



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3:12 p.m. – 4.19 p.m.

Gibraltar, Thursday, 8th November 2018

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GIBRALTAR PARLIAMENT, THURSDAY, 8th NOVEMBER 2018

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The House adjourned at 4.19 p.m. 20

The Gibraltar Parliament

The Parliament met at 3.12 p.m.

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

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

Order of the Day

BILLS

FIRST AND SECOND READING

Motor Vehicles (Miscellaneous Amendments) Bill 2018 – Second Reading approved

Clerk: Meeting of Parliament, Thursday, 8th November 2018.

Bills – First and Second Reading.

We now proceed with the Second Reading of a Bill for an Act to amend the Traffic Act 2005 and the Insurance (Motor Vehicles) (Third Party Risk) Act 1986.

The Hon. the Minister for Infrastructure.

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, I beg to move that the Bill for the Motor Vehicles (Miscellaneous Amendments) Act 2018 be read a second time.

The Bill has been pursued in order to allow for the exclusion of certain types of vehicles from falling under the definition of a motor vehicle within the context of the Traffic Act 2005 and subsequently the Insurance Motor Vehicles (Third Party Risk) Act 1986. The intention is to allow the use of certain types of electric bicycles in Gibraltar. As things currently stand, without these changes electrical bicycles will be subject to the same safety requirements and road-worthiness criteria as motor vehicles.

Mr Speaker, I propose to explain the following changes. Clause 2(1) amends the definition of 'motor vehicle' in section 2 of the Traffic Act 2005 by stating that a vehicle excluded under the newly introduced section 2A would not fall under this definition.

Clause 2(2) introduces a new section 2A in the Traffic Act 2005 giving the Minister the power to exclude vehicles from the definition of 'motor vehicle' by way of regulations.

Clause 3 amends the definition of 'motor vehicle' in the Insurance (Motor Vehicles) (Third Party Risk) Act 1986 to cater for any exclusions that are made under the newly introduced section 2A of the Traffic Act 2005.

In addition to these changes subsidiary legislation will shortly follow providing for the exemption of electrically assisted pedal cycles. The maximum continuous rate of power of the electric motor on these bicycles may go up to 250 watts with the pedalling assistance cutting off when a speed of 25 kilometres per hour is reached. This exemption will not apply to any electrical bicycles that are capable of being propelled by any other means of mechanical or electric device, more specifically buttons, cables or throttles.

Mr Speaker, I will also be moving an amendment to the Bill during Committee Stage. An amendment is required to correct a numbering typo after clause 2 of the Bill.

Mr Speaker: Is it a typographical error, or not? If it is typographical, I think there is no need to move an amendment; but if it is other than a typographical error, then yes. My reading of the Bill is that it is typographical and, if we accept it, you do not need to move an amendment.

So, before I put the question, does any hon. Member wish to speak on the general principles and merits of the Bill?

The Hon. Trevor Hammond.

Hon. T N Hammond: Mr Speaker, I would just like to ask the Minister for some clarification because there is a lot of discussion in the community at the moment.

I think he provided the clarification when he described that the Act is not designed, or the amendments or such regulations are not designed to cover electric vehicles which may be operated through a throttle, cable or button. I believe that this amendment and the subsequent regulation is designed for a very specific type of pedalled bicycle and that the likes of electric scooters, as we see many of them, remain prohibited in Gibraltar – Segways and other vehicles like that remain prohibited in Gibraltar. Could I just ask the Minister: is that the case, or is it Government's intention to expand on the regulations to allow for a wider use of electric vehicles?

Mr Speaker: Does any other hon. Member wish to speak on the merits of the Bill?

I call on the mover to reply. The Hon. Paul Balban.

Hon. P J Balban: Mr Speaker, yes, what the amendment to the Act really does is it permits the Minister to declassify at any given time a specific vehicle.

The purpose behind this one specifically is solely and exclusively for electrical bicycles, those which can only travel at speeds which do not exceed 25 kilometres per hour. They have to be pedal assisted and they cannot have any other means of propelling the bicycle forward, such as a cable or throttle etc. The way things stand at the moment, an electrical bicycle is classified as a motor vehicle because there is a motor. Albeit electrical as opposed to mechanical, it has a motor on board, so that is classified as a motor vehicle. What this allows me to do now is to make it that the electrical bicycle, with those specific requirements and conditions, now falls under the same category as a bicycle, and hence rules that apply for bicycles will apply to this specific type of electric bicycle. What will happen is that subsidiary legislation will be brought, specifying and stating what I have just said now. What this amendment does is it permits the Minister to be able to make that change.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Traffic Act 2005 and the Insurance (Motor Vehicles) (Third Party Risk) Act 1986 be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

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**Motor Vehicles (Miscellaneous Amendments) Bill 2018 –
Committee Stage and Third Reading to be taken at this sitting**

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, I beg to move that the Third Reading and Committee Stage of the Bill be taken today, if all hon. Members agree.

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

**Litter Control (Amendment) Bill 2018 –
First Reading approved**

Clerk: We now move to the First Readings of Bills and we commence with a Bill for an Act to amend the Litter Control Act 1990.

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 have the honour to move that a Bill for an Act to amend the Litter Control Act 1990 be read a first time.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Litter Control Act 1990 be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Litter Control (Amendment) Act 2018.

**Litter Control (Amendment) Bill 2018 –
Second Reading approved**

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, I have the honour to move that the Bill be now read a second time.

The Bill has been brought before us because of the need to update the legislation in order to allow our litter wardens to use every possible resource available to them, in particular CCTV, in the issuing of fixed penalty notices in relation to litter. The Act as it currently stands is ambiguous when it comes to the issuing of a fixed penalty notice unless it is given by hand, and so I propose to explain these changes.

Clauses 3(2), 3(3)(a) and (c) deal with the removal of the word 'give' to insert 'issue'. The purpose of these changes is to move away from solely giving a fixed penalty notice by hand and any ambiguities that the word brings. In issuing the fixed penalty notice, a litter warden is not limited to handing out a fixed penalty notice and we consequently allow several ways in which such notice may be issued. Clause 3(3) clearly states the ways in which such a notice under the Act may now be issued. The litter warden retains the ability to hand over the notice to a person but now can also address it and leave it at a person's last known address or send it by registered post. This will allow litter wardens to tackle any offences that are caught on CCTV.

