



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.10 p.m. – 5.20 p.m.

Gibraltar, Thursday, 21st February 2019

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The Gibraltar Parliament

The Parliament met at 3.10 p.m.

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

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

Order of the Day

BILLS

FIRST AND SECOND READING

Medical and Health (Amendment) Bill 2018 – Second Reading approved

Clerk: Meeting of Parliament, Thursday, 21st February 2019.

(ix) Bills for First and Second Reading. The Hon. the Minister for Health.

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

10 The Bill amends the regulation-making power in section 66 of the Medical and Health Act 1997 so that the Minister with responsibility for Health may make regulations granting prescribing rights to pharmacists. Such regulations are already in the process of being drafted and will be introduced after consultation with the industry, the GHA and the School of Health Studies.

15 Mr Speaker, as you will see from the wording of the amendment, regulations may only grant prescribing rights to pharmacists who have undertaken approved relevant training to prescribe specified medicines appropriate to such training. The required level of training, which will be set out in the regulations, is for the pharmacist to have successfully completed an accredited General Pharmaceutical Council pharmacist prescriber course. These are provided by several institutions in the United Kingdom but can also be undertaken via distance learning programmes. It is paramount that such training takes place to safeguard members of our community who will be using the services. Government went to local pharmacists to gain their views on this and identify whether other courses should also be considered for the purpose of allowing pharmacist prescribing.

20 Mr Speaker, there has been also a note from the amendment that any proposed regulations will not allow for pharmacists' prescribing rights to fall within the scope of the Medical Group Practice Scheme.

25 Secondly, the Government will specify in the regulations that pharmacist prescribers will not be able to prescribe controlled drugs.

We hope that having qualified pharmacist prescribers available to treat people for illnesses within their competence will be a great resource for the community, complement the fine

services already being provided by the Primary Care Centre and give our pharmacists an opportunity to expand their professional competence.

I commend the 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. Lawrence Llamas.

Hon. L F Llamas: Mr Speaker, we will be supporting this Bill. However, I would be grateful if the Hon. Minister could expand on the types of prescriptions that pharmacies could actually prescribe under the scheme, simply so we can have an idea of the type of illnesses that could be dealt with by pharmacists over the counter, so to speak.

Mr Speaker: Does any other hon. Member wish to speak before I call on the mover to reply? The Hon. the Minister for Health.

Hon. N F Costa: Mr Speaker, in the first place to thank the hon. Gentleman for indicating that the Opposition will be supporting the Bill.

The hon. Gentleman will have heard me say that the regulations will not allow for pharmacists to be able to prescribe controlled drugs, so that is entirely a scheme from which they will be excluded. He will also have heard me say that the regulations are being drafted and the reason why they have not been finalised is because we are in consultation with industry, the School of Health Studies and the GHA because we want to make sure that whatever drugs the pharmacists can prescribe are those that would be expected to be prescribed by pharmacists – such as, for example, antibiotics for certain conditions. There is no intention, at this stage certainly, for there to be a great expansion in respect of what the pharmacists can prescribe beyond what one would commonsensically expect a pharmacist to be able to do. As I say, these powers will be brought in by regulation, so that it will be very clear on the face of the legislation what it is that the pharmacists can and cannot prescribe.

The regulations will be crafted essentially by the School of Health Studies and by the GHA – in other words, by doctors and nurses. So this is not a political decision; it will be a clinical decision save that I have made clear that it cannot be controlled drugs and it will not be covered by the GPMS scheme.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Medical and Health Act 1997 so as to expand the power to make regulations under section 66 be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Medical and Health (Amendment) Act 2018.

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

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today if all hon. Members agree.

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

COMMITTEE STAGE AND THIRD READING

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

75 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that the House should resolve itself into Committee to consider the following Bill clause by clause, namely the Medical and Health (Amendment) Bill 2018.

In Committee of the whole Parliament

**Medical and Health (Amendment) Bill 2018 –
Clauses considered and approved**

Clerk: A Bill for an Act to amend the Medical and Health Act 1997 so as to expand the power to make regulations under section 66.

Clauses 1 to 3.

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Mr Chairman: In the case of clause 1, we delete '2018' and substitute '2019'.

Hon. R M Clinton: Mr Chairman, may I?

85

Mr Chairman: Yes, the Hon. Roy Clinton.

Hon. R M Clinton: Thank you.

90 If I may just ask the Minister a general question. I do not know if this is the case in the United Kingdom, where the pharmacists actually do this at present. From a purely financial point of view, is there any financial incentive for pharmacists to prescribe under these rules – i.e. will they be able to charge the general public a fee for providing prescriptions under the Group Practice Medical Scheme, or is it that the Minister is trying to formalise an informal practice that may exist already? Is there any thinking around this? Is there going to be any provision for pharmacists to be able to charge people in order to give them a prescription, because obviously
95 this will take up their time? Are there any models you have looked at, in the United Kingdom for example, where pharmacists may already do this? I am not aware. Is there any thinking behind this, or is it just a remedial piece of legislation to look at what may be happening formally at present?

100 **Chief Minister (Hon. F R Picardo):** Mr Chairman, we are not at general principles and merits; we are in the Committee Stage. Of course, the Minister will try and assist in any way that he can but there is a part of this process which is legislative, which is where we debate. Questions like that are the questions that one would expect to hear put in the context of the Second Reading, not in the Committee Stage, where we are looking at the letter of the law to try and determine
105 whether there is anything that needs amending as a result of a principle that may have been agreed between both sides during the course of the debate on the Second Reading, or indeed if some errors have been picked up which are more than just merely typographical but which are in some way going to add to a better understanding of the Bill.

110 I will give way to Mr Costa if he wants to say something about what the hon. Gentleman has said, but we have to be careful not to find ourselves changing the way that Parliament works simply because we have forgotten to make a point during the correct part of the procedure when one is able to put points like this.

Mr Chairman: Once we are in committee the purpose is to consider any specific amendments that may be made to any particular clause or with regard to any particular clause. I think Members are entitled to raise a specific question about a specific clause but not about the general principles and merits of the Bill.

Hon. R M Clinton: I appreciate your comments, Mr Chairman. I also appreciate the Chief Minister's observation.

If we want to make it specific, then I would say: in section 3(2)(kc) should there be a charging provision for the pharmacist?

Minister for Health, Care and Justice (Hon. N F Costa): Mr Chairman, as I explained during the course of the general principles and merits of the Bill, the regime will not fall within the Medical Group Practice Scheme. That therefore means that the Government will not be making any contribution whatsoever for any prescribing by the pharmacist. If a pharmacist, after being properly trained and qualified to be able to prescribe, were to prescribe any medication, then of course that would be to the full account of the patient receiving the medication, and I daresay that the pharmacist will in fact charge the full rate and will not give it for free.

Mr Chairman: Clauses 1 to 3 stand part of the Bill.

Clerk: The long title.

Mr Chairman: Stands part of the Bill.

**Medical and Health (Amendment) Bill 2019 –
Third Reading approved: Bill passed**

Clerk: The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to report that the Medical and Health (Amendment) Bill 2019 has been considered in committee and agreed with, with one minor amendment.

Mr Speaker: I now put the question, which is that the Medical and Health (Amendment) Bill 2019 be read a third time and carried. Those in favour? (**Members:** Aye.) Those against? Carried.

Standing Order 7(1) suspended to proceed with questions

Clerk: The suspension of Standing Orders. The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I beg to move, under Standing Order 7(3), to suspend Standing Order 7(1) in order to proceed with questions.

Mr Speaker: Do all hon. Members agree that the appropriate Standing Order be amended in order to proceed with questions? (**Members:** Aye.) Carried.

Questions for Oral Answer

CULTURE, THE MEDIA, YOUTH AND SPORT

Q1-2/2019

Gibraltar Sports and Leisure Authority facilities – Breakdown of fees received and pending in 2017-18 and 2018-19

Clerk: We commence with Question 1/2019. The Hon. E J Reyes.

155 **Hon. E J Reyes:** Mr Speaker, can the Minister for Sports provide a breakdown with details in respect of all fees paid by users of any facilities falling under the auspices of the Gibraltar Sports and Leisure Authority during the financial year 2017-18, indicating if they were for sporting, cultural or other types of events?

160 **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 will answer this question together with Question 2.

Clerk: Question 2/2019. The Hon. E J Reyes.

165 **Hon. E J Reyes:** Can the Minister for Sports provide a breakdown with details in respect of all fees paid, or pending to be paid, by users of any facilities falling under the auspices of the Gibraltar Sports and Leisure Authority during this financial year and indicating if they were for sporting, cultural or other types of events?

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

Hon. S E Linares: Mr Speaker, I now present the Hon Member opposite with a breakdown of details in respect of all fees paid and pending to be paid for the financial years 2017-18 and 2018-19.

175 **Answer to Q1-2/2019**

Breakdown of details in respect of all fees paid, or pending to be paid, by users of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority

Financial Year 2017/2018

Income received:

Community Use	£10,994.00
Non Sporting Events	£11,954.41
Sporting Events	£107,523.50
Advertising	£15,000.00

Current Financial Year – 2018/2019

Income

Fees paid for Community Use	£ 4880.00
Fees paid for Sporting Event	£ 9614.00
Fees paid for Non-sporting Event	£ 8901.11
Sponsorship for Sporting Event	£15000.00
Advertising	£ 2000.00

Payments pending:

Non Sporting event	£ 2125.10
Community Use fee	£ 310.00

Q3/2019

**Gibraltar Sports and Leisure Authority facilities –
Cancellations since 1st September 2018**

Clerk: Question 3/2019. The Hon. E J Reyes.

180 **Hon. E J Reyes:** Can the Government inform this House how many cancellations have been necessary at any of the Gibraltar Sports and Leisure Authority's facilities since 1st September 2018, indicating the location, date and reason for the cancellation?

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

185 **Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, there have been no cancellations in any of the Gibraltar Sports and Leisure Authority's facilities since 1st September 2018. When the block allocations have been amended to accommodate events or special requests, allocation holders have been offered alternative suitable facilities.

Q4/2019
Victoria Stadium –
Maintenance of floodlights

Clerk: Question 4. The Hon. E J Reyes.

Hon. E J Reyes: Further to the answer provided to Question 367/2018, can the Minister for Sport indicate if there have been any changes to the agreement whereby the day-to-day maintenance of the floodlights at Victoria Stadium continues to fall under the responsibility of the Gibraltar Sports and Leisure Authority?

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, since my answer to Question 367/2018 no changes have been made to the agreement of the day-to-day maintenance of the floodlights, which fall under the GSLA's responsibility.

Hon. E J Reyes: So, Mr Speaker, can I ask from there ... I see the floodlight provision that can be available at the stadium has been enhanced, I am told, as a need for the forthcoming international games that the GFA have to play. Are these going to fall as part of the agreement with the GSLA, or are they coming under a totally separate agreement that the GSA has entered into?

Hon. S E Linares: No, Mr Speaker. The hon. Member asks about the floodlights as in the GSLA's facilities. The GSLA facilities include many other facilities and therefore the one that is actually on the pitch – number one, the main stadium – is the responsibility of the GFA now. Therefore, all that he is seeing now happening in the GFA, as in the main pitch, is the responsibility of the GFA. The day-to-day maintenance of all the others is still under the GSLA, except that one, which is specifically the one that the GFA is actually managing now.

Hon. E J Reyes: So, Mr Speaker, my understanding could not be totally clear, I think. The floodlights that serve pitch number one of the Victoria Stadium – which is what I referred to in the question – the four main pylons that are there on a permanent basis, do those not form part of an arrangement I had understood from a previous answer? Does that not form part of an arrangement whereby the GSLA carries out maintenance to those? The Minister in previous answers has told me that the bill was footed by GFA but the maintenance was carried out by the GSLA. Perhaps the Minister has to correct me if my understanding is erroneous.

Hon. S E Linares: Yes, Mr Speaker, it is a question of ... the day-to-day management of the whole of the Victoria Stadium, including the floodlights, was the responsibility of the GSLA, although the GSLA is aiding the GFA in running the place because they have not got the resources to do so. The GSLA will help out the GFA but the responsibility is not the GSLA's. The GSLA might advise the GFA with the people who are doing it, but it is not the GSLA's responsibility; it is the GFA's responsibility, albeit with the GSLA helping them out in whichever way the GFA needs.

Q5/2019
S&K –
Update re replacement

230 **Clerk:** Question 5. The Hon. E J Reyes.

Hon. E J Reyes: Further to the answer provided to Question 579/2018, can the Minister for Sport now confirm that S&K has now found a suitable replacement?

235 **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, since the answer provided to Question 579/2018, the recruitment process for the vacant post of Administrative Assistant has now commenced and a suitable candidate will be recruited shortly.

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Hon. E J Reyes: Mr Speaker, just for the sake of clarification, the recruitment process has commenced by the GSLA so that it becomes a full GSLA employee – am I correct in assuming that?

245 **Hon. S E Linares:** Yes, sir.

Q6/2019
MTV Gibraltar Music Festival –
Cost of 2018 event

Clerk: Question 6. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise what was the net cost of the 2018 MTV Gibraltar Music Festival?

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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 answer remains the same as my answers to Questions 5/2017 and 1/2016.

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Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his answer but I must ask him: given that there are half-year numbers available for his Department that show him to be 12% over budget already as opposed to 25% over budget last year – and I was minded to congratulate him on that – does he really have no numbers at all available on the cost of the Music Festival he can share with this House? I do find it somewhat surprising – given I do ask this question every year – that he has no numbers to share with us.

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Hon. S E Linares: Mr Speaker, the answer remains exactly the same as I have answered the hon. Member: there are no numbers. We had this discussion, this same debate, last year and I think we are going to be wasting our time again having the same debate.

