



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.10 p.m. – 7.56 p.m.

Gibraltar, Thursday, 30th May 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

European Union Laws (Voluntary Implementation) Bill 2019 – Second Reading approved

Clerk: Bills – First and Second Reading.

We continue with the Second Reading of the Bill for an Act to provide the voluntary implementation of European Union laws after the Treaty on European Union, the Treaty on the Functioning of the European Union, the Treaty establishing the European Atomic Energy Community and the European Economic Area Agreement cease to apply to Gibraltar; and to provide such transitional or other provisions as are deemed necessary, and for connected purposes.

The Hon. the Deputy Chief Minister.

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, I beg to move that the Bill for the European Union Laws (Voluntary Implementation) Act 2019 be read a second time.

This is one of a number of Bills that have come to this House to make provision for our potential departure from the European Union. I use the word ‘potential’ deliberately, as hon. Members will know that it remains impossible to predict the final outcome of the Brexit saga.

We were first scheduled to leave the EU at the end of March. Then the plan was to leave on 12th April. Then, in the event that the United Kingdom and Gibraltar had not participated in European elections, the proposed date of departure would have been 1st June. Given that the UK and Gibraltar took part in those elections, the latest date of exit is now 31st October. However, the United Kingdom and Gibraltar may leave earlier if the Withdrawal Agreement is approved by the United Kingdom Parliament any time between June and October.

As the House knows, events continue to be fluid. The talks to approve a Withdrawal Agreement between the United Kingdom government and opposition have collapsed. The Prime Minister has announced her resignation. The Conservative Party has embarked on a contest to elect a new leader.

It is important to recall that the European Union has made clear that there will be no more extensions, in which case the failure to ratify the Withdrawal Agreement would lead the UK to exit without a deal on 31st October. The UK Parliament and government have made it clear that nobody wants to leave without a deal in place.

30 Mr Speaker, Brexit has turned politics on its head. The volume of work that it has generated is unprecedented. Some of it may well prove unnecessary – indeed, we may not even leave the European Union after all – yet we can take nothing for granted. The Government needs to continue to make provision for our EU exit in case it happens. That is the reason for the Bill before the House today.

35 In the event that Gibraltar leaves the European Union, Union law such as regulations and decisions will cease to automatically apply to form a part of Gibraltar’s laws. There will no longer be an obligation for Gibraltar to transpose EU directives. The House will recall that this process was explained in considerable detail during the debate on the European Union (Withdrawal) Act earlier this year.

40 The fact that Gibraltar will no longer be legally bound by EU laws does not mean that it will not seek to implement equivalent legislation where and when it chooses to do so. Nor does it mean that there will not be circumstances where Gibraltar will need to match EU legislation and to do so expeditiously. There are a number of instances where Gibraltar may wish to follow developments in the European Union. This may be in areas as distinct as financial services, the environment or workers’ rights.

45 What this Bill seeks to achieve is a replication of the existing powers in the European Communities Act and in the Interpretation and General Clauses Act for this purpose. This is reflected in clause 4 of the Bill. These powers have been exercised for many years and on countless occasions by successive Governments. In this sense, they are not new. The Government therefore proposes to create the same existing framework in a new Bill in case we were to leave the European Union. This will provide the necessary tools to ensure that swift changes, if deemed necessary, can be effected in a timely manner.

50 In addition, there is potential for Parliament to be asked to deal with a significant number of matters of detail. These matters could be of a regulatory or procedural nature, or even some potentially minor legislative tweaks. That is the sort of legislation that this Parliament has been spared to date.

55 Mr Speaker, this Bill breaks some new ground by making provision also in relation to EU legislation that has not applied to Gibraltar whilst in the European Union. Clause 4(4) therefore makes it clear that the clause is not limited to those areas of the EU Treaties or laws made under those Treaties that apply to or in Gibraltar under the terms of the Act of Accession and the European Communities Act. This extra lever has been introduced in order to give the Government of the day full control over the entire EU acquis and therefore maximum flexibility to respond quickly to changing circumstances.

60 The House should consider the Bill and its use in the context of how Governments to this day have exercised the same existing powers. Government have – and in the future may, when they consider it appropriate to do so – introduced primary legislation where the subject matter warrants it. That is a judgement call that is already currently made whenever EU legislation is to be implemented. The Bill does not affect the application of those principles, as I said, and they will continue to inform the exercise of power under this Bill.

65 The House may be interested to learn that Jersey has itself operated a voluntary implementation scheme for a number of years and has found it to be a useful tool. The House knows that Jersey’s involvement in EU legislation has, as a matter of EU law, been more limited than that of Gibraltar. Indeed, the UK government itself, like the Gibraltar Government, is also seeking the power to be able to respond to those matters quickly in order to meet the demands of the moment.

70 Mr Speaker, in short, the effect of the Bill will be to allow Gibraltar to give effect to EU law and to mirror EU law in circumstances where there may no longer be an obligation to do so.

I commend the Bill to the House. *(Banging on desks)*

80

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

85 **Hon. E J Phillips:** Mr Speaker, we welcome the Bill and we echo a number of the observations made by the Deputy Chief Minister in relation to the political fracas panorama evolving almost daily in the United Kingdom. I note that the Deputy Chief Minister referred to politics being turned on its head: perhaps that should be extended to politicians being also turned on their heads almost on a daily basis in the United Kingdom. Luckily, in some respects, we do not suffer from the same problem in this jurisdiction.

90 Mr Speaker, particularly in relation to subclause 4(4) I can understand the rationale being deployed by the Government insofar as laws that would benefit this jurisdiction in this particular transition. Apart from that, we would also support this Bill insofar as making sure that EU law can continue to apply in Gibraltar insofar as legislation is required by this jurisdiction, and in that sense we will support this Bill.

95 **Mr Speaker:** Does any other hon. Member wish to speak on the Second Reading of this Bill? Does the mover wish to reply? No.

I now put the question, which is that a Bill for an Act to provide the voluntary implementation of European Union laws after the Treaty on European Union, the Treaty on the
100 Functioning of the European Union, the Treaty establishing the European Atomic Energy Community and the European Economic Area Agreement cease to apply to Gibraltar, and to provide such transitional or other provisions as are deemed necessary, and for connected purposes be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

105 **Clerk:** The European Union Laws (Voluntary Implementation) Act 2019.

European Union Laws (Voluntary Implementation) Bill 2019 – Committee Stage and Third Reading to be taken at this sitting

Deputy Chief Minister (Hon. Dr J J Garcia): 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.

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

Members: Aye.

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

Clerk: We now move to the Second Reading of a Bill for an Act to amend the Nature
115 Protection Act 1991.

The Hon. the Minister for the Environment.

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

120 This is a very small amendment that will allow the issuing of fixed penalty notices for specific offences within the Nature Reserve and it is intended to improve the management of the Nature

Reserve so that the officers who enforce that particular Act and its regulations will be able to deal with incidences by way of fixed penalty notice.

I commend the Bill to the House.

125 **Mr Speaker:** Before I put the question, does any hon. Member wish to speak on the general principles and merits of this Bill? No.

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

130 **Clerk:** The Nature Protection (Amendment No. 2) Act 1991.

**Nature Protection (Amendment No. 2) Bill 2018 –
Committee Stage and Third Reading to be taken at this sitting**

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

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

Members: Aye.

**Gibraltar Electricity Authority (Amendment) Bill 2018 –
First Reading approved**

140 **Clerk:** A Bill for an Act to amend the Gibraltar Electricity Authority Act 2003 to support feed-in agreements and to matters connected thereto.

The Hon. the Minister for the Environment, Energy, Climate Change and Education.

145 **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 Gibraltar Electricity Authority Act 2003 be read a first time.

150 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Gibraltar Electricity Authority Act 2003 to support feed-in agreements and to matters connected thereto be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Gibraltar Electricity Authority (Amendment) Act 2019.

155

**Gibraltar Electricity Authority (Amendment) Bill 2018 –
Second Reading approved**

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

This Bill amends the Gibraltar Electricity Authority Act to allow customers of the GEA who generate excess electricity through renewable energy sources to feed such excess electricity into the distribution network.

Customers who wish to feed in electricity will enter into a feed-in agreement with the GEA whereby customers will receive credits for the units of electricity they feed into the distribution network to be used towards their future electricity bills. The Bill permits the GEA, from a statutory perspective, to enter into those feed-in agreements with their customers and empowers the GEA to determine the specific terms and conditions by which such arrangements will be governed.

I would like to express my thanks to the Hon. Marlene Hassan Nahon, who has contributed considerably in discussing some of the implications of the Bill, which will be taken into account as the measures are implemented going forward.

Mr Speaker, 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. the Leader of the Opposition.

Hon. E J Phillips: Mr Speaker, whilst we will support the Bill, we do have one concern – regarding a particular paragraph that I would like to identify now, just so that a note could be taken if we move into Committee Stage – in relation to 12A(2)(g) insofar as the general discretion in respect of those terms and conditions in the feed-in agreements. We have some concerns about how that will be exercised and the terms and conditions of such arrangements. It would appear that there is a general discretion to deal with feed-in arrangements and therefore we would like some more clarity on that aspect, if we can, particularly whether there are certain criteria that have to be met by each of the applicants to those agreements.

Mr Speaker: Does any other hon. Member wish to speak? Yes, the Hon. Roy Clinton.

Hon. R M Clinton: Mr Speaker, whereas I appreciate this is aimed at a domestic market – I imagine this is what the Minister will tell the House – when he refers to ‘consumers’, I wonder whether in his amendment at 3(5) and his insertion of ‘where a consumer generates excess electricity’ they will be given credits ... but what happens if they persistently generate credits? Will they ever get paid? It just seems counterintuitive that if they do not produce credits they have to pay the Authority; but if they are always in credit ... When do they get paid by the Authority? I would like some clarification on that from the Minister, if he could.

Thank you.

Mr Speaker: Does the hon. mover wish to reply? The Hon. John Cortes.

Hon. Dr J E Cortes: Mr Speaker, I am grateful for the comments.

In relation to the first comment, the discretion is that of the Gibraltar Electricity Authority’s board and I have full confidence in that board’s ability to ensure that this is done in a fair manner, considering that the board is chaired by the Minister and includes the Financial Secretary within its members. So I do not share those concerns.

In relation to the Hon. Mr Clinton’s concerns, this is for domestic consumers. It is almost, I would say, extremely unlikely that any domestic consumer, or in this case producer, of electricity would ever, using this kind of technology in the topography of Gibraltar, would be able to

205 domestically produce excess to their consumption, so I do not believe that that is a concern – certainly not a concern that I share. I wish we had that problem to deal with, because that would mean that we were generating a lot of, for example, solar power, but I do not feel that that is something that need concern us, and therefore I do commend the Bill to the House.

210 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Gibraltar Electricity Authority Act 2003 to support feed-in agreements and to matters connected thereto be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

215 **Clerk:** The Gibraltar Electricity Authority (Amendment) Act 2019.

**Gibraltar Electricity Authority (Amendment) Bill 2018 –
Committee Stage and Third Reading to be taken at this sitting**

220 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I have the honour to move that a further Bill to amend the Gibraltar Electricity –

Mr Speaker: No, Committee.

Hon. Dr J E Cortes: Sorry, I have jumped. Yes, I have another one in a minute, so I will say that later, Mr Speaker.

225 I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

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

Members: Aye.

**Gibraltar Electricity Authority (Amendment) Bill 2019 –
First Reading approved**

Clerk: A Bill for an Act to amend the Gibraltar Electricity Authority Act 2003.
The Hon. the Minister for the Environment, Energy, Climate Change and Education.

235 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** This time, Mr Speaker – and apologies for the error earlier – I have the honour to move that a Bill for an Act to amend the Gibraltar Electricity Authority Act 2003 be read a first time.

240 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Gibraltar Electricity Authority Act 2003 be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Gibraltar Electricity Authority (Amendment) Act 2019.

**Gibraltar Electricity Authority (Amendment) Bill 2019 –
Second Reading approved**

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

245 Mr Speaker, I have the honour to move that the Bill now be read a second time.

In recent years a number of property owners have raised concerns regarding the use of areas within private developments by the Gibraltar Electricity Authority for the housing of substations and related GEA equipment. Property owners have expressed concerns specifically that the GEA should not acquire any rights over their land.

250 These concerns can sometimes be resolved by entering into wayleave agreements with individual property owners. However, rather than embark on the negotiation of individual agreements with property owners, it was considered appropriate to deal with these concerns by way of an amendment to the existing Act. This would avoid the cumbersome process of having to negotiate individual agreements with different property owners.

255 The amendment to the Act in the manner proposed will ensure that the use of the land by the GEA in the way described will not result in the acquisition of rights by the GEA in such a way as to unduly prejudice the relevant landowners. The amendments allow the GEA to locate equipment within the land and designate certain areas within new developments for the housing of such equipment, but does not see the GEA acquiring any property rights over such

260 land.

I commend this Bill to the House.

Mr Speaker: Before I put the question, does any hon. Member wish to speak on the general principles and merits of this Bill? No.

265 I now put the question, which is that a Bill for an Act to amend the Gibraltar Electricity Authority Act 2003 be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Gibraltar Electricity Authority (Amendment) Act 2019.

**Gibraltar Electricity Authority (Amendment) Bill 2019 –
Committee Stage and Third Reading to be taken at this sitting**

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

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

Members: Aye.

**Public Health (Amendment) Bill 2019 –
First Reading approved**

280 **Clerk:** A Bill for an Act to amend the Public Health Act in order to provide for improvement notices and relevant penalties in regard to the control of major accident hazards involving dangerous substances.

The Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):
Mr Speaker, I have the honour to move that a Bill for an Act to amend the Public Health Act in
285 order to provide for improvement notices and relevant penalties in regard to the control of
major accident hazards involving dangerous substances be read a first time.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Public Health
Act in order to provide for improvement notices and relevant penalties in regard to the control
290 of major accident hazards involving dangerous substances be read a first time. Those in favour?
(**Members:** Aye.) Those against? Carried.

Clerk: The Public Health (Amendment) Act 2019.

295

**Public Health (Amendment) Bill 2019 –
Second Reading approved**

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

300 The LNG storage facility recently completed at the North Mole will be supplying LNG to the
new electrical power plant. Liquid natural gas is caught by Part 2A of the Public Health Act.

The plant was required to submit a safety report to the Environmental Agency as the
competent authority before operation and will be subject to regular inspections. This
amendment further enhances the power of the Agency as competent authority to issue
improvement notices on the operator should they at any time during their inspections find that
305 the measures taken by the operator for the prevention and mitigation of major accidents are
deficient but not seriously deficient enough to issue a prohibition notice.

I commend this Bill to the House.

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

I now put the question, which is that a Bill for an Act to amend the Public Health Act in order
to provide for improvement notices and relevant penalties in regard to the control of major
accident hazards involving dangerous substances be read a second time. Those in favour?
(**Members:** Aye.) Those against? Carried.

315

Clerk: The Public Health (Amendment) Act 2019.

**Public Health (Amendment) Bill 2019 –
Committee Stage and Third Reading to be taken at this sitting**

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

320

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

Members: Aye.

**Ivory Bill 2019 –
First Reading approved**

325 **Clerk:** A Bill for an Act to make provision for the prohibition of dealing in ivory, save for in certain circumstances; and for connected purposes.

The Hon. the Minister for the Environment, Energy, Climate Change and Education.

330 **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 make provision for the prohibition of dealing in ivory, save for in certain circumstances, and for connected purposes be read a first time.

335 **Mr Speaker:** I now put the question, which is that a Bill for an Act to make provision for the prohibition of dealing in ivory, save for in certain circumstances, and for connected purposes be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Ivory Act 2019.

**Ivory Bill 2019 –
Second Reading approved**

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

As recently as in 1930, as many as 10 million wild elephants roamed huge swathes of the African continent, but decades of poaching and conflict have since decimated African elephant populations. In 2016, experts estimated that the population in Africa had dropped by 111,000 elephants in the span of a decade. Today, there are just about 400,000 elephants across Africa.
345 Poaching continues to steer the species dangerously near to extinction.

Five years ago, researchers in Africa undertook a mammoth task counting the continent's elephants. The Great Elephant Census spanned 18 countries and 295,000 miles, being the largest, most comprehensive survey of African elephants ever. But the results released in 2016 were sobering: just 352,271 savannah elephants were found across their current range – a 30%
350 drop in seven years.

In 2016, the International Union for the Conservation of Nature (IUCN) reported that Africa's elephant population had seen its worst decline in 25 years, mostly as a result of intensified poaching for ivory. Large male super tuskers have virtually disappeared and it is estimated that 20,000 elephants may be poached for ivory every year.

355 This Bill will be one of the world's toughest laws on the sale of ivory. The aim of the Bill is to help reduce poaching of elephants through significantly limiting the legal market for ivory in all the potential of marketing ivory through Gibraltar. It is intended to reduce demand for ivory overseas through the application of the sales ban to re-export of ivory items from Gibraltar. The Bill also helps prevent the laundering of recently poached ivory as old ivory items through legal
360 markets and for it to be re-exported to jurisdictions where ivory continues to be a desirable commodity. The legislative model for this is the England and Wales Ivory Act 2018.

The Bill makes it an offence to deal in ivory, and dealing includes buying, selling or hiring, keeping for the purposes of selling or hiring, importing for sale or hire and exporting for sale or hire.

365 A consequential amendment will also be made to the Import and Export (Control) Regulations so that ivory as defined in the Bill will be a prohibited export and import. This avoids potential enforcement challenges in ascertaining the purpose of an import or export of ivory.

The Bill provides for limited exemptions. The first is for pre-1918 items which are of outstandingly high artistic, cultural or historical value. An owner who may wish to deal in such
370 items will need to obtain an exemption certificate from the Minister with responsibility for the Environment, which is only granted if he is satisfied as to certain matters including the rarity of the item.

Another exemption is for pre-1918 portrait miniatures of no more than 320 cm², which were popular during the 18th and 19th centuries but remain in circulation.

375 The next exemption is for pre-1947 items with a low ivory content, and this will apply to items like furniture with small ivory inlays or handles.

Pre-1975 musical instruments with a volume of ivory of less than 20% of the total material of which the instrument is made are also exempt.

The final exemption is for dealing of ivory to and between qualifying museums. This
380 exemption is not available in respect of unworked ivory, such as a tusk. A private owner may therefore sell or hire items to a qualifying museum. No museums have so far been designated as qualifying for this purpose.

Sections 17-36 of the Act confer powers required to enforce the Bill. Police and customs officers are empowered to stop and search persons or vehicles where they have reasonable
385 grounds to suspect that person to be committing a relevant offence or relevant evidence to be located in the vehicle. In order to enter premises, Police or Customs may obtain a warrant from a Justice of the Peace. There are additional powers to examine items found in a search carried out in accordance with any of the previous provisions.

Besides police and customs officers, authorised persons, being persons representing the
390 Department of Environment or any other person appointed by the Minister, have certain enforcement powers under the Bill.

The retention of items seized is authorised for as long as is necessary, and in particular either for use as evidence in a trial or to enable forensic or scientific investigation.

395 Customs officers have all the powers under the Import and Export Act 1986 for the purposes of this Bill.

I would like to point out that since publication of the Command Paper we have received letters of support and congratulations from renowned conservationists around the world, including the Wildlife Conservation Society, the UK Environmental Investigation Agency, the prestigious Zoological Society of London, the Tusk Trust, the International Fund for Animal
400 Welfare and the Elephant Protection Initiative Implementation Board. These experts have described the Bill as 'comprehensive, clear and rigorous' and 'a testament to Gibraltar's commitment to elephant conservation'. We are encouraged by the indications that our Bill will 'reduce the burden on enforcement agencies in the identification of illegal ivory, empowering them to combat the illegal ivory trade within European borders'.

405 Mr Speaker, as I said earlier, there will be consequential amendments to the regulations to include the Bill and also hunting trophies.

I would like to express my thanks to the Hon. Daniel Feetham, who has assisted in bringing the Bill to this point for me to be able to present it to the House.

I therefore commend the Bill to the House. (*Banging on desks*)

410

Mr Speaker: Before I put the question I know the Hon. Daniel Feetham would wish to speak on the general principles and merits of this Bill, so I now call upon him.

Hon. D A Feetham: Mr Speaker, thank you very much.

415 The Opposition will obviously be supporting this Bill. The story of the elephant is a story that
is imbued in tragedy. As the hon. Member has stated during the course of his intervention, in
1930 there were up to 10 million African elephants. Sixty years later, when they were added to
the International List of Critically Endangered Species, only 600,000 had survived. Today, there
are around 400,000 African elephants – from 10 million less than a century ago. Asian elephants
420 about a century ago numbered approximately 200,000; today, there are less than 40,000 Asian
elephants in the world.

Putting an end to habitat loss – which of course contributes to the decline of wildlife not only
in relation to the elephant but across the board – may be next to impossible because as
population grows and with population explosion in areas of the world where we see the
425 elephant and some of the other endangered species, loss of habitat is very difficult to prevent,
but we can do our bit.

Trophy hunting has undoubtedly contributed to the loss of elephants, but what has really
contributed to this massive decline of elephant numbers – both in Africa and also, to a lesser
extent, in Asia – has been the insatiable appetite in Asia for ivory. Between 2010 and 2014 the
430 price of ivory *tripled* in Asia, of course driving illicit poaching of elephants through the roof.

Despite the elephant's inclusion in Appendix 1 of the Convention on International Trade in
Endangered Species (CITES) in the 1990s meaning the sale of tusks and other elephant parts is a
violation of international law, poaching is bigger business than ever with prices for ivory trade
rising more than 16-fold in the last 10 years. It is incredible numbers, Mr Speaker. And whilst
435 there are countries undoubtedly in Africa, despite very limited resources, that are attempting to
do their bit in order to reduce the amount of poaching in those countries – I saw a story, I think
it was in Tanzania and also in Kenya, where they are recruiting former poachers in order to help
them fight poaching in those countries – the reality is that unless there is a worldwide ban on
ivory sales in the nature of this comprehensive Bill, the demand in ivory will continue and so will
440 the loss of our elephants until it is too late and we lose them altogether. And it is not just about
the elephants: because elephants are a cornerstone species and there are myriad plants and
insects and other animals that depend on the elephant, if we lose the elephant not only would
that be a tragedy in itself but it would also be a wider environmental tragedy.

I hope that other countries in the world follow the example of the Hon. Minister in
445 introducing a Bill of this nature and I have absolutely no hesitation in congratulating him
unreservedly for bringing this Bill to the House.

Mr Speaker, the hon. Gentleman also mentioned something that is very close to my heart,
which is a ban on trophy hunting. I just want to quote from an article by an English MP who I
thought put it very well – Zac Goldsmith MP. I thought the way that he expressed his sentiments
450 on trophy hunting was very close to the heart, for me. He said:

Global nature is in crisis ... A full 25% of all animal and plant species in the world are at risk of extinction.

I pause there, Mr Speaker: 25% of all animal and plant species in the world are at risk of
extinction. That on top of the fact that we had a report that was published last year which
indicated that we had lost, since 1970, 60% of all wildlife species in the world because of human
activity – 60% since 1970 and we are at risk of losing a further 25% of what we have today. And
455 then he continued, and he said:

It is an environmental tragedy ...

Clearly trophy hunting isn't the main cause of this disaster – but it matters. It matters because it shows in the
plainest possible way how we have failed to put a meaningful value on the natural world.

Morally, trophy hunting horrifies the vast majority of the British public. It is depressing if the best we think we can
do for beautiful and endangered creatures like lions, elephants and rhinos is for wealthy Westerners to pay
thousands of pounds to shoot them. And when we see horrific stories like that of the shooting of Cecil the Lion in
Zimbabwe in 2015 or of hunters posing gleefully next to their kills, most of us are repulsed ...

One report produced for the IUCN tells us that 40% of the big game hunting zones in Zambia, and 72% in Tanzania, are now classified as 'depleted', because the big game has been hunted out of these areas. In addition, hunters invariably prize rare species, meaning that the most endangered species are disproportionately targeted.

Mr Speaker, it is with great sadness, I have to say as somebody who does not ... I am not an environmentalist. I cannot stand up in this House and say that I have the years of supporting the environment that the Hon. the Minister has, but I have to say that, over recent years, seeing some of these stories on social media, the photographs, the effect that we are having on the environment, all these photographs of trophy hunters, it really does sadden me to the point sometimes of wanting to weep when I see some of these photographs on Twitter and social media, particularly relating to big-game or trophy hunting.

It saddens me that in the United Kingdom the United Kingdom government does not grasp the bull by the horns – if I can use that analogy – and ban the importation of the products of trophy hunting, because of course you cannot prevent people from going to Africa or anywhere else and kill animals – you cannot prevent that from happening, or it would be very difficult for you to prevent that from happening – but what you can do is prevent people from importing trophy-hunting products into your own country, and to see Ministers in the UK debating whether that is appropriate when we see all those photographs of animals being hunted and the effect that that is having on animals in the natural world really is beyond belief.