Mr Speaker, in addition to these changes there will also be similar changes to subsidiary legislation in order to ensure uniformity throughout.

I commend this Bill to the House.

Mr Speaker: Before I put the question, does any hon. Member wish to speak on the general principles and merits of this Bill?

The Hon. Trevor Hammond.

Hon. T N Hammond: Mr Speaker, I would just like to rise to say that we will certainly support this Bill. Any measures that assist us in controlling the amounts of litter that prevail on our

streets is very welcome, and obviously anything that will assist those agents who are enforcing those laws is most welcome, so we will on this side of the House be supporting the Bill.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Litter Control Act 1990 be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Litter Control (Amendment) Act 2018.

**Litter Control (Amendment) Bill 2018 –
Committee Stage and Third Reading to be taken at this sitting**

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):
Mr Speaker, I beg to move that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

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

**Animals and Birds (Amendment) Bill 2018 –
First Reading approved**

Clerk: A Bill for an Act to amend the Animals and Birds Act.
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 have the honour to move that a Bill for an Act to amend the Animals and Birds Act be read a first time.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Animals and Birds Act be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Animals and Birds (Amendment) Act 2018.

**Animals and Birds (Amendment) Bill 2018 –
Second Reading approved**

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):
Mr Speaker, I have the honour to move that the Bill be now read a second time.

Since 1948 when the Animals and Birds Act was originally enacted, animal welfare and rights issues have seen significant development. Awareness of the suffering of animals has risen and the public outcry that ensues in instances when animals have suffered cruelty or distress exceeds the levels of redress the law currently provides.

Only domestic, owned animals are protected under the current Act. The amendments, among other things, respond to public requests that cruelty offences have a wider application to animals for whom nobody is responsible. There is public condemnation of irresponsible behaviour which, whilst once commonplace, subjects animals to conditions which do not

safeguard their welfare – for example, keeping cetacea in a dolphin area or keeping dogs in closed cars. The amendments to this Act seek to ensure such actions are prevented from taking place in Gibraltar.

There are a number of new provisions: firstly, the extension of the offence of cruelty. While section 5 already contains the offence of cruelty to animals, this only applied to animals with owners. It has now been extended to also protect wild animals from cruelty. The maximum sentence was not reflective of public sentiment in respect of behaviour which subjected animals to cruelty. Accordingly, we propose to increase the penalty for this offence to 12 months' imprisonment or statutory maximum fine or both on summary conviction, and five years' imprisonment on indictment. This is consistent with planned changes in UK law and conveys the message strongly that animal welfare is taken seriously and that irresponsible pet owners will not go unpunished. Whilst the offence of cruelty already included permitting an animal to be subject to cruelty, the meaning of this has now been clarified as failing to exercise reasonable care and supervision in respect of the protection of the animal from cruelty.

In relation to dolphinaria, given the abundance of cetacea in our waters, there are concerns that these animals could be taken into captivity for entertainment or display purposes, as was proposed some 10 years ago. Whilst the Nature Protection Act provides protection against taking cetacea from the wild, it does not prevent a person in Gibraltar from acquiring an animal which was already in captivity. We have therefore included provisions based on those in the Nature Protection Act which prevent any cetacea being kept in captivity, amongst other things.

In relation to animals in distress, we have largely based the changes on the English Animal Welfare Act 2006. A new Part 5A has been introduced into the Act incorporating extensive provisions to provide authorised officers with the powers to access properties where they reasonably believe an animal is in distress. These provisions will, among other things, provide the magistrates court with powers to grant a warrant to access residential premises and to make orders relating to the rehoming or treatment of the animal. It is expected that this will be used mostly in instances where dogs are kept in hot, closed cars. An inspector or police officer who finds an animal that is suffering may take those steps that need to be taken immediately to alleviate the animal's suffering. When an animal is suffering to such an extent that there is no alternative but to put it down, a veterinary surgeon must issue a certificate to that effect before the animal can be put down, other than in exceptional circumstances. The provisions also confer powers of entry for the purposes of dealing with an animal that is believed to be suffering or likely to suffer if remedial action is not taken. When an animal has been taken into possession and the animal is being retained, this section enables a magistrates court to make an order for the treatment, giving up, disposal or, if necessary, destruction of the animal.

In relation to abandonment of animals, the threshold required for the offence of abandoning an animal to be committed has been lowered. Whilst before it had to be shown that the abandonment took place in circumstances which were likely to cause the animal unnecessary suffering, this requirement has now been removed.

We have made provision for dogs' DNA to be obtained from their saliva rather than blood in circumstances where a veterinary practitioner considers that that is more important, for whatever reason – for example, if extracting blood would cause the animal extreme distress.

Whilst the Act previously only referred to an 'owner' of an animal a person would have been able to shirk responsibility for an animal by claiming they were merely looking after it on a temporary basis. We have therefore incorporated the concept of responsibility, whether on a temporary or permanent basis, as being an essential component of ownership. The new definition of 'owner' will include parents or guardians of children who are responsible for an animal, so that people cannot avoid liability for offences under the Act by claiming that the animal belongs to their children.

For the cruelty offence, 12 months' imprisonment or statutory maximum fine on summary conviction and five years' imprisonment on indictment has been introduced, which more adequately reflects the nature of the offence.

Regarding enforcement, authorised officers, a Gibraltar veterinary practitioner, who will be a qualified veterinarian, and HM customs officers have been added as authorised persons.

I would like to acknowledge the contribution made by a number of animal welfare charities in Gibraltar, including the Cat Welfare Society and Save Gibraltar's Street Cats, for having worked with us in arriving at this proposed amendment.

I now commend the Bill to the House. (**A Member:** Hear, hear.) (*Banging on desk*)

Mr Speaker: Before I put the question, does any hon. Member wish to speak on the general principles and merits of this Bill?

Again, I call on the Hon. Trevor Hammond.

