Association –  
Review of salaries structure**

**Clerk:** Question 40. The Hon. E J Reyes.

1950

**Hon. E J Reyes:** Can Government confirm if it has recently entered into a commitment with the Gibraltar Teachers' Association to carry out a major review of their salaries structure?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, this is not the case.

**Q41/2018**

**St Martin's School –  
Provision of new bus**

**Clerk:** Question 41. The Hon. L F Llamas.

1960

**Hon. L F Llamas:** Mr Speaker, can the Government update this House as to the provision of a new bus for St Martin's School?

**Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

**Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I am surprised that the hon. Member has not set up an online questionnaire asking what make of bus we should get and sat in front of it for a few hours to ensure he clicks it 802 times, but there we go. **(Hon. D A Feetham:** Oh, oh, oh!)

1970

Mr Speaker, the bus is scheduled to arrive in March.

**COMMERCE**

**Q70 and 83/2018**

**Business licensing process and regulation of real estate agents –  
Updating of legislation**

**Clerk:** We now move to Question 70. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government advise if it has reached agreement with the Gibraltar Federation of Small Businesses in their joint review of the current 'cumbersome' business licensing process, and when does the Government anticipate bringing amendments to the legislation to Parliament?

1975

**Clerk:** Answer, the Hon. the Minister for Commerce.

1980

**Minister for Commerce (Hon. A J Isola):** Mr Speaker, I will answer this question together with Question 83.

**Clerk:** Question 83. The Hon. E J Phillips.

1985

**Hon. E J Phillips:** Can the Government state its position with regard to the regulation of real estate agents?

**Clerk:** Answer, the Hon. the Minister for Commerce.

1990

**Minister for Commerce (Hon. A J Isola):** Mr Speaker, the hon. Member asks when the Bill to amend the Fair Trading Act will be brought to Parliament. The Bill was published on 5th October 2017 and we are finalising the regulations in preparation for the approval of this Bill by Parliament.

1995

Government has conducted its own review of the Fair Trading Act which goes beyond the proposals of the Chamber of Commerce and the GFSB and we have extensively consulted with them in respect of these. We are currently awaiting their final comments on the details, the principles of which have already been agreed.

Mr Speaker, the regulation of estate agents is governed by the Fair Trading Act.

2000

**Hon. E J Phillips:** Can the Minister clarify as to what code of conduct is relevant to the real estate agents in Gibraltar?

2005

**Hon. A J Isola:** Mr Speaker, the Fair Trading Act and the regulations that impose standard terms of trade that they must each comply with. It goes beyond in terms of client accounts now that poker applies in terms of money laundering and items of value. So the regulations that are there already. I do not think I need to give my friend legal advice.

2010

**Hon. R M Clinton:** Mr Speaker, just to clarify with the Minister, he mentioned the Bill that was published on 5th October 2017. My reading of it is to do with the exchange of information and the solution of certain functions of the Business Licensing Authority, but not necessarily the review to which he is referring, which I assume must still be subject to agreement in order to be able to bring such a Bill to the House. I guess what I am saying, Mr Speaker, is that this particular Bill as published does not address the concerns of the various chambers.

2015

**Hon. A J Isola:** Mr Speaker, that Bill that he refers to also says, and I will read:

AN ACT to repeal certain provisions and to amend others of the Fair Trading Act 2015 relating to business licensing,

– which is what the question is about –

in particular as regards the dissolution of the functions of the Business Licensing Authority;

– which is what we are consulting on –

to provide for the exchange of information or intelligence ...

2020

So, yes, this is the Bill which will enable us to introduce the regulations which are in discussions with the GFSB and the Chamber of Commerce.

