



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.36 p.m. – 8.17 p.m.

Gibraltar, Monday, 16th May 2022

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The Gibraltar Parliament

The Parliament met at 3.30 p.m.

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

[ACTING CLERK TO THE PARLIAMENT: S Galliano Esq *in attendance*]

PRAYER

Mr Speaker

CONFIRMATION OF MINUTES

Clerk: Meeting of Parliament, Monday, 16th May 2022.

Order of Proceedings: (i) Oath of Allegiance; (ii) Confirmation of Minutes – the Minutes of the last meeting of Parliament, which was held on 20th and 23rd September 2021.

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

Mr Speaker signed the Minutes.

ANNOUNCEMENTS

Tribute to Joe Garcia, Editor of *Panorama*

Clerk: (iii) Communications from the Chair; (iv) Petitions; (v) Announcements.

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

15 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the whole House, I know, will have been saddened greatly by the untimely passing of Joe Garcia Snr, the well-known editor of *Panorama*, in the past weeks. He was the doyen of journalism in Gibraltar. He had been recognised for his work with a state honour from Her Majesty the Queen, an MBE, and this very House had bestowed upon him the Gibraltar Medallion of Honour for his huge contribution to journalism in Gibraltar and to Gibraltar generally as a result.

20 Mr Speaker, anybody who knew Joe Garcia Snr knew that he was the embodiment of the commitment to a British Gibraltar and to all of the things that we hold dear in Gibraltar. He was a defender of everything Gibraltarian and everything that all of us love about this place. He was also a close confidant of successive Chief Ministers, myself included; I am genuinely sorry that I will have been the last to enjoy the benefit of his wise counsel.

25 The Government felt this loss greatly, not least because Joe was the father of Joseph, the Deputy Chief Minister, and we extend our deepest condolences to the whole of the family, to Lorraine his daughter, to Lydia his wife and to all the grandchildren. I know that the whole House

will join me in extending condolences to the family and to the Deputy Chief Minister in particular.
(*Banging on desks*)

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

Hon. K Azopardi: Mr Speaker, may I associate the Members on this side of the House with the comments of the Chief Minister?

Anyone who thought of journalism in Gibraltar thought of Joe Garcia. He was, for many decades, the foremost figure of journalism in Gibraltar. We all knew him well. Anyone who was in politics knew Joe, knew that he was a fearless advocate for the truth. In his writing he would not take prisoners and he would criticise anyone on any side of politics; that is the way it should be when people do independent journalism. He was always known to be independent and fearless and I am sure he would have liked to have had that reputation, which he indeed merited and earned through so many decades of reporting not just locally but also internationally for other well-known papers around the globe.

Our condolences also to the Garcia family – to Joseph, of course, and the whole family. We all felt his loss.

When I first knew Joe, it was not just in journalism. Of course we had his little foray into politics – that was the first time I knew him – but of course his reputation, his rightful reputation, was built through a long career in journalism, of which he and his family should be undoubtedly proud, and I associate us with the remarks of the Chief Minister. (*Banging on desks*)

Mr Speaker: The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, I too would like to take this opportunity to mark the passing of Joe Garcia and offer my condolences, yet again, to his family, especially to his son, the Deputy Chief Minister, who is, of course, present in this Chamber today.

Mr Garcia's fruitful career spanned an impressive five decades, throughout which he had every opportunity to chronicle some of the most relevant events of our recent history. I, personally, remember, as a child, almost every Saturday morning, after synagogue, being taken by the arm to the headquarters of the *Panorama* offices to listen to Mr Garcia's latest musings, where most politicians or journalists would be very interested to know ...

With his bold and personal touch, Mr Garcia brought diversity and colour to our media from the pages of his *Panorama* paper, which he founded and turned into a household name. He excelled as a political analyst and commentator, and for this reason it is right that he is remembered in this Chamber which he so greatly influenced with his passion and his hard work.

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

Mr Speaker: The Hon. Sir Joe Bossano.

Minister for Social Security, Economic Development, Enterprise, Telecommunications and the Gibraltar Savings Bank (Hon. Sir J J Bossano): Mr Speaker, I think I am the Member of the House who has known him longer than anybody else, because of our generation being the one that was faced with the Brussels Agreement and the Lisbon Agreement before that. He showed what came first, because for many years we were on opposite sides in local issues, as he was the editor of the *Evening Post*, which was very close to the AACR, but when the Brussels Agreement came along he actually broke ranks, as it were, and, at the time when the opposition to Brussels was a minority view in Gibraltar, Joe Garcia was supporting that minority view because he thought we were right; he thought it was the wrong thing for Gibraltar to have subscribed to the agreement. Time has proved that he made the right choice, but he had the courage of his conviction and of his love for Gibraltar and he put that above everything else. Therefore, Gibraltar has lost a great defender. Independent of his skills as a journalist, as a Gibraltarian he was 100% a

defender of the Rock. There were not many like him. There are not many more, I think. (*Banging on desks*)

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Mr Speaker: The Hon. the Deputy Chief Minister.

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, I rise only to thank the Hon. Members who have spoken here this afternoon and also those who have written to me or called me separately in private. Also, on behalf of my mother and the family, I want to thank the many people who have sent messages of support and condolence in the last difficult four or five weeks.

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I think he wanted to be remembered for his contribution to journalism, certainly, as has been said, as editor of the *Gibraltar Post* and later also of *Panorama*, but I think primarily he would want to be remembered for his international links, his international connections, and for projecting the identity of Gibraltar and the Gibraltarian abroad, outside our shores, and also, obviously, our right to self-determination.

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

Mr Speaker: The Hon. the Chief Minister.

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Hon. Chief Minister: Mr Speaker, I am grateful for the words of all hon. Members and I would recall that in the short foray that Mr Garcia made outside of journalism he was able to mentor four of the current Members of this House – two much more successfully than the other two aspirants, something that was always a great cause of mirth for him in later life.

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Mr Speaker, with that and with a smile on our faces, I call that the House should now hold a minute's silence for Mr Garcia.

The House observed a silence.

**Future relationship with the EU –
UK-EU treaty negotiations –
Statement by the Chief Minister**

Mr Speaker: The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I am grateful for leave to make a Statement today on our continuing negotiations for a treaty between the United Kingdom and the European Union on Gibraltar's future relationship with the EU.

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As hon. Members and the general public are aware, we have been embarked on these negotiations since October of last year. We were unable to commence sooner, as the European Union mandate for the negotiations was not finalised until early in that month. As we know, the European Union is a union of laws, and, as a result, its negotiators are unable to negotiate other than to a mandate agreed by its institutions. This is as provided for in EU doctrine.

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The process of negotiation has involved eight negotiating rounds to date: the first was held in Brussels on 11th and 12th October 2021; the second in London on 10th, 11th and 12th November 2021; the third, again in Brussels, on 2nd and 3rd December 2021; the fourth in London on 14th and 15th December 2021; round 5 was in Brussels on 1st and 2nd February 2022; round 6 in London on 1st and 2nd March 2022; round 7 in Brussels on 30th and 31st March 2022; and round 8 in London again, last week, on 10th and 11th May 2022. I anticipate that we will likely need two more rounds of formal negotiation at least, and the first is now likely in early June if the parties can agree relevant dates.

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120 I think it is important to set this out, as the record needs to reflect these matters. Although, of course, the rounds are already public, we have not had a meeting since the rounds commenced in September and so I think it is important that *Hansard* should reflect those dates.

125 It is also important to reflect on the fact that rounds 2, 3, 4 and 5 were held whilst the so-called Omicron variant of the COVID-19 pandemic was rampant throughout the European Union and the United Kingdom. That made travel harder and uncomfortable, and I want to specifically thank all members of the United Kingdom and EU negotiating teams for travelling at that time. The nascent normality that we seem to be going through at the moment I think has made us all be blessed with forgetfulness as to how difficult it has been during some periods of the pandemic, and it was no less difficult during the last throes of the pandemic when Omicron came and travel once again became very restricted.

130 These eight rounds to date have already covered all areas which are the subject of the negotiation, I am pleased to say. In fact, I must tell the House that the complexity of this negotiation is, frankly, unimaginable. The EU treaties, as all EU lawyers well know, are all very detailed and complex. We are, in effect, touching every single aspect of the basic building blocks of the European Union and considering whether, and if so, how each of those should apply to Gibraltar going forward.

135 The House should nonetheless be aware, as I have already said publicly before, that helping us through this process the United Kingdom has deployed huge resources to assist Gibraltar in this negotiation. Literally hundreds of individual officers of the UK Civil Service have been deployed to assist Gibraltar in areas of specialist competence – from the Home Office, who deal with issues related to mobility, to matters relating to the expertise of officers of Her Majesty’s Revenue and Customs, where Gibraltar has not had experience of being in the free movement of goods zone of the European Union in the past and the issues that arise in relation to indirect and direct taxation of goods, and we have been able to tap in to the expertise of HMRC. Led by the Foreign, Commonwealth and Development Office, we have seen remarkable resources deployed from across Whitehall just to assist us in every aspect of the negotiation, in particular in the preparation for each round of the negotiation, and that is something for which we must be grateful and understand that those resources have been made available to us.

140 Also, on the EU side we have seen similarly large teams involved, with subject matter experts from each relevant directorate involved in the rounds of negotiations. We could not have advanced matters as much as we have without the experts in each field making themselves available. There is nothing easier and yet more dangerous than people who think they know about a subject engaging in a negotiation about it, and therefore it is fundamental that we have the subject matter experts on each side so that we get this right if we are able to make an agreement.

145 The Gibraltar team of officials could also not have been more ably led than it has been by the Attorney General and Chief Legal Adviser to the Government, Michael Llamas QC. No one in Gibraltar has the remotest hint of his depth of understanding of EU law and the relevant EU structures. We could not have achieved what we are achieving in this negotiation without his involvement in leading the technical teams in the discussions. I should also set out my condolences to Mr Llamas, who has suffered the loss of both his parents in the period of this negotiation and indeed in the last few months. A hard professional time has been made tougher all round by extenuating personal circumstances, but he has not faltered for one moment. He has been extraordinarily well supported by Daniel D’Amato in the Gibraltar Office in Brussels, who has really become an indispensable part of our team on this issue.

155 The work has involved senior civil servants from Gibraltar being present in the virtual negotiating rooms and demonstrating the depth of their commitment to Gibraltar in their preparations and contributions in the fields in which they are each the subject-matter experts for Gibraltar. All of our subject-matter experts in the public sector have been involved from Gibraltar.

160 The United Kingdom team, led by UKMIS Ambassador in Brussels Lindsay Appleby, and Foreign Office lead Robbie Bulloch, have gone above and beyond each day as we have strategised and worked together to progress matters.

175 Although in the past – but not in my time – the Convent and Convent Place may not have always batted together, I am very pleased to say that our fourth official, or our 12th man in our team, has been the quite remarkable Sir David Steel and his Convent team. He really has been a key mentoring and reflecting influence for me in particular, if not for the whole of my team.

180 Mr Speaker, we could have the best negotiators on our side, but if the EU or Spain had the worst, then we would not be able to make any progress. We are lucky to have a great EU Commission team across the table from us. Clara Martinez Alberola leads a committed team with whom we are enjoying working, even when we inevitably disagree on the many ways to do or say the same thing – but that is what a negotiation in good faith is about, after all. I want to thank the EU negotiators for having had the patience to understand from us the things that make Gibraltar different to most places. We are still working through the list, as you can imagine. I hope they are enjoying this process and learning as much as we are.

185 The same is true of our interaction with our Spanish opposite numbers, with whom, as I have told the House before, we have built a strong rapport from which to hopefully resolve these historic issues in a way that everyone wins on the non-sovereignty aspects and no one loses on the sovereignty aspects. That is the extraordinarily difficult balance that we are seeking to strike. I therefore reiterate my thanks to the respective negotiating teams involved.

190 In terms of progress of the talks, I am able to advise the House today that considerable positive engagement in the past four weeks has led us to be very pleased with where we are today. Of course, nothing is agreed until everything is agreed, and at the moment we are not able to say that we have agreed any text; we are simply refining principles in great detail. But we have done so, and this morning I have updated the Cabinet on the progress we made last week, which has been satisfactory to all of us at this stage. I have also subsequently briefed the Leader of the Opposition and the Hon. Ms Hassan Nahon.

195 On many areas, there has already been agreement around basic principles for full agreement to follow. The areas that remained most open in principle relate to aspects of mobility of persons and aspects of mobility of goods. The main issue has centred around mobility of persons. The key has been resolving how we would be able to give effect to the practical arrangements necessary that will arise from the delicate balance reached in the New Year's Eve Agreement.

200 Spain is the neighbouring member state and is, today, already responsible for Schengen checks as individuals seek to enter Schengen via Gibraltar at the Gibraltar-Spain frontier at La Linea. We, therefore, agreed in the New Year's Eve Agreement, which we debated already in this House, that Spain will have the responsibility for the Schengen checks as people enter Schengen via the entry points in Gibraltar. At least for the first four years, she will carry out those checks with the assistance of Frontex. The question, however, is how to do that in a way that is safe, secure and agreeable to Gibraltar and the UK, and Spain and the European Union, from day one.

205 Of course, we have the many years of disputes and restrictions etc. to deal with as we assess each other's positions. The location and manner of the carrying out of the Schengen checks has been a key issue throughout the negotiation. That means working to agree in detail where relevant people will be, what they will do and who they will do it to. As such, we have also had to determine what each relevant agency will do in carrying out such checks. The key, however, is that there will be no such checks at the frontier between us and Spain. That is to say that where the checks are currently carried out, there will be no checks. That will bring an end forever – at least during the period of application of the treaty, such as it may be – of frontier queues and checks as we know them today.

215 Of course, we also want these issues not to create unnecessary additional burdens for passengers arriving at Gibraltar Airport and Port, so we are working very hard indeed to get this right. Again, the complexity of the negotiation cannot be overstated in this regard, but neither should the potential fruits and benefits of it for this community be underestimated. By seeking mobility of goods and persons we are seeking, in effect, to carve a niche for ourselves in the infrastructure of the EU which cannot in any way threaten the integrity of the single market or the security of the Schengen area. That much is obvious. But those personal mobility and goods

225 mobility issues are not everything. We continue to seek to finalise agreement in other areas. What
I would say, though, is that some of the subsidiary points that are not the totemic ones will also
have some important underlying aspects for us which will need to be resolved in a way that we
are satisfied, after scrutiny, do not cause us any unintended issues. Those are coming into scope
now, but the detail behind the current positions is not one we can go into. I say that knowing, as
I do, that people want the detail because the devil is in the detail – in the detail of the principles
230 agreed, which are essentially those seen in the New Year’s Eve Agreement, and in the detail of the
texts to be finalised in the treaty and the ancillary documents that we will agree around a treaty.

I appreciate the public’s patience as we seek to ensure that we strike the right balance. The
details will all be made public when everything has been agreed in principle. Nothing will be finally
and irrevocably agreed in secret, but what we cannot do is negotiate in public. If we do that,
235 although we may satisfy a lot of curiosity we will also fail to find final agreement in any area. So I
am sorry to say that we cannot say more. We cannot go into more details because we want to
give the opportunity to finalise this deal the best chance possible. This is not because our instinct
is not to be transparent but because our obligation is to a higher purpose than ourselves and even
our own political reputations and fortunes. We have to do the right thing for the Gibraltarians and
240 all residents of Gibraltar. We have to do so even if in doing so we have to take arrows and bullets
from our own side for our alleged lack of transparency.

In that respect, I would say this. In our view, a lack of transparency arises when a government
can say something without a negative repercussion to the nation but chooses not to do so, even
if that is as a result of seeking to avoid embarrassment for itself. We are not in the realms of such
245 a lack of transparency. We are respecting the confidentiality of a process which depends on
discretion in order to be able to succeed as we consider would be in the best interests of Gibraltar
and its people and residents. I think most people understand that this is a process where all
relevant teams have been treading softly. We are walking on a tissue of diplomacy that still
remains untrampled. If we get to the end without tearing it, it will allow us the twin objectives of
250 making a success of our future relationship with the EU whilst not turning one atom away from
the steadfast reality that we are and want to remain exclusively British in every regard. I want to
emphasise that in fact no one is asking us to explicitly or implicitly give up the latter, by the way.

Mr Speaker, many of our citizens and our businesses will ask what is the current state of play.
The straight answer to that is that we are within touching distance of a historic treaty: a treaty
255 between the United Kingdom and the European Union; a treaty that, if we can get there, will
create renewed optimism in the European idea itself. It will create opportunity for our further
economic development and the further economic development of the region around us, and
perhaps even beyond, reaching across the Straits.