Hon. T N Hammond: Mr Speaker, again I think it is fair to say that on this side of the House we do welcome the Bill. It is an important Bill, and obviously looking after animals, whether they be pets or wild animals, is something that is a very human thing to do, I think, most importantly.

One element that I would just like to pick up on is a slight disappointment on my part and on the part of a number of Members on this side of the House that the sale of animals through pet shops is not covered by the Bill, or does not appear to be covered by the Bill. In the English law I believe it is covered.

The sight of puppies in pet shop windows all by themselves all day long, being gawped at by people, is something that I think should be a thing of the past and I wonder if the Minister would take some time to look at, at some point, amending the Bill in the future to cover such situations?

Mr Speaker: The Hon. Mr Feetham.

Hon. D A Feetham: Mr Speaker, as my hon. Friend Mr Hammond has said, this is a Bill that is very much welcomed by the Opposition.

Pets are not only property, they are companions, they are members of a family and they ought to be treated as such. Some of the penalties that were attached prior to the amendments to cruelty to some animals were, quite frankly, absolutely ridiculous and an embarrassment to any modern society and the way that we look at pets as members of the family and also as companions.

The Hon. Minister said that society is more aware of the suffering of animals and he is undoubtedly correct in relation to that, but society is also aware of the impact of human activity on wildlife and animals in particular.

The Hon. Minister has referred to dolphinaria and dolphins, but there are other areas where we would like to see the Government really also move towards introducing legislation and I would like to mention some of those areas for the benefit of the Minister. Indeed, I have to tell the Minister that before the end of the year it is my intention to send to him proposed amendments to our legislation in order to deal with some of these areas that I am going to be mentioning in a moment.

The Hon. Minister, being a conservationist himself and an environmentalist, will know that about 20,000 elephants are killed every single year because of the ivory trade and also because of Chinese traditional remedies associated with body parts, not only of elephants but also of other animals. Indeed, the Chinese government, sadly, lifted the ban very recently on animal body parts for the purpose of Chinese medicine.

In 2016 the UK government introduced a partial ban on the sale of ivory. Since then, there has been a clamour in the United Kingdom for a total ban on ivory sales and I would like to see the Government be at the forefront of that agenda so that it shows the international community how seriously we take these kind of issues here in Gibraltar.

Also, the Hon. Minister will have seen the controversy that has occurred as a consequence of some American hunters being seen photographed with wild sheep in Scotland – trophy hunting,

essentially. Trophy hunting is a massive problem internationally. Indeed, in Africa, for example, what you now get is the practice of canned trophy hunting. That is where lions are hand reared from a young age as cubs so that they are used to humans, and then they are released and hunted so that these idiots – because I can only refer to them as such, *idiots* – are then able to come in, pay huge amounts of money and take trophies to the United States and indeed to the United Kingdom.

Again, there is a significant push by conservationists and environmentalists – who are concerned that we are slowly sleepwalking towards extinction of many species, including giraffes, which have now gone up the scale of endangered species in Africa as a consequence of trophy hunting – to actually ban the importation of animal body parts that have been obtained as a consequence of hunting.

Even though we are a population of 30,000 people and this is a very small jurisdiction and a very small territory – and it is unlikely that we are going to get many body parts of African lions coming to Gibraltar and indeed it is but a grain of sand in a massive mountain represented by probably the products of ivory that we might sell here in Gibraltar – I think that Gibraltar needs to be setting an example in these areas. These are two areas that, for environmentalists and for conservationists across the world, it really is important and I would like to see the Hon. Minister – who I know takes these matters to heart and probably shares the sentiment, to the very last word, that I have expressed today – be at the forefront of that.

In relation to Lucy's Law, which is a law in the UK – I asked a question about this; it is on the Order Paper – it is not about the sale of puppies in terms of puppies being in a shop window and the effect that that may have on puppies; it is the fact that puppies that are sold by pet shops may come from puppy farms and breeders that are disreputable and that you may have, for example, a bitch that is producing three or four litters every single year, year on year, until that dog basically cannot produce any more puppies. That is really the mischief behind the introduction of Lucy's Law.

Of course, again we can say, 'Well, there has only traditionally been one pet shop here in Gibraltar, or a couple of pet shops, and this is but a grain of sand,' but I think that preventing cruelty to one animal is worth it. Therefore, introducing a law such as Lucy's Law here in Gibraltar to ensure that people buy from reputable breeders or indeed from homes, of which there are many because there are many dogs that are in homes looking for a forever home, as people who are actively involved in this area will tell you ... and those are areas that, in our respectful view, the Government also ought to be considering as well as this and indeed the other Bill that the Minister is going to be moving in relation to services.

I am very grateful to Mr Speaker.

Mr Speaker: The Hon. Elliott Phillips.

Hon. E J Phillips: Mr Speaker, just one point for clarification regarding the offences and the penalties that the Hon. the Minister described, the 12-month period and the maximum statutory fine. Did that recommendation by any chance come from the Law Commission that was constituted by the learned and Hon. Minister for Justice? I would have thought ... clearly there is a review of sentencing practice in our jurisdiction, together with parole – a separate issue, I know – and the Law Commission was particularly established ... and I welcome the learned Attorney in the House today because I know he is a constitute member of that Law Commission. I am wondering whether there was any discussion between the Minister for Justice and the Environment in relation to the penalty and the duration and the fines themselves. It is just that my understanding is that the Law Commission was looking at all sentencing guidelines, and whether there was any crossover with the Minister for the Environment.

Mr Speaker: Any other speaker on the Second Reading of the Bill before I call on the mover to reply?

The Hon. Dr John Cortes.

Hon. Dr J E Cortes: Mr Speaker, if I might first refer to the Hon. Mr Phillips' question, I am not aware of such discussion. There may have been at the level of the law draftsmen, who may have consulted, but certainly not me or my immediate team in Environment. But I think it is consistent with what the Law Commission wants to achieve anyway and a member of my team is a member of the Law Commission – Liesl Mesilio – and therefore it may well have been discussed at that level but I do not have any personal knowledge of that.