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I am not going to give him numbers which are changing every day. Receipts come, revenues come in and it is all the time changing on a day-to-day basis. Like I said last year, on the budget we will let the hon. Member know all the details – which was the answer to what I said last year. It is exactly the same and I will repeat it for him: 'Full details of payments and income generated

270 in the 2016' – which was then; now it would be 2018 – 'Gibraltar Music Festival have not been
finalised. Government will be publishing full details once it has been finalised.'

Hon. E J Reyes: Mr Speaker, I am grateful for the Minister's repetition of his answer from last
year and the year before, but can he at least confirm to the House that, as far as he is
275 concerned, he will be coming in on budget this year?

Hon. S E Linares: Mr Speaker, the answer is exactly the same as I have just repeated. I am not
going to repeat it again.

INFRASTRUCTURE AND PLANNING

Q7-9/2019

Roads and pavements – Resurfacing and/or replacement

Clerk: Question 7. The Hon. T N Hammond.

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Hon. T N Hammond: Mr Speaker, what is Government doing about the deplorable state of so
many of our roads?

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, I will answer this
question together with Questions 8 and 9/2019.

Clerk: Question 8. The Hon. T N Hammond.

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Hon. T N Hammond: Mr Speaker, which roads have been resurfaced since 1st January 2018?

Clerk: Question 9. The Hon. T N Hammond.

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Hon. T N Hammond: Which pavement surfaces have been resurfaced or replaced since
1st January 2018?

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

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Hon. P J Balban: Mr Speaker, in answer to Question 7, the Government has an annual
resurfacing programme in place.

Rodgers Road has very recently been resurfaced and preparatory works are continuing along
Upper Witham's Road and St Joseph's Road, which will also be resurfaced shortly.

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Apart from the resurfacing programme, the Government also carries out maintenance repairs
to address potholes along our roads as and when required. Road repairs have already been
carried out at various locations around Gibraltar, including Bayside Road, Transport Road,
Winston Churchill Avenue, Secretary's Lane and the entrance to Coaling Island.

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The amount of development and construction activity on our roads regrettably has a direct
impact on the state of our roads. Whilst we could, of course, carry out a full resurface in some
areas which are in poor condition, more often than not, and in order to make best use of
available funding, the Department carefully considers whether certain stretches of road may be
able to wait until major construction activity in the area has ceased and all essential

infrastructure has been laid. In this way, any investment made into resurfacing may be longer lasting.

In answer to Question 8, Rosia Road from the south and north junctions with Cumberland Road, St Bernard's Road, Europa Road in the area of the ex-1772 Club, Rodgers Road and Devil's Tower Road by the area of the new mini roundabout, have been resurfaced since 1st January 2018.

In answer to Question 9, although no major resurfacing of pavements on the public highway has been carried out since 1st January 2018, the Highways section of the Technical Services department continuously carries out ongoing maintenance to all footpaths and pedestrianised areas as and when required. These repair works generally include the replacement of loose, damaged or sunken paving slabs.

Hon. T N Hammond: Mr Speaker, does the Government, or does the Minister, believe ...? I am struggling to get my head around this policy. Considering the extensive nature of the building works that go on in Gibraltar and considering the fact that there seems to be no end in sight to those building works, how can we have a policy whereby we will not fix a road until we believe ...? And bear in mind there are only a couple of roads that most of the vehicles can use when coming into Gibraltar, and the vast majority of them all go down Glacis Road, Queensway, that area, Winston Churchill Avenue, because those are the only roads available. Assuming construction at some point is going to stop in the future – and I hope it does not, because it would not be good for our economy, obviously – how can the Minister say he will not consider resurfacing a road until such time as construction has ceased or has reduced significantly?

Certain roads are always going to see the passage of heavy goods vehicles and concrete mixers and all of those other vehicles that cause damage to the roads, and frankly certain of the roads are falling to pieces. Winston Churchill Avenue at the Frontier is falling to pieces. There will always be heavy traffic along that road. Granted, the tunnel may make some difference, but are you just going to let it fall apart in the meantime? We know the tunnel is at least a year away, so we are going to ignore it? *(Interjection)* No, it is not good enough. That is an entry point to Gibraltar. The road beyond Winston Churchill Avenue is also falling apart, Glacis Road is falling apart, and yet the answer is 'We will wait for the building works to finish.'

It just does not make sense. Is that seriously the Government policy, to wait for there to no longer be lorries travelling the streets of Gibraltar so that we can fix our roads?

Hon. P J Balban: Mr Speaker, the three main roads to the arteries into Gibraltar, the ones that the hon. Member has mentioned, are exactly the three roads where construction is at the moment, the main construction in Gibraltar, and as these constructions start to finish ... For example, the Ocean Village building is coming to an end, so that is the time when they will be prepared. To throw taxpayers' money into roads to fix them and then have to resurface them again within months because invariably and inevitably lorries will keep coming down those roads ... That is not to say that the roads are necessarily ... They may not be aesthetically very good to the eye – they are not, I must admit – but they are looked after, they are cared for. In terms of potholes there is constant review of the roads in terms of potholes to make them safe. They may not look right, they may have patches of different colours, but all trench work and all roads which become, parts of the road which become bad in any way are fixed and repaired. There is an ongoing programme that deals with that. But to throw good money, taxpayers' money, into fixing roads completely at the height of construction activity when all the lorries are passing through there just does not make sense at all.

We have recently issued a press release stating ... The hon. Member has mentioned our roads where construction works are coming to an end. For example, Midtown is coming to an end, Ocean Spa is coming to an end, the school at Notre Dame has finished, the works to St Anne's School are mainly affecting the Laguna area, not that stretch of road, and this is why we have recently announced that now it is fast approaching the time where we can look seriously into

365 resurfacing larger sections of road which have fallen out of repair for a while – but they have been looked after.

The other stretch of road which the hon. Member mentioned is the stretch of road as you come into Gibraltar, which is a road which shortly, within months, will no longer be the road into Gibraltar, so to actually spend ... I do not know whether the hon. Member is aware of the cost involved in resurfacing a road – I think that is something which he needs to be aware of. To actually repair a road which is not going to be there – in fact, which is going to be actually worked upon once the tunnel is finished, because obviously there still will be required access to the supermarket and to areas perhaps where the hon. Member works, close to that, and all that will be fully part of the scheme that is coming. To actually throw money into a stretch of road which will need to be remodelled – and which will need to be changed in structure because what there is now is not what will be there when the tunnel is finished – or that will be reconfigured ... It makes more sense economically to be able to fix that road, ensuring that the road is safe. And in my opinion it is safe. Yes, it could be smooth, but there are no holes in them and that is how they are fixed. *(Interjection)* Yes. No, there are no holes in them; and if there are holes, our engineers actually look at these roads and they are fixed as and when required, and that is an ongoing process. **(A Member: (Hear, hear.) (Banging on desks)**

Hon. T N Hammond: Mr Speaker, whilst the Minister may be reluctant to throw taxpayers' money at holes in the road he seems to be perfectly happy for taxpayers themselves to be thrown into holes in the road, because the roads are full of holes and there are patchwork jobs which last a matter of weeks on occasions.

To suggest that the roads are anything ... granted he did not say 'smooth', and at least I am glad the Minister admitted that the roads are in poor condition. To suggest that the passage of heavy vehicles associated with construction will stop because Ocean Spa Plaza or because a particular project ... when we still have so many projects further down the road –

Mr Speaker: May I interrupt you?

Hon. T N Hammond: Yes, of course, Mr Speaker.

Mr Speaker: You made a speech before you asked your previous supplementary. The Minister replied with another longwinded speech. That is enough. Ask a question. Make it short and to the point and I will ensure that the Minister gives you an answer which is also short and to the point, but please stop debating during Question Time.

Hon. T N Hammond: Thank you, Mr Speaker. I shall ask a question.

With reference to Question 9, the Minister indicated that only small repairs had been conducted for pavements. Does he believe this to be in line with his manifesto commitment to make walking a more pleasant experience in Gibraltar?

Chief Minister (Hon. F R Picardo): Mr Speaker, the roads are not in a poor condition in Gibraltar and that is not what the Minister said, and that is how the hon. gentleman started his supplementary question. In his first question – and his supplementary must arise from that – he mentioned three roads: Queensway, Winston Churchill Avenue and Glacis Road. The Minister's point, which is an important one in the answering of the question that was asked, despite the soliloquy, is that there is construction on those roads at the moment.

And so, Mr Speaker, the Government's answer to the hon. Gentleman's supplementary is as follows. The roads are improved from the condition that we inherited, and walking is a very pleasant experience indeed. I walk every morning with three children. I sometimes see the hon. Gentleman sitting next to him also walking with his children. None of my children have ever fallen into a pothole, because there are absolutely none on the roads that I walk. If there are any

potholes, then immediately that they are brought to the attention of the Government they are dealt with. And walking, Mr Speaker, in my experience, is much more pleasant an experience than waiting in a car for the traffic to clear.

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Mr Speaker: Is the Hon. Minister going to provide an answer to the specific question supplementary on Question 9? Or the Chief Minister, if he wants to?

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Hon. Chief Minister: I have provided the answer on behalf of the Government. The question, Mr Speaker, was whether or not we thought that we were complying with our manifesto commitment that walking was more pleasant, and I have answered – indeed, citing examples of pleasant walking involving the Leader of the House and one of the Members sitting opposite.

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Mr Speaker: Does the Member wish to come back with a further supplementary? No. Before we go on to Question 10, I am going to allow the Hon. Edwin Reyes to ask supplementaries arising from Question 2.

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

In respect of the joint answer to Questions 1 and 2, where I had asked for details of all fees paid by users, can the Minister offer some information? I can understand the community use figures covered in both years, but in respect of financial year 2017-18 under the subheading 'Non Sporting Events' – plural – there is £11,954, yet for 2018-19 it says fees paid for 'Non-sporting Event' – singular, not plural – £8,901, and then in pending payment, 'Non Sporting event' in singular.

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Would the Minister happen to have any details of how many events we are talking about in respect of each financial year? He may, as well, even be able to give me, say, 'There were two events and event A cost so much and event B paid so much.' I do not know what other information he can offer in that respect.

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Hon. S E Linares: Mr Speaker, I would have wanted notice of that question, but the hon. Member knows that in the spirit of aiding the Member to try and home in to his question I am willing to find out exactly what he is asking and I will give him the answer as soon as I get it.

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Mr Speaker: Very well.

Hon. E J Reyes: Yes, thank you, Mr Speaker.

And whilst he is searching for the information, the same happens in 2017-18. 'Sporting Events' has a figure of £107,000, and because it is in the plural I am perhaps presuming it is more than one event because in 2018-19 it says 'Fees paid for Sporting Event' only £9,614. So perhaps, again, if he does manage to get an information breakdown ...

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And whilst I am at it, Mr Speaker, I am going to ask him: in 2017-18, under the heading 'Advertising' we get a revenue of £15,000; in 2018-19 the advertising figure drops drastically down to £2,000 but a new heading appears that has not appeared the year before, which is 'Sponsorship for Sporting Event' of £15,000. Too much, perhaps, of a coincidence with the figure for 2017-18, so can I abuse the Minister's generosity to find information, and when he has all that information we can come back to it, Mr Speaker, if you please?

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Hon. E J Reyes: Mr Speaker, since he has asked so many questions, I would appreciate it if he could write to me and I will answer every single question that he is asking for. I will just write a note.

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Just to go back, I would reckon that, for the advertising, one is big and one is small due to the fact that, remember, the footprint of the Bayside complex is now smaller for the GSLA. Whilst the Victoria Stadium pitch number one attracted more advertising, now with it being part of the

470 GFA it is up to them to collect that revenue, so the revenue might have been different due to that. But I will ask the hon. Member to write to me a letter on all the questions here and I am willing to give him all the answers.
Thank you.

Q10-11/2019
Upper Town escalator –
Vandalism and misuse of emergency buttons

Clerk: Question 10. The Hon. E J Phillips.

475 **Hon. E J Phillips:** Mr Speaker, further to Question 477/2018, can the Minister state what is meant by 'it is a matter of policing'?

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

480 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, I will answer this question together with Question 11/2019.

Clerk: Question 11. The Hon. E J Phillips.

485 **Hon. E J Phillips:** Can the Government state what sanctions are currently available under our laws to deal with the misuse of the emergency buttons on the Upper Town escalator?

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

490 **Hon. P J Balban:** Mr Speaker, measures are in place to deter and dissuade vandals. However, if these acts continue to happen it is a matter for the Police to handle within the legal means available using any CCTV camera footage available. To this end, Gibraltar Car Parks Limited reports these misdemeanours to the Royal Gibraltar Police. The CCTV footage is kept in the control room and is available to the Royal Gibraltar Police on request, from the security contractor.
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In answer to Question 11, I am advised by the Royal Gibraltar Police and the Gibraltar Law Offices that there is no specific legal provision for the misuse of the emergency buttons. However, the offence of criminal damage under Part 14 of the Crimes Act 2011 may be applicable if actual damage is caused, although this would be a matter for the Royal Gibraltar Police to pursue.
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As part of the operational process, Gibraltar Car Parks Ltd, as the company responsible for the management of Engineer Lane Car Park and the access facility to the escalator, reports incidents to the RGP if a person pressing the emergency button is caught on camera.

505 **Hon. E J Phillips:** Would the Minister consider bringing legislation to bring about a sanction in relation to the misuse of the button itself? You can understand situations arise where young people or the elderly would press the button – and it has happened and the reports I am receiving from members of our community is that their interaction with the Police is that there are no sanctions available save for, I understand, the criminal damage point.

510 Why not introduce a provision for the misuse of the button, as is often the case on public transport across the world? For instance, if one travels on the Tube, if you pull the emergency cord it is an automatic offence if you have no good reason to do so. Would the Minister consider

bringing legislation before this House, or at least by way of regulation, in relation to a sanction for misusing the button itself rather than rely on 1967 legislation on criminal damage?