I want to be clear that the shared prosperity we talk about is about business development, not
260 about Gibraltar paying for the creation or maintenance of Spanish infrastructure. The new
arrangements, if they can be agreed, will put cross-border co-operation on a more definite and
secure footing. In doing so, it will be protecting our post-1986 way of life, whilst at the same time
safeguarding all of our fundamental political interests and not asking any other party to
compromise theirs, as already provided for in the New Year’s Eve Agreement.

We are moving at a good pace now. We can see the contours of the final agreement between
the UK and the EU that will be turned into a treaty text. The positions we are landing on are
becoming clear and concrete proposals on the table. We are reaching the point of being able to
point to legally safe and secure solutions on the different parts of each of the most important
points. That will enable the UK and the EU to consider draft texts for the agreement in those areas.
270 I believe we are now close to being able to start consolidated treaty drafting in coming weeks. I
entirely agree with Spanish Foreign Minister Albares in his assessment that we can be confident
that this will move forward as quickly as possible.

What I can also assure the House and the community as a whole is that we are not, for one
moment, going to spring an agreement on anyone. Neither will we pretend to declare an
275 agreement can be ratified by the United Kingdom on behalf of Gibraltar without consultation. We

have already said that we will not give Gibraltar's consent to the United Kingdom's ratification of the treaty without the agreement of the Cabinet and the agreement of this House after a debate on a substantive motion – that is to say an amendable motion, not a motion to note. So this House will debate the terms and substance of the agreement if the Cabinet approves a deal.

280 Mr Speaker, I know that the uncertainties of the past six years have unsettled many. Some have heard rogue voices from outside Gibraltar, in different places, challenge the nature of our British sovereignty. Let me, once again, be exceedingly clear. The future of Gibraltar is exclusively British. Nothing in the negotiations has called this into question or challenged any of the basic tenets of British sovereignty over Gibraltar, and we are not being asked to do anything which
285 might cross that objective of ours. As former Spanish Secretary of State for Europe Mario Aguiriano said, Spanish negotiators know that if they raise the issue of the sovereignty of Gibraltar, the UK and Gibraltar will simply leave the negotiating room. We have not closed our files and left the table because no such thing has been raised or asked of us.

Of course we are looking always to ensure that there is no detail that involves any aspect of jurisdiction or control that will erode sovereignty being brought into play. As I have said in every
290 Statement I have made on this matter in this House, nothing will ever cleave Gibraltar from the United Kingdom. Nothing will ever rip us from Britain. No one is even trying, although I recognise that it is sometimes easier for some to try to battle the monsters of the past to avoid fighting the real challenges of the present. We will not fall into that trap, our people will not fall into that trap,
295 because cheap jingoism will not resolve the Brexit conundrum that Britain has served up for us and which we are negotiating *with* Britain and not *against* Britain, as some might have done.

The European Union is built on compromise and we will need to compromise in some areas, of course. Some things will change and will be done differently as we will have freedoms we did not have before, as in movement of goods and people. For us, the compromises on the table cannot
300 concern compromises on British sovereignty, jurisdiction or control, but they will include practical measures to secure fluidity that will make us all safer and more secure if we become a de facto part of the Schengen space.

In fact, our people know that Gibraltar is, today, closer to the UK than it has ever been before, socially, politically and economically. The latter is important as we have secured access to the
305 United Kingdom market in services that is the envy of many. We will never put that at risk. That has been, perhaps, the greatest political achievement of the Government I have led in the international sphere. It has been the repair, the consolidation and the strengthening of our relationship with the United Kingdom, in which we have found an understanding and willing partner. It is in that work with Britain that the Government as a whole can already see the contours
310 of that deal which we think is likely to become a treaty text which is safe and secure for Gibraltar and within what we would all consider to be acceptable, but we will, of course, have to see the final draft treaty text before deciding.

Mr Speaker, I also want to say something about the issue of Northern Ireland, as I know that it is something which is very live in the news media. It is not for me to comment on the substance
315 of matters affecting Northern Ireland, and I will not do so, but it is clear that many external issues have buffeted our negotiations in the past six years since the result of the Brexit referendum. The most high-profile issue, of course, now is how matters relating to Northern Ireland and the disputes over the application of its protocol may affect our negotiation.

I want to be clear and set out that both our negotiations are entirely different. There are
320 common parties in the UK and the European Union, but there are also underlying disparate parties in Spain and Gibraltar. In one – that is to say in relation to Northern Ireland – the parties are arguing over what they have already agreed and how to implement it, or not. In another – that is to say in relation to our negotiation – we are negotiating our agreement conscious of the need to give it sufficient clarity to avoid issues going forward. That view has been echoed by the United
325 Kingdom, which has consistently made the point that the issues arising in respect of Northern Ireland and those which arise in relation to Gibraltar are entirely different. Importantly, it is also the position of the Kingdom of Spain, at whose suit the European Commission has launched this

negotiation. On Friday, the Spanish Foreign Minister, Jose Manuel Albares, made clear that Gibraltar and Northern Ireland presented the EU with two separate negotiations. 'They have
330 nothing in common other than the fact that on the other side of the table is the same party,' he
said. Perhaps even more importantly, the Foreign Secretary of the Republic of Ireland, Mr Simon
Coveney, in the same press conference, alongside Sr Albares, was also forthright and clear in
separating the issue of the disputes arising in respect of Northern Ireland and the very positive
ongoing talks on Gibraltar. Mr Coveney specifically said that they were completely separate
335 negotiations. He insisted, as we do, as the UK does and as Spain does, that they should be
negotiations that are kept that way, as has been done at every stage throughout the Brexit
process. The European Commission has previously made similar statements through different
spokespersons.

Before I sit down, Mr Speaker, I should remind the House of an underlying reality that we
340 cannot minimise. On the morning of 24th June 2016 our political world changed forever. We must
understand that, as we reach the final throes of this process. We must understand that Spain
remains a member state of the EU and we are not. We must understand that things we had the
right to do in Europe before, we are now not entitled to. My obligation from then has been to
steer a course to continued prosperity and to seek a path to future prosperity in an exclusively
345 British Gibraltar. We have a plan for being outside the European Union now and a plan for being
outside the European Union in four years' time, if needs be. Our better plan is the plan that sees
us enter into arrangements with the EU so long as the circumstances for those arrangements are
right and remain right. We are leaving no stone unturned to negotiate a safe, secure and positive
agreement for Gibraltar's future relationship with the EU. We will continue to work night and day,
350 in good faith, to achieve that.

Mr Speaker, I am happy to clarify or answer questions on any part of this Statement that hon.
Members might think is useful.

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

355
Hon. K Azopardi: Mr Speaker, on this side of the House we entirely understand that the world
changed for Gibraltar on 24th June 2016. Brexit was indeed a seminal moment for us. We have
said already, on this side of the House, that it was important to be bold and imaginative when
considering our future, but in doing so, of course, while we should use imagination and boldness,
360 we also need to make sure that we protect the fundamentals to make Gibraltar sustainable
economically and politically as we go forward. I am sure we all have that in mind also whenever
we speak on issues such as this.

I welcome that the Chief Minister has, at the end of his Statement, talked about the differences
between the Northern Irish situation and the negotiation with regard to Gibraltar. We certainly
365 hope that that will not prove to be, in any way, a hindrance to reaching an agreement for Gibraltar.

On this side of the House our position has been, for a very long time, that there should be a
safe and beneficial agreement reached for Gibraltar: safe on the sovereignty aspects and on the
fundamentals; beneficial economically and politically and going forward towards a bold and
imaginative future and a new relationship with the EU that is safe for everyone in Gibraltar.

370 May I just ask, in terms of clarification of a number of aspects ...? I will ask the questions ... I
asked some of them this morning at the briefing I had with the Chief Minister, but some of the
points that I raised this morning I am sure people will have in their minds, so I will give him the
opportunity to clarify those aspects, if he feels he can. He can make a judgement call, because I
also understand that there may be issues of detail where he does not want to stray, but there may
375 be other issues which he can address quite safely.

The devil is, of course, in the detail, as he rightly says, and we share that view. The Chief
Minister has previously said – again, we agreed – that there are many aspects of the EU mandate
that are unacceptable. Can he say that the agreement they are working towards will not involve
unacceptable aspects for Gibraltar, based on that EU mandate?

380 In terms of process, may I just ask him ...? He gave an indication as to timing, but may I also
delve a bit deeper, perhaps? He indicated that they are looking towards a discussion about the
principles but then going away to draft the treaty text. Does he have a general view – a view only
at this stage, of course, because negotiations are dynamic and I appreciate that things change, but
does he have a view as to how long the process will take, so that a treaty text would be published?
385 Would it be that the treaty text that is published is in draft? I understand that it is subject to
ratification, but that is not what I am asking. What I am saying is are they intending to publish
treaty text that is draft without the parties, i.e. the EU and the UK, having entered into the treaty
subject to ratification, or is it that they are intending to enter into it in terms of some signing but
subject to ratification, which, of course, will require, as he indicated, ratification?

390 In terms of the process in Parliament, presumably that will take place after the treaty text is
published. After that moment – and he says that he is going to take a substantive motion in
Parliament – is the Government's current thinking to give the people of Gibraltar an opportunity
to also express a view on the treaty text and what is on the table in, for example, a referendum?
Or is it something that is, as far as the Government is concerned, off the table? Or is it something
395 that dynamically would depend on the draft treaty text whenever negotiators land on a final
settled version? Can I ask him about that thinking?

May I ask him to assure the people of Gibraltar, and indeed the residents, that the deal that
the Government is working on is a deal for all residents of Gibraltar, irrespective of what kind of
ID card or civil registration card colour they hold?

400 May I also ask him, because it has been a while since this Parliament has met and indeed since
he briefed the Opposition informally ...? I think the last informal brief we got was in November
last year. Can he explain perhaps a bit more, without delving into the granular detail, which I
accept may be subject to detailed discussions on which it may be problematic to give a blow-by-
blow account, but can he confirm that what they are trying to negotiate is a deal not just on
405 mobility and on goods but a wider deal that will also encompass other aspects of Gibraltar's
relationship with the EU going forward – so things like the environment, things perhaps on judicial
co-operation, things on other aspects, social services, indeed health ...? Does it contain other
aspects of benefit to the citizens? Is that the objective, or is it something a bit narrower and a bit
less wide?

410 On the checks at the Frontier that the Chief Minister mentioned in his contribution, he said
that the objective, or at least the result, if there is an agreement, would be that there would be
no checks at the Frontier. Does that mean that as a consequence ...? Can we also have his
confirmation, or at least an indication, of what is the current desire or state of play? Is it that the
consequence would also be that, by there being no checks at the Frontier, the police and customs
415 checks would be eliminated on both sides? In other words, on our side Borders and Coastguard
and the Customs, and on the Spanish side Policía Nacional and Guardia Civil? Is that what he
envisages would be the result? And has there been a discussion about that?

In terms of checks, can he perhaps expand a bit more in terms of what the customs checks
would be at the Port and Airport? He has spoken about mobility and we understand the debate
there is with Frontex on the immigration side. Can he speak a bit more about the customs checks
420 at the Port and Airport and how he would envisage that would be done and who would do those
checks?

Mr Speaker, I appreciate that is a long list of questions, but I am sure listeners who are listening
to the Ministerial Statement made by the Chief Minister after so many months, understanding
425 that the Chief Minister cannot be explicit about the granular detail, will want some level of
reassurance as to where the Government is heading on a number of issues.

When he speaks about issues of mobility, he may also want to address the issue of security in
terms of the border by eliminating checks. What is his view on that? The patrolling of waters: will
there be patrols?

430 I return to the initial point on which I started my contribution seeking clarification. We all want
a safe and beneficial agreement for Gibraltar. Uncertainty, as he himself has pointed out, is

unhelpful. It is certainly better to keep talking than for there not to be talking at all, but six years on from this process the people of Gibraltar would, I am sure, welcome a prompt clarification and conclusion to this process and, hopefully, an arrival point which guarantees a safe and beneficial agreement to Gibraltar.

Mr Speaker: The Hon. the Chief Minister.

Hon. Chief Minister: Mr Speaker, I must tell the hon. Gentleman that I do not think it is relevant to refer to six years as the period of negotiation: the negotiation commenced eight months ago. And so he will forgive me for saying that a lot of what he has asked me to do – which no doubt is designed, if he will allow me to descend into the politically colloquial, for him to be able to extract and put on his social media page to show that he asked me these things and that he was talking about being safe and beneficial in what we bring back to Gibraltar – is exactly what I have already referred to. I have referred throughout my intervention to us bringing a treaty which is safe and secure on all of the issues of sovereignty, jurisdiction and control – that is to say the fundamentals – so I do not understand what it is that he says is the level of reassurance that I have not given that he is seeking to extract with his questions, which I will try and deal with insofar as I am able to.

The hon. Gentleman says that uncertainty is unhelpful. Well, we can all agree with that – it is such a blanket statement that it is impossible to disagree with it – but the hon. Gentleman needs to, obviously, temper the remarks that he makes with the political reality in which we are dealing. He understands, as I know, that of course it is possible to do an agreement quickly. It is unlikely to be safe or secure if one accepts the first text that is put to one, but if one does the work of ensuring that the treaty text that we bring is safe and secure and as finessed as it can be, to be improved, to be as beneficial as possible to the people of Gibraltar, then that cannot be quick.

He will forgive me for saying that it is becoming a little difficult to accept that the Opposition believe that everything can be done quicker, better and cheaper than the Government does it. Whether we are dealing with these or any of the other matters that hon. Members will ask us about today, their principle seems to be ‘We would have done it quicker, we would have done it better and we would have done it cheaper.’ Given that slogans are successful when they involve three words, I would recommend that they take forward to their campaign for the election – which, according to Mr Clinton, is to be held this month – the slogan ‘Better, quicker, cheaper’. What I cannot do is deliver a treaty that is as safe and secure as can be and as beneficial as can be and do it as quickly as we would like.

Hon. Members will know that one of the reasons my Government is unable to deal with other issues is because we are dealing with this issue. That is an opportunity for them to make political hay because if we are not there because we are doing this, they can be there in all of the other areas of politics. But what we cannot do, in facing the allegation that uncertainty is unhelpful, is accept responsibility for not being able to have brought the treaty sooner, because this is a process. We could have brought a text immediately and not recommended it, or we can do the hard work that is required to finesse this negotiation that delivers, as I have said, the success for all parties and the non-loss for all parties to be safe and secure, but we cannot do that and meet the hon. Member’s slogan that uncertainty is unhelpful, and we need to resolve that.

Having said that, I am going to go through the list of issues that he has asked about. I will start by saying that if in any of the areas that he had asked about today I felt it was possible to give more detail, I would have given more detail, and if I have not given more detail it is because the issue is either not yet agreed or not ripe for announcement because it is in the stew of gelling, if I might call it that, Mr Speaker.

The hon. Gentleman asked me, given how unacceptable we have all said, on the British side, the European Union mandate was, whether we would be seeking to agree things which are unacceptable. I am not going to get into the detail of the negotiation, but I will say that if I bring a text to this House and describe it as safe and secure it will not contain things which are

485 unacceptable. This is a negotiation, and negotiations are about give and take, but I have already indicated that compromise can only happen in areas which do not go to the fundamentals, do not go to sovereignty, jurisdiction and control, do not go into those issues, so the hon. Gentleman, I think, can make of that what I hope he understands from what I am saying.

I am not going to venture into saying how long I think it will take for a treaty text to be prepared because a treaty text could be prepared, probably, in a week, but whether that treaty text would be acceptable, or whether indeed the treaty text itself will require negotiation and finessing, is obviously something that I cannot predict. But as we all know, matters relating to Gibraltar often require a keener eye on every letter and word than they would if we were simply dealing with a commercial negotiation, so I am not going to venture to give my estimate. The hon. Gentleman knows I have given him my view privately, but I am not going to venture to put out there a timetable that creates an expectation, because people might then think that they should hold us to it and there is nothing to hold us to at the moment because this is a live, ongoing negotiation.

The hon. Gentleman asked me whether we would publish the text before it is ratified or agreed. Of course the text must be published before it is ratified. The process of ratification in the European system and in the British system requires publication, and, in Europe, in the official journal, and in the United Kingdom the process involves laying in the library for a particular period of time – and we anticipate the debate in this Parliament before then. That is the process that leads to the agreement of the treaty. All you have, otherwise, is the agreement of negotiators that they have reached the end of their negotiating mandate and have resolved a text which can be recommended to the ratifiers in the process of ratification. There is no agreement of a treaty which is not the ratification process; there is simply the negotiators and the executive saying, ‘This is the text that we put forward for ratification.’ I do not anticipate, therefore, that what would be published would be a draft at this stage, but it may be that a draft is published or that a draft leaks. A draft is not agreed.