**Q71-82/2018**

**Financial Services Commission –**

**Appeals by licensed entities; appointment of inspectors;  
appointment of skilled persons and hybrid skilled persons with powers of an inspector;  
new licences issued; enforcement strategy**

**Clerk:** Question 71. The Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, does the Government intend to retain the right of licensed entities to apply to court for a stay of decisions of the Gibraltar Financial Services Commission pending determination of any appeal against decisions of that body?  
2025

**Clerk:** Answer, the Hon. the Minister for Commerce.

**Minister for Commerce (Hon. A J Isola):** Mr Speaker, I will answer this question together with Questions 72 to 82.  
2030

**Clerk:** Question 72. The Hon. D A Feetham.

**Hon. D A Feetham:** I can see I am not going to get very far today on these questions. How many appeals to the Supreme Court from decisions of the FSC were filed in 2017?  
2035

**Clerk:** Question 73. The Hon. D A Feetham.

**Hon. D A Feetham:** How many times has the FSC appointed inspectors under section 101 of the Financial Services (Insurance Companies) Act 1987 to investigate the affairs of anyone carrying or suspected of carrying on insurance business in each of the calendar years since 2007?  
2040

**Clerk:** Question 74. The Hon. D A Feetham.

**Hon. D A Feetham:** In relation to the preceding question on the appointment of inspectors under section 101, please state whether the organisation for whom the inspector worked, consulted or was a partner at the time of the appointment was based in or outside Gibraltar and what did each appointment ultimately cost the entity investigated?  
2045

**Clerk:** Question 75. The Hon. D A Feetham.  
2050

**Hon. D A Feetham:** How many appointments of inspectors have been made under section 8 of the Financial Services (Information Gathering and Co-operation) Act 2013 in each calendar year since that Act was introduced?  
2055

**Clerk:** Question 76. The Hon. D A Feetham.

**Hon. D A Feetham:** How many appointments of skilled persons have been made under section 7 of the Financial Services (Information Gathering and Co-operation) Act 2013 in each calendar year since that Act was introduced?  
2060

**Clerk:** Question 77. The Hon. D A Feetham.

**Hon. D A Feetham:** In respect of the appointments made under sections 7 and 8 of the Financial Services (Information Gathering and Co-operation) Act 2013 since that Act was  
2065

introduced, please state whether the organisation for whom the inspector or skilled person appointed worked, consulted or was a partner was based in or outside Gibraltar?

**Clerk:** Question 78. The Hon. D A Feetham.

2070

**Hon. D A Feetham:** How many appointments of hybrid skilled persons with the powers of inspectors have been made by the FSC in agreement with licensed entities in each calendar year since 2013?

2075

**Clerk:** Question 79. The Hon. D A Feetham.

**Hon. D A Feetham.** In respect of hybrid appointment of skilled persons with the powers of inspectors, please state whether the organisation for whom the inspector of skilled person appointed worked, consulted or was a partner was based in or outside Gibraltar?

2080

**Clerk:** Question 80. The Hon. D A Feetham.

**Hon. D A Feetham:** In respect of (a) the appointments made under sections 7 and 8 of the Financial Services (Information Gathering and Co-operation) Act 2013 since that Act was introduced and (b) hybrid appointments of skilled persons with the powers of inspectors since 2013, what was the cost to each licensed entity of those appointments?

2085

**Clerk:** Question 81. The Hon. D A Feetham.

2090

**Hon. D A Feetham:** Can the Government please provide details of the 50 licences that the CEO of the FSC told GBC on 18th December 2017 had been issued in the areas of insurance, pensions and banking?

**Clerk:** Question 82. The Hon. D A Feetham.

2095

**Hon. D A Feetham:** During her interview with GBC on 18th December 2017 the CEO of the FSC said there had been a new approach to enforcement by the FSC. Is the Government content with this new approach?

2100

**Clerk:** Answer, the Hon. the Minister for Commerce.

**Minister for Commerce (Hon. A J Isola):** Mr Speaker, firms will continue to have the right to apply to court to stay decisions of the GFSC, and in 2017 there were 21 appeals from 11 firms to the Supreme Court.

2105

Since 2007, no inspectors have been appointed under section 101 of the Financial Services (Insurance Companies) Act 1987 to investigate insurance activities and consequently the answer to Question 74/2018 is no firm was engaged to carry out this work.