Mr Speaker, I am very grateful for the contributions by the Members opposite, in particular the narrative of the Hon. Mr Feetham. I would have loved to have heard that kind of narrative when he was Minister for Justice. It would have spared me a lot of grief and may even have kept me out of politics, (*Laughter*) but there we go – that's history for you.

Mr Speaker, if I may just confirm that I share concerns on trophy hunting. That is one of the points that I have not specifically looked at but certainly will. But I have good news for the Members opposite. My team has today finalised approving a draft Pet Animals Bill, which I hope to be publishing – once I have, obviously, taken it through Cabinet – as a Command Paper shortly, and I yesterday saw a first draft of an Ivory Bill in order to deal with the question of ivory and keep up with what is proposed in the UK so that we are consistent with the very important steps that the UK is taking in order to try and save the elephant from extinction.

Mr Speaker, I think that that is all I have to say on that. I think I have answered all the points. I am grateful for their support and I once again commend the Bill to the House. (*Banging on desks*)

35 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Animals and Birds Act be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Animals and Birds (Amendment) Act 2018.

**Animals and Birds (Amendment) Bill 2018 –
Committee Stage and Third Reading to be taken at this sitting**

40 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**
Mr Speaker, I beg to move that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

Mr Speaker: Are all hon. Members agreeable to the Committee Stage and Third Reading of the Bill being taken later today? (**Members:** Aye.)

**Armed Forces (Gibraltar) Act 2018 –
Second Reading approved**

45 **Clerk:** We now proceed to the Second Reading of the Armed Forces (Gibraltar) Act 2018.
The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that the Bill now be read a second time.

50 I take great pleasure in bringing this Bill to the Parliament. The support of our armed forces, British armed forces, is one of the key features of our unique and enduring relationship with the

United Kingdom. It is one of the key features of our role as one of the British family of nations and indeed it is the key strategic feature that makes this Rock of ours such a geopolitically relevant asset to the United Kingdom and so desirable to others. It is in that context that we are
55 today going to be able to appreciate in this Parliament a part of the growth and maturity of our self-government in the past three decades. That growth and that maturity has manifested itself in every iteration of our successive Constitutions since the Second World War. In particular it started to manifest exactly 30 years ago when the GSLP first took over the executive branch in Gibraltar and started the work of de facto constitutional reform.

60 Mr Speaker, until 2006 the presence of British armed forces in Gibraltar had been covered by successive Armed Forces Acts of the United Kingdom since 1952 as periodically refreshed from time to time. The UK Acts were extended to Gibraltar in the UK legislation itself. In its 2011 iteration the mechanism for the extension of the application of the Act to Overseas Territories was amended so that it was an Order in Council that would provide for this, as opposed to it
65 being contained within the Act itself.

Hon. Members should know that in the United Kingdom there is a convention arising from times of civil war that Parliament must renew its armed forces legislation every five years. There was a coincidence in the refreshment of that Act in 2006 with our 2006 Constitution. In fact, as a
70 result of the current iteration of our Constitution, hon. Members will also know that there is a convention between Gibraltar and the United Kingdom that no legislative Acts are done by the UK for Gibraltar without Gibraltar's express consent. That has resulted in the sparse use of Orders in Council in respect of Gibraltar.

For that reason, the 2006 Armed Forces Act was not extended to Gibraltar. There was an agreement between the then administration of the Gibraltar Government that a piece of
75 Gibraltar legislation would be enacted to provide the same cover as the Armed Forces Act 2006. The Hon. Mr Feetham will recall that this was one of the matters on which he and Sir Peter Caruana kindly briefed the Deputy Chief Minister and me the week after the last election in their handover session with us at No. 6 Convent Place in December 2011, just days after the glorious new dawn of socialist and liberal government.

80 Mr Speaker, this was the position set out in both Houses of Parliament in the United Kingdom when these UK Acts were being considered in 2006, in its refreshment in 2011 and its latest iteration of 2016. With the agreement of the current Government that I lead, the UK's 2016 Act has also not been extended to Gibraltar, given our commitment to make a Gibraltarian law for this purpose. The net effect of that is that whilst a person serving in the United Kingdom armed
85 forces is subject to the terms of the Act and it applies wherever in the world the service person is, executive powers are not available in Gibraltar in the absence of an Act of this Parliament.

Indeed, Mr Speaker, I think it is important that I should quote for hon. Members and for Hansard the references made by the Secretary of State for Defence in his presentation of the
90 Second Reading of the Bill for the Armed Forces Act 2016 in the House of Commons. This is the clear and most recent statement of the position as seen from the United Kingdom Government as to the territorial ambit of the 2016 UK Act. The Rt Hon. Mr Fallon said this:

Clause 13 brings the Armed Forces Act 2006 back into force in the Isle of Man and British overseas territories except for Gibraltar. Under United Kingdom law, the 2006 Act has always applied to members of the armed forces, wherever in the world they are operating, and that will remain the case. That means that a member of the armed forces commits an offence under UK law if they do something in another jurisdiction which, had they done it in England or Wales, would have been a criminal offence. In addition, the 2006 Act originally formed part of the law of the Isle of Man and the British overseas territories. However, the Act expired in those jurisdictions in 2011. Clause 13 and the schedule to the Bill revive the Act in those jurisdictions so that, as it currently has effect in the UK, it will also be in force there. That ensures that things that members of the armed forces might do under the 2006 Act in those jurisdictions, such as the exercise of service police powers of arrest or search, would be lawful there not only as a matter of UK law but as a matter of the local law. It also ensures that the civilian authorities within those jurisdictions can do things under the 2006 Act which they might not otherwise have powers to do under the local law, such as the arrest of a person suspected of a service offence under a warrant issued by a judge advocate.

An exception is being made for Gibraltar. This is because we are currently consulting the Government of Gibraltar on how best to extend the provisions of the 2006 Act—and, therefore, of the Bill—

– which hon. Members will recall is the renewal in 2016 –

to that territory.

Mr Speaker, after many years of negotiation and discussion, we have now agreed a text of a proposed Armed Forces (Gibraltar) Act, which is in this House for debate today.

