



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.00 p.m. – 5.50 p.m.**

**Gibraltar, Monday, 17th May 2021**

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# The Gibraltar Parliament

*The Parliament met at 3 p.m.*

[MR SPEAKER: Hon. M L Farrell BEM GMD RD JP *in the Chair*]

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

## SUSPENSION OF STANDING ORDERS

### Standing Order 7(1) suspended to proceed with Government Statement

**Clerk:** Meeting of Parliament, Monday, 17th May 2021.  
Suspension of Standing Orders. The Hon. the Chief Minister.

5 **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 a Government Statement.

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

### Testing of UK arrivals – Statement by the Chief Minister

10 **Mr Speaker:** The Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, may I start my intervention this afternoon by wishing all the best to our Jewish community on the festival of Shavuot, which is the festival of the Harvest and the Law. I am grateful to the hon. Lady for joining us today despite it being her festival, although she will not be an active participant in the proceedings. She has my apology that we have to meet today to get through the business of the House in the third week of the month.

15 This year, our Jewish community is able to celebrate, as our Muslim community did Eid, with a much more normal situation. We celebrate in that way, together, not just the religious festival, but also the closer normality that we all crave and in respect of which Gibraltar is the envy of the world, thanks to the work of so many.

20 I am also happy to confirm the arrival last night of more vaccines in Gibraltar, after huge efforts by colleagues in the FCDO and Convent in Gibraltar after myriad logistical challenges were getting in the way of their transit to Gibraltar. Indeed, the success of the vaccination programme has been such that yesterday we saw the first day of zero cases across the board in Gibraltar since July last year. We will have more cases in future, no doubt, but this is an important milestone for Gibraltar.

25 Today we have seen the first arrivals from the United Kingdom of flights which will benefit from Gibraltar being on the UK's green list for air travel. We are delighted at the advent of this moment. Air travel between the United Kingdom and Gibraltar is not just about tourism. Given our unbreakable and almost filial link with the UK, travel between us is about families reuniting; it is about the social aspects of our relationship, about business and trade, and also about tourism.

30 The high level of vaccination in the United Kingdom and the complete adult vaccination in  
Gibraltar also made the re-establishment of an open air corridor very safe. For that reason, we  
had hoped and advertised that arrivals from the UK would not require testing on arrival in  
Gibraltar. Alas, this morning the Government has had to take the tough decision to continue  
35 testing all arrivals from the United Kingdom. We said before we would not require a PCR test for  
those arriving from the UK, and that will still be the case. The testing required will be a lateral flow  
test on arrival.

But the fact is that after many months of good news, falling COVID cases and the most  
successful vaccination campaign in any large nation in the world, the Prime Minister, Boris  
Johnson, has alerted the public to the onset on infections of what is referred to as the Indian  
40 variant in the UK. There is even comment of the potential for England's full relaxation of rules in  
June to be in jeopardy because of the potential of greater pressure on the NHS if the variant takes  
hold. This thorn in the plans is one of the variants of coronavirus that has emerged from India,  
which is referred to as B.1.617.2. For the first time this weekend the Prime Minister has referred  
to the advice from scientists advising the UK government who are now confident it does spread  
45 more easily than other variants.

This morning I met with the GHA's Consultant Microbiologist, Nick Cortes, to discuss these  
issues, as he had also raised these concerns directly with us yesterday. Also with me were the  
Deputy Chief Minister, the Minister for Tourism and Transport, the Ministers for Health and Public  
Health and our magnificent Civil Contingencies Co-ordinator. From the advice we received from  
50 Dr Cortes it is clear that the expectation is that the variant will become more prevalent than the  
so-called Kent variant.

The UK is clearly, therefore, in a race between the virus and the vaccine. The much awaited  
easing of restrictions in the UK today, coupled with a more transmissible variant, will mean that  
the virus will move even faster. There is still no clarity about exactly how much faster the B.1.617.2  
55 variant spreads. The UK government's Scientific Advisory Group for Emergencies says there is a  
realistic possibility it could spread 50% faster. There are some higher estimates of 60% of greater  
speed of infection from India itself. Anything that is more than 40% more transmissible than the  
Kent variant could once again unleash issues of resurgence of hospitalisations if the variant is  
resistant to vaccines.

60 For us, it is more about potential resistance to the Pfizer vaccine in particular, as the vast  
majority of our population have had that inoculation. There is no clear science on that yet.  
Dr Cortes has today referred us to anecdotal evidence of two cases of hospitalisation in the United  
States, where the Centre for Disease Control reports the cases appear to have had full Pfizer  
inoculations. One case appears to have been reported in the United Kingdom of a post-vaccination  
65 hospitalisation with the Indian variant. But the data is not yet reliable and the science is not yet  
there.

We therefore need to be cautious in our approach and remain vigilant in the regime we have  
in place for arrivals at Gibraltar Airport. It is in that context that the Government has today acted  
in keeping with the advice we have received from Dr Cortes. Given the concerns expressed by the  
70 Prime Minister in the United Kingdom and the advice we have received from Dr Cortes, the  
decision was taken by a ministerial sub-committee to continue testing arrivals with a quick lateral  
flow test. This decision was later ratified by the full Cabinet at this morning's session. We took the  
decision to vary the Cabinet decision in the committee to ensure that we were able to give effect  
to it by 11 a.m. today upon the arrival of the first British Airways flight. The Cabinet fully agreed  
75 with our decision based on the logical consideration of the advice received. The ratification was  
therefore a unanimous consensus.

The test that will be required will be an instant, lateral flow test. Our position remains that no  
PCR test will be required on arrival. There will be no charge to the arriving traveller. This will  
continue whilst more information on the effect of the Indian variant is assessed. The application  
80 of the precautionary principle must prevail, Mr Speaker, whilst we will continue to be as  
welcoming of our kith and kin from the United Kingdom. Thank you.

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

85 **Hon. K Azopardi:** Mr Speaker, I am grateful for the hon. Member's Statement, and on this side  
of the House, at least speaking for myself and the Members I represent, of course in the context  
of medical and public health advice, as the Chief Minister has indicated, we welcome the decision  
taken. Indeed, there had been, already, some discussion in Gibraltar about the difference between  
90 what had been assumed was the position hitherto, after the Chief Minister's intervention on Sky  
News that people arriving from the UK would not be tested, but that it was clear, from the UK's  
own measures on the green lighting of different territories, that that was not the case for anyone  
going over to the UK. And so you had that dichotomy, that people who were flying to the UK from  
Gibraltar would be tested, but that perhaps people flying from the UK to Gibraltar would not be.  
That has been clarified today, for the reasons the Chief Minister has given.

95 I have some questions that perhaps the hon. Member would be able to clarify for me. The hon.  
Member says that the test will be a lateral flow test, as opposed to a PCR test. There will be people  
listening to this debate who will not understand the difference. Perhaps the hon. Member can  
explain why the medical advice is that it should be a lateral flow test and not a PCR test.

100 Am I right in understanding what he has just said, which is that the lateral flow test will be  
applied on arrival in Gibraltar? Or is it that they do a lateral flow test before departing the UK?  
Obviously that would be a difference. Presumably, if they are positive, they would not board. If  
they are tested on arrival, they will have to go into self-isolation and ruin the seven days' package  
tour in the Caleta Palace, but clearly that would have to be the effect of it.

105 When he says that it will be at no cost to the passenger, is there a cost for the supply of the  
lateral flow, or is it that the Government is supplying the testing and lateral flow; or is it that a  
third party is supplying the lateral flow system test? If so, if there is a cost to the Government, is  
there an estimate? And who is burdened with that cost?

110 And then two more questions arising generally from the Statement, and also perhaps it would  
be good for the Chief Minister to clarify: is the Government intending to introduce I assume  
regulations under the civil contingencies rules providing for these matters? And is there a  
requirement for someone to be vaccinated for them to fly to Gibraltar under this sort of reciprocal  
green-lighting system? And does the Chief Minister, in his discussions with the medical professions  
that he has indicated today ...? I know he has given some indication of vaccine effectiveness, and  
I believe he said that the jury is out on the issue – or words to that effect, without using that  
115 phrase – but is there anything more that he can share with us on that, or is it that ...? I have also  
seen speculation the other way. I have seen speculation that the COVID Pfizer vaccine is resistant  
to the Indian variant, so is it that, because we are in a period of uncertainty, the measures are  
being taken because it is uncertain, or rather it is being taken because there is some kind of school  
of thought that there might be an issue in respect of the Indian variant?

120 I would be grateful if the hon. Member can clarify those issues.

**Mr Speaker:** The Hon. the Chief Minister.

125 **Hon. Chief Minister:** Mr Speaker, I do not know how much of my Statement the hon.  
Gentleman missed. I think that some of what he asks I dealt with before he arrived, but I am  
grateful that the House is not divided on this issue and that both sides seem to be in agreement  
as to the importance of taking this position.

130 The hon. Gentleman started his intervention by saying that he had noted that there had been  
discussion in Gibraltar about the fact that there was going to be a different regime to access  
Gibraltar than there would be to access the United Kingdom. In other words, on return to the  
United Kingdom from Gibraltar, as indeed on return to the United Kingdom from every other  
country in the world, an arriving person would be required to have a PCR test – and I believe it is  
within 72 hours of arrival and ensuring that is negative – whilst that would not have been the case  
in the context of arrivals to Gibraltar. Well, that is something that has been known for some time.

135 We made the announcement that you would not require a PCR test to come to Gibraltar some  
two to three weeks ago, and that is not an issue that has been raised at all with the Government  
in the past by hon. Members. I know that they are trigger happy and they raise issues at a  
moment's notice when they think it is appropriate, so the fact that they have not raised that in  
140 the past I would assume is a demonstration that they realised that it was not something that would  
have been necessary or expedient.

In answering the other point the hon. Member raised, I think I demonstrate the fact that it  
would be neither necessary or expedient – *[Coughing]* I do really recommend an expectorant,  
Mr Speaker, when it gets to that level – because, as I have said publicly before, the fact is that we  
have an open border, as we wanted to have and we have fought to have, with the European  
145 continent and the Schengen states, and we are seeing already almost 15,000 people come through  
that Frontier every day, not all of whom, of course, are vaccinated cross-frontier workers, and we  
hope we will see more people arriving through that Frontier, whilst at the Airport, until now, we  
may have seen 80 or 200 people a day, and with the green corridor would be additional flights –  
more flights than we have ever had before, to more destinations than we have ever had before,  
150 thanks to the magnificent work being done by the Minister for Tourism – but we might have a few  
just shy of 500 or 800 arrivals today. So, really, one has to ask oneself, epidemiologically and  
politically, if you have an open frontier with the European continent and you have 15,000 people,  
at least, coming through every day and you are not testing them, whether it makes  
epidemiological or political sense to require testing on arrivals from the United Kingdom.

155 The integrationists in the House will obviously have a view, and that view would necessarily  
suggest that the political aspects of this require a careful consideration. The epidemiological  
aspects I think would trump any political consideration, but they have not been relevant because  
the advice we had, when you put it in the balance, was clearly pointing you towards realising that  
you were receiving from the United Kingdom from a general population which has already seen  
160 60% of its adults receive at least a first dose, versus a European continent where the first doses to  
all adults are, at best, in the 20%, so the risk analysis there would point towards not doing the  
testing at the Airport.

What has happened in the past 24 to 48 hours is that the British Prime Minister has received  
advice which he has immediately shared about the growth of the Indian variant in the United  
165 Kingdom, which shows that the exponential growth is faster than the Kent variant. There is one  
distinguishing factor that we must bear in mind in the context of the United Kingdom, and it is  
that the ability to detect the Indian variant seems to be more readily available in the United  
Kingdom. Indeed, I can share with the House today that we have now done all our testing and  
verification, and we will now be able to verify genomically, ourselves, what virus we find in  
170 Gibraltar. So, the United Kingdom can do it and Gibraltar can do it. We will be able to do it now in  
the space of 72 to 96 hours. In the European Union there is the ability to do it, but that ability is  
not as well spread out through the whole of the Union. But the European Union has not had flights  
from India for some time, whilst the United Kingdom had an open air border with India, subject  
to quarantining and testing etc., for a little longer. So we do face now, and we have faced in the  
175 last 48 hours, the advice that actually epidemiologically you now have the issue that the Indian  
variant is more likely to come from the United Kingdom than from the European continent. That  
is the reason why we have introduced the need to test.

Of course, when I say 'introduce the need to test', in answering another one of the hon.  
Gentleman's questions, all we are going to do is roll over the regime as it was last night when the  
180 Airport closed. So, this morning, the Airport was not going to require a test on arrival. Yesterday,  
it required a test on arrival, or, alternatively, a negative PCR within 72 hours of arrival, which an  
individual is always able to do. What we are going to do, therefore, is continue the regime at the  
Airport as it was last night and, in doing so, what we will be offering will be the lateral flow tests,  
which are the tests that we have been offering at the Airport.

185 There is a difference between a lateral flow test and the PCR tests. Hon. Members will know  
that, depending on the PCR test, it can be much more precise. Some of them can be very precise,

some less precise, but a PCR test is the more precise type of test. A lateral flow test is potentially less precise. You require more of the antibodies and you require more of the virus in order to show up on the lateral flow test, but it is the sort of test that is done to ensure protection from those who are likely to be able to pass on the virus because they have the viral load at the level required to be identified by the lateral flow tests. We have been advised that a lateral flow test is more than sufficient to be used for these purposes, and the system will be exactly the same as it has been until now. In other words, when you arrive at Gibraltar Airport, you will have 24 hours to test and you either do it literally at that moment or you can come back and do it.

I want to emphasise for hon. Members that this is the position that we have had throughout the period where we have had the air bridges in place, but with the air corridor closed. That is to say this is the system we have had in place when the United Kingdom had much lower levels of adult first doses and therefore more prevalence of virus, and this has worked very well for us at the Airport. Now that the United Kingdom has much less virus and more prevalence of adult first-dose vaccinations, and indeed now surge vaccination in areas where the Indian variant is detected, we believe that this is absolutely the right approach. In other words, not to become more stringent, but to continue the position that we have had in place until now.

The hon. Gentleman said, 'Well, if that is the case, people who arrive in Gibraltar and test in Gibraltar may find that they have to spend time in isolation in Gibraltar if they have tested positive.' That is absolutely the correct position, but it would have been the correct position anyway, in the sense that those who arrive in Gibraltar will have to take a test in order to be able to go back to the United Kingdom, and if those tests were found to be positive they would have to stay in Gibraltar in isolation and miss their flights to the United Kingdom on return and rebook. Nobody is pretending that travel is going to be easy whilst we are still having to deal what we might wish to call the aftereffects at least of the pandemic. But of course there is nothing to stop anyone taking a test before arriving in Gibraltar. Anybody can choose to do that if they do not want to find themselves in the situation of having to be in isolation when they get to any particular holiday destination. They could do worse than isolating at the Caleta – or any other one of our magnificent hotels – which the hon. Member mentioned.

In terms of cost, there will be no cost to the Government because the Government has ensured that in the context of the structure of the charge that we put in place for the tests on return to the United Kingdom, which we have fixed at £30, we have provided sufficient to cover all the administrative costs of carrying out those tests and the ability to have included a lateral flow test on arrival, if necessary, to be covered by the cost of the UK requirement of a test for the return to the United Kingdom. There will be regulations under the Civil Contingencies Regulations to cover for this eventuality.

Additionally, there is no requirement that somebody who comes to Gibraltar should have been vaccinated. The discussion has not really centred around a requirement for vaccinations for arrivals, either in Gibraltar or anywhere else in the world. The discussion is whether vaccination might eventually – because the co-ordination of those international vaccine passports has not yet been finalised – exempt you from testing requirements. So, proof of vaccination might be tantamount to being able to show a negative PCR within the required period for entry. There is no requirement, as far as the Government is aware, for travel to the United Kingdom, that somebody should be vaccinated, and there is certainly no requirement of vaccination for access to Gibraltar, and the Government certainly would not support that being the case. The kite that the hon. Member has flown I think is misguided for one reason in particular, which is that we certainly have no requirement that somebody who is accessing Gibraltar through the land frontier should be vaccinated, and so we would be very loath indeed to require somebody who is coming from the United Kingdom to us to be vaccinated if we are not making that requirement to somebody arriving to us from Spain or the rest of the European continent.