Under section 8 of the Financial Services (Information Gathering and Co-Operation) Act, one inspector was appointed in 2014 and four inspectors were appointed in 2017. Under section 7 of the same Act no skilled persons have been appointed since the Act was introduced, and since 2013 one hybrid skilled person with the powers of an inspector has been appointed. All persons appointed under this Act have been from firms in Gibraltar and the United Kingdom.

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Where firms have paid moneys to meet the costs of inspectors or skilled persons pursuant to sections 7 and 8 of the Act, or hybrid appointments of skilled persons, that information is confidential to the firms. In respect of fees incurred by the GFSC themselves, the GFSC in its annual report provides details of all these payments made to firms.

2115

In 2017 there were 47 new licences issued, which naturally include insolvency practitioners, statutory auditors and individual directorships, and a further four were licence extensions. All of these are on the GFSC website.

2120 The Government is content with the enforcement strategy of the GFSC.

**Hon. D A Feetham:** Mr Speaker, just in relation to the penultimate answer that the hon. Gentleman gave in terms of the breakdown, can he provide me with an actual breakdown of the 50 licences?

2125

**Hon. A J Isola:** Mr Speaker, the firms themselves where licences were granted are online. I am not going to give you the firms, but if you want the areas: AFIM authorised, one; AFIM registered, five; bank extension, one; bureau de change, one; category 3 investment firm, one; company manager, four; EIF, six; EIF directors, two; E - money institution, one; general insurance intermediary, one; individual company manager, eight; insolvency practitioner, one; insurance cell, three; insurance company, six, which includes three extensions; insurance intermediary general, one; insurance manager, six; personal pension scheme controller, one; statutory auditor, two.

2130

2135 **Clerk:** We now return to Question 47. The questioner is the Hon. R M Clinton.

**Hon. R M Clinton:** Sorry, Mr Speaker, can I just go back to the Minister's answer to Question 82 and ask him if he is entirely satisfied or he identifies himself with the comment from Ms Barrass, who said that the new statutory regime that will come into force over the next year will look and smell a lot like the UK? Is that the Government's intention?

2140

**Hon. A J Isola:** Mr Speaker, Question 82 was in respect of the enforcement strategy and the enforcement strategy has been in place since 2016. I am not sure if this question is in any way related to it. Don't forget that the LRP programme, that may be what I think you are picking up on, which ... I have not seen or heard that quote, or read that quote so I am not going to be able to address myself to it, but I can tell you that the LRP is a Government programme which we are working on hand in hand with the FSC and it is the subject of extensive consultation with the Finance Centre Council and will be the subject of further public consultation before then. So it is not as if the LRP is in the ownership of the FSC; we are working with them. It is very much Government driven. It is legislation and therefore there will be full and complete consultation with the sector, even though we have already started that with the Finance Centre Council in tranches, which is the most manageable way to deal with it. We are comfortable that we will get the result that we all want.

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## HOUSING AND EQUALITY

### Q47/2018

#### New affordable housing scheme – Expressions of interest forms received

**Clerk:** Question 47. The Hon. R M Clinton.

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**Hon. R M Clinton:** Mr Speaker, can the Government advise how many expressions of interest forms have been received in respect of the new affordable housing scheme announced on 28th September 2017?

2160 **Clerk:** Answer, the Hon. the Minister for Housing and Equality.

**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, a total of 4,087 questionnaires have been received since 28th September 2017.

**Q48/2018**  
**Regulation of private landlords –**  
**Government position**

**Clerk:** Question 48. The Hon. E J Phillips.

2165

**Hon. E J Phillips:** Can the Government state its position in relation to the regulation of private landlords?

**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

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**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, the regulation of private landlords is provided for in the Housing Act 2007. This Act, and particularly the provisions that relate to commercial residential landlords, is currently under review.