I am extremely happy and grateful that the Hon. Minister has indeed grasped the nettle and that within this Bill there is provision for secondary legislation to be brought in order to ban the importation of trophy-hunting products into Gibraltar, and the Hon. Minister needs to be commended for that as well.

Mr Speaker, for all those reasons the Opposition will be voting in favour of the Bill. (*Banging on desks*)

Mr Speaker: Does any other hon. Member wish to contribute to the Second Reading of this Bill?

I call on the mover to reply.

Hon. Dr J E Cortes: Mr Speaker, very briefly. I think I have said it before: I hope I have had something to do with the hon. Member's conversion. Somehow, I almost wish he had been Minister for the Environment when I was out there in the NGO world after hearing him today. But seriously, I do thank him for the kind words he has made about me personally and obviously, by implication, about the Government, (**Hon. Chief Minister:** Hear, hear.) which is leading on all these environmental initiatives – and for the final treatise on the subject, which I think was very illuminating. And so, Mr Speaker, just to express my gratitude to the hon. Member.

Of course a worldwide ban would be ideal. Gibraltar cannot do that but we can certainly lead by example, which we have done, as has been recognised by these major international players in writing and I am sure that after today we will get a lot more publicity in the international conservation world.

Mr Speaker, once again I commend the Bill.

Mr Speaker: I now put the question, which is that a Bill for an Act to make provision for the prohibition of dealing in ivory, save for in certain circumstances, and for connected purposes be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Ivory Act 2019.

**Ivory Bill 2019 –
Committee Stage and Third Reading to be taken at this sitting**

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

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

Members: Aye.

510

Standing Order 7(1) suspended to proceed with laying of Accounts

Clerk: Suspension of Standing Orders.

515 **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 the laying of Accounts on the table.

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

PAPER TO BE LAID

Clerk: The Hon. the Chief Minister.

520 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to lay on the table the
Annual Accounts of the Government of Gibraltar for the Year Ended 31st March 2016.

Mr Speaker: Ordered to lie.

Questions for Oral Answer

CHIEF MINISTER

Q126/2019 Gibdock – Expiry of lease

Clerk: (viii) We are now going to questions to the Chief Minister and we commence with Question 126. I believe it is the Hon. Roy Clinton on behalf on the Hon. T N Hammond.

525

Hon. R M Clinton: Mr Speaker, when does or did the Gibdock lease expire?

Clerk: Answer, the Hon. the Chief Minister.

530

Chief Minister (Hon. F R Picardo): Mr Speaker, the Gibdock lease expired on 10th March 2018. However, Gibdock are presently holding over the lease whilst negotiations take place.

Hon. R M Clinton: Mr Speaker, I am grateful to the Chief Minister for his answer. Can the Chief Minister give an indication as to, if there is an extension or there is a new lease, what the length of a new lease might be?

535

Hon. Chief Minister: Mr Speaker, that is one of the subjects of the negotiation.

540

Q127/2019 e-ID cards – Total cost of introduction

Clerk: Question 127. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, what was the total cost, including the additional labour required, for the preparation and implementation of the new e-ID cards introduced in 2015 up until the fee waiver applied?

545

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the total cost of the implementation of the new e-ID card system was £1,860,702.63

550

Q128/2019 Government borrowing – Plans for raising new borrowing

Clerk: Question 128. The Hon. R M Clinton.

555 **Hon. R M Clinton:** Mr Speaker, can the Government advise if it is seeking to raise new borrowing via either a securitisation programme or mortgages of property held by Government-owned or Gibraltar Development Corporation owned companies?

Clerk: Answer, the Hon. the Chief Minister.

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

Hon. R M Clinton: Mr Speaker, I realise I have phrased the question as prospective, but can the Government indicate whether it has in fact borrowed any money, certainly since I posed this question in January?

565 **Hon. Chief Minister:** Mr Speaker, no, sir.

Q129/2019
Community Care Trust –
Beneficiary of £85 million loan

Clerk: Question 129. The Hon. R M Clinton.

570 **Hon. R M Clinton:** Mr Speaker, can the Government advise if it, or the Financial Secretary, has any knowledge of the identity of the beneficiary of the £85 million loan granted by Gibraltar Community Care Trust via GCC Investments Ltd?

Clerk: Answer, the Hon. the Chief Minister.

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

Hon. R M Clinton: Mr Speaker, I am grateful to the Chief Minister for his answer. Would he be able to share with the House who was the beneficiary of the £85 million loan?

580 **Hon. Chief Minister:** Mr Speaker, I am happy to share the information with the hon. Gentleman behind the Speaker's Chair.

585 **Hon. R M Clinton:** Mr Speaker, given that this effectively originates from public money voted by this Parliament, I would ask the Chief Minister what it is that is so sensitive that he is not able to say in this Chamber who will receive the benefit of that loan. What is it that is so sensitive as to the beneficiary of this loan?

Hon. Chief Minister: Mr Speaker, the sensitivity is such that I am not able to explain the sensitivity to him on this side of your Chair. On the other side of your chair I am prepared to explain the sensitivity to him.

590 He does understand, of course, that he is asking me about information which relates to community care, a totally independent charity. Although it receives money from the Government – a donation made every year – it does not account to the Government for what it does.

595 The hon. Gentleman has asked me would I know something about what that charity did and I have given him the truthful answer. He now wants to know more about what that charity did and what I know about it, and I have told him that I am prepared to tell him. But it is not Government information; it is information about an independent third-party charity. I hope he

600 does understand how important it is to maintain the principle and the reality and the truth that
Gibraltar Community Care Ltd is an independent third-party charity and what the potential
consequences of not keeping to that truth and reality might be for every recipient of Household
Cost Allowance in Gibraltar. As I am sure he will not want to in any way affect that in a way that
might potentially be negative, he should accept from me that the issue is one of great sensitivity
and when I – if he wishes – share information with him behind your Chair on all of the terms that
that implies, I think he will realise why there is sensitivity. This is not just about playing detective
605 and trying to get to the bottom of a trail. This is about understanding why this House donates
the money, what the purpose of the charitable institution is, what benefit to every Gibraltar-
resident pensioner the charity provides and how we must be very careful to protect against
anything that might in some way negatively affect that independent charity's ability to continue
to pay the Household Cost Allowance to Gibraltar residents.

610 Our parties have had different positions in respect of this matter in the past. I had
understood that we now had the same position in respect of Gibraltar Community Care. Perhaps
I was wrong.

Hon. R M Clinton: Mr Speaker, I am fully cognisant of the sensitivity of Community Care and
615 certainly I personally have no intention of affecting the payment of the Household Allowance or
any other allowance paid by that worthy charity. I just would like to gain an understanding of
how Community Care is investing and protecting that money for the benefit of our pensioners.

I will, given my real interest in how this money is being utilised – and I think it would be
remiss of me not to – take up the Chief Minister's offer to explain how this money has been
620 invested. However, if I feel that it is in the public interest, I reserve my right to disclose that
information.

Hon. Chief Minister: Well, Mr Speaker, he and I have completely different views, obviously,
625 about where the public interest might lie here, and given that he represents a very small number
of the electorate in this House and indeed in this community ... Indeed, if we had proportional
representation in Gibraltar, hon. Members might have had three or four Members in this House,
as we have seen in the neighbouring town where, with 66%, in a different sort of parliament
under a different sort of system, the party that wins the election takes 21 out of 25 seats.

The public interest is a matter to be determined by the Government, and so, Mr Speaker, I
630 am so cognisant of my role as the guardian of the public interest in this respect and others that I
do not therefore feel comfortable now sharing the information with the hon. Member even
behind the Speaker's Chair. I think he has opened the door to an end to an established
parliamentary convention, which is that if we share information behind the Speaker's Chair it is
kept confidential – full stop. If the hon. Member believes that something is still in the public
635 interest, well, he can come and ask the question again and I can give him the same answer, and
he can show by his repeated questioning his view that something is in the public interest. But if
he says, 'I will take the information on terms of strict confidentiality and I will then determine for
myself whether it is in the public interest', I fear that hon. Members do not understand, at least
the hon. Member – I will not say it of all of them; I say it of him – does not understand that the
640 public interest might be different to his personal interest, to his curiosity, which is something
that seems to be coming across more than his concern for the public interest, or indeed his
partisan interest.

And so therefore, Mr Speaker, he has made me and, I am sure, all of the Members on this
side of the House – and indeed, from the reactions that I saw in their faces, some Members on
645 that side of the House – entirely uncomfortable with the idea of sharing information with him on
what one might have called 'behind the Speaker's Chair' terms, because he has said he is ready
to open the tap and undo the confidentiality in which, for generations, Members of the House
have shared that information without the threat of disclosure if one of them decides that it is in
the public interest.

650 We have to be able to talk to each other, and to be able to talk to each other we have to be
able to trust each other. And despite the fact that when the cameras are rolling we might go
hammer and tongs at each other – which to an extent is what the taxpayer requires us to do in
an adversarial system where we test ideas in that way – the hon. Gentleman has just closed the
655 door to another type of understanding between us which would have at least satiated his
curiosity, even if it might not have allowed him an additional unfortunate and probably
ineffective press release.

Mr Speaker: I do not think we should enter into a debate about the public interest.

660 **Hon. R M Clinton:** Okay, well, just one last comment.

Mr Speaker: If you have some other matter, please do.

Hon. R M Clinton: Mr Speaker, I have asked this question because it originates from public
665 money. The Chief Minister has in his possession information as to how this public money has
been used. He does not wish to share with this House or the public how this money has been
used. Therefore, Mr Speaker, I – as a representative of the public who is meant to be holding his
Government to account – cannot accept his terms either.

670 **Hon. Chief Minister:** Well, Mr Speaker, I am a representative of the public too. I am much
more representative, after the last General Election, of the public than he is. General elections
are what determine where we sit in this place, and the results of general elections until the next
general election are what determine how many people we represent.

But the way that the hon. Gentleman explains it, Mr Speaker, is designed to prejudice those
675 listening against those of us who have the information because we might be seeking to keep it
confidential. There is a difference between keeping something secret and keeping something
confidential. This is not even confidential, because it is public money. In other words, the hon.
Gentleman sees it as public money and he says it is public money and it is donated as public
680 money, then it becomes charitable money. In other words, the public money is donated to the
charity; it then becomes charitable money. So, what the hon. Gentleman is doing is he is
impugning, as he has in the letter that he sent to the Principal Auditor, the integrity of the
trustees of Community Care in the manner – (*Interjections*)

Hon. R M Clinton: On a point of order, I never said that.

685

Mr Speaker: Order!

Hon. Chief Minister: He is impugning me.

690 **Mr Speaker:** Order!

Hon. Chief Minister: Mr Speaker, that is not a point of order; that is a ridiculous attempt to
stop the flow of an orator who is not going to be stopped in his flow.

695 What the hon. Gentleman did, or attempted to do in his letter to the Principal Auditor was to
impugn the integrity of the commissioners, of the trustees of Community Care, (*Interjection*) and
he achieved nothing because the money that he refers to as public money is donated by this
Parliament, (*Interjections*) with the votes of the Members of this Government –

Mr Speaker: Order!

700

Hon. Chief Minister: – and the hon. Lady, to Community Care.

Mr Speaker: Order! These exchanges are no longer achieving any useful purpose. I am asking the Clerk to call the next question.

Q130/2019
Mortgaged housing estates –
Application of funds

705 **Clerk:** Question 130. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise how it has used the £300 million raised by the mortgaging of six housing estates in 2016?

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

Chief Minister (Hon. F R Picardo): Mr Speaker, I will be making a statement in respect of the application of these funds during the course of my Budget address.

715 **Hon. R M Clinton:** Mr Speaker, as you will appreciate, I submitted these questions in January, long before we got the Estimates Book. I think I am owed an answer by the Chief Minister.

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

720

Hon. R M Clinton: Mr Speaker, this is a farce of the proceedings of this House. I tabled these questions in January. The Budget Book only came to us, I think, in late April, early May. I think it is right and proper that I should get the answer to this question before the Budget.

725 **Hon. Chief Minister:** Mr Speaker, what is a farce is that a retiree who gets £36,000 from the taxpayer – to spend his time in Main Street having coffee whilst the Government is hard at work ensuring this community is not hit by Brexit – should demand that I do more than I already do for this community simply by setting out for him the things that he is curious about.

730 I shall tell the community more about the application of the £300 million war chest that we obtained for the Government during the course of my Budget address on 10th June. I very much look forward to delivering it. I know that he very much looks forward to hearing what I have to say. He will be very impressed by the things I have to tell the community.

735 **Hon. R M Clinton:** Mr Speaker, let's first be clear that this is by no shape and means a war chest. This is money he has borrowed on the back of our housing stock, and he knows it. I think he owes this House an explanation. It has been three years since he borrowed this money and he still will not tell us what he did with it. I think that is shameful, Mr Speaker, and he should be ashamed of himself.

740 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman rises to shame himself by failing to remind us that the Government has already told the community on a number of occasions some of the things that we are doing with this money. He just wants more information and he wants the full breakdown. Well, look, Mr Speaker, he is going to have it but he is going to have it during the course of the Budget debate.

745 Every time he has been cross-examined on this on television he has, at the end of the questioning, reluctantly accepted first, when he was quizzed on *Viewpoint* two years ago, that

he would probably have done this deal himself too because in the end, after his analysis, it was not a bad one; and second that, actually, if you were reclaiming land and making a lot of money using this money, it would be a good investment for the community.

750 When he prances up and down Main Street enjoying his retirement and his £36,000 from the taxpayer, which is obviously just buying him his morning coffee, he wants more information upon which to reflect, upon which to ruminate. Mr Speaker, I am afraid the Hon. Mr Feetham was wrong: there are not just 400,000 elephants, there are 400,001, and one of them is ruminating up and down Main Street.

755 **Mr Speaker:** These exchanges of a personal nature are not achieving any purpose, they have got very little to do with the subject matter of the question, and the Clerk will therefore call Question 131.

Q131-134/2019

Midtown Coach and Car Park –

Spaces sold and purchase prices; recovery of moneys owed to Gibraltar Car Parks Ltd

Clerk: Question 131. The Hon. R M Clinton.

760 **Hon. R M Clinton:** Mr Speaker, further to Written Question 66/2018, can the Government advise why 44 parking spaces at the Midtown Coach and Car Park were sold for £18,000 and can it please provide a list of those 44 car parking space numbers sold at £18,000?

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

Chief Minister (Hon. F R Picardo): I will answer this question, Mr Speaker, together with Questions 132, 133 and 134.

770 **Clerk:** Question 132. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, further to Written Question 66/2018, can the Government provide floor plans for the Midtown Coach and Car Park for those floors where the 456 car parking spaces were sold, identifying car parking space numbers and associated sale price?

775 **Clerk:** Question 133. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise if it or the developer offered any car parking spaces in the Midtown Coach and Car Park at a discounted price, and if so, why; and please identify such groups who benefited from a reduced purchase price?

Clerk: Question 134. The Hon. R M Clinton.

785 **Hon. R M Clinton:** Mr Speaker, can the Government advise how it intends to recover the £14,187,808.47 owed by Midtown Coach and Car Parks Ltd to Gibraltar Car Parks Ltd?

Clerk: Answer, the Hon. the Chief Minister.

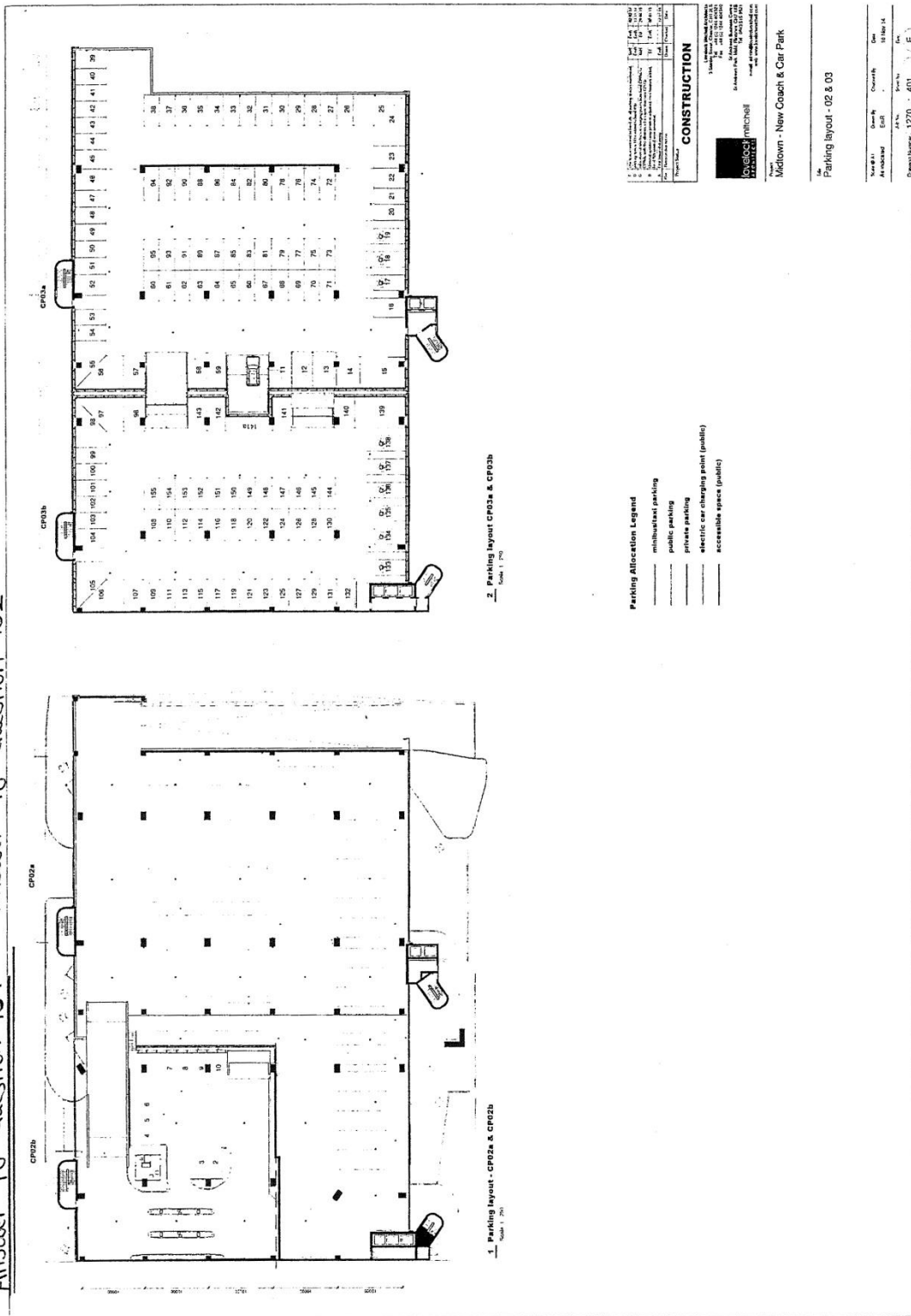
790 **Hon. Chief Minister:** Mr Speaker, 44 parking spaces at the magnificent Midtown Coach and Car Park were sold for £18,000 as these are narrower than the standard parking. The floor plans and pricing schedules requested are now being handed out.

795 The price criteria of the spaces are as follows. They sold for £15,000 for an uncovered space; £18,000 for a reduced-width space 2.2 m wide, whilst standard spaces are 2.4 m – I think it was the columns which were affecting the size of these; £20,000 for a standard space; and £22,500 for a slightly larger space.

800 Mr Speaker, I presume that Question 134 was asked when Midtown Coach and Car Park Ltd was owned by a third party, namely Midtown Coach and Car Park (Holdings) Ltd. Midtown Coach and Car Parks Ltd was acquired by Gibraltar Car Parks Ltd on 28th February 2018. The loan outstanding represents the debt owing over the cost of construction less any sales proceeds and associated cost, which will be repaid from rental and other income associated with the operation of the Car Park.

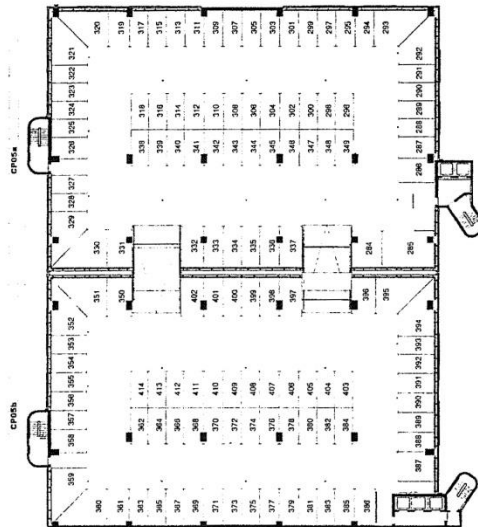
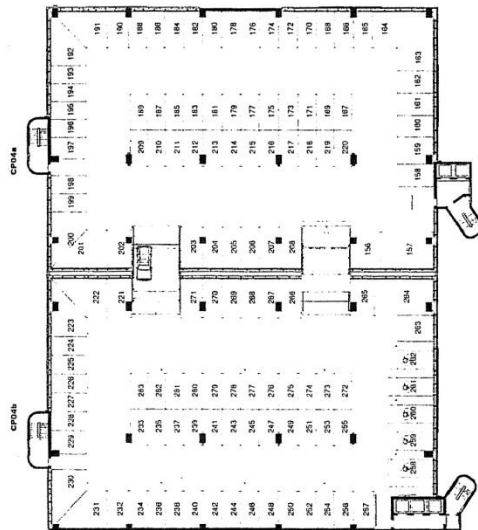
Answer to Q132/2019

ANSWER TO QUESTION 132 ANSWER TO QUESTION 132



Answer to Q132/2019 (Continued)

ANSWER TO QUESTION 134 ANSWER TO QUESTION 132



Parking Allocation Legend

- minibussed parking
- public parking
- private parking
- electric car charging point (public)
- accessible space (public)