95 It is also undoubtedly true that the events of February 2016 at Gibraltar Airport, when a stand-off ensued between officers of the Royal Gibraltar Police and officers of the Ministry of Defence, brought into sharp focus a jurisdictional gap in our law in respect of the presence in Gibraltar of Her Majesty's armed forces. This Bill addresses those issues by applying in Gibraltar certain provisions of the UK's Armed Forces Act 2006. It does so whilst respecting the primacy of
100 the Royal Gibraltar Police as the lead law enforcement agency throughout Gibraltar and the primacy of the Gibraltar Constitution. It could not be otherwise, and this Government – and, I am sure, every Member of this Parliament – would not countenance any other solution. Indeed, if I may say so, I think that the actions of the Royal Gibraltar Police on the day in question have been demonstrated to have been entirely proper and a conviction has in fact since resulted
105 outside of Gibraltar.

Hon. Members will also be aware that by section 35(2) of our Constitution there is a provision which reads as follows:

Except with the consent of the Governor, acting in his discretion, signified by the Chief Minister, the Parliament shall not proceed upon any bill (including any amendment to a bill) that, in the opinion of the Governor, acting in his discretion, signified as aforesaid, concerns a matter for which he is responsible under section 47(1).

Mr Speaker, those of course include defence and internal security. I am able to signify that consent to the Parliament today. And so now we are about to take the step of seeing through
110 that commitment to make in this Parliament and for ourselves the law that will regulate the presence of the British armed forces in Gibraltar.

This is an important step in the emancipation of the people of Gibraltar. At the time of the last world war, Gibraltarians were oft not best treated by some parts of the hierarchy of the British armed forces. Many are the stories of Gibraltarians having to get off the pavement for a
115 British officer. There are photographs to remind us of the different use of sanitary facilities for UK-based civilians of the Ministry of Defence, as opposed to Gibraltarians and other aliens. Those days are long gone. Our relationship is now one that arises from our common British citizenship, a relationship of partnership and complicity in pursuit of British foreign policy interests.

120 After the last world war, Gibraltarian families who had been evacuated returned to Gibraltar. Self-government developed. The Ministry of Defence, which had long been the guardian for Britain of a fortress that was also our home, slowly ceded control of it to the emerging civilian authorities. The 'useless mouths' that had been removed from their homeland had returned to become masters in this place. Slowly, civilian self-government established itself in Gibraltar.
125 Parts of the estate previously controlled exclusively by the Ministry of Defence were released to the Gibraltar authorities. A City Council became a Government. Our nation was listed as one of the non-self-governing territories subject to the United Nations decolonisation process. The right to our land and the right to self-determination became the rallying cries of the Gibraltarians. Successive Governments entered into successive Lands Memoranda with the
130 Ministry of Defence as more and more land in our small geography has become surplus to defence requirements and has been made available to the Gibraltar Government. No longer do our people inhabit only one third of the Rock, with the rest taken over by the armed forces. That ratio is now a thing of the past. And now, in a final step in this important process of this fortress passing from military to civilian control, the regulation of the British armed forces that had

135 previously ruled the roost in this place will arise from legislation passed in a Parliament elected
by direct universal suffrage of the people of Gibraltar.

Mr Speaker, for all those reasons, this is a seminal moment and all hon. Members will want
to reflect on it as such.

140 Moving now to the substance of the Bill, it is important that hon. Members should bear in
mind that the Bill will only apply to two very specific types of persons. The first category are
persons who are subject to service law, a term which is defined in clause 2(2)(a) and which
effectively means members of the UK armed forces. And the second category are civilians who
are subject to service discipline, a term which is defined in clause 2(2)(b) and which effectively
145 means civilians with a close family or employment nexus to the UK armed forces. I shall be
referring to these two categories of persons collectively as ‘persons subject to the Act’.

Importantly, Mr Speaker, technical discussions are currently ongoing as to the application of
the Act to members of the Gibraltar Regiment. The relevant provisions of the Bill that will apply
the Act to the Gibraltar Regiment – clauses 2(2)(a)(ii) and (iii), (c) and (d) – will be brought into
effect once those discussions have been concluded.

150 Clause 4 makes it clear that the Act will not apply to ordinary civilians or to civilian property.

Clause 25 makes it clear that the Act will not affect any right conferred upon any person by
the Gibraltar Constitution.

The Act, in fact, comprises five Parts. Part 1 contains the interpretation clause setting out the
definitions of the key terms of the Act and it also contains provisions for the entry into force of
155 the Act, including the power for differential commencement dates, which is relevant to my
comments a moment ago in respect of the Gibraltar Regiment.

Part 2 is the most important part of the Act. Clause 3 makes provision for the application of
the UK Armed Forces Act in Gibraltar.

160 Clause 5 confirms that service authorities shall have jurisdiction in Gibraltar in relation to
persons subject to the Act.

Clause 4 specifically provides for the Act not to apply to civilians. In fact, section 4 states this,
and I think it is important for the House to reflect on the exact terms of the clause:

Nothing in this Act is to be construed as permitting the exercise by any service court or service authority of any
jurisdiction, powers, functions or competences under the Armed Forces Act over a person who is a civilian.

Additionally, the section provides that:

The exercise of any jurisdiction, powers, functions or competences under the Armed Forces Act in Gibraltar does
not limit any right of a civilian in relation to any civilian property.

165 As I shall explain, Mr Speaker, the remaining provisions of Part 2 set out the cases where the
RGP and the military police shall exercise exclusive, primary or concurrent jurisdiction in
Gibraltar in accordance with the mechanisms for close co-operation between both police forces
that the Act establishes.

170 Clause 7 grants the service authorities exclusive jurisdiction with respect to the offences
punishable under forces law but not otherwise under the laws of Gibraltar. A prime example of
such an offence would be where a soldier is absent without leave (AWOL).

Clause 8 sets out the cases where the service authorities enjoy primacy of jurisdiction. That is
to say the cases where a person subject to the Act commits an offence that is punishable under
both forces law and the laws of Gibraltar and jurisdiction is granted to the service authorities.
The main criterion for determining such primacy in favour of the service authorities is that the
175 offence arose out of and in the course of that person’s duty as a member of Her Majesty’s
armed forces or as a civilian subject to service discipline. Other cases concern offences
committed against other military persons or against military property and offences against the
security of the United Kingdom.