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Hon. P J Balban: Mr Speaker, when advice was sought in this regard, the advice that came back stated expressly that pressing the emergency button would potentially amount to criminal damage if it causes permanent or even temporary impairment of its value or usefulness. The advice received was that there are ways of taking this forward, should it be felt necessary to do so.

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So, the advice received from the relevant department was that they felt that the law adequately covers for this and that it would be a matter of enforcement rather than a need to introduce further legislation. That was the advice that came back to us when we asked that question.

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I do hear the point that on public transport there are signs, and that is something which can be looked into, but when we actually asked this question specifically ... Obviously it is a massive nuisance every time, and there are things in place to prevent it. You cannot just kick the button with your foot quietly; you actually have to lift a flap. There is a plastic protection for it. Originally the escalators came without this protector, so it was even easier then just to kick it and off you go. And setting it back to work is a pretty simple process as well, but the problem is that if they keep doing it, every so often – I think every third go – they need to call the maintenance team in because the escalator software assumes that there may be something more sinister behind the breakage and they need to reset the system. But we have protected it, so now you have to intentionally make a point of lifting the flap and pressing the button, so there is no accidental ...

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Just to finalise, this question was asked and the reply and advice was as stated.

Hon. E J Phillips: I am certainly grateful to the Minister for clarifying the advice that he has received from the Government legal offices, but I would also ... We have clearly established that there is no need, according to the legal advice, to strengthen the existing legislation to deal with this particular aspect, but certainly in our view I think it would help for signs to be installed at the location of the button confirming that anyone who is misusing or otherwise improperly using the button may well be susceptible to prosecution, or at least a fine at whatever level is imposed. That may – again, given the fact that this particular escalator has been out of action for nearly six months out of the last 12 months – may deter further incidences.

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Hon. P J Balban: Mr Speaker, it is incorrect to say that it has been broken for six months of the last 12 months. There are obviously times when the escalator has stopped working, and that can take from minutes to hours for it to be restarted again, but it is not that the escalator has been out of action for a period of six months and no one has been able to use it. It is sporadic, but it has happened very frequently.

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In fact, we have been looking to see whether we can upgrade the legislation within the Ministry itself to see whether we can adopt a similar system as there is ... But again, when we saw the legal advice that was what came back and obviously we will pursue that in due course.

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Mr Speaker: Next question.

ENVIRONMENT, ENERGY, CLIMATE CHANGE AND EDUCATION

Q12/2019

Bunkering –

Measures to reduce environmental impact

Clerk: Question 12. The Hon. T N Hammond.

560 **Hon. T N Hammond:** Mr Speaker, is Government considering any measures to reduce the impact of bunkering, in particular the fumes produced by the activity, on residential areas?

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

565 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the Port Authority chairs regular meetings of the Bunker Forum with operators in order to keep track of any technological advancements and incorporate them into local regulations.

570 Gibraltar currently has the strictest limits in place to tackle hydrogen sulphide, the compound which is directly responsible for the so-called 'bunker smells'. All bunker deliveries are carried out under the framework of a code of practice which is internationally recognised as an industry exemplar of best practice, and the procedures contained within this framework are constantly reviewed and revised by the Port Authority.

575 Mr Speaker, I would add that the Government has also increased the staff, resources and equipment available to continue to enforce the strictest control on the bunkering industry in Gibraltar and will continue to work to reduce any negative environmental impact further, and I am grateful to the Port Authority for having facilitated this answer for me.

There are other questions on bunkering but they will not have such a direct bearing on the environment and will be answered by the Minister with responsibility for the Port.

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Hon. T N Hammond: Mr Speaker, I understand the Minister's answer. I understand that processes are regularly reviewed – at least from his answer I understand that. It does concern me, however.

585 The Minister did mention hydrogen sulphide – of course benzene, I understand, is another product of bunkering which can impact people and is very harmful to people. Would the Government consider having an independent report, an independent assessment conducted of the practices, just to understand if there is anything better, any improvement in practices that can be introduced in order to give those people who live in areas that are affected by bunkering and fumes from bunkering the peace of mind that actually it is not affecting their health?

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Chief Minister (Hon. F R Picardo): Mr Speaker, this is a theme that sometimes cuts across the questions that we hear from hon. Members opposite, that they seem to place no reliance whatsoever on the professionals that are employed by the public administration and paid by the taxpayer.

595 The people who advise both the Hon. Member's Ministry, the Ministry for the Environment, and the people who advise the Minister for the Port do so primarily with the protection of the citizens of Gibraltar as a primary objective. In particular in the Ministry for the Environment the objective is to protect the environment and not to ensure that business can go on if it is going to damage the environment or indeed the public health, and those who are looking at this from the point of view of the environment are looking at the environment in respect of its causal link to public health. In the Ministry for the Port and Transport the primary objective is not to do more business in the Port; the primary objective is to ensure that everything that is done is first of all

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done in a way that is safe for the whole of the population, in particular for those who work in port activities, and then that it should be competitive.

605 I will put it to hon. Members opposite that they need to have a little bit more respect for the public officers of Gibraltar, whether they are involved in finance and in the preparation of estimates and reports or whether they are involved in the reporting to the GPA in respect of how bunkering is done or to the Ministry for the Environment in respect of how bunkering is done.

610 For me, the best, the most objective and most independent report is a report carried out by a Gibraltar Government professional who will be looking at those things first, and we should not think that we can bring people from outside Gibraltar to do something in Gibraltar better than those who are here every day.

I would just add this caveat, Mr Speaker, in respect of bunkering in particular, where the Gibraltar bunkering code has actually formed the basis of codes adopted elsewhere in the world – in fact, I learnt this when I was in Opposition and I was told this by Mr Holliday, who was the Minister for the Port the bunkering code in Singapore is based on the Gibraltar bunkering code. I think there is a lot to be gleaned from that, Mr Speaker, and I would urge respect from Members opposite for the independence and professionalism of the public officers of the Government of Gibraltar.

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A Member: Hear, hear.

Hon. T N Hammond: Mr Speaker, I have absolute respect for the public officers doing their jobs here in Gibraltar.

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I raised the issue of an independent assessment because it was this Government itself that spent hundreds of thousands of pounds on a Strategic Transport Plan which was conducted by an external body not from Gibraltar. So, it just follows from that that they might consider doing something similar for the bunkering industry. But I understand – if that is not the case, that is fine; if that is not Government's intention, that is fine.

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I would ask Government what they are intending to do to allay the public fears that are very real regarding the bunkering industry and the effect it is having or may be having on people's health, because those fears are real and those concerns are real, and regardless of what the situation is or what Government may believe it is, it is not succeeding in communicating that well to people and it is not succeeding in allaying those fears in any way.

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Hon. Chief Minister: Mr Speaker, talk about mixing apples and pears! One thing is to say we want somebody from outside to come and look at this and give us advice because this is something that successive administrations have not been able to fix. It is not as if hon. Members opposite had left us a Gibraltar without traffic jams or with a perfect transport system. I do not think they pretended to do that. I think there was agreement that this needed looking at. Therefore, our view was let's bring in somebody who has not looked at this before, to bring a fresh pair of eyes to this and to see what advice they can give.

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That is one thing, Mr Speaker. It is quite another thing to raise the spectre of concern and say that the people whose job it is to protect us against those concerns should not be relied upon in respect of the advice they are giving and we should bring somebody from outside.

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You see, there is nobody in Gibraltar working for the Government of Gibraltar who is able to be the person that gives us an external new look at traffic in Gibraltar, but in the context of the protection of the population in respect of bunkering and noxious fumes and smells etc., there is the Ministry for the Environment who are doing that job, there is the Bunkering Superintendent – whose job it is to ensure that bunkering is safe – and of course I am reminded by the Hon. the Minister for the Port that the Environmental Agency, which is not a Government body, it is an independent agency, is called in every time that there is a noxious smell etc., and

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they will often call in the Bunkering Superintendent to see what information he can glean about any particular bunkering incident.

So I think it is obvious that the hon. Gentleman is seeking to mix apples and pears when he talks about the STTP in the same breath as now seeking to impute an unnecessary need for an independent report on bunkering.

I think he does give away that he is not respectful of the work that is being done by the professionals of the GPA, of the Ministry for the Environment or the Environmental Agency in the way that he frames his question. I just would look back, in trying to assess the genuineness of his complaints, to his concerns half an hour ago that we should quickly resurface a road that is soon no longer to be in use, as if that were the most important thing that we need to be bothering with; or indeed the concerns he raised two, three, four, five years ago about the potential dangers – just like he is saying now in respect of bunkering fumes – of liquid natural gas, which is now in the tanks at North Mole supplying the engines at North Mole, and none of the eventualities that hon. Members opposite ... are even talked about anymore.

Hon. T N Hammond: Sorry, Mr Speaker, in that very long speech the Chief Minister did not actually answer the question, which was what Government is doing to allay the fears of people who are experiencing the fumes from bunkering and are rightly concerned about what impact that might be having on their health. That was the question. I do not know what all the rest was about. I am rather surprised, Mr Speaker, that you did not intervene in any way.

Hon. Chief Minister: Mr Speaker, I am quite happy to distil for him what the answer was, because I thought it would have been quite obvious to anybody who was listening that I am saying that our professionals in this field are entirely reliable, and so if anybody in Gibraltar is concerned that there is a problem with a fume or a noxious emission or a smell, then they should report it to the relevant Gibraltar authorities.

The hon. Member seems more comfortable with relying on *Verdemar* or *Ecologistas en Acción* than he does relying on Gibraltarian professionals. For me, for this Government, for this Cabinet, the Gibraltarian professionals are the ones that we respect. We believe they know what they are doing and we believe that people should have confidence in them.

A Member: Hear, hear. (*Banging on desks*)

Mr Speaker: Next question.

Q13/2019
St Bernard's Hospital –
Solar panels

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

Hon. L F Llamas: Mr Speaker, can the Government provide details regarding solar panels at St Bernard's Hospital, including the date, cost and supplier?

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 plant was commissioned in August 2017; the supplier was Green Resources Ltd, which was the successful tenderer; and the cost was £210,048.

Q14/2019

**Heritage and Antiquities Act –
Updated schedule of protected items**

Clerk: Question 14. The Hon. R M Clinton.

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Hon. R M Clinton: Mr Speaker, can the Government advise when and how it intends to make publicly available an updated schedule of buildings, monuments and other items protected under the Heritage and Antiquities Act?

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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 schedule of buildings, monuments and other items protected under the Heritage and Antiquities Act is already public and is contained in Schedule 2 of the Act.

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The Ministry for Heritage is currently working on an expanded version of this listing that will provide more detailed information on each site, together with photographs, plans etc. This is work in progress but a specific officer has been seconded in order to carry out this task.

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Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his answer. Could he answer two questions? Can he confirm that there is not actually, as far as I can tell, a dedicated Heritage Department website which links this sort of information together? If there is, I could not find it; but he may be able to enlighten me.

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And secondly, how long does he think it will take to put together the information as he just mentioned – which I did see a draft of and thought was impressive; how soon does he think that will be able to come into operation?

Hon. Dr J E Cortes: Yes, Mr Speaker, it is work in progress. There is no dedicated website at the moment and there will be a web page at least, once the work is complete.

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It is a lot of work, as the hon. Member has seen, because it includes photographs, it includes maps and a little brief on each of the sites. As I say, we have an officer – an officer and a half, actually – dedicated to that at the moment and I suspect that it will take a few months. I do not want to commit more to that, but I think this side of the summer.

Q15/2019

**Vacant teaching posts –
Update**

Clerk: Question 15. The Hon. E J Reyes.

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Hon. E J Reyes: Can the Minister for Education provide this House with updated details in respect of all vacant teaching posts, identifying the school/establishment where these may exist and indicating how many are being covered in an acting capacity?

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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 information is included in the schedule I am now handing over.

740 Just to comment, Mr Speaker, this was correct at the time of preparing the answer, which I think was about two to three weeks ago. There may have been interviews, but I think the position remains as is.

Answer to Q15/2019

VACANT TLR POSTS DUE TO PROMOTIONS

QUALIFIED TEACHER TLR 1B	Westside School	SCIENCE CO-ORDINATOR (RING-FENCED)
QUALIFIED TEACHER TLR 2B	Westside School	ASST TO KS3 COORDINATOR
QUALIFIED TEACHER TLR 2B	Westside School	ASST TO KS4 COORDINATOR
QUALIFIED TEACHER TLR 2B	ST PAUL'S FIRST	CORE SUBJECT LEADER ENGLISH
QUALIFIED TEACHER TLR 2C	ST BERNARD'S MIDDLE	FOUNDATION SUBJECT LEADER ICT
QUALIFIED TEACHER TLR 2C	HEBREW SCHOOL	ICT AND FOUNDATION SUBJECT
QUALIFIED TEACHER TLR 2B	HEBREW SCHOOL	CORE SUBJECT LEADER MATHEMATICS AND SCIENCE
QUALIFIED TEACHER TLR 1A2	Westside School	POST 16 CO-ORDINATOR
QUALIFIED TEACHER TLR 2B	GIBRALTAR COLLEGE	LANGUAGE CO-ORDINATOR ((CONTINUED & PROFESSIONAL COURSES SUPPORT)
QUALIFIED TEACHER TLR 2A	GOVERNOR'S MEADOW	CORE SUBJECT LEADER SCIENCE

VACANT TLR POSTS DUE TO RETIREMENTS

QUALIFIED TEACHER TLR 1B	GIBRALTAR COLLEGE	IT COORDINATOR
QUALIFIED TEACHER TLR 1B	WESTSIDE SCHOOL	DESIGN AND TECHNOLOGY COORDINATOR
QUALIFIED TEACHER TLR 2B	HEBREW SCHOOL	ENGLISH AND SENCO COORDINATOR
QUALIFIED TEACHER TLR 1B	BAYSIDE SCHOOL	HEAD OF YEAR (Designate)
QUALIFIED TEACHER TLR 2B	St MARY'S SCHOOL	CORE SUBJECT LEADER MATHEMATICS (Designate)

Mr Speaker: Next question.