CONSTRUCTION

Item No.	Description	Unit	Quantity	Rate	Total
1	Excavate and backfill to ground level	m ³	100	100	10000
2	Excavate and backfill to 1.5m depth	m ³	200	200	40000
3	Excavate and backfill to 3.0m depth	m ³	300	300	60000
4	Excavate and backfill to 4.5m depth	m ³	400	400	80000
5	Excavate and backfill to 6.0m depth	m ³	500	500	100000
6	Excavate and backfill to 7.5m depth	m ³	600	600	120000
7	Excavate and backfill to 9.0m depth	m ³	700	700	140000
8	Excavate and backfill to 10.5m depth	m ³	800	800	160000
9	Excavate and backfill to 12.0m depth	m ³	900	900	180000
10	Excavate and backfill to 13.5m depth	m ³	1000	1000	200000
11	Excavate and backfill to 15.0m depth	m ³	1100	1100	220000
12	Excavate and backfill to 16.5m depth	m ³	1200	1200	240000
13	Excavate and backfill to 18.0m depth	m ³	1300	1300	260000
14	Excavate and backfill to 19.5m depth	m ³	1400	1400	280000
15	Excavate and backfill to 21.0m depth	m ³	1500	1500	300000
16	Excavate and backfill to 22.5m depth	m ³	1600	1600	320000
17	Excavate and backfill to 24.0m depth	m ³	1700	1700	340000
18	Excavate and backfill to 25.5m depth	m ³	1800	1800	360000
19	Excavate and backfill to 27.0m depth	m ³	1900	1900	380000
20	Excavate and backfill to 28.5m depth	m ³	2000	2000	400000
21	Excavate and backfill to 30.0m depth	m ³	2100	2100	420000
22	Excavate and backfill to 31.5m depth	m ³	2200	2200	440000
23	Excavate and backfill to 33.0m depth	m ³	2300	2300	460000
24	Excavate and backfill to 34.5m depth	m ³	2400	2400	480000
25	Excavate and backfill to 36.0m depth	m ³	2500	2500	500000
26	Excavate and backfill to 37.5m depth	m ³	2600	2600	520000
27	Excavate and backfill to 39.0m depth	m ³	2700	2700	540000
28	Excavate and backfill to 40.5m depth	m ³	2800	2800	560000
29	Excavate and backfill to 42.0m depth	m ³	2900	2900	580000
30	Excavate and backfill to 43.5m depth	m ³	3000	3000	600000
31	Excavate and backfill to 45.0m depth	m ³	3100	3100	620000
32	Excavate and backfill to 46.5m depth	m ³	3200	3200	640000
33	Excavate and backfill to 48.0m depth	m ³	3300	3300	660000
34	Excavate and backfill to 49.5m depth	m ³	3400	3400	680000
35	Excavate and backfill to 51.0m depth	m ³	3500	3500	700000
36	Excavate and backfill to 52.5m depth	m ³	3600	3600	720000
37	Excavate and backfill to 54.0m depth	m ³	3700	3700	740000
38	Excavate and backfill to 55.5m depth	m ³	3800	3800	760000
39	Excavate and backfill to 57.0m depth	m ³	3900	3900	780000
40	Excavate and backfill to 58.5m depth	m ³	4000	4000	800000
41	Excavate and backfill to 60.0m depth	m ³	4100	4100	820000
42	Excavate and backfill to 61.5m depth	m ³	4200	4200	840000
43	Excavate and backfill to 63.0m depth	m ³	4300	4300	860000
44	Excavate and backfill to 64.5m depth	m ³	4400	4400	880000
45	Excavate and backfill to 66.0m depth	m ³	4500	4500	900000
46	Excavate and backfill to 67.5m depth	m ³	4600	4600	920000
47	Excavate and backfill to 69.0m depth	m ³	4700	4700	940000
48	Excavate and backfill to 70.5m depth	m ³	4800	4800	960000
49	Excavate and backfill to 72.0m depth	m ³	4900	4900	980000
50	Excavate and backfill to 73.5m depth	m ³	5000	5000	1000000
51	Excavate and backfill to 75.0m depth	m ³	5100	5100	1020000
52	Excavate and backfill to 76.5m depth	m ³	5200	5200	1040000
53	Excavate and backfill to 78.0m depth	m ³	5300	5300	1060000
54	Excavate and backfill to 79.5m depth	m ³	5400	5400	1080000
55	Excavate and backfill to 81.0m depth	m ³	5500	5500	1100000
56	Excavate and backfill to 82.5m depth	m ³	5600	5600	1120000
57	Excavate and backfill to 84.0m depth	m ³	5700	5700	1140000
58	Excavate and backfill to 85.5m depth	m ³	5800	5800	1160000
59	Excavate and backfill to 87.0m depth	m ³	5900	5900	1180000
60	Excavate and backfill to 88.5m depth	m ³	6000	6000	1200000
61	Excavate and backfill to 90.0m depth	m ³	6100	6100	1220000
62	Excavate and backfill to 91.5m depth	m ³	6200	6200	1240000
63	Excavate and backfill to 93.0m depth	m ³	6300	6300	1260000
64	Excavate and backfill to 94.5m depth	m ³	6400	6400	1280000
65	Excavate and backfill to 96.0m depth	m ³	6500	6500	1300000
66	Excavate and backfill to 97.5m depth	m ³	6600	6600	1320000
67	Excavate and backfill to 99.0m depth	m ³	6700	6700	1340000
68	Excavate and backfill to 100.5m depth	m ³	6800	6800	1360000
69	Excavate and backfill to 102.0m depth	m ³	6900	6900	1380000
70	Excavate and backfill to 103.5m depth	m ³	7000	7000	1400000
71	Excavate and backfill to 105.0m depth	m ³	7100	7100	1420000
72	Excavate and backfill to 106.5m depth	m ³	7200	7200	1440000
73	Excavate and backfill to 108.0m depth	m ³	7300	7300	1460000
74	Excavate and backfill to 109.5m depth	m ³	7400	7400	1480000
75	Excavate and backfill to 111.0m depth	m ³	7500	7500	1500000
76	Excavate and backfill to 112.5m depth	m ³	7600	7600	1520000
77	Excavate and backfill to 114.0m depth	m ³	7700	7700	1540000
78	Excavate and backfill to 115.5m depth	m ³	7800	7800	1560000
79	Excavate and backfill to 117.0m depth	m ³	7900	7900	1580000
80	Excavate and backfill to 118.5m depth	m ³	8000	8000	1600000
81	Excavate and backfill to 120.0m depth	m ³	8100	8100	1620000
82	Excavate and backfill to 121.5m depth	m ³	8200	8200	1640000
83	Excavate and backfill to 123.0m depth	m ³	8300	8300	1660000
84	Excavate and backfill to 124.5m depth	m ³	8400	8400	1680000
85	Excavate and backfill to 126.0m depth	m ³	8500	8500	1700000
86	Excavate and backfill to 127.5m depth	m ³	8600	8600	1720000
87	Excavate and backfill to 129.0m depth	m ³	8700	8700	1740000
88	Excavate and backfill to 130.5m depth	m ³	8800	8800	1760000
89	Excavate and backfill to 132.0m depth	m ³	8900	8900	1780000
90	Excavate and backfill to 133.5m depth	m ³	9000	9000	1800000
91	Excavate and backfill to 135.0m depth	m ³	9100	9100	1820000
92	Excavate and backfill to 136.5m depth	m ³	9200	9200	1840000
93	Excavate and backfill to 138.0m depth	m ³	9300	9300	1860000
94	Excavate and backfill to 139.5m depth	m ³	9400	9400	1880000
95	Excavate and backfill to 141.0m depth	m ³	9500	9500	1900000
96	Excavate and backfill to 142.5m depth	m ³	9600	9600	1920000
97	Excavate and backfill to 144.0m depth	m ³	9700	9700	1940000
98	Excavate and backfill to 145.5m depth	m ³	9800	9800	1960000
99	Excavate and backfill to 147.0m depth	m ³	9900	9900	1980000
100	Excavate and backfill to 148.5m depth	m ³	10000	10000	2000000

CONSTRUCTION

1. Excavate and backfill to ground level

2. Excavate and backfill to 1.5m depth

3. Excavate and backfill to 3.0m depth

4. Excavate and backfill to 4.5m depth

5. Excavate and backfill to 6.0m depth

6. Excavate and backfill to 7.5m depth

7. Excavate and backfill to 9.0m depth

8. Excavate and backfill to 10.5m depth

9. Excavate and backfill to 12.0m depth

10. Excavate and backfill to 13.5m depth

11. Excavate and backfill to 15.0m depth

12. Excavate and backfill to 16.5m depth

13. Excavate and backfill to 18.0m depth

14. Excavate and backfill to 19.5m depth

15. Excavate and backfill to 21.0m depth

16. Excavate and backfill to 22.5m depth

17. Excavate and backfill to 24.0m depth

18. Excavate and backfill to 25.5m depth

19. Excavate and backfill to 27.0m depth

20. Excavate and backfill to 28.5m depth

21. Excavate and backfill to 30.0m depth

22. Excavate and backfill to 31.5m depth

23. Excavate and backfill to 33.0m depth

24. Excavate and backfill to 34.5m depth

25. Excavate and backfill to 36.0m depth

26. Excavate and backfill to 37.5m depth

27. Excavate and backfill to 39.0m depth

28. Excavate and backfill to 40.5m depth

29. Excavate and backfill to 42.0m depth

30. Excavate and backfill to 43.5m depth

31. Excavate and backfill to 45.0m depth

32. Excavate and backfill to 46.5m depth

33. Excavate and backfill to 48.0m depth

34. Excavate and backfill to 49.5m depth

35. Excavate and backfill to 51.0m depth

36. Excavate and backfill to 52.5m depth

37. Excavate and backfill to 54.0m depth

38. Excavate and backfill to 55.5m depth

39. Excavate and backfill to 57.0m depth

40. Excavate and backfill to 58.5m depth

41. Excavate and backfill to 60.0m depth

42. Excavate and backfill to 61.5m depth

43. Excavate and backfill to 63.0m depth

44. Excavate and backfill to 64.5m depth

45. Excavate and backfill to 66.0m depth

46. Excavate and backfill to 67.5m depth

47. Excavate and backfill to 69.0m depth

48. Excavate and backfill to 70.5m depth

49. Excavate and backfill to 72.0m depth

50. Excavate and backfill to 73.5m depth

51. Excavate and backfill to 75.0m depth

52. Excavate and backfill to 76.5m depth

53. Excavate and backfill to 78.0m depth

54. Excavate and backfill to 79.5m depth

55. Excavate and backfill to 81.0m depth

56. Excavate and backfill to 82.5m depth

57. Excavate and backfill to 84.0m depth

58. Excavate and backfill to 85.5m depth

59. Excavate and backfill to 87.0m depth

60. Excavate and backfill to 88.5m depth

61. Excavate and backfill to 90.0m depth

62. Excavate and backfill to 91.5m depth

63. Excavate and backfill to 93.0m depth

64. Excavate and backfill to 94.5m depth

65. Excavate and backfill to 96.0m depth

66. Excavate and backfill to 97.5m depth

67. Excavate and backfill to 99.0m depth

68. Excavate and backfill to 100.5m depth

69. Excavate and backfill to 102.0m depth

70. Excavate and backfill to 103.5m depth

71. Excavate and backfill to 105.0m depth

72. Excavate and backfill to 106.5m depth

73. Excavate and backfill to 108.0m depth

74. Excavate and backfill to 109.5m depth

75. Excavate and backfill to 111.0m depth

76. Excavate and backfill to 112.5m depth

77. Excavate and backfill to 114.0m depth

78. Excavate and backfill to 115.5m depth

79. Excavate and backfill to 117.0m depth

80. Excavate and backfill to 118.5m depth

81. Excavate and backfill to 120.0m depth

82. Excavate and backfill to 121.5m depth

83. Excavate and backfill to 123.0m depth

84. Excavate and backfill to 124.5m depth

85. Excavate and backfill to 126.0m depth

86. Excavate and backfill to 127.5m depth

87. Excavate and backfill to 129.0m depth

88. Excavate and backfill to 130.5m depth

89. Excavate and backfill to 132.0m depth

90. Excavate and backfill to 133.5m depth

91. Excavate and backfill to 135.0m depth

92. Excavate and backfill to 136.5m depth

93. Excavate and backfill to 138.0m depth

94. Excavate and backfill to 139.5m depth

95. Excavate and backfill to 141.0m depth

96. Excavate and backfill to 142.5m depth

97. Excavate and backfill to 144.0m depth

98. Excavate and backfill to 145.5m depth

99. Excavate and backfill to 147.0m depth

100. Excavate and backfill to 148.5m depth

Midtown Coach & Car Park

Parking layout - 04 & 05

Scale: 1:200

Visual Scale: 1:200 @ A1

Drawing Number: 1270 - 402

Answer to Q132/2019 (Continued)

LEVEL / UNIT	OFFICIAL No.	PRICE
3A01	11	20000
3A01R	12	20000
3A02R	13	20000
3A02	14	20000
3A03 + Space	15	25000
3A05	16	20000
3A06	17	
3A07	18	
3A08	19	
3A09	20	20000
3A10	21	20000
3A11	22	20000
3A12	23	15000
3A13	24	17500
3A14	25	17500
3A15	26	15000
3A16	27	15000
3A17	28	15000
3A18	29	15000
3A19	30	15000
3A20	31	15000
3A21	32	15000
3A22	33	15000
3A23	34	15000
3A24	35	15000
3A25	36	15000
3A26	37	15000
3A27	38	20000
3A28	39	15000
3A29	40	15000
3A30	41	15000
3A31	42	15000
3A32	43	15000
3A33	44	20000
3A34	45	20000
3A35	46	20000
3A36	47	20000
3A37	48	20000
3A38	49	20000
3A39	50	20000
3A40	51	20000
3A41	52	20000
3A42	53	20000
3A43	54	20000
3A44 + Space	55	22500
3A45	56	22500
3A46	57	20000
3A47	58	20000
3A48	59	20000
3A49	60	20000

Answer to Q132/2019 (Continued)

3A50	61	20000
3A51	62	20000
3A52	63	18000
3A53	64	18000
3A54	65	20000
3A55	66	20000
3A56	67	18000
3A57	68	20000
3A58	69	20000
3A59	70	20000
3A60	71	20000
3A61	72	20000
3A62	73	20000
3A63	74	20000
3A64	75	20000
3A65	76	20000
3A66	77	20000
3A67	78	20000
3A68	79	20000
3A69	80	20000
3A70	81	20000
3A71	82	20000
3A72	83	20000
3A73	84	20000
3A74	85	20000
3A75	86	20000
3A76	87	20000
3A77	88	20000
3A78	89	20000
3A79	90	20000
3A80	91	20000
3A81	92	20000
3A82	93	20000
3A83	94	20000
3A84	95	20000

Answer to Q132/2019 (Continued)

LEVEL / UNIT	OFFICIAL No.	PRICE
3B01	96	20000
3B02	97	22500
3B03	98	22500
3B04	99	20000
3B05	100	20000
3B06	101	20000
3B07	102	20000
3B08	103	20000
3B09	104	20000
3B10	105	22500
3B11	106	22500
3B12	107	20000
3B13	108	20000
3B14	109	20000
3B15	110	20000
3B16	111	20000
3B17	112	20000
3B18	113	20000
3B19	114	18000
3B20	115	20000
3B21	116	18000
3B22	117	20000
3B23	118	20000
3B24	119	20000
3B25	120	20000
3B26	121	20000
3B27	122	18000
3B28	123	20000
3B29	124	18000
3B30	125	20000
3B31	126	20000
3B32	127	20000
3B33	128	20000
3B34	129	20000
3B35	130	20000
3B36	131	20000
3B37	132	20000
3B44 + Space	139	25000
3B45	140	20000
3B46	141	20000
3B47	142	20000
3B48	143	20000
3B49	144	20000
3B50	145	20000
3B51	146	20000
3B52	147	20000
3B53	148	20000
3B54	149	20000
3B55	150	20000
3B56	151	20000
3B57	152	20000
3B58	153	20000
3B59	154	20000
3B60	155	20000

Answer to Q132/2019 (Continued)

	OFFICIAL No.	PRICE
4A01	156	20000
4A02	157	22500
4A03	158	20000
4A04	159	20000
4A05	160	20000
4A06	161	20000
4A07	162	20000
4A08	163	22500
4A09	164	22500
4A10	165	20000
4A11	166	20000
4A12	167	20000
4A13	168	20000
4A14	169	20000
4A15	170	20000
4A16	171	20000
4A17	172	
4A18	173	20000
4A19	174	20000
4A20	175	20000
4A21	176	20000
4A22	177	20000
4A23	178	20000
4A24	179	20000
4A25	180	2000
4A26	181	20000
4A27	182	20000
4A28	183	20000
4A29	184	20000
4A30	185	20000
4A31	186	20000
4A32	187	20000
4A33	188	20000
4A34	189	20000
4A35	190	20000
4A36	191	22500
4A37	192	22500
4A38	193	20000
4A39	194	20000
4A40	195	20000
4A41	196	20000
4A42	197	20000
4A43	198	20000
4A44	199	20000
4A45 + space	200	22500
4A46 + space	201	22500
4A47	202	20000
4A48	203	20000
4A49	204	18000
4A50	205	20000
4A51	206	20000
4A52	207	18000
4A53	208	20000
4A54	209	20000
4A55	210	20000
4A56	211	20000
4A57	212	18000
4A58	213	18000
4A59	214	20000
4A60	215	20000
4A61	216	18000
4A62	217	18000
4A63	218	20000
4A64	219	20000
4A65	220	20000

Answer to Q132/2019 (Continued)

LEVEL / UNIT	OFFICIAL No.	PRICE
4B01	221	20000
4B02	222	22500
4B03	223	22500
4B04	224	20000
4B05	225	20000
4B06	226	20000
4B07	227	20000
4B08	228	20000
4B09	229	20000
4B10 + Corner	230	22500
4B11	231	22500
4B12	232	20000
4B13	233	20000
4B14	234	20000
4B15	235	20000
4B16	236	20000
4B17	237	20000
4B18	238	20000
4B19	239	18000
4B20	240	20000
4B21	241	18000
4B22	242	20000
4B23	243	20000
4B24	244	20000
4B25	245	20000
4B26	246	20000
4B27	247	18000
4B28	248	20000
4B29	249	20000
4B30	250	20000
4B31	251	18000
4B32	252	20000
4B33	253	2000
4B34	254	20000
4B35	255	20000
4B36	256	20000
4B37	257	20000
4B38	258	
4B39	259	
4B40	260	
4B41	261	
4B42	262	
4B43	263	22500
4B44	264	22500
4B45	265	20000
4B46	266	20000
4B47	267	18000
4B48	268	20000
4B49	269	20000
4B50	270	18000
4B51	271	20000
4B52	272	20000
4B53	273	20000
4B54	274	20000
4B55	275	20000
4B56	276	20000
4B57	277	20000
4B58	278	20000
4B59	279	20000
4B60	280	20000
4B61	281	20000
4B62	282	20000
4B63	283	20000

Answer to Q132/2019 (Continued)

LEVEL / UNIT	OFFICIAL No.	PRICE
5A01	284	22500
5A02	285	22500
5A04	286	20000
5A05	287	20000
5A06	288	20000
5A07	289	20000
5A08	290	20000
5A09	291	20000
5A10	292	22500
5A11	293	22500
5A12	294	20000
5A13	295	20000
5A14	296	20000
5A15	297	20000
5A16	298	
5A17	299	20000
5A18	300	20000
5A19	301	20000
5A20	302	20000
5A21	303	20000
5A22	304	20000
5A23	305	20000
5A24	306	
5A25	307	20000
5A26	308	
5A27	309	20000
5A28	310	20000
5A29	311	20000
5A30	312	20000
5A31	313	20000
5A32	314	20000
5A33	315	20000
5A34	316	20000
5A35	317	18000
5A36	318	20000
5A37	319	20000
5A38 & Space	320	22500
5A39	321	22500
5A40	322	20000
5A41	323	20000
5A42	324	20000
5A43	325	20000
5A44	326	20000
5A45	327	20000
5A46	328	20000
5A47 & Space	329	22500
5A48	330	22500
5A49	331	20000
5A50	332	20000
5A51	333	18000
5A52	334	20000
5A53	335	20000
5A54	336	18000
5A55	337	18000
5A56	338	20000
5A57	339	20000
5A58	340	20000
	341	18000
5A60	342	18000
5A61	343	20000
5A62	344	20000
5A63	345	18000
5A64	346	18000
5A65	347	20000
5A66	348	20000
5A67	349	20000

Answer to Q132/2019 (Continued)

LEVEL	CPS No.	PRICE
5B	350	20,000.00
5B	351	22,500.00
5B	352	22,500.00
5B	353	20,000.00
5B	354	20,000.00
5B	355	20,000.00
5B	356	20,000.00
5B	357	20,000.00
5B	358	20,000.00
5B	359	25,000.00
5B	360	20,000.00
5B	361	20,000.00
5B	362	18,000.00
5B	363	20,000.00
5B	364	20,000.00
5B	365	20,000.00
5B	366	20,000.00
5B	367	20,000.00
5B	368	18,000.00
5B	369	20,000.00
5B	370	18,000.00
5B	371	20,000.00
5B	372	20,000.00
5B	373	20,000.00
5B	374	20,000.00
5B	375	20,000.00
5B	376	18,000.00
5B	377	20,000.00
5B	378	18,000.00
5B	379	20,000.00
5B	380	20,000.00
5B	381	20,000.00
5B	382	20,000.00
5B	383	20,000.00
5B	384	18,000.00
5B	385	20,000.00
5B	386	20,000.00
5B	387	20,000.00
5B	388	20,000.00
5B	389	20,000.00
5B	390	20,000.00
5B	391	20,000.00
5B	392	20,000.00
5B	393	20,000.00
5B	394	22,500.00
5B	395	22,500.00
5B	396	20,000.00
5B	397	20,000.00
5B	398	18,000.00
5B	399	20,000.00
5B	400	20,000.00
5B	401	18,000.00
5B	402	20,000.00
5B	403	20,000.00
5B	404	20,000.00
5B	405	20,000.00
5B	406	20,000.00
5B	407	20,000.00
5B	408	20,000.00
5B	409	20,000.00
5B	410	20,000.00
5B	411	20,000.00
5B	412	20,000.00
5B	413	20,000.00
5B	414	20,000.00

Answer to Q132/2019 (Continued)

LEVEL / UNOFFICIAL N° PRICE		
6A	417	20000
6A	418	22500
6A	419	-
6A	420	20000
6A	421	20000
6A	422	20000
6A	423	20000
6A	424	20000
6A	425	22500
6A	426	22500
6A	427	20000
6A	428	20000
6A	429	20000
6A	430	20000
6A	431	20000
6A	432	20000
6A	433	20000
6A	434	20000
6A	435	20000
6A	436	20000
6A	437	20000
6A	438	20000
6A	439	20000
6A	440	20000
6A	441	20000
6A	442	20000
6A	443	20000
6A	444	20000
6A	445	20000
6A	446	20000
6A	447	20000
6A	448	20000
6A	449	20000
6A	450	20000
6A	451	20000
6A	452	20000
6A	453	22500
6A	454	22500
6A	455	20000
6A	456	20000
6A	457	20000
6A	458	20000
6A	459	20000
6A	460	20000
6A	461	20000
6A	462	22500
6A	463	22500
6A	464	20000
6A	465	20000
6A	466	18000
6A	467	20000
6A	468	20000
6A	469	18000
6A	470	20000
6A	471	18000
6A	472	20000
6A	473	20000
6A	474	18000
6A	475	18000
6A	476	20000
6A	477	20000
6A	478	18000
6A	479	18000
6A	480	20000
6A	481	20000
6A	482	18000

Mr Speaker: Supplementaries?

805 **Hon. R M Clinton:** Yes, please. Sorry, Mr Speaker, if you just give me a couple of seconds to analyse his answers...

I do not seem to hear an answer to Question 134, in terms of the recovery of the £14.2 million debt, which is obviously now effectively intragroup. Can the Chief Minister advise how it is intended to recover that, or is it to be written off?

810

Hon. Chief Minister: This is the problem, Mr Speaker: I give him the answers and he does not listen.

The loan outstanding represents the debt owing over the cost of construction less any sales proceeds and associated costs, which will be repaid from the rental and other income associated with the operation of the car park.

815

Hon. R M Clinton: So, Mr Speaker, if I understand him correctly, the more that was raised from sales the less the loan would be – is that correct?

820

Hon. Chief Minister: Well, Mr Speaker, at the risk of sounding patronising, I think that is obvious.

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

Can I ask him: in terms of the parking spaces sold for £22,500, what are the special characteristics of those parking spaces?

825

Hon. Chief Minister: That they were larger.

Hon. R M Clinton: Mr Speaker, how much larger? Would they be able to fit two cars, for example?

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Hon. Chief Minister: I do not think so, Mr Speaker, although some of them were adjacent to slightly smaller areas which could not be sold as parking and they were sold for an additional amount, those slightly smaller areas which could not be sold as parking.

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Mr Speaker: Are there any other supplementaries?

Q135/2019

ES Ltd –

Total revised lending amount agreed with Lombard plc

Clerk: Question 135. The Hon. R M Clinton.

840 **Hon. R M Clinton:** Mr Speaker, can the Government advise the total revised lending amount agreed by ES Ltd with Lombard plc as increased from the £55 million advised in the 2016 Budget?

Clerk: Answer, the Hon. the Chief Minister.

845 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I will be updating the House on this matter during the course of my Budget address this year.

Q136-137/2019

**Office space rented by Government –
World Trade Centre; plans for additional office space**

Clerk: Question 136. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise the annual cost, including service charges, of the 522 m² of office space it is renting in the World Trade Centre?
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Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer with Question 137.
855

Clerk: Question 137. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, is the Government seeking to rent, or has it rented, additional office space this financial year 2018-19; and if so, where and for what purpose?
860

Clerk: Answer, the Hon. the Chief Minister.

Hon. Chief Minister: Mr Speaker, the annual cost of the World Trade Centre office space occupied by Government offices amounts to £207,326.26 per annum.
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The Income Tax Office relocated its Contributions Section from Waterport beneath the HM Customs Recreation Club to Leanse Place during the 2018-19 financial year. The purpose of the relocation was to vacate the premises due to the construction of the new school building on that site.

The Department of the Environment has been renting Suites 1B, 2A and 2B in Leanse Place, Town Range, since 1st April 2018. This will enable all the different sections of the Department to work under one roof – that means the Upper Rock and Beaches department and the Department of the Environment. It was also necessary to vacate Duke of Kent House, due its condition.
870

The only section that has rented new offices this financial year has been the Gibraltar Co-ordinating Centre for Criminal Intelligence and Drugs (GCID), which previously shared office accommodation with the Gibraltar Financial Intelligence Unit [GFIU] at Suite 832 Europort, and since May 2018 now occupy the office next door, Suite 831 Europort. The expansion was as a result of the Financial Action Task Force recommendations in relation to Moneyval.
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The Ministry of Commerce is currently renting Suite 751 Europort for the purposes of housing the project team responsible for the delivery of a number of e-service projects.
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Hon. R M Clinton: Mr Speaker, I am grateful to the Chief Minister for his response.