**Q49/2018**  
**Disability Act 2017 –**  
**Delay re coming into force**

**Clerk:** Question 49. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, why is the Government delaying the coming into force of the Disability Act 2017 debated in this House in July last year.

**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

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**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, Government is not delaying the coming into force of the Disability Act. May I remind the hon. Gentleman that this Government has pioneered legislation that will give people with disabilities more rights and respect within our community, something that no previous Government has delivered.

2185

It is normal practice when large pieces of legislation are introduced that they not come into force immediately and that their implementation be staggered so that everyone is familiar with the obligations under the Act. I made this clear and said that extensive training and awareness would be provided on the legislation ahead of it coming into force, and this is exactly what we have been doing to ensure that the legislation is an absolute success.

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**Hon. L F Llamas:** Mr Speaker, does the hon. Member have a schedule by when she estimates the staggering of the effective dates to be?

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**Hon. Miss S J Sacramento:** Yes, Mr Speaker, as I have said before, we have a schedule that will deliver some ... I have said in the past that the introduction of the legislation will be staggered, some sections of the legislation will be introduced sooner than others, but the hon. Gentleman needs to understand that this legislation primarily relates to Government policy and

2200 he can rest assured that Government policy is up to speed on matters of equality, inclusion and disability and all the policies are being applied throughout the Government in a way that is unprecedented.

2205 **Hon. L F Llamas:** Mr Speaker, if you will allow this supplementary: during the Disability Act debate and prior to that debate coming to this House we had a private conversation in which the hon. Lady assured me that there would be guidelines being published as from September in areas where the legislation is not being introduced because the domestic legislation already provides for that. Does the hon. Lady have an estimated date by when those guidelines will be published? I have not seen anything.

2210 **Hon. Miss S J Sacramento:** Mr Speaker, in fact the guidance booklet that the hon. Gentleman is referring to, that I explained I would be issuing as a further assistance and guidance in the successful implementation of this landmark legislation, has already been published. From memory I am sure that we have published two and possibly three. We are publishing them as we go. In fact, we are publishing them in order to deliver the training so that people have a point of reference when they undergo the training – people particularly internally in different  
2215 Government Departments – so that they have a point of reference on what is required from them in terms of policy and in the legislation.

**Q50/2018**

**Supported independent living –  
Plans for those with mental health problems**

**Clerk:** Question 50. The Hon. L F Llamas.

2220 **Hon. L F Llamas:** Mr Speaker, does the Government have any plans to provide supported independent living for members of our community who suffer from mental health problems?

**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

2225 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, there are now various types of provision of supported independent living for people with mental health problems. What is offered is person centred and according to individual needs.

There is residential accommodation provided at the new Ocean Views for some patients who have been clinically discharged but require a high level of supervision and support.

2230 As a result of collaboration between the Housing Department and the GHA, there now also exist flats in the community which are staffed by clinical carers provided by the GHA Mental Health Services.

Furthermore, for those who are independent, they will live in the community with outreach support provided via the GHA or the Care Agency.

2235 And finally, in addition, the Housing Department has developed a protocol with the GHA in the event that an existing tenant may require support, so that referrals and assistance are seamlessly provided.

**Q51/2018**  
**Housing waiting list –**  
**Backdated applications**

**Clerk:** Question 51. The Hon. L F Llamas.

2240 **Hon. L F Llamas:** Mr Speaker, since December 2011, can the Government provide details of applicants to the housing waiting list who have had their applications backdated, including: (a) the date the application was accepted; (b) the list the applicant was placed on; (c) the position on the list the applicant entered in; (d) the date the applicant was removed from the list; (e) the type of property the applicant obtained on removal from the list (Government rental, affordable housing or other)?

2245

**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

2250 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, since December 2011 a total of 11 applications have been backdated. Details are as follows: (a) eight applications were accepted in 2012, two in 2013 and one in 2016; (b) all the applicants were on the waiting list; (c) this information is not reflected in our records; (d) one applicant was removed in 2012, one in 2013, four in 2014, three in 2015, one in 2017 and one in 2018; (e) all properties allocated were Government rentals.