The question of the effect of vaccination on the Indian variant is one on which I said that science was still at large and the advice is not yet there. There is anecdotal evidence of people who have the Indian variant .2. There are three Indian variants, .1, .2 and .3. The .2 has given rise

240 to a number of cases of apparent hospitalisation in those who have been vaccinated. The data is  
as yet very anecdotal. I referred the House to two cases reported to us by Dr Cortes from the  
United States and one case in the United Kingdom, but that is not sufficient to be able to make a  
scientific assessment, as far as we are advised. We do not make the scientific assessments. We  
are told by the scientists that that is not sufficient yet to be able to make a scientific assessment.  
245 It is expected that perhaps in the next 14 to 21 days it will be possible to have a better view of  
what the effect of the vaccination is on the Indian variant of concern. There is a suggestion in  
some newspapers and in some other news outlets that the vaccinations are 95% to 97% effective  
against the Indian variant of concern, which would suggest the same level of immunity provided  
by the vaccination as against the Kent variant and the first of the coronaviruses that we are dealing  
with, but that data is not yet reliably there.

250 The hon. Gentleman therefore said to me, 'Is this provision due to the uncertainty, or is it  
because there is some other concern, or the data is not there?' Well, all of that is what creates  
the uncertainty, and for that reason we think that a test for which travellers will not be charged,  
which is a test that will produce a result within five minutes and which will enable those arriving  
to take the test when they arrive or within 24 hours – as has been the case until now, I emphasise –  
255 is, we think, absolutely the right test to require now on arrival into Gibraltar until we have better  
data and science in respect of the Indian variant, and when we do, I very much look forward to  
once again being able to say that testing will not be required on arrival into Gibraltar.

Because the Government of Gibraltar had made these statements before and it is only in the  
last 24 hours that we have received this information, we additionally do not believe that it would  
260 be right to add any charge whatsoever to those coming to Gibraltar from the United Kingdom. It  
is for that reason that we will not charge, although we are confident that the cost of the test to  
leave Gibraltar will cover us via the bureaucratic cost experienced both on the arrival and  
departure testing.

Mr Speaker, I hope I have dealt with all of the questions I have been asked by the hon. Member.

265

**Mr Speaker:** Papers to be laid, please. (*Interjection by Hon. E J Phillips*) All right, proceed.

**Hon. E J Phillips:** Mr Speaker, I am grateful.

270 I just wanted to ask one question about the consistency of the messaging coming out from  
No. 6 and the timing. The Chief Minister talked at the end of his reply to the Leader of the  
Opposition about this information just being received, but quite clearly notice about the variant  
B.1.617 and .2 and .3 was given to the United Kingdom back in October 2020, and on 21st April  
2021 the United Kingdom had approximately 1,800 cases of that variant in its sub-variant  
divisions. The Chief Minister, on 5th May, in a number of TV appearances on Sky News and BBC  
275 announcing to the world and inviting and promoting Gibraltar as a tourist destination – which all  
of us, of course, congratulate him for doing – did obviously confirm that PCR testing was not  
required and effectively there would be unregulated international travel to our shores, inviting  
the rest of the British family to descend on Gibraltar in their thousands in order to assist us in our  
recovery and assist those businesses that have been hard hit by the pandemic. But, as the Chief  
280 Minister will know, on 5th May, when he gave that statement, there were over 1,800 cases of this  
variant, so the Government must have been on notice –

**Mr Speaker:** I think you should please put your question.

285 **Hon. E J Phillips:** Mr Speaker, I really do not understand why I am not allowed to develop a  
question.

**Mr Speaker:** Your preamble has to be concise. We have talked about this before. You ask the  
question, you seek clarification, you do not bring in other matters, for the simple reason that it is  
290 not permissible. Ask the question. Clarify. It is for clarification purposes only.



**Hon. E J Phillips:** Mr Speaker, this is a subject of public importance and of interest to members of the public, and indeed people who will be coming to our shores to spend their time here. I will make the point very briefly as follows.

As the Chief Minister knows, on 5th May, Prof. Adam Finn, who is a member of the United Kingdom's Joint Committee on Vaccination and Immunisation, said:

Unregulated international travel can be very dangerous indeed.

He told Sky News:

We certainly got our hands very comprehensively burned when large numbers of people returned from holidays in Europe with the virus and set the pandemic going

**Mr Speaker:** You need to ask a question –

**Hon. E J Phillips:** I am asking one, Mr Speaker.

**Mr Speaker:** – on the Statement the Chief Minister has made. Please resume your seat now.

**Hon. E J Phillips:** Mr Speaker, I will ask the question.

**Mr Speaker:** Right.

**Hon. E J Phillips:** Mr Speaker, how does the Chief Minister reconcile the fact that on 5th May 2020, when clearly the Gibraltar Government must have been on notice of thousands of cases of the Indian variant and the fact that the medical advice being received about unrelated travel, the Government made statements about having no testing coming to our shores of many thousands of tourists? Now the position appears to have changed, and I just would like to understand from the Chief Minister why he was making statements back on 5th May, when he had the scientific information surely available to him.

**Hon. Chief Minister:** Mr Speaker, as Leader of the House, I would like to apologise to you for the intemperate way in which you have been addressed by the Member who has just sat down. I represent all Members of this House as Leader of the House, and I think all of us owe you the very greatest of respect at every time, in particular when we disagree with you, and that is how all games which involve a referee must be played.

The hon. Member has read to me from a public source of information that which it is alleged by him was said on 5th May, or a date around then, by a member of the Joint Committee on Vaccinations in the United Kingdom. Obviously, unless he has just read that now, he would have had that information available to him, but I did not hear him, or any other member of his party, raise with me publicly or privately, after I made the announcement on Sky News that testing would not be required into Gibraltar, that perhaps we might be acting in a way that was not prudent. In fact, although the Opposition appear these days – at least, the official Opposition appear these days to be prepared to believe anything at the drop of a hat, apparently with that information in hand they did not seek to persuade the Government to include a requirement of testing, so I am surprised that now the hon. Member seems to think that it makes sense to raise those issues.

As far as the Government is concerned, we have been entirely consistent in what we have said throughout, because everything we have said has been caveated by the fact that we might need to change our positions. Indeed, hon. Members will know that Portugal, at one stage, had indicated it would be open to British travellers on 17th May, once they were put on the British green list. They then withdrew the fact that they would be open to arrivals from the United Kingdom as from 17th May, and then, 72 hours later, put themselves back on the list of those who would be receiving travellers from the United Kingdom. So, this is a situation where the only

345 consistency that there is in the world at the moment is the inconsistency that the virus visits upon  
us, and we have to be fleet of foot in the way that we are dealing with those things. The  
Government is acting not based on information that one scientist may put out there in the context  
of an interview with one particular news agency; we are acting based on the advice of our  
scientists and the information which is made officially available from Downing Street. That is why  
I emphasise to hon. Members ... I do not know whether any of them read a newspaper yesterday,  
350 but *all* the front pages yesterday were about exactly that issue. But I emphasise it was yesterday.  
In the last 48 hours, the United Kingdom has started to say that there are issues with the Indian  
variant of concern, in terms of how quickly it replicates, whether it replicates at 40% faster, 50%  
faster or 60% faster than the Kent variant. Those are the issues that have led us to make this  
decision.

355 When it comes to consistency, the key question is whether hon. Members opposite are going  
to demonstrate that they are consistently going to be supportive of the Government and Gibraltar  
wanting to receive as many tourists as possible. Or are they going to be consistently shown up for  
wanting to do anything or say anything that might somehow embarrass the Government? After  
the last intervention, Mr Speaker, is very clear Mr Phillips falls into the latter category, not the  
360 former.

**Mr Speaker:** I would ask the Leader of Opposition, in future, to rein in Mr Phillips, because I  
am not going to tolerate Mr Phillips challenging me whenever he wishes. I would ask you to bear  
that in mind. I am a reasonable person, but I will not have the Hon. Mr Phillips challenging  
365 everything I say – not everything, but lots of things I say. It is absolutely unacceptable.

We now move on.

**Hon. K Azopardi:** Mr Speaker, can I not respond to Mr Speaker, given that ...?

370 **Mr Speaker:** If you are going to respond in the affirmative and that you are going to support  
the Speaker, fine.

**Hon. K Azopardi:** Mr Speaker, I always support the Speaker; I think I always do.

I think we are all reasonable people in this House. There are times when tempers fray. The hon.  
375 Member to my right was seeking to put a question forcefully. We hear what the Speaker said  
about it, and of course we always defer to Mr Speaker's ruling – Mr Speaker, knows that – but,  
equally, Members on this side of the House must have the ability to try to at least persuade  
Mr Speaker that certain questions should be put. The fact that tempers fray happens on both sides  
of the House, it is not just on this side, and that is a reality, but we certainly hear, loud and clear,  
380 what Mr Speaker has said.

**Mr Speaker:** I am grateful to the Leader of the Opposition.

#### PAPERS TO BE LAID

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

385 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have never been able to persuade anyone,  
except my children, by raising my voice with them. (**A Member:** Hear, hear.)

I have the honour to lay on the table the Referendum (Voting) Regulations 2021,  
the Crimes (Amendment) Act Referendum Regulations, and the Gibraltar Annual Policing Plan for  
2021-22.

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

## Questions for Oral Answer

### HOUSING, YOUTH AND SPORT

Q1/2021

#### Gibraltar Amateur Athletics Association – Provision of facilities

**Clerk:** (viii) We now proceed to Answers to Oral Questions. We commence with Question 1/2021, and the questioner is the Hon. E J Reyes.

395 **Hon. E J Reyes:** Mr Speaker, sir, can the Minister for Sport say what alternative sporting venues are being provided for the Gibraltar Amateur Athletics Association during the period of non-availability of athletics facilities at either Lathbury Barracks or the Victoria Stadium?

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

400 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the Gibraltar Amateur Athletics Association continues to use the track at the Victoria Stadium and has commenced using the track at the Lathbury Sports Complex.

405 **Hon. E J Reyes:** Mr Speaker, at the time I posed this question the Athletics Association had been informed that, due to works that were going to be carried out by the Football Association to the stadium, they would not be able to use the track. Does the Minister know whether those works have now been completed and therefore they are back to normal, or they have been delayed? My understanding was that the track there was not available.

410 **Hon. S E Linares:** Mr Speaker, they are delayed, and on top of that they asked whether they could use part of Lathbury, and we are allowing them to use Lathbury as well. So, the Victoria stadium is being used, as well as Lathbury.

415 **Hon. E J Reyes:** Thank you for that, Mr Speaker. Did the Minister say ‘part’? From my last visit to Lathbury, I do not think the whole circuit was available. Perhaps he can enlighten us as to what actually is available.

420 **Hon. S E Linares:** Yes, Mr Speaker. Due to the works that, as the hon. Member says, are going on in Lathbury, there are only parts that can be used, so we have managed to allow them the part that is called the back straight in Lathbury, because that is not being used and is okay. They have checked it. We have checked with the contractors so that they can safely go there. It is to do with the fact that they have some competitions coming up, and we have allowed them to use that because parts of the Victoria had problems, as the hon. Member knows.

425 **Mr Speaker:** Next question.

**Q2/2021**  
**Housing pre-list –**  
**Number of applicants**

**Clerk:** Question 2. The Hon. E J Reyes.

430 **Hon. E J Reyes:** Can Government provide updated details as to how many applicants are currently on the housing pre-list, showing the dates when they first joined this list?

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

435 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, there are currently 169 applicants on the pre-list, broken down as follows: five applicants applied in May 2020; nine applicants applied in June 2020; 13 applicants applied in July 2020; 12 applicants applied in August 2020; 23 applicants applied in September 2020; 25 applicants applied in October 2020; 18 applicants applied in November 2020; 25 applicants applied in December 2020; six applicants applied in January 2021; 14 applicants applied in February 2021; 17 applicants applied in March  
440 2021; and two applicants applied in April 2021.

**Mr Speaker:** Next question.

**Q3-6/2021**  
**Medical and social housing lists –**  
**Numbers on lists**

**Clerk:** Question 3. The Hon. K Azopardi.

445 **Hon. K Azopardi:** Mr Speaker, how many persons were on the medical housing list on each of the following dates – (1) 31st December 2020, (2) 31st December 2019, (3) 31st December 2018 and (4) 31st December 2017 – with a breakdown by medical categorisation/prioritisation and their particular dwelling size needs?

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

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I will answer this question together with Questions 4, 5 and 6.

455 **Clerk:** Question 4. The Hon. K Azopardi.

**Hon. K Azopardi:** Mr Speaker, how many persons were on the medical housing list on 30th April 2021 with a breakdown by medical categorisation/prioritisation and their particular dwelling size needs?  
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**Clerk:** Question 5. The Hon. K Azopardi.

465 **Hon. K Azopardi:** How many persons were on the social housing list on each of the following dates – 31st December 2020, 31st December 2019, 31st December 2018 and 31st December 2017 – with a breakdown by social categorisation and their particular dwelling size needs?

**Clerk:** Question 6. The Hon. K Azopardi.

**Hon. K Azopardi:** How many persons were on the social housing list on 30th April 2021 with a breakdown by social categorisation and their particular dwelling size needs?

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

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I now hand over a schedule with the information requested.

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**Answer to Q3/2021**

2017	1 RKB	2RKB	3RKB
Medical A+	3	1	0
Medical A	7	2	0
Medical B	2	0	1
Medical C	1	0	0

2018	1RKB	2RKB	3RKB	4RKB
Medical A+	8	5	0	2
Medical A	9	3	0	0
Medical B	4	2	1	1
Medical C	0	0	0	0

2019	1RKB	2RKB	3RKB	4RKB	5RKB
Medical A+	10	6	4	3	0
Medical A	5	7	4	0	1
Medical B	1	2	2	0	0
Medical C	0	0	0	0	0

2020	1RKB	2RKB	3RKB	4RKB
Medical A+	11	9	5	4
Medical A	8	2	3	1
Medical B	1	2	0	0
Medical C	0	0	0	0

**Answer to Q4/2021**

	MEDICAL A+	MEDICAL A	MEDICAL B	MEDICAL C
1 RKB	39	37	10	4
2RKB	26	14	6	0
3RKB	14	10	5	0
4RKB	13	2	1	0
5RKB	0	2	0	0

**Answer to Q5/2021**

2017	1RKB
Social A	3
Social B	0

<b>2018</b>	<b>1RKB</b>
<b>Social A</b>	2
<b>Social B</b>	1

<b>2019</b>	<b>1RKB</b>	<b>3RKB</b>	<b>4RKB</b>
<b>Social A</b>	7	7	1
<b>Social B</b>	0	0	0

<b>2020</b>	<b>1RKB</b>	<b>3RKB</b>	<b>4RKB</b>
<b>Social A</b>	17	7	4
<b>Social B</b>	0	0	0

**Answer to Q6/2021**

	<b>SOCIAL A</b>	<b>SOCIAL B</b>
<b>1RKB</b>	37	4
<b>3RKB</b>	20	0
<b>4RKB</b>	7	0

**Hon. K Azopardi:** Mr Speaker, can I just get clarification from the hon. Member in respect of this list? I have asked for how many people were, for example, on the medical list on a particular date. Let's just select the 2020 lists. On medical A+ there are 11 people on the 1RKB list on 31st December 2020. That is the information the hon. Member is giving me. Is that correct?

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**Hon. S E Linares:** Yes, Mr Speaker.

**Hon. K Azopardi:** Mr Speaker, I am grateful. The reason I ask the question – and perhaps the hon. Member can explain whether we are reading the statistics in the same way – is because the information that is available on the Government website is headed ... For example, when you ... First of all, it does not have necessarily as specific a breakdown, but say on the medical list it is headed 'applicants placed' on the various medical housing lists in 2019 ... So, for example, when you pick a date, the statistics that seem to be coming from the Government are simply telling you how many people were placed on a particular list in a particular month, but not how many people were on that list. That is how I understand the statistics. Is that correct?

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**Hon. S E Linares:** Well, Mr Speaker, I hope we can agree to see how I understand it. The way I understand it is that, for example, the hon. Member has mentioned the 2020 lists, so if we go to the 2020, the way I understand it is that on 2020 1RKB there are currently 11 on the A+ list, A there will be eight, B there will be one, and C there will not be any. So, the way I understand it is on the last date you have asked for, 2020, there were 11 1RKB in 2020. That is how I understand it is currently.