Can he advise if he has any information relating to the potential relocation of the Attorney General's Chambers? Is there any intention to move the Attorney-General from where he is at the moment to any other premises which might be rented from the private sector?
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Hon. Chief Minister: Yes, Mr Speaker.

Hon. R M Clinton: Mr Speaker, would the Chief Minister be able to advise whether or not he has the actual identity of the location and why indeed it is felt necessary to move the Attorney General's Chambers?
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Hon. Chief Minister: Well, Mr Speaker, there are two locations, as I understand it, which are being looked at, and the reason why they are being looked at is because since I became Chief

895 Minister, and indeed long before I was a Member of the Opposition, every time I visited the Attorney General's Chambers I was very concerned to see the circumstances in which people had to operate.

The amount of damp in that building is impossible to live with. The library, if it has not yet fallen to bits, is falling to bits and although people do not tend to use many books these days the library is of important value to the Government. The amount of damp makes it so difficult to operate that in some instances I remember people did not even want to go into the library, let alone use it. It is actually in a very bad state of repair, although hon. Members spent a lot of money refurbishing the building. But it is a very old building, Sir Joshua Hassan House – a name that is familiar and which we all appreciate, but it is a very old building, and therefore ... We spend a lot of money refurbishing these buildings and within six months they are once again dens of damp. We have to deal with that.

We have people working in that environment and it is difficult to ask them to continue to work in that environment year after year. We are looking at relocations of them and others. We may even end up with Sir Joshua Hassan House being empty for either a full refurbishment or for other purposes. Frankly, I am very sorry to the members of the Attorney General's Chambers that it has taken this long, but I am keen to ensure that we finalise this process and that we finalise it soon.

Hon. R M Clinton: Mr Speaker, I am grateful for the Chief Minister's answer, but he has not actually answered my question. Can he identify the sites that are being looked at? He mentions there are two possibilities. Could he disclose to the House what they are? I will say this quite openly in this House, Mr Speaker: one of the suggested locations is the former office premises of Hassan's.

Hon. Chief Minister: Mr Speaker, I understand that is one of the premises that they are looking at; I think that there is another one. I am not going to identify them because if what I did was identify every office that I am being told by a civil servant they are looking at in order to relocate, I would be giving him a list of the offices in Gibraltar because this is not just an affliction affecting the Attorney General's Chambers, it is affecting a number of other offices and we are keen to be able to move everyone who needs a move to a more dignified working space, if we are able to.

The hon. Gentleman has just heard me relate to him five different relocations that have already taken place, but the fact that it is the former Hassan's Chambers I suppose just demonstrates how suitable it is for lawyers. I do not know what other point the hon. Gentleman is trying to make, but one of the partners of Hassan's is sitting not just opposite but along from him, so he might want to ask them.

Hon. R M Clinton: Mr Speaker, the point I guess I am trying to make is how the Chief Minister will be handling any potential conflicts of interest that may arise or may be perceived to arise in Government offices moving to the chambers his law firm formerly occupied and in which his senior partners may still have an interest.

Hon. Chief Minister: As I always do, Mr Speaker: impeccably.

940 **Mr Speaker:** Next question.

Q138/2019
Former Rooke site –
Current plans

Clerk: Question 138. The Hon. R M Clinton. (*Interjection*)

Hon. R M Clinton: Well, we know the meaning of it. (*Interjection*)

Mr Speaker, can the Government advise its current plans for the former Rooke site?

945

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, as previously advised by the hon. Member himself, I am not going to make any further announcements until the ink is dry on the paper.

Q139/2019
Review of senior public sector salaries and relativities –
Appointment

950 **Clerk:** Question 139. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise who it has appointed to conduct a review of senior public sector salaries and relativities in Gibraltar, as announced by the Chief Minister in his 2018 Budget address?

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Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, this work is with the Chief Secretary, who will make an announcement in this respect as soon as he is able to do so.

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Hon. R M Clinton: Mr Speaker, the Chief Minister made his announcement in his Budget address last summer. I would have expected him to make some kind of appointment by then, or announcement. Has he at least issued any invitations to tender for the process? And what stage are we at?

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Hon. Chief Minister: Mr Speaker, this work is with the Chief Secretary, who will make an announcement in this respect as soon as he is able to do so.

Mr Speaker: Next question.

Q140/2019
Consolidation of Civil Service offices –
Progress

970 **Clerk:** Question 140. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government state how it intends to meet its 2015 manifesto commitment to consolidate Civil Service offices?

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

Chief Minister (Hon. F R Picardo): Mr Speaker, following the hon. Member's own advice, I shall make an announcement in this respect when the ink is dry on the paper.

980 **Mr Speaker:** Next question.

Q141/2019

**Transfer of Gibraltar Defence Police –
Anticipated completion**

Clerk: Question 141. The Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, before I start, given that my name has been mentioned in relation to the NatWest building, can I say and clarify that I have absolutely no interest – legally, 985 beneficially, of any sort – in that building. I just say that for clarity's sake.

When does the Government envisage that it will meet its manifesto commitment to finalise the transfer of the Gibraltar Defence Police to a wholly owned company of the Government, which in their manifesto was to happen by the end of 2017?

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

Chief Minister (Hon. F R Picardo): Mr Speaker, I am grateful to the hon. Gentleman for his clarification. I have exactly the same lack of interest as he has declared to the House in respect of that building.

995 Her Majesty's Government of Gibraltar has been in a position to enter into meaningful discussions on the transfer of the Gibraltar Defence Police since 2015. Unfortunately, during this time the Ministry of Defence has undertaken various reviews of their service and have not been prepared to discuss a potential transfer with us.

1000 We continue to be open to engaging on this issue. However, negotiations are dependent on both parties' commitment to a transfer. This is literally us being a wallflower, because it takes two to tango.

Hon. D A Feetham: Mr Speaker, can the Hon. Chief Minister at least give us a flavour of what the issues are that are preventing the Government from meeting this manifesto commitment? 1005

Hon. Chief Minister: Mr Speaker, I think I have been very honest and very open with the hon. Member: the MoD do not want to transfer. We are in the market to take the GDP; the MoD are not in the market to give us, sell us or enter into an agreement with us in respect of the GDP.

1010 I do not know whether the hon. Gentleman remembers this example, but in relation to the Airport Fire Rescue Service it took 13 years for successive Governments of Gibraltar – in, fact I think it was 13 years –

Mr Speaker: And the AACR.

1015 **Hon. Chief Minister:** And the AACR, so even longer. I think it was 13 years from the date that the MoD said they were prepared to do it, to us actually being able to complete it, but it was successive Governments who were prepared to take on the AFRS, then the Defence Air Fire Service, into the purview of the Government of Gibraltar.

1020 Very honestly, I think that a lot of this depends on who is in particular control of the relevant
part of the organogram of the Ministry of Defence at the time. There are some who see the
value in progressing and there are some who then take over and decide to do a handbrake turn
and not progress it, and you have got to be lucky enough to have two successive individuals
ready to do it in order really to complete it. I have had CBFs in my time in office who have been
wanting to do it and I have had CBFs in my time of office who have not been wanting to do it.
1025 Not wanting to do it does not necessarily mean that they are not enamoured of the GDP. I recall,
not in my time as Chief Minister but there was before my time as Chief Minister a CBF who
wanted to disband the GDP completely and might have bought the service from the Royal
Gibraltar Police. In my time, I have not come across a CBF who wants to disband the GDP, but
different CBFs have different levels of proprietary interest in the GDP and in wanting to own the
1030 assets and be able to shape the assets to deliver against their objectives and standards in their
own way.

I remain committed and I have said repeatedly behind closed doors and in front of cameras
that I am ready to do this transfer. The Government looks at the model that we established
when we transferred the Defence Fire Service into the AFRS as a model that could enable us to
1035 do this quickly. There are other models that we could use that might take longer. We are
committed to wanting there to be a Gibraltar Government involvement in the ownership of the
GDP, but if you are trying to acquire something from somebody and the person you are seeking
to acquire it from is not prepared to sell, then ... Look, I am afraid it is just impossible for us to be
able to complete.

1040 At the time, in 2015, that we entered into the commitment, we believed that we were then
able to see an end date. In fact, I seem to recall, from memory, that we talked about December
2017 as being the date by which we believed we could achieve it. Unfortunately, not as a result
of anything that we did, or did not do, it was not possible to complete the transfer.

The MoD at the moment prize the GDP. They consider it to be an important part of what
1045 assures the Ministry of Defence's security in Gibraltar and its operations in Gibraltar and they
want to continue to operate it. Those are the circumstances in which we fortunately find
ourselves, from the point of view of the men and women of that organisation who now know
that they are very much valued by the Ministry of Defence, but unfortunately find ourselves
from the point of view of being able to comply with our commitment to have signed, sealed and
1050 delivered a transfer of the GDP to the Government of Gibraltar by December 2017.

Mr Speaker: Next question.

Q142/2019
HM Customs –
Survey results re morale

Clerk: Question 142. The Hon. D A Feetham.

1055 **Hon. D A Feetham:** Mr Speaker, what is the Government's view on the results of the survey
conducted by the GGCA union amongst officers of her Majesty's Customs?

Clerk: Answer, the Hon. the Chief Minister.

1060 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government has discussed this matter
with the executive committee of the GGCA.

The Government has a very high regard for the men and women of HM Customs. It was this Government that increased their complement, rehoused them, provided them with proper equipment and recognised them as a law enforcement body.

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Hon. D A Feetham: Well, indeed, Mr Speaker, the Government have probably treated Customs – when you compare it with treatment of other Departments and other bodies, if I can put it in simple terms – better than most, and I recognise the Government has done much for HM Customs both in terms of increase in personnel and better terms etc. But how does he therefore explain, in the light of all that, that you have a survey that indicates that there is a significant problem with morale in this particular service?

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Hon. Chief Minister: Well, Mr Speaker, I would remind the hon. Gentleman that one of the most important things that we did was recognise the key function in law enforcement that customs officers discharge in our community. We recognise that the Department is one of the Departments that contributes most of the revenue of the exchequer in Gibraltar. This was important and I think it is not unfair for me to characterise the treatment that they had by the former administration – not by him, but by the former administration – as being less than better treatment than most other Departments. In other words, the accusation that he levels at me, which I receive with a great affection, that we have treated Customs better than most, was not designed to raise Customs up above others; it was designed to bring Customs back to where it should have been, because in the treatment that they were receiving before then they were being much maligned. They were not even recognised by the former administration as a law enforcement body.

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Mr Speaker, the hon. Gentleman asked me to speculate – and I am not here to speculate – because he asked me to psychoanalyse how it is that a questionnaire can result in an answer suggesting low morale. Well, you would have to look at the questionnaire – you would have to see how the questions were designed. I put it to him that he knows as well as I do, because of the profession that we practise outside of this place, that the way that you pose a question sometimes is designed to elicit a particular answer. As a result, in a courtroom some questions are not permissible because they are so designed to elicit a particular answer that they do not elicit more heat than they do light. So you would have to go into all of that. I am not saying that that is what the questionnaire does, but if you wanted to do a psychoanalysis and a speculative piece on why the answers come out like that, you would have to look at the questions as well – something which I confess I have not done and I am therefore not able to do across the floor of this House. Whether you ask questions which are designed to elicit an answer or whether you ask perfectly neutral questions, you might still get the same answers.

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What I have done, Mr Speaker, is spoken to the people who represent the men and women of Customs and had a discussion with them about this. What I will tell him is that, given the way that he phrased his question – which I would say, perhaps for once in this House, was rather neutrally worded rather than designed to elicit a particular answer which he knew he would not get – the fact is that therefore recognising people as a law enforcement agency, in his terms treating them better than most and rehousing them etc. and giving them better terms and conditions, which is what the Government is responsible for, still does not determine where morale goes. Therefore, morale, when it is high, the hon. Gentleman will not want to attribute to us and when it is low, given the way that he has phrased his question, can also not be attributed to us but to other external factors.

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Hon. D A Feetham: I have to say I marvel at the way the hon. Gentleman answers questions and his ability to think on his feet! It really is something to behold! He starts answering the question by indicating, ‘Well, actually the problem was the survey, its leading questions thus producing leading answers,’ but he then realises, ‘Actually that is going to land me into trouble with GGCA ... No, I am not suggesting that it is a leading question.’

1110

1115 I sincerely just want to get to the bottom of whether the Government has done any analysis. I know the hon. Gentleman has always historically had his finger on the pulse in terms of all these issues and he has endeavoured to do more than most to keep the greatest number of people happy – if I can put it that way – and therefore it surprises me that he would not have done an analysis of what is causing this low morale on the part of Customs.

1120 I also would have expected him – no doubt he has – to sit down with the GGCA to discuss the survey: what are the issues that are causing concerns amongst customs officers and what can we do about it? I am asking the Hon. the Chief Minister: whether he has done that analysis and what light can he shed; and if he does, what lies at the heart of this problem, and, of course, thirdly, what is his Government going to do about it?

1125 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman does like to traduce what I say. I did not think I was going to get myself into trouble with the GGCA and therefore change course. I set out to explain to him what the art of the question means in the context of the 21st century, a Survey Monkey addiction that some appear to have. Hungry Monkey is a solution for many things. Survey Monkey is not necessarily diagnostic of symptoms which one needs to consider to have been diagnosed almost with the precision of a physician. You have to be a little bit more circumspect in that respect.

1130 And so, Mr Speaker, when the hon. Gentleman asks me whether there is a problem, I will answer him that I do not think there is, I think that there are issues and there is a difference between there being a problem and there being issues. And when the hon. Gentleman says ‘No doubt you will sit down with the GGCA,’ all he is doing is reflecting what I told him in the first moment that I got up: that I had sat down with the GGCA. In fact, in my prepared answer the first sentence says that Government has discussed this matter with the executive committee of the GGCA. But, look, I am not going to share with him what I discuss with the GGCA. If he thinks it is appropriate, he can ask the GGCA. I think it is important that the Government and the unions continue to have a channel open where we can trust each other to have discussions without sharing that more widely, especially when we are discussing issues relating to the morale of members of a particular union.

1140 Mr Speaker, the hon. Gentleman accuses me of having my finger on the pulse. Well, for a politician that is a very good thing and I do detect, as a result, that their pulses are racing a little and they need to calm down. The election is not yet. I will tell them when the election is going to be. We are going to have a Budget session next Monday, on 10th June, and that might set the scene for what is going to happen next, but they can relax their pulses a little for now.

1150 He then accuses me – again, an accusation that I receive with great affection and almost aplomb – of having managed to keep the greatest number of people happy for the longest period of time. Well, I suppose in the 24/7 social media world in which we live, seven and a half years feels almost like 40, but it is just seven and a half years. The hon. Gentleman has described as the greatest Gibraltarian of all time somebody who was able to keep the people of Gibraltar happy for 16 years, if happiness is measured in votes. But I do not think happiness is measured in votes; I think happiness is measured in attitudes and approach. There are people who have never voted for me who tell me that we are doing a great job and that they are going to vote for me next time, and there are people who have never voted for me who told me that they are never going to vote for me but that we are doing a good job – and sometimes you think that is almost as valuable.

1155 Mr Speaker, I say all that because this is not just a job; it is a responsibility. This is not about making people happy; this is about taking responsibility for making people safe and secure. That is why this party – or the parties represented on this side of the House – represented the strongest foundations for the future of our community at the last General Election. That is why Steve Jobs used to say ‘if what you want to do is to make people happy and make people like you, sell ice cream, don’t go into business’ – or politics, you might say. I am not in the business of selling ice cream, I am in the business of keeping this community safe and secure and I take my

responsibility to the men and women of Customs and to the work that they do very seriously indeed.

1170 **Hon. D A Feetham:** Mr Speaker, if I may say so, he can sell ice to the Eskimos – that is sometimes my analysis of the hon Member!

1175 Let's come back to basics here and strip away all the non-essential stuff. Can he tell me what are the issues? He has talked about issues – he said there are no problems, there are issues. Can he tell this House what he believes the issues are that may have been reflected in this survey? Or, if they are not reflected in the survey, what are the issues that he has spoken about, without condescending to particulars?

Hon. Chief Minister: Mr Speaker, when you say to somebody in politics, from the opposite benches, that they could sell ice to the Eskimos, I think you intend that as an insult, but I receive that insult as the deepest praise that a political opponent could bestow on me.

1180 The hon. Gentleman will forgive me for saying that I do not think that the ventilation of issues in respect of this matter will go any distance to resolving them, other than perhaps to sate his curiosity – and as I said earlier to the Hon. Mr Clinton, I am not here to sate curiosities.

Mr Speaker: Next question.

Q143-148/2019
Drugs problem –
Government manifesto commitments

1185 **Clerk:** Question 143. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, when is the Chief Minister going to comply with his party's manifesto commitments in connection with the drugs portfolio?

1190 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer with Questions 144 to 148.

1195 **Clerk:** Question 144. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, has the Government got intentions to move the addiction portfolio across to the Health portfolio?

1200 **Hon. Chief Minister:** Mr Speaker, I am sorry that I have said Questions 144 to 148, but the hon. Lady is about to read Questions 145 and 146. Could I ask her to just refer to the South District instead of the specific address that she is going to refer to? I will tell her a little more about that when I answer the question. She is going to give a specific address, but if she could just say 'in the South District' instead of giving the specific address, that would be helpful.

1205 **Clerk:** Question 145. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, how many people have used the facilities of the South District for patients post Bruce's Farm since it has been operational?

1210 **Clerk:** Question 146. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Has the South District been checked for the suitability for the purpose of accommodating patients emanating from Bruce's Farm; and if so, what criteria have been applied?

1215 **Clerk:** Question 147. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, I would just like to say I do not understand how just it is to have completely unrelated questions bunched up together in order to make it harder for me to decipher the different answers from all the different questions. (*Interjection*) Thank you.

1220 What aftercare support mechanisms are in place for patients who have left Bruce's Farm before completing their 12-week programme?

1225 **Clerk:** Question 148. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: What is the full complement of active drug counsellors in Gibraltar?

1230 **Clerk:** Answer, the Hon. the Chief Minister.

Hon. Chief Minister: Mr Speaker, there are no easy answers to really make a difference in tackling drug abuse, although we know that goals must be long term. Our vision is to create a healthy and confident society, increasingly free from the harm caused by the misuse of drugs. Our new approach will combine a number of strategically planned interventions, with prevention and providing accessible pathways for those who need help and also for families who require support.

1235 Importantly, what we do know is that drug problems do not occur in isolation. They are often tied in with other social problems. This is the work of the Government Drug Strategy Team created for this role to provide a strategic approach to our drug problem and provide a tailor-made programme for Gibraltar.

1240 The Government has also announced that it is to launch a major initiative aimed at combating Gibraltar's drug problem. Steered by a dedicated Drug Strategy Team, this will include aspects of law enforcement, prevention, treatment and harm reduction. The initiative will begin with a comprehensive analysis of the current scale of the problem, making use of data from a Drug Strategy household survey and from a drug/lifestyle survey currently being carried out or to be carried out in Gibraltar's schools. These two surveys will enable the strategy team to identify trends and patterns, to identify priority issues and to develop and evaluate effective policy and programmes. In addition, a new website will become a reference point for all drug-related issues.

1250 The residential facility at Bruce's Farm will be refurbished in order to expand its range of services and a new, ground-breaking community-based programme will provide an extensive outreach, referral and aftercare service. The new initiative, which is the first for nearly 20 years, will make a strategic and comprehensive attack on the problem and I am proud to be leading it.

1255 Addiction, however, is not a portfolio and therefore it will not pass to the Health portfolio, but we do recognise that the treatment of addiction requires input from health professionals also.

1260 The Minister for Housing allocated a 2RKB apartment in the South District to Bruce's Farm. There have been six tenants who have made use of the flat since 2015. The reason for this is mainly attributable to tenants remaining in the flat in question for up to a year at a time, especially those with precarious personal circumstances, hence why we are hoping to extend this facility to larger premises. The address of this flat – and this is the point I was making to the hon. Lady – should not be further made public because of the drug/addiction and recovery

anonymity concerns, and neighbours also living in the area. That is why I asked for her to refer to it as the South District.

1265 The first tenant moved from Bruce's Farm into the property was in January 2015. The property was identified as an intermediate care home for service users who had successfully completed their treatment programme at Bruce's Farm. The primary purpose of this service was to give our homeless patients a safe and drug-free accommodation for a maximum of six months upon successful completion of a residential treatment period at Bruce's Farm.

1270 At present, because the property requires a full programme of works to make it habitable again, there is no tenant residing in the property. However, there is a full programme of works already in the planning stage to fully refurbish the flat, although we are looking to obtain a larger property as part of future plans to extend this aftercare service.

1275 An intermediate care home provides a crucial element in the treatment journey for many of our patients, some of whom, by virtue of their erratic, impulsive and destructive behaviour during their active addiction, have been left homeless, penniless and devoid of meaningful human relationships. The service ensures that our programme approaches addiction in a holistic manner and that our service users feel supported throughout their treatment experience as both an inpatient and an outpatient.

1280 If the client does not complete the 12-week programme at Bruce's Farm or drops out, he or she is offered one-to-one counselling sessions and also the opportunity to be seen by the Bruce's Farm regular GP who specialises in drug addiction, who would, if required, prescribe any medication the client may be in need of – and hon. Members will know that we have very recently introduced that.

1285 Clients will also be advised to go to either the AA or an NA group, or to approach a sponsor. A sponsor is a senior member of AA or NA who has been in recovery for usually at least a year. Sponsors act as mentors and help people in such situations to navigate membership, answer questions, work on the 12 steps and offer each other accountability.

1290 Presently there are a total of three active counsellors in service. Government will, in coming weeks, be employing two additional qualified drug counsellors so that, for the first time, a tailor-made drug rehabilitation programme for young people will be launched.

1295 Bruce's Farm has an official complement of three counsellors, although for the period of the last six months only two of the counsellors have conducted counselling work. The third active counsellor works from the City Hall Community Rehabilitation Centre. The same counsellor also forms part of the Drug Strategy Unit.

Hon. Ms M D Hassan Nahon: Mr Speaker, thank you for that very erudite and longwinded answer, but the fact of the matter is that we have a manifesto commitment here from the GSLP on page 93/2015 and now we are hearing all about this vision and confidence and 'how much we are going to create and nothing is going to be in isolation and we are about to launch'. And it is all about to happen three months before an election, when you can see the six points that the Government promised: the first one being adoption of a drugs-free workplace – announced but not enforced; enhancement of secondary care unit – not completed, not done; the introduction of a new dependency service at HMP Windmill Hill – we know that has not happened as I asked questions to the Minister for Justice just a couple of weeks ago and we know that a new dependency service has not happened; arrest referral protocols – not happened; and a drugs programme developed with the Ministry of Justice and the Court Service in conjunction with Social Services in order to join up all aspects of the drug problem in Gibraltar, which will include the deployment of more drugs co-ordinators – where are the drugs co-ordinators, where is the support? Where are all these commitments three months before a General Election, just as the Chief Minister proudly says that he is about to launch these wonderful new projects?

Mr Speaker: Is there a General Election taking place in August? (*Laughter*) In August, is it? Or the beginning of September? The end of August? Three months?

1315 **Hon. Chief Minister:** No, there is not, Mr Speaker – although hon. Members think that there is.

Where are all those things? Well, Mr Speaker, all those things are the things that are being done, all the things that I have read out to the hon. Lady. I have given her a very full answer. She complains that I am bringing all of her questions together. Well, I am doing so in order to give her a very full answer. When I give her a very full answer she complains I am longwinded. If I do not give full answers, they say that we are not transparent. Mr Speaker, this is really a Hobson's choice. Hon. Members make it impossible for us to give them information without being criticised or not give them information because we will also be criticised.

1320 So, whether we are considering issues relating to security, issues relating to our concerns to expose Gibraltar or our concerns about individuals, we either are called longwinded or are told that we are not transparent. I have been completely transparent with the hon. Lady. I have told her all of the things that we are doing in this particular subject area.

1325 I disagree with some of the characterisations that she has presented, but I do respect that she had written down that supplementary and she needed to read it.

1330 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I did not have to read the supplementary; I just had to look at the manifesto and check that everything in it has not been completed.

Mr Speaker: No, but if you look at the rules of questions, a manifesto is not supposed to be read as part of a supplementary. But please carry on.

1335 **Hon. Ms M D Hassan Nahon:** Mr Speaker, the Chief Minister can tell me in his Oxbridge English the answer – longwinded, short, mixed, bunched up, separately, however he wants. The fact of the matter is that these commitments have not been honoured and these people, who are desperate for the type of treatment that they need, land on my lap.