The difficulty, of course, with publishing a draft is that all sides will then have their positions publicly put. On the European Union side there will be, if only the people in Spain take an interest, 45 million opinions about it; if the whole of the European Union takes an interest, 450 million opinions. On our side, of course, there will be 32,000 trenchant opinions, each of them probably slightly different, and potentially 60 million British opinions. You cannot negotiate on that basis. The executive is tasked with taking on the process of negotiation and then bringing the text for ratification. The Cabinet will certainly be seeing all of the drafts of the treaty because the Cabinet will be determining whether after each draft we continue to go to seek a next draft, what we seek to amend etc., which is the process that we have been undergoing, and I expect to informally be continuing to brief hon. Members.

510 May I just say, Mr Speaker, that the hon. Gentleman says that the last time we briefed him was last November: in fact, it is not. He might care to check that we briefed him again on 22nd November, we briefed him again on 6th December and we briefed him again on 18th January this year, and as he knows, after that process there was also a slower period in the negotiations, as I have told him today. (*Interjection*) I am told that those were the days when we did the briefings.

525 The hon. Gentleman asked me whether we would envisage giving the people of Gibraltar a say. Well, I think I have already answered that question on television. I have set out the circumstances where I believe, how I believe and when I believe a referendum should be provided for in respect of these arrangements beyond the hardening period, if we might call it that.

Of course, what we are negotiating will be for the benefit of all residents. That is to say whatever colour or hue of identity card a resident of Gibraltar enjoys, they will enjoy the benefits and fruits of the treaty that will be negotiated; they will enjoy the benefits of complete fluidity between Gibraltar and the Schengen space. That, of course, is exactly how I expressed it in a public statement that I made some three or four weeks ago in relation to issues which are being faced by holders of blue identity carnets at this stage, and that is already in the public domain. I welcome the hon. Gentleman giving me the opportunity to confirm that here today, because there is no

question of the Government failing to have in mind the difficulties that are today being experienced by blue ID carnet holders and which in the past have been experienced by holders of other ID cards in Gibraltar. There are not just blue and red ID card holders, there are other colours of ID card which are held by individuals who have had difficulties in the past and in respect of which we have made representations, as we have made in respect of blue ID card holders.

This is an issue on which we have to, of course, recognise that today the Schengen border code applies for access to any part of the Schengen area for holders of British passports resident outside of the Schengen area, as we all are who reside in Gibraltar. And so we need to understand that we are benefiting, at different stages since the Withdrawal Agreement became the final Act, from administrative concessions granted at this Frontier, when there is no obligation to do so, and we have to be careful that we do not do anything that creates a level playing field between all holders of all colours of identity card before we have the treaty, because that level playing field might be a negative one rather than a positive one.

Mr Speaker, I know that the hon. Gentleman has questions on this subject on the Order Paper for later this week. I would just gently counsel that although it is easy to play to a constituency at this moment in the short term, it is in the interest of that constituency and the whole of the single constituency that is Gibraltar that we get this right for everyone and that we get it right as soon as possible on the basis of getting it right when we are satisfied that we have reached the end of the negotiation and we have the safe and secure arrangements that we want to bring forward.

The hon. Gentleman said, as an aside, that it had been some time since Parliament met. Yes, Parliament met last in September, and I think, if the hon. Gentleman goes back to the list of the rounds of negotiations that I gave him, every month since September we have been involved in the negotiations and we have also been involved in the Omicron variant etc. I think it is hugely important that in the view that we all have of how magnificent Gibraltar is, we should also remember how small Gibraltar is and how small its administration is. Despite views about whether the number should be bigger or smaller, it is a small administration and the people who prepare the parliamentary sessions and the people who appear in the parliamentary sessions are also the people who prepare and appear in the negotiations and are involved in the thinking and in the negotiations around the rounds. Each round of negotiations between the European Union and the United Kingdom also involves other rounds of contact at a technical level between the United Kingdom, Spain and Gibraltar and between different, variable geometries of that in a way that ensures that by the time you get to the round you are closer than you were last time and you are engaged in positive discussion. So I think it is important that when we look at the fact that Parliament has not met for that period we do understand that and that it is just sometimes impossible to stretch our resources further in order to be able to meet our obligations, although all our constitutional obligations are met. Indeed, as I think I said in an exchange of press releases with the hon. Member, we probably met more in the month that we have met very little than we met when hon. Members were involved in calling meetings of this House, although that is no consolation to us – we have oft wanted to ensure that we can meet every month, but since Brexit and since the pandemic it has just become impossible.

Mr Speaker, the hon. Gentleman asked me whether this is just a deal on mobility and goods or whether in fact we were going to take the benefit or obligations of *acquis* in other areas. The reality is that a deal on mobility of persons and mobility of goods is a deal that touches just about every area of the *acquis*. If we understand what Europe is about, as we all do, it started off as the European Coal and Steel Community and became the European Economic Community and the European Union in order to permit the movement of people and the movement of goods, and really most of the *acquis* is about that, about how you provide for that fluidity in a way that does not have corrosive or disruptive effects in the other areas to which you are free to move or move your goods. Schengen covers the passport-free movement of people, which creates the fluidity, but the whole *acquis* is about free movement and the free movement of goods. Why do I say that? Because a deal that seeks to provide that level of fluidity that we wish to achieve in effect requires you to plug into different parts of the treaty, take some parts of the *acquis* there is this – LPF, as

590 it is known in the lexicon of technical European negotiation, level playing field provisions. Level playing field provisions are to ensure that if somebody is producing in one place and selling into a market, there is at least the basis of a level playing field compared to production in another place, so that the competition is as fair as it can be in the context of the environmental impact of production etc. In Gibraltar there is no production, so that is a reason why there are some aspects of what we might otherwise have to take that we do not have to take.

595 For many years, the argument in relation to the transposition of directives – one of the big issues in the 1996 elections, no less big in 2011 when the list of directives outstanding that we inherited was longer than the one in 1996 – was about whether or not one had to transpose directives in Gibraltar that dealt with rivers or dealt with what are known as Article 100A issues, which were issues relating to goods which were on the market when they had free movement of goods. We were not in the free movement of goods *acquis*, but goods could move to Gibraltar
600 from the EU, just not with the benefit of no taxation.

So, all of those issues, if they were live when we were not in a free movement area involving goods, are very live now and we need to ensure that we get that balance right in a way that is going to be wholly beneficial to the Gibraltar economy. That is why I talk about enhanced prosperity for Gibraltar and shared prosperity between Gibraltar and the region, which is what
605 hon. Members will have heard me talk about before. Which areas? All of that is live within the negotiations.

In terms of checks at the Frontier, I have said before, on a number of occasions, that if you go into a free movement area with the Schengen zone, what you are doing is getting rid of the regular checks on people as they cross the frontiers between those states which have come together to
610 share an immigration protocol. Because you share the immigration protocol, you then do not check each other's members. There would therefore be that regular check disappearing between Gibraltar and Spain. Nonetheless, that does not need to mean less security; in fact, it can mean more security because security can be handled in different ways. The security of the state is not an issue that is up for grabs in negotiations with Schengen. We will be more secure in the future,
615 I am confident, even than we are today.

The hon. Gentleman asked me whether there would be joint patrols. That is not something that anybody has raised with us. I know that they have mentioned it before, but it is not an issue that has been raised with us. Therefore, in terms of security, I believe that the sum total of the arrangements that will be provided for will make Gibraltar much more secure when it comes to
620 security and much more secure when it comes to the inability of others to be able to create a stranglehold at the current crossing point between Gibraltar and Spain, as has traditionally been the case since 1986 when the Frontier was open. We have always, in this House, referred to the Frontier as the potential barometer of the relationship between Gibraltar and Spain because of the length of the frontier queues suggesting a higher or lower level of tension.

625 On customs issues relating to the Port and Airport, I am not able to say much at this stage because the negotiation is still a live negotiation, but I would say to hon. Members that they will, I believe, when we have finished this process, see that there will be very little change in the context of the excellent work that our customs officials do at Gibraltar Port and Gibraltar Airport. This is not an area like the Schengen area, where responsibility is vested in a member state; this
630 is a different sort of relationship, and so there will be very little to talk about there in terms of the job that our customs officers do today. I envisage very little change in that respect, indeed an enhancement of the role that they will undertake because of course these arrangements are all sought to be entered into for the purpose of, as I said before, enhancing Gibraltar's prosperity – that is to grow what it is that Gibraltar does, grow what it is that our economy provides for, in a way that shares that across the area around us. There will be so much more activity generated by
635 not least the optimism that this treaty, if it is possible to enter into in a safe and secure and beneficial way, will provide – then the economic opportunities will be obvious to the economic actors who I think will want to take them.

640 Mr Speaker, I think I have dealt as fully as possible with all the issues that the hon. Gentleman raised. He knows that I have been able to tell him a little more in some areas in private simply because at this stage, for all the reasons I have already stated in my earlier intervention, we cannot provide more public information. Indeed, it is a live negotiation, so a lot of the things that I might be able to say to him in private about where we are tactically and strategically I am obviously not able to say here because, although I am full of praise for the work done by our negotiating team and indeed the negotiating team across the table, they are still across the table. We have not yet shaken hands, hugged each other and declared that we think we have reached an agreement that we think we can recommend. This is still live, and therefore, with the utmost of respect to those sitting on the other side of the negotiating table, I am not going to be able to say more at this stage.

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Mr Speaker: The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Thank you, Mr Speaker.

655 As much as I appreciate the information provided to me and to the Leader of the Opposition by Government in private briefings and the Chief Minister's update today, here in Parliament, I think the people of Gibraltar need clarification on how the Government plans to manage the day-to-day frictions that will continue to arise in this exceptional moment that we are living in, and into the final stretch of negotiations.

660 Together Gibraltar and I have always been very supportive of the work of our Government throughout these negotiations. We have gone as far as to make statements protecting the work of our negotiators from what we consider to have been past attempts at populist rabble-rousing on the subject. We are willing to be supportive of Government in this titanic and historic duty, and all we ask in return is that MPs are briefed on developments in a timely fashion and that the people of Gibraltar are informed effectively and accurately of anything that may impact their day-to-day lives.

665 Despite the Chief Minister's explanations on confidentiality, the Government is, regretfully, failing to manage day-to-day issues that are causing enormous disruption to people's lives, like the issues faced by the Ambulance Service some months ago at the border and all the problems being faced by blue ID holders today, which, as comprehensible as they may be in both of these cases, instead of having properly been guided and supported by their Government, people are being informed of policy changes by Spanish authorities at the Frontier and then told to turn around and go back home.

670 This situation has caused enormous grief to a lot of Gibraltarians, and while we understand that our Government is not always responsible for these unfortunate developments, we believe that Government is responsible for duly informing and supporting its citizens in advance of any problems they might encounter at the border. I would, therefore, like the Government to clarify if they have plans to improve communications on these operational matters with the Spanish Foreign Ministry and the Spanish border authorities, and if it has put in place contingencies to better inform the public of anything that might affect them directly.

680 Lastly, Mr Speaker, just to clarify again, despite the reasons given by the Chief Minister for no meetings in this House and the need for resources, why is it that Ministers who do not necessarily deal directly with Brexit cannot attend Parliament to answer questions on things like housing, transport and education, like we see so often in the Houses of Parliament, in Westminster, when Prime Minister Johnson is not present? Or are all his Ministers involved in these negotiations with him simultaneously?

685

Thank you, Mr Speaker.

Mr Speaker: The Hon. the Chief Minister.

690 **Hon. Chief Minister:** Mr Speaker, I thank the hon. Lady for that intervention. It is, of course, absolutely patently true that we have fallen out on many issues but not on this one, and I am very grateful for the fact that she has continued to plough her positive furrow in respect of this issue. I would just, please, ask her not to call it a 'titanic' task. I am a little superstitious when it comes to superliners that end up in Davy Jones's locker.

695 The reality is that it is sometimes very difficult for the Government to have in place what the hon. Lady calls a strategy for communication to alert people to the things that are about to happen at the Frontier and that people have only learnt about as a result of events at the Frontier, when the Government itself only finds out from events at the Frontier.

700 The Government itself sometimes finds that the less positive angels of some of the people who are involved in negotiations take over and steps are taken at the Frontier which are not conducive to the result that we want to achieve. Gibraltar is large and has many millions of citizens in the way that we sometimes see ourselves, but we are just 30,000 people and we have many different views as to what should happen at 9 a.m. in the morning with Frontier workers, depending on what is happening at the Frontier, let alone an administration the size of that which is currently

705 tasked with the responsibility of protecting Europe's Schengen frontier with Gibraltar.

There are rules which now apply to Gibraltar which, in some instances, are being applied at the Frontier, and that sometimes is happening without warning. I do not want to hide that from people. I think we were explicit in saying that at the time, that these things happen. The minute

710 that they come to our attention we raise them with those who are our interlocutors. We sometimes can blunt the effect of that, we sometimes can stop the effect of that; we sometimes cannot change something which has happened as the result of another ministry that is not the one that we are negotiating with having responsibility for things and feeling that their legal obligation under the European rules requires that they do one thing or another. So it is not possible for us to have a strategy to deal with those things, because those things are not things

715 that we have on the radar to deal with.

There are many theories that one can have as to how those things happen, who knows they are going to happen and when they are going to happen. I would not want to delve further in that respect in public, other than to say that this is, of course, a live negotiation and different parties think that they have different levers and different parties think that different levers work in

720 different ways and will have different effects. The thing that I would leave in the public domain is that anybody who knows the Gibraltarian and sees the trajectory of the Gibraltarian people from 1967, and the 1960s when the restrictions started – anybody who analyses that will know that seeking to put pressure on a Gibraltarian or seeking to use a lever which somehow makes something uncomfortable for a Gibraltarian is not going to result in a Gibraltarian buckling; it is going to result in a Gibraltarian doubling down and wondering whether the party that is also the

725 subject of a negotiation is as trustworthy as they believe. Indeed, knowing the Gibraltarian as I do, a policy of generosity is going to get people further with us all, a policy of respect is going to get people further with us and will lead to a better outcome which will be safe, secure and beneficial for Gibraltar and the Gibraltarians and for those who will benefit alongside us when our prosperity is enhanced and shared.

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It is also important to note, as I said earlier, that unfortunately there are some things that, at this moment, it is not possible to do anything other than complain about, and we have to complain about them knowing that it is not that somebody is taking away a right for us to do a thing. This is the big difference in Gibraltar politics today in the relationship with the United Kingdom and our

735 joint relationship with the European Union. From 1973 to 2019-20 we were members of the European Union and we had the right to do things, just like everybody else had. Obstacles were put in our way and our right to do things was curtailed. That was improper and that was the battle. From 2020 onwards we do not have the right to do things and we are seeking to negotiate to have a treaty right to do those things in a different way that does not cross any of the fundamental

740 issues that we need to protect on sovereignty, jurisdiction or control, but enables us to once again have rights to do those things and to be able to assert those rights. In the interim period, which

arises for the reasons I have explained in my answer to the hon. Gentleman – not because we have not worked hard enough, not because we have not wished to resolve things – of course things are happening which we are dissatisfied with because they are no longer the benefits that we enjoyed until 2020 and had the right to do. We have to be careful, as negotiators, not to permit anything which anybody might have designed as an element of pressure to somehow skew the outcome of the negotiation or the way in which we carry out that negotiation towards the fundamental objective that we are seeking to fulfil.

There may be some – not in Gibraltar, not in Brussels or in London, but perhaps some in Madrid, not those we are negotiating with – for whom the best outcome would be that we should not have a treaty and that an element of pressure at our Frontier affecting a group of people, not the majority, might lead us to throw our toys out of the negotiating pram and not achieve the negotiating objective that we have sought to achieve and which we consider can be delivered in a safe, secure and beneficial way which does not affect our sovereignty, jurisdiction and control. So we have to be careful that we react in the right way and that we react in a way that is proportional and responsible, and although we are the smallest in the room we have the obligation, because it is our interests that are on the table principally, to be the most mature, the most adult in the room, and that is of course what we are going to do and how we are going to discharge our function. Everybody is behaving maturely and as adults in the room. Everybody is behaving in a way that is designed to deliver the right result.

I think the hon. Lady understands what I am trying to say, so that she sees that we are not failing to do anything that is designed to protect a collective that could be done, but we are unable to make assertions as of rights which are being vitiated, because this is not a case of rights being vitiated.