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**Hon. K Azopardi:** I am not sure if I understand the answer. What I am saying in essence is this. I have asked a question to know how many people were on the housing lists, depending on the categories, on a specific date. The statistics on the Government website suggest that that is not the information provided on the website, that what is being provided on the website is the number of people being placed on the list by category in a particular month, which will not necessarily give you the total statistic. Is that correct?

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**Chief Minister (Hon. F R Picardo):** Yes, Mr Speaker, that is correct, and there is a historical reason for that. When we introduced the provision of that statistical data, the hon. Gentleman will recall that what we were doing was putting it in a digital form, in a way that would be accessible by everyone, the questions that we, as an Opposition, asked when we were on that side of the House. We asked the question at every meeting of the House on a monthly basis, how many people were placed on the list, because we ourselves did the follow-through of 'placed on list', and then there were other questions that we asked about how many people had had homes etc., to try and do a reconciliation against the published lists, which the Government published once every year.

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515 What we publish is the 'placed on the list'. What the hon. Gentleman asked for was – and he gave a specific date, which is the thing that we need if he wants an answer – how many were on the list on a specific date. I think, from memory, he has asked for the end of each year and 30th April. So, that is why there may be discrepancies. That is how we produce the list.

520 As I have said before – and he may not have heard me, because I do not know whether I said it whilst he was here – if hon. Members wish to see us add to what we publish on the website any particular statistic that would then give them the information that they need before every House and would obviate the need for them to ask a statistical question, we are happy to add a specific parameter, so long as we can agree it, so that it can be published monthly also.

525 **Hon. K Azopardi:** I am grateful for the hon. Member's answer, and certainly on this side of the House it would help us not only to have the information that is currently on the website, which we understand is of a different nature, as the Chief Minister has just explained, but also to have ... Because, for example, the Government has put something on the website, a monthly figure of people being placed on the list, it should then, at the end of the month, be able to know how many people are actually on the list by sub-category. So, if that information could also be put on a separate list, I think it would be very helpful to Members on this side of the House.

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535 Mr Speaker, I was going to ask more supplementaries, but I think it is probably better if I digest the hon. Member's tables and then seek to ask more pointed supplementaries on a different occasion when I file other questions.

**Mr Speaker:** Next question.

#### Q7/2021

#### Action for Housing – Status of case mentioned on TV

**Clerk:** Question 7. The Hon. K Azopardi.

540 **Hon. K Azopardi:** Mr Speaker, has the gentleman mentioned by Action for Housing on 12th April 2021, who was on the medical housing list priority A+, been rehoused or offered rehousing; if so, when, and, if not, why not?

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

545 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, no, he has not been housed, as he has not yet reached the top of the list.

550 **Hon. K Azopardi:** Mr Speaker, I assume, and I am sure it is the practice of the housing department, that you do not get offered housing just when you get to the top of the very pinnacle of the housing list. There will be people who will be offered houses who are not necessarily at the

very top, presumably, and that will be the experience of the hon. Member, as it is the anecdotal experience of me when I have spoken to people.

555 So, first of all, how high is he on the medical A+ list? I am not sure if his requirement is for a 1RKB, for example. That would mean that, given the questions that I have asked, he is one of presumably 39 people on the medical A+. How high is he? And given that the hon. Member has made public that he has discussed and visited the particular person, when can that particular person expect an offer of housing?

560 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the hon. Gentleman has asked a question about a specific individual who is identifiable because that person has been identified on television. We have responded to the question that the hon. Gentleman put, but to go further would be to disclose data about that individual beyond whether that person has been housed or not housed. If we give, now, the information of where that person is on the list, which is one of the things that the hon. Gentleman has asked, we may be sharing that information in a way that is ... In fact, I think we would very likely be sharing information in a way that is outside of the GDPR, so I would ask the hon. Gentleman not to press us on that particular aspect of his question. Perhaps we can share that information with the hon. Gentleman behind your Chair. We would have no difficulty doing so, but we do not think that we can share that information publicly.

570 Secondly, I think we have to be careful to understand that case and its relationship with other cases. The hon. Gentleman knows that the medical A+ list – he has the information in front of him – has tripled, in effect, in the past year. At the end of December 2020, there were 11 people awaiting an allocation of a one-bedroom flat, and five months later there are 39 people awaiting a flat in the 1RKB category in medical A+. In the years before, there had been only three at 31st December 2017, eight at 31st December 2018 and 10 at the end of December 2019. The numbers have jumped. Why? For a number of reasons, we are going through a very difficult period, and secondly, at the moment we are looking at the period in the middle of a year – when we get to the end of the year, it is very likely that number will have gone down again.

580 Where is this individual on the list? And should he be helped out even more quickly than his ascension to the top of the medical A+ list because of the reasons that the hon. Gentleman has seen on television? Well, it is not possible to make a fair judgement without seeing video images and looking at the diagnosis that is relevant to all of the people who may be ahead of him on the list. So, if I invite the hon. Gentleman to make the assumption that given that this gentleman is very likely to have been on the list in 2020, medical A+ and seeking a one bedroom, he is at least 11th on the list, or he was at that time, and then I remind him that when it comes to medical aid, the hierarchy is not a hierarchy based on chronology but on diagnosis, and I invite him to assume that if the hon. Gentleman's target has not already been housed, it is because the people who are above him on the list have a more acute diagnosis, I trust he will agree that it would be improper for the Minister for Housing to pluck that gentleman from where, based on the medical advice, he should be and bring him to the top of the list simply because he has been on television. If we were to do that, all that we would end up with would be 39 cases on television.

595 There is, in parallel, a number we have given the hon. Gentleman in answer to his question, a social list, and people who are on the social list are also potentially on the medical A list. The two are not mutually exclusive, and so there is a situation where an individual may not be the most acutely in need for medical reasons but may be the most acutely in need for social reasons – for example, the state of the hereditament where he may be living. Clearly, that person has not come to the top of the social list either, which is a realisation for all of us that what we saw on television is, unfortunately, not the worst medical condition that afflicts those who are waiting for housing and not the worst social condition that afflicts those who are waiting for housing. That is something that we all have to understand and deal with, but in the context of looking at those lists and seeing how low they were and how well managed they were, and knowing that every effort will be made to ensure that by the time we get to the end of the year the lists will once

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again have returned to the place they were when we were last reporting them, which was just over a handful and less than a handful in the years before that.

605 Mr Speaker, when you put it in that context, I know we will agree that it would be tremendously unfair to look at this case in isolation, to just concentrate on this case and to ignore all of the others, some of which may be even more meritorious than the very meritorious case that we saw played out for us all in those images that were shared on television.

610 **Hon. K Azopardi:** Mr Speaker, I am not going to ask about the specific case, for the reasons the hon. Member is talking about. Certainly, we all want people in those kinds of conditions to be rehoused as soon as possible and addressed as soon as possible. If he is not the worst case, if there are worse cases out there, it is even more pressing a need for the Government to do so, and I am sure the Government will agree that it needs to give priority to that. Indeed, the Minister has spoken about a percentage of the 176 allocations going to people on the medical list, and perhaps  
615 the Government will consider giving more priority and a higher percentage to people on the medical and social lists, because at the end of the day there are reasons why they are there.

The question I had for the hon. Member, which I am not really sure I understand, is he has quite correctly observed that the numbers for April are very different to the ones at the end of the year, but the difference is only four months, so the numbers have shot up tremendously. For  
620 example, on 31st December, A+, 11 people on the 1RKB to 39, and on the medical A they have also shot up significantly from eight to 37. What I did not understand from the hon. Member's explanation is why he thinks that is seasonal. I do not follow why it is that the hon. Member was, I thought, trying to explain that the numbers will come down by the end of the year, but taking a snapshot now explains why the numbers should have gone up. Why is that, and why has there  
625 been, in the hon. Member's assessment, in the last four months such an increase in the medical and social lists?

**Hon. Chief Minister:** Mr Speaker, the Hon. the Leader of the Opposition is urging the Government to do exactly what the Government is doing, so he can consider us urged of our own  
630 motion and without the need for him to do so. Of course we understand that people who are in the medical A category have greater needs than perhaps others do, of course we understand that they should be given more priority – and they are, *vide* the numbers that I have referred to a moment ago – and indeed very often, not always, many of the cases that are referred to will be cases that have been on the lists not through the years. In other words, one of the eight on the  
635 list in 2018 is unlikely to be one of the 11 on the list in 2020. So, there is a churn there. The numbers are not the same individuals.

Mr Speaker, the four months ... the five months ... four full months, because the hon. Gentleman asked us for the numbers as at the end of April. The four full months that the hon. Gentleman is talking about have probably been the four most difficult in our history. We  
640 celebrated the fact – and I think it is very good news, despite this case, which seemed to cast a pall over it – that last year we gave 176 homes. In a year which was marked by the pandemic, we were able to churn 176 homes. Yes, we did not manage to find a home for this gentleman who made it on to television, but what about the other 176 success stories? In this context, the number 176 ends on 31st December last year, because we were counting calendar years. Then you have  
645 what we are loosely calling – I am sure we are all calling in that, so I will allow myself to fall into the vernacular – lockdown 2, which starts at the end of last year and goes through most of March, and that means we cannot get people into people's homes to do repairs. We cannot even have people in close proximity working together in an apartment in order to prepare an apartment for handover. So, if the hon. Gentleman asks me for my diagnosis of what it is that happened in the  
650 four months between 31st December 2020 and 30th April 2021, that is what happened. That is what stymied us so greatly.

But it is also true that there is consistency in the date that he asked the question, in relation to the earlier years: 31st December. Now he has asked for a date which is in April. I have given him

my diagnosis of the issues between now and then. If you asked for a snapshot at any other time ...  
655 For example, if you asked what about on 30th April 2019 ... I am not saying it is seasonal. I am not  
saying that in April 2019 the numbers would have been higher than 10 and closer to 39, because  
this ebbs and flows throughout the year. What I am saying is that this year we have had the  
problem that we have had leading up to April, but at any time, if you chose a different date, this  
660 is a snapshot, so you might have some other sociological or anthropological reason why a snapshot  
on another date might produce a different number. I can tell the hon. Gentleman ... He might  
recall this from the time when he was a Minister. Indeed, the Hon. the former Leader of the  
Opposition ... I will not describe that abbreviation today. He might recall that one can have *many*  
people claiming to be unemployed on 30th July wanting to see a Minister, but very few people  
claiming to be unemployed wanting to see a Minister on 14th August. So, when people go on the  
665 list, when people want a meeting and when people are assessed for things sometimes does ebb  
and flow seasonally. On this one, I think that the huge increase that we have seen – we are seeing  
the list almost quadruple in the 1RKB – is exclusively related to the inability of the Housing Works  
Agency to do, in the first months of this year, the fantastic job that they had done in the 12 months  
of the year before, except for the couple of months when they were also locked down, and not  
670 yet be able to give us homes to be able to hand over to those deserving applicants on our list.

**Mr Speaker:** Next question.

**Q8/2021**

**Private housing stock –  
Reforms to Housing Act**

**Clerk:** Question 8. The Hon. K Azopardi.

675 **Hon. K Azopardi:** Mr Speaker, is the Government considering reforms to the Housing Act in  
respect of private housing stock; and, if so, what is the nature of the proposed reforms envisaged?

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

680 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the pre-war, private  
rental sector suffers from systemic problems created by over 80 years of various forms of rent  
control. These problems often result in tenants living in substandard conditions and landlords, in  
turn, unable to adequately maintain their properties, as a result of an inadequate rental income.

685 Whereas the Government is keen on incentivising the renewal of the built environment,  
particularly the Upper Town, it is also mindful of the need to protect the rights of tenants living in  
these pre-war properties. As a result, we have been meeting with all the key stakeholders of this  
sector as part of a thorough and extensive review of the Housing Act. A Bill will be presented to  
this House in the near future.

690 Mr Speaker, any changes to the Housing Act will need to address the difficulties experienced  
by this sector in a holistic way, and one which strikes the right balance between the safeguards  
against unfair evictions and exorbitant rents, sought by tenants, the economic efficiency and  
ability to maintain buildings, sought by the landlords, and the need to ensure that the Housing  
Department can continue to maintain its ability to allocate Government housing to people on the  
housing waiting list who are currently tenants of pre-war properties.

695 **Hon. K Azopardi:** Does the Minister have an expectation of when that Bill would be prepared?  
Is it, for example, that they are in the consultation stages of all those relevant groups and the  
drafting has not begun? Or is it that the drafting of legislation has begun, so the Government has

700 already scoped the kind of objective it wants to put into that legislation? Is the legislation only going to deal with the private housing market, or is it going to go beyond that?

The Minister knows the Housing Act has different parts, but the question that I asked was specifically in relation to private housing stock. I am taking it that the hon. Member's answer was also related to private housing stock, but I want to understand that the legislation he is talking about is about specifically the private housing market that ... We certainly share on this side of the House the view expressed that after so many decades, rent control legislation which previous generations of Gibraltar decision-makers introduced for good reason now would need to be reviewed in the context of modern Gibraltar to make sure that we find a better way forward, because clearly in the private housing market there are those tensions that the hon. Member has spoken about.

710 So, perhaps he could explain with a bit more detail the kind of timescale and where the Government is on all those objectives.

**Hon. S E Linares:** Yes, Mr Speaker. Since I became Minister, which was October 2019, I have been working through the pandemic and all that, to do Part 1. Part 1 is already basically consolidated. There might be tweaks here and there, but Part 1 deals with the public housing, so Part 1 is basically done.

We are moving very fast on to Part 2. The consultation exercise has already happened. We have already had representations from different stakeholders as to Part 2. What I am now doing is also getting advice from the Rent Assessor and getting advice from other parties, and what I intend to do, I would reckon in the next month or two, is sit down, because what we did in Part 1 I intend to do in Part 2, so the hon. Member understands, going clause by clause as to ... I have also read a paper which even the hon. Member sent, himself, as a lawyer, which advised us on how to deal with it, and we are even reading that one.

725 So, we are looking at all stakeholders who have made representations to the Housing Department, to see how we can get on with Part 2. But I can tell the hon. Member that in the next month or two we are going to get all the stakeholders around the table. We will sit down and go clause by clause to see how best we can deal with this systemic problem. It is a systemic problem. There is a complete distortion of rents from public to private and those private to the new estates, in private estates, the new builds, from people who are paying rents from £2,000 or £3,000 a month, to local housing, who pay from £20, £30 to £40 a month. So, you can just imagine the distortion there is.

730 It is very difficult to keep everybody happy. It is very difficult to protect everyone as well. So, it is a very difficult job, but I am confident that we will sit down and try to find the right balance.

735 **Mr Speaker:** Next question.

## EMPLOYMENT, HEALTH AND SAFETY AND SOCIAL SECURITY

Q9-10/2021

Disability benefit –

Applications; appeals against refusal

**Clerk:** Question 9. The Hon. D A Feetham.

740 **Hon. D A Feetham:** Mr Speaker, can the Government please state how many applications for disability benefit have been made since 1st January 2018 and the date on which each one was (a) determined and (b) remain undetermined?

**Clerk:** Answer, the Hon. the Minister for Employment and Social Security.

**Minister for Employment, Health and Safety and Social Security (Hon. P J Balban):** Mr Speaker, I will answer this question together with Question 10.

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**Clerk:** Question 10. The Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, please state how many appeals against the refusal of disability benefit there have been since 1st January 2018 and the date on which each one of them was (a) determined and (b) remain undetermined?

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**Clerk:** Answer, the Hon. the Minister for Employment and Social Security.

**Minister for Employment, Health and Safety and Social Security (Hon. P J Balban):** Mr Speaker, 249 applications for disability benefit have been made since 1st January 2018. One hundred and ninety eight applications have been determined on the dates detailed in the schedule I now hand over. Fifty one applications remain undetermined.

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There have been 45 appeals since 1st January 2018. Thirty eight of these appeals have been determined on the dates detailed in the schedule I now hand over. Of the 45 appeals made, seven remain undetermined.