1340 It is not 'rumourology', as I get told often in this House, it is a fact, and I am willing to tell him behind the Chair, as I tell the Minister for Justice and himself sometimes ... I give him the names of people who are desperate for help and they are not getting it. However beautifully he wants to relay his answer, these people are not being taken care of and these commitments are not being honoured. I have first-hand experience and I deal with these people every day, so that the Chief Minister can tell me with a straight face that these things are happening, because they simply are not happening, Mr Speaker ...

1345 I want an honest answer in plain English why they have not happened and a clear commitment that they are going to happen.

1350 **Hon. Chief Minister:** Mr Speaker, I do fear that the hon. Lady's blood pressure seems to be rising for reasons which are really unrelated, I think, to the matter that we are discussing.

I think that she is wrong to get up and characterise the way that I speak English as Oxbridge English. I was taught English in the same comprehensive that she was taught English, except in the boys' version, and I am very grateful to the teachers who set me on my way in that respect, so I will disregard her attempt to insult my ability to articulate in one particular way or another. *(Interjections)*

1355 The hon. Lady says that things land on her lap every day and that she is dealing with these people who come and see her. Well, Mr Speaker, I am sorry to say that is what she is paid for. She is paid £36,000 by the taxpayer and one of the things she needs to do to earn her money is see constituents. For every five people who go and see her, 50 come to see us; for every two who complain to her, 200 complain to us; and for every three who tell her that we are doing not a bad job, 300 tell us that we are not doing a bad job. That is a reality.

1360 As I was saying to the Hon. Mr Feetham before, I fully accept that we cannot keep everyone happy all of the time – of course not, and it is not our job to keep everyone happy all of the time. This is an area of important responsibility. We think we are discharging our obligations here

1370 better than before – better, in fact, than the people whose record she defended. The hon. Lady has to realise that she holds ... I do not know whether she wants to continue to shake her head at me and mutter under her breath whilst I give her the answer, and I know that it makes her feel uncomfortable to be reminded, although the others might be comfortable to hear me remind her, but she was elected with their votes. In other words, she is in this House because she went to the electorate and said, ‘The GSD do things better: give me your vote.’ They got a very low number of votes, as she knows – a historic low number of votes in a two-horse race, the lowest number of votes in a two-horse race since elections are being held in Gibraltar –
 1375 because of the record that she defended. She has to recognise that that is what she said in a general election. She defended the record of the GSD at Bruce’s Farm and in dealing with drug addiction.

Mr Speaker, I think that if she asks all of those people who go and see her whether things were better under the GSD – i.e. the people whose record she defended in a general election and indeed in a by-election – or whether things are better now, where still things are not perfect and we fully appreciate that and accept that, I think she might be told, and in un-Oxford-educated or Oxbridge English, as she characterised my speech before ... she might then feel the slight ‘chascaso’ that she will be told that the record of those she defended is not as good as that which we are implementing now. Mr Speaker, if she gets over that ‘chascaso’ she might
 1380 then start to realise that a lot of what we said we were going to do we have done or are in the process of doing. She might realise that there has been something called Brexit going on. In respect to this particular portfolio, I had occasion not to take it on at the time that I wanted because I was dealing with those matters – and I know that she is generous when she does recognise the work that the Government has done in respect of Brexit.

Mr Speaker, all I can tell her is that we do feel we are honouring our commitments. Indeed, we think we are going further than our manifesto. This is an evolving area of policy. We have had a disagreement out of this House about how future policy should be made. We do think that we need to look very carefully at what possession of small amounts of cannabis leads to, but we do not think that legalising the possession of small quantities of drugs – a.k.a. all drugs – is a
 1385 then start to realise that a lot of what we said we were going to do we have done or are in the process of doing. She might realise that there has been something called Brexit going on. In respect to this particular portfolio, I had occasion not to take it on at the time that I wanted because I was dealing with those matters – and I know that she is generous when she does recognise the work that the Government has done in respect of Brexit.
 1390 Mr Speaker, all I can tell her is that we do feel we are honouring our commitments. Indeed, we think we are going further than our manifesto. This is an evolving area of policy. We have had a disagreement out of this House about how future policy should be made. We do think that we need to look very carefully at what possession of small amounts of cannabis leads to, but we do not think that legalising the possession of small quantities of drugs – a.k.a. all drugs – is a good thing for this community. That means that the hon. Lady represents permitting people to be in possession of small amounts of heroin, cocaine or methamphetamine, etc. That is not what we consider to be a progressive policy. We do not think that that makes sense.

Mr Speaker, honestly, genuinely and with all the affection that I have for her, I tell her that she needs to reflect carefully on the accusations that she has levelled against the Government and look at the work that we are doing in this particular field, look at the good work that has been done, look at the levels of addiction and at the levels of recovery. As with unemployment, I will not rejoice whilst there is one person who becomes addicted, whilst there is one person whom we cannot help or have not helped or have yet to be able to help, but I do feel that it is absolutely right and proper that we recognise that we are taking a different attitude, that we are
 1400 and look at the work that we are doing in this particular field, look at the good work that has been done, look at the levels of addiction and at the levels of recovery. As with unemployment, I will not rejoice whilst there is one person who becomes addicted, whilst there is one person whom we cannot help or have not helped or have yet to be able to help, but I do feel that it is absolutely right and proper that we recognise that we are taking a different attitude, that we are taking the right attitude, that we are helping a lot of people and that this is the right approach to follow.

And this is not, Mr Speaker, if I may say so, with respect to the hon. Lady, about manifestos. This is about real lives. This is about people who are going through a very difficult time. It is about people who need help. Page 93 of our manifesto four years ago to them, in real life,
 1405 means nothing. With every box ticked, every obligation completed and every commitment delivered, that means nothing to an addict who needs cold turkey, and those are the people we are here to help. I commend that attitude to her and I am happy to work with her, if she wants to change her approach, to continue to find the best solution for such people.

Hon. Ms M D Hassan Nahon: Mr Speaker, just one last question, if I may. It is interesting, firstly, to note that the Chief Minister uses my currency as an independent as a good thing when it suits and reminds me of my past in the GSD when it suits as well, but we can leave that there.

Mr Speaker, in the words of the Chief Minister, this is an important responsibility, which is why I have raised this, because I do not believe that these commitments have been honoured in such an important responsibility.

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And let me say that some of us on this side of the House – and indeed on both sides of the House – are not motivated by money. To me, it is immaterial whether I am earning £36,000 a year or not. People who know me will know that if I could help these people for free without being in this position I would do so equally. But I am not a drugs strategist and I am not a drugs counsellor, and I do not have the resources. Perhaps I would be doing these patients more harm than good by dealing with them in a way which goes beyond my remit.

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Given that the Chief Minister is so convinced that he has the tools and that he has put in place these systems, I would like to ask him: where do I send these patients when they come to me, telling me that these resources are not available? If he could point me in the direction of the resources which he is so sure that he has put in place, please let me know. I am tired of asking the relevant Ministries and not getting any answers in practical terms, so please point me there so that I can make sure that these constituents are well served.

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Hon. Chief Minister: Mr Speaker, I am very grateful for the hon. Lady's much more positive approach in that, she said, final supplementary.

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Of course I remind her of her ability and her potential as an independent when it suits us and I remind her that she was elected here with GSD votes when it suits us. This is something called politics and in this thing called politics it is my obligation to remind her who were the voters that put her here and it is my obligation also to remind hon. Members that she decided to break with them for reasons that she has made very clear – abundantly clear, embarrassingly clear – for them and which are now on record, and anybody can go back and see all the things she said about them, which are much worse than the things that she has yet said about us. Of course. This is politics and it is my obligation, on behalf of my team, to remind people of both of those things.

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I know that we sometimes wish to look at the world with rose-tinted spectacles, but believe me the world that looks back at us and the world from which we have to defend Gibraltar is not one which it is easy to navigate with rose-tinted spectacles.

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Mr Speaker, the hon. Lady rightly says that she is not a drug strategist – and neither am I – and that she does not have the tools necessary to deal with these issues. Neither do I, Fabian Picardo, have those tools. She is not a drug counsellor and neither am I, but I have read to her in detail, in an answer that was so full that she decided to call it longwinded – perhaps because it was detailed – where the counsellors are. They are at Bruce's Farm; there are two of them, not three. I have told her that there is going to be a third one now at City Hall. So she can refer people to those drug counsellors.

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The hon. Lady had the good grace to refer me to a case that she had been dealing with where she, I think, had done a very good job of trying to assist one particular family and she alerted me, and I think the Minister for Health also, to some failings that she had found in the system. Those, we hope, are being addressed, but short of the three of us becoming drug counsellors and drug strategists – which is not going to happen – we have to rely on identifying from her and from the many reports that we get also where the problems in the systems are in order to be able to try and ensure that those problems do not arise again.

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Mr Speaker, on this, more than perhaps on anything other than the international issue, we are all in it together, and really an attempt at one-upmanship on this does not get us anywhere. When I took this portfolio I took it for a particular reason, which I was very frank and open about and the hon. Lady may remember. I said during the course of my press conference that I have children and I want to ensure that I have done what I can to ensure that Gibraltar is a safer place, to stop children from falling into the traps that drugs present and the dangers that they lead to. I will always want to do more and wish to do more – I am often attacked for spending too much money at the same time as I am attacked for not doing enough – and unfortunately

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1470 the only way I can do it is by spending more. But despite that also difficult political hypocrisy
that I need to navigate – I say too much or I say not enough, I spend too much or I spend too
little and do little – I think that we are not navigating the maze badly.

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

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Hon. E J Phillips: Mr Speaker, just one question – hopefully my blood pressure will not rise
and I take that warning. One point of clarification in respect of the answer. I know that the Hon.
Chief Minister invited the Lady opposite to anonymise, effectively, the name of the location of
1480 the secondary care – or, as he described it, aftercare – when in fact actually the manifesto
discloses the address, oddly, and therefore every single person in Gibraltar who received the
manifesto during the last election will know the address of the aftercare service. But I appreciate
he is probably quite sensitive about the address and therefore we should continue to anonymise
the location of this address.

Taking the point that the hon. Lady makes in relation to secondary care and indeed Bruce's
1485 Farm, it is right of course that it is the responsibility of the Government, indeed the Chief
Minister, to ensure that this community is safe and secure. Part of that obligation is also to
ensure that secondary care has, as has been promised ... availability for 12 persons, which is a
commitment that they promised back in 2015 which has not been adhered to. Likewise with
Bruce's Farm, where they undertook in 2015 a full refurbishment of Bruce's Farm, which again
1490 the Chief Minister has repeated his commitment to today. It has only been four years, but I put it
to the Chief Minister clearly what he is doing is repeating previous commitments and not
providing this community essentially with comfort that those two projects will lead to fruition in
the next six months and in fact this is going to roll over until the next election.

Hon. Chief Minister: I am grateful to the hon. Gentleman because his last remark suggests
1495 that he believes we are going to win the next election and therefore I do think that betrays his
view of what the bookies would likely give him if he were to seek to bet on himself – but given
the recent arrests in Spain for match fixing, I recommend he does not go into the bookies to bet
on himself.

1500 Mr Speaker, he is absolutely right, the address is in the manifesto. That is why I think I was
quite gentle in asking the hon. Lady not to repeat the address. I did not in any way say that she
should not; I just invited her not to.

One of the issues that I think is important that we understand is that – and the hon. Lady
alluded to it – we are not drug counsellors and we are not drug strategists, and the great
1505 difference between our system and perhaps others ... and one of the criticisms I levelled against
the hon. Members in 2011 was that when you are in Government sometimes you use the
resources of the Government to draft your manifesto, and that is a big no-no. In other words,
you are not allowed to use the designs that the Government has for the new Ince's Hall
auditorium in the GSD's manifesto. The hon. Gentleman knows – in fact, I think he was then in
1510 the PDP and might have shared our view at the time – that it was wrong therefore for the GSD to
use Government resources to prepare its 2011 manifesto.

There is no better piece of evidence that we did not use Government resources to prepare
our 2015 manifesto than the fact that we made a reference to the address, because the
counsellors told us, 'Look, you shouldn't have done that – just don't repeat it.' I think,
1515 unfortunately – 'unfortunately' I say advisedly – the only people who continue to look
assiduously at our magnificent 2015 manifesto are the 17 people in this room, and I very much
look forward to continuing to have debates about it going forward, especially given how much I
know we are about to complete that manifesto. But when you do things with the best will in the
world you sometimes do them in a way which the experts might advise you not to. So you are
1520 hitting at the right target, you are saying, 'I am going to do this in this particular way,' but you
express it in a way that next time they might say, 'Actually, you should not express it in that way

and you have now become the Minister' – in some instances, you have now become the Minister again – 'and my advice would be that from now on, as Government, you do not refer to this, you refer to that,' and that is the reality of what happened with that particular address.

1525 The fact that we do not have a facility for 12, Mr Speaker, is what we are trying to address, but there are again competing imperatives. If the hon. Lady, in her guise as Minister for Housing, had given us another two four-bedrooms, one of the things that hon. Members would be saying is, 'Why has the four-bedroom list not gone down by x, y, z, and why are there so many empty properties?' because these properties sometimes lie empty – they lie available but empty.
1530 Sometimes they do not lie empty; sometimes they are constantly entailed by users and then they have to be empty once they are being refurbished. So, again, all of these competing imperatives come into play. This is what has happened in relation to Bruce's Farm.

One of the key issues is: how do you deal with the refurbishment of Bruce's Farm? I do not know whether hon. Members are aware, but we recently had a conflagration at Bruce's Farm
1535 and we therefore had to do some emergency repairs to one part of the place, but we do not want to close it down because there is a constant use of Bruce's Farm, although not constantly full. There are two wings and one is male and one is female, so whilst you have got one of each you cannot start the refurbishment, and so you are really caught in a difficult situation because you can paint and we have painted, you can do up one room and we have done up one room,
1540 but what Bruce's Farm really needs now is that full refurbishment which we are very keen to pursue.

The advice we have got and what we have gone back against – I think this is now going back some time and the hon. Gentleman will understand what I am trying to explain – is that the works we are going to do are going to be so disruptive to the users that they will contribute to them not being able to complete the 12-step programme. So it is a question of biting the bullet and saying, 'Right, I am closing Bruce's Farm for a year.' The consequences of that are very difficult. We have not got another Bruce's Farm. There is a place called Ince's Farm that we might try and compulsorily purchase and use. I understand it is magnificently done up and has even won awards as a result of the moolah that has been spent on it. But anyway, Mr Speaker –
1550 I say that in jest – the fact is that we have not got another Bruce's Farm, so we are caught in the vice of trying to deal with issues like this.

We can play this for party politics, if hon. Members like, and that is the easiest thing to do, actually, to play it for party politics, but the hardest thing to do is to actually concentrate on how we get this right and how we deliver it. It is not for want of delivering that it is not being delivered. It is for want of space, of the ability to move the service and it probably does require to be done in different stages and for the service to be unclustered in a serious way. In other words, cold turkey happens somewhere else, not at Bruce's Farm, the 12-step programme be transitioned in some way and Bruce's Farm to then become available in a new way. I point the hon. Member to some of the things I have said in the recent statement we have made about
1560 how we want to transition the service, because that might enable us to do some of that work, but this is not – to take the non-Oxbridge terminology – a *'echar un huevo a freir'*.

Hon. E J Phillips: Mr Speaker, just insofar as the answer to that question, is the Government experiencing similar problems when it comes to secondary care? The concern, I think, from what
1565 the hon. Lady said and from information I receive, is that secondary care has to be so robust because the triggers are there for addicts to effectively relapse, and therefore the support is really required at that level, so when people are effectively released from voluntary arrangements at Bruce's Farm or otherwise, going into secondary care is more important because they can reconnect with their community and therefore can suffer from the triggers that would reintroduce them to drug addiction and drug problems. Therefore, do the same problems that – I use word advisedly – 'plague' Bruce's Farm also plague secondary care and the facility of aftercare for those people?
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1575 **Hon. Chief Minister:** The Hon. the Minister for Health reminds me, rightly, Mr Speaker, that I should lace everything I am saying by a reference to the fact that we have recruited a doctor, a GP, in drug misuse who is providing excellent support now at Bruce's Farm. Indeed, the advent of a GP at Bruce's Farm is a new and very positive step in the right direction.

1580 The Hon. Minister for Housing reminds me she was also Minister for this portfolio for a significant period of time and that one of the issues that we have been able to also resolve in a different way is that although the property in the South District has not expanded to be larger, a new facility has become available at Ocean Views which is also an independent flat which is used to reintegrate people into living on their own at Ocean Views post cold turkey, and the issue is should cold turkey continue to happen at Ocean Views or should it be taken out of Ocean Views, and that it is also possible that Bruce's Farm organise for people, where the circumstances are such that we are able to, to move directly into a new Government tenancy. And so not everyone is going to this facility in the South District, not everyone is going to need to go to the facility in the South District, whether expanded or not, because they may be able to go into a one-bedroom which we may be able to organise, which the hon. Lady has been very alive to and has done on a number of occasions. So that is happening.

1590 But then there is another issue, which is: what happens to those people? You provide a flat, but what happens to those people when the moment comes when they are about to relapse? Who do they fall back on? What is the support network? I was referring the hon. Lady to mentors in AA and NA and I was referring to the counsellors who do a hugely important job in that respect. Indeed, Mr Speaker, they do not work for the Government and they have no obligations but a hugely important part of the fabric of our community are the families and how the families also support one of their own who finds himself in that situation. I am not suggesting that they should be part of the structure of the problem – the Government is not entitled to rely on the families – but the reality of our community is that, thank goodness, we do have the families who are sometimes able to provide that help. In some instances, addicts have pushed away their families or they may not have families, which is an even more difficult situation, and in those circumstances one of the key issues that we need to determine is how we deal with issues relating to addiction and counselling going forward. That is extraordinarily difficult and there is no easy answer.

1600 What I am trying to share with the House and which I think I have shared before – in the press release that we recently made on the subject I think it does come across – is that you need to take all of these things into the community in a non-judgemental way. We have a place called the Community Mental Health Facility and he will know that they are the backup for people who have been at Ocean Views and who need to continue to have support in respect of matters of mental health. Sometimes, those who are subject to addictions also rely on the Community Mental Health because they have had some element of mental health issues manifesting during the course of their addiction, but there are some who do not.

1615 And so the wider issue is how do you deal with that in the community, because the bigger underlying problem is not the addicts who go through Bruce's Farm, is not the people who need to cold-turkey at Ocean Views; the bigger underlying addiction problem in our community is in middle-class homes throughout the land. It is manifesting in the abuse of drugs in a small way, usually at home – people who then do not interface with the Police in any way. They are not out on a Friday night making a nuisance of themselves and getting themselves arrested, repeat offenders that he and I might see, in the course of a different practice out of this place, in the courts etc. Those are the tip of the iceberg. The problem is the person who is smoking cannabis at home, the person who is taking cocaine at home, the person who is taking stronger drugs at home or indeed the person who is addicted to alcohol and taking it at home, and the health problems that might manifest and indeed the social problems that might manifest.

1620 That is why I told the hon. Lady that there is no such thing as an addiction portfolio in respect of one of the questions that she put and that there is no question of that moving to the Health portfolio, but there is certainly an input from the Health portfolio in respect of what happens in

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1630 respect of dealing with addicts. It is one of the key reasons why I created the Ministry of Health, Care and Justice, because those three things together do principally deal with all of these areas of concern. The Hon. Member will know, like I do, that indeed, in respect of those I describe as the tip of the iceberg they manifest in court, they manifest at Social Services, they manifest at the Hospital, they manifest with the Police and you have got a number of families where you unfortunately see them manifesting in that way generation after generation. Joining up the service under one Minister I think is an attempt to deal with that.

1635 But how do you deal with the issue of this wider addiction in our community in a way that is non-judgemental and does not require people to go to Bruce's Farm? Bruce's Farm has become like the KGV or Ocean Views of mental health: it is the place where you go when you are almost out in the open as to your addictions. There are a lot of people who need help who are not out in the open about their addictions and who will not seek help if they have to come out into the open about their addictions. That is a very tricky area and we are looking at what we can do in order to set something up which in a non-judgemental way provides the assistance and the help
1640 that those in my view many hundreds of people need, which is not what the tens of people who have become fully-blown addicts need. They need a different, more structured, more pointed care, but there is a need for something else for this wider cross-section of the community.

1645 That is one of the key drivers behind the household survey and also indeed behind the school survey. The school survey will not just tell us about addiction in the schools. That seems to be the red flashing light of what a school survey is about. It is not so much the reality of what a school survey is about, although that is a hugely important part of the data that you will get; the children are more likely to tell you what is happening at home, and that is why the school survey is potentially hugely important.

1650 I hope that all of those reflections hon. Members will find useful and they will find that they are made in good faith.

Hon. Ms M D Hassan Nahon: Mr Speaker, if I may – I was looking for answers and solutions and I repeat: there has been a lot of talk but not enough solutions.

1655 The question I want to ask the Chief Minister is: does he accept and recognise that today the system is not fit for purpose? The Chief Minister and the Minister for Health know very well that I give them examples all the time of the system failing. Only two weeks ago I had to go, on a Friday night, to collect a patient who was turned away from Ocean Views and this patient ended up on the street not knowing where to go.

1660 The system is not fit for purpose and this is why my blood pressure rises. I would like some acknowledgement of this, without so much bluster and so much waffle, in order to be able to actually do something about it, because for as long as we are so defensive about it nothing will actually get done. I want a solution and I want an acknowledgement of this, Mr Speaker.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, if I –

Mr Speaker: I do not want my blood pressure to rise because I am rather older than everybody, except the Hon. Sir Joe Bossano. We are now debating at great length. I am allowing it because it helps to keep my blood pressure down, but I think we ought to have a recess pretty soon as well.

Hon. N F Costa: Mr Speaker –

Mr Speaker: I do not know where the Hon. Neil Costa comes in, because there has been no question directed to him –

Hon. N F Costa: Yes, but Mr Speaker –

Mr Speaker: – and if a question is directed to him, it is out of order clearly because the questions are to the Chief Minister, but I will allow it.

1665 **Hon. N F Costa:** Mr Speaker, it is only to say that the hon. Lady has mentioned a patient who attended Ocean Views who was turned away. I would like to say that without being able to enter into the details of any case due to data protection obligations that are heavily laid on me, the factual matrix as presented by the hon. Lady is disputed. It is not that this patient was turned away.

1670 **Hon. Chief Minister:** I am grateful, Mr Speaker, for the clarification from the Minister for Health.

It is very important that I do say to the hon. Lady that she is wrong. The system *is* fit for purpose, but it is impossible to design a system that will deal with every case, in particular of people who are going through addiction. She is wrong and she does not understand the issues if she thinks that the system is not fit for purpose. I say that, Mr Speaker, because –

1675 The hon. Lady seems to get very upset every time somebody contradicts her. Let's face it, she is going to be contradicted a lot in politics and she has got to learn, if she wants to be in this game for the long run, that she will face contradiction in particular when somebody genuinely believes that she is wrong. And on something as important as dealing with people who are suffering from drug addiction she is not going to get an easy ride from us.

1680 She can get up and say, for the purposes of then reflecting it in a press release, that she told the Chief Minister that the system of dealing with drug addiction is not fit for purpose. If that helps her float her boat, float a press release or float her party, so be it, but it is not going to help the people who are manifesting with addiction. The careful reflections that I have made I hope will be the things that will help people who are manifesting with addictions.

1685 I have to tell her, Mr Speaker – again with all due respect and I am very grateful that you are giving us this leeway because this is a very important subject – that her most recent reflection, which was to say 'we are going to legalise the possession of all drugs' would not have done anything to help people who are suffering from addiction.

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Hon. Ms M D Hassan Nahon: I object, because the Chief Minister is misleading the House.

Mr Speaker: Order! Order! Order!

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Hon. Ms M D Hassan Nahon: I never said that. My point –

Mr Speaker: You are interrupting –

1700 **Hon. Ms M D Hassan Nahon:** It's not true, Mr Speaker! We have said –

Mr Speaker: Please sit down.

1705 **Hon. Ms M D Hassan Nahon:** It's not true, Mr Speaker, and it is important that the Chief Minister does not mislead the House.

Mr Speaker: Please sit down and calm yourself.

The Hon. the Chief Minister has the floor. You can ask him to give way, and he probably will. In any case, we are at Question Time when you are allowed further supplementaries.

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Hon. Ms M D Hassan Nahon: Mr Speaker –

Hon. Chief Minister: I am grateful, Mr Speaker. I am afraid I do not accept –

1715 **Hon. Ms M D Hassan Nahon:** Mr Speaker, it is a very grave accusation to mislead the House and say something that I have said, especially on a matter about drugs, is very clearly, black on white, that we have said small amounts of *some* drugs. For the Chief Minister, the leader of this community of Gibraltar, to say – and you have said it before – that I have said and my party has said that we want to legalise all drugs is absolutely misleading and it is not right and it is not fair.