**Q52/2018**  
**Housing matters –**  
**Lack of statistical information on Government website**

2255 **Clerk:** Question 52. The Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** Can the Minister for Housing explain the lack of statistical information in respect of housing matters on the Government website?

2260 **Clerk:** Answer, the Hon. the Minister for Housing and Equality.

2265 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, we had noticed some errors in the information that was being uploaded and as a result of this we carried out an in-depth review of the whole system. The new format has now been agreed and the Housing Department is in the process of inputting the statistics in the new format and will upload them as soon as they are ready.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, the same question was posed almost one year ago by my hon. Friend to my right, Edwin Reyes, and the hon. Lady then said, and I quote:

Discrepancies and inaccuracies in the presentation of the data were noticed. The complete system is currently under review in order that statistics going forward are presented as accurately as possible. I hope the exercise is complete within six months.

2270 I would like to ask why it is still an ongoing issue and why, if a year ago we were referring to the statistics of the year before, why is it that the statistics of the last year are not up now. Why are they being treated in the same way as the problem that had occurred a year ago with the year before?

2275 **Hon. Miss S J Sacramento:** No, I have already given the reason. It has got nothing to do with  
them being either this year's or last year's. It is that they were wrong. They were being collated  
in the wrong manner, unfortunately, and they were not being presented in a manner that I  
thought was helpful. That is why I asked that there be a review in the way that we gather the  
information and that we present the information in a way that is obviously accurate and more  
2280 relevant to anybody who is checking the statistics. The information needs to be drawn from  
various Departments and that is where the main source of the confusion was coming from,  
because we had to rely on statistics provided to us by the Housing Department and by the  
Housing Works Agencies and various other entities as well, and it just happened that figures  
were not matching.

2285 We have looked at the whole system. It has unfortunately taken the Department a bit longer  
than they envisaged but I was presented with the new draft formats at a meeting, I think some  
two weeks ago. The whole format has been agreed and it is a question of the Department just  
getting the information up to date so that it can all be uploaded at once.

2290 **Hon. Ms M D Hassan Nahon:** Thank you for that answer. Considering that we are already six  
months past the timing that the hon. Lady gave us, how much longer are we to wait before we  
can expect the statistics to be up and running again?

2295 **Hon. Miss S J Sacramento:** Mr Speaker, I know that the Department has been working very  
hard on this, which is something of course that they need to do over and above the day-to-day  
business of the running of the Housing Department and the hundreds and hundreds of calls that  
they receive on a daily basis from members of the public. As I have just said in the answer to the  
previous supplementary, I was presented with a final review of what was going to be presented  
and the Department is currently in the process of analysing the data that is going to be  
presented. I do not think it will take very long; I would envisage maybe a couple of weeks. I know  
2300 that the Department is giving it a lot of priority, but priority in the whole context of allocating  
flats as soon as possible and dealing with repairs and dealing with the ordinary day-to-day  
business of the Department.

**DEPUTY CHIEF MINISTER**

**Q84/2018  
Key worker housing –  
Update**

**Clerk:** We move to Question 84. The Hon. E J Phillips.

2305 **Hon. E J Phillips:** Can the Government update the House on the development of key worker  
housing?

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

2310 **Deputy Chief Minister (Hon. Dr J J Garcia):** Yes, Mr Speaker, a total of three developments  
comprising 382 studio apartments and 139 one-bedrooms have been tabled before the  
Development and Planning Commission and described by the applicants as key worker  
accommodation.

**Q85/2018**

**Bayside, St Anne's and St Martin's Schools sites –  
Expressions of interest received**

**Clerk:** Question 85. The Hon. R M Clinton.

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**Hon. R M Clinton:** Mr Speaker, can the Government advise how many expressions of interest it received on 21st December 2017 for the sites of Bayside, St Anne's and St Martin's Schools respectively; and have any been accepted, and if so, for what consideration?