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**Answer to Q9/2021**

	2018		2019		2020		2021
1	15/02/2018	61	23/01/2019	142	14/05/2020	192	03/03/2021
2	15/02/2018	62	23/01/2019	143	19/11/2020	193	03/03/2021
3	24/04/2018	63	23/01/2019	144	19/11/2020	194	03/03/2021
4	25/04/2018	64	23/01/2019	145	19/11/2020	195	03/03/2021
5	25/04/2018	65	23/01/2019	146	19/11/2020	196	20/04/2021
6	25/04/2018	66	28/01/2019	147	19/11/2020	197	20/04/2021
7	25/04/2018	67	28/01/2019	148	19/11/2020	198	20/04/2021
8	25/04/2018	68	28/01/2019	149	19/11/2020		
9	25/04/2018	69	28/01/2019	150	19/11/2020		
10	09/05/2018	70	28/01/2019	151	19/11/2020		
11	09/05/2018	71	28/01/2019	152	19/11/2020		
12	09/05/2018	72	07/03/2019	153	19/11/2020		
13	09/05/2018	73	03/04/2019	154	19/11/2020		
14	09/05/2018	74	03/04/2019	155	21/11/2020		
15	09/05/2018	75	03/04/2019	156	24/11/2020		
16	09/05/2018	76	03/04/2019	157	24/11/2020		
17	04/07/2018	77	03/04/2019	158	24/11/2020		
18	04/07/2018	78	04/04/2019	159	24/11/2020		
19	04/07/2018	79	04/04/2019	160	24/11/2020		
20	04/07/2018	80	04/04/2019	161	24/11/2020		
21	04/07/2018	81	04/04/2019	162	24/11/2020		
22	04/07/2018	82	04/04/2019	163	24/11/2020		
23	12/09/2018	83	04/04/2019	164	24/11/2020		
24	12/09/2018	84	04/04/2019	165	24/11/2020		
25	12/09/2018	85	14/05/2019	166	24/11/2020		
26	12/09/2018	86	14/05/2019	167	24/11/2020		
27	12/09/2018	87	14/05/2019	168	24/11/2020		
28	12/09/2018	88	14/05/2019	169	24/11/2020		
29	26/09/2018	89	14/05/2019	170	24/11/2020		
30	26/09/2018	90	29/05/2019	171	26/11/2020		
31	26/09/2018	91	29/05/2019	172	26/11/2020		
32	26/09/2018	92	29/05/2019	173	26/11/2020		
33	04/10/2018	93	29/05/2019	174	26/11/2020		

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	2018		2019		2020		2021
34	10/10/2018	94	29/05/2019	175	26/11/2020		
35	10/10/2018	95	29/05/2019	176	26/11/2020		
36	10/10/2018	96	29/05/2019	177	26/11/2020		
37	10/10/2018	97	29/05/2019	178	26/11/2020		
38	10/10/2018	98	30/05/2019	179	26/11/2020		
39	10/10/2018	99	30/05/2019	180	26/11/2020		
40	10/10/2018	100	30/05/2019	181	16/12/2020		
41	10/10/2018	101	30/05/2019	182	16/12/2020		
42	10/10/2018	102	30/05/2019	183	16/12/2020		
43	18/10/2018	103	30/05/2019	184	16/12/2020		
44	07/11/2018	104	30/05/2019	185	16/12/2020		
45	07/11/2018	105	26/06/2019	186	16/12/2020		
46	07/11/2018	106	26/06/2019	187	16/12/2020		
47	07/11/2018	107	26/06/2019	188	16/12/2020		
48	07/11/2018	108	26/06/2019	189	16/12/2020		
49	07/11/2018	109	26/06/2019	190	16/12/2020		
50	07/11/2018	110	26/06/2019	191	16/12/2020		
51	07/11/2018	111	27/06/2019				
52	07/11/2018	112	27/06/2019				
53	21/11/2018	113	27/06/2019				
54	21/11/2018	114	27/06/2019				
55	21/11/2018	115	27/06/2019				
56	21/11/2018	116	02/08/2019				
57	21/11/2018	117	13/08/2019				
58	21/11/2018	118	26/09/2019				
59	06/12/2018	119	02/10/2019				
60	06/12/2018	120	05/10/2019				
		121	16/10/2019				
		122	16/10/2019				
		123	16/10/2019				
		124	16/10/2019				
		125	16/10/2019				
		126	16/10/2019				
		127	17/10/2019				
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		139	13/11/2019				
		140	14/11/2019				
		141	14/11/2019				

**Answer to Q10/2022**

1	17/01/2018	14	25/04/2019	27	02/12/2019
2	15/02/2018	15	07/05/2019	28	02/12/2019
3	25/02/2018	16	14/05/2019	29	02/12/2019
4	23/03/2018	17	29/05/2019	30	02/12/2019
5	18/04/2018	18	30/05/2019	31	19/05/2020
6	20/06/2018	19	23/08/2019	32	21/12/2020
7	02/07/2018	20	18/09/2019	33	21/12/2020
8	22/07/2018	21	26/09/2019	34	21/12/2020
9	08/10/2018	22	14/11/2019	35	21/12/2020
10	01/11/2018	23	14/11/2019	36	21/12/2020
11	23/01/2019	24	02/12/2019	37	21/12/2020
12	06/02/2019	25	02/12/2019	38	03/03/2021
13	23/04/2019	26	02/12/2019		

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

**Hon. D A Feetham:** Mr Speaker, I intend to analyse carefully these figures and then come back, probably at another session, but if there is anything that arises from this, I would just ask Mr Speaker's indulgence, sir, perhaps later on in the session, but we can carry on if that meets with Mr Speaker's approval.

**Mr Speaker:** Yes.

**ENVIRONMENT, SUSTAINABILITY, CLIMATE CHANGE AND EDUCATION**

**Q11/2021**

**Vocational qualification courses –  
Number of students, completion dates, level of qualification  
and educational establishments delivering**

**Clerk:** Question 11. The Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, can the Minister for Education provide details in respect of the number of students following a vocational qualification course in (a) Hair and Beauty, (b) Digital Technologies, and (c) any other vocational course, indicating the level of qualification expected to be obtained, the course completion date and details of the education establishments which are delivering these courses?

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

**Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, we have 24 students undertaking Hair and Beauty vocational courses. There are 86 students currently undertaking the Digital Technologies qualification. We must not forget that we also have 81 students at our comprehensives and 285 students at the Gibraltar College who are following courses which are vocationally assessed. This does not include students who,

785 at some point in their journey, are completing ASDAN qualifications, which are vocationally assessed at Levels 1 and 2 at our comprehensive schools.

We are hoping to offer further vocational courses in the near future, and there are discussions ongoing with potential providers and awarding bodies. These are Level 1 and 2 qualifications.

790 **Hon. E J Reyes:** Mr Speaker, I was asking for the educational establishments providing the courses. I know the Minister has said that between the secondary schools and the comprehensives there were 81 plus 285 following vocationally assessed courses, but specifically on the hair and beauty, like the digital technologies, I am not clear which establishments are offering these.

795 **Hon. Prof. J E Cortes:** Mr Speaker, the hair and beauty is being offered at the College. The course is actually being carried out in Bayside, but it is for students from Bayside and Westside. The digital technology qualifications are for Bayside and Westside students and they are GCSE equivalent, so it is at that stage.

800 **Hon. E J Reyes:** All right, so GCSE equivalent means it is a Level 2, yes?  
I asked for the completion date of the course because I need to establish whether it is a course that is finishing now, or this is currently only the first year of a two-year course. Perhaps the Minister can guide us on that.

805 **Hon. Prof. J E Cortes:** The GCSE qualifications started, I believe, last year, so they should be finishing this year. It is a two-year course.

810 **Hon. E J Reyes:** Therefore, Mr Speaker, if this is the second year of a two-year course, then no students of, for example, those 24 who have undertaken only the first year will then finish by June 2022. If the Minister does not have the information now, I do not mind waiting and he can then get some more detail, but we cannot quite establish who is within the first of the two-year courses and who is in the second, so we know what the continuity rates are like.

**Hon. Prof. J E Cortes:** Mr Speaker, I will take advice on that and give the hon. Member a breakdown during the course of this meeting.

## EMPLOYMENT, HEALTH AND SAFETY AND SOCIAL SECURITY

Q9-10/2021

### Disability benefit – Supplementary questions

815 **Hon. D A Feetham:** Mr Speaker, returning to Questions 9 and 10, the schedule that the Hon. Minister has provided me, with respect, does not answer the question that I have asked. I have asked a question at Question 9 in relation to disability benefit, the date on which each one of them was (a) determined and (b) remained undetermined. What I am after, essentially, is when an application was made and if that application remains undetermined.

820 From our point of view, the interest is this. If there is an application that has been filed, let's say, on 15th February 2018, which is the first one on the list, if that remains undetermined, then of course it is an application that was filed three years ago, so we would seek to probe why it is taking so long for that to be determined. Does the Minister have the information as to, in relation to the information and the list that he has provided when the application has been made, which  
825 one of these actually remains undetermined?

Essentially, it is the same question in relation to appeals because, very helpfully, the Government provided the date on which we asked, the date on which the appeal was lodged. What it does not say is, in relation to each one of those, which appeal remains undetermined. Does he have that information?

830

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, no, I do not. What I do have is obviously what was said in the reply to the question, that 198 applications were determined – obviously, the rest have not been determined – of the total of 249. It gives the hon. Member an indication of how many appeals or how many applications for disability benefit have not been determined, so there are a number of undetermined appeals but I could not specifically say it is the one of the 15th or the one of the 18th or the one of the 21st. I do know whether that information is possible to ... It must be, but I would need to find out.

835

**Hon. D A Feetham:** Mr Speaker, we know that there are 51 out of the 249 that remain undetermined. If those 51 are ones that have been made in 2020, it is perfectly understandable why they would remain undetermined. We have had COVID, we have had all those all those issues and the Government would have a perfectly reasonable explanation as to why they remain undetermined. If they date back to 2018, it is a different kettle of fish.

840

Can the Minister at least undertake to write to me providing me with the information, and I can then ask any further questions at the next session of the House? I did think that my question was clear enough for the Minister to have come to the House today in order to provide me with information.

845

**Hon. S E Linares:** Mr Speaker, I will seek the relevant information the Member is requesting, but I would assume that an application dated 2018 would have been determined by now. Otherwise, it would have been out there. So, it is an assumption that those that remain undetermined are the more recent ones caught up with the pandemic and recent issues, but I will endeavour to seek the information that the hon. Member is requesting.

850

**Hon. D A Feetham:** I am very grateful to the Minister because I know one constituent who tells me that her application has been outstanding for several years. That is the reason why I have asked this question, so if he can provide me that information, I would be very grateful.

855

**Mr Speaker:** Next question.

## ENVIRONMENT, SUSTAINABILITY, CLIMATE CHANGE AND EDUCATION

### Q12/2021

#### Teaching posts – Details of vacancies

860

**Clerk:** Question 12. The Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Education provide this House with updated details in respect of all vacant teaching posts, identifying the school/establishment where these may exist together with the grade they pertain to, and further indicating how many are being covered in an acting capacity and by when it is expected these posts will be allocated on a substantive basis?

865

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



**Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):**

870 Mr Speaker, the information is provided in the schedule that is now being taken over to the hon. Member.

Arrangements are being made to advertise these posts, which are being filled as soon as possible after they become vacant.

875 The hon. Member will see, in relation to the question of how many are being acted, the footnote to the schedule indicates three posts which are not currently being acted. I am sure he will ask me why and I will answer that if and when he asks me.

**Answer to Q12/2021**

GMLP	Year Coordinator & Music/Expressive Arts	TLR2C
	Head Teacher	
SJLP	ICT Coordinator	TLR2C
	Year Coordinator & Art/DT	TLR2B
	Foundation Subject Music & Expressive Arts	TLR2D
SBLP	Foundation Subject (Humanities)	TLR2D
SPLP	Core Subject Leader Mathematics	TLR2A
	Deputy Head Teacher	
	Year Coordinator & Foundation Subject	TLR 2A
SAUP	Foundation Subject Music	TLR2C
HPS	ICT & foundation Subject	TLR2B
BS	Year Coordinator KS3	TLR1 B
	Admin & Learning Resource Coordinator	TLR2A
	Head of Geography	TLR2A
	Head of ICT	TLR2A
	Subject Leader Food Preparation and Nutrition Bayside	TLR2A
	Head of Modern Foreign Languages	TLR2A
	Subject Leader Textiles Bayside	TLR2B
	Head of Mathematics	TLR 1B
	Vocational Coordinator	TLR2C
WS	Key stage 4 Coordinator	TLR1A
	Design & Technology Coordinator	TLR1 B
	Year Coordinator	TLR1 B
	Science Coordinator	TLR1 B
	Head of Drama & Dance	TLR2A
	Subject Leader Resistant Materials Westside	TLR2A
	Teacher in Charge ACC	TLR2A
	Assistant to KS3 Coordinator	TLR2B
	Assistant to KS4 Coordinator	TLR2B
	Vocational Coordinator	TLR2C
College	Senior Teacher Curriculum	TLR1A
	IT Coordinator	TLR1 B

**Posts currently not being acted**

ICT & foundation Subject- HPS

Year Coordinator & Foundation Subject- SPLP

Foundation Subject Music- SAUP

**Hon. E J Reyes:** Yes, certainly, Mr Speaker, it jumps out straight away. Can the Minister give me the reasons why those three have not been filled in an acting capacity?

880 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, they are TLR – the hon. Member knows that these are the responsibility posts – and the whole subject of TLRs has been under discussion for quite a number of years. I am happy to say that recent meetings which involve the Department of Education, the Human Resources department and the NASUWT, the teachers’ union, have come to agreement on most of these posts but there are still these three posts where we are not certain  
885 whether they will continue in that format or whether they have to be reviewed in the light of development in the different schools. They are still under discussion and therefore they are not being filled at the moment.

**Hon. E J Reyes:** I do not think I have any further questions to raise, Mr Speaker, but if I do  
890 within the next few minutes I will come in so that I do not delay the proceedings of this House.

**Mr Speaker:** Next question.

**Q13/2021**

**Protection of animals from neglect and cruelty –  
Strengthening of laws**

**Clerk:** Question 13. The Hon. E J Phillips.

895 **Hon. E J Phillips:** Mr Speaker, can the Government state that it will strengthen laws to protect animals from neglect and cruelty?

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

900 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, I am sure this will not be an area of controversy between us.

Over the past few years, the Government has published at least six items of legislation which strengthen the laws to protect animals from neglect, cruelty and abuse in Gibraltar and beyond our shores. Some of these have drawn the attention of, and congratulations from, international  
905 organisations.

These include the Animals and Birds (Amendment) (No. 3) Act 2018, which included a new Part, Part VA, entitled ‘Animals in Distress’, which covers a wide variety of behaviours which can lead to cruelty and neglect, and also introduces a five-year sentencing provision, well ahead, for example, of the UK, which I believe introduced this only last month. This Act also  
910 banned capturing of cetacea for dolphinarium or other non-medical purposes, created cruelty offences for animals, and provided for police powers to help animals in distress.

The Animals in Travelling Circuses Act 2019 banned the use of animals in travelling circuses.

The Imports and Exports (Control) (Amendment) Regulations 2019 banned the import and export of hunting trophies.

915 The Pet Animals (Sales) (Amendment) Act 2019 imposed certain conditions related to animal welfare on licences for pet shops, such as limiting species to be sold and prescribing a minimum age for the sale of animals, mainly puppies and kittens. It also required breeders of dogs and cats

to be approved to ensure certain standards, and an amendment to the Animal Rules was also made so that you cannot import dogs and cats under four months old for commercial purposes.  
920 This was in the Animals (Amendment) Rules 2019.

The Animals and Birds (Amendment) (No.3) Act 2018 ... and the Ivory Act 2019 banned the trade, export and import of ivory.

Indirectly, the Release of Balloons Regulations 2019 also was designed to protect marine wildlife.

925 Finally, as recently as February this year, this House passed the Animals (Amendment) (No. 2) Act 2021 in relation to cruelty to service animals, popularly known as Finn's Law. In this instance, cruelty perpetrated against an animal in public service is an aggravating factor when considering the appropriate sentence.

930 Mr Speaker, I continue to review all animal welfare laws, keeping track of developments elsewhere. For example, at the moment, we are looking into reviewing the definition of dangerous dogs.

**Hon. E J Phillips:** Mr Speaker, I am grateful for the hon. Gentleman's repeat of the legislation that the GSLP Government has passed and introduced to protect animals more generally.