1720 **Mr Speaker:** I would suggest to hon. Members that, given the importance of the subject, which everyone seems to agree, why doesn't somebody table a motion here on the subject and you can have a proper debate without the restrictions that, properly, Question Time, if it is to mean question time, are necessary?

1725 **Hon. Chief Minister:** I am very grateful, Mr Speaker.

It is really quite novel to have a Member get up and object as if she were in court. This is not a courtroom. We do not get up and object to each other. That is for a different forum of adversarial confrontation. Hon. Members opposite and I have had more stringent confrontations before. We never had to get up to each other to say we object. We had to make the point by points of order when they were appropriate, or not when they were not appropriate.

1730 The hon. Lady is wrong, Mr Speaker, and I stand by what I have said. The way that her party has set out her position – and she has said that they will legalise *some* drugs without telling us which she would and would not legalise – just confirms that the position they have taken is that they would legalise possession of drugs. She has not told us whether she would legalise possession of cannabis on its own and its derivatives in small amounts or what amounts, or also cocaine, or also methamphetamine, or also some of the other more dangerous drugs like heroin. These are very important things, Mr Speaker. The hon. Lady ended up having her policy characterised by us as a dangerous drugs experiment and that is what it would be: very dangerous for this community.

1740 These are very sensitive issues. The hon. Lady is wrong to say that we do not have a system of drug testing in Government. The Hon. Minister for Justice introduced a system in the Police, one of self-declaration in particular which enables people to 'fess up and they be will be helped. So she is absolutely and completely wrong to suggest that the system is not fit for purpose.

1745 She is absolutely and completely wrong in pursuing a system for the legalisation of the possession of small amounts of drugs without being careful enough to set out which drugs she would propose legalising or not.

1750 She is absolutely flouting the procedures of this House and the time has come for her to take responsibility for the way that she behaves in this House and for the things that she says out of this House. The time has come, because an election is coming, for her to be able to defend her policies in a way that is mature and properly researched. I put it to her that politics is not a game, it is not about name calling and it is about changing people's lives for the better. Those are the things she needs to concentrate on, in particular in this particular sensitive area.

1755 **Hon. Ms M D Hassan Nahon:** Mr Speaker, if I may. Firstly, when we talk about –

Mr Speaker: This is the last supplementary that I am allowing on this matter. I think it has been discussed at great length this afternoon. We have had a debate, not Question Time, at great length. It is the last supplementary and then we are going to have a 20-minute recess.

1760 **Hon. Ms M D Hassan Nahon:** Mr Speaker, when the Chief Minister talks about responsibility I find it hugely hypocritical because he keeps referring to my party wanting to legalise drugs. We have never mentioned the L-word, the legalisation of drugs; we have just discussed decriminalising some small amounts of some drugs. Therefore, the level of responsibility lies on him and the misleading of the matter lies on him.

1765 And when he talks about being responsible and mature in politics and in Parliament and not name calling, I suggest he takes that example for himself after his despicable characterisation of Mr Roy Clinton, the hon. Member, as an elephant.

1770 **Hon. Chief Minister:** Mr Speaker, I do think I characterised the hon. Gentleman as ‘the King of the Swingers and the Jungle VIP’ almost in the way that I presented the view that I have; and, given the affection that the Hon. Mr Feetham set out for elephants, I did not think I was mischaracterising him in a way that was bringing him up for ridicule – but the hon. Lady obviously took it in that way.

1775 Mr Speaker, we can describe the actions of each of us as despicable – it is, in fact, the easiest thing to do. We can describe them as being demonstrative, as being less than prepared in the approach that we take in this House to the work that we have to do in this House. We can describe them in different ways, but the hon. Lady’s forte has been not to descend into describing people as being despicable in their actions but in trying to build bridges. Unfortunately, because her bridge does not find a beachhead this time she does not need to descend to name calling.

1780 Frankly, I think she will find it difficult to persuade people that there is an appreciable difference of any great importance between legalisation or decriminalisation. I do appreciate that they are slightly different, but she is still not telling us which of the drugs she would legalise or decriminalise possession of and which she would not. I do not know whether it is that therefore we are discovering that she has given this absolutely no thought whatsoever, that this is just another knee-jerk attempt by a new party to gain some traction by those that might invite them to listen and whom they want to reflect in a press release that they have listened to.

1785 I do take from her entirely that the responsibility lies with me. I was elected for the responsibility to lie with me. The responsibility is a heavy one and it lies on all Ministers on this side of the House and it is important that people understand that we discharge that responsibility with great care, that we discharge it with great sensitivity and that it is indeed a great honour to have been entrusted to discharge that great responsibility on this side of the House – something that she has not yet enjoyed or endured.

1795 **Mr Speaker:** The House will now recess for 20 minutes.

*The House recessed at 5.30 p.m.
and resumed its sitting at 6.05 p.m.*

ECONOMIC DEVELOPMENT, TELECOMMUNICATIONS AND THE GSB

Q92/2019

Mobile phone roaming charges – Impact of Brexit

Clerk: We continue with questions and we commence with Question 92. The Hon. T N Hammond.

1800 **Hon. T N Hammond:** Mr Speaker, what impact on mobile phone roaming charges does the Government anticipate Brexit will have?

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

1805 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** Mr Speaker, it is anticipated that Brexit will not have an impact on the roaming charges.

Mr Speaker: Next question.

**Q93, 96 and 119-125/2019
Supply and agency workers –
Numbers; regulations; costs**

1810 **Clerk:** Question 93. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a schedule of payments made to each individual business or company entity providing supply workers as at the end of each financial year as from 31st March 2012?

1815 **Clerk:** Answer, the Hon. the Minister for Economic Development and Telecommunications.

Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano): Mr Speaker, I will answer this question together with Questions 96 and 119 to 125.

Clerk: Question 96. The Hon. L F Llamas.

1820 **Hon. L F Llamas:** Mr Speaker, can the Government state how many supply workers who have been continuously working for over 52 weeks carrying out the same work as Government employed counterparts do not receive the same rate of pay and conditions as their Government-employed counterparts?

1825 **Clerk:** Question 119. The Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, how many agency workers were working in Government departments, agencies, companies and authorities on the following dates, 1st September 2018 and 1st December 2018, setting out the department, agency, company or authority?

1830 **Clerk:** Question 120. The Hon. D A Feetham. *(Interjections)*

Hon. D A Feetham: Yes, but he has not answered. I am going to ask them together with – *(Interjection)*

1835 **Hon. Chief Minister:** You must have been thinking about conversations you ... *(Laughter)*

Hon. D A Feetham: Oh, he said it in answer to somebody else's question? Oh, I beg your pardon.

1840 Mr Speaker, of the agency workers working within Government departments, agencies, companies and authorities on 1st September 2018 and 1st December 2018, how many were providing short-term cover for permanent employees, setting out the reasons for that cover?

1845 **Clerk:** Question 121. The Hon. D A Feetham.

Hon. D A Feetham: Why did the Government amend Regulation 8(2) of the Agency Workers Regulations 2012 in 2013 in order to raise the qualifying limit from 12 weeks to 52 weeks?

Clerk: Question 122. The Hon. D A Feetham.

1850

Hon. D A Feetham: Since the Government introduced the Agency Workers (Amendment) Regulations 2013, how many agency workers have been able to take advantage of the 52-week qualifying period in Regulation 8 of the Agency Workers Regulations 2012 in order to acquire the same rights as their permanent counterparts?

1855

Clerk: Question 123. The Hon. D A Feetham.

Hon. D A Feetham: Since the Government introduced the Agency Workers Regulations 2012, please state the amount paid to agency companies in relation to the supply of agency workers in the Civil Service and the public service in each of the following years, providing a breakdown by company: 2012, 2013, 2014, 2015, 2016, 2017 and 2018.

1860

Clerk: Question 124. The Hon. D A Feetham.

Hon. D A Feetham: What public services have been contracted out to companies that engage in the supply of agency workers in Gibraltar since 2012 and what has been their cost to the taxpayer in each of the following years, providing a breakdown by company: 2012, 2013, 2014, 2015, 2016, 2017 and 2018?

1865

Clerk: Question 125. The Hon. D A Feetham.

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Hon. D A Feetham: Will the Government provide the Opposition with all the statistical information the Cabinet received when it considered the issue of agency workers during the week commencing 21st January 2019?

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Mr Speaker, I hope that, bearing in mind how these very detailed questions have been bunched up and the number of questions, I receive a detailed, thorough answer to all the questions that I have asked the Hon. Minister.

Hon. Chief Minister: As always.

1880

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

Hon. Sir J J Bossano: Mr Speaker, the payments in respect of relief cover by contractor and financial year were as follows.

1885

Beta Services: 2012-13, £874.50; 2015-16, £14,840; 2016-17, £39,428.70; 2017-18, £682,648.64; 2018-19, £1,059,768.84.

Rock Administrative Services: 2014-15, £355,041.42; 2015-16, £241,047.24; 2016-17, £143,843.84; 2017-18, £124,203.65; 2018-19, £83,471.71.

1890

S & K Recruitment Business Services: 2012-13, £34,479.71; 2014-15, £1,137,277.60; 2015-16, £1,861,711; 2016-17, £1,953,194.40; 2017-18, £1,716,439.18; 2018-19, £1,359,869.03.

And by calendar year as follows.

Beta Services: 2012, £4,240; 2015, £4,987.50; 2016, £25,040.60; 2017, £413,785.38; 2018, £1,124,531.57.

1895

Rock Administrative Services: 2014, £280,214.27; 2015, £252,734.67; 2016, £169,642.11; 2017, £130,211.20; 2018, £103,682.18.

S & K Recruitment Business Services: 2012, £57,133.18; 2013, £1,790.60; 2014, £656,736.11; 2015, £1,844,982.29; 2016, £1,858,804.39; 2017, £1,840,537.67; 2018, £1,540,407.73.

There is no record kept of the pay of supply workers during their supply period but many were able to obtain employment in public sector vacancies as such vacancies arose.

1900 The numbers providing relief cover in the months of September and December 2018 in different areas of the public sector were as follows.

September: Airport 4, Borders and Coastguards 1, Care Agency 14, Court Service 1, Department of Social Services 4, Economic Development 10, Education 3, Employment 5, Fire Service 1, Electricity Authority 1, Health Authority 39, Housing 6, Human Resources 1, Law Office 3, Driver and Vehicle Licensing 4, Port 1, Post Office 6, RGP 2, Sports and Leisure 2, Statistics Office 3, Income Tax Office 9, Tourist Board 11, Treasury 28.

1905 December: Airport 4, Borders and Coastguards 1, Care Agency 13, Court Service 1, Social Services 4, Economic Development 9, Education 3, Employment 5, Fire Service 1, Electricity Authority 1, Health Authority 41, Housing 4, Human Resources 1, Law Office 1, Driver and Vehicle Licensing 4, Port 1, Post Office 10, Royal Gibraltar Police 3, Sports and Leisure Authority 2, Statistics Office 3, Income Tax Office 9, Tourist Board 11 and Treasury 27.

In all these cases the requesting Department was provided with relief cover due to manning shortage, but no records are kept of what caused the shortage

1915 The change in the regulation in 2013 was to align it with the timescale that enabled supplies to be considered internal Government candidates to apply for public sector vacancies.

The operation of Elderly Care and Alzheimer facilities and Domiciliary Care have been contracted out to several companies: Company 1 – 2017, £2,113,850.70; 2018, £4,385,105.29. Company 2 – 2012, £512,279.88; 2013, £712,369.30; 2014, £834,511.41; 2015, £802,323.39; 2016, £743,302.35; 2017, £584,208.84; 2018, £580,682.09. Company 3 – 2012, £187,935.20; 2013, £431,036.36; 2014, £877,671.64; 2015, £1,306,173.37; 2016, £1,230,118.11; 2017, £1,126,971.84; 2018, £1,713,187.99.

The statistical information considered by Cabinet on the issue of Agency Workers was the statistical information that has been provided in answers to questions in Parliament.

1925 **Hon. D A Feetham:** Mr Speaker, unless I am having one of those days, the one glaring omission in his answer is the non provision of an answer to Question 121, which is: why did the Government amend Regulation 8(2) of the Agency Workers Regulations 2012 in 2013 in order to raise the qualifying limit from 12 weeks to 52 weeks?

1930 **Hon. Sir J J Bossano:** Obviously he missed the answer because I say it in my original answer the change in regulation in 2013 was to align it with a timescale that enabled supplies to be considered internal Government candidates to apply for the public sector vacancies. That was the reason.

1935 **Hon. D A Feetham:** Mr Speaker, that is not a credible answer, with respect. I do not see what the connection is between the reason that he has given and the increase of the qualifying limit from 12 weeks to 52 weeks.

1940 At the end of the day, what we are talking about is regulations that were introduced in order to enable workers to accrue certain rights. In this particular case, it is the right to have the same terms and conditions, including pay, as the permanent counterparts doing the same job. So you have an agency worker who works next to a permanent member of the Civil Service, for example. If he worked doing the same job as the permanent counterpart for 12 weeks, that agency worker would be entitled to the same pay, same terms and conditions as the permanent civil servant.

1945 *They* – they are a socialist Government – decided in 2013 to increase that from 12 weeks to 52 weeks. Does he not agree with me that it is wholly incredulous for the Hon. Minister to come to this House and to say, ‘Well it had to do ... because we had to align it somehow’? In the past he has come to this House and said, ‘Well, actually, because I believed it was the right thing to do, because we had a lot of people working in this sector at this particular time and we felt it

1950 was the right thing for the Government to do in those circumstances,' or whatever, because normally he has given me ... It takes me some time, I have to say, to get to the answer, but he does provide me with a straight answer without any frills to it. But the answer he has provided me with just really does not make any sense at all.

1955 I ask him again: does he not agree with me that it is an incredulous answer that he has provided as an excuse for the increase from 12 weeks to 52?

Hon. Sir J J Bossano: I do not think answers are credulous or incredulous. If he does not want to believe the answer, it is his prerogative.

1960 I think the hon. Member has forgotten the explanation that I gave in an earlier meeting about how the relief cover was originally, in his time, limited to one particular area where they were spending something like £3 million a year and it eventually was controlled from No. 6 to try and keep it from getting out of hand. I suggested to the Government that we should provide relief cover throughout, and that happened in 2013. In fact, it appeared in every single head in the book as a token vote of £1,000.

1965 Given the fact that we were going to provide a level of relief cover which had not existed before and given the fact that we decided at the same time that if people worked continuously for 52 weeks they would then be able to have an advantage over outside applicants in being treated preferentially as internal applicants, we brought the 12 weeks to 52, which would apply to many more people than there were before and who were going to be given an advantage, 1970 which was the opportunity of being permanent as opposed to being paid in the 13th week. With Government pay and conditions they had a better chance, remembering when we go outside you have perhaps one chance in a thousand of getting the job but when you are inside, you have one chance in a couple of hundred because that is the most that there has been at any one time in terms of supply workers, and those supply workers have been entering into the system on that basis ... 1975

I also thought from the point of view of the employer it was an advantage to have had the person working rather than somebody who sometimes makes a very good impression in an interview and then does not perform as well. So people did not tend to be retained as supply workers if they were not really suitable, and people who were found to be what the Department needed ... Sometimes, in some Departments, they did not deliver and when they were moved around to others they were ... 1980

So it was a better way of recruiting staff from that point of view, from my view. It was also a better opportunity for the applicants and therefore we felt that the advantage they were given should be on the basis of a year and not on the basis of 12 weeks. Community law allows the member state to decide how long the thing should be. We just put 12 weeks at the time because it was done automatically, copying what was done in UK without any policy decision being taken in Gibraltar. And then in 2013 the decision to increase the level of support, which was intended to help the Departments – which of course is now not going to happen because we are not going to have supplies anymore – was the rationale behind the move. 1985

1990 Sometimes you think you are doing a good thing and you finish up being accused of doing a bad thing, but that is something that happens in politics.

Hon. D A Feetham: Yes, Mr Speaker, but as he rightly points out, in the UK it was 12 weeks. They increased it to 52 weeks, now they have decreased it back again to 12 weeks as a consequence of criticisms that have been levied against the government in relation to this, and it really does smack of an attempt – by a socialist Government; this is the irony – of attempting to really make it more difficult for ordinary working-class people to acquire rights. 1995

Mr Speaker, it is not only the fact that they increased it from 12 to 52 weeks. It is also the fact, and I would like him to explain this as well, that by the simple method of shifting people from one Department – sorry, not from one Department; indeed, from one Department as well, but from one employer – for example the GHA, into a different employer, the Care Agency, then 2000

2005 the clock would again begin to run from zero. So, just to give an example to those listening, if
somebody is working in the GHA and has been working there for 50 weeks, you have increased it
from 12 to 52 before they can acquire the same rights as their permanent counterparts and at
week 50 that person is then moved from the GHA to the Care Agency, which is a different
2010 employer. The problem begins to roll over again. This is the practice of the Government. It is a
practice that ... Not only have they increased the time limits from 12 to 52 weeks, making it
more difficult for people to acquire their rights, but they have actually maintained a policy of
trying to deprive people from even acquiring rights at 52 weeks by shifting them from
Department to Department. That is not very socialist. Does he not agree with me that that was a
mistake and that is something that the Government ought to apologise to those workers for, for
having treated them in that way?

2015 **Hon. Sir J J Bossano:** [Inaudible] In fact, he is inventing what he is saying because the supply
of workers was driven by the demand from the Departments and people only went to a different
Department if one Department did not need them anymore. It was not that there was a system
where somebody was monitoring with a clock and at week 50 there was musical chairs and
everybody was moved around, which is what he was suggesting. That is not what was
happening.

2020 It is true that people did finish in one Department and then reappear in another Department
simply because their time ran out in one Department, because the bulk of the supply that was
created by the relief cover has been covering for absences which are constant in the service,
which were not covered before and which are not going to be covered in future.

2025 So, okay, the people will now, after 12 weeks, have an opportunity to the extent that they
carry on after 12 weeks getting, for that period with their supply company, more money, if that
happens. The people who have benefited from having had an opportunity of being in different
Government Departments have had a better chance of having a job in the Government than
they would otherwise have had, and many of the people who have been through the supply
system finish up in Government. As the hon. Member knows, we took a policy decision to do it
2030 automatically for all those who were there at the time when representations were made to the
Government – and people took to the streets and there was very strong feeling about it – and
therefore clearly what we were doing, which benefited the individuals more than the 12 weeks
will and more individuals than the 12 weeks will apply to now ... are the ones that had been
there before.

2035 In future, we will go to what was there in 2011, which will mean that the working class will
now have to wait until a vacancy comes outside and compete with a thousand people for one
job, and the employer will have to rely on picking people on the basis of their interviews and not
on the basis of performance, which I believe was to the benefit of the Departments as well as to
the benefit of the individual. It was a policy decision that was taken, it was taken with those
2040 criteria in mind and not any other; it turned out to be unpopular and therefore we have gone
back to what was there before, which means in effect that Departments will now have to do
what they were doing before. If they have three people where they used to have five because
one is absent and one is on maternity leave or one is sick, then they will have to either delay
their work, work overtime or produce a service that takes longer.

2045 The provision of relief cover, which I explained before, was something that I thought we
should do throughout the Government. That created a number of jobs which were being paid at
a rate of pay which is the norm in the private sector and with an opportunity to join the public
sector, which was a reward for the period of cover that they were getting. It is a system that has
opened us to criticism and therefore we will simply go back to what we were doing before. End
2050 of story.

Hon. D A Feetham: Mr Speaker, it does not stack up. What the hon. Gentleman is saying to
me is 'we increased it from 12 to 52 because actually we were doing these workers a favour

2055 because we were placing them in a more advantageous position than somebody from the
outside by allowing them effectively to get acquainted with the job and therefore get an
advantage over somebody who may apply from the outside, and therefore we felt that we
should increase the qualifying period to earn as much as the permanent counterpart from 12 to
52 weeks.' I personally cannot see the connection between not allowing somebody to earn, for
2060 the same job, what somebody permanently doing that job earns or on the same terms – which is
the whole point of the regulations – and his point, which is that those people were given an
opportunity, an advantage, in relation to people from the outside. I do not see the connection.

2065 The reality of it is this: that these people were not being taken on after 52 weeks. There were
many people who were in fact stuck permanently in those positions for years and they were not
being taken on. They were not advertising those vacancies, so they were not taking those people
on. So, what he is telling me, does he not agree, simply does not stack up and it is an excuse by
the Government to effectively justify the unjustifiable and indeed to justify the volte-face which
the Government has been forced into making because effectively it has been abusing working-
class people for the last four or five years? Is that not the case?

2070 **Hon. Sir J J Bossano:** No, Mr Speaker, it is not the case and it is a disgrace that the hon.
Member talks about exploiting working-class people when he presided over the situation where
the people we put into the supported employment company and the other companies that we
started in 2011 had been for four years, with him as a Minister, on half the minimum wage –

2075 **Hon. Chief Minister:** That is disgraceful.

Hon. Sir J J Bossano: – with no social insurance, (**Hon. Chief Minister:** Disgraceful.) no cover,
no entitlement to even the conditions of the private sector. (*Interjection by Hon. Chief Minister*)
They were even below the private sector. Fifty per cent of what was being paid in the private
2080 sector was being paid by him to several hundred people.

Hon. Chief Minister: You had to go.

2085 **Hon. Sir J J Bossano:** So, what does that mean: that he was a capitalist instead of being a
socialist? (*Interjection by Hon. Chief Minister*) He had left the Socialist Party by then and he had
become converted to the philosophy of a cut-and-paste party, and therefore I could not criticise
him for it because he had already changed his colours.

Hon. Chief Minister: He had gone to the dark side.

2090 **Hon. Sir J J Bossano:** But the reality of it is that I am explaining to him the decision that was
taken. We had the right as the Government to have put 52 weeks in year one. It was done at
12 weeks because the legislation was automatically transposed by copying what was done, as
much of it is, because it had very little significance – because we had very little. The idea of
2095 providing an additional support to the public sector by having supplies ...

And the hon. Member says we did not open any vacancies. Well, look, he spent the last seven
years attacking me in the House and in debates and on the television about the huge growth in
the public sector. Where did it all come from, the six or seven hundred people he says we were
ruining Gibraltar by taking on the bloated Civil Service? Where did the bloat come from? From
2100 people who were able to apply internally.

Internal applicants are always very few because people only apply internally if either they are
not very happy where they are or there is a significant difference between what they are getting
and the job that becomes vacant. They apply from the outside because of the differential which
we all know exists between the public and the private sector. That is why they apply in such
2105 numbers. We open the vacancy for AAs and we get a thousand applicants. The six or seven

2110 hundred vacancies we have been filling have been opportunities in 2013 where the people who were supplies had an advantage (a) because there were internal candidates and had a right which was agreed at the time with the union, and (b) because they had an advantage over an outsider because of their experience, and the Departments had an advantage in selecting people when they already some knowledge of their abilities.

That was the reason for doing it. If we had wanted to do something to reduce the costs, all we needed to do was not employ them in the first place, not create the supplies, not put the relief cover, and the 12 weeks it would have been there, in theory, for the very few people who were then in that employment.

2115 I accept that what we did with the intention that it should provide a benefit has not been seen that way, and therefore we are not going to be doing it anymore. But to suggest that somehow I have to apologise for not being a socialist – from the guy who deserted the Socialist Party to go to the other side because he thought he would go a lot further on the other side, which with the benefit of hindsight, he may regret having done, is something I cannot take from him.

2120

Hon. Chief Minister: And for doubling people`s wages.

2125 **Hon. D A Feetham:** Mr Speaker, I may be on this side – I have never changed my principles. (*Interjection by Hon. Chief Minister*) He is on that side and he has spent the last eight years abusing and exploiting agency workers. That is the reality, Mr Speaker. And when he talks about the GSD`s record in office compared to their record, well, I cannot recall the GSD ever causing such a furore in the community that the workforce actually went out to demonstrate against the Government at the way that workers were treated. That has happened under *his* watch, the socialist. (*Interjection by Hon. Chief Minister*) On his watch that has happened. (*Interjection by Hon. Chief Minister*)

2130

Mr Speaker, let me move on to another point, to explore this Government`s socialist credentials.

2135 **Mr Speaker:** And you will put that in a question.

Hon. D A Feetham: Absolutely, I am going to put that in a question, Mr Speaker, of course I am.

2140 Unfortunately I have not been able to make the calculations – and he does it on purpose, of course, giving me the answers in the way that he does so that I cannot make the calculations on the spot. Of all those millions that have been paid to all those agency companies over the years since 2012, how much ended up in the pockets of the agency companies and how much ended up in the pockets of the workers, Mr Speaker? Can he tell me at least that?