Q16/2019

**Pupils leaving educational establishments –
Details re current academic year**

Clerk: Question 16. The Hon. E J Reyes.

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Hon. E J Reyes: Can the Minister for Education provide details of all pupils who have left an educational establishment falling under the auspices of the Department of Education since the start of this current academic year, providing details as follows: (a) date pupil left educational establishment; (b) school year in which pupil was enrolled; (c) name of educational establishment; and (d) reason, if known, why pupil left educational establishment?

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

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Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, once again, the information requested by the hon. Member is contained in the schedule that I now hand over.

Answer to Q16/2019

(A) No longer in any Government school

(a) Date Pupil left Educational Establishment	(b) School year in which pupil was enrolled	(c) Name of Educational Establishment	d) Reason, if known, why pupil left Educational Establishment
11/01/2019	9	Bayside	Left Gibraltar
14/09/2018	9	Bayside	Left Gibraltar
17/09/2018	13	Bayside	Other
05/10/2018	11	Bayside	Employment
10/10/2018	11	Bayside	Other
14/10/2018	10	Bayside	Employment
29/11/2018	13	Bayside	Left Gibraltar
07/01/2019	10	Bayside	Left Gibraltar
07/01/2019	10	Bayside	Left Gibraltar
18/01/2019	12	Bayside	Other
22/10/2018	Level 1	Gibraltar College Further Education	Poor Attendance asked to leave
24/10/2018	Level 1	Gibraltar College Further Education	Poor Attendance asked to leave
21/11/2018	Level 1	Gibraltar College Further Education	Poor Attendance asked to leave
26/11/2018	Level 1	Gibraltar College Further Education	Employment
30/11/2018	Level 1	Gibraltar College Further Education	Stopped attending
06/12/2018	Level 1	Gibraltar College Further Education	Stopped attending
07/12/2018	Level 1	Gibraltar College Further Education	Stopped attending
12/12/2018	Level 1	Gibraltar College Further Education	Poor Attendance asked to leave
26/11/2018	Level 2	Gibraltar College Further Education	Other
20/12/2018	Level 2	Gibraltar College Further Education	Poor Attendance asked to leave
09/01/2019	Level 2	Gibraltar College Further Education	Employment
15/01/2019	Level 2	Gibraltar College Further Education	Stopped attending
20/09/2018	Level 3	Gibraltar College Further Education	Employment
24/09/2018	Level 3	Gibraltar College Further Education	Employment
16/11/2018	Level 3	Gibraltar College Further Education	Employment
08/11/2018	Reception	Hebrew Primary School	Left Gibraltar
08/11/2018	5	Hebrew Primary School	Left Gibraltar
21/12/2018	2	Notre Dame First School	Other
12/10/2018	5	St Anne's Middle School	Other
21/12/2018	6	St Anne's Middle School	MOD - relocated
12/10/2018	5	St Anne's Middle School	Other
01/11/2018	2	St Bernard's First School	Left Gibraltar
13/11/2018	2	St Bernard's First School	Left Gibraltar
11/01/2019	2	St Bernard's First School	Left Gibraltar
21/12/2018	4	St Bernard's Middle School	Left Gibraltar
19/10/2018	3	St Joseph's First School	MOD - relocated
19/10/2018	6	St Joseph's Middle School	MOD - relocated
21/12/2018	5	St Joseph's Middle School	MOD-relocated
21/12/2018	5	St Joseph's Middle School	MOD - relocated
21/12/2018	2	St Mary's First School	Left Gibraltar
21/12/2018	Reception	St Mary's First School	Left Gibraltar
21/12/2018	1	St Mary's First School	Left Gibraltar
16/01/2019	13	Westside	Employment
05/11/2018	12	Westside	Employment
14/09/2018	11	Westside	Overseas School
25/01/2019	9	Westside	Overseas School
07/12/2018	9	Westside	Overseas School
17/10/2018	10	Westside	Overseas School
17/01/2019	13	Westside	Overseas School
21/12/2018	8	Westside	Overseas School
15/10/2018	8	Westside	Overseas School
17/10/2018	11	Westside	Stopped attending at 15
19/11/2018	11	Westside	Stopped attending at 15
19/11/2018	11	Westside	Stopped attending at 15

(B) Transfers during academic year

(a) Date Pupil left Educational Establishment	(b) School year in which pupil was enrolled	(c) Name of Educational Establishment	(d) Reason, if known, why pupil left Educational Establishment
14/09/2018	11	Westside	Changed school within Gibraltar
17/09/2018	Level 1	Gibraltar College of Further Education	Changed school within Gibraltar
19/09/2018	2	GMFS	Changed school within Gibraltar
24/09/2018	Level 3	Gibraltar College of Further Education	Changed school within Gibraltar
07/01/2019	Reception	St Paul's First School	Changed school within Gibraltar
02/10/2018	7	SAMS	Changed school within Gibraltar
05/10/2018	12	Westside	Changed school within Gibraltar
25/11/2018	5	SAMS	Changed school within Gibraltar
03/12/2018	5	SAMS	Changed school within Gibraltar
14/09/2018	13	Bayside	Changed school within Gibraltar
01/10/2018	9	Bayside	Changed school within Gibraltar
17/10/2018	11	Westside	Changed school within Gibraltar
25/09/2018	11	Westside	Changed school within Gibraltar
20/09/2018	12	Westside	Changed school within Gibraltar
14/09/2018	11	Westside	Changed school within Gibraltar

Q17/2019

**Students in further or higher education –
Numbers returning without completing course**

Clerk: Question 17. The Hon. E J Reyes.

760 **Hon. E J Reyes:** Mr Speaker, can the Minister for Education state the numbers and gender of those students who have returned to Gibraltar without fully completing their further or higher education studies, indicating the reasons why, together with details of the corresponding academic year in which the student left the course they were enrolled in, since 1st September 2017?

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

770 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the information requested is set out in the schedule that is being handed out at the same time as the previous one.

Answer to Q17/2019

No	Gender	Academic Year Withdrawn	Reason Provided
1	Female	17/18	Medical
2	Male	17/18	Medical
3	Male	17/18	Failed
4	Male	17/18	Medical
5	Male	17/18	Reason not provided
6	Female	17/18	Medical
7	Male	17/18	Failed
8	Female	17/18	Medical
9	Male	17/18	Medical
10	Female	17/18	Medical
11	Male	17/18	Medical
12	Female	17/18	Medical
13	Female	17/18	Wrong University
14	Female	17/18	Medical
15	Female	17/18	Reason not provided
16	Male	17/18	Reason not provided
17	Male	17/18	Medical
18	Female	17/18	Medical
19	Male	17/18	Reason not provided
20	Female	17/18	Reason not provided
21	Female	17/18	Medical
22	Male	17/18	Reason not provided
23	Female	17/18	Reason not provided
24	Female	17/18	Reason not provided
25	Male	17/18	Medical
26	Female	17/18	Suspended
27	Male	17/18	Medical
28	Female	17/18	Reason not provided
29	Female	17/18	Reason not provided
30	Male	17/18	Medical
31	Male	17/18	Reason not provided
32	Female	17/18	Reason not provided
33	Male	17/18	Reason not provided
34	Female	18/19	Medical
35	Male	18/19	Medical
36	Female	18/19	Wrong Course
37	Female	18/19	Reason not provided
38	Female	18/19	Medical
39	Male	18/19	Reason not provided
40	Female	18/19	Reason not provided
41	Male	18/19	Reason not provided
42	Female	18/19	Reason not provided
43	Female	18/19	Homesick
44	Male	18/19	Wrong Course
45	Female	18/19	Reason not provided
46	Male	18/19	Reason not provided

Q18/2019
Students not completing courses –
Repayment of scholarships

Clerk: Question 18. The Hon. E J Reyes.

775 **Hon. E J Reyes:** Can the Minister for Education provide details of repayments outstanding from pupils who have not completed any courses for which they were granted scholarships, indicating the dates from which such repayments are due?

780 **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 handing over another schedule to the hon. Member, which contains the information requested.

785 All of these amounts are being repaid via instalment repayment agreements. Where repayments are not maintained they are chased by the central arrears unit that was re-established by this Government after it had been disbanded by the former GSD administration.

Answer to Q18/2019

Date of Debt		Amount Owed	DATE OF REPAYMENT DUE
1989/90	STUDENT 1	£788.99	Feb-06
1990/91	STUDENT 2	£164.00	Mar-16
1996/97	STUDENT 3	£1,426.59	Feb-19
1997/98	STUDENT 4	£1,614.80	Dec-10
1997/98	STUDENT 5	£881.60	Jan-19
1998/99	STUDENT 6	£1,926.00	Jun-19
1999/00	STUDENT 7	£750.39	Feb-19
1999/00	STUDENT 8	£2,356.61	Aug-17
2000/01	STUDENT 9	£5,790.20	Oct-03
2000/01	STUDENT 10	£8,807.81	Nov-05
2000/01	STUDENT 11	£2,049.60	Feb-19
2000/01	STUDENT 12	£60.00	Jan-11
2000/01	STUDENT 13	£3,362.59	Feb-19
2000/01	STUDENT 14	£4,157.03	Feb-19
2000/01	STUDENT 15	£2,560.40	Jul-03
2000/01	STUDENT 16	£674.26	Jul-06
2000/01	STUDENT 17	£6,007.40	Jan-01
2000/01	STUDENT 18	£9,568.18	May-06
2000/01	STUDENT 19	£532.80	Apr-10
2002/03	STUDENT 20	£5,532.81	Aug-18
2002/03	STUDENT 21	£823.80	Jul-09
2002/03	STUDENT 22	£1,782.41	Jan-03
2002/03	STUDENT 23	£2,873.69	Jan-12
2002/03	STUDENT 24	£1,573.80	Jan-16
2002/03	STUDENT 25	£593.13	Jan-03
2002/03	STUDENT 26	£2,760.19	Feb-19
2002/03	STUDENT 27	£3,943.14	Jan-19
2003/04	STUDENT 28	£2,315.33	Dec-04
2003/04	STUDENT 29	£11,540.82	Jan-04
2004/05	STUDENT 30	£203.49	Feb-19
2004/05	STUDENT 31	£4,211.41	Mar-10
2004/05	STUDENT 32	£70.00	Jul-11
2004/05	STUDENT 33	£2,391.41	Feb-19
2004/05	STUDENT 34	£4,472.41	Jan-05
2004/05	STUDENT 35	£678.72	Apr-18
2005/06	STUDENT 36	£2,147.41	Oct-18
2005/06	STUDENT 37	£8,411.33	Apr-06
2005/06	STUDENT 38	£918.07	Feb-19
2005/06	STUDENT 39	£5,149.40	Aug-12
2005/06	STUDENT 40	£4,937.41	Jan-06
2005/06	STUDENT 41	£3,554.41	Feb-19

2006/07	STUDENT	42	£2,130.73	Jan-07
2006/07	STUDENT	43	£961.68	Feb-19
2006/07	STUDENT	44	£1,492.40	Jan-19
2006/07	STUDENT	45	£5,526.60	Jul-08
2006/07	STUDENT	46	£4,097.40	Nov-09
2006/07	STUDENT	47	£3,437.06	May-12
2007/08	STUDENT	48	£3,335.39	Oct-17
2007/08	STUDENT	49	£2,674.54	Feb-19
2007/08	STUDENT	50	£1,510.37	Nov-18
2008/09	STUDENT	51	£453.57	Feb-19
2008/09	STUDENT	52	£4,247.26	Feb-19
2008/09	STUDENT	53	£7,113.81	04-Dec
2008/09	STUDENT	54	£208.57	Aug-17
2008/09	STUDENT	55	£1,524.79	Nov-13
2008/09	STUDENT	56	£5,613.14	Feb-19
2008/09	STUDENT	57	£3,774.17	Apr-10
2008/09	STUDENT	58	£2,993.60	Apr-16
2009/10	STUDENT	59	£4,341.80	Feb-19
2009/10	STUDENT	60	£107.20	Nov-18
2009/10	STUDENT	61	£3,382.46	Feb-19
2009/10	STUDENT	62	£2,032.06	Nov-18
2009/10	STUDENT	63	£2,660.24	Feb-19
2009/10	STUDENT	64	£244.59	Feb-19
2010/11	STUDENT	65	£626.88	Feb-19
2010/11	STUDENT	66	£938.40	Feb-19
2010/11	STUDENT	67	£5,496.86	Feb-19
2010/11	STUDENT	68	£4,381.20	Feb-19
2010/11	STUDENT	69	£322.80	Feb-19
2010/11	STUDENT	70	£7,252.81	Mar-15
2010/11	STUDENT	71	£2,794.79	Feb-19
2010/11	STUDENT	72	£2,190.14	Feb-19
2010/11	STUDENT	73	£2,488.60	Feb-19
2010/11	STUDENT	74	£1,614.27	Feb-19
2010/11	STUDENT	75	£620.06	May-15
2010/11	STUDENT	76	£1,914.26	Jan-19
2010/11	STUDENT	77	£4,233.41	Feb-19
2011/12	STUDENT	78	£5,790.81	Feb-19
2011/12	STUDENT	79	£2,200.00	Feb-19
2011/12	STUDENT	80	£2,465.81	Feb-19
2011/12	STUDENT	81	£6,780.80	Jan-19
2011/12	STUDENT	82	£4,478.81	Feb-19
2011/12	STUDENT	83	£7,336.41	Feb-19
2011/12	STUDENT	84	£4,130.81	Feb-19
2011/12	STUDENT	85	£6,151.80	Feb-19
2011/12	STUDENT	86	£9,269.80	Feb-19
2011/12	STUDENT	87	£4,679.79	Feb-19
2011/12	STUDENT	88	£5,192.10	Feb-19
2011/12	STUDENT	89	£8,999.66	Nov-18