935 He is right about the 2018 amendment provision, which I had a look at in some detail, given the fact that it does provide for the importation of diseased animals and destruction orders, and particularly in relation to distress orders, as they are loosely described. I would not agree that they encapsulate a general approach by the Government in terms of the cruelty aspect, and I say it for this reason. The hon. Gentleman will recall two cases this year of horrific circumstances where  
940 animals unfortunately met their end in extreme circumstances, where the courts imposed penalties of eight months and four months respectively. There was a mini public outcry by those who have a significant interest in the welfare of animals as to what powers the Government has, or at least what powers the authorities have in our community to stop people who are charged and then prosecuted and found guilty of those offences where there has been extreme suffering  
945 on behalf of the pet, or the animal in this case, and what the Government would do in terms of introducing legislation that would prevent these individuals looking after animals or exposing, for instance, where they might impose those mechanisms of cruelty on them again.

I think that was the point on which this question was engineered, because most of the legislation that the hon. Gentleman has alluded to stems from the 1948 legislation, which of course is very outdated, and I just wondered whether the Hon. the Minister had any information  
950 as to whether any legislation will be brought to this House to effectively prohibit people who are convicted of these offences from owning animals in the future.

**A Member:** Hear, hear.

955

**Hon. Prof. J E Cortes:** Mr Speaker, if the hon. Member had assisted the House by specifically asking that question, then I would have brought information which was relevant to that.

I think I do not have to tell the hon. Member, as he is a lawyer in practice – because he referred to the penalties imposed in these cases – that is for the court to impose. The maximum sentence  
960 is five years. It is the court that then imposes the sentence, and that is something that certainly I would not influence. As a magistrate, in Part 2, I completely understand that it is not for a Minister to impose a penalty. I believe that in the past, courts in Gibraltar, possibly under the Animals Act, have precluded members of the public from owning dogs. I may be mistaken. I am going back to my memory while I was sitting on the bench. I will certainly check that. But this is part of the  
965 review of the dangerous dogs definition, because there is a growing school of thought that it is not the dog that is dangerous, but the way the dog is looked after and the ability of the owner to look after the dog in a way that is not going to make it aggressive. This is precisely what I was referring to in the review of the definition of dangerous dogs, so it is certainly a matter that has come to my attention and I am actively looking at it.

970 **Hon. E J Phillips:** Just a point of clarification. Of course I understand how a court operates and when it imposes penalties, and the Minister is not there to do it – unless he is sitting as a JP, of course, and I am sure he would not want to impose his views in this House on that.

The point of the question was to state what the Government is doing to strengthen laws to protect animals from neglect and cruelty. Of course, part of that would be allowing for a particular  
975 power of those charged with imposing those types of penalties with allowing them to prevent people from owning animals in the future when, in the words of the judge in the eight-month sentence, there was obvious extreme suffering by that particular pet when he met his sad end.

I think this question is really borne out of approaches from members of the public as to where the power is – and I could not find the power – and where it can be utilised in the appropriate  
980 circumstances. And if there is not a power, of course I would ask the hon. Gentleman whether he is looking at the review and allowing for that to come to this House so that we can debate it.

**Hon. Prof. J E Cortes:** Mr Speaker, I will look because I believe that there was a power. Certainly I think the hon. Member will agree – and I know the Hon. Mr Feetham has been very keen and  
985 very supportive of a lot of the laws that we have passed in this House over the last few years – that we have made huge strides in improving animal laws in this House, well in advance of the United Kingdom. As I said, the sentence of five years ... I believe it was only last month that it received Royal Assent.

So, Mr Speaker, absolutely, I will look into this. Certainly, persons who are convicted of this  
990 kind of extreme cruelty I agree should not be allowed to own pets, and if there is no provision in the law that covers that, I will certainly look into making sure that I either bring it to this House if it requires primary legislation or look at the Animals Rules and see how that could be brought about, and I am sure the whole House will agree with that.

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

**Hon. D A Feetham:** Mr Speaker, I know that this may sound perhaps a tad extreme to some people, but I have long thought that people who have imposed that kind of cruelty on animals  
1000 should go on a public list, not only so that in this jurisdiction you are able to identify the people who have subjected animals to that kind of cruelty, but in other jurisdictions as well. I would invite the Government to do that, and formulate it in a question: will the Government also consider introducing something along those lines?

1005 **Hon. Prof. J E Cortes:** Mr Speaker, it is certainly something that I would be happy to consider.

**Mr Speaker:** Next question.

**Q14/2021**  
**Noise pollution –**  
**Legislation**

**Clerk:** Question 14. The Hon. E J Phillips.

1010 **Hon. E J Phillips:** Mr Speaker, can the Government state whether it will bring legislation before the House to deal with noise pollution in Gibraltar?

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

1015 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, not at present, as there is already considerable existing legislation.

**Hon. E J Phillips:** Mr Speaker, the issue of noise pollution obviously is a significant one for members of the public. The complaints that we receive on this side of the House – I am conscious of some noise from my side of the bench – in relation to construction noise –

1020 **Mr Speaker:** Can we have some silence, please?

**Hon. E J Phillips:** – and, of course, the noise emanating from certain vessels in the bay. The hon. Gentleman will know, of course, about the World Health Organisation recommendations. WHO have stated on numerous occasions that noise pollution has a very significant effect on the  
1025 physical and mental well-being of citizens and that governments should be trying to reduce the decibel levels within their communities.

My understanding of the current position is that the Noise Action Plan, which I believe is prepared by his Department, and indeed noise mapping, which is a process which I believe is undertaken ... Are those processes that are currently in train? I understand from the Noise Action  
1030 Plan that it leads up to 2018 only and it does highlight important issues and noise pollution in our community. I do understand from my sources that the Government is already considering legislation. I am not too sure whether that fits with what the hon. Gentleman said about that, so I am slightly ... Maybe my sources are completely wrong, but I am given to understand that the Government may be considering drafting legislation in the area of noise pollution more generally  
1035 to comply with those matters.

**Hon. Prof. J E Cortes:** Mr Speaker, I am very clear on the dangers of noise and on the negative impact of noise on the community. There is, however, a wide variety of laws that already cover it. The hon. Member has mentioned a few examples. Looking through the notes that I have had  
1040 prepared, I believe most of them are covered. It may be a question of enforcement, but if the hon. Member wishes to point out any specific area of noise which he believes is not covered in legislation, then I will most certainly look at it and see whether we can bring some legislation to this House.

**Hon. E J Phillips:** The difficulties, generally, of members of the public who approach me on this subject relate to the fact that they also do not have anywhere to go when they complain about it. For instance, if they go to the Environmental Agency, they turn around and say it is not their issue, it is a Port issue, especially noise coming from vessels. So, eventually, it is a full-circle argument and no one really can get an answer. This is the difficulty that members of the public are having,  
1045 and the information that I was receiving ... If there is no legislation that the Government is considering in terms of noise pollution more generally, that is fine, but those are the types of complaints that I am receiving.

**Hon. Prof. J E Cortes:** Mr Speaker, I am aware that the Environmental Agency receives complaints, and if they are to do with activity in relation to ships they will refer to the Ports  
1055 department or the Port Authority. If it has happened, it has happened, but I am not aware of any case in which they would, so to speak, pass the buck to somebody else. They would themselves take it up with the Port Authority, as they do, for example, in the case of smells and so on.

So, the port of call, if you will excuse the pun, is certainly the Environmental Agency. They keep records of these complaints. I am aware that there have been some periods of time where there  
1060 have been complaints, and they should be dealt with. If they are not, then clearly I would be interested to know, but I am confident that they are following up. But, once again, if there are any gaps in the legislation that the hon. Member is aware of, I would be more than happy to look at them and to deal with them.

1065 **Mr Speaker:** Next question.

Q15-17/2021

**Knightsfield Holdings Ltd –**

**Relationship with Government and services provided; sites covered; beneficial owners**

**Clerk:** Question 15. The Hon. E J Phillips.

1070 **Hon. E J Phillips:** Mr Speaker, can the Government state what relationship the Government has with Knightsfield Holdings Ltd and what services the company provides the Government?

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

1075 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, I will answer this question together with Questions 16 and 17.

**Clerk:** Question 16. The Hon. E J Phillips.

1080 **Hon. E J Phillips:** Mr Speaker, can the Government state the sites covered by any contractual arrangement with Knightsfield Holdings Ltd?

**Clerk:** Question 17. The Hon. E J Phillips.

1085 **Hon. E J Phillips:** Can the Government state the names of the ultimate beneficial owners of Knightsfield Holdings Ltd?

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

1090 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, the Government has a contractual relationship with Knightsfield Holdings Ltd for the management and running of the Gibraltar National Museum, Gorham's Cave World Heritage Site, Parson's Lodge and the Moorish Castle.

1095 It is not the practice in this House to provide details of beneficial owners, especially as this is now publicly available information.

**Hon. E J Phillips:** I am grateful to the hon. Gentleman insofar as Knightsfield Holdings Ltd. The reason I ask that, of course, is because we understand the shareholders are the people charged with responsibility of the Museum, so I do not need to take it any further than that.

1100 One of my questions obviously relates to those services that the company has provided. I do not think the hon. Gentleman has really been any more helpful than just to say that it runs the Museum and Gorham's Cave complex. I asked what services the company provides the Government. It would be helpful if the Hon. the Minister could explain what those services are.

1105 **Hon. Prof. J E Cortes:** Well, Mr Speaker, the running of the Gibraltar National Museum means looking after the collections, looking after the inventory, having the employees attending to the public. Gorham's Cave World Heritage site – we know about the archaeological dig. They also organise culture conferences. Parson's Lodge is currently not open to the public but is used as a centre for research. It is very wide – the National Museum, Gorham's Cave, Parson's Lodge, they are the services, the running of these sites and facilities.

1110 **Hon. E J Phillips:** I am grateful for the answer to that question. Ultimately, I think it is right, isn't it, that these are our main national assets? If you look at Moorish Castle, Parson's Lodge, Gorham's Cave, the Museum, these are national assets that belong to our community and should be shown to the wider public in terms of a tourist product. Would he agree with that?

1115 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, but I do not think that is a logical corollary of the question that has been asked.

**Mr Speaker:** I agree. You do not have to answer that question.

1120 **Hon. E J Phillips:** Mr Speaker, the services that are provided by the company – do they include interface with the public in terms of tourism? That is a logical question from that.

1125 **Hon. Prof. J E Cortes:** Yes, absolutely, and I am very happy to answer. Yes, it does. It includes interface with the public at the National Museum. It includes interface with the public at the Gorham's Cave viewing platform, which is open for visitors. It includes the trips to Gorham's Cave, as and when they can be arranged. And it includes other assets as and when they are necessary. So, yes, it does include interface with the public.

1130 **Hon. E J Phillips:** Mr Speaker, according to the approved estimates, we spend about 61% of the entire budget for heritage on those contracted services, about £1.145 million. Does the Government agree with me, or not agree with me, that that is value for money for what is being produced?

1135 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, it is value for money. You must remember, though, the value of the World Heritage Site, which is probably something that cannot be converted into a monetary value.

1140 **Hon. E J Phillips:** It is not a trick question. Is it right that there is more than one contract? I assume that there is one contract dealing with Knightsfield for Moorish Castle, Parson's Lodge, the Gibraltar Museum, the Stay Behind Tunnels and Casemates Vaults, and another contract that deals specifically with Gorham's Cave. Is that right? That is my understanding.

1145 **Hon. Prof. J E Cortes:** There is a separate contract for the World Heritage Site, yes, Mr Speaker. These contracts are not new. The World Heritage Site happened later, but the Museum contract and so on is a continuation of contracts that were in place before we came into power.

**Mr Speaker:** Next question.

#### Q18/2021

#### World War II cement heritage – Protection

**Clerk:** Question 18. The Hon. D J Bossino.

1150 **Hon. D J Bossino:** Can the Government guarantee that it will ensure that Gibraltar's World War II cement heritage will be protected?

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

1155 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, yes, sir. The Heritage and Antiquities Act 2018 protects a substantial number of World War II sites, including the Stay Behind cave complex; the World War II tunnel complex, including Great North Road, Calpe Hole generating station and Hay's Level, the Anti-Tank Teeth at Winston

Churchill Avenue and Fort Gary, Fort George and Fort MOT, located at Eastern Beach. There  
1160 are also a substantial number of World War II listed sites in the Northern Defences.

It is important to note that although not all World War II pillboxes are listed by name, the  
majority of our defensive walls, batteries and bastions listed include World War II cement heritage  
that abuts them. Works cannot be undertaken on or near these sites, unless the Minister for  
1165 Heritage provides a heritage licence after receiving advice from the Heritage and Antiquities  
Council. Even if sites are not listed, Town Planning and Building Control permission must be  
given, and the Ministry for Heritage and the Gibraltar Heritage Trust are consulted at that stage.

Works were recently undertaken by the Gibraltar Heritage Trust and Ministry for Heritage to  
restore Fort Canada, as an example, a World War II pillbox built by the Royal Canadian Engineers,  
immediately adjacent to the tunnel to Devil's Bellows. An information panel is being designed to  
1170 accompany the restoration. Other World War II assets that have been restored include World  
War II pillboxes and bunkers at the Europa Sports Stadium complex. Information panels  
showcasing the history of the site will also be installed. World War II assets have also been  
restored at the new wine vaults development at Devil's Tower Road. A substantial number of  
World War II cement heritage are also being protected and will be restored within the Northern  
1175 Defences.

In short, Mr Speaker, the answer is yes, sir. Perhaps I should have said that at the beginning.  
*(Interjections)*

**Hon. D J Bossino:** Thank you; you did, I think. I am grateful to the Minister for the very lengthy  
1180 and very full reply.

I have heard that there are plans to remove what I think are pillboxes in what I think is called  
Casements Parade, where the Grand Bastion is. Can he shed some light in relation to that? Clearly,  
given the answer he has just given, the answer, I would expect, would be no, but that is what I  
have heard and I wanted to put that to him.

**Hon. Prof. J E Cortes:** Mr Speaker, I have not heard. Certainly they would have to come to my  
1185 office for permission anyway, and it would also have to be picked up in planning. I have no  
information on that, Mr Speaker.

**Hon. D J Bossino:** Mr Speaker, I do not know where the planning stage of that particular  
1190 development is, if it has prospered or not, but in relation to the Sandy Bay development – I think  
he knows which I mean, beyond Both Worlds, going in a southerly direction – there are also some  
cement World War II heritage sites, I think pillboxes again on this occasion. Is he able to give us  
some comfort, in relation to that, that those will remain untouched and protected should the  
1195 development proceed?

**Hon. Prof. J E Cortes:** Mr Speaker, that is still subject to the planning process. I believe my  
latest information is that the monuments themselves would not be negatively affected. That is  
subject to confirmation when the whole planning process goes, but my information is that the  
1200 structures themselves would not be negatively affected. Whether the development will affect it  
in other ways, visually or whatever, is not the subject of this question, nor of this answer. There is  
still a long way to go, because that process has only just commenced.

**Hon. E J Phillips:** In relation to that specific issue, does he have a view in relation to that,  
1205 whether he will intervene and ensure that they are protected, whichever way that will  
materialise?

**Hon. Prof. J E Cortes:** Mr Speaker, if the hon. Member has ever watched or listened to the DPC  
1210 meetings, he knows the answer to that question.



**Hon. D J Bossino:** So, there is a possibility –?

**Mr Speaker:** Last question.

1215 **Hon. D J Bossino:** Yes, Mr Speaker.

So, there is a possibility that his view will be sidelined and ignored and those pillboxes destroyed? Is that within the realms of possibility?

1220 **Hon. Prof. J E Cortes:** Mr Speaker, I do not think it is appropriate for us to discuss a proposal that is still subject to the planning process, and I have already said that, as far as I am aware, those structures themselves would not be negatively affected.

**Hon. D J Bossino:** I do not think that –

1225 **Mr Speaker:** Next question.

**Q19/2021**  
**Artillery –**  
**Maintenance for future generations**

**Clerk:** Question 19. The Hon. D J Bossino.

1230 **Hon. D J Bossino:** Does the Government have any plans to ensure that the legacy of artillery on the Rock is maintained for future generations?

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

**Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):**  
Mr Speaker, yes, sir. Perhaps I should sit down now!

1235 For example, the Ministry of Heritage is undertaking the restoration and protection of much of our artillery by installing tampions in our canons depicting the coat of arms of the Royal Army Ordnance Corps. This is an ongoing maintenance project that was started last year.

1240 The Ministry of Heritage, together with volunteers from the Gibraltar Heritage Trust and the Ministry of Defence, is also undertaking works on artillery pieces at Lord Airey's and will soon commence works at O'Hara's and at Devil's Gap.