The British government has upwards of 150 Ministers in it, and countless civil servants. They are going to lose 10% of their Civil Service in the next few years but it is much more sizeable than us, even to scale. The issue with coming to Parliament to answer some questions but not others is that our Rules do not provide for it. Once a Parliament is called, hon. Members can file questions on any matter they wish involving any Ministry. We have not sought to curtail that in any way. We have not sought to change the way that hon. Members have the right to ask questions. That would have to be something that emerges from Select Committee when we have time to meet in the further parliamentary forms that we wish to see imposed. At the moment, when I sign the notice for hon. Members to have a meeting of Parliament, we are all, ironically, entitled to file such questions as we think are appropriate. Therefore, Mr Speaker, hon. Members could have filed questions to the negotiating team, to the team dealing with other matters, and therefore it would have been impossible to hold a meeting as the hon. Lady suggests. Neither have Opposition Members got in touch with us to say, 'We are happy to come to Parliament and only file questions in respect of housing or financial services.' It is also very difficult because in the way that our administration works, the Parliament team is in No. 6 Convent Place; the other ones, who handle all the questions and distribute all the questions ... every answer needs to be checked etc. So, although at first blush it might seem like you can have parliamentary sessions which only involve some Ministers coming to answer questions only on their issues, we would have to sit down together to agree a mechanism for that to happen in order for us to be able to do that and for me to be comfortable in calling a general meeting of the House and knowing that hon. Members were not going to ask questions of the Ministries that I will be responsible for.

I am open to that. I do hope that we are now at the end of the period of not being able to have meetings of the House, because I think the rounds of negotiation are likely to now happen before the summer. The COVID pandemic has lifted, which was also a difficult issue to deal with. People might think that Omicron was not as bad as it had been in the past, and it was not, but it still required a lot of work from Civil Contingencies and No. 6 etc., so there was a lot going on.

Even in the context of last year, when we had fewer meetings, I think we had more meetings than hon. Members had when they were in government in any year, let alone in that famous year when they only had one meeting. That is no excuse, because I want a Government that calls a

795 meeting every month. Hon. Members know – I have said it before – I am in Government not
because I have a deep desire to be an executive; I am in Government because I enjoy being a
parliamentarian. Coming here and debating with them gives full vent to what I enjoy most about
being in Parliament. So we haven't not called meetings because we have wanted not to call
meetings, we have not called meetings because we have literally not been able to commit to the
800 dates to be here. But the hon. Lady raises an interesting point, and if we felt that it were not
possible to call another meeting for an extended period I am quite happy to sit down with her and
with the Leader of the Opposition to agree a new set of informal parameters, if only for a short
period whilst negotiations were to continue and they were to continue to be protracted, where
they could ask questions of Ministries which were not the Ministries of the Deputy Chief Minister,
of me or of other Ministers who might in any month be involved in the negotiations.

805 To answer the question also more widely, as I have said, senior officials from most
Departments have been involved in these negotiations because there have been issues of
transport and there have been issues of housing, there have been issues of health, there have
been issues that affect financial services and standards etc. So we have all been involved at
different stages. Preparing for the rounds and preparing to be present virtually in the rounds, in
810 some cases, or being present in person in the rounds or in the ancillary talks around the rounds
has taken up time across the board in the public sector, not just principally No. 6 where the Deputy
Chief Minister and I are based.

I hope that that answers all of the questions that she has raised at this stage. From my notes, I
think it has. Can I suggest the next time she refers to a cruise liner in describing this process she
815 refer to the *Love Boat* instead of the *Titanic*?

Mr Speaker: The Hon. Roy Clinton

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

820 I only have two areas of clarification which I wish to seek from the Chief Minister. The first is,
quite simply, he mentioned the two more rounds to come and the next one would be early June,
but I am not sure if I caught when the next round after that would be. Does he have a date in
mind, or is there a timetable which would give us an indication of when the next round would be
after that round in early June? And is there an end to these rounds, or will they continue until such
825 time as we reach an agreement or there is not an agreement?

Secondly, Mr Speaker, I would ask the Chief Minister about the customs union element of the
discussions. He has made reference to various points, to how things will have to be done
differently for goods and also the desire to remove the stranglehold at the Frontier, which of
course is not just about passports but can also be about customs checks. In terms of how the
830 customs checks will be going on and who will be doing them for what purpose, I would be
interested to learn if there is anything the Chief Minister can share with us, but specifically I would
be interested if the Chief Minister can confirm one thing that I know both the Chamber and the
Federation are concerned about, which is that when we talk about the customs union there will
be no VAT-type system or VAT itself introduced, although I appreciate there may be some
835 alternative in mind, but specifically the EU-type VAT system which I know the Federation and
Chamber are concerned about. Sir Joe has publicly stated that he does not believe that that will
be the case, but I think it would be appropriate if the Chief Minister could confirm that to this
House.

Thank you, Mr Speaker.

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Mr Speaker: The Hon. the Chief Minister.

Hon. Chief Minister: Mr Speaker, I am grateful for the hon. Gentleman raising those two very
distinct issues, which I can deal with quite quickly, I hope.

845 First of all, whenever we have fixed a round for negotiation, we have not often envisaged that
there would be another round unless ... I think in one instance we felt it was necessary to have
two days for a particular thing, break, and then the following week come back for another two
850 days on another thing, and those were then ascribed two different rounds. We are going into the
round in June, and then, once that round is over, we will determine whether what is needed is
another round or whether what is needed is more contact at disparate technical levels between
the technicians in different areas, who can then come together and have a different sort of
meeting, which is more a technical, legal drafting meeting, rather than a round. The rounds are
places where we are discussing things in principle etc. We will see, Mr Speaker. It may be that we
855 need one more round after June, that we need 20 more rounds after June or that we need a
hundred more rounds after June, or none. It is not possible to say at this stage.

Do we continue with rounds until we reach agreement or we end? Well, I think that question
answers itself: we continue with more rounds until we reach agreement or we end, although we
do hope that when we end, we end with a treaty text that we can recommend, that the Cabinet
approves, that I can bring to this House, that the House can approve and that can then go to the
860 process of ratification. This is a 'how long is a piece of string' question, and therefore I am unable
to give any more clarity at this stage.

In terms of the customs union, the hon. Gentleman is the only person this afternoon who has
referred to the customs union. I have not referred to the customs union at all during the course
of my Statement. I have referred to movement of goods. Movement of goods is not a customs
865 union, although that is one element of what a customs union can involve. We are talking about
the ability to get goods in and out of Gibraltar without a check at the frontier between Gibraltar
and Spain, which has been a vexed issue. Ninety eight per cent of our goods enter through the
Spain-Gibraltar frontier. It is worth pausing to think that 98% of our goods have entered through
the commercial gate. What we are talking about is having different systems for the movement of
870 those goods. I would say to the hon. Gentleman that he should reflect on the fact that I have not
used the terminology of the 'customs union' on purpose; there is a reason for that.

The hon. Gentleman knows that the EU's negotiating mandate seeks that VAT should apply in
Gibraltar and that the Government, from the first moment, has said that we do not accept that
that should be a proportionate way of dealing with price differentials in the context of our
875 economy and the European single market. The Government's position has not changed and will
not change, but this is a live part of the negotiation. It is, I think, also fair to say that the European
Union's position has not formally changed either, and if we are able to reach an agreement then
that will be reflected in the agreement that is provided for and is published. The hon. Gentleman
looks quizzical but there could be nothing simpler: two parties go into a negotiation with
880 conflicting positions, they maintain their conflicting positions until they are able to surface an
agreed alternative position, and that is what we are talking about here.

The Federation and the Chamber will be briefed by the Government privately on Wednesday –
I think that appointment has already been fixed with some and is in the process of being fixed
with others – and I look forward to being able to share the Government's views with them.

885 Sir Joe Bossano has now been in politics in Gibraltar for 50 years and – rightly, in my view,
Mr Speaker – says what he wants when he wants and how he wants and should never be
prevented from doing so. He is aware of the Government's position, he is aware of what the
Government is negotiating, and if he has thought it appropriate to make a statement about the
Government's position which might go a little further than I am prepared to go today, I fully
890 support and endorse his right to say it and what he said.

Mr Speaker: Does any other hon. Member wish to make a contribution to seek clarification on
the Chief Minister's Statement?

PAPERS TO BE LAID

895 **Mr Speaker:** We proceed to the next item on the Order Paper.

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

900 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to lay on the table the Annual Report of the Gibraltar Police Authority for the year ended 31st March 2021 and the Ombudsman’s Annual Report for the year ended 31st December 2020.

Mr Speaker: Ordered to lie.

905 **Clerk:** The Hon. the Minister for Digital and Financial Services, Health Authority and Public Utilities.

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, I have the honour to lay on the table the Financial Services Resolution and Compensation Committee Financial Statements ending 31st March 2018, 31st March 2019 and 31st March 2020.

Mr Speaker: Ordered to lie.

Questions for Oral Answer

BUSINESS, TOURISM AND THE PORT

Q10/2022

Shore-to-ship power –
Government position

910 **Clerk:** (vii) Reports of Committees; (viii) Answers to Oral Questions.
Question 10/2022. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Government state its position on shore-to-ship power?

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

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, I can confirm that HMGoG is committed to incorporating shore-to-ship power projects as part of the overall strategy to increase the sustainability of the Port. Initiatives linked to providing shore power facilities will form part of the Net Zero Strategy workstreams going forward.

925 **Hon. E J Phillips:** Mr Speaker, I am grateful for the answer, although it is not much of an answer because I think it was in their 2019 manifesto where they stated ‘We will provide shore power’, and whilst it is important for our community to understand and recognise ... I think we would like a bit more reassurance as to how those commercial discussions are going.

I think there was a very strong commitment in the ‘Green Gibraltar the Child Friendly City’ manifesto of 2019, which set out quite clearly what the commitment was, and I wondered

whether the Minister can give us an update as to how those discussions are going and whether they have found a location for doing shore-to-ship power.

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Hon. V Daryanani: Mr Speaker, the hon. Member will appreciate that this is quite a complex situation and it is something that we have been working on.

As he will probably know, a lot of the ports around the world have set themselves a target of 2050 when they hope to achieve net zero. I am not saying that we have not spoken yet, internally, about targets – we are looking at things, we are discussing with the stakeholders; they have their views – but I think we are in a situation where we are on the right path with one of the aims to have shore-to-ship power.

There is the issue of electricity, of course. It would demand a lot of power in the area, so we are looking at the infrastructure involved – there are costs involved, very high costs, I must say – but with the world looking at a target of 2080 I think we have a lot of time to deal with this and I hope, as we move along over the next few months, I will be able to give you a little bit more information on this.

Hon. E J Phillips: Mr Speaker, I am grateful for the answer insofar as the route home in relation to this particular issue.

I wonder whether the Government has given any thought to renting out a particular site to a commercial entity for the use. He speaks about the cost, which will be very significant, and the complexity of the particular project, which I do not underestimate, but I wonder whether the Government has given any thought to renting a particular location that would allow for a commercial entity to do that, because that could be fairly significant revenue into the Government.

Hon. V Daryanani: We are considering a lot of different options at the moment, but we have not yet identified a specific area or a specific property.

Q11/2022

Cruise liner visits –

Policy re disembarkation and onshore excursions

955 **Clerk:** Question 11/2022. The Hon. D J Bossino.

Hon. D J Bossino: Further to Written Question 36/2021, please provide details of the current policy in respect of cruise liner visits, in particular in relation to the disembarkation of passengers and their participation in onshore excursions.

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

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, in line with policy at the rest of entry points to Gibraltar, we have scaled down the restrictions and conditions placed on passengers wishing to disembark cruise liners in order to carry out shore excursions.

All vessels calling at our Port are still required to provide the Port Authority with a COVID declaration form where any confirmed or suspected cases of COVID-19 on board are listed. This is in addition to the standard Medical Declaration of Health, as mandated by IMO requirements, which has always been a requirement for all ships calling at the Port.

Any passengers listed on the COVID declaration as positive are required to stay on board and not join a shore excursion. This is in line with the industrywide protocols already put in place by

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the cruise liners themselves, whereby any passengers who are identified as being positive are isolated in their cabins to avoid dissemination among the rest of the passengers.

975 These procedures, which have been developed in close consultation with the Director of Public Health and Civil Contingencies as well as with the cruise liner industry, ensure that this important activity – namely cruise calls and the consequent passenger excursions – can be carried out in a safe manner.

Hon. D J Bossino: I thank the Minister for the very full reply.

980 The scaling down aspect: is it that they do not require a valid PCR or lateral flow test? Is that understanding correct?

May I also ask him, with the Speaker's permission, are these requirements home grown? In other words, are they Gibraltar requirements, not as a result of any international obligations?

985 **Hon. V Daryanani:** Mr Speaker, first of all, we do not require a PCR test, but the cruise lines themselves have testing facilities on most of their ships now, so they carry out tests regularly. I am told that every 48 hours some of them require them to be carried out, or 72 hours, so they are constantly checking on their passengers, so that if they have any issues they can deal with them and isolate them immediately in the middle of the cruise. As you can imagine, it would be a disaster, otherwise, if they suddenly had people walking around with COVID.

990 Yes, our rules are pretty much what most ports in the Mediterranean have, and we have tried to mirror them.

Hon. D J Bossino: I appreciate this is a very difficult question for him to answer, and perhaps even impossible at this stage, but does he have information as to whether there is going to be a further scaling down of those rules? We have seen a lot of cruise liners coming to our shores, which is obviously a welcome sight, and I am sure that that is something he will want to sell as part of his ongoing marketing of Gibraltar's Port.

1000 **Hon. V Daryanani:** The scaling down is not really something in my control. I would have to see how things are moving and we will react according to the health situation.

Q12-13/2022

Airline links –

Update

Clerk: Question 12/2022. The Hon. D J Bossino.

1005 **Hon. D J Bossino:** Please provide updates with regard to the hoped-for airline links with Ireland.

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

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, I will answer this question together with Question 13.

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Clerk: Question 13/2022. The Hon. D J Bossino.

Hon. D J Bossino: Please state what the current state of play is with regard to flight connections to Gibraltar Airport in respect of Wizz Air, Eastern Airways and Volotea airlines.

1015 **Clerk:** Answer, the Hon. the Minister for Business and Tourism.

Hon. V Daryanani: Mr Speaker, the Government is in continued discussions with regard to the possibility of opening air links with Ireland.

1020 Regarding Wizz Air, I refer the hon. Member to the joint statement issued by the airline and the Government on 6th December 2021.

Eastern Airways made a substantial loss on flying to Gibraltar last year. In our discussions with them earlier this year they suggested that the only way they could make the routes work was if the Government subsidised the operation. We took the prudent decision not to do so.

1025 I have clarified the Volotea situation on numerous occasions in Parliament, in the press and live on television. Nothing has changed.

Hon. D J Bossino: So, Mr Speaker, the position with Eastern Airways is that basically it is not coming to Gibraltar – is that correct?

1030 And presumably with Volotea there has not been a renewed attempt by the Government to try and attract that airline or any other Spanish airlines – is that the position?

I will then ask a question in relation to the Irish connection.

1035 **Hon. V Daryanani:** Mr Speaker, regarding Eastern Airways, I do not know whether the hon. Gentleman has heard what I said: we took the prudent decision not to do so, so that is where the matter ends.

With regard to Volotea or any other Spanish airline, the treaty has not ended yet.

1040 **Hon. D J Bossino:** And in relation to Ireland, can he provide any more substantive updates? I think he mentioned ongoing discussions and we still had an intention to bring that air link to Gibraltar.

I am reading from an article, and I cannot say the source because I do not know where it came from, but he does say that he is hoping that we can do something with Ireland and he makes a reference in that context to the air link he was successful in securing vis-à-vis Scotland. Presumably that is not predicated on any deal with the EU. Can he confirm that?

1045 **Hon. V Daryanani:** Ireland is Ireland, and it could be Belfast or it could be Dublin. I do not know which article he is referring to, but it has nothing to do with the link with Scotland. We are talking to two or three different airlines about the possibility of different routes to Ireland, but obviously at this moment in time I do not really have anything further to add.

1050 **Hon. D J Bossino:** By a point of clarification, I ask a question, with your permission, Mr Speaker. In fairness, he does not say it has a direct link to the Scottish connection, so to speak. Just to confirm that.

1055 **Hon. V Daryanani:** That is right, Mr Speaker, it has no link to the Scotland route.

**Q14/2022
Floating hotel –
Likelihood and location**

Clerk: Question 14/2022. The Hon. D J Bossino.

Hon. D J Bossino: Please provide an update as to whether Gibraltar is likely to see a floating hotel establishing itself here; and, if so, where the location would be.

1060 **Clerk:** Answer, the Hon. the Minister for Business and Tourism.

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, the Government has been approached by a number of potential operators of a floating hotel in Gibraltar. Nothing concrete has been agreed.

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Hon. D J Bossino: Mr Speaker, a couple of questions, if I can elicit this further information. This arises, as he will recall, from news that Gibraltar had received that there was a potential floating hotel – I think there was a brochure with a location at the Small Boats Marina: a barge which was situated in Medway in Kent. It did not look particularly attractive, I must say. In that context, I think Government said that that particular barge was not coming to Gibraltar. But he said that the Government had been approached back in October by a number of potential operators of luxury floating hotels. He says that not much progress has happened, but can I ask him now many have approached him and what does he think is the likely prospect of that happening?