2012/13	STUDENT	90	£3,710.00	Feb-19
2013/14	STUDENT	91	£7,178.93	Feb-19
2013/14	STUDENT	92	£7,685.29	Feb-19
2013/14	STUDENT	93	£1,075.00	Mar-18
2014/15	STUDENT	94	£7,673.81	Feb-19
2014/15	STUDENT	95	£3,748.55	Feb-19
2014/15	STUDENT	96	£8,598.80	Jun-18
2014/15	STUDENT	97	£2,885.30	Feb-19
2015/16	STUDENT	98	£1,600.95	Feb-19
2015/16	STUDENT	99	£2,209.80	Oct-16
2015/16	STUDENT	100	£556.80	Feb-19
2015/16	STUDENT	101	£1,734.39	Feb-19
2015/16	STUDENT	102	£13,092.80	Aug-17
2015/16	STUDENT	103	£4,013.82	Feb-19
2015/16	STUDENT	104	£9,655.80	Nov-18
2015/16	STUDENT	105	£2,023.20	Feb-19
2015/16	STUDENT	106	£4,292.79	Feb-19
2015/16	STUDENT	107	£5,915.81	May-15
2015/16	STUDENT	108	£12,217.80	Feb-19
2015/16	STUDENT	109	£15,135.40	Feb-19
2015/16	STUDENT	110	£3,165.80	Jan-16
2016/17	STUDENT	111	£275.20	Feb-19
2016/17	STUDENT	112	£4,480.83	Feb-19
2016/17	STUDENT	113	£14,870.20	Feb-19
2016/17	STUDENT	114	£2,472.16	Apr-18
2016/17	STUDENT	115	£39.00	Feb-19
2016/17	STUDENT	116	£313.00	Sep-17
2016/17	STUDENT	117	£250.00	Sep-16
2016/17	STUDENT	118	£1,798.00	Feb-19
2016/17	STUDENT	119	£843.80	Feb-19
2016/17	STUDENT	120	£8,676.60	Feb-19
2016/17	STUDENT	121	£2,125.00	Feb-19
2016/17	STUDENT	122	£11,989.80	Feb-19
2016/17	STUDENT	123	£13,540.00	Feb-19
2016/17	STUDENT	124	£11,725.41	Feb-19
2016/17	STUDENT	125	£1,698.00	Nov-18
2016/17	STUDENT	126	£703.00	Jun-17
2016/17	STUDENT	127	£4,115.80	Feb-19
2016/17	STUDENT	128	£8,027.60	Dec-18
2016/17	STUDENT	129	£1,599.00	Feb-19
2016/17	STUDENT	130	£2,485.00	Feb-19
2016/17	STUDENT	131	£168.56	Aug-18
2016/17	STUDENT	132	£13,896.80	Dec-16
2016/17	STUDENT	133	£15,613.80	Sep-16
2016/17	STUDENT	134	£1,230.00	Feb-19
2016/17	STUDENT	135	£605.67	Dec-18
2016/17	STUDENT	136	£14,264.80	Feb-19
2016/17	STUDENT	137	£2,241.80	Feb-19

2016/17	STUDENT	138	£2,650.00	Sep-18
2016/17	STUDENT	139	£4,155.17	Jan-19
2017/18	STUDENT	166	£1,350.00	Feb-19
2017/18	STUDENT	169	£309.06	Feb-19
2017/18	STUDENT	168	£1,650.00	Feb-19
2017/18	STUDENT	140	£893.80	Feb-19
2017/18	STUDENT	171	£16,185.80	Feb-19
2017/18	STUDENT	141	£12,581.80	Feb-19
2017/18	STUDENT	142	£7,920.60	Dec-18
2017/18	STUDENT	164	£600.00	Feb-19
2017/18	STUDENT	143	£5,704.80	Jan-19
2017/18	STUDENT	165	£3,343.00	Feb-19
2017/18	STUDENT	144	£16,159.80	Aug-17
2017/18	STUDENT	145	£14,425.80	Feb-19
2017/18	STUDENT	146	£2,880.00	Feb-19
2017/18	STUDENT	174	£260.60	Jun-18
2017/18	STUDENT	159	£15,780.40	Feb-18
2017/18	STUDENT	147	£2,855.00	Jan-18
2017/18	STUDENT	148	£546.00	Feb-19
2017/18	STUDENT	149	£2,298.12	Feb-19
2017/18	STUDENT	172	£5,800.00	Feb-19
2017/18	STUDENT	150	£1,987.80	Jun-18
2017/18	STUDENT	151	£9,149.80	May-17
2017/18	STUDENT	152	£4,934.00	Feb-19
2017/18	STUDENT	158	£5,740.00	Feb-19
2017/18	STUDENT	161	£14,668.80	Feb-19
2017/18	STUDENT	163	£1,222.00	Feb-19
2017/18	STUDENT	153	£7,866.40	Feb-19
2017/18	STUDENT	154	£4,276.30	Sep-18
2017/18	STUDENT	170	£1,650.00	Feb-19
2017/18	STUDENT	162	£295.12	Feb-19
2017/18	STUDENT	167	£12,279.40	Feb-19
2017/18	STUDENT	155	£2,067.30	Feb-19
2017/18	STUDENT	156	£15,765.80	Jan-18
2017/18	STUDENT	157	£15,314.80	Feb-19
2017/18	STUDENT	160	£3,636.69	May-18
2017/18	STUDENT	173	£1,430.00	Sep-18
2018/19	STUDENT	179	£17,038.20	Jan-19
2018/19	STUDENT	181	£990.00	Feb-19
2018/19	STUDENT	176	£5,365.80	Apr-18
2018/19	STUDENT	175	£12,079.40	Jan-19
2018/19	STUDENT	178	£15,989.80	Feb-19
2018/19	STUDENT	180	£15,864.80	Feb-19
2018/19	STUDENT	177	£1,480.00	Oct-18

Q19/2019

**School facilities available for community use –
Nature of use and charges**

Mr Speaker: Question 19.

790 **Clerk:** Question 19. The Hon. E J Reyes.

Hon. E J Reyes: Can Government provide details as to which facilities pertaining to the Ministry for Education are currently available for community use after school hours, indicating what these uses are and if any payments are made for usage?

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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):

800 Mr Speaker, I am handing over another schedule to the hon. Member, which contains the information on the school facilities currently available and the uses.

School facilities which are hired out to commercial groups such as fitness classes are charged at the following rates: Bayside School sports hall, £40 per hour; St Bernard's School sports hall, £40 per hour; Governor's Meadow School sports hall, £20 per hour; Bishop Fitzgerald School sports hall, £15 per hour.

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The administration of community-use facilities and fee collection is undertaken by the Gibraltar Sports and Leisure Authority. As a result of a policy decision taken by this GSLP-Liberal Government, the GSLA will not allocate use unless prospective applicants present valid documents pertaining to tax and company registration as well as relevant paperwork regarding child protection policies and qualifications and RGP vetting.

810

Answer to Question 19

	MONDAY			TUESDAY			WEDNESDAY			THURSDAY			FRIDAY		
WESTSIDE SCHOOL (INDOOR)	6-8pm Cricket	8-11pm Table Tennis		6-11pm Badminton			6-8pm Table Tennis	8-11pm Cricket		6-8pm Cricket	8-11pm Volleyball		6-8pm Cricket	8-11pm Table Tennis	
WESTSIDE SCHOOL (OUTDOOR)	6-7.30pm GFA	7.30-9pm Football	9-10.30pm Football	6-7.30pm Football	7.30-9pm Football	9-10.30pm Football	6-7.30pm Football	7.30-9pm Football	9-10.30pm Football	6-7.30pm Football	7.30-9pm Football	9-10.30pm Football	6-7.30pm Football	7.30-9pm Football	9-10.30pm Football
BAYSIDE (INDOOR)	6-8pm Gib Referees Asst	8-9pm Gib Referees Asst		6-8pm Fitness	8-11pm Karate		6-8pm Fitness	8-9.30pm Dance		6-8pm Fitness	8-9.30pm Dance		6-8pm Basketball		
BAYSIDE DRMA STUDIO (Used only by Ministry of Culture)	6-10pm Performing Arts			6-10pm Performing Arts			6-10pm Dance			6-10pm Performing Arts					
ST JOSEPH'S MIDDLE	6-11pm Badminton			6-11pm Netball			6-11pm Netball			6-11pm Netball			6-9pm Badminton		
ST JOSEPH'S FIRST	6-9pm Badminton			6-9pm Dance			6-9pm Rhythmic Gym			6-9pm Rhythmic Gym			6-9pm Badminton		
ST BERNARD'S	6-7pm Fitness	7-8pm GKKA	8-9pm	6-7pm Fitness	7-9pm Basketball		6-9pm Martial Arts			6-7.30pm Karate	7.30-9pm Basketball		6-9pm Dance		
ST ANNE'S MIDDLE	6-10.30pm Netball			6-8.30pm Gymnastics	9-10.30pm Netball		6-11pm Badminton			6-11pm Basketball			6-11pm Basketball		
GOVERNOR'S MEADOW	6-7pm Fitness	7-9pm Karate		6-7pm Fitness	7-8pm Fitness		6-7pm Fitness	7-8pm Fitness			7-8pm Fitness				
BISHOP FITZGERALD	6-8pm Fitness	8-10pm Martial Arts		6-7pm Fitness	7-8pm Fitness		6-10pm Martial Arts			6-7pm Fitness	7-8pm Fitness		6-10pm Martial Arts		

Hon. E J Reyes: A small clarification at this first stage, before I look further into the schedule: when the Minister in his answer said that these fees are payable and collected by the Gibraltar Sports and Leisure Authority, would that figure of total revenue collected be expected to be found by me in the schedule that I got from the Minister for Sport in answer to Questions 1 and 2, or does it come under another heading, not accounted for by the GSLA? Otherwise, I do not know where to look for the fees income.

Hon. Dr J E Cortes: Mr Speaker, I would assume they are, because I do not think – subject to confirmation from officials – they appear in the Department of Education’s figures because, as I say, the fees are collected by the GSLA. We provide the premises but we do not carry out the collection of fees.

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

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

In relation to Question 17, the answer to that provides a schedule of 46 students over the last two years who have unfortunately been unable to complete their studies in the United Kingdom for a variety of reasons – medical, homesickness, suspension or reasons not provided. Can the Minister enlighten us as to...? Although it is very difficult to say what these students are doing now, is there a process by which these students are interviewed upon return and the Government or the Department of Education ascertains what can be done for them in the future in terms of providing opportunity for them in either education or at least in employment?

Hon. Dr J E Cortes: Yes, Mr Speaker, the students are given the opportunity to do that. They are not all comfortable and they do not all take up the opportunity. In some cases there may be very personal reasons which they do not want to share even when the opportunity is given, but those students who are willing to share will be advised and they will be assisted. In some cases they are able to undertake a course a year later, sometimes even two years later, and every effort is made to encourage them along the way. But, as I say, some students are not willing to discuss this.

Hon. E J Phillips: I am grateful for the Minister’s confirmation in relation to that point.

I would have thought that some form of exit interview is conducted for these 46 students. It does seem a fairly high figure of students returning over the last two years, for whatever reason they have been unsuccessful in their studies in the United Kingdom or beyond, and therefore I would ask the Minister if he could give a bit more information as to the process involved in terms of that exit interview or equivalent and as to where they are directed for assistance insofar as further education opportunities or at least employment. I know I have not given notice, but it sort of arises from this supplementary question and the question put by my hon. Friend Mr Reyes. It would be helpful to have a bit more information as to how the Department is structured to provide that level of support for young people who have been unsuccessful.

Hon. Dr J E Cortes: Yes, Mr Speaker, obviously with notice of this question I could provide more details, but from my own experience they are approached by the relevant adviser and they are given the opportunity.

Remember, Mr Speaker, that in some cases there is a need to recover funds and there is a method of obtaining the information. For example, if it is a medical reason there have to be medical certificates or medical reports. So there is an interview and a discussion as to whether it is a simple process of them failing or some other reason and we have to look at the recovery of funds, whether they need more time, whether they need mental health advice ... One of the things that we are doing with the new counselling system that we will be starting within the next

few months will be to provide opportunities for students in tertiary education to avail themselves of counselling. So there is a structure but no two cases are the same.

865 **Hon. E J Phillips:** Just one further question in relation to Question 18. I have noted from the very useful schedule – to the extent that it sets out the numbers of students that have returned, since 1989, in fact, and the more critical ones for the purposes of this question relate to those after 2011, where it appears to be a fairly exponential growth in the number of students owing money in relation to failed studies or unsuccessful studies in the United Kingdom – it would
870 seem there are many hundreds of thousands of pounds that are due back to the Government, and in many cases those payments have not been made. I assume, for the purposes of this data that has been put before the House, that this would exclude genuine cases, medical cases, where quite clearly they were unable to undertake their studies for those reasons. But what attempts are made to genuinely recoup the moneys that are paid? Are payment arrangements
875 being made with the students – monthly payments, weekly payments, yearly payments? It would seem like an awful lot of money, many hundreds of thousand pounds that are owed by students over the years.

Hon. Dr J E Cortes: Yes, Mr Speaker, one would expect that there are more of these cases
880 which are recent than older because the older ones would have been paid off and would have dropped off the end, so it is not unusual to have more that are recent debts.

In order to expand further in response to the hon. Member's question, yes, once again, as I explained, there are no two cases the same. If they are genuine medical cases which have gone through the process and have been checked and ratified, then they would not feature here
885 because that is not considered a debt and it is not pursued. But there are meetings with students – often with the parents, clearly, for obvious reasons – in order to set up a payment programme and, depending on the individual circumstances, there will be periodic payments. I am assuming they are monthly because that is the logical method. Obviously there is opportunity for lump-sum and one-off payments if that is more convenient. If they are
890 longstanding and there is no response or they fail to deliver on the regular payments, then the central arrears unit kicks in and approaches it with their own methodology.