2145 **Hon. Sir J J Bossano:** Well, I can tell him, Mr Speaker, considerably less by a huge amount than was going into the pocket of the supplier when he was in Government. (**Hon. Chief Minister:** Hear, hear.) Considerably less, because in 2008 the hon. Member signed an agreement with a company to supply workers – which is one of the companies that I mentioned here – and at the time when the wages of the workers was in the order of £4 or £4.50, they were paying £14 to the supplier. That differential was cut down by us even though the company at the time was given a contract for 10 years which ran out in 2018, but there was a break point in the middle and we negotiated a reduction in the amount that we paid the company, even though the minimum wage had gone up because we had put it up and the social insurance had gone up.

2150

2155 So, in fact, the differential which he keeps on saying is running to millions ... I can tell the hon. Member that the employer pays the social insurance, the annual leave, the sick leave and the public holidays and is left with a margin of 5% – and of course they were only able to do that because we had sufficient volume to make it a successful business. If it had been a much lower

2160 volume ... This is why all these companies will no longer be able to survive because now we are not taking on supply workers and therefore either they will have to have a much bigger margin, which we are not prepared to pay, or they will have to have a lower margin and many more people, which we are not prepared to have.

Certainly he is in no position to criticise that, because I can tell him that I have got the figures for 2008 when the contract was signed by him. *(Banging on desk)*

2165 **Hon. D A Feetham:** Mr Speaker, me signing contracts? I have to say he does not know how Government was run at the time. To tell me that I signed a contract agreeing to pay an agency or company x amount of any money ... I never signed a contract, Mr Speaker.

2170 He has given answers today that show how misconceived the point that he has made just now really is, because he started off by explaining that when the GSD was in office we provided relief cover for a narrow part of the public service – the GHA, I think it was, in fact, when we were in government. He then said, ‘But I thought it was a very good idea and therefore I widened it to the rest of the public service and the Civil Service.’ So, by definition, those agency companies must have made much more of a mint when they were involved, during their time in government, than when we were because we only did it in the GHA; we did not do it across the public service.

2175 I repeat the question: does he know how much money went into the pockets of all those agency companies across the public service on his watch and how much money went into the pockets of those poor workers, those agency workers, exploited by his Government?

2180 **Hon. Sir J J Bossano:** Mr Speaker, the Government did not exploit any workers. I am telling the hon. Member that the margin that his Government, the GSD – for which he had collective responsibility, whoever signed the contract – provided a company that outsourced the delivery of domiciliary care. When people were getting £4.50 they gave them 10 quid on top and the margin subsequently was reduced to something like 50 p. That is what I am telling him. So, if 50 p

2185 is exploiting people and enriching people, then he was exploiting people and enriching them to a level 20 times more. I am willing to criticise him for it or accuse him of exploitation.

Of course, people have got the right in Gibraltar to take to the streets and demonstrate, **(Hon. Chief Minister:** These days.) **(A Member:** Now.) *(Interjection)* and I have been at the end of organising demonstrations and at the end of receiving them. It happened to the GSLP as well and the [Inaudible] being socialists. *(Interjection)*

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Mr Speaker: Yes.

2195 **Hon. R M Clinton:** Mr Speaker, I just have one very short supplementary. I would be grateful if the Minister could give us the name of the company he mentioned just now.

Hon. Sir J J Bossano: The company that had the contract: ADA.

2200 **Hon. L F Llamas:** Mr Speaker, I just have one supplementary, which is to do with Question 96/2019. I detected the answer was that the Government does not hold the information in relation to the actual wages received by the employees, but I have constituents who I have seen and who have shown me that they had been working for more than 52 weeks at a time – when this question was put in, back in January – in the same place, doing the same job, employed by the same supply worker, but they were not receiving the same pay conditions and

2205 leave conditions as their permanent counterparts and therefore there was a breach in the law in terms of what they were receiving and what they felt they were entitled to under the legislation. Is the Government willing to look into cases such as these, in which there has been an apparent breach according to the evidence I have been shown?

2210 **Hon. Sir J J Bossano:** I cannot give a commitment here on what he has told me, but as far as I am concerned, this is a matter that ... The employment relationship was between the supplier and the worker, but I will get somebody to look at it now that he has mentioned it.

2215 **Hon. D A Feetham:** Mr Speaker, just one final point. I realise that I am overstretching Mr Speaker's indulgence in relation to this, but I think it is an important point in the public interest – and these are questions that we posed in January which are being answered in near June. Did I hear correctly that since 2012 S&K have been paid £8 million? And does he know, out of that, how much profit S&K made since 2012?

2220 **Hon. Sir J J Bossano:** Mr Speaker, I do not know how much profit they made because I do not see the accounts of a company or what they have declared to the Income Tax and what they have paid off, but I am telling him that the margin, taking into account the wages and the fact that, for example, the company had to pay somebody 52 weeks but was paid 42 weeks – because if you take the working week in a year we only paid for 42 weeks out of the 52; the other 10 weeks were something that came out of the difference between what they charged the
2225 Government and what they paid the worker – I calculate that their net margin after their costs would be something of the order of 5%.

2230 **Hon. D A Feetham:** But the hon. Gentleman must accept that, bearing in mind the proliferation of agency companies – because there have been, over the last eight years, a significant number of new agency companies operating within the market than when we were in government – it must mean, does he not agree, that this was lucrative business for agency companies, lucrative business fuelled by the demand created in the public service by the Government in its policy of recruiting agency workers within the public service?

2235 **Hon. Sir J J Bossano:** Mr Speaker, I know that he has not had time to look at it, but he keeps on talking about eight years and I do not know whether he thought that when, in 2013, Beta got £874.50 in a year they were making a fortune or that they were making a fortune in 2018-19 when they got over £1 million. So, we are not talking about eight years unless he has not noticed the difference that there is between the beginning of the process and the end of the process.
2240 There was an increase after 2013. In some cases, companies came into the business in 2014-15 or in 2012-13, so it is not eight years. It has not been going on for eight years.

2245 There were certainly – something I have already told him – a couple of hundred people at any one time covering jobs throughout the system, which are the numbers that I have given him. At that time, there was the business. And I have told him as well that with the level of margin that there was when he was in Government, a company could be running with fewer people on hire, because the overheads tend to be fixed. If you have got more people, then you can actually bring down the margin that the company has for operating because you are giving them more volume of work. This is what enabled us to bring down the price in the case that I mentioned of the company where, when we took over, there was a break. They had an originally fixed price of
2250 something like £439,000, I think it was, when they started in 2008, and a criteria of automatic increases for the first five years and then another five years. We came in when there was a break and the fact that we were increasing the volume allowed us at the same time to say, 'Because we are increasing the volume, we are not prepared to continue paying you the prices that were being paid before – you will have to cut your prices.' At the same time, social
2255 insurance was going up, minimum wage was going up and we did not allow them to be passed on to us.

Mr Speaker: Next question.

Q94, 95 and 97/20019
Supported Employment Company –
Numbers in employment; management of employee records

Clerk: Question 94. The Hon. L F Llamas.

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Hon. L F Llamas: Mr Speaker, how many persons who qualify for supported employment are currently unemployed?

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

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Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano): I will answer this question with Questions 95 and 97.

Clerk: Question 95. The Hon. L F Llamas.

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Hon. L F Llamas: Mr Speaker, how many persons have been employed by the Supported Employment Company in each calendar year since 2012?

Clerk: Question 97. The Hon. L F Llamas.

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Hon. L F Llamas: Mr Speaker, who manages and communicates with the employees of the Supported Employment Company regarding annual leave and sick records?

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

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Hon. Sir J J Bossano: Mr Speaker, the Employment Service does not keep a record of disabilities in respect of persons registered unemployed. As I have previously explained, in the process of interviewing jobseekers and discovering the availability of vacancies to which they can be referred, every effort is made to provide support by the use of EU funds to assist in obtaining employment. This provides the flexibility to provide support for longer periods where the applicant is having difficulty in accessing the labour market for social, medical or other reasons. In the course of this process an individual may be offered engagement by the Supported Employment Company and a placement in the private sector, provided the work entailed is compatible with the individual's needs.

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The Supported Employment Company has employed the following numbers of individuals in each calendar year: one in 2017, two in 2018, and two in 2019.

The Supported Employment Company Manager manages the Supported Employment Company and therefore keeps annual leave and sickness records of its employees.

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Hon. L F Llamas: Mr Speaker, I appreciate that the Employment Service does not hold details of such information. However, there is a huge gap between the Employment Service and the actual people who do need support and employment in some way or another, and because they are off the radar they do not know where to access and they do not know who to communicate with.

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These people are lost in our community without being able to access employment, which would in turn not only make them responsible people in our community who start contributing but also give them so much in terms of health and mental stability. And at the same time, they are also faced with the lack of support from employers in the community.

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There are people who, because of their illness or because of their problems or because they may have particular learning disabilities, actually lose out on opportunities because maybe they have had a crisis with a mental illness and that has seen them lose opportunities in terms of

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employment. Employers are actually afraid of taking on people with such issues because they do not have the proper resources or the proper support to deal with these issues.

2310 These are issues which I face almost on a daily basis, Mr Speaker, and therefore I would like to ask the Minister whether this is something that can be narrowed before the next General Election so it does not become an election issue.

Hon. Sir J J Bossano: I do not know whether it will become an election issue or not; I suppose it depends whether he wants to make it an election issue, Mr Speaker.

2315 The point I can tell him is that the number we have got in the Supported Employment Company has grown every year since 2012 when the company came into existence. It has grown by one or two people a year, who are the people who are put in that company simply because it is impossible to put them in what in the UK would be sheltered employment, which I have explained to him before. In the United Kingdom, the state does not employ the people; it is the
2320 private sector that employs the people.

What we are doing at the moment is that if ... Normally, we provide a wage subsidy for maybe three months a year in order to give an incentive for a local unemployed person to be taken instead of somebody being imported. In the case of somebody who has a disability or somebody who has a social problem or somebody who has a health problem which makes him
2325 less competitive in the market, what we do is, we pay for the full year, so we give the employer ... Provided they give us a commitment that they will take him on, and if they do not take him on they will give us the money back, we provide a year's pay.

That is working in a number of cases where, in spite of all our efforts, it is not possible to fit somebody. There are usually maybe two or three people a year in that category and then they go into the Supported Employment Company, which in effect grows by that kind of level. I have
2330 given him the figures here for 2017, 2018 and 2019, which are the increases since the last time I gave it to him. This is by how much it has grown. These are the ones we have not been able to put into the normal market, but there are people we put into the normal market – not an easy thing to do. Short of subsidising the employment, I do not know what more we can do.

2335 I think some of the bigger employers in Gibraltar could be more civic minded and be willing to take them on, but they take a lot of persuading. I am certainly prepared to look at anything that he can suggest that might make us more successful in doing it.

Hon. L F Llamas: Mr Speaker, it is to do with support for employers as well as for employees, and I appreciate that many times ... I agree that it should be the private sector that does
2340 encourage people with particular needs to go into their business and make a success of it, but without the right support and without the right support network it is impossible for that venture to be successful.

With regard to Question 97, with regard to the annual leave and sick records, it has come to my attention that there is no actual liaison between employees of the company and anybody
2345 who manages that company. There have been situations where persons are not even aware that they are entitled to annual leave, so they may not even be taking their leave. It comes to the point where they come to the end of the year and they then find themselves with an excess number of days of leave, and instead of telling the person, 'Oh, by the way' – as a proper manager would do – 'you've got x number of days of leave that you can take,' they are not told.
2350 Those annual leave days are actually taken away and they are neither compensated nor allowed to take them because the time has run out.

Will the Minister look into annual leave in terms of people who may have been entitled to annual leave and have neither been remunerated or allowed to take the leave?
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Hon. Sir J J Bossano: Yes, Mr Speaker, I am grateful for having had this brought to my attention. I will ask for a report on the leave record of every single one of the people we have

got there and if there is any case where they have not taken leave and they have not been paid, they will be paid.

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Mr Speaker: Next question.

Q98-118/2019

Public finances –

Gibraltar Development Company borrowing; Credit Finance Ltd share capital; public debt; liquid reserves; Sinking Fund; GEP Ltd projects; external borrowing of Government-owned companies; renewal of Barclays borrowing facility; Government deposits in Gibraltar Savings and International Banks; GSB audited financial statements; Morocco business opportunities; Gibtelecom dividends paid to GSB; Credit Finance Ltd preference shares purchased by GSB; purchase of Sunborn bonds; Government withdrawal of £98.5 million from GSB; new £1 coin; sale of demonetised notes

Clerk: Question 98. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, further to Question W57/2018, can the Government advise from which Government-owned company did the Gibraltar Development Corporation borrow £30 million in the financial year 2017-18?

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

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Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano): Mr Speaker, I will answer with Questions 99 to 118.

Clerk: Question 99. The Hon. R M Clinton.

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Hon. R M Clinton: Mr Speaker, I think I will be on my feet for a little while.

Further to Question W57/2018, can the Government advise why it deems the terms on which the Gibraltar Development Corporation borrowed £30 million from a Government-owned company to be commercially sensitive?

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Clerk: Question 100. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, further to Question W60/2018, which was not answered, why was Credit Finance Company Ltd's ordinary share capital set at £30 million?

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Clerk: Question 101. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government please provide the total gross debt, aggregate debt after application of the Sinking Fund to gross debt, cash reserves and net debt figures for public debt for the following dates: 1st August 2018, 1st September 2018, 1st October 2018 and 1st November 2018?

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Clerk: Question 102. The Hon. R M Clinton.

2395 **Hon. R M Clinton:** Mr Speaker, can the Government please advise the total liquid reserves figure and its constituents, namely the Consolidated Fund, the Improvement and Development Fund, Government-owned companies, deposits, contingencies and other funds for the following dates: 1st August 2018, 1st September 2018, 1st October 2018 and 1st November 2018?

2400 **Clerk:** Question 103. The Hon. R M Clinton.

2405 **Hon. R M Clinton:** Mr Speaker, can the Government please advise how total liquid reserves are invested/held, giving details of all bank/savings bank accounts and cash held for the following dates: 1st August 2018, 1st September 2018, 1st October 2018 and 1st November 2018?

Clerk: Question 104. The Hon. R M Clinton.

2410 **Hon. R M Clinton:** Mr Speaker, can the Government advise the balance on the General Sinking Fund on the following dates: 1st August 2018, 1st September 2018, 1st October 2018 and 1st November 2018?

Clerk: Question 105. The Hon. R M Clinton.

2415 **Hon. R M Clinton:** Mr Speaker, can the Government advise the source of the £3.6 million increase in the General Sinking Fund as from 1st April 2018?

Clerk: Question 106. The Hon. R M Clinton.

2420 **Hon. R M Clinton:** Mr Speaker, can the Government please provide a list of all Government projects for which GEP Ltd has signed contracts and their associated value, and can the Government advise how is it intended that GEP Ltd will finance such contracts?

Clerk: Question 107. The Hon. R M Clinton.

2425 **Hon. R M Clinton:** Mr Speaker, can the Government advise the total, and a detailed breakdown of, external gross borrowing of all Government or Gibraltar Development Corporation owned companies, with the exception of the Gibraltar International Bank, as at 30th September 2018?

2430 **Clerk:** Question 108. The Hon. R M Clinton.

2435 **Hon. R M Clinton:** Mr Speaker, can the Government advise if Barclays has given any indication whether or not it is willing to renew the £100 million borrowing facility that matures on 10th October 2019?

Clerk: Question 109. The Hon. R M Clinton.

2440 **Hon. R M Clinton:** Mr Speaker, can the Government advise the monetary value of Government deposits with the Savings Bank for the following dates: 31st August 2018, 30th September 2018, 31st October 2018 and 30th November 2018?

Clerk: Question 110. The Hon. R M Clinton.

2445 **Hon. R M Clinton:** Mr Speaker, can the Government advise the monetary value of Government deposits with the Gibraltar International Bank for the following dates: 31st August 2018, 30th September 2018, 31st October 2018 and 30th November 2018?

Clerk: Question 111. The Hon. R M Clinton.

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Hon. R M Clinton: Mr Speaker, can the Government provide the audited financial statements and audit report for the Gibraltar Savings Bank for the years ended 31st March 2016, 31st March 2017 and 31st March 2018, as prepared by the Principal Auditor under section 12 of the Gibraltar Savings Bank Act?

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Clerk: Question 112. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise the nature of the business opportunities it is exploring in Morocco in respect of telecoms and electricity?

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Clerk: Question 113. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise the amount of dividends paid to the Gibraltar Savings Bank by Gibtelecom for the financial years ended 31st December 2016, 2017 and 2018?

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Clerk: Question 114. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise the original maturity dates of the £400 million of preference shares purchased by the Gibraltar Savings Bank in Credit Finance Company Ltd and have these maturities been extended in 2018; and, if so, what amounts to when?

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Clerk: Question 115. The Hon. R M Clinton.

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Hon. R M Clinton: Mr Speaker, can the Government advise if it or any of its owned companies or the Gibraltar Development Corporation and its owned companies have purchased any of the Sunborn (Gibraltar) Ltd euro denominated bonds, being ISIN SE0010296632 maturing on 5th September 2022; and, if so, which entity and in what nominal amounts?

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Clerk: Question 116. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise why it had to withdraw £95.8 million from the Gibraltar Savings Bank in March 2018? Was this money reinvested elsewhere or used to meet expenditure or other liabilities?

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Clerk: Question 117. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise when the new £1 coin is expected to go into circulation and has a design been selected?

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Clerk: Question 118. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, further to Question W42/2018, can the Government advise who controls the sale of demonetised banknotes and how is the sale price determined?

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

2500 **Hon. Sir J J Bossano:** Mr Speaker, I understand that the loan to the GDC was provided by Gibraltar Investment Holdings.

When Government takes a policy decision it does not have to explain to the Member opposite its reasoning in arriving at this policy. The terms of intercompany loans fall into this category.

2505 Credit Finance Company Ltd's ordinary share capital was set at GBP 30 million because the Government decided that was the level at which it should be set.

The gross and aggregate debt and value of the General Sinking Fund for the dates in question were the same as the figures provided for July.

2510 The cash reserves and net debt were as follows: August, £87.7 million and £351.2 million; September, £76.1 million and £362.8 million; October, £112.6 million and £326.3 million; November, £109.2 million and £329.7 million.

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

The source of the £3.6 million was the Consolidated Fund.

2515 The Government will be dealing with the question of the GEP projects and external borrowing of the Government companies during the course of the Budget debate.

Barclays has indicated that they are willing to renew the facility that matures in October.

2520 The monetary value of Government deposits with the Savings Bank on the dates requested were as follows: August, £96,271,209; September, £89,700,914; October, £130,545,447; November, £112,449,105.

The value of Government deposits with the Gibraltar International Bank on the dates requested was as follow: August, £55,373,395; September, £55,422,850; October, £70,470,333; November, £70,519,027.

2525 The 2015-16 accounts for the Savings Bank have already been gazetted and if the hon. Member does not have a copy I will get one sent to him. We are in the process now of delivering the 2016-17 report of the accounts to the depositors and as soon as the process of delivery starts I will supply him with copies.

The business opportunities being explored in Morocco are at a very early stage and therefore no details can be provided.

2530 The dividends paid for the year requested were £5.1 million, £4 million and £4.6 million.

I am informed that all the preference shares have had their maturity dates extended to 2019.

I am informed that Credit Finance currently holds €4 million of Sunborn euro bonds.

As explained in answer to Question 40/2018, the £95.8 million was the difference between the receipts and the payments which took place in March 2018.

2535 It is not possible to provide a date for when the new £1 coin will go into circulation, nor has a design yet been decided.

The Treasury undertakes the sale of demonetised notes at face value plus a handling charge.

2540 **Hon. R M Clinton:** Mr Speaker, if you will indulge me while I digest the answers given ... If I could start perhaps with his last answer, in respect of the sale of the demonetised banknotes – of which I know he is an avid fan, having attended the Berlin Money Fair – the Minister mentioned face value plus a handling charge. I do not know if I have it with me, but certainly you can pick them up from the post office, Gibraltar Philatelic Bureau Ltd, and he will see that the sale price to collectors is significantly more than face value. There seems to be a large, inbuilt profit – and he can correct me, obviously – to the sale/resale value of these notes. How is the handling charge calculated? If the Gibraltar Philatelic Bureau is buying notes at face for £50 and then can sell them for £200, or thereabouts – I do not have the price list with me, but it is

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2550 certainly much more than face value – there is obviously a profit that accrues to them rather than the Treasury and I am just wondering how is that handling charge reviewed. Is it to reflect the face value or the collector’s value of the note, or is it just a fixed charge – in which case, would the Minister not agree with me that the Treasury is losing out on potential revenue?

2555 **Hon. Sir J J Bossano:** Mr Speaker, I think this is something where the answer is that it is the way they have always done it, basically. When we go to Berlin we tend to look at what the market is paying – at what is a wholesale market – and therefore we have put our notes on sale there in the context of what we know is a competitive place in that area. But I think once people have come to buy notes over the counter at the Treasury, they have just been paying the value of the note and maybe something like £5 extra to cover the administrative cost, and that is how it has always been done.

2560 I think when we actually negotiate with somebody to sell them a quantity of notes a price is negotiated, and in the case of the Philatelic Bureau the Government in fact has got an agreement with the Philatelic Bureau where, for selling the stamps and selling the notes of the Government, the net profit, after the expenses, is shared 50/50 with the Government.

2565 The fact that something is on sale for a price does not actually mean that they succeed in selling it. I think some things are very misleading because there are people who will put these prices on these things and one has to see what the volume is that is actually sold.

2570 We tend to do quite good business when we go to Berlin because there we are dealing with wholesalers who buy quantities from us and then resell them, and most of them are in Germany itself but we also get people from Asia and from the States who come to the Berlin market because it is the biggest market. But I think we could probably do better and it is something that I am looking at.

2575 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his comprehensive answer and I would encourage him to have a look on eBay, if he has got an account, and see what people are trying to sell our notes at. I am sure he would love it if we could all sell them at that price, but nevertheless they are on sale.

2580 If I can turn to his answer to Question 115, where he said that Credit Finance currently holds €4 million – I imagine that is notional – of the Sunborn bond, could the Minister advise if I would be correct in extrapolating that, as at 31st December 2017, as per the audited accounts where they describe the company acquiring an €8 million listed bond which has the same characteristics of the Sunborn bond, is in fact Sunborn related and therefore in December 2017 they held €8 million and now they hold €4 million? Would I be correct in making that assumption?

2585 **Hon. Sir J J Bossano:** I believe that is the case, yes, that the holding has been reduced.

Hon. R M Clinton: I am grateful to the Minister for his answer.

2590 Would he not agree with me, Mr Speaker, that although the Chief Minister has made a big song and dance about the Sunborn loan having been repaid in full, in fact what has happened is that perhaps the Credit Finance has reduced its credit exposure but still retained at least €8 million worth of exposure to Credit Finance as at 31st December, and therefore the loan effectively ...? Well, the loan was repaid certainly, but there is a credit exposure still to the Sunborn at that date?

2595 **Hon. Sir J J Bossano:** I do not think the one thing follows from the other. That is to say the loan that was originally made was something that I was involved in because I actually went to Finland to persuade the owners to bring it here and part of the incentive that I offered, competing with Barcelona, was that the ship should come here.

I think the provision of the loan clearly has to be seen in the context of what having the *Sunborn* here has meant in terms of economic activity, in terms of the creation of employment. We doubled overnight the number of beds in Gibraltar because the *Sunburn* alone provided more beds than the Rock Hotel and the Eliot Hotel put together. One of the problems that we have always had historically in dealing with bringing more tourists to Gibraltar was the chicken-and-egg situation that tour operators would say, 'You need a certain volume of beds before we can charter a plane' and hoteliers used to say, 'We haven't got enough flights for me to put money into building hotels.' It was only this unique opportunity of a hotel that was ready-built and floated to Gibraltar that overnight we could talk to the airline and have the beds at the same time. It was something that could have turned out to be a flop, but it turned out to be a success. The success has been in the increased number of tourists, the increased number of flights, the income to the company that lent the money and we got our loan repaid.

The fact that we got our loan repaid does not mean that therefore buying a loan that was available but not one that we had negotiated with the company was not good business. The decision that was taken by the Treasury to invest in this loan was taken like they might have invested in another loan from any other hotel or anything else. So it is not that we negotiated, 'You pay us back and we will invest so much.' That is not what took place. The investment originally was an investment where the risk involved in making the loan took into account not just the return on the loan but the impact on the economy, on employment and on Government revenue.