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1075 **Hon. V Daryanani:** Mr Speaker – *(Interjection by Hon. Chief Minister)* Ah, right.

Mr Speaker, the Member opposite will understand, as a lawyer, client confidentiality. I cannot give out information on who has approached or who has not approached. It is very difficult to say because we are approached by many investors, not only to bring a floating hotel but to carry out lots of different business in Gibraltar. These things take time, more so when we are still in a pandemic, when people are thinking twice about making investments. We are discussing with a handful of possible investors. Let's see where the discussions take us, and when and if we have anything concrete we will make the announcement and then he will know.

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Hon. D J Bossino: Mr Speaker, that is fair enough. He knows full well that instinctively I will not ask him to reveal any confidences. I fully appreciate that, but I have simply asked for numbers so that the Opposition and the public can gauge what level of interest there is out there for this particular line of business. I have asked him for the number, that is all, rather than just 'many' – but with all due respect to him.

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1090 **Hon. V Daryanani:** A handful, Mr Speaker.

Hon. D J Bossino: Mr Speaker, that is not really an answer. A handful is not a precise number. I am not asking him ... perhaps I *am* asking him to be a bit more forensic about it. He is playing around with words. Does he have that information? If he does not have that information in the House today, it is fair enough, but I am asking him specifically is he willing to provide that answer, or is he suggesting that even that information is of a confidential nature which cannot be expressed across the floor of this House?

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Hon. V Daryanani: Mr Speaker, I feel uncomfortable providing really any information because there are people here who have put money into looking at things and how they want to do things, and I do not feel comfortable in providing whether there is one, whether there are two or whether there are three. I am happy to speak to him behind the Speaker's Chair, if he wishes.

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Hon. D J Bossino: I will accept that offer, Mr Speaker, but I really do think that it is information which does not transgress the issues that he has raised in any way, shape, manner or form. I suspect that he does not have the information, but let's see. I will have a word with him.

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It is a pity, unfortunately, when this offer is made, that the people of Gibraltar do not get the information which ought to be made public. I simply do not understand why that in itself is confidential in nature.

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Mr Speaker: Next question. *(Interjections)*

Hon. V Daryanani: I do know the number because I deal with them directly, so do not say that I do not know. I do know how many people have shown interest.

1115 **Mr Speaker:** Let's proceed. Let's continue.

Q15-18/2022

**Minister for Tourism's foreign visits –
Delegations, costs, meetings, new business secured and duration of trips**

Clerk: Question 15/2022. The Hon. D J Bossino.

1120 **Hon. D J Bossino:** Please provide the following details relating to the Minister for Tourism's visit to Seatrade Cruise Global in Miami. It is five pieces of information I would like: (i) who comprised the Government's delegation; (ii) the total cost of the trip, broken down into air travel costs, lodgings and entertainment; (iii) who the Minister met; (iv) what new business has been secured as a result of the trip; and (v) the duration of the trip.

1125 **Clerk:** Answer, the Hon. the Minister for Business and Tourism.

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, I shall answer this question together with Questions 16, 17 and 18.

1130 **Clerk:** Question 16/2022. The Hon. D J Bossino.

Hon. D J Bossino: Please provide the following details relating to the Minister for Tourism's visit to Edinburgh. It is (i) to (v) and exactly the same information. I am not sure if Mr Speaker wants me to read it out again for the sake of *Hansard*.

1135 **Mr Speaker:** For the sake of *Hansard*, you should.

Hon. D J Bossino: (i) Who comprised the Government's delegation; (ii) the total cost of the trip broken down into air travel costs, lodgings and entertainment; (iii) who the Minister met; (iv) what new business has been secured as a result of the trip; and (v) the duration of the trip.

1140 **Clerk:** Question 17/2022. The Hon. D J Bossino.

1145 **Hon. D J Bossino:** Please provide the following details relating to the Minister for Tourism's working breakfast in London in March last year: (i) who comprised the Government's delegation; (ii) the total cost of the trip broken down into air travel costs, lodgings and entertainment; (iii) who the Minister met; (iv) what new business has been secured as a result of the trip; and (v) the duration of the trip.

1150 **Clerk:** Question 18/2022. The Hon. D J Bossino.

1155 **Hon. D J Bossino:** Please provide the following details relating to the Minister for Tourism's visit to the CONNECT Route Development Forum in Tampere, Finland: (i) who comprised the Government's delegation; (ii) the total cost of the trip broken down into air travel costs, lodgings and entertainment; (iii) who the Minister met; (iv) what new business has been secured as a result of the trip; and (v) the duration of the trip.

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

1160 **Hon. V Daryanani:** Mr Speaker, in relation to Question 15, the Government's delegation was comprised of Mr John Reyes, Chief Executive of the Ministry of Business, Tourism and the Port; Mr John Ghio, Captain of the Port; and myself. The cost of air travel was £9,664.14, and lodgings was £3,254.28. There was zero cost on entertainment. I took the opportunity to meet with several leading cruise line executives. The duration of the trip was three days in Miami and overnight in London, due to flight timings.

1165 In relation to Questions 16 and 17, the Government's delegation was comprised of Mr John Reyes, Chief Executive of the Ministry of Business, Tourism and the Port; Ms Maxine Sene, Press and Communications Officer of the Ministry of Business, Tourism and the Port; Ms Tracey Poggio Magnus, UK Head, Media & Marketing, Gibraltar Tourist Board; and myself. The total cost of the trips were as follows: £1,300 return Gibraltar-London; £1,793.60 London-Edinburgh. Lodgings were £990 in London and £882 in Edinburgh. Entertainment was £940 – reception in Edinburgh. 1170 In London, I met with travel writers from *Business Traveller*, *Conde Nast Traveller*, *BA Highlife* and *Travel Bulletin* amongst others, and the editor of *Business Traveller*. In Edinburgh, I met with travel agents and the local Scottish press. The duration of the trip was one day in London and one day in Edinburgh.

1175 Finally, in relation to Question 18, the Government's delegation was comprised of Mr John Reyes, Chief Executive of the Ministry of Business, Tourism and the Port, and myself. The cost of air travel was £3,387.23 and lodgings was £1,117.67. There was zero cost on entertainment. I took the opportunity to meet with several airline executives. The duration of the trip was two days in Finland and overnight in London on the way back, due to flight timings.

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Hon. D J Bossino: Mr Speaker, it has cost a lot of money in terms of expenditure – particularly, obviously, the US trip, as one perhaps would expect – but it will require more analysis.

1185 The issue that I feel he ought to try to answer, and I am not sure that he has in terms of one of my subsidiary questions from the main question, is what business he has been able to secure from these trips. I appreciate that there is always a tension with these things – or, at least, there ought to be – that before the Government decides to expend money which it can probably ill afford given the current economic and financial situation we are in, and this is on their own admission, it chooses wisely where to exert its efforts and invest, both in terms of financial investment – I apologise that there is a bit of a long preamble to this – in terms of financial investment and 1190 in terms of the Minister's and his team's time in relation to this.

1195 Can he tell me, firstly, whether he can provide an answer to the fourth subsidiary question I asked, as to whether he has been able to secure any new business for Gibraltar; and in relation to all of these trips that I have mentioned, whether he thinks any of them are not worth pursuing any further, or whether he intends ... which ones he wishes to pursue further or which new ones he is thinking of pursuing further for the sake of attracting new business to Gibraltar? In other words, really what I am asking him is whether he has a plan in relation to marketing, and, if he does, what it is and whether he sits down with his team, and how often he does, to assess whether that plan and his trips are proving fruitful in any way.

1200 **Hon. V Daryanani:** Mr Speaker, he complains when I do not go marketing to Madrid; now he is complaining that I am marketing elsewhere. He needs to – (*Interjection*) I am just making a point.

Chief Minister (Hon. F R Picardo): [Inaudible] hipocresia [Inaudible]

1205 **Hon. V Daryanani:** Exactly, I am asking him.

What the hon. Member needs to understand is that the one who is taking the decisions is me, because I am the Minister for Tourism. He is not in Government and I cannot be expected to do what he thinks I should do, because that is not how it works.

1210 Regarding new business, let me tell him that new business does not just happen with one
meeting or two meetings; it can take years. He asks whether I am going to pursue going to these
conferences. To give the example of CONNECT, it was the first time the Government of Gibraltar
has been to this conference. It was a decision I took because I felt that, considering we are
1215 negotiating a treaty, there might be a possibility that air transport might form part. If it does form
part of the treaty, then it will open up different possibilities for Gibraltar, so that is why I chose to
go to CONNECT. Of course I will assess whether I go next year. I might or I might not – it all
depends.

Insofar as Seatrade Global is concerned, I was told that Gibraltar has been going for 25 years.
It is the most important cruising conference in the world. Let me tell him that I am glad I went
because it showed me how much interest there is in Gibraltar and it showed me how much inroad
1220 we have made by the way we are marketing and the way we are promoting our Port – the constant
cruise calls which are promoted on social media and the top executives of all major cruise
companies stopping me and asking how Gibraltar was doing. Of course, this shows that we are on
the right path, so I will continue going to Miami and, actually, to any cruising conference that I feel
will help Gibraltar, because I am extremely keen on making sure that Gibraltar becomes the
1225 premier cruising destination in the Mediterranean.

Hon. D J Bossino: Mr Speaker, unfortunately his reply look I am really trying with the hon.
Member. He and I have had our differences. Clearly, we continue to have them, it seems. He just
needs to learn how to answer in a reasonable way and fully, and I am afraid to say ... I will not rise
1230 to the bait. I am not sure he is even trying to place a bait before me. I really do not think so; I do
not think he is that clever, to be honest. The hon. Member has not –

Mr Speaker: I think that is out of order.

1235 **Hon. D J Bossino:** Happy to withdraw it, Mr Speaker

Mr Speaker: And apologise.

1240 **Hon. D J Bossino:** And I apologise to him.

Mr Speaker: Thank you.

Hon. D J Bossino: Mr Speaker, what he has revealed to us in that reply is that he does not have
a plan. He alights, in respect of one of the questions I asked, which is the Seatrade cruise place to
1245 be in Miami, which he rightly points out our Government used to attend and they have continued
with the practice ... That is an obvious reply and I am glad that he went. He mentions the CONNECT
conference that he went to. He has not answered, for example, in relation to that particular one,
where he is treading on new ground, whether he has made the analysis as to whether he thinks
he will be going in the future.

1250 Let me ask him a specific question. He tells us, and I quote, that the one who takes the decisions
is him, and presumably he is the one who intends to continue to attend these conferences and
meetings etc. The specific question is what he envisages in relation to the newly appointed CEO,
who happens to be my brother but that is totally irrelevant. Does he intend to allow the new CEO
1255 to take charge of these things, or will he be the one to continue to lead in relation to these
marketing trips?

Hon. V Daryanani: I am not going to rise to the bait, whether or not he knows that he laid it.

1260 What can I say? The Member opposite has become a one-trick pony, Mr Speaker. People are
tired of his negativity, his immaturity and his pessimism. He has become so predictable –

Hon. D J Bossino: ‘Immature’ – that cannot be parliamentary, Mr Speaker.

Mr Speaker: Yes, I think the Member is absolutely right. You cannot say things like this.

1265 **Hon. V Daryanani:** Immature? It has been said across the House on a number of occasions, Mr Speaker.

Mr Speaker: No, no, no, I think you should withdraw that particular word. (**Hon. D J Bossino:** And apologise.) And apologise, yes.

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Hon. V Daryanani: I have heard it on many occasions. I would never use a word that I thought I could not use, Mr Speaker. (*Interjection*)

1275 **Hon. Chief Minister:** Mr Speaker, I think the Government considers that that language is parliamentary, but we always take your advice, and although it might be parliamentary, if it is not temperate ... We would always seek to ensure that we have a temperate debate across the floor of the House. You rightly pulled up the hon. Gentleman on that side, so on this side we will follow your advice, of course.

1280 **Hon. V Daryanani:** So, Mr Speaker, I withdraw that comment.

Hon D J Bossino: And apologise.

Mr Speaker: And apologise.

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Hon. V Daryanani: And apologise. (*Laughter*)

1290 **Hon. V Daryanani:** I apologise, but the hon. Member has said many things to me that need apology, Mr Speaker, and ‘immature’ is one of the ... Anyway, Mr Speaker, I will follow your ruling, of course.

He is the only one who does not want to see business in Gibraltar, or it seems that he is the only one. He does not want to see me go out and try to achieve to bring business to Gibraltar. The industry and the stakeholders all – (*Interjection by Hon. D J Bossino*) Mr Speaker, it just shows you the lack of respect he has for this Parliament, but what can I say? As I said, all he wants ... He does not want me to go out there and try to bring new business to Gibraltar, but he will not stop me from doing so. I will continue working hard to make sure that we can bring Gibraltar back to a strong economy. He does not understand that I am ...

1295 I am sorry that I have to repeat this, Mr Speaker, because he constantly repeats the same thing. All the comments that he makes are damaging to Gibraltar. It is not like before when you made comments and they were just for local consumption. Today, people abroad, executives who follow Gibraltar, who work with Gibraltar, see these comments being made on social media by politicians, by Members of the Opposition, and they ask me, ‘The other politicians in Gibraltar, don’t they want to see new business for Gibraltar?’ I say, ‘Well, I suppose they want to, but in their desperation to win the odd vote here and there, this is the game that they play.’ In other countries, when it comes to this type of message, politicians tend to work together to promote their economy, but we know what the hon. Member Mr Bossino is here for: he laps up the oxygen of controversy for his own political gain.

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1305 Finally, Mr Speaker, I would just like to say one thing. I am told that the Member opposite is the spokesman for ‘Style of Government’. Well, before he aspires to Government, he should look first at his style of Opposition: destructive, uninspiring and toxic.

1310

Mr Speaker: This is going to be the last supplementary.

1315 **Hon. D J Bossino:** Mr Speaker, I have used this adjective to describe it in the past and I have not been called to order, re not him but what he said, and it is a load of fluff. He has not answered the point and he has certainly has not answered the specific point in relation to the CEO and the role he is going to play.

1320 Can I ask him this? This is a point of detail, and he did provide it in his reply but I would ask him, because I was not able to take a note, did he say that Maxine Sene – who I do not know, but he mentioned her name – is part of the press office team? Is that what he said? And, if so, is that his press office or that of No. 6? And, if the latter, why did he take her on the Edinburgh trip? It is not very clear to me.

1325 **Hon. Chief Minister:** Mr Speaker, just to clarify, because these are issues that affect across the Government, press officers often travel with Government Ministers when there is a need for them to do so. They have travelled to the United Kingdom and they have travelled to the United States of America on a number of occasions. They have sometimes travelled to Spain and other places where it is considered appropriate that members of the press should travel with members of the Government for the purposes of being able to record a message or to deliver a message in a more effective way for Gibraltar's ends. I do not think this is something we originated, I think it is something that originated ... I am not going to say in their time, I am going to say in the past. I think that is just the way that things have oft developed in history. There is nothing new there, and I am surprised that the hon. Gentleman is asking about it.

1330 But I wanted to clarify the question that he has asked repeatedly – I think he has asked it three times. The hon. Member, I think, wishes that it should be answered on behalf of the whole Government because it is a question about how Government functions. Of course, when a chief executive officer is appointed to a role, he is a chief and executive officer. That is to say he is in executive control of a Department. The Minister becomes responsible for policy when there is such a person involved and that person runs the mechanism.

1340 So, Mr Speaker, what Mr Bossino is asking is whether Mr Bossino will be allowed to run the Department. Mr Bossino should know that as soon as Mr Bossino arrives, Mr Bossino will be the one making the decisions, so that Mr Bossino can ask whether Mr Bossino has done something right or not, and then ensure that the Minister is not the one he blames for everything going wrong. It will be the fault of Mr Bossino.

1345 **Mr Speaker:** Next question.

**Q19 and Q21/2022
Gibraltar Tourist Board –
Changes to staff complement**

Clerk: Question 19/2022. The Hon. D J Bossino.

Hon. D J Bossino: Well, let's see.

1350 Please state whether any changes have been made recently to the staff complement at the Tourist Board; and, if so, please provide details of what these are.

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

1355 **Minister for Business, Tourism and the Port (Hon. V Daryanani):** Mr Speaker, I will answer this together with Question 21.

Clerk: Question 21/2022. The Hon. Ms M D Hassan Nahon.

1360 **Hon. Ms M D Hassan Nahon:** Why has a vacancy been seen circulating in the Gibraltar Tourist Board when a senior member of staff has been transferred out and the filling of posts from those who have retired has been abolished?