Hon. E J Phillips: I move on to the questioning in relation to 18 and 17 because they both relate to the same thing. If the Minister cannot answer this question, I appreciate this, but it is
895 linked, in my view.

What steps is the Government taking in relation to a more targeted career progression path, because many of the problems associated with recouping money from students who have failed or been unsuccessful in their courses could quite properly be managed – certainly in my view, and I would welcome any views that the Minister would have in relation to this – by ensuring
900 that students, when they come to a career review at the end of their qualifications in Gibraltar in terms of either GCSEs or A-levels ... if we direct our students who feel that university life or an education beyond our shores is not for them, what we can do in our jurisdiction to make sure we give them the best possible opportunity educationally and for employment opportunities, rather than deal with the problem so many years later when many hundreds of thousands of pounds is
905 owing to the Department of Education and in reality becomes very difficult to recover once they return to Gibraltar?

Hon. Dr J E Cortes: Some individual cases have proved difficult to recover, but overall people do pay back – I have to make that comment.

910 This is pretty wide. Clearly there will always be students for whom, no matter how well prepared they are, there will be circumstances when they will give up. Most of us here – I think all of us here – have been students and we know what the tensions are and we have all had friends who have had difficulties. It is never ever not going to happen; there will be cases.

I think there is a lot that can be done. We are increasing our mental health input and, as I said before, the counsellor system and the review that we are doing on mental health – which started with the secondary sector, now it has covered the primary sector and now it is doing the tertiary sector – will feed back on what we can do to help to prepare young people even if they currently do not have mental health issues but faced with a life abroad at university they could develop them. So that is being done.

But I think also that what we are doing to widen the education opportunities in vocational courses means that there will be a wider range, so that young people will be able to select courses which perhaps they are not able to select now, and now they may be channelled towards perhaps the more academic courses, whereas they might prefer or be better prepared for more vocational courses which are not currently available. I think the wider the range of opportunities we give to young people the less likely this is going to happen. So I think those are the two main strands that we are dealing with now.

Hon. E J Reyes: Mr Speaker, may I come back to something on the schedule?

Mr Speaker: Question?

Hon. E J Reyes: Question 15. The Minister has given me a nice schedule. It shows the school where the vacancy is, it tells me what the TLR band is and it even gives me the title of the corresponding responsibility, but I do not quite understand – when it gets to the second half of the schedule it says ‘Vacant TLR posts due to retirements’ and then it says ‘Head of Year (Designate)’. If all these posts are being covered in an acting capacity, a designate person does not make sense. If he is designated ... He is either covering it or not covering it. I do not know – perhaps the Minister can explain that one to me. Or am I misreading it?

For example, if we take the first one, the one vacant due to retirement, the qualified teacher will be TLR 1B at Gibraltar College, corresponding to an ‘IT Coordinator’. So, my understanding is that is being covered on a temporary basis by somebody but it is still a vacant post. When you come to the last two, ‘Qualified Teacher TLR 1B’ at Bayside School, ‘Head of Year (Designate)’, is it being covered by someone who is now substantially the head of year? I do not understand why the designate does not clarify it, it complicates matters.

Hon. Dr J E Cortes: Mr Speaker, I would rather check that than try and tell the hon. Member without quite recalling who the individuals who hold these posts are. I need to check whether the fact is that somebody is covering it as designate but technically the person may not yet have retired and there is a designated in place. I would rather not guess and I will get this information either this afternoon or next time we are here, like I did last time when there was a similar query, and I will reply here so that he has the full information – if that is acceptable.

Hon. E J Reyes: Yes, Mr Speaker, that of course is acceptable because at the end of the day we are both interested in making sure we have the correct information.

Can I now move to the following question, Question 16. On the schedule, if we look at the answers here, the reasons why they have left are very simple. Either they have left Gibraltar, they have found employment ... I can understand the third one down – it says a pupil from school year 13 left ‘for other reasons’. Well, look, he is past compulsory school age. But two thirds of the way down I do not quite understand how pupils from year 2 and year 5 are not in school ‘for other reasons’. He seems to have covered them all by saying it is MoD relocated or they have left Gibraltar, but there cannot be any other reason because by law the pupil must be registered in an educational establishment, so that ‘other’ is a bit too vague for someone of compulsory school age.

965 **Hon. Dr J E Cortes:** No, Mr Speaker, that is there for a reason. In a place the size of Gibraltar,
when we give figures and we name the school, if you really wanted to you could drill down and
find out who the child is, and in some circumstances there are safeguarding reasons which I
cannot divulge here. I would be happy to share them outside the Chamber with the hon.
Member, but there are a number of circumstances where I think it would not be fair on the child
970 to give the reasons in public.

Hon. E J Reyes: That is acceptable, Mr Speaker.
Is it something similar as well on the second page, on the second part of his answer, under
subheading (b), where the Minister puts 'Transfers'? Is the Minister committed that we can talk
975 behind the Speaker's Chair and therefore not waste the rest of the Members' time on this one?

Hon. Dr J E Cortes: Yes, Mr Speaker, the reasons why children change schools could be
sensitive and therefore, again, because Gibraltar is small and you could pin it down to child,
teacher and so on, it is something that I do not think I can share openly, but I would be very
980 happy to discuss with the hon. Member behind your Chair.

Q20-22/2019
Q126/2018 –
Request for update

Clerk: Question 20. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, further to Question 126/2018, can the Government state
whether it intends to bring a Bill before the House in respect of controlling and coercive
985 behaviour?

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

990 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):**
Mr Speaker, I will answer this question together with Questions 21 and 22.

Clerk: Question 21. The Hon. E J Phillips.

995 **Hon. E J Phillips:** Further to Question 126/2018, can the Government state the composition
of the National Strategy Working Group and the number of meetings held in 2018?

Clerk: Question 22. The Hon. E J Phillips.

1000 **Hon. E J Phillips:** Further to Question 126/2018, can the Government state whether it has
finalised its five-year plan for Gibraltar and state when it will publish its strategy?

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and
Education.
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Hon. Dr J E Cortes: Mr Speaker, Question 126/2018 does not relate to any of the matters
raised in Questions 20, 21 and 22 and therefore these questions cannot be answered by the
Government in any coherent manner as presently drafted.

1010 **Hon. E J Phillips:** I am not too sure what my hon. Friend is referring to, but the question that was posed related to a question about domestic violence, coercive and controlling behaviour. And I was quite surprised that the hon. Gentleman got to his feet; I was expecting the hon. Lady to get to her feet to answer these questions.

1015 I am not too sure if there has been a typographical error in the question when it has been transmitted to the Government. I do not know who is to blame – if it is me, I am sorry. If it is not, then I would expect at least an explanation as to the national strategy relating to domestic violence, and whether someone could have sifted through it more easily ... But it is what it is, and if I could have an explanation as to ...?

1020 **Hon. Dr J E Cortes:** Mr Speaker, my team looked at Question 126 and it came to me because Question 126, I believe – it was definitely Education – related to some aspect of the schools, and I certainly could not relate it to the questions as asked. It may be that it was the wrong number of questions.

1025 **Hon. E J Phillips:** I am quite happy – with your leave, Mr Speaker – to ask these questions again. I think it has been debated quite frequently in the public domain in relation to domestic abuse and coercive and controlling behaviour.

1030 I know that the Hon. the Minister for Equality has answered the questions before. I know that she is entering the Chamber now but may not be in a position to update this House in relation to that particular question. If she is not, then I am happy to forward these questions to the next session.

1035 **Chief Minister (Hon. F R Picardo):** Mr Speaker, my office looked at this question on a number of occasions and the answer that we have given is the one the hon. Gentleman has given because the question that was referred to in the question related to education. Therefore, the answer that pertained was the one that the Hon. Minister has given.

1040 It was impossible from the face of the question to imagine that this might have anything to do with abuse. If the hon. Gentleman does the exercise objectively and he reads his question he will see that we would have had to be mind readers to think that he was asking about anything other than education; and if he does the exercise with Question 126 in front of him, then it becomes clearer.

1045 **Hon. E J Phillips:** Mr Speaker, just a final point. I am glad the Chief Minister jumps up and defends the position, but it is quite clear that I asked a question last time round about coercive and controlling behaviour. Everyone on the planet, including the BBC, who effectively wrote about controlling behaviour and the recent events that happened last week in relation to a poor young man and his incident ... The Minister for Equality knows exactly what controlling and coercive behaviour is because she answered the question before.

1050 If there has been an error in the drafting of the question itself and *if* it is my fault, of course I will apologise and we can deal with it the next time we come to the House.

Mr Speaker: Can you suggest what the best procedure should be?

1055 **Hon. Chief Minister:** If I might, the hon. Gentleman needs to understand what his questions say.

1060 I have not got up to defend a position, because there is no position to defend. Mr Speaker, the reason I am giving the hon. Gentleman this explanation is because questions come for allocation to the Parliamentary Questions Office in No. 6 Convent Place and then they come to me, and if the hon. Gentleman looks at his questions – they are Questions 20, 21 and 22 – they all relate, as written by him, to Question 126/2018, which is a question about education.

The words 'controlling and coercive behaviour' appear in one of the questions but in none of the others and they make no sense in the context of 2018. That is the reality. If he looks at this objectively, that is the situation. If he has made an error in respect of the question he refers to, Question 126, that is fine – we are all human, that is no difficulty. If he puts them again, we will deal with them when he puts them.

Mr Speaker: What I suggest for the Leader of the Opposition is that he tables the questions again for the next meeting and he indicates to me separately which are the questions that are involved. If he has got 10 or 11 questions, mark for the use of the Clerk and myself clearly which are the ones that you are submitting in respect of this matter. Okay?

Q23-27/2019
Waste disposal –
Recycling

Clerk: Question 23. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: What volume of the waste that goes to Spain (1) is successfully recycled and (2) ends up in landfill?

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 24 to 27.

Clerk: Question 24. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Does the Government or the Department of the Environment have regular contact with its local contractors to periodically ensure that they are abiding by their contractual obligations with regard to recycling?

Clerk: Question 25. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Do the rubbish collectors working for the Environment Department mix or keep separate the different recycling materials previously deposited in their respective specific bins when dumping these materials in the truck on collection?

Clerk: Question 26. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Can Government explain the criteria used in determining whether recycling material is contaminated?

Clerk: Question 27. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Can Government explain who makes the judgement call vis-à-vis determining whether recycling material is contaminated or even recyclable?

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

Hon. Dr J E Cortes: Mr Speaker, the figures for 2017 were: total recyclate, 38,200.57 tonnes; landfill, 1,054.43 tonnes; and other recovery operations, 0.77 tonnes.

The Department of the Environment, in particular its Cleansing section, has very regular contact with all relevant contractors to ensure that they are abiding by their contractual obligations.

The refuse collectors who come under the remit of the Department of the Environment do not collect from the recycling bins. This is done by a private company, through a contract with Government.

The criteria used to assess whether recycling material is contaminated is by means of visual inspection. The coloured bins are never to be mixed on the collecting truck. The collection rounds focus on one colour of bins at a time and therefore one type of recyclate.

Even when the material is contaminated, this is taken to the Ecopark, where the loads are emptied. The protocol at the Ecopark when contaminated recyclate is received is to recover as much material as possible in order to maximise the recycling rates. Any unrecoverable material is then sent to the waste transfer station.

Hon. Ms M D Hassan Nahon: Mr Speaker, given that there were five answers so quickly, could I have a couple of minutes to evaluate whether I need to ask any supplementaries, please?

TOURISM, EMPLOYMENT, COMMERCIAL AVIATION AND THE PORT

Q28/2019

University of Gibraltar – Accredited PGCE courses

Clerk: Question 28. The Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Education update this House in respect of the possibility being pursued to offer accredited PGCE courses in conjunction with the University of Gibraltar?

Clerk: Answer, the Minister for Tourism, Employment, Commercial Aviation and the Port.

Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi): Mr Speaker, the University of Gibraltar is currently working with Kingston University and the Department of Education to provide a bespoke PGCE course. It is expected that this will be provided as of September 2019.

Hon. E J Reyes: I thank the Minister. I had posed it to the Minister for Education because I was not quite sure whether Minister Licudi was answerable for matters pertaining to the University in this House, or not.

I am very pleased with the news. Can I underline there ...? The Minister has said they are working with Kingston University and so on. Would that end with what I was trying to highlight – accredited PGCE courses whereby it would be recognised in the United Kingdom and the teacher who qualifies for the PGCE will actually be given a teacher number in the UK without having to undergo further UK examinations?

Hon. G H Licudi: Firstly, Mr Speaker, with regard to the reference to ‘Minister for Education’, I would simply remind the hon. Member that I am the Minister for Education for the purposes of the University. That is how the designation has been made, so it is correctly addressed and correctly answered.

This is a course that will be offered and accredited by the University of Gibraltar itself. The Hon. Member will recall that under the University of Gibraltar Act the University has powers to grant degrees and to accredit any courses, and this is, as I mentioned in the answer, a bespoke PGCE course, working with Kingston University, who are in fact designing the course for the University of Gibraltar, but it will be delivered and it will be a University of Gibraltar qualification in respect of the PGCE, which will entitle that person to act as a teacher.

The reason why it is bespoke is because this is probably going to be very different – well, not very different but somewhat different – to PGCE courses that are offered in the United Kingdom. The hon. Member will know, having gone through this system – will certainly know better than myself, and I speak as a layman here from the educational perspective – that PGCE courses are generally geared at training individuals either for primary schools or for secondary schools and the placements that are made are either primary or secondary. In Gibraltar we will not have different courses for different specialisations, whether it is primary or secondary education, so it will be a generic teaching course whereby experience will be given in the different schools at different levels, and that is why it is a bespoke course for Gibraltar, offered and delivered by the University of Gibraltar with a University of Gibraltar qualification at the end of the day.