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

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**Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, the Government has received two expressions of interest for the Bayside School sites, two for the St Anne's School sites and five for the St Martin's School sites. They came in just before the Christmas break and are still under consideration.

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**Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his answer. Does he have an idea as to when these will be determined? Does he think in the next months, six months or the lifetime of this Parliament, or some other timeframe?

**Hon. Deputy Chief Minister:** Mr Speaker, the expressions of interest are still under consideration and we are still looking at them, so it is really difficult to determine at this stage how long that process is going to take.

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**Hon. R M Clinton:** Thank you. And would it be the Government's intention that the expressions of interest, if they are accepted ... that there would be payments in advance of the site being vacated, or would you expect a land sale to go through after the site has been vacated?

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**Hon. Deputy Chief Minister:** Mr Speaker, those issues will be part of the negotiation, whichever entities turn out to be successful in this process.

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**Hon. R M Clinton:** I see. So, Mr Speaker, if I understand the Minister correctly, the Government at the moment has not set out a negotiating position as to what it is it would prefer?

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**Hon. Deputy Chief Minister:** Mr Speaker, the Government has not yet decided with which of the parties it wants to negotiate, neither what the terms of the negotiation will be. Once we establish and we analyse the contents of all the different expressions of interest, we will be in a better position to answer that question.

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**Hon. R M Clinton:** Mr Speaker, just one final question for the Minister. Of the expressions of interest received, would he be able to advise if, certainly for each of the three sites, there has been one particular tender that has tendered for all three sites; or, Mr Speaker, if I may clarify, there has been a tenderer that has tendered for each of the three sites?

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**Hon. Deputy Chief Minister:** Mr Speaker, I would not be able to answer that question because I do not want to mislead the House. I am not absolutely sure. If the hon. Member would be kind enough to table that question again in the next meeting of the House, I will have the information before me at that point.

**Q86/2018**

**Chinese and Commonwealth nations –  
Nature of interest in Gibraltar**

**Clerk:** Question 86. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Deputy Chief Minister state precisely what interest the Chinese and leading nations of the Commonwealth have shown in Gibraltar following his statement in his New Year's message to that effect?  
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**Clerk:** Answer, the Hon. the Deputy Chief Minister.

**Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, the interest that exists is commercial and economic.  
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In relation to China, this is being driven by my colleague the Minister for Economic Development, Sir Joe Bossano, and also the Minister for Commerce, Albert Isola.

The interest shown on the part of Commonwealth countries, while also commercial and economic, comes in the context of the decision taken by the United Kingdom to leave the European Union and the new trading relationships that are expected to emerge post Brexit. There is also a political dimension to this.  
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**Hon. L F Llamas:** Mr Speaker, thanks for that answer. Would the Deputy Chief Minister be able to provide details of which are those leading countries in the Commonwealth we are currently dealing with?  
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**Hon. Deputy Chief Minister:** Mr Speaker, some of those are public and we have made announcements of the countries that we have met. Others I would rather not tell the hon. Member across the floor of the House because in our experience then those countries get written to by third parties and we would rather avoid that situation, so I am very happy to tell him outside the Chamber.  
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**Mr Speaker:** The Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I am left with no doubt that the Hon. Sir Joe Bossano KCMG MP has left the Chamber to avoid us once again tributing him for the award that he has received from Her Majesty the Queen. I warned him that we would once again engage in tributes before the recess and before the adjournment and he quickly decided that he would leave the Chamber rather than suffer again the ignominy of us telling him how much we value him and his contribution to public life.  
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Mr Speaker, I would now adjourn the House to Monday, 29th January at 2.30 in the afternoon. If it is of any assistance to Members, I intend to deal with the remaining business of the House on that day and adjourn *sine die* if time allows at the end of that evening.

**Mr Speaker:** The House will now adjourn to Monday, 29th January at 2.30 in the afternoon.  
2400

*The House adjourned at 6.40 p.m.*