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

1365 **Hon. V Daryanani:** Mr Speaker, the Government does not comment on any internal transfers. The Government is unaware of what vacancy the hon. Lady is referring to.

1370 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I find it hard to believe that the Minister can answer in such a way, because there has been quite a bit of commentary on a particular senior member of staff who was quickly and swiftly asked to transfer. My question leads to the concerns and the impact that this has on the morale of the staff, given their loyalty and their pride in the role over many years. I believe that the Minister knows exactly what I am asking about, and I would ask him to perhaps enlighten this House and the community, and perhaps even his staff, on Government plans to retain a happy and motivated staff at the Tourist Board.

1375 **Chief Minister (Hon. F R Picardo):** Mr Speaker, all moves of civil servants and members of the Gibraltar Development Corporation, of which I am the Chairman, are handled through the Department of Human Resources or the secretariat of the GDC. All of the officers who are clerical officers of the Civil Service and the GDC are freely transferrable and are often transferred.

1380 Sometimes when these transfers occur, the sorts of sentiments that the hon. Lady refers to are the first sentiments that seem to come to the fore, but in my experience in Government, and indeed in Opposition, a new leader soon settles in with the team and the team soon follows and supports their new leader, and the individual who has moved, although not wishing to move on, usually moves on to do an excellent job somewhere else. Excellent leaders are excellent leaders wherever you put them. That is the benefit of having a professional Civil Service and what having the GDC as a supplier of services to the Civil Service has enabled us to do.

1385 I am very confident in the changes that have been made during the course of the change of financial year, where the Minister for Economic Stability and I, together with the Financial Secretary, have been working with each Department head, not just on issues relating to other charges in Departments but also on personnel changes, and we will see that produce the efficiency that Gibraltar requires.

1390 We do not routinely – and neither did they when they were in government, Mr Speaker, and I assume no one will in the future – comment on specific moves of civil servants across the floor of the House. We have always considered that that is a matter which touches and concerns the dignity of the individual in question, and therefore we support the continued excellent work that the officers of the Hon. Minister for Tourism’s Department are doing, as well as those who were in that Department, who did excellent work and are now moving to do excellent work elsewhere.

1395 That is the nature of the Service. It is an established principle in the Civil Service – and it would be one which I think would find common agreement between Members on all sides of the House – and should not change, to ensure that Gibraltar’s administration has the business efficacy that it needs to have and always has had since it was created.

1400 **Hon. D J Bossino:** Mr Speaker, I would like to be a bit more specific. The hon. Member said – and there has been an alignment in terms of the answers that we have heard from both Ministers in relation to this – that they do not comment on internal transfers, but can I gather from what the Hon. the Chief Minister has said that there have been moves within the GTB? And, if so, can he confirm that that is the case?

The specific point that I make is that this issue has been the subject of comment in social media. Without mentioning names – because the Hon. the Chief Minister is absolutely right that this House has, in the past ... Indeed, when I have asked questions in my previous incarnation in the

1410 previous Parliament, I asked a particular Minister for details of the employees in his Department
and he gave me a whole spreadsheet with names, and then that was actually commented on by
the Speaker at the time, Mr Canepa, that he should not do that, provide names. I think that is
absolutely right, so in follow-up questions I did not refer to the names. But I will refer to this
particular message that I received, and indeed many people in Gibraltar received in relation to ...
1415 I think it is of public interest to not ignore this. It is out there. I do not propose to quote the entirety
of it. I can assure Members I have no intention of mentioning any names – although they are out
there in the public – out of respect to those individuals, but I will just read two paragraphs. The
title is ‘What’s happening in the GTB?’ So there is concern. What I ask the Minister to do, once I
have read this, is to assuage any concerns that there may be in relation to, as the hon. Lady says,
1420 morale etc. This post says, and I quote:

Employees have been transferred, unwillingly, at the Minister’s whim, from the GTB to posts that they are not suited
for.

This is the second paragraph, albeit the third one in the text, and there are about seven or eight:

Valuable and longstanding members of staff are not being used for their strengths. Essentially, they are being
ignored and almost ostracised.

I would like the hon. Member to comment in relation to that, if he can.

Hon. Chief Minister: Mr Speaker, this is a message which I received as well. It is a common
1425 things, these days. If you want to get attention, you circulate a WhatsApp to everyone in your
address book, everyone in your address book circulates it to their mates, and before you have said
Bob’s your uncle 32,000 Gibraltarians have read the same WhatsApp message and then started
to send it to each other – so I think I got it about 32,000 times!

1430 It is not dissimilar to the sort of thing that used to happen before WhatsApp was the chosen
method of communication. I have also seen similar messages posted in places on social media and
in the past I have seen very similar messages which I have had regard to when I have been in
Opposition and which I have understood the nature of when I have been in Government. That is
to say that there are people who are moved from where they are who do not wish to be moved,
and then wish to recriminate on the basis that they have been moved.

1435 These are decisions which are taken for the very opposite of the reason that the hon.
Gentleman has quoted from the WhatsApp message. In other words, there is no question of
valuable and longstanding members of staff not being used to their strength and essentially being
ignored or ostracised; it is quite the opposite. And it is not the case that the Government considers
that people have been moved to posts for which they are not suited; quite the opposite.

1440 We have a higher regard for the people in question than the person who sent the WhatsApp,
because we do believe that they are eminently well suited for the things that they are now going
to be asked to do, which are not the things that they were doing, because we believe that they
are really well qualified, we believe that they are excellent professionals and we believe that they
can turn their hands to what it is that they are being and will be asked to do.

1445 It is not true that people are not being used to their strengths and are being ignored and
ostracised, although anybody whose opinion might not be the one pursued on a particular
occasion might take the view that that is the case, that because what they have asked should be
the case does not happen they being ignored or ostracised. I would simply say that, quite the
opposite, because we might not agree with something that a particular individual may
1450 recommend on one occasion, it does not mean that we will disregard that person’s opinion or
advice in other matters where we might agree, or where, in fact, that person’s opinion may lead
us to a better decision to be made in a particular area.

1455 Mr Speaker, in fact I am grateful to the hon. Gentleman for raising this because it has demonstrated in glorious technicolour exactly what I have said to the House before: that they are sometimes led in their questioning by rumour and tittle-tattle. Here, the rumour and tittle-tattle is set out explicitly not in something which is metaphysical, but in something which is physically able to be seen by all of us. They are acting on the basis of an anonymous WhatsApp exchange, giving it the credibility of raising the issue in this Parliament, actually reading out this physically set-out rumour and part of the innuendo provided for, and in that way Mr Speaker seeking to create dissent and to, I assume, seek to curry political advantage. In, fact what is happening is that the Minister – in keeping with other Ministers, because this has happened across the Service – is making changes, with the support of my Office and the support of the Human Resources department and the GDC secretariat, to ensure that we deliver, in the way that we consider is best suited to deliver, the policies that we are elected to deliver. *(Interjection)* We are maximising the resources that we have in the way that is best designed to deliver efficiency, and I thought that they supported us in that.

1460 The individuals mentioned in this WhatsApp – and we have all read it, so we see the names – are individuals the Government holds in the highest regard, who have done an excellent job wherever they have been. There are individuals who are not named here, who are equally highly regarded by the Government, who are also moving to other areas and will do an equally excellent job wherever they go. Some of them will work more closely with me going forward, rather than with the hon. Gentleman; other people who have worked closely with me will be working with the hon. Gentleman; and new people from outside will be working even more closely with the hon. Gentleman in discharging the functions that they will have come to discharge to Gibraltar.

1470 It is quite remarkable to see an Opposition not just operate on the basis of rumour and tittle-tackle but actually stick their colours to the mast, to the objective existence of this anonymous rumour and tittle-tattle, and I am very grateful to the Hon. Mr Bossino for having done so, because I no longer have to portend that that is what they are doing when asking questions and can actually point to the fact that they did so.

1480

Mr Speaker: Next question.

Q20/2022

Gibraltar Tourist Board – CEO salary, benefits and location

Clerk: Question 20/2022. The Hon. K Azopardi.

1485 **Hon. K Azopardi:** Mr Speaker, further to the Government's announcement regarding the identity of the CEO of the GTB, can we have details of his salary, other financial or contractual benefits and where he will be based?

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

1490 **Minister for Business, Tourism and the Port (Hon. V Daryanani):** Mr Speaker, Mr Kevin Bossino, the new CEO of the GTB, will be paid a salary of £140,000 per annum. Mr Bossino will be working between Gibraltar and London, as required. A flexible arrangement has been agreed with him.

1495 **Hon. K Azopardi:** Can I just ask about that aspect, the between Gibraltar and London? Is it that the new CEO is not actually going to be based in either Gibraltar or London? Is he going to be based in both? How is that going to work? Can the Minister provide a bit more detail about that?

Hon. V Daryanani: Mr Speaker, as I have just stated in my answer, we have a flexible arrangement with Mr Bossino.

1500 Never had I expected that a Gibraltarian would tick all the boxes I was looking at. This is a demand-driven situation, so it might be that he will spend more time in London at some points, then in Gibraltar. It all depends on where he is required.

1505 You need to understand that Mr Bossino is coming to Gibraltar and this is one of the situations that he wanted to ... He was happy to be based in London principally, but obviously he has a family in Gibraltar and he wanted that to be taken into account, and we have done that.

Hon. K Azopardi: Mr Speaker, the hon. Member should not underestimate the Gibraltarian so much. (**A Member:** Hear, hear.) When I look at the jobs that the Government put out, I hope, first, that the Gibraltarian does get it. I am sure there are lots of talented Gibraltarians out there.

1510 Does the hon. Member not know where Mr Bossino is going to live? Really, that is what I am asking. Surely, in the discussions on reaching a flexible arrangement, he must have established where he is going to be living.

Hon. V Daryanani: Mr Speaker, what I was not expecting was a Gibraltarian to apply for a job, to live in London. That is what I was saying. He will now live in both Gibraltar and London. That is the point I am making. He will work in London and he will work in Gibraltar, so he will live in London and also live in Gibraltar.

Hon. K Azopardi: Mr Speaker, how much of the year does he expect Mr Bossino to be living in London for?

Chief Minister (Hon. F R Picardo): Mr Speaker, that is an issue which is indeterminate. After the first year of operation we will be able to tell the hon. Gentleman, without the fear of misleading the House inadvertently, how much of the time Mr Bossino has spent in Gibraltar and how much he has spent in London, and then we will have an empirical set of answers that we can give hon. Members.

1525 The hon. Member has made clear that we expect Mr Bossino to be working in London as much as in Gibraltar, whereas before – and this is the issue they are trying to get to – the head of the GTB was based in Gibraltar. We expect him to be spending a lot of his time in London. Whether that will be the majority or not ... Let's not crystal-ball gaze. Let's make an assessment after the end of 365 days, and then we can tell them where he has spent the most time.

Hon. K Azopardi: Mr Speaker, is it not actually the case that they have changed their view, and having put an advert out for someone who was going to be based in England and having found the right person – who happens to be a Gibraltarian – to do that job, that person is going to be based in Gibraltar, although that person may, of course, work in England from time to time? Of course you have to go to England, which is an important market for us, but in reality that person will be based in Gibraltar.

1535 If that is the case and the position has changed, we welcome it, because that person should, in fact, direct tourism policy from Gibraltar.

Hon. Chief Minister: Well, I am afraid, Mr Speaker, in that case hon. Members will not welcome this, because it is anticipated that actually Mr Bossino will be doing a lot of his work in London and from London.

1545 Mr Bossino is not moving back to Gibraltar. He is going to be moving to Gibraltar and to London. He will be based in London for a considerable part of his time, and it may be that that is the majority of his time. We will know whether it is or not at the end of the year, and then Mr Speaker we can be accused not of changing our minds but of having permitted the flexibility to make

1550 decisions that Mr Bossino is asking that Mr Bossino should have, to ensure that Mr Bossino is the one making the decision even as to where he should be.

Let's be very clear, Mr Speaker. The hon. Gentleman has demonstrated in his last question that all he was doing with his purported forensic cross-examination was seeking to make a cheap political point. Point made. Target missed.

1555 **Mr Speaker:** The Hon. Roy Clinton.

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

1560 Just two questions. Could the Minister advise the length of the contract? And if I recollect correctly – and I am happy to be corrected – I believe the Minister, at the time when he said this person would be based in London, said it would actually achieve a net cost saving. If that is the case, could he tell the House what that net cost saving is?

Hon. V Daryanani: Mr Speaker, the net cost saving will be announced during the Budget.

1565 The contract is an indefinite contract. *(Interjection)* Yes. I do not have the contract with me, but ... I would need to check that, but ... Yes, it is better that I check it and I will write to him and let him know.

Mr Speaker: Next question.

INDUSTRIAL RELATIONS, EMPLOYMENT, HOUSING AND SPORT

Q32/2022

Youth clubs –

Opening hours and statistics re regular use

1570 **Clerk:** Question 32/2022. The Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can Government provide updated details of the opening times at the youth clubs, together with statistics of how many youngsters are using these facilities on a regular basis?

1575 **Clerk:** Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares): Mr Speaker, I now hand over to the hon. Member opposite the information requested.

Answer to Q32/2020

Laguna Youth Club

Tuesday 4.30pm to 7.30pm
Wednesday 4.30pm to 7.30pm
Thursday 4.30pm to 7.30pm

Attendance: between 20 to 40 young people

Plater Youth Club

Tuesday 4.30pm to 7.30pm
Wednesday 4.30pm to 7.30pm
Thursday 4.30pm to 7.30pm

Attendance: between 20 to 30 young people

Youth Centre

Tuesday 4.30pm to 7.30pm
Wednesday 6.00pm to 9.00pm
Thursday 5.00pm to 8.00pm
Friday 6.00pm to 9.00pm

Attendance: between 20 to 35 young people

Dolphins Youth Club

Tuesday 5.00pm to 8.00pm
Wednesday 5.00pm to 8.00pm
Thursday 5.00pm to 8.00pm

Attendance: between 25 to 50 young people

Weekend opening is on a Youth Club rotation basis.

1580 **Hon. E J Reyes:** Mr Speaker, I am grateful for the schedule the Minister has provided. My first quick look at it shows that there is actually no opening during weekends per se, be it the summer or winter schedule. Can the Minister expand upon why this policy of not opening or making the premises available for youngsters' use during the whole weekend?

1585 **Hon. S E Linares:** No, Mr Speaker, the youth clubs are open during the weekend. It says, in the answer to the question, that weekend opening is on a youth club rotation basis. At the bottom it says on a 'rotational basis'. That means that there is always one youth club open. It is to do, basically, with programmes that they might have. Sometimes, if the programme is in the Dolphins Youth Club, they open the Dolphins Youth Club during the weekend on a rotational basis, like it says.

1590 Every weekend there are programmes. Sometimes it is not even on a rotational basis. Sometimes you get two or three youth clubs doing projects during the weekend. The only thing is that they are not time specific. That means that we would not put it there, opening from 7.30 to 9.30, or whatever; it is on a case-by-case basis, depending on the programme.

1595 **Hon. E J Reyes:** Mr Speaker, from what I gather, I think that extra bit of information ... No youth club is open on a Monday. On a Friday afternoon or evening there is only the Youth Centre available. And, if I have interpreted correctly what the Minister was saying in his supplementary answers, as and when a youth club may have an activity it may open during the course of a weekend, but that seems to be specific to the particular youth club for specific use by a youngster taking part in a project, so any other youngster who happens to have time off and wishes to attend a youth club during the course of a weekend – Friday, Saturday or Sunday – does not seem to have
1600 a choice of any of the four there. Am I right in that interpretation, Mr Speaker?

Hon. S E Linares: Mr Speaker, over the course of the last 12 months, the world has faced uncertainty with regard to the global pandemic. Gibraltar was no exception. This affected the nature of the work we embarked on at the Youth Service, particularly on weekends, where under usual circumstances we provide opportunities to young people to travel abroad and into Spain for activities that cannot be sourced within Gibraltar. Up until last month, we had been unable to undergo any activities in Spain, or any other country for that matter. However, the Youth Service team adapted as best as possible in order to provide opportunities to young people locally.

We endeavour to ensure that the work we do and opportunities we offer are meaningful to the young people and yet also within the parameters that Government provide, up until recently.

With the above in mind, the Youth Service ensured that the following work was carried out on weekends: Youth Day – a day to celebrate the youth of Gibraltar; movie afternoons hosted at each of the youth clubs; trips to local cinemas; bowling at the Kings Bastion Leisure Centre; cooking; overnight stays at the Gibraltar Retreat Centre; team-building activities; interclub football and basketball tournaments hosted by the Dolphins Youth Club; arts and crafts themed sessions; visit to the Royal Gibraltar Regiment; guided tours at the Alameda Gardens; visit to the Alameda Zoo; Upper Rock tours; paddle-boarding; kayaking; visit to the Northern Defences; Nautilus Project workshops; and collaboration works with various charities. And there are many more I can read, Mr Speaker.