The Ministry of Heritage has also taken possession and restored artillery pieces from the MoD, including a 24-pounder from Devil's Tower training camp.

1245 The Ministry of Heritage is also currently in discussion with the MoD, with a view to taking over a number of other pieces, including a Bofors at Buffadero and a 24-pounder from Rock Gun Battery.

The Gibraltar Heritage Trust and Ministry of Heritage, with the assistance of Selina Ltd, also restored a naval gun that was in an abandoned state above Devil's Bellows. The gun is now at the Napier of Magdala Battery, for all to see.

1250 Together with the Gibraltar National Museum, which is also the custodian of a number of artillery pieces, the Ministry is supporting the Gibraltar Heritage Trust, who are working on developing a gun park.

1255 The Ministry of Heritage has also completed a list of all guns and artillery on the Rock, each with its own unique identification code, which will be displayed on the forthcoming website. This includes all place guns and embedded guns, some of which are already listed in the Heritage and Antiquities Act 2018.

Mr Speaker, for the first time ever, we have what we believe is a complete list of all ordnance pieces on the Rock.

1260 **Hon. D J Bossino:** Again, I am grateful to the hon. Member for that very full and lengthy reply, which I will consider in greater detail in the future.

1265 There is a particular question I would like to ask and it arises from an article which appeared in the Gibraltar Chronicle in relation to Lord Airey's Battery, where a Mr Jackson – who I understand is a member of the Fortress Gibraltar group, which is dedicated to assisting the Government, I think, in ensuring that these sites are maintained, improved and refurbished – had this to say, and with your permission I would like to quote very briefly from the article, Mr Speaker, where it says the Heritage Trust said Mr Jackson's 'passion for the refurbishment project was apparent during these tours but he lacks solid funding and manpower for the task at hand.' And then, lastly, Mr Jackson said:

The legacy of artillery on the Rock is dwindling with scant emphasis placed on the preservation of these old guardians of our freedom.

1270 Does he have any comment to make, given that, on the face of it, it appears to be an indictment of the Government in relation to this particular issue?

1275 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, it is a fact that when we came in – and I was not the first Minister for Heritage in this Government, my hon. Friend and colleague Steven Linares was – we found there had been so much neglected in the previous 16 years – I have to say that – that some was irrecoverable.

1280 In relation to Pete Jackson, he is an old friend. He is a trustee of the Heritage Trust, I believe, currently. He does wonderful work and he has been supported, certainly by my Ministry, in being given a location to carry out a lot of his restoration work. He is encouraged to do this with volunteers. I am not aware of him requesting any specific assistance, which would not ordinarily be denied provided it is clearly affordable. A lot of this work is quite specialised work. I think Pete will not be able to do all of it and will be needing some support, but, as I said before, we are working with the Ministry of Defence, who, traditionally in some of the exercises that take place in Gibraltar, do volunteer to carry out restoration work, particularly that which is perhaps more technical and more difficult to achieve.

1285 I am satisfied, Mr Speaker, that we are doing a fine job in restoring our artillery. I can tell him that, if not last week, this week work is commencing on the various pieces of artillery in Princess Caroline's and Princess Amelia's area. They do suffer a lot, clearly, from the weather in exposed sites and from the attention of yellow-legged gulls that may sit on them occasionally, so it is a job that has to be kept going, but I am confident that we are doing a better job than has ever been done, Mr Speaker. *(Interjection)*

1290 **Hon. D J Bossino:** I was not in government, not me personally. *(Interjection)* No, I do not think I was either.

1295 **Mr Speaker:** Let's have the second supplementary, please. Proceed.

1300 **Hon. D J Bossino:** Yes, Mr Speaker. He says he is satisfied, but he has not ... Let me just, by way of completeness... In fact, in relation to this particular project, the Heritage Trust acknowledges the assistance from the Minister for the Environment, I think, in relation to logistical help, but in relation to the comment that he makes, is he really satisfied? Doesn't he think that, really, more investment needs to be made in relation to this? At the end of the day, what he is talking about is that there is scant emphasis placed on the preservation of these guardians of our freedom, so it could come to a point where they cannot be refurbished at all. I do not know whether they are in

1305 that bad a state. I simply do not know, but shouldn't there be a greater effort on the part of the Government to ensure that these artillery postings are properly refurbished sooner rather than later?

1310 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government has done, if I may say so myself, sterling work in many areas – in the construction of new schools and the construction of affordable homes and rental homes for the elderly – and we have also invested in the social fabric of our community in many ways. If I may say so, with respect, Mr Speaker, the work that the hon. Gentleman has done on the Upper Rock is remarkable, and the work done on the Northern Defences by the Hon. Deputy Chief Minister is really quite spectacular. Every time we do not do that, we face an accusation that we are spendthrift and we are spending too much money, and now the hon. Gentleman gets up and tells us to spend more money on repairing guns.

1315 Mr Speaker, what we are going to do is continue to do that which is in our manifesto which we are able to do, which includes the protection of our heritage and our natural environment, but setting the priorities ourselves, not letting the hon. Gentleman from the Opposition, in opposition, drive the spending priorities. At the moment, I know that he will want to run with the hare and hunt with the hounds, as usual, and urge us to spend when he thinks he might be garnering one vote, or many, and urge us to save when he thinks he may be garnering one vote, or many. We are going to keep our spending priorities fixed on what is in the interests of the people of Gibraltar. This is one part of it, but not the most important.

1325 **Mr Speaker:** One final question.

1330 **Hon. D J Bossino:** Mr Speaker, as usual, the hon. Member... It is in his style. He simply cannot help it; he just cannot help it. He always needs to make those barbed political comments that we are used to. I am used to it from him. I have known him for many years, and that is his *modus operandi*. That is the way he is, and I do not think he will ever change. I am sure he will –

**Mr Speaker:** You need to ask a question. With respect, the Hon. Damon Bossino, you must ask a question.

1335 **Hon. D J Bossino:** Mr Speaker, yes. In relation to the cost issue, does the hon. Member have an idea of how much the refurbishment of guns like this would cost? What would be the outlay for the Government? He is shaking his head. I know it is an unfair question to ask him, but the point has been raised in the context of the reply by the Hon. the Chief Minister and I suspect that he will be replying rather than the hon. Member.

1340 **Hon. Chief Minister:** Mr Speaker, I will be replying in my usual style, that to which the hon. Gentleman has become accustomed, which is to point out the lack of logic in this question and the contradictions.

1345 If you urge a Government to do something, Mr Speaker, it usually inevitably involves a cost. If it does not involve a cost, usually others in our community will have chosen to do it or the Government itself will have done it earlier. Unless, when he got up, he did not envisage that what he was asking us to do was spend money, this will cost money, because I have told him this is not something that we have as a priority that we have already costed. We do not have an order of costs for it, but the hon. Gentleman will know that the costs have been published of the works which have been done either directly by the Government or with the support of sponsors in other similar batteries, which are now in very good condition – for example, down by Europa, and the O'Hara's gun, which is really quite spectacular, but even then requires further and additional work. So, there is always an order of costs.

1350 What I will not shy away from doing, Mr Speaker – unless you ask me not to, but not because he does – is pointing out to the hon. Gentleman the contradiction in what he does. This,

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1360 unfortunately, is considered by the hon. Gentleman to be a barbed political comment, but I am afraid, with him – as he knows, I have such deep affection for him – I do not want to barb him at all, but I do want to point out to him, and to anyone who might fall for his faux charms, that actually what lies behind his political position is a morass of contradictions, asking us, on the one hand, to save money, and asking us, on the other hand, to spend money, even when he does not know how much he is asking us to spend. *Plus ça change*, Mr Speaker.

**Mr Speaker:** The Hon. Roy Clinton has a supplementary.

1365 **Hon. R M Clinton:** Thank you, Mr Speaker. I will be very brief.

I would like the Hon. Minister ... I do not know if he can recall the subject of the 9.2 barrel that was in the scrapyards and whether he has had any joy in assessing whether it can be saved for posterity. In fact, the Chief Minister himself called it:

an impressive piece of military machinery that should not be allowed to rot. This is part of our military history and needs to be displayed appropriately.

1370 I hear what the Chief Minister says about cost, but obviously there is no need to let it fall to the scrap merchant.

1375 **Hon. Prof. J E Cortes:** Mr Speaker, there are ways of achieving things which will not necessarily cost the taxpayer inordinate amounts of money, and I am working very hard on achieving a lot at no cost or little cost to the taxpayer. I am pleased to say that I am working closely with the Gibraltar Heritage Trust, who are looking at restoring that piece of artillery using sponsorship, and we are now discussing a shortlist of two possible places in which it could be placed. So, that is good news, Mr Speaker. Thanks to the work of the Heritage Trust and a sponsor, who will not yet be made public because we have still to confirm it, we will be able to restore them at no cost to the taxpayer.

1380 **Mr Speaker:** Next question.

**Q20/2021**  
**Commonwealth Park –**  
**Maintenance contract**

**Clerk:** Question 20. The Hon. D J Bossino.

1385 **Hon. D J Bossino:** Mr Speaker, who holds the contract for the maintenance of Commonwealth Park, when was it put in place, and what has been the total cost of the maintenance under those contractual arrangements since the contract was put in place?

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

1390 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, the contractor for the maintenance of Commonwealth Park is Wildlife (Gibraltar) Ltd. This was put in place in July 2014.

1395 The cost per financial year has been as follows: 2014-15, £140,641.95; 2015-16, £169,292.90; 2016-17, £170,252.57; 2017-18, £169,498.49; 2018-19, £188,336.41; and 2019-21, a 24-month year, £418,808.63.

**Hon. D J Bossino:** I know this information is publicly available, but can he tell me who the shareholders and directors of Wildlife Gibraltar Ltd are? *(Interjection)*

1400 **Mr Speaker:** If it is in the public domain, I am reminding you, hon. Gentleman, that you cannot ask that question.

**Hon. D J Bossino:** Mr Speaker, I was just giving it a try to see if the Government would be open and transparent in relation to the answer, but I will spend the – *(Interjection)*

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**Mr Speaker:** That is unnecessary.

**Chief Minister (Hon. F R Picardo):** Point of order, Mr Speaker?

1410 **Mr Speaker:** Please resume your seat and we will move on to the next question.

**Hon. Chief Minister:** Thank you. *(Interjection)*

1415 **Hon. D J Bossino:** Mr Speaker, was the contract out for tender – the contract for the maintenance of Commonwealth park?

**A Member:** Yes.

1420 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, it was. A number of entities were asked at the time.

**Hon. Chief Minister:** Mr Speaker, the hon. Member ought to check *Hansard*. We have had all of these questions before, all of the references to his work, all of the references to the costs, all of the references ... We have had it all before, if you just go to the *Hansard*.

1425 **Hon. D J Bossino:** Mr Speaker, should the hon. Member be called to order? He is speaking to the Chamber from a sedentary position and –

**Hon. Chief Minister:** I am heckling you.

1430 **Hon. D J Bossino:** He is heckling me. The hon. Member has admitted he is heckling me.

**Mr Speaker:** Hon. Member. *(Interjection)*

1435 **Hon. D J Bossino:** The Hon. Chief Minister says that this point has been ventilated in the House before. I am not sure whether it was ventilated when I was not here. It may have been ventilated when I was not here last time. *(Interjection)* Possibly, but –

**Mr Speaker:** It is possible that the questions were put in advance of six months ago. That may be the answer that you are –

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**Hon. D J Bossino:** Mr Speaker, it may have been when I was outside of the House, during the 2015-19 session, but I would need to check the record. I will take the hon. Member opposite's word for it, and I can always check and revert, with your permission, to ask further questions once I have had the chance to consider the replies given by the Government in relation to this.

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**Mr Speaker:** Move on to the next question.

**Q21-24/2021**  
**Wrightech Ltd –**  
**Details re contract with HMGoG**

**Clerk:** Question 21. The Hon. D J Bossino.

1450 **Hon. D J Bossino:** Further to replies given to Question 582/2020, please provide details of when the contract entered into with Wrightech Ltd was commenced, and what is its duration?

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

1455 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, I will answer this question together with Questions 22, 23 and 24.

**Clerk:** Question 22. The Hon. D J Bossino.

1460 **Hon. D J Bossino:** Further to replies given to Question 582/2020, please provide the date of the contract entered into with Wrightech Ltd?

**Clerk:** Question 23. The Hon. D J Bossino.

1465 **Hon. D J Bossino:** Please provide details of the parties who have entered into the contract with Wrightech Ltd with regard to the operating system of the Upper Rock Nature Reserve.

**Clerk:** Question 24. The Hon. D J Bossino.

1470 **Hon. D J Bossino:** Please provide details of the fee arrangements entered into with Wrightech Ltd in connection with the operating system for the Upper Rock Nature Reserve.

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

1475 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, the parties to the contract are Wrightech Ltd and Her Majesty's Government of Gibraltar, through the Department of the Environment. The contract was signed on 25th June 2019 and the first payment was made in August 2019. The duration of the contract is 15 years. The fee arrangement under the agreement is as follows, and I am quoting from the agreement:

- a) The payment from the customer to the supplier in respect of each month shall be the lesser of:  
50% of the amount (the 'additional revenues') by which the sales revenues generated by the system in the month in question exceeds the monthly sales revenues during the previous financial year ending on 31st March 2019 (the 2019 revenues), or;  
10% of the total sales revenues arising in that month.  
For the purposes of paragraphs (i) and (ii), 'sales revenues' means the gross revenues from all tickets and commissions received from the sites.

1480 **Hon. D J Bossino:** Mr Speaker, it is almost impossible to understand what the hon. Member has said in the latter part of his reply in relation to the fee arrangements. I will need to consider that with a bit more time, but can he confirm that the fee arrangements are completely and utterly understandable from the reply he has given, without necessarily having available to one the entirety of the contract? For example, are there matters such as words which are defined in other parts of the contract which would make the excerpt that he has just quoted from the contract completely non-understandable without having the entirety of the contract available to us?  
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**Hon. Prof. J E Cortes:** Mr Speaker, I do not think I understand what the hon. Member does not understand, so perhaps he could say it again, so that perhaps I can understand it.

1490 **Hon. D J Bossino:** Mr Speaker, I do not understand the reply he has given, and all I am asking him, very simply, is if it is possible to follow the reply without having the entirety of the contract available to one.

**Hon. Prof. J E Cortes:** Yes.

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**Hon. D J Bossino:** Is it? Is that the answer? Yes?

**Hon. Prof. J E Cortes:** Yes, Mr Speaker, absolutely.

1500 **Hon. D J Bossino:** Mr Speaker, is he able to say whether this particular contract was put out to tender before it was granted? Yes?

**Hon. Prof. J E Cortes:** Yes, Mr Speaker. This is going back several years. There were a number of entities that made proposals and this was the one that was selected.

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**Hon. D J Bossino:** Mr Speaker, is he able to say whether 36 North Ltd has any arrangements from which it benefits as a result of this contract? Is he able to say that at all? The reason why I raise this is because in the answer the Hon. the Chief Minister gave to the Hon. the Leader of the Opposition back on 23rd March he mentioned some of the contracts that 36 North had entered into, but not necessarily all of them, if I may say so, and I wondered whether there was any contractual arrangements which have been entered into, in relation to this, in respect of which basically 36 North Ltd itself benefits.

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**Hon. Prof. J E Cortes:** Not by the Department, absolutely.

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**Hon. D J Bossino:** Not by the Department in what way? Sorry, I have not followed his answer.

**Hon. Prof. J E Cortes:** There is no contractual relationship between the Department and the entity that he has mentioned in relation to a contract which is with Wrightech Ltd.

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**Hon. D J Bossino:** But is it possible that Wrightech Ltd has itself entered into an arrangement with 36 North Ltd?

Mr Speaker, this is a matter of public interest if that is the case, and surely the Government should know if that is the case or not.

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**Chief Minister (Hon. F R Picardo):** Yes, Mr Speaker, it is possible that Wrightech Ltd may have entered into arrangements with 36 North, with TSN, with Hamas, with Syria and with anyone else. How do we know? *(Interjection)* No, Mr Speaker. What a ridiculous question, if the hon. Gentleman may permit me to say. The hon. Gentleman has asked a question to which the only potential answer is yes. If the hon. Gentleman says, 'Is it possible that Wrightech Media have entered into arrangements with 36 North?' the answer can only be yes, but it can only be yes in the context of the fact that Wrightech Media may also have entered into arrangements with Triay Stagnetto Neish, of which the hon. Gentleman is a member, and we would not know, but he might, that they might have entered into arrangements – I do not want to mention any other company in Gibraltar, Mr Speaker; that is why I have mentioned companies outside – or with the British Broadcasting Corporation, for all we know, and if they do not require our consent under the contract for those arrangements, which might be for the disposal of rubbish, for the disposal of

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their data or for whatever, how could we know and how can I legitimately permit anyone to give an answer to this House which would be wrong?