Therefore, it was in the context of that big picture that it was worth making the loan. If we had been investing £36 million we probably would not have put that much money in one particular entity if the ship had been in Barcelona. So the decision was taken independently, just like the decision was taken to reduce it because the money was either invested somewhere else but the actual ... I am not involved in the day-to-day investment decisions, as the hon. Member will understand. (*Interjection by Hon. Chief Minister*)

Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his answer and his economic rationale for giving a loan in the first place, but he must accept that from what he has said and certainly from the accounts of Credit Finance Company Ltd – and they have not been audited – at 31st December 2017 there was still a credit exposure. I am sure he understands what I mean by that: a risk in respect of the *Sunborn*.

I would also point out to the Minister that, in fact, in terms of it being an investment in the normal course of business that you might expect, as you are suggesting, is it not true, Minister, that this was the only investment that Credit Finance has ever made in a bond and therefore it is perhaps easy to connect the repayment of loans and investments and the bond, seeing as it is the only type of bond investment that I can see evidenced by their accounts?

Hon. Sir J J Bossano: I do not know why he is making that point. It is not that we are trying to hide what is invested.

Credit Finance is operated to make money and it reinvested some of the interest it gained from the original loan because it was considered to be a good investment to do it in that company as opposed to doing it in anything else. Given the success that we have had in this particular investment, clearly we should be doing more of it.

Hon. R M Clinton: Mr Speaker, one very last point on this particular question. The Minister just said 'we decided to reinvest the interest'. Was there an issue with the payment of the interest and they decided to take this bond in lieu of an interest payment? Is that what he suggested?

Hon. Sir J J Bossano: No, I have not said they decided to take the bond in lieu. Those are, Mr Speaker, his words, not mine. I am saying that the amount of money that we had in interest

which we had available for investment we chose to reinvest at that point in their loan, which has since been reduced, and we might have invested it equally in something else. It is not that we had, as part of the deal, 'We wouldn't have got repaid unless we reinvest it in that.' That is not the case. Credit Finance was free to invest it somewhere, had they chosen to. *(Interjection by Hon. Chief Minister)*

Hon. R M Clinton: Mr Speaker, I thank the Minister again and I will now move on to another point.

Moving on to his answer to Question 114, where the maturity dates of the preference shares were extended, looking at the accounts for 2017, which were filed, would the Minister not agree with me that on the face of it, certainly on the balance sheet, Credit Finance Company would have been technically insolvent if indeed the maturity of the preference shares had not been extended? Was the maturity extended at the request of Credit Finance Company Ltd, in that it was obviously patently unable to repay, or was that extension one requested by the Savings Bank?

Hon. Sir J J Bossano: Mr Speaker, the Member opposite seems to have a strange idea that there are different entities which would take each other to court or put each other in insolvency. The tertiary that manages the Savings Bank manages Credit Finance and manages all the cash and managers all the companies.

I am not an accountant and I am not able to challenge him on whether there is a technicality there, or not. All I can tell him is that the original maturity dates were in fact related to the areas of the portfolio of borrowings of the Savings Bank – because, as he knows, one of the things in the Savings Bank is that it was supposed to average out the maturities and the yields so that in fact we are not caught out by having to pay things back earlier than we can get them repaid. So the maturities of the original thing were tied to the bonds and debentures which had maturity dates that tied up, and therefore when the different structure of the savings instruments changes they change the date of this. But it has no particular significance. Tomorrow, we could decide to change the maturity for some other reason.

All I can tell the hon. Member is that I did not even know that it had been changed. I asked the question because he has asked me. But it is not as if people had to change the maturity in case the Savings Bank did something, because the people in the Savings Bank and the people in Credit Finance are the same civil servants who are managing these things.

Hon. R M Clinton: Mr Speaker, just as a suggestion, perhaps the Minister would like to discuss the way the maturity ladder is worked out with the Treasury officials so as to ensure that they do not present a picture when the accounts are audited. I am not saying there is anything wrong with that, but it actually shows to a third party that the company might be technically insolvent, and by that I mean unable to repay its debts when they fall due. According to this – although Pricewaterhouse has not qualified the accounts, there is no reason for anyone to have any cause for concern – it would show a net current liability of £23 million within a year, meaning that in a year technically it would not have been able to pay its debts unless the preference shares were rescheduled. If, as you say, it is all one and the same person, they should perhaps manage this maturity a bit better so that the position is, as you say, managed within and they can match the maturities and there is no issue. Otherwise, a third party picking this up would say, 'Ah, there could be a problem here' – although I am suggesting that there is not. That is my suggestion.

Mr Speaker, again I beg your indulgence. Gibtelecom dividends: I am pleased to note that they are still being paid, although not at the same rate, and I note that the accounts for December 2016 have now been filed in full. I would urge the Minister, if he can, to exercise his influence to have the accounts for 2017 and 2018 filed as soon as possible.

2705 Moving on to the Savings Bank, which is Question 111, yes, I accept what the Minister has said and yes I do, and I apologise – I do have the March 2016 accounts. I do not have 2017 and 2018, and from the Principal Auditor’s report – which we have received today – for the year ending March 2016, on page 106 the Principal Auditor reports that he has actually audited and certified already the accounts of the Savings Bank for 2017 and 2018, so they are in the Minister’s possession. I know he may want to produce what I call a ‘glossy’ for depositors, but there is no reason why he could not provide those to the House now, if he so wished. The Principal Auditor also notes on his website that he has finished the work but they have not yet
2710 been gazetted, and I think we may have a slight discussion about this when we come to debate his proposed amendment to the Savings Bank Act in due course. But is the Minister not prepared at least to share with the House the accounts that he has in his possession?

2715 **Hon. Sir J J Bossano:** I have told him that it is in the process of being delivered to the depositors – it should be happening within a week and then I will let him have a copy.

2720 **Hon. R M Clinton:** Mr Speaker, moving to Question 107, in terms of the detailed breakdown of external borrowing the Minister indicates that all will be revealed in the Budget debate. Will the Minister undertake to give a full, detailed breakdown of all external borrowing, as requested in the question, as at the date of the Budget debate?

Hon. Sir J J Bossano: No, I cannot undertake that because it will not be in my Budget speech.

2725 **Hon. R M Clinton:** Mr Speaker, that is my point entirely in the sense of the Minister’s responding to me saying it will come up in the Budget, but I have no assurance that it will. Who will give me that assurance, Mr Speaker?

2730 **Hon. Sir J J Bossano:** Mr Speaker, the assurance that I am giving him is that the Government will be dealing with it in the Budget speech. How the Government will deal with it in the Budget speech we will both find out when the Budget speech is delivered.

2735 **Hon. R M Clinton:** Mr Speaker, one last question. Again, I may have misheard – I just want him to confirm: did he say, in answer to Question 98, that it was Gibraltar Investment Holdings Ltd that lent money to the Gibraltar Development Corporation?

Hon. Sir J J Bossano: Yes, that is my understanding of it.

2740 **Mr Speaker:** Any other supplementaries, or can we take it that that is the end of Question Time?

Hon. R M Clinton: Yes, sorry, Mr Speaker, just one. Question 106, in relation to GEP Ltd: does the Minister agree with me that GEP Ltd has no resources of its own and therefore would have to borrow in order to finance any contracts?

2745 **Hon. Sir J J Bossano:** I am not going to agree or disagree with anything because I have told him that the matter will be dealt with in the Budget speech.

**Correction to information given to Parliament
on 30th January 2019 re petition**

Clerk: Answers to Written Questions. The Hon. the Chief Minister.

Mr Speaker: Before we move on, the Hon. Danny Feetham.

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Hon. D A Feetham: Mr Speaker, thank you very much for your indulgence.

On 30th January 2019 the Hon. Minister Cortes presented a petition to this House in the name of Minister Isola, which has been recorded in *Hansard* as stating that the petition, asking for recognition of the pre – borns indisputable right to life, was signed by 102 persons. I just wish it to be recorded that in fact that contained a much larger petition annex to it with 6,285 signatures.

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Mr Speaker: Normally I would have expected the hon. Member to make the point under the subject of Petitions, but that requires a new and separate meeting.

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He expressed his anxiety about that, wishing to correct the record, and therefore I am giving him an opportunity to do so.

Questions for Written Answer

Clerk: Answers to Written Questions. The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move, having been provided with the necessary envelope and other materials by Julie from No.6 Convent Place, to lay on the table the answers to Written Questions W81 and W97/2019, inclusive.

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

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.

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

BILLS

FIRST AND SECOND READING

**Gibraltar Savings Bank (Amendment) Bill 2019 –
First Reading approved**

Clerk: Bills – First and Second Reading.

2775 A Bill for an Act to amend the Gibraltar Savings Bank Act in order to allow for interest on ordinary deposits to accrue on the day of deposit and to change the date of when annual accounts and a statement of assets and liabilities are to be laid before the Minister.

The Hon. the Minister for Economic Development, Telecommunications and the GSB.

2780 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** Mr Speaker, I have the honour to move that a Bill for an Act to amend the Gibraltar Savings Bank Act in order to allow for interest on ordinary deposits to accrue on the day of deposit and to change the date of when annual accounts and a statement of assets and liabilities are to be laid before the Minister be read a first time.

2785 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Gibraltar Savings Bank Act in order to allow for interest on ordinary deposits to accrue on the day of deposit and to change the date of when annual accounts and a statement of assets and liabilities are to be laid before the Minister be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

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Clerk: The Gibraltar Savings Bank (Amendment) Act 2019.

**Gibraltar Savings Bank (Amendment) Bill 2019 –
Second Reading approved**

Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano): I beg to move that the Bill for the Gibraltar Savings Banks (Amendment) Act 2019 be read a second time.

2795 Mr Speaker, it is a straightforward Bill and the explanation for it is that traditionally the ordinary accounts had a rule on the basis for the interest to be paid, which was that the money had to be kept for a full calendar month. So, for example, if somebody put money in their ordinary account on the second day of the month they got nothing for that month, or if they withdrew it one day before the end of the month they got nothing. As a result of the fact that
2800 we are now moving to electronic systems in the operation of the ordinary accounts, as we did before with debentures, it is possible, now that it is electronic, to calculate the interest on a daily basis and therefore depositors will have the benefit of getting the interest for the time that they have their money in the bank, as opposed to the other way. In fact, at any one time there is
2805 about £100 million in the ordinary accounts but there is quite a lot of money that comes in and out, particularly with pensioners maybe putting in their money when they get their pension and then withdrawing it within a few days, and because of the movements being within the same month they have got nothing. So there will be some benefit to depositors out of the new system and it will cost us a bit of money to do it.

2810 The other element is giving them a later date to have to close the account, which has been a request from the staff – they thought that the previous date that the law provided for needed changing and they have chosen the timescale that they consider they need.

I commend the Bill to the House on the basis that all we are doing is providing an improvement for the people who place their money in ordinary accounts, in terms of the return, and making life a little bit easier for the people who have to run the system.

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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. Roy Clinton.

Hon. R M Clinton: Mr Speaker, thank you very much.

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Anything in respect of the modernisation of the Savings Bank and its systems obviously has to be welcomed.

Certainly in terms of banking and the accrual of interest, obviously it will benefit depositors. And I notice from the face of the Bill that the intention is that this should be backdated to 1st April of this year. Another aspect of the amendment, from what I can read, is that apart from the accruing of interest, you also are probably – and you can correct me if I am wrong – putting in some protection in terms of the clearance of cheques to make sure that the money is indeed cleared and you will not pay interest until seven days have passed from the depositing of the cheque. Also, you have put in some clarification on what happens in terms of calculating interest on the closure of an ordinary account.

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Mr Speaker, in terms of all these amendments I can see the logic of them and the rationale as to why this sort of amendment would be required, given that you are probably moving to – or have moved; I do not know the name of the system – some sort of banking automatic system which will do this. In fact, it will probably cost you more to amend the program than to pass the Bill, from my experience of banking software.

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But it is kind of a paradox, in that the Minister is saying, ‘We are improving the system and we are making things better’ – and, I would assume, making them faster – by having a new system, in which case the final amendment, which is to change, in section 12A, 31st August to the 31st day of October, gives an extra two months, and I ask myself: if you have got a brand new system that does things better, why would the staff be asking for two more months for the accounts to be audited?

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I would refer the Minister to the existing section 12. I have had to avail myself of the only copy I have to hand, which I do not think is that out of the date, although it is the 1984 edition – the Minister will correct me if I am wrong. The 31st day of August is the date by which the Principal Auditor has to present the accounts to the Minister, not the date on which the Savings Bank staff have to present them to the Principal Auditor, so the benefits of the extra two months ... I am not entirely certain that under the Public Finance (Audit Control) Act the benefits of those two months will actually pass down to staff at the accounting level in the Savings Bank, but rather those extra two months will give the Principal Auditor two more months to audit and lay the accounts before the Minister. I would welcome the Minister’s clarification on that point, because from my cursory reading of this the beneficiary of the two months is not necessarily going to be the staff at the Savings Bank but rather the Principal Auditor and they may still have to report to the Principal Auditor on the same timescale as before.

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The Minister will be fully aware, having brought a Private Member’s Bill back in January 2017, that I had wanted to amend the Savings Bank Act to add some words – in fact, in this section 12 – whereby the Minister would undertake to gazette within a month of having had full receipt of the audited accounts from the Principal Auditor. We can see, Mr Speaker, that there are indeed now two years’ worth of accounts that could have been gazetted but have not been yet. I do not imagine I would have been able to persuade the Minister in the intervening two years of the wisdom of my suggestion, but nevertheless I thought it would be worthwhile, in the context of the debate on this amendment, just to reference back to it and indicate that I think it is all very well to extend the period in which the accounts have to be delivered to him, but in return I think he should at least make a commitment to deliver them to the public, or to gazette it, or even to this House. He obviously is indicating he has no desire to amend it. But taken in the

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2865 round and given that the bulk of the Bill is to benefit depositors, two months is not a great deal of time in the grand scheme of things and I would venture to suggest that the auditors are probably the ones who are going to benefit more than his staff. It seems that producing work in August is probably not the best time to be doing it, let alone July, so I imagine receiving them in October is probably more practical from their point of view.

2870 Mr Speaker, I have gone back to try and see when the last time this provision was changed, and to be honest I cannot find it. It may go back to 1935. All the other tweaks to section 12 have been to remove the word 'Governor' and other such things, but I do not think since 1935 has there been any attempt or any suggestion that the Principal Auditor needs more time to undertake his work.

2875 I think I would recommend to this side of the House that certainly there is nothing in here so offensive that would cause us to be opposed to it, but I would just add a reservation saying it would be nice if also you had added something to say 'and I will gazette it within a month of having receipt'. I do not think there is sufficient argument for me to oppose the Bill on that ground alone because obviously there is a benefit here to depositors and to the general public, but I would ask him to go back and check – and maybe he knows the answer now – as to whether these extra two months in fact will benefit staff or will be a benefit for the Principal Auditor, because my reading of section 12 is delivery of a report to him, not delivery of accounts to the Principal Auditor. I would be grateful for his clarification on that.

2885 **Mr Speaker:** Does any other hon. Member wish to speak on the Second Reading of this Bill? Otherwise, I will call on the mover to reply. The Hon. Sir Joe Bossano.

2890 **Hon. Sir J J Bossano:** Mr Speaker, the hon. Member may be right. It may be that it is the Auditor and that the Auditor has asked the staff and not that the staff have raised the matter with me. I assumed, naturally, that it was the staff who wanted to have the ability to submit it to the Auditor later and that therefore the Auditor would need an extension in order to be able to finish the work if he got it later. But it may be that it is at the end of the audit that the request came to the Department and therefore the Department put the proposal for a policy decision and I took it that it was ...

2895 Given the fact that the volume in the Savings Bank is constantly on the up, it seems to me that even though we are producing new technology ... A lot of this, particularly the part on the ordinary account, has been done in the same way since time immemorial. It is only a few years ago that the old book where people used to scribble the stuff in the book disappeared, but we hope eventually to be able to get to the stage where people will not have to queue up and therefore it will be easier for people to access their money and to deposit their money. This is a step in that direction.

2900 I think, frankly, the main benefit of this is the fact that there are some people who have been getting no interest simply because they may have had their money there a very long time but it has never been there for a continuous month. It is a very old provision, which was probably there from the time of Queen Victoria and which has never been looked at until now, and I think when the interest was a manual calculation it was much easier to say any money that has not been there for a whole month you can forget, so you do not need to calculate interest on it.

2905 He has not persuaded me of his proposal of 2017, but there is no harm in him continuing to try to persuade me.

2910 I will go back and take his comments, just to be sure what will be the effect of the amendment, but the fact that it would be helping the staff was an assumption on my part.

I commend the Bill to the House, Mr Speaker, and I will be taking the Committee Stage.

2915 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Gibraltar Savings Bank Act in order to allow for interest on ordinary deposits to accrue on the day of deposit and to change the date of when annual accounts and a statement of assets and liabilities

are to be laid before the Minister be read a second time. Those in favour? (**Members:** Aye.)
Those against? Carried.

Clerk: The Gibraltar Savings Bank (Amendment) Act 2019.

**Gibraltar Savings Bank (Amendment) Bill 2019 –
Committee Stage and Third Reading to be taken at this sitting**

2920 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** 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.

2925 **Mr Speaker:** Do all hon. Members agree that the Committee Stage and Third Reading of this Bill be taken today?

Members: Aye.

COMMITTEE STAGE AND THIRD READING

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

2930 **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 Bills clause by clause, namely the Gibraltar Savings Bank (Amendment) Bill 2019, the Ivory Bill 2018, the Gibraltar Electricity Authority (Amendment) Bill 2019, the Gibraltar Electricity Authority (Amendment) Bill 2018, the European Union Laws (Voluntary Implementation) Bill 2019, the Nature Protection (Amendment No. 2) Bill 2018 and the Public Health (Amendment) Bill 2019.

In Committee of the whole House

**European Union Laws (Voluntary Implementation) Bill 2019 –
Clauses considered and approved**

2940 **Clerk:** A Bill for an Act to provide for the voluntary implementation of European Union laws after the Treaty on European Union, the Treaty on the Functioning of the European Union, the Treaty establishing the European Atomic Energy Community and the European Economic Area Agreement cease to apply to Gibraltar; and to provide such transitional or other provisions as are deemed necessary, and for connected purposes.

Clauses 1 to 6.

Mr Chairman: Stand part of the Bill.

2945 **Clerk:** The long title.

Mr Chairman: Stands part of the Bill.

**Gibraltar Electricity Authority (Amendment) Bill 2018 –
Clauses considered and approved with amendment**

Clerk: A Bill for an Act to amend the Gibraltar Electricity Authority Act 2003 to support feed-in agreements and to matters connected thereto.

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Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Chairman, this Bill has been on the Order Paper for some time. I believe my copy has the date 2017, and that should be amended to 2019.

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Mr Chairman: Clause 1, alter the date: amend 2018 to read 2019. And there is another Bill to follow as well.

Clerk: Clause 1 as amended.

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Mr Chairman: Stands part of the Bill.

Clerk: Clauses 2 and 3.

Mr Chairman: Stand part of the Bill.

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Clerk: The long title.

Mr Chairman: Stands part of the Bill.

**Nature Protection (Amendment No. 2) Bill 2018 –
Clauses considered and approved with amendment**

Clerk: A Bill for an Act to amend the Nature Protection Act 1991.

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Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Chairman, once again, this needs to reflect the fact that it is 2019 and not 2018, when it was originally placed on the Order Paper.

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Clerk: Clause 1 as amended.

Mr Chairman: Stands part of the Bill.

Clerk: Clauses 2 and 3.

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Mr Chairman: Stand part of the Bill.

Clerk: The long title.

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Mr Chairman: Stand part of the Bill.

**Gibraltar Electricity Authority (Amendment) Bill 2019 –
Clauses considered and approved with amendment**

Clerk: A Bill for an Act to amend the Gibraltar Electricity Authority Act 2003.
Clauses 1 and 2.

2990 **Mr Chairman:** Stand part of the Bill.

Hon. E J Reyes: Mr Chairman, I was going to say, because Dr Cortes before changed it, the Bill we did before can now be cited as the Gibraltar Electricity Authority (Amendment) Act 2019. This one is going to carry exactly the same title: the Gibraltar Electricity Authority (Amendment) Act 2019. Do the lawyers need to advise us? Otherwise, we have got two different Bills being cited with exactly the same titles. I do not know if I am out of order.

Clerk: I think the long title could be amended to '(Amendment No. 2)' Act.

3000 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Yes, Mr Chairman, I think I would be very happy to accept the Clerk's recommendation and we call it '(Amendment No. 2)' in order to distinguish it from the other. I am happy to accept that.

Clerk: Clause 1 as amended.

3005 **Mr Chairman:** Stands part of the Bill.

Clerk: Clause 2.

3010 **Mr Chairman:** Stands part of the Bill.

Clerk: The long title.

Mr Chairman: Stands part of the Bill.

**Public Health (Amendment) Bill 2019 –
Clauses considered and approved**

3015 **Clerk:** A Bill for an Act to amend the Public Health Act in order to provide for improvement notices and relevant penalties in regard to the control of major accident hazards involving dangerous substances.
Clauses 1 to 3.

3020 **Mr Chairman:** Stand part of the Bill.

Clerk: The long title.

Mr Chairman: Stands part of the Bill.

**Ivory Bill 2019 –
Clauses considered and approved**

3025 **Clerk:** A Bill for an Act to make provision for the prohibition of dealing in ivory, save for in certain circumstances; and for connected purposes.

Part 1, clauses 1 to 3.

Mr Chairman: Stand part of the Bill.

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Clerk: Part 2, clause 4.

Mr Chairman: Stands part of the Bill.

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Clerk: Part 3, clauses 5 to 14.

Mr Chairman: Stand part of the Bill.

Clerk: Part 4, clauses 15 to 36.

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Mr Chairman: Stand part of the Bill.

Clerk: Part 5, clauses 37 to 42.

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Mr Chairman: Stand part of the Bill.

Clerk: Schedules 1 and 2.

Mr Chairman: Stand part of the Bill.

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Clerk: The long title.

Mr Chairman: Stands part of the Bill.

**Gibraltar Savings Bank (Amendment) Bill 2019 –
Clauses considered and approved**

3055 **Clerk:** A Bill for an Act to amend the Gibraltar Savings Bank Act in order to allow for interest on ordinary deposits to accrue on the day of deposit and to change the date of when annual accounts and a statement of assets and liabilities are to be laid before the Minister.

Clauses 1 to 3.

Mr Chairman: Stand part of the Bill.

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Clerk: The long title.

Mr Chairman: Stands part of the Bill.

**European Union Laws (Voluntary Implementation) Bill 2019 –
Gibraltar Electricity Authority (Amendment) Bill 2019 –
Nature Protection (Amendment No. 2) Bill 2019 –
Gibraltar Electricity Authority (Amendment) Bill 2019 –
Public Health (Amendment) Bill 2019 –
Ivory Bill 2019 –
Gibraltar Savings Bank (Amendment) Bill 2019 –
Third Reading approved: Bills passed**

Clerk: The Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to report that the House has considered the following Bills and passed them without amendments, namely the European Union Laws (Voluntary Implementation) Bill 2019, the Gibraltar Electricity Authority (Amendment) Bill 2019, the Nature Protection (Amendment No.2) Bill 2019, the Gibraltar Electricity Authority (Amendment) Bill 2019; the Public Health (Amendment) Bill 2019 and the Ivory Bill 2019, together with the Gibraltar Savings Bank (Amendment) Bill 2019, and I now move that they be read a third time and passed.

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Mr Speaker: I now put the question, which is that the European Union Laws (Voluntary Implementation) Bill 2019, the Gibraltar Electricity Authority (Amendment) Bill 2019, the Nature Protection (Amendment No.2) Bill 2019, the Gibraltar Electricity Authority (Amendment) Bill 2019, the Public Health (Amendment) Bill 2019, the Ivory Bill 2019 and the Gibraltar Savings Bank (Amendment) Bill 2019 be read a third time and carried. All in favour? (**Members:** Aye.) All against? Carried.

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Clerk: We continue with Bills, First and Second Readings, and we now move to the adjournment.

Chief Minister (Hon. F R Picardo): Mr Speaker, I move that the House should now adjourn. We will adjourn to 10th June at 10 a.m.

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As I indicated to hon. Members, it is the Government's intention to take the Appropriation Bill at that stage. Hon. Members will know that that is slightly earlier than we have been able to take the Appropriation Bill in other years, but of course we do have a number of imperatives this year, namely the Island Games and all of the other matters that I referred hon. Members to last time, when I told them that that might be the date.

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I have the honour to move that the House should now adjourn to 10th June at 10 a.m.

Mr Speaker: The House will now adjourn to Monday, 10th June at 10 in the morning.

The House adjourned at 7.56 p.m.