I think the young people are very well catered for during the weekend, so if any young person would like to come on a Friday, Saturday and Sunday to any of the youth clubs, there are many activities that they can do.

Hon. E J Reyes: Mr Speaker, the Minister obviously has read out all the information provided to him on the question arising, but he still has not really answered what I was asking. The youth clubs are not open on a Monday. On a Friday there is only the Youth Centre open from six to 9 p.m., and because there is no other official opening time advertised as such in any youth club – and not even the Minister can provide it in this Parliament – for any youngster who wishes to entertain himself by going to a healthy and safe environment, like a youth club, during the course of let's say this Saturday or this Sunday, the information is not here.

Can the Minister say what time it is open or just admit that it is not open? You know what youngsters are like, they tend to act on the spur of the moment, so a youngster, at five o'clock on Saturday afternoon, can he or can he not go to a youth club and find it open for his use?

Hon. S E Linares: Mr Speaker, the youngster can find out in school. All the youngsters are in schools and therefore it is through the school system that they know exactly when these things are happening. Even at the weekend there are loads and loads of things that are happening and therefore the youngster will know, not only through his or her peers, that the youth clubs are functioning.

If a youngster, at five o'clock in the afternoon on a Saturday wants to go to any of the youth clubs, they will find that the youth club might be closed, but they can go to the next youth club and see if it is open. But anyway, they all know about the activities that are happening because all these activities are well published not only in social media ... They can go to youth.gi and they will get a vast array of projects which they can get into. For example, if they turn up to the Victoria Stadium, the Nautilus Project is running there. That is not a youth club but it is run by the Youth Service in conjunction with the Nautilus Project.

I understand that the hon. Member is going to say that one young person has not found out whether there is any project, that they go to the youth club and it is closed. Yes, unfortunate.

Mr Speaker: Next question.

Q33/2022

**Play park facilities –
Reason for delays to repairs**

1650 **Clerk:** Question 33/2022. The Hon. E J Reyes.

Hon. E J Reyes: Can Government explain why there seem to be delays in carrying out repairs at facilities provided in children's play parks?

1655 **Clerk:** Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):
Mr Speaker, given the retirement from service of several members of staff and discussions regarding the future maintenance of parks and playgrounds, there has been a slight delay in addressing some repairs. However, I am glad to report that this has been resolved.

1660 Moving forward, GJBS will be taking over the actual maintenance and repairs, but these will ultimately continue to be under the responsibility of the GSLA. Officials from both sides have been working together with the new maintenance regime, which started on Monday, 9th May 2022.

1665 **Hon. E J Reyes:** Mr Speaker, I heard clearly the Minister saying – what he is admitting – that because there was some retirement ... Contrary to this, does the Minister not realise that that perhaps shows poor succession planning to ensure that there is as little disruption as possible?

1670 Mr Speaker, may I declare a vested interest? As a grandparent of three young children, I am a very regular user of these play parks, and may I add that each weekend I tend to find that things have got slightly worse rather than slightly better, and in some places they are unsafe, or bordering on being unsafe. May I please urge the Minister to ensure that whatever plans he has in the future are implemented as soon as possible and to ensure that there is constant reporting on and updating of facilities for the sake of us grandparents, but more importantly for our grandchildren, with which I think Mr Speaker will concur?

1675 **Hon. S E Linares:** Mr Speaker, I am happy to say that the GJBS system is now working very well.

1680 It was not a question of succession; it was a question of having a team in the GSLA itself. Having said that, I am happy that the hon. Member uses the playgrounds and I am happy to inform the hon. Member that in every single playground there is a hotline which he can now call to report anything that might be dangerous, and he should do so immediately so that it can be made safe immediately for it to be repaired as soon as is reasonably possible. That is exactly what is happening now.

Thank you.

1685 **Mr Speaker:** Next question.

Q34/2022

**Lathbury and Europa sports facilities –
Management arrangements and plans re operation and maintenance**

Clerk: Question 34/2022. The Hon. E J Reyes.

1690 **Hon. E J Reyes:** Can the Minister for Sports provide updated details in respect of the present management arrangements in operation at Lathbury and Europa sports facilities, together with details of future long-term plans for the operation and maintenance of these facilities?

Clerk: Answer, the Hon. Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):
Mr Speaker, my answer remains the same as my answer to Question 509/2020.

1695

Hon. E J Reyes: Mr Speaker, I was somewhat hoping that there had been some sort of progress. Does the Minister have any idea by when we can have an update or a change in information, so that I can then make a note and see when next to ask this question across the table?

1700

Hon. S E Linares: Mr Speaker, I would say very soon because we are very close to sorting all these contracts and memoranda of understanding that we are trying to get together. I hasten not to give him a date, but it is going to be very soon and it will not take more than six months, I would say – even though I am giving you more or less a date. I am sure he can come back in six months and put a gun to my head on why I have not done it, but I am sure it will be done before then.

Q35/2022
Island Games facilities –
Expected completion dates

1705

Clerk: Question 35/2022. The Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Sports update this House with details of what facilities still require completion or remedial works at all the facilities built or refurbished in connection with the 2019 Island Games, together with details of their respective revised expected completion dates?

1710

Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):
Mr Speaker, in respect of facilities built or refurbished in connection with the 2019 Island Games, please note the following.

1715

Lathbury Sports Complex: the swimming pool is now nearing the end of its testing and commissioning phase. This is a slow process given that it identifies any issues with the integrity of the structure, and if and when identified these are addressed with minimal amount of water loss. The turf field is complete and we are now awaiting the arrival of the specialist subcontractor to complete the top layer of the athletics track. All being well with personnel arrival and other minor issues, everything should be complete by the end of June. This was due to the unprecedented weather conditions, especially the mud rain we encountered.

1720

Europa Sports Park: the facility is complete with the only item pending being the ball-stop netting on the north side of the ground. The contractor will be in Gibraltar imminently to complete this final area. However, irrespective of this, temporary safety measures have been implemented, which means that the facility is practically in full use.

1725

Hon. E J Reyes: Mr Speaker, the Minister, in his answer, has ended by referring to the Europa sports ground. Yes, I tend to go round that area quite a lot. May I bring to his attention, in case he has not noticed it – but I think he has, due to the proximity to his own place of residence – that it is not only the netting on the north side but also that on the east side that does not seem to be correctly in place. Perhaps there is less danger of a ball going that way, but the Minister may not have been provided with full information.

1730

1735 In all the things that he has given us that are ready or almost ready, there has been no reference made to the actual wicket in the cricket area. The Minister and I both shared some time out there recently. Can he confirm whether that new wicket as arrived?

Also, whilst I am on my feet, Mr Speaker, can the Minister confirm that he is fully satisfied with the repair completed in respect of the dip at the southern end of the rugby playing area?

1740

Hon. S E Linares: Mr Speaker, the hon. Member has touched upon two issues. The slope has already been fixed and should be finished with the turf on top very soon, which is when the contractor should be here. By the way, I wanted the contractor to be here last week and I was having discussions – only discussions, and I will say that – with the contractor, because I am the one who is more allied with the contractor than anybody else. Be that as it may, that has already been fixed.

1745

As to the wicket, we have another company that will be putting down the wicket, which is the company that has been identified by the cricket ... itself, because the one that put it down originally was not good enough and we told them as much, to the same one that has put down all the other part of the turf. The cricket fraternity was not happy with it, so we told the contractor, because they did not have the specialist wicket, that we would contract, with the Cricket Association, another company – at their cost because they were supposed to have put the right wicket. So we are now waiting for the new contractor. They are still playing on the one that is currently there, but they are not happy with it, so it is going to be lifted and the new one put down.

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Q36/2022
Employment Tribunal –
Cases pending

Clerk: Question 36/2022. The Hon. E J Reyes.

Hon. E J Reyes: Can Government provide updated details of how many cases are pending to be processed by the Industrial Tribunal, together with details of dates when individuals first applied to the tribunal with their grievance?

1760

Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares): Mr Speaker, the first part is a bit semantic, but it is the legal terminology, so I would just say I would first like to make the hon. Member opposite aware that it is the Employment Tribunal and not the Industrial Tribunal.

1765

As at 11th May 2022, there are no applications that the Employment Tribunal staff have received that have not been processed by them.

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Hon. E J Reyes: Mr Speaker, if there are none pending to be processed, how many are pending to be completed to finalise the whole process?

Hon. S E Linares: Mr Speaker, there are currently a total of 85 cases which are going through the Employment Tribunal process. This includes the allocation of the chairperson and mediators, applications that are undergoing hearing or directions, and applications that have been heard and are awaiting judgments from the chairperson.

1775

The status of these are follows: awaiting appointment of the chairperson, 47; awaiting appointment of a mediator, none; awaiting mediation outcome, nine; awaiting response, five;

1780 undergoing hearing or directions, 23; and awaiting judgment, one. It says here 'awaiting appointment of chairman by due date' and I have a whole list, which is since 2019, 2020 and 2021.

The Employment Tribunal has specific procedures set out in the legislation for different stages of the process under each of the different timeframes. If the hon. Member would like, I will pass him the figures from the three dates, if he wants.

1785

Hon. E J Reyes: Yes, Mr Speaker, I would be grateful for that, and it is probably better for this House if the Minister can forward to me that information at his earliest possible convenience.

1790 **Hon. D J Bossino:** May I ask a supplementary on that question, Mr Speaker? Does the hon. Member – and I appreciate that he may not have that information in front of him ... Has he made a comparison with the figures from previous years to see how the – I think the correct nomenclature is 'Employment Tribunal', is doing in terms of processing all these cases?

1795 **Hon. S E Linares:** When I said I would pass the hon. Member ... I meant not as a schedule, but I have a supplementary, Mr Speaker.

Mr Speaker: You had some information that you agreed to give the hon. Member.

1800 **Hon. S E Linares:** Yes, I will pass that information to the hon. Member. It is together with my supplementary –

Mr Speaker: Right, which you want to extract?

1805 **Hon. S E Linares:** Exactly, yes. I just want to give him the list. Okay?

Mr Speaker: Yes.

Hon. S E Linares: Thank you.

1810 I have, actually, a press release prepared in order to publish exactly what we are going to do with the Employment Tribunal. I did not want to do that and I have stopped it because of the questions the hon. Member has asked. I did not want to be told off – rightly so – by the Speaker for publishing it before I came to this House, but I can tell the hon. Member that we are in the process of already choosing a chairperson and mediators, and all the set-up is currently being done, and it will be stated publicly exactly what we are doing.

1815

Mr Speaker: Next question.

1820 **Hon. D J Bossino:** Mr Speaker, this issue may be a subject of record both in this House and indeed, I think, in the manifesto of the parties opposite. I think the intention is that, when he talks about alighting on a decision in relation to the chairperson, we are dealing with a permanent individual. Is that the case?

1825 **Hon. S E Linares:** Yes, there will be a permanent and also a supply, so in case the permanent chairperson is not available for whatever reason we can also tap into people who will be on a supply list to cover.

Mr Speaker: Next question.

Q37/2022
Nature Reserve staff walkout –
State of play

Clerk: Question 37/2022. The Hon. D J Bossino.

1830 **Hon. D J Bossino:** Please state what the state of play is with regard to the Nature Reserve staff who carried out a walkout recently.

Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

1835 **Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):** Mr Speaker, as the Minister for Industrial Relations, I have met with the unions and their representatives in relation to their concerns. The Government proposed to work collaboratively with the unions to identify efficiencies, invite proposals from each of the workforce in relation to revenue and savings and providing a value-for-money service — a vision that all stakeholders
1840 subscribed to. In the interim, the status quo will prevail. To this end, the unions ceased all industrial action within this sector.

Hon. D J Bossino: I am grateful for his reply. I think it is very similar, in fairness, to the press release that the Government issued at the beginning of the month.

1845 Would he agree with me that what happened that day with the closure of the Nature Reserve, on that Friday, was a sad state of affairs? And in that context, may I ask him what measures he has in place, given his new responsibility as the Minister for Industrial Relations, to prevent this type of incident occurring again?

1850 **Hon. S E Linares:** Yes, Mr Speaker, it was very unfortunate because I could not deal with it – I was in the UK and I was in a conference, so I dealt with it via WhatsApp and tried to get the press releases and all the issues that occurred ... It is unfortunate, but now I am having a very good working relationship with the unions, in which the unions, before they start ...

1855 I have told the unions that I think it is not only fair for me but for them and for the workforce not to come on a Friday night saying to me that on Monday they are walking out. I have told them that I need to get to grips, and I am getting to grips with all the issues. We will be sitting down systematically, issue by issue, and seeing how we can resolve them before it gets to this point, but unfortunately it did this time.

1860 **Hon. D J Bossino:** Yes, Mr Speaker, especially when we are dealing, in effect, with the coalface in terms of our tourist industry and all the rest of it, which has gone through sufficient stress and trouble as it is.

1865 In the press release and in his reply to this Hon. House he talks about efficiencies, but can he be a bit more particular in relation to that? Is he able to tell this House what the underlying issues are? What are the issues that the employees want to resolve from the Government side?

1870 **Hon. S E Linares:** It is one of those things, Mr Speaker, that have been simmering for a long time, and I am trying to sit down with them to negotiate how best we can do the whole ... For example, up the Rock, how we can work out who does what, when, and overtime and promotions and all these issues. It is no good for me to now say which one I can resolve or not. I need to sit down with the union in order to see how best we can do it.

Value for money: they can also give me or the Government ways in which we can make more revenue. They have told me, 'Minister, do you want to know how to make more money out of this? We can do this, this or this to make more money.' These are very interesting things that I

1875 would like to discuss and negotiate with them, to see how best we can have a service which the taxi drivers and everybody else will be happy with as well. So it is a question of negotiating.

Hon. D J Bossino: Mr Speaker, I appreciate that and he has been very kind to respond. I think the issues are basically in terms of conditions, pay, responsibilities and duties, in effect – it is quite wide ranging. Is he able to tell this House when he expects that to be resolved?
1880

Hon. S E Linares: How soon? I do not really know. I am only negotiating with them. I am already sitting down with the unions. I am going issue by issue from all of the Departments that want to come and speak to me about it. I am open as from now, so it is happening already.
1885

Mr Speaker: Final question.

Hon. D J Bossino: Mr Speaker, I am grateful.
Is one of the issues a manpower issue? Can he state whether that is the case, and does it impact on the negotiations? I am simply asking him to highlight whether that is one of the live issues between the parties.
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Hon. S E Linares: I would not know, Mr Speaker, until I negotiate with them, so I cannot answer that question. I would have to sit down and ask them whether there is an issue or not, but at this moment in time I would not know.
1895

Chief Minister (Hon. F R Picardo): Mr Speaker, I am conscious that you have been in that chair, although we have been able to be in and out, for a number of hours now, and I wonder whether it might be a convenient moment to offer all Members and yourself a 10-15 minute recess.
1900

Mr Speaker: The House will recess until quarter to seven.

The House recessed at 6.30 p.m. and resumed its sitting at 6.45 p.m.

Q38/2022

Housing for special needs individuals – Plans to earmark

Clerk: We continue with Question 38/2022. The Hon. D J Bossino.

Hon. D J Bossino: Thank you.
Does the Government have plans to earmark housing for use by special needs individuals; and, if so, what are these?
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Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):
Mr Speaker, the Government has always had plans for individuals with special needs. These individuals have always been assessed by professionals and referred to the Housing Department for support and assistance with their respective applications. Once they are identified as needing housing, the Housing Department engages with the occupational therapist and other relevant professionals in order to adapt these flats to their individual needs.
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1915

The Housing Department will continue to endeavour to make the lives of individuals with special needs as easy and comfortable as is reasonably possible, working together with professionals to allocate and reallocate flats depending on an individual's needs.

1920 **Hon. D J Bossino:** That is not the information that I am receiving. It is not that I am challenging the system, as he has put it. What I am being told is that there are flats allocated and identified almost on a permanent basis, rather than on a case-by-case needs basis as the Minister has just put it to me and to the House. He is shaking his head, so no doubt for the record he will deny that.

1925 Can he give an indication as to how many extant applications need to be dealt with in the process that he has kindly set out for this House?

1930 **Hon. S E Linares:** Mr Speaker, it is virtually impossible to say how many there are, as in numbers, because, as I have said in the last line of my answer, we will work together with professionals to allocate and relocate. That means that if there is a family that needs more care as the person with special needs grows and gets older, then we will adapt and relocate as and when needed. If a family has children ... and I say 'children' openly because they may become adults, and that is where the problem might lie, where the family might not be able to live in that flat because of the needs of then the adult. So we are always open to see... if we need to improve by relocating them somewhere else, where we can completely adapt for their needs, we will do so.