1540 The hon. Gentleman has asked a question which is so open-ended that it is, frankly, not a question that is designed to elucidate any genuine information. If the hon. Gentleman knows something that we obviously do not, he should share it with us, so that we, as the representatives of the public, can have that information, because that would be in the public interest and in our interest too.

1545 **Hon. D J Bossino:** Mr Speaker, I have –

**Mr Speaker:** This will be the final question, the Hon. Damon Bossino.

1550 **Hon. D J Bossino:** Mr Speaker, I am told that there is an arrangement between Wrightech Ltd and 36 North Ltd. This is the company that the hon. Member has openly said in this House he is, by virtue of the fact that he is a sabbatical partner at Hassans, a beneficiary as to 33%. I am going to ask him in terms of his personal capacity, because that is a matter which is of his personal capacity, although it is a matter of public interest because, at the end of the day, he is the Chief Minister of Gibraltar, and a Member of his ... well, no longer a Member of his Cabinet, but a backbencher on the Government side is also a beneficiary of that. So, can I ask him whether he knows whether Wrightech Ltd has entered into contractual arrangements with 36 North, in circumstances where his official reply is that it is within the realms of possibility that Wrightech Ltd has entered into contract arrangements with 36 North Ltd?

1560 **Hon. Chief Minister:** Mr Speaker, I will answer the hon. Gentlemen in my personal capacity, in my professional capacity as a lawyer and in my political capacity as the Chief Minister of Gibraltar, all three together. I do not know at all about any arrangements entered into between Wrightech Media and 36 North. The hon. Gentleman has been very happy to recite all those people who have a potential interest in 36 North sitting on this side, but he has not referred to the hon. Gentleman sitting to his left, who is also a partner of Hassans, and he has not referred to the fact that he and the Leader of the Opposition work directly with the wife of one of the owners of 36 North.

1565 So, if the public interest is going to be elucidated, let's put everything under the microscope of the public interest. We, on this side of the House, have absolutely no knowledge whatsoever of any arrangements entered into between 36 North and this company, Wrightech Media. If the hon. Gentleman says that there are such arrangements, he might disclose them to us. We will now, as a result of this questioning, ask 36 North in writing whether there are any such arrangements. That is the position which will help elucidate to the whole of the public the reality of the situation, and then we will have before all of the public all of the information.

1575 Mr Speaker, given that I have told him that I am not aware of those arrangements, I do not know whether he is going to impute bad faith or misfeasance to me. If he is, I put it to him that he needs to come up with specific information. The hon. Gentleman likes to throw the stone and hide the hand. He likes to pretend that he is a gentleman, Mr Speaker, but then he behaves like a scoundrel.

1580 **Mr Speaker:** I think that word is unparliamentary. (*Interjection*) Hold on. Please resume your seat. I think the use of that word is unparliamentary and I do not accept it.

1585 **Hon. Chief Minister:** Mr Speaker, I withdraw the word 'scoundrel'; I would rather just call him a fool.

**Hon. D J Bossino:** Mr Speaker, is the word 'fool' unparliamentary?



1590 **Mr Speaker:** I have to agree with the Hon. Damon Bossino – it is also unparliamentary, not at the level of ‘scoundrel’, but it is unparliamentary.  
We now move on to the next question.

**Q25-27/2021**  
**Nun’s Well, Central Hall, Midtown green area –**  
**Costs**

**Clerk:** Question 25. The Hon. D J Bossino.

1595 **Hon. D J Bossino:** This will be a tamer question, Mr Speaker.  
What is the restoration and any associated ongoing cost of the Nun’s Well to the Government, and which company was awarded the contract to carry the restoration works?

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

1600 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):**  
Mr Speaker, I will answer this question together with Questions 26 and 27.

**Clerk:** Question 26. The Hon. D J Bossino.

1605 **Hon. D J Bossino:** What is the refurbishment and any associated ongoing cost of the Central Hall to the Government, and please confirm the details of the company involved in the refurbishment?

**Clerk:** Question 27. The Hon. K Azopardi.

1610 **Hon. E J Phillips:** Mr Speaker, not the Hon. K Azopardi – I have been asked to ask this question on behalf of the Leader of the Opposition.

What has been the cost to date of the works towards the creation of the green area by Midtown?

1615 **Clerk:** Answer, the Hon. the Minister for the Environment and Education.

1620 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):**  
Mr Speaker, the cost of the restoration of Nun’s Well was £77,386.15, carried out during the financial years 2018-19 and 2019-21. The contractors were GJBS and Progressive Construction & Wastage Ltd, the latter carrying out the emptying of the accumulated sludge.

1625 In answer to Question 26, the cost of the refurbishment and heritage restoration of the Central Hall was £146,478.50. The contractor was Soul Construction Ltd. The refurbishment included the work on the main ballroom, exposing original stonework on the heritage walls and exposing the ceiling and iron supports, bringing it back to its original state and doing justice to its former use as a church. The work also included the refurbishment and paving of the rear exterior areas, including fire escapes as requested by GFRS and the refurbishment of the entrance lobby.

1630 The ongoing costs at the hall are the recurring monthly electricity, water and cleaning expenses, amounting to approximately £6,300 annually.

The cost to date of the works at the Midtown Park is £3,769,440.73. That is it, Mr Speaker.

**Hon. D J Bossino:** In relation to both of my questions, can he state whether those contracts also went out to tender at all? And, in relation to the Nun's Well question, did he say what the ongoing costs were?

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**Hon. Prof. J E Cortes:** Mr Speaker, there were a minimum of three quotes for the works that had to be carried out. I believe that in the case of Wastage Ltd it may be that they were the only ones who were able to do it because of the specialised work in sludge removal.

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I have not given the ongoing costs of Nun's Well because they are minimal. It is the electricity. It has not been ongoing for long enough. We have only recently opened it and the lights are switched off for most of the time. They are only switched on when there are organised tours, so minimal, negligible ongoing costs for Nun's Well.

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**Hon. D J Bossino:** The tender question was also made in relation to the Central Hall. Did he answer that?

**Hon. Prof. J E Cortes:** Mr Speaker, the work for Central Hall was carried out for the Ministry of Culture by Gibraltar Cultural Services and they sought three quotes as well.

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**Hon. D J Bossino:** In relation to the Central Hall, I think the Government press release talked about this being the first phase. I am not sure whether he has answered, because I have not asked it, but in relation to his replies, whether he has shed any light as to whether there is going to be a second or indeed third phase, when those are going to happen and when he expects the whole refurbishment to be complete.

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**Hon. Prof. J E Cortes:** The second phase, Mr Speaker, is the re-landscaping of the garden area to the east so that it could be used for receptions and so on. It is in the process of being costed and we will see whether we decide to undertake it or not.

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**Hon. D J Bossino:** If I may, Mr Speaker, in relation to the building itself, that is done and dusted?

**Hon. Prof. J E Cortes:** Mr Speaker, with the exception of the stained-glass windows, which are currently being manufactured.

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**Mr Speaker:** The Hon. E J Phillips.

**Hon. E J Phillips:** Arising from the Nun's Well question, before we get on to Mr Azopardi's question.

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Mr Speaker, what measures has the Government taken in relation to the stagnant water at Nun's Well? Obviously it was closed due to mosquitoes, as far as I understand, but what measures has the Government taken?

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**Hon. Prof. J E Cortes:** Mr Speaker, the water in Nun's Well is not stagnant. It is absolutely clear. I was there just a couple of days ago, at the end of last week, with His Excellency the Governor, and it is not stagnant. There is no sign of mosquitoes. It is being monitored and if it were to become a problem, then it would be tackled.

There are several ways of tackling, but again, Mr Speaker, if I may say, this is not a logical extension of the question.

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**Mr Speaker:** Let's move on to a supplementary.

**Q20/2021**

**Commonwealth Park maintenance contract –  
Supplementary question**

**Hon. D J Bossino:** If I may, just a point of order, in order to ensure that the record of *Hansard* is as accurate as possible. I am not sure whether there may have been an error in the reply given by the hon. Member in relation to the Commonwealth Park question.

1685 The first figure he gave, if I am of assistance to him, I think was £140,641. Did he give the years as 2014 to 2018? Is that correct? Or is it meant to read 2015? I may have heard incorrectly, but he may have said it and then it will remain as part of the record of the House on an incorrect and erroneous basis.

1690 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, 2014-15. I may have misread it, but I do not think I did. (*Interjections*)

**Q27/2021**

**Midtown green area costs –  
Supplementary questions**

**Mr Speaker:** Supplementaries on the Hon. the Leader of the Opposition's question.

1695 **Hon. E J Phillips:** Mr Speaker, I am grateful for the answer as to the cost to date of the works on the creation of the green area by Midtown. Obviously, many members of the public may have choked on their *calentita* when they heard that the cost was £3 million in relation to that green area. I would ask whether the Government Minister has a breakdown insofar as the lift, the green areas, the paving slabs, the children's park and the continuing trees that are planted there. I wondered whether the Government had any breakdown of that.

1700 **Minister for the Environment, Sustainability, Climate Change and Education (Prof. J E Cortes):** Mr Speaker, not broken down as the hon. Member has asked, but I can tell him ... Remember that this was built on the site of a power station and the complexities of converting that into a park where trees will grow and green grass will thrive is tremendous. The breaking up and removal of the old power station engine beds in itself costs £250,000. The removal and exportation of contaminated material from the ground, which was essential, was about £390,000. Those are two elements of the breakdown that I have. It was a complex project. I think that the results are there for all to see. I recall when Members opposite were very critical of our work on Commonwealth Park. In fact, they almost mocked the very idea of it, and to have heard the Hon. Mr Bossino joke about it today ...

1710 If the hon. Members have not been there, I recommend it. It is an extraordinary place to visit in Gibraltar. It is used by thousands on an annual basis and the Midtown Park will have that same use and more.

1715 **Hon. E J Phillips:** Mr Speaker, that cost, I would assume, also includes the removal of the turf that was initially laid to be replaced at Alameda – am I right, or not?

1720 **Hon. Prof. J E Cortes:** Mr Speaker, that cost likely includes it, but I have already explained that that was in order not to have left, during the COVID period, a dust bowl, which would have had repercussions throughout the area. Lawn was laid in order to contain it, because it was not a proper lawn, which could not come over because it had to come from the UK and we were in the middle of the COVID pandemic.

**Mr Speaker:** Right, next question.

**BUSINESS, TOURISM, TRANSPORT AND THE PORT**

**Q28/2021**

**Electric scooters –  
Legal position re use in Gibraltar**

1725 **Clerk:** Question 28. The Hon. E J Phillips.

**Hon. E J Phillips:** Can the Government state the legal position on the use of electric scooters in Gibraltar?

1730 **Clerk:** Answer, the Hon. the Minister for Business and Tourism.

**Minister for Business, Tourism, Transport and the Port (Hon. V Daryanani):** Mr Speaker, the Government will shortly be publishing legislation in this regard.

1735 **Hon. E J Phillips:** Mr Speaker, whilst I am grateful that the Minister has now confirmed post the consultation process, I assume – and the questions have been asked on this – I did ask if he could set out what the legal position of the use of electric scooters was, not that he was bringing in legislation.

1740 Many members of the public have been quite concerned at some of the sights that we have seen on our roads. I do not need to recite them to this House, but it is obvious, and that is why I have been asked to ask the Government what they consider the legal position to be in relation to these vehicles. That is exactly the question I have asked, and I have not had an answer to it.

1745 **Hon. V Daryanani:** Mr Speaker, as I said, we are bringing legislation to make sure that these e-scooters can be used lawfully. That is what I mean by we will be bringing legislation very soon.

**Hon. E J Phillips:** So, Mr Speaker, the logical corollary of that, which is something that the Chief Minister ... the use of them currently is unlawful. Is that correct?

1750 **Hon. V Daryanani:** I would not agree with you that it is unlawful, because they are being used. There is no fixed legislation on how they can be used. That is imminent. We will be bringing that to the House within the next month or so.

1755 **Hon. E J Phillips:** Mr Speaker, just one additional question. The legislation that the Government intends, does it also require users of these e-scooters to be insured for their use?

1760 **Hon. V Daryanani:** That has been one of the difficulties that we have encountered in whether the insurance companies want to insure these e-scooters, but we are getting there and I think we will be in a position to have insurance for these e-scooters.

**Mr Speaker:** Next question.

**Q29/2021**

**Parking in Government estates –  
Standardisation of rental rates**

**Clerk:** Question 29. The Hon. E J Phillips.

1765 **Hon. E J Phillips:** Mr Speaker, can the Government state whether or not they intend to equalise or standardise parking rental rates in all Government estates?

**Clerk:** Answer, the Hon. the Minister for Business and Tourism.

1770 **Minister for Business, Tourism, Transport and the Port (Hon. V Daryanani):** Mr Speaker, Government estates have different parking facilities depending on location and space available. If the hon. Member advises me as to which Government estate he is alluding to, I am happy to look into it and revert.

**Mr Speaker:** Next question.

**Q30/2021**

**Midtown car park –  
Electric charging parking spaces**

1775 **Clerk:** Question 30. The Hon. E J Phillips.

**Hon. E J Phillips:** Can the Government confirm that it intends to clamp down on the practice of non-electric cars parking in bays which are designed for electric charging at Midtown car park?

1780 **Clerk:** Answer, the Hon. the Minister for Business and Tourism.

1785 **Minister for Business, Tourism, Transport and the Port (Hon. V Daryanani):** Mr Speaker, the designated electric charging point bays at Midtown car park are being monitored remotely by CCTV and by manned security patrols on a 24-hour basis. Any non-electric vehicles which park within these bays are immediately towed away.

**Mr Speaker:** Next question.

**Q31/2021**

**MoT testing –  
Taking over of function by Bassadone Group**

**Clerk:** Question 31. The Hon. E J Phillips.

1790 **Hon. E J Phillips:** Mr Speaker, can the Government state that they are in talks with the Bassadone Group about taking over the MoT testing function from the Transport Ministry?

**Clerk:** Answer, the Hon. the Minister for Business and Tourism.

1795 **Minister for Business, Tourism, Transport and the Port (Hon. V Daryanani):** Mr Speaker, no sir.

**Mr Speaker:** Next question.

**Q32/2021**  
**GTB –**  
**Announcement re CEO**

1800 **Clerk:** Question 32. The Hon. D J Bossino.

**Hon. D J Bossino:** Can the Minister for Tourism state when it is expected that the identity of the CEO of the GTB will be announced, to include his salary and any other perks?

1805 **Clerk:** Answer, the Hon. the Minister for Business and Tourism.

**Minister for Business, Tourism, Transport and the Port (Hon. V Daryanani):** Mr Speaker, when we are ready to do so.

1810 **Hon. D J Bossino:** Does he have an idea as to when that occasion will arise?

**Hon. V Daryanani:** Mr Speaker, I do not feel that I need to give him a blow-by-blow account of this process. *(Interjection by Hon. Chief Minister)* Yes, exactly. When we are ready, we will make the announcement.

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**Hon. D J Bossino:** Mr Speaker, now that the advert has appeared, and I think the deadline for making applications has gone, is he able to say how much the CEO is expected to earn by way of financial gain in relation to his salary and any other associated perks? He will recall that I asked this question at the last session of the House, on 17th March. I have the *Hansard* here, where, when I probed him in relation to this, he said that he clearly was not able or was unwilling to provide me with the answer. He said:

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I do not see why he cannot wait for a couple of weeks, for two, three weeks when he will see the advert and we will be in a position to discuss.

The advert was published. I do not have it with me, I saw it in the *Gibraltar Chronicle*, but I think it said something along the lines of 'competitive'. It did not give any details as to what the salary would be.

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**Hon. V Daryanani:** I am not prepared to give any further information on the salary, but what I will say is that it will be commensurate with the person's experience and it needs to be negotiated.