180 In all other cases, primacy will vest with the RGP. So, for instance, where a soldier commits an offence against a civilian or civilian property, primacy of jurisdiction will vest with the RGP.

As an example of the spirit of closer co-operation between both police authorities that will result from this Act – and I am sure all of us will welcome this, Mr Speaker – clause 10 provides that one police force may waive jurisdiction in favour of the other where they both consider that the circumstances so require.

185 That spirit of closer co-operation will best be exemplified by the requirement set out in clause 13 that the Commander of British Forces in Gibraltar and the Commissioner of Police shall enter into an operational protocol between their respective forces setting out the circumstances and manner in which jurisdiction, power and competence shall be exercised by one or other of them or concurrently. Such protocols between the civilian and service authorities exist in the
190 United Kingdom and in the Sovereign Base Areas in Cyprus and one has already been agreed for Gibraltar. It will become effective on the same day as the Act enters into force. It is the first time that such a protocol will exist in Gibraltar, and I greatly welcome it. The Protocol is intended to support the practical application of the Act by providing a guide to the co-ordination of approach to policing in Gibraltar between the RGP and the service police. Both forces have shown their
195 commitment to establish close and regular support, consultation and co-operation, which they have recognised as being crucially important and essential in order to promote a clear and effective working relationship between them to achieve their common purpose of upholding law and order in Gibraltar.

I am aware that a lot of work has gone into the drafting of the Protocol and I would like to
200 express my deep gratitude to both police forces for the efforts they have made to reach agreement on the Protocol and to better understand each other's concerns. In fact, here it is worth just reflecting the deep and sincere gratitude of Her Majesty's Government of Gibraltar to those who have delivered this Act, Mr Speaker.

Principal thanks must go to the Attorney General, Michael Llamas QC, who has spent many
205 hours working with Vice Admiral Tony Radakin on this sensitive matter, to whom we must also record our thanks.

Current and former Commissioners of the Royal Gibraltar Police Ian McGrail and Eddie Yome and their respective teams have worked to deliver a sensible protocol with their MoD
210 colleagues, together with, if I may say so, Command Secretary Richard Johnson. Their sensible approach makes the workings of these new rules possible.

Mr Speaker, I am leaving a copy of the Protocol agreed between the RGP and the MoD in the antechamber for Members to be able to consult its terms, if they wish.

Central to the Government's own concerns in this area have been the delicate issues of
215 policing outside of MoD premises. The guiding principle in this respect is set out in clause 12 of the Bill, which provides that, as the general rule, the service police will not exercise any power of entry, search or seizure outside MoD premises in Gibraltar. This is supplemented by the Protocol, which establishes that outside MoD premises the service police shall be employed subject to such arrangements with the RGP as are set out in the Protocol and only insofar as
220 such employment is necessary to maintain discipline and order among persons subject to the Act. This is in itself consistent with the Agreement regarding the Status of Forces of Parties to the North Atlantic Treaty Organisation 1951, which applies to Gibraltar pursuant to the UK's Visiting Forces Act 1952, which was extended to Gibraltar, in those days by Order in Council, in 1954.

Schedule 1 of the Protocol contains a clarificatory agreed list and a map of the sites which
225 currently constitute MoD property, for the purposes of determining where that is today in the geography.

The remaining provisions of Part 2 contain further aspects of co-operation, such as how the RGP will give effect to a warrant issued by a judge advocate in the United Kingdom under section 313 of the UK's Armed Forces Act for the arrest of a person subject to the Act,

230 procedures for detention pending decisions on jurisdiction, safeguards against double jeopardy
and a reiteration of the jurisdiction of the civilian courts and authorities in Gibraltar.

Part 3 of the Bill deals with desertion and absence without leave. It creates certain offences
relating to the armed forces, including where a civilian knowingly aids or abets a person subject
to service law to commit the offences of desertion or absence without leave.

235 It also grants police officers of the RGP powers to arrest any person who is unlawfully at large
or who is reasonably suspected of being an unlawful absentee and to deal with such persons
where they surrender themselves to a police officer.

The final Parts of the Bill deal with various general provisions that enhance the co-operation
between the RGP and the service police, such as a person in service custody being detained in
240 Gibraltar's Prison pending his or her removal from Gibraltar.

Clause 25, as I said earlier, makes it clear that the Act will not affect any right conferred upon
any person by the Gibraltar Constitution. This is a hugely important clause in the assertion of the
jurisdictional primacy of the Gibraltar Constitution. I think it is important to reflect it entirely in
this debate and I therefore propose to take Members through the whole of this section. The
245 section provides as follows.

No provision in this Act may be construed as in any way affecting any right conferred upon
any person by the Constitution; and any act, whether undertaken pursuant to a provision within
this Act or which is undertaken in Gibraltar pursuant to the Armed Forces Act, is subject to the
Constitution.

250 The second subparagraph reads that for the avoidance of doubt, a person may seek to
enforce any right or obligation conferred by or imposed under the Constitution irrespective of
anything provided for in this Act or the Armed Forces Act.

The third paragraph says that no provision in this Act or in the Armed Forces Act affects the
civilian court's powers to make orders with respect to any application before it concerning a
255 matter provided for in the Constitution.

The fourth subparagraph provides that, for the avoidance of doubt, a person by virtue of this
Act or by virtue of the application of forces law by this Act may apply to the Supreme Court
where that person believes that any right conferred by the Constitution has been violated.

260 The fifth paragraph of the section provides that the Supreme Court may, on hearing an
application under subsection (4), make such orders as it deems fit, including any temporary
order.

And most importantly, the sixth paragraph provides that nothing in the Act or in the Armed
Forces Act itself shall affect the right of a person who is detained at a place against that person's
will from applying to the Supreme Court for a writ of *habeas corpus* or other prerogative
265 remedy.

Mr Speaker, there can be no clearer statement of the utter primacy of the Gibraltar
Constitution than that contained in section 25 of this Bill.