Hon. E J Reyes: I am grateful for that explanation, but the Minister I think has not quite fully answered that particular part, I was going to say. Upon successful completion of the PGCE that one undergoes in the UK, those of us who did it there end up being given automatically a number issued by the Department of Education in the United Kingdom. When you apply for a teaching job it is essential that you have that number. You have got to give it, your actual registration. Will an individual who completes that PGCE course here in Gibraltar automatically get a number that will then automatically entitle them to apply for jobs in the United Kingdom?

Mr Speaker: What I think he is asking is: will the qualification be recognised in the UK?

Hon. G H Licudi: Mr Speaker, that is slightly different from someone doing a course and automatically being given a number by the Department of Education in the UK. For example, somebody might do a course in Spain or somewhere else and have that qualification recognised in the United Kingdom.

Certainly as far as we are concerned, as far as the University is concerned, the University is working hard to have all of its qualifications internationally recognised and they are working specifically with the United Kingdom. I understand there is a body called NARIC that is a centre for the recognition of international qualifications.

This will not be an English qualification. It will be, certainly from a UK perspective, an international qualification which we expect and we hope – because we have all necessary regulatory standards, quality assurance and auditing being done in respect of all the courses – will be recognised in the United Kingdom. But first we have to complete the course; secondly, it has to be submitted for recognition and we hope that at the end of the day the relevant bodies in the United Kingdom will recognise these professional qualifications in the same way as other professional qualifications are recognised in the United Kingdom, not just in relation to teaching but in respect of other professions from across the EU and perhaps wider afield.

Mr Speaker: The Hon. Marlene Hassan Nahon, do you wish to ask a question on this supplementary?

Hon. Ms M D Hassan Nahon: Pertaining to my Environment question.

Mr Speaker: On the environment. Well, we will come back to it when we have dealt with this. Yes, the Hon. the Leader of the Opposition.

Hon. E J Phillips: Mr Speaker, whilst I am grateful for the Minister for Education's answer to that specific question by my hon. Friend, and whilst I appreciate of course that a bespoke course to combine PGCE at primary and secondary level may well suit us in Gibraltar naturally in some respects – and I am not a teacher myself but it would seem recommendable, given in the UK the distinction between primary and secondary education for the purpose of PGCE, and I see the logic of the argument that we should try to have a course in the Gibraltar University to cater for that – insofar as the marketing of this PGCE and encouraging people to do this course, have the students been particularly told that at this stage this qualification is not recognisable in the United Kingdom and that it may well be in the future, depending on that recognition process that the Minister has alluded to?

Many of the students who may wish to apply for this type of bespoke course may wish also to use that qualification for teaching further afield. We cannot discount the fact that not everyone will want to use it to work in Gibraltar itself. I understand the fact that the Minister may well be marketing this particular course further afield as well to improve the prospects of the University as well in terms of educating individuals who may wish to come to our shores to learn, and therefore are those students being informed that that recognition is not currently available further afield than Gibraltar?

Hon. G H Licudi: Mr Speaker, the course has not gone out yet and therefore we do not have students for the course. The University is working on the course with Kingston University and the Department of Education, and once the course is ready and the course is available then there will be presumably an advert for people to be able to enrol on the course.

So it is not a question of a course not being recognisable. The course still does not exist. It is being worked on and if we expect that it will be ready for delivery in September 2019, once the course exists and is subject to all the necessary quality assurance audits then we hope that the relevant body in the United Kingdom – and there is this body I mentioned, NARIC, which is a centre for the recognition of international qualifications that acts on behalf of the UK government in that respect and I know that the University is already liaising with NARIC ... we hope and expect that this will be a qualification which will be recognised.

In respect of the marketing of the course, it is not something that we are doing as a Government; this is something ... Of course we always assist the University, but it is primarily a University matter. We clearly want to cater for local students who want to do a PGCE, and there has been, I know, already a great deal of interest from people – not necessarily from people who want to go off in the first instance to do an education qualification, but somebody who is already here or already working, who wants to consider this as an adjunct to whatever qualification they have and perhaps go into the teaching qualification.

In due course, and I expect probably not for this year, this is a course that will, as with every other course that the University will do, be marketed with a view to attracting international students, and there may be a mix. But there is a qualification that has to be added to that – in the same way as it would apply to, for example, the nursing degrees that are done now by the School of Health Services in conjunction with the University of Gibraltar; they are working very closely together on this – and that is the question of placements.

As with the nursing degree, any course leading to a PGCE depends on placements. It is not as if we have unlimited schools and unlimited placements, so we cannot open up the course and say we are going to have 100-200 people on this course. It will be limited by placements. We have 17 schools in Gibraltar. I believe – and I am speaking from memory from the discussions I have had – that placements will probably be limited by the Department of Education. It depends on their capability but I believe that we are talking of a figure of around 15 a year as the placements that would be available, so that those are the intrinsic limits that will be placed on this course.

I can also say to the hon. Gentleman that even though this course has not been finalised or marketed yet, there is already an incredible amount of interest that has been expressed. There

1255 are 50, 60, 70 people who have already expressed an interest in coming onto this course. Not everybody will be able to be accommodated, because of the placements issue that I have mentioned, but this course is already proving to be popular even though it has not been marketed yet.

1260 **Mr Speaker:** The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, a few supplementaries, if I may.

1265 Regarding Question 23, the Minister said, I believe I recall, a total of 38,500 tonnes is successfully recycled and 40,000-odd tonnes ends up in landfill. Would the Minister say that this is a good statistic in general terms of the rate of recycling versus non-recycling? Is it on par with other countries? Or is there more that we need to do, that we are lagging behind on that front?

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):

1270 Mr Speaker, I do not have comparative figures here, although I do use some regularly in my Budget speeches and I believe we are about to publish the statistic for 2017 which I think shows comparative rates.

Our recycling is increasing, has increased tremendously in the last seven years, but is still not at the level that it is in other jurisdictions or the level that I would like it to be.

1275 **Hon. Ms M D Hassan Nahon:** Thank you for that. Just another couple of questions.

Can the Minister clarify that if a single bin is found to be contaminated on collection, does that mean that the bin will contaminate the collection of the whole round?

1280 **Hon. Dr J E Cortes:** Mr Speaker, it depends on the operator and the amount of contamination. If it is a bin of glass which has one plastic bag or something else, then that will be put in with all the rest of the glass and then at the depot this will be removed. If the bin is very contaminated, then that will be collected separately and it will not be added to the other bins.

1285 The attempt is to reduce the contamination as much as possible. I am told by the operator that it is very rare that they have to just give up and put it all for disposal at the waste transfer site, but sadly some people will still put the wrong kind of rubbish in recycling bins and that obviously compromises the operation.

1290 **Hon. Ms M D Hassan Nahon:** Regarding Question 25 about whether the rubbish is kept separate or mixed, the hon. Gentleman will probably be aware that a lot of talk is done, especially on social media groups, that they are mixed. Even if we take his word that they are not, can I ask why perhaps these rumours come about? Could there have been some kind of wrong processes being managed, or different practices in the past? Unfortunately, I think it sends out a bad message in terms of our duties to recycle.

1295 **Hon. Dr J E Cortes:** Mr Speaker, I am as concerned as the hon. Lady about this. Ever since I took ministerial responsibility I have heard these rumours – sometimes it is placed on Facebook – about the mixing of bins by the operator collecting the bins. They say it comes over here, picks up the glass and then it just goes to the next one, which is plastic or cardboard, and put all together.

1300 Mr Speaker, I have dealt with this with the previous contractors, Master Service, and with the current contractor, Britannia. They tell me that it has never happened. I have yet to see physical evidence, even in video form. There was a recent one in social media, which I think was later retracted, in which there was a photograph of one of these trucks collecting from one of the bins, but there was not a video which showed that they went to the next one.

1305 I have even, I must admit, on occasions when I have been next to a recycling area and the truck has been there, hidden behind a lamp post almost, just to check for myself because I hear

so many rumours, but I still have not seen the evidence. I find it difficult to hide behind a lamp post, yes. My colleagues were smiling when I said that, (*Laughter*) but I am working on it, Mr Speaker, with some success, if I may say.

1310 I have not seen the evidence that everybody there says this is happening. If anybody has the evidence, I want to see it. The contactor knows very well that we will not go light on it because it is a concern; it must not happen. But I have never seen concrete evidence.

Mr Speaker: Next question.

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DEPUTY CHIEF MINISTER

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Q29/2019 Nuffield Pool site – Current plans

Clerk: Question 29. The Hon. R M Clinton.

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Hon. R M Clinton: Can the Government advise its current plans for the Nuffield Pool site?

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

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Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, the Nuffield Pool will be used as the venue for beach volleyball during the Island Games later this year.

Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his answer. Can he advise if there are further plans beyond beach volleyball once the Island Games are over? Are there plans for the site to be developed?

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Hon. Deputy Chief Minister: Mr Speaker, when we came into Government in 2011 the site had been identified as a site for development by them when they were in office. We have explored different options, including that one, but we have not come to a final decision as yet. As you know, there is a commitment to a public pool in that area, which is our position at the moment.

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Q30/2019 No-deal Brexit contingency plans – Costs; movement of phytosanitary and animal origin food imports; movement of waste materials; health and care sector workforce and supplies; Frontier fluidity

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

Hon. R M Clinton: Can the Government advise the costs incurred to date in respect of Brexit contingency plans in respect of a no-deal Brexit?

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

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, I will answer this question together with Question 31-39.

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Clerk: Question 31. The Hon. R M Clinton.

Hon. R M Clinton: Can the Government advise what monetary contingency funds have been set aside in order to meet further expected costs of a no-deal Brexit?

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

Hon. T N Hammond: Mr Speaker, what measures are in place to ensure the continued movement of foods of animal origin or phytosanitary imports into Gibraltar after Brexit, in the event of a withdrawal without agreement?

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

Hon. T N Hammond: In the event of a withdrawal from the EU without an agreement, can Government say if foods of animal origin or phytosanitary products exported from the UK to Gibraltar, which must transit through EU countries, will be affected; and if not, can they explain the rationale for this?

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

Hon. T N Hammond: In the event of a withdrawal from the EU without agreement, does Government know whether La Linea is being established as a border inspection post or border control post under Regulation (EC) No. 2017/625 as a subsidiary of Algeciras or in its own right for purposes of the entry and exit of foods of animal origin or phytosanitary products from the EU?

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

Hon. T N Hammond: Mr Speaker, what measures are in place to ensure the continued passage of waste material out of Gibraltar after Brexit in the event of a withdrawal without agreement?

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

Hon. T N Hammond: For purposes of waste disposal, in the event of a withdrawal from the EU without agreement, does Government know if La Linea has been designated as an entry point into the EU for receipt of waste from Gibraltar?

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Clerk: Question 37. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, what contingency plans does the Government have to ensure Gibraltar's health and care sector remains unaffected in the case of a no-deal Brexit, including workforce and medicinal supplies?

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Clerk: Question 38. The Hon. E J Phillips.

Hon. E J Phillips: Can the Government state what contingencies are in place for children being educated at our schools who are crossing the border each day, in the event that Gibraltar is faced with a hard Brexit on 29th March?

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Clerk: Question 39. The Hon. E J Phillips.

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Hon. E J Phillips: Can the Government confirm that it has anticipated all practical consequences of a UK/Gibraltar withdrawal from the EU without agreement, and specifically can the Government confirm what contingencies are in place to counter restrictions on Frontier fluidity?

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

Hon. Deputy Chief Minister: Mr Speaker, the hon. Members will understand that for obvious reasons the Government is reluctant to discuss Brexit contingency planning across the floor of the House. However, the Government is happy to brief the hon. Members on a confidential basis – and that briefing actually took place this morning after the answer to the questions had been drafted.

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

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Hon. E J Phillips: Mr Speaker, whilst I am grateful for the Deputy Chief Minister's answer to that question, and of course the Brexit Select Committee were convened this morning for some three hours, as far as I understand from the conversation that I have had, the Deputy Chief Minister will understand, of course, that significant guidance has been afforded in the United Kingdom to businesses in relation to their processes and procedures, particularly in respect of the UK border. He will also know that very significant technical notes have been produced to advise citizens and businesses across the United Kingdom relating to a no-deal Brexit and preparations. I believe, as far as I understand from the UK government's website itself, those communications and publishing of over 100 pages of guidance were delivered in August, September and October of last year.

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The Gibraltar Government of course has usefully provided certain guidance, in respect of its press releases of 13th September and beyond to last week, on passports, pet passports, driving in the EU, ID cards, mobile roaming, EU domain, e-HIC and the funding programme. My question, really, to the Deputy Chief Minister is: although I understand that many of these matters that pertain to our position in the context of our withdrawal from the EU are sensitive, and in some cases, given the relative hostility across the Frontier, it is difficult for him to share across the floor of the House many of the answers to these questions, would it not be right for the Government to release certain information to alleviate some of the concerns being experienced by businesses up and down Main Street, in particular from the chamber and GFSB?

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Mr Speaker: With respect to businesses, you are anticipating the next question, which is your own question. You have a question next, Question 40. It has to do with the Chamber of Commerce and small businesses. You are anticipating that question and I am sure that you are going to get a more detailed answer than what you have had already.

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Hon. E J Phillips: Mr Speaker, I am grateful for that. Perhaps I got carried away with the questioning.

What we should do is, of course, restrain ourselves to some of the items that were put in the questions and I would just restrict my question therefore to the technical notices that the Deputy Minister, being responsible for our exit from the European Union, has dealt with and whether there is further information that he can provide and put in the public domain to alleviate any concerns by members of the public concerning these questions that have been raised by this side of the House.