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**Hon. D J Bossino:** I was going to ask, in terms of probing further in relation to whether it is the same answer he gave me in the last session, on the last occasion that I asked him in this House, on 17th March, does he not agree with me that it should not be commensurate with the experience of the successful applicant, it should be commensurate with what he is expected to do, which, as he has said, I think in his first statement when he announced his initiative in relation to this issue, is quite a long list? It is quite a wide berth that this individual will be expected to discharge in terms of responsibilities, so shouldn't it be commensurate with that rather than with the experience of the successful individual?

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**Hon. V Daryanani:** Mr Speaker, it seems that he is arguing that we should pay this person more. Like I said, the application process has closed, so we will be looking at the applicants and we will be making an announcement soon.

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**Mr Speaker:** Next question, please.

**Q33/2021**

**Question withdrawn**

**Clerk:** Question 33. The Hon. D J Bossino.

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**Hon. D J Bossino:** Mr Speaker, this question relates to the green-lighted destination issue. *(Interjection)* Yes, I am happy to state that for the record. The hon. Member did call me and said whether perhaps when I filed the question it was still irrelevant, in the sense that I did not have that information. I think when he called me the information may have been out, in terms of the UK government's decision.

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I decided to leave it on the Order Paper because I thought there were interesting supplementaries that could be asked, but I think that may now go by the wayside as a result of the Hon. the Chief Minister's Statement earlier today, so I am happy to withdraw that question unless the Minister is really keen to provide his response to it.

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**Mr Speaker:** Next question, please.

**Q34/2021**

**Volotea flight from Bilbao –**

**Update re permit**

**Clerk:** Question 34. The Hon. D J Bossino.

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**Hon. D J Bossino:** Please provide an update as to whether Volotea has obtained the required permits to allow it to operate the announced flight to Gibraltar from Bilbao?

**Clerk:** Answer, the Hon. the Minister for Business and Tourism.

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**Minister for Business, Tourism, Transport and the Port (Hon. V Daryanani):** Mr Speaker, I presume the question should have read, 'Can the Government', or indeed the Minister for Tourism, 'please provide an update?' In any case, Mr Speaker, I am not in a position to provide an update on this matter.

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**Hon. D J Bossino:** Mr Speaker, I am not going to take lessons from the hon. Member as to how I should pose questions. I pose the questions as I deem fit. I file them with the House, and if there is something untoward with them, no doubt I will receive a call from the parliamentary staff or indeed from you, Mr Speaker. I have asked similar questions in the same vein of his hon. colleague in Cabinet, and he has not raised any objection.

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Can I just ask him whether he has made any inquiries as to progress in relation to this and what his current estimation is as to whether this is likely to happen, and, if so, when?

**Hon. V Daryanani:** Mr Speaker, he is right that I cannot give him lessons on asking questions, because I have never asked questions before, as I have never lost an election before. *(Laughter)*

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**Hon. D J Bossino:** Mr Speaker, a point of order.

**Mr Speaker:** What is your point of order?

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**Hon. D J Bossino:** The hon. Member, in his usual style, talks of accuracy and he does not know what he is talking about. *(Interjections)* The hon. Member stood for election – *(Interjection)* No, it

is not true. The hon. Member stood for election, I think it was in the year 2000, and he did not get a seat, *(Interjection)* so he is wrong in what he said. He lost an election. He did not get a seat in Parliament, so therefore he is wrong and incorrect. *(Interjection)*

1890 **Mr Speaker:** Can the Hon. the Minister answer the question, please?

**Hon. V Daryanani:** I think his question was that he wanted to know whether there is going to be another update. Well, I do not know when there will be an update with Volotea, but I have told the Member opposite that each time he makes these comments he damages Gibraltar's chances of opening new routes **(Several Members: Yes.)** and of attracting new airlines from the Schengen zone, but he continues as if he is hell-bent on destroying the Government's attempts in this field. *(Interjection by Hon. D J Bossino)*

1900 **Mr Speaker:** I do not think it is right that you should ... You will have an opportunity to question in supplementary.

**Hon. V Daryanani:** Let me tell him that his defeatist and negative attitude will not stop me from continuing my hard work on promoting Gibraltar and bringing unprecedented connectivity to it. **(Hon. Chief Minister: Hear, hear.)** Our people can see through his pointless and childish press releases. **(Hon. Chief Minister: Hear, hear.)** While we work around the clock to attract new business, new opportunities and revitalise our economy, he continues playing politics at Gibraltar's expense, not realising the disservice that he does to our homeland and the manner in which it prejudices the Government's position. He obviously does not care whether we succeed or not, as long as he has his relevance for one day in the press.

1910 However, since they seem to want to carry on talking about air services, may I remind the hon. Member opposite, the Parliament and indeed all those watching or listening that this Government has ensured that, this summer, more airlines will be operating to Gibraltar, to more destinations than ever before: Heathrow, Gatwick, Luton, London City, Manchester, Bristol, Southampton, Birmingham, Edinburgh and there is more to come.

1915 We have shown vision and ambition, something that the Opposition clearly do not have and did not have when they were in government. We will keep on disappointing him by being even more ambitious with our airport network expansion plans. Our tourism sector and our business sector expect this of us. I am continuously congratulated for the excellent work we are doing, and for as long as I am Minister for Tourism I will not adopt his pessimistic and destructive attitude. 1920 Instead of being positive for Gibraltar in these difficult times, he is obviously envious of our success. That is so typical of him and his colleagues, who at every opportunity criticise the Government without thinking of what they actually say and the damage they do. *(Interjection)*

1925 **Mr Speaker:** No. Will the Hon. Minister please resume his seat? The point of order is absolutely right. You are tending to go a bit overboard in your explanation and you are making a statement, which is supposed to be concise. I know you want to state what the position is and what the Government's position is, but you must make it rather more concise. So, if you could wrap up very quickly.

1930 **Hon. V Daryanani:** Mr Speaker, they complain when we do not give them answers, and when they get a full answer they also complain. *(Interjections)* Well, like I said – *(Interjection and laughter)* It is so typical of him and his colleagues, who at every opportunity criticise the Government without thinking of what they actually say and the damage they do.

1935 Thank you, Mr Speaker. *(Banging on desks)*

**Mr Speaker:** The Hon. Damon Bossino wishes to ask a supplementary?



1940 **Hon. D J Bossino:** Yes. Mr Speaker, what an immature, pathetic reply we have just been treated to in this House, but it is typical of him. (*Interjection*) No. Mr Speaker, I will be allowed to respond to some of the points that he is making. (**Hon. Chief Minister:** No!) I will ask the question. (**A Member:** Question!) Mr Speaker, I will be called to order by you, but I will not be called to order by the Chief Minister –

**Hon. Chief Minister:** I'm heckling you!

1945 **Hon. D J Bossino:** – the Leader of the House, the Mr Everything. Power has gone to his head, (**Hon. Chief Minister:** No.) and it is so obvious at every session of this House. The sooner he loses it, the better for him and the better for our society, quite frankly, Mr Speaker.

**Mr Speaker:** Let us have a question.

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**Hon. D J Bossino:** It was a very simple one and it dealt with whether he has made inquiries. I do not think he has answered that question because he has been so hell-bent on regurgitating and rehashing the debate we have already had on the airwaves and the debates we have already had by virtue of press releases, that he has forgotten to answer the question I asked. Let me ask him another question.

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**Mr Speaker:** Can you repeat the question, or ask another question?

1960 **Hon. D J Bossino:** I will ask another question, Mr Speaker. Should he not be standing in this House today and acknowledging the error of his ways, and therefore apologising to the people of Gibraltar for having led them down the garden path by telling them that we had a new airline, Volotea, coming to Gibraltar and going to Bilbao, when in fact he had not done the most basic, most obvious of due diligence by asking Volotea, before he participated quite freely in his great announcement that there would be a new airline and a new air route to Bilbao, but they did not have the basic permits and permissions from the relevant authorities? He should be apologising, and if we had a bigger Parliament, Mr Speaker, he should be resigning and going to the back benches. That is what he should be doing. Does he not agree with me?

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**Mr Speaker:** Can the Hon. Damon Bossino resume his seat?

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government does not agree with the Hon. Mr Bossino, both in relation to my head or in relation to the position of the Hon. Minister for Tourism. The Government, in fact, considers that the Hon. the Minister for Tourism is doing a magnificent job, (*Interjection*) and I will tell the hon. Gentleman why. That is not just the position of the Government, Mr Speaker, that is the objectively verifiable situation, because if we measure Ministers for Tourism against the routes available from Gibraltar Airport, then the Hon. the Minister for Tourism – and the hon. Gentleman was asking about routes from Gibraltar Airport – is able to be credited with a situation where he has brought more flights to more destinations than just about any other Minister for Tourism, including those who have previously served in my Government, and indeed certainly more than ever served in Governments of the initials of the party that the hon. Gentleman craves to represent, even though he has failed to lead it, both when he has been offered the opportunity of an open goal or indeed when he has tried, in a leadership election, to succeed.

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1985 **Hon. D J Bossino:** Point of order.

**Hon. Chief Minister:** That is not much to say, Mr Speaker.

**Mr Speaker:** What is your point of order?

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**Hon. D J Bossino:** Mr Speaker, we are being controlled on this side of the House in terms of the number of questions we are asking and the manner of the questions.

**Mr Speaker:** What are you suggesting?

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**Hon. D J Bossino:** Mr Speaker, all I am saying is that they should be subject to some control as well. *(Interjection by Hon. Chief Minister)* The reply that he has given is wholly irrelevant to the point I have raised. What have my leadership ambitions got to do with Volotea and Bilbao? Why does he have to bring it up on each occasion, this particular issue? It is wholly and utterly irrelevant. Actually, to be honest, Mr Speaker, I want him to carry on doing it. I want him to carry on doing it because he is increasingly becoming a joke, and people are seeing through him. *(Interjection)* That is my point of order and that should be curtailed and controlled.

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**Mr Speaker:** We are now going on to the next question.

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**Hon. Chief Minister:** If I might, because I was coming on to the Volotea issue, which the hon. Gentleman wants to know about.

**Hon. D J Bossino:** In a roundabout way.

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**Hon. Chief Minister:** Well, yes, indeed, Mr Speaker, because I was going to say that I know that the hon. Gentleman must have been hankering after the Volotea flight, because he stands more chance of being Lendakari than he does of being Chief Minister if he carries on like he is going.

Mr Speaker, what the hon. Gentleman did in relation to Volotea was exactly the same thing he does in relation to every airline that tells him they are going to fly to Gibraltar, which is to ask them whether they have dealt with all the issues they need to deal with, and ensure that before the Government says anything they have addressed that. Do you think that the Hon. the Minister for Tourism rang the Civil Aviation Authority in London to ask them whether British Airways had permission to fly to City when they told us that they wanted to fly to City? Or that when Eastern decide that they are going to fly from Southampton or Birmingham, the first thing we do is phone the Civil Aviation Authority to ask them that in London? Or when Wizz tell us that they are going to fly, or that Edinburgh is going to be added by easyJet, we call the Civil Aviation Authority to check that they can? Or that indeed any GSD Minister ever did that when they were advised that there was an opportunity that an airline will be flying a route? Of course not, Mr Speaker. What we do is refer the companies to the Gibraltar situation and we permit them to deal with the issues that they have to deal with in the other nations they may be flying from. That is, of course, what would happen.

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But there is another issue in relation to Volotea that the hon. Gentleman needs to think about, Mr Speaker, and with all the bluster and all the desire to get up, and with the abuse of the point of order, which is simply now being used as a device by hon. Members opposite to press a button and say, 'I don't like what is being said,' – which is not what a point of order is; a point of order is a very specific reference to the Rues of the House which are being broken. What the hon. Gentleman does not want to hear, or perhaps has not even thought of, is that there were more things in play in relation to the Volotea filing. It was the first route, potentially, from Spain. Does the hon. Gentleman think that when a Spanish airline approaches the Government of Gibraltar and says, 'We are ready to fly a route to Gibraltar Airport from Spain,' the first thing the Government of Gibraltar should say is, 'No, don't do it,' or 'Have you phoned Exteriores?' or 'Gentlemen, have you checked with the Spanish state that you can fly?'; or we should say, 'Gentlemen, we think this is very good. Our civil aviation authorities in Gibraltar will very much welcome you'? Or does the hon. Gentleman not think that perhaps – and I am not saying that this

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2045 would be the case – it would be a very interesting way of testing whether those who might be negotiating with the Government are going to agree that a flight should happen or not happen? And shouldn't that sort of tactical consideration, which is to the benefit of Gibraltar, be something that hon. Members might have worked out for themselves and might not require, as had been the case, explicit reference across the floor of the House? Or perhaps, Mr Speaker, it is just that the hon. Gentleman now will be so embarrassed that he did not realise that that was one of the potential things going on in the background, that he will now understand why my hon. colleague was telling him that perhaps he needs to think a little bit more before he gets up and says things which might not be to the benefit of Gibraltar, *if* he still cares more about Gibraltar than any other *patria*?

**Mr Speaker:** Right, next question.

2055 **Hon. K Azopardi:** Mr Speaker, may I, on this issue?

**A Member:** Ah, you are back!

**Hon. K Azopardi:** I have always been here, Mr Speaker. (**Hon. Chief Minister:** In spirit.)

2060 Mr Speaker, is the Chief Minister suggesting that the cataclysmic failure of presentation of the Volotea announcement of the route was actually planned and staged, and, in some sort of great strategic ploy, was deliberately arranged by the Government? Is that what he is suggesting in his last answer? (*Interjection*)

2065 That is one of the questions, but I have got a second question. (*Interjections*) Well, I will not ask more questions. I bundle them up in the interests of concision. (*Interjection*) No, the Government can bundle up answers but not questions, surely.

**Mr Speaker:** Technically, you should ask one question per supplementary.

2070 **Hon. K Azopardi:** I am happy to ask one question at a time, Mr Speaker. I was mindful of previous advice and guidance from the Chair, that wanted us to move quickly, and it is very difficult on this side to move quickly when we then get extended answers shooting in different directions. But I will keep it to that question.

2075 Is the Chief Minister suggesting that the cataclysmic failure is somehow a master ploy of the Government to expose this great strategy of attracting routes to Gibraltar, but getting the airline that has announced the route to then pull the ticket sale because it was, unfortunately, not one that was announced with permission?

**A Member:** Hear, hear.

2080 **Hon. Chief Minister:** Mr Speaker, I am quite happy to tell the other more likely candidate for Lendakari than Chief Minister that there has been no cataclysmic failure and that therefore the answer is that the premise on which his question is based is entirely wrong.

2085 **Mr Speaker:** You have a second supplementary?  
Next question.

**Q60-61/2021**

**Rooke site –**

**Identity of purchaser/beneficial owner and price**

**Clerk:** Question 60. The Hon. E J Phillips.

**Hon. E J Phillips:** Can the Government state who has acquired the Rooke site and at what price?

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

**Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, I will answer this question together with Question 61.

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**Clerk:** Question 61. The Hon. E J Phillips.

**Hon. E J Phillips:** Mr Speaker, in the event that a company or a group of companies has acquired a lease over the Rooke site, can the Government state the names of the ultimate beneficial owners of that company or group of companies?

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

**Hon. Deputy Chief Minister:** Mr Speaker, the Government continues in discussion with two entities in respect of the Rooke site. Therefore, nobody has acquired the site and nobody has acquired the lease over it.

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**Hon. E J Phillips:** In light of that, when does the Government expect to make an announcement in relation to the company or group of companies being successful, Mr Speaker?

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**Hon. Deputy Chief Minister:** Mr Speaker, following advice given by hon. Members in the past, the Government will make the announcement when the agreement has been concluded. At the moment, negotiations are ongoing.

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**Hon. K Azopardi:** Can I just ask on that, is it that the scope of the discussions with the preferred entity entails all the components that were publicly explained at the 2019 election, in their manifesto, that would be in that site?

**Hon. Deputy Chief Minister:** I can confirm to the hon. Member that that is the intention, Mr Speaker, and part of the discussion.

2120

**ADJOURNMENT**

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I move that the House should now adjourn to Wednesday at 3.30 p.m.

**Mr Speaker:** I now propose a question, which is that this House do now adjourn until Wednesday, 19th May at 3.30 p.m.

2125

I now put the question, which is that this House do now adjourn to Wednesday, 19th May at 3.30 p.m. Those in favour? (**Members:** Aye.) Those against? Passed.

This House will now adjourn to Wednesday, 19th May at 3.30 p.m.

*The House adjourned at 5.50 p.m.*