270 Clause 26 allows the Chief Minister, in agreement with the Governor, to make subsidiary
legislation for the administration of the Act, and the consultation there between the incumbent
Chief Minister and the incumbent Governor is required because of the section 32 nature of this
legislation, which cannot be moved without the consent of the Governor.

Clause 27 preserves the immunity of the Crown in right of Her Majesty's Government of
Gibraltar and of public officers in Gibraltar for any damage or anything done or omitted by any
service authority to be done under the Armed Forces Act.

275 That is the extent of the Act.

Importantly, Mr Speaker, I also want to reflect what I am sure is the position of every
Member of this House in support of that particular part of the British Army that is so innately a
part of our DNA, the Royal Gibraltar Regiment – the Barbarians, as they are known by nickname
in the British Army. They are part of the core of what Gibraltar is all about and part of how we
280 express our Britishness and our British citizenship also. Now they are providing services beyond
Gibraltar for extended periods, away from their families, taking risks just like all other members

of the British armed forces. As far as Her Majesty's Government of Gibraltar is concerned, there is no reason whatsoever why they should be dealt with in any manner that is not entirely in keeping with the manner of treatment of all other members of the British Army; X factor included.

285

Mr Speaker, more generally now, I think this Act is the product of the work of all Chief Ministers and all Ministers of Gibraltar – starting from our very first Chief Minister, Sir Joshua Hassan; through Sir Bob Peliza, a military man himself; yourself; Sir Joe Bossano, who led the de facto constitutional revolution of 1988; and Sir Peter Caruana, who delivered the 2006 Constitution; as well as the contribution of the Government that I lead.

290

This is the product of our constitutional maturity and our growth as a community and as a nation. It is the effect of the work that every single parliamentarian in their own way has done to grow our democracy and mature it to its current state. It is the effect of the work of every Gibraltarian who has worked to mature our nation as we – the civilians who flocked to the Rock in the aftermath of the British liberation of 1704 – now assert by our law what rights the British armed forces have on this our Rock.

295

That is the normal balance in any modern, constitutional, democratic monarchy, and as from today it will be the position in Gibraltar. We will cross a Rubicon today, a massive coming of age in many respects, as we create these rights for our British armed forces with great pleasure, because the British armed forces are our armed forces too. They are the defenders of this Rock, they are the defenders of freedom and justice around the world, they are the best of Britain and in so being they are also the best of us.

300

And so, Mr Speaker, I heartily, proudly, and I beg to say historically, commend this seminal Bill to the House and I congratulate this nation of ours for this collective achievement. (*Banging on desks*)

305

Mr Speaker: Before I put the question, does any hon. Member wish to speak on the general principles and merits of this Bill?

The Hon. the Leader of the Opposition.

310

Hon. E J Phillips: Mr Speaker, we welcome and echo the words of the Chief Minister in respect of this seminal piece of legislation.

I, for one, in particular do welcome this after being a lawyer for the Ministry of Defence for over a decade in the past. I have enjoyed many interactions with the Ministry of Defence and the GDP and lawyers in London in respect of many constitutional issues that have arisen before and not before our courts but issues that have arisen over time. Therefore, it is with great pride that I see the Government putting a Bill before this House to regularise and modernise that relationship, and particularly in relation to our jurisdictional law.

315

Mr Speaker, starting with the last point that the Chief Minister made in respect of the Royal Gibraltar Regiment, of course they are members of the British Army and of course they are members of the extended British family. I would echo that and support the Chief Minister entirely in what he says in respect of the Royal Gibraltar Regiment.

320

It is clear that this piece of legislation puts issues such as the standoff that we had at our Airport in the past, and hopefully issues like that will be a thing of the past, and I am grateful that the Chief Minister has explained that that, in a practical way, escalated parts of the discussions that the Chief Minister and his Government have had with the British government.

325

Mr Speaker, I agree to a certain extent ... the Chief Minister said that these are now almost – he did not use these exact words, but these are the last colonial vestiges in our community and I am glad that this piece of legislation continues to move Gibraltar forward and modernise our relationship, particularly for our young soldiers who are doing fine work overseas and in Gibraltar, and therefore we on this side of the House welcome this very important piece of legislation and again repeat and echo the words of the Hon. Chief Minister.

330

Mr Speaker: Does any other hon. Member wish to speak on this Bill?

335 I call on the mover to reply. The Hon. the Chief Minister.

Hon. Chief Minister: Mr Speaker, I welcome the words of the hon. Gentleman. I welcome the fact that hon. Members have concurred with the view of the Government as to the substance and the background of this Bill and what it means in terms of – and it is a word that the hon. Gentleman uses, not one I use – ‘colonialism’ and the coming of age that I expressed in a different way in the context of my own intervention.

I think this is a hugely important moment. We must not think that we are simply creating an Act to deal with the day-to-day administration of the armed forces. That is the practical effect of what is happening here. The important thing is that we are the ones doing it.

345 I think this must also reflect in the relationship that there is between the Government of Gibraltar today and the United Kingdom government. It is true that it has not been easy or quick for us to produce a Bill which has met with the agreement of the United Kingdom, ensuring that it does what they feel needs to be done in respect of their armed forces and the way that we felt needed to protect our Constitution. In fact, that process went through two administrations, the former administration and my current administration. But we have got there, Mr Speaker.

350 It might have been very easy – if I may say so, just to pick up on one of the things that the hon. Gentleman referred us to – for the incident at Gibraltar Airport in February 2016 to have resulted in the agreement between the Government of Gibraltar and the Government of the United Kingdom not to have an Order in Council extension of the Armed Forces Act to have fallen apart and to simply have seen the Armed Forces Act then applied to Gibraltar from London. In fact, that strengthened the resolve for there to be a Gibraltar piece of legislation; it strengthened the relationship. The Protocol that I will leave in the antechamber is a very full document that works even through examples to ensure that different police authorities understand how to deal with issues as they arise. I am sure, Mr Speaker, that given the nature of the relationship today and the practical effect of what this Bill will do, that those sorts of regrettable incidents will never occur again and I believe that with the support of the whole House together we will take a huge step today as a community.