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Hon. Deputy Chief Minister: Mr Speaker, the issue the Government has is discussing this across the floor of the House. That does not mean we have not discussed this with individual businesses or with business organisations. I think, as the Hon. Mr Speaker has suggested, if the

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hon. Member asks the next question and I give him an answer he will get an idea of the range of consultations that have taken place.

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Mr Speaker: The Hon. Roy Clinton.

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

1460 I am grateful to the Minister for his answer, but in terms of the costs that have been incurred and are likely to be incurred – and he may correct me if I am wrong, but from the Estimates Book we can only identify £200,000 in his specific Department and £10,000 in Immigration and Civil Status in respect to passports; that is £210,000 – would he agree with me that the costs are going to necessarily be significantly more than that?

1465 **Hon. Deputy Chief Minister:** Mr Speaker, not necessarily is the answer to the question. I can confirm that as our planning has progressed – obviously we need to move from plans to action – the Departments have already been requesting funds and funds have been approved for certain specific projects and that would be reflected in the expenditure of the Departments, not necessarily in the expenditure from the particular head which he mentioned under my own vote.
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Mr Speaker: The Hon. Lawrence Llamas.

1475 **Hon. L F Llamas:** Mr Speaker, I can appreciate that details cannot be shared across the floor of the House and I agree to that sensitivity. I would be grateful, however, if those details could be made available to Members opposite so that we can scrutinise those details and see exactly what the Government is doing to prepare for a hard Brexit.

1480 However, Mr Speaker, could the Deputy Chief Minister at least give an assurance, in terms of medicinal supplies and care in the health sector, that this will not be jeopardised under a no-deal Brexit and that this is being taken care of by the Government, simply for the comfort of people within the community who are, naturally, very concerned?

1485 **Hon. Deputy Chief Minister:** Yes, Mr Speaker, I can confirm that the Members of the Opposition who sit on the Brexit Select Committee were briefed in considerable detail this morning, that the briefing included, specifically, areas of health and care, and certainly the Government has no objection if the members of the Committee wish to share that information with the hon. Member, or certainly he is free to contact me and I am quite happy to share it with him myself.

1490 The information is already with them and I think they will appreciate from the extensive and detailed briefing that they have been given this morning that the Government is certainly doing everything possible to make sure everything works properly once we are outside the European Union. That information has already been passed to the Members across in the Brexit Select Committee.

Q40/2019

Brexit contingency meetings – Number held in last 12 months

Mr Speaker: Question 40. The Hon. the Leader of the Opposition.

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Clerk: Question 40. The Hon. E J Phillips.

Hon. E J Phillips: Can the Government confirm how many Brexit contingency meetings the Government have had with the Chamber of Commerce and the Gibraltar Federation of Small Business in the last 12 months?

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

Deputy Chief Minister (Hon. J J Garcia): Yes Mr Speaker, the Government has held 45 meetings with private commercial entities and importers since the 2016 Referendum in order to assess the impact of Brexit and plans for eventualities.

The Government has also received 15 oral or written representations from business organisations. These figures include the Chamber of Commerce, the Gibraltar Federation of Small Businesses and directors or members of these organisations in their individual commercial capacity.

The Chamber of Commerce were given a detailed briefing on Brexit contingency planning in August 2018 and a working breakfast with the business community is currently being planned.

There was also a working lunch with the board of the Gibraltar Federation of Small Businesses on 13th February 2019 and with the board of the Chamber of Commerce on 14th February 2019 during which Brexit was discussed.

The Government has held the following meetings or received written reports from the following private sector entities in relation to the impact of our departure from the European Union since the Referendum of June 2016.

From June to August 2016: Chesterton, M H Bland, the Finance Centre Council, the Gibraltar eMoney Association, the Gibraltar Society of Accountants, the Gibraltar Association of Pension Fund Administrators, the Gibraltar Insurance Association, the Gibraltar Bankers Association, the Association of Trust and Company Managers, the Gibraltar Betting and Gaming Association, the Gibraltar Chamber of Commerce, SFA, the Equality Rights Group, Marble Arc Ltd, EY Ltd, SI Levy Estate Agents, the Gibraltar Federation of Small Businesses, Bulchand Ltd, UGuest and Gibdocks.

In November 2017: the Gibraltar Port Operators' Association; the Gibraltar Chamber of Commerce again; again, the Gibraltar Federation of Small Businesses; Morrisons Supermarket; Marks and Spencer; Next; ELC; Gibmaroc; Gibunco Group; M H Bland; Trident Freight Services Ltd; Redwood International; Matrix Logistics, including DHL; RESTSSO; Land Projects Ltd; A M Capurro; Resolve Marine; Deloitte; Vemaoil Gibraltar; Giboil; Hassans; T and T; Ocean Village and Marina Bay; Queensway Quay; World Marine Services; Incargo; Smith Imossi; and Gibdock again.

In February 2018: Restsso, Fast-A-Food, Saccone and Speed, Eroski, Morrisons, AMCO, Cassais, Marks and Spencer, EWMS, Trident Freight Services Ltd and Eastgate Freight.

In August 2018: the Gibraltar Chamber of Commerce.

In January 2019: Morrisons and Eroski.

Hon. E J Phillips: Mr Speaker, whilst I am grateful to the Deputy Chief Minister for identifying all those businesses and their interaction with the Government in relation to Brexit contingency, my question obviously related to solely the Chamber of Commerce and the Gibraltar Federation of Business, which I understand from that very helpful and full answer he has met with twice in relation to August and February. The Deputy Chief Minister will remember – in December, in fact – that the Chamber of Commerce made certain comments in the media about the lack of consultation with the Chamber of Commerce and I think that was in part then reacted to by the Government in their meeting with the Chamber this month.

What I would say about the general point – which I think, actually, with respect, Mr Speaker, does fall within Question 39 insofar as my question on the technical notices – is the Government have issued a grand total of these eight that I have in my hand; technical notices equivalents because they are not described as technical notices but press releases from the Government to assist business.

I have referred to the significant guidance that was issued in the United Kingdom in August through to October in relation to the impact on businesses and their processes at the border, and whilst I agree and I appreciate the fact that the Deputy Chief Minister has explained that it is sensitive, is there any further guidance that is going to be issued to citizens and businesses, and the general public indeed, as to the consequences of our exit from the European Union and the impact particularly on the Frontier?

As the Deputy Chief Minister will appreciate, I understand that they have issued press releases in relation to passports, pet passports, health and the funding programme but I am sure he agrees with me that much fuller guidance needs to be issued to citizens and businesses in due course, given the fact that we are weeks away from a potential Brexit situation without a deal.

Hon. Deputy Chief Minister: Mr Speaker, I think the hon. Member needs to understand that when talking about businesses in the United Kingdom a considerable proportion of those businesses are, in fact, manufacturing, and much of the argument and debate going on in the United Kingdom is how goods manufactured in the United Kingdom are going to move into the European Union or not, or vice versa. We have seen that with the announcements made by various elements in the car industry recently. We do not have that here in Gibraltar.

The other reality is that whereas the United Kingdom is in the Customs Union and part of the pledge made by the Prime Minister is that they would be leaving the Customs Union, Gibraltar is not in the Customs Union and has never been in it. So the reality is that that legal framework, certainly for goods, does not change.

We have consulted, as I said, with the Chamber of Commerce and with the Federation of Small Business. We have informed them of our plans and we have also informed and had detailed discussions with the list of individual businesses that I mentioned, many of whom are members of the Chamber of Commerce, or indeed board members of the Chamber or of the GFSB. Apart from that, we have also consulted, as I said, with a whole list of different business organisations.

I think those are the two points I want to make. Certainly the position in terms of business in the UK and business in Gibraltar is very different. The movement of goods now between the UK and the EU, and Gibraltar and the EU, is also very different than the Customs Union and leaving it. We are not in it and we are not joining it, so our position there does not change, whereas theirs changes.

Also, many of the technical notices published by the United Kingdom were completely irrelevant to Gibraltar, with some on nuclear plants and what have you. We went through them one by one in considerable detail and it was quite clear to us that the ones that were most important or most relevant were the ones that we needed to deal with and to issue here in Gibraltar. But that does not mean to say there will not be any more public statements or any more involvement of business associations or individual businesses in relation to Brexit as we leave the European Union. There will be more information, I am sure, and there will also be more meetings and further consultation with them.

Mr Speaker: Next question.

Q41-42/2019

EU nationals –

**Settlement procedures for those resident in Gibraltar;
policy re cross-border workers in event of no-deal Brexit**

Clerk: Question 41. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: What are the settlement procedures that EU nationals residing in Gibraltar need to take in advance of the UK leaving the EU, and has Government got intentions to inform these EU nationals about them?

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

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, I will answer this question together with Question 42.

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

Hon. Ms M D Hassan Nahon: What is the Government's policy on cross-border workers (EU nationals) in the event of a no-deal Brexit?

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

Hon. Deputy Chief Minister: Mr Speaker, resident EU nationals and EU nationals who are cross-Frontier workers will, in the event of a no-deal Brexit, continue to be treated on the basis of their acquired rights.

Hon. Ms M D Hassan Nahon: Mr Speaker, can I ask the Hon. Deputy Chief Minister if he believes that there has been enough interaction between Government and these individuals potentially affected?

Chief Minister (Hon. F R Picardo): Mr Speaker, this really is a matter that has not been dealt with in the context of the Brexit Ministry that the Hon. the Deputy Chief Minister is responsible for, but more something coming under the Ministry for Immigration, which is my ministerial responsibility.

The position in Gibraltar is slightly different to the position in the United Kingdom in the sense that Gibraltar does not have anything called 'settled status', for example. What we have is a regime in respect of residence which is unaffected by Brexit in any way. And so the only thing that will happen – and we made this announcement some time before there was even a Withdrawal Agreement negotiated – is that Gibraltar will continue to respect the rights of those who have been here before exit day and will continue to deal with them on the basis of them having the rights that the European Communities Act bestowed on them, and will deal with new applicants – or, rather, new arrivals – on the basis of that Act not applying to them. That is why the Hon. Deputy Chief Minister reflected that as a reference to acquired rights. Those who have been here have, in our view, acquired the right to continue to be here on the basis that they arrived.

That has been communicated to all those who have made an inquiry of my office, or indeed more generally at the CSRO, and that was publicly communicated in the statements made by Her Majesty's Government of Gibraltar at the time of Brexit and thereafter. We have not found anybody telling us that they do not know what their position is. I think there is a reason for that. Gibraltar is a place where becoming resident is easy, so long as one is able to afford a rent or the purchase of property. That is usually combined with having employment. We have never really discriminated against individuals on the basis that they are from a third country, let alone from the EU. There is no discrimination to be felt, therefore, and in those circumstances, Mr Speaker, the number of enquiries has not been great and I think people have understood what the position and situation is.

Q43/2019
No-deal Brexit –
Publication of advice for businesses

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

Hon. Ms M D Hassan Nahon: Will Government be publishing advice for businesses to prepare for the possibility of a no-deal Brexit; and, if so, when?

1645

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

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, the Government has already published a number of technical notices for a no-deal Brexit which impact on the business community. These are on travel documents, mobile roaming, data protection and the .eu domain, for example.

1650

A breakfast seminar for the business community is currently being planned.

Government has been working with the various sectors to ensure that they are kept informed and abreast of any changes that will occur in their respective areas, and these engagements are ongoing.

1655

Government is, notwithstanding, considering further public statements as and when appropriate.

Q44/2019
Household and medical goods –
Arrangements for shipping from UK in event of no-deal Brexit

Clerk: Question 44. The Hon. Ms M D Hassan Nahon.

1660

Hon. Ms M D Hassan Nahon: Can Government confirm if it is involved in any arrangements for freights to ship any household and/or medical goods between the UK and Gibraltar in the event of a no-deal Brexit?

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

1665

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, the hon. Lady will understand why the Government prefers not to discuss these preparations in public. I will, nonetheless, be happy to brief her on the subject on a confidential basis; and as I said earlier, the briefing happened this morning.

Standing Order 7(1) suspended to proceed with Government Bills

1670

Clerk: Suspension of Standing Orders. The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I beg to move, under Standing Order 7(3), to suspend Standing Order 7(1) in order to proceed with Government Bills.

1675

Mr Speaker: I will put the question, which is that Standing Orders be suspended in order to proceed with Government Bills. Those in favour? (**Members:** Aye.) Those against? Carried.

BILLS

FIRST AND SECOND READING

**Nature Protection (Amendment No.2) Bill 2018 –
First Reading approved**

Clerk: Bills for First and Second Reading.

A Bill for an Act to amend the Nature Protection Act 1991. The Hon. the Minister for the Environment, Energy, Climate Change and Education.

1680

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 Nature Protection Act 1991 be read a first time.

1685

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Nature Protection Act 1991 be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

Adjournment

Chief Minister (Hon. F R Picardo): Mr Speaker, I move that the House should now adjourn to Thursday, 14th March at 3.00 p.m. in the afternoon.

1690

Mr Speaker, that date will be 15 days before the United Kingdom, with Gibraltar, is due to leave the European Union. I say 'due to leave the European Union' because these are times of flux – flux of the sort that I do not think we have ever lived in politics before, since probably 1939, and I say that advisedly.

1695

I do not discard having to ask the House to return before that date, if it is necessary to pass emergency legislation; there is provision in the Standing Orders for us to do so.

1700

Mr Speaker, now we are less than 40 days from our departure from the European Union. I just want to emphasise that there will not be a General Election between now and then and I would call on all Members of this House to keep in mind what our destination is on 29th March, involuntary as it is, and although politics must continue as usual it is fundamentally important – in the interests of this community, in the interests of all of us, in the interests of all of us in this House, in the interests of all our descendants – that we get this right and that for the next 30-odd days we concentrate on reaching that destination in a way that secures Gibraltar's future.

I move that the House should now adjourn.

1705

Mr Speaker: The House will now adjourn to Thursday, 14th March at three in the afternoon.

The House adjourned at 5.20 p.m.