Mr Speaker: I now put the question, which is that a Bill for an Act to make provision for the application in Gibraltar of certain provisions of the UK Armed Forces Act 2006, for the application of that Act to the Royal Gibraltar Regiment, for the exercise in Gibraltar of jurisdiction, powers and competences by service authorities and courts in certain circumstances, for the creation under Gibraltar law of certain offences relating to the armed forces and for matters connected therewith or incidental thereto be read a second time. Those in favour?

370 **(Members: Aye.)** Those against? Carried.

Clerk: The Armed Forces (Gibraltar) Act 2018.

**Armed Forces (Gibraltar) Bill 2018 –
Committee Stage and Third Reading to be taken at this sitting**

Chief Minister (Hon. F R Picardo): Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

375

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

COMMITTEE STAGE AND THIRD READING

Chief Minister (Hon. F R Picardo): I have the honour to move that the House should resolve itself into Committee to consider the following Bills clause by clause: the Armed Forces (Gibraltar) Bill 2018, the Animals and Birds (Amendment) Bill 2018, the Litter Control (Amendment) Bill 2018 and the Motor Vehicles (Miscellaneous Amendments) Bill 2018.

380

In Committee of the whole House

**Armed Forces (Gibraltar) Bill 2018 –
Clauses considered and approved with amendment**

Clerk: A Bill for an Act to make provision for the application in Gibraltar of certain provisions of the UK Armed Forces Act 2006, for the application of that Act to the Royal Gibraltar Regiment, for the exercise in Gibraltar of jurisdiction, powers and competences by service authorities and courts in certain circumstances, for the creation under Gibraltar law of certain offences relating to the armed forces and for matters connected therewith or incidental thereto.

385

Chief Minister (Hon. F R Picardo): Mr Speaker, just to give notice to hon. Members that I intend to move an amendment to clause 2. It is in writing and it will be circulated shortly, in time for that stage of the proceedings.

390

Clerk: Part 1, clause 1.

395

Mr Speaker: Stands part of the Bill.

Clerk: Clause 2 as amended.

400

Mr Speaker: Let me see it, at least.

Hon. Chief Minister: Mr Speaker, the amendment – which hon. Members I think will now have – in effect provides the power necessary, which is not otherwise in existence in our law now, for the officers who are discharging the role of service policemen to have the ability to carry batons, handcuffs and incapacitant sprays, which are the sorts of – I hesitate to say ‘weapons’ – implements with which we expect our own Police to be able to carry out their duties.

405

Mr Speaker: Does any hon. Member wish to comment on this proposed amendment?

410 **Clerk:** Clause 2 as amended.

Mr Speaker: Stands part of the Bill.

Clerk: Part 2, clauses 3 to 17.

415

Mr Speaker: Stands part of the Bill.

Clerk: Part 3, clauses 18 to 22.

420

Mr Speaker: Stands part of the Bill.

Clerk: Part 4, clauses 23 and 24.

Mr Speaker: Stands part of the Bill.

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Clerk: Part 5, clauses 25 to 28.

Mr Speaker: Stands part of the Bill.

430

Clerk: The long title.

Mr Speaker: Stands part of the Bill.

**Litter Control (Amendment) Bill 2018 –
Clauses considered and approved**

Clerk: A Bill for an Act to amend the Litter Control Act 1990.
Clauses 1 to 3.

435

Mr Speaker: Stand part of the Bill.

Clerk: The long title.

440

Mr Speaker: Stands part of the Bill.

**Animals and Birds (Amendment) Bill 2018 –
Clauses considered and approved**

Clerk: A Bill for an Act to amend the Animals and Birds Act.
Clauses 1 to 3.

445

Mr Speaker: Stand part of the Bill.

Clerk: The long title.

Mr Speaker: Stands part of the Bill.

**Motor Vehicles (Miscellaneous Amendments) Bill 2018 –
Clauses considered and approved**

450 **Clerk:** A Bill for an Act to amend the Traffic Act 2005 and the Insurance (Motor Vehicles)
(Third Party Risk) Act 1986.
Clauses 1 and 2.

Mr Speaker: Stand part of the Bill.

455 **Clerk:** The long title.

Mr Speaker: Stands part of the Bill.

**Armed Forces (Gibraltar) Bill 2018,
Litter Control (Amendment) Bill 2018,
Animals and Birds (Amendment) Bill 2018 and
Motor Vehicles (Miscellaneous Amendments) Bill 2018 –
Third Reading approved: Bills passed**

460 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to report that the Armed
Forces (Gibraltar) Bill 2018, the Litter Control (Amendment) Bill 2018, the Animals and Birds
(Amendment) Bill 2018 and the Motor Vehicles (Miscellaneous Amendments) Bill 2018 have
been considered in Committee and agreed to with some amendments. I now move that they be
read a third time and passed.

465 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Armed
Forces (Gibraltar) Act 2018, a Bill for an Act to amend the Litter Control Act 1990, a Bill for an Act
to amend the Animals and Birds Act and a Bill for an Act to amend the Traffic Act 2005 and the
Insurance (Motor Vehicles) (Third Party Risk) Act 1986 be read a third time and carried. Those in
favour? (**Members:** Aye.) Those against? Carried.

Brexit update

470 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I rise now to adjourn.
Before I do, just by way of information to hon. Members, the Deputy Chief Minister and I
were yesterday involved in further travel related to Brexit negotiations. Depending on diary
commitments, we expect we will be seeking to further brief hon. Members of the Brexit Select
Committee either tomorrow or Monday on the latest state of play and we anticipate that there
475 are likely still to be between and seven and 21 days of activity in respect of the work that we are
doing to deal with Gibraltar-related matters relating to or arising from Brexit. Hon. Members will
be contacted by the Hon. the Deputy Chief Minister.

I therefore expect, Mr Speaker, it will be possible for us to return to the House on Thursday,
22nd November in the afternoon and I would propose that we adjourn to that date at 3 p.m.

480 **Mr Speaker:** The Chief Minister is proposing that the House do adjourn to Thursday, 22nd
November at three in the afternoon. The House will now adjourn to Thursday, 22nd November
at three in the afternoon.

The House adjourned at 4.19 p.m.