1935

Hon. D J Bossino: Maybe if I phrase the question in a different way ... I think I understand what he is saying. Rather than in terms of applicants, can I ask him to state how many cases his Department is dealing with?

1940 And secondly, if I may, Mr Speaker, the issue which has been brought to my attention – but he tells me that there are not flats specifically allocated for this purpose – is that there is a flat, I am told, in Engineer Lane, and one in the Upper Town, which are simply not fit for purpose in terms of mobility and access and all the rest of it. I would ask him to address that point as well, if he would, in his answer.

1945

Hon. S E Linares: Mr Speaker, he says in Engineer Lane. I do not recall having any housing stock – (*Interjection*) There is no housing stock in Engineer Lane that I know of.

1950 How many? As and when it is needed. Only recently I had a case where it came to our attention that the family were struggling in the flat where they living, because of space, for example, so we are now working actively with the family and with the professionals in order to relocate that family somewhere else, where they can live more comfortably. This goes beyond housing lists and all that. We will do that as a matter of urgency because I will prioritise that.

1955 If somebody is in need and they come to us and ask for a relocation, for example, I am not going to wait a year and a half or two years for the person to be up on the list. It becomes medical/social, and all the professionals will work for that family to be relocated as soon as it is possible.

1960 **Hon. D J Bossino:** Is he telling this House that he does not have ...? I really do genuinely ask this by way of clarification. Is he telling me that when a case like this arises it is categorised in the current list – as he said, medical/social – as opposed to a specific category dealing with special needs?

1965 The reason why I am pressing him on this is simply because in Gibraltar we tend to find that there is a dearth of statistics in relation to all these issues, so it is a question, really, of assessing what type of demand there is. For example, if we are dealing with two, then we know that that can probably be very easily accommodated by the Government, but if we are dealing with thousands – I know that for the purpose of this example I am exaggerating – then obviously we need to take, as a community, I think, a policy decision in order to address this issue.

1970 **Hon. S E Linares:** Mr Speaker, it is a question of assessing the disability and the needs of the person. If the hon. Member says that suddenly there are a thousand, then we would have to build a thousand houses specifically for the people with disabilities. It is not the case that it is thousands; it is a handful. One or two have recently cropped up and, as I said, the Housing Department will work closely with the family, together with professionals, to see how we can help with improving the lives of those people with those disabilities.

1975 **Hon. D J Bossino:** I just want him to answer, really by way of clarification ... I do not think he has addressed the specific point. So you have a family that comes to you, or because of the various institutions' dealings with that family they decide together that this individual – who, as he said, was a child and becomes an adult – is able to, more or less, have an independent lifestyle and therefore accommodation; we have a case that the Government, his Department, needs to deal with. What I am asking is once you have that case, what happens to it? Where is it catalogued? 1980 That is all I am asking. Does it become medical/social category on the standard housing list? Or is there a special category for special needs individuals?

1985 **Hon. S E Linares:** Mr Speaker, I still insist it depends on the urgency and how bad ... and how quickly we can allocate that family a better place to live in. So it is not a question of having a list of 20 families wanting better ... We will do it as and when it is needed. The professionals will come to us and say there is a family that is having problems because the child is no longer a child and the child has more needs, and therefore we will identify it and actively try to relocate them to a better place.

1990

Mr Speaker: Behind the Speaker's Chair have a word with the Minister and perhaps arrive at some way of moving this forward.

1995 **Hon. D J Bossino:** Yes, Mr Speaker, I am conscious that we need to move the business of the House, but unless I have ... The Speaker understands the point I am making and, with all due respect to the Member, I do not think he is addressing the point, but maybe behind the Speaker's Chair I can ask him – or WhatsApp him – whether there is a special classification of a case once it is brought to the attention of the Government. That is all. The answer has not come back with a yes or a no. He has alighted on and explained the process behind it, that is all.

2000

Hon. S E Linares: Mr Speaker, I can answer the question. Everybody with a disability is classified automatically, and then, on that classification, as and when they need it –

2005 **Hon. D J Bossino:** In your Department, in Housing?

Hon. S E Linares: Yes, in Housing, by their disability – *(Interjection by Hon. D J Bossino)* Right. So we identify them by the disability and therefore, if the person is living now in a place and they need something else, and we need to either adapt the house ... As opposed to relocation, it could be adapting the flat, making the flat more user friendly for the person who has the disability.

2010

Hon. D J Bossino: Finally, Mr Speaker, until we have got a place where there is a classification, the term is not 'special needs', it is 'disability'. If I ask a question at the next meeting of the House as to what that number is, unless it is available online – it may be – the hon. Member would be able to provide that: is that the case?

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Hon. S E Linares: Yes, Mr Speaker. There is no issue at all. I do not know what the issue is. I have explained to the hon. Member exactly how we work.

Mr Speaker: Next question.

Q39/2022
Government flats –
Reason for drop in allocations

2020 **Clerk:** Question 39/2022. The Hon. D J Bossino.

Hon. D J Bossino: Please provide an explanation as to why there is a drop in the number of allocations for Government flats and when it is expected that that number will rise to previous levels.

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Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares): Mr Speaker, the number of flats allocated is determined by the availability of stock, i.e. flats returned to the Housing Department from their previous tenants. If there are fewer flats returned then there are fewer flats allocated.

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Hon. D J Bossino: Mr Speaker, I thank the Minister for the answer. The reason why I asked the question is ... and I have not done a full analysis of the last 10 years, but over the last three or four years I have noticed a drop, particularly in this last year, when you do a comparison month by month with the previous years, and then from 2018 onwards you see a drop in the number of allocations.

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For example, in 2018 – this is the online information, which I am sure the hon. Member will be aware is available in Table H7 – we have 226 flats, then in 2019 it drops to 192. It is not a particularly big drop, but then in 2021 it is 151. Obviously, we have not seen the full effect of the 2022 figures, but the figures for January and March, which are four and six respectively, are particularly low when the average of allocations is around about the 12, 15, 16, 17, 18 mark.

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He has given a wide explanation. If that is the case, then that is the case; there is no other extraneous reason to explain what for me appears to be a drop, perhaps not particularly significant but nevertheless a drop. It could be the fact that we have had COVID and that has had an effect, but if that is the answer, fair enough; it would not be the answer that he gave me originally.

2045

Hon. S E Linares: It is the answer that I have given him and it is to do with the pandemic. It is both. I have fewer flats to give because fewer flats have been able to be fixed, due to the pandemic. Therefore, the numbers obviously have dropped because people have not been able to fix the flats because of the pandemic.

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We have had the Housing Works Agency running around doing all the good work that they have been doing with the pensioners in the pensioner flats. They have been working with them to take things to ... Everything that has happened in the pandemic – I am not going to go through it all but it is to do with that. As the hon. Member knows, we are quite proud of the number of flats we turn around every year. There has been a drop, and in fact the dates that the hon. Member mentions – January to March – are when we were at the height of the pandemic. It was then that we were having the pandemic and therefore why it drops, but I am hoping that now we will pick up again and we will go back to the numbers, and even better.

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Hon. D J Bossino: Mr Speaker, that is fair enough and it fills me with hope that that is the case. I am glad that he has identified the pandemic as the reason for that reduction in numbers. He expressed the hope himself that it would improve.

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Now that we have some modicum of normality, as the Hon. Chief Minister was referring to earlier, when does he expect that number to see an increase? I think I speak for many Members

on this side of the House. I am sure he also receives many complaints from individuals out there who are in dire housing circumstances which require a resolution sooner rather than later.

2070 **Hon. S E Linares:** Mr Speaker, yes, I am hoping, and we are getting back to normal but again this is a question of supply and demand. It is a demand-led thing. I know the demand is high, but we will be dealing with it.

I can also say to the hon. Member that once we build the houses we will have quite a lot of stock to be able to give because people who are in Government houses have been categorised as
2075 category 1, where they will be given the choice of buying a house and therefore returning the house to Government.

Hon. D A Feetham: Mr Speaker, can the Minister, in his experience, provide an estimate of how long it takes from the moment when somebody is told by his Department, 'We have allocated
2080 a flat to you' ...? The flat is normally not identified. That is, essentially the procedure. It then goes to the Housing Works Agency in order to fix it up. It goes out to be fixed. It may be fixed by a company, I do not know, but it has to be fixed ... for that flat to then come back to his Department so that it can then at least be seen by the person who has been told that they have been allocated a flat?

2085 I have, and I have written to the Minister about this, an example of somebody who received a letter more than four months ago being told 'You have been allocated a flat' – the flat has not been identified – 'but we cannot show you the flat because it needs to be fixed up.' It is May already, this was actually before Christmas, and that person has not even been shown the flat, so I am just asking how long do these things normally take.

2090 **Hon. S E Linares:** Mr Speaker, I cannot say. I cannot answer that question for the simple reason that there are flats that need a lot of work and there are flats that need hardly any work. These are people who we say are earmarked a flat and – I have explained this in the House before – we do chains ... For example, the person he is talking about, who will move into whatever flat is going
2095 to be allocated ... Yes, it might take four to six months, but once they are allocated a flat I have to get that flat from that person and see if I can move somebody in again, because we move people around to satisfy their needs. Therefore we do these chains, and sometimes ... I would prefer to be able to do that within a month, but realistically it does not happen. It is a question of identifying what ... I can tell the hon. Member that sometimes the flats, the way they are returned leaves a lot to be desired, but that is another issue for another day. We have to fix the flat and maybe I say
2100 to someone, 'Don't worry, because you have a flat earmarked.'

We do not want to take the person there for a number of reasons, because we have taken people who have been earmarked a flat and we have given them the number, and then they have gone into the flat and told the contractor, 'I want this, this and this,' costing the Housing
2105 Department three or four times the original budget. So we do not say where the flat is. We expect the flat to be ready as soon as is reasonably possible and then we give them the flat.

The hon. Member must understand why these things happen. We might not communicate for four to six months, but within six to eight months they are going to get the house and they know that, so it is a question of hanging on and waiting for a little while until we give them the flat in
2110 adequate condition.

Hon. D A Feetham: But, Mr Speaker, does the Minister not think that perhaps the system could be improved? And does he not understand as well the great frustration that somebody who, for instance, has already spent a number of years in the women's refuge, is finally told, 'You are being
2115 earmarked a flat,' and five months down the line she has not even been taken to see the flat? At least if, for example, an assessment can be made of the flat the moment the Minister or his Department receive the keys and then that assessment says, 'This needs x, y and z and we estimate that the works are going to take three, four or five months,' even if you were to add, to be

cautious, two months on top of that, at least people are being told how long it will take, not that
2120 you have the frustration of somebody – and I do not think this is an isolated example – having
spent a number of years in the women’s refuge being told before Christmas that a flat had been
earmarked and in May that person is still waiting.

Does he not agree that the system can be improved, and will he give a commitment to this
House that he is going to look at improving the system and communication with people in
2125 particular?

Chief Minister (Hon. F R Picardo): Mr Speaker, we are not going to create a false expectation
that things can be fixed when they cannot be fixed, because although the results may not be that
which any of us would wish, and the easiest thing would be to say that we will fix the system and
2130 go away just on that, there is a physical reality that hon. Members have to understand, which
affected them as much as it affects us.

First of all, we tell people as soon as we are able to make an allocation, so we tell them
sometimes with the person who is still the tenant telling us that they are going to leave in two
weeks, but they have told us that they are going to leave, so we say to the other person, ‘The good
2135 news is we are able to make an earmarked allocation; the works are going to start.’ The person
then does not go, for reasons which are sometimes perfectly humanly understandable: they were
moving to private accommodation and the chain in which they are involved does not move
quickly, they are waiting for another flat which we are not able to complete, or there is an issue
with a bed at ERS so there is a delay in the move out. If we forced the move out of the person who
2140 has told us they are going to move in two weeks, hon. Members would rightly be here saying, ‘You
put enormous pressure on a pensioner to move to ERS’ or ‘You put enormous pressure on a person
to leave Government rented accommodation to go to the accommodation they were purchasing.’
That is the first potential delay.

The second delay is the works. If we bring an external company in to do the works quickly, hon.
2145 Members will come here and tell us we used an external company and the tap failed when the
new tenant went to touch the tap for the first time, or that we are privatising and outsourcing
things etc. So we do it in the usual way using the resources that we have. That sometimes takes
more time because, although an assessment is made at a preliminary level of works that require
to be done, when the works commence they take longer because all of the pipes are rotten, not
2150 just the ones that were visible when the works were going to start. If we do not fix all the pipes,
hon. Members will be here telling us that we put people in a flat which had rotten pipes. So we
want to try to do the work to the standard that hon. Members would agree with us is the right
standard in the timeframe that the hon. Members would agree with us is the right timeframe for
the person who is leaving the flat, if it is not a flat that has been empty because of somebody
2155 deceasing and moving out already, in the context of the repairs being done in the proper way, and
therefore that is the only thing holding up the process.

If there were anything we were doing to hold up the process – in other words, if the
Government were not voting the money for the repairs to be done, if the Government were not
permitting the repairs to start for any other reason, if you had an empty house which was either
2160 being repaired or handed back to the Government etc. – then you would have fat in the system,
in the chronology of the system, which we would be able to attack in order to reduce the waiting
time. There may be instances where that has happened. I am not suggesting that that has not
been the case either in our time or in their time in office, although the line of questioning that the
Hon. Mr Bossino was taking a moment earlier was about how proud we rightly are that we
2165 refurbish and hand over many more houses every quarter of every year that we have been in
government than they did in every quarter of every year when they were in government – except
for the pandemic period, in which everything stopped completely.

In those circumstances, although the easy political thing to do is to get up and answer the hon.
Member’s question with a yes, I am going to be extraordinarily honest with the hon. Gentleman

2170 and the House, as I always am, and say that the answer has to be no, for all of the reasons I have already provided.

Hon. D A Feetham: May I, (**Mr Speaker:** Final one.) because it is an issue that is important to many Gibraltarians. All of that is understood and I understand the difficulties that the Government is facing, but actually, even in the first example that the Hon. the Chief Minister postulated about why he was not agreeing with me, this is about communication.

2175 It is possible for the Minister or his Department to do an assessment in relation to ... In the example the Hon. Chief Minister gave – perhaps somebody does not want to leave, does not want to vacate the flat – it is the simplest of things to simply write to the person who has been told they have been allocated a flat and say, ‘The reason why you do not have the keys is because, unfortunately, we thought that that person was going to vacate but the sitting tenant has not vacated.’

2180 Very often this is simply about communication. It is not because the process has not started and things are not in process; it is about communication. That is the point that I am making to the Minister, because actually the system could potentially be improved through an assessment of the flats that you have – ‘How long is this going to take? What do we need?’ – and just communicating with people and saying, ‘We have subcontracted to X Ltd in order to do the works, we estimate that the works are going to take x but we cannot give a guarantee’ at least is an open channel of communication. It is about explaining to people and it would lead to less frustration on the part of people than there is currently. Therefore, can I commend that to the Chief Minister?

Hon. Chief Minister: Mr Speaker, I am very grateful to the hon. Gentleman for commending that to me and I will receive that commendation with the generosity that has marked our political relationship in the past months, and not in the average level of generosity that would mark the assessment if we made it over the past 15 years.

2195 But I will also tell him, in the spirit of honesty, openness, transparency and accountability that has characterised this Government since were elected, that unfortunately everything that he has said is irrelevant because the communication happens, because the persons who are told that there is an earmark then proceed to call the Department of Housing – and I am being generous – once a day, if not twice a day, three times a day or five times a day. In many instances they will call the Hon. Minister, the Hon. Minister’s secretary, my secretary, the previous Minister for Housing and the previous Minister for Housing’s secretary, etc. That is why the decision was made, I think in their time, not to tell people which house has been earmarked to them, because people will then turn up at the house and harass the people who are still there. I am not suggesting that the lady who has consulted the hon. Gentleman would be such a person, but unfortunately we have to put in place procedures to deal with the extremes that we have experienced. If we told a person that we had allocated XYZ Ltd to deal with the refurbishment of a particular property, that person would be calling XYZ Ltd or following them around to see where they were going to do a refurbishment to, in that way, determine which the property was.

2200 This is a vexed issue, where there is, in fact, a huge amount of communication between the Department of Housing and the individuals and a massive amount of frustration, which I fully understand and accept, but unfortunately it would be utterly superficial to believe that this is an issue of communication. It is not an issue of communication; there is sufficient communication. People sometimes – and I am not suggesting it is the lady who consulted the hon. Gentleman – just do not accept what they are told. They do not accept a reasonable reason for a delay.

2205 Unfortunately, the culture of entitlement which the hon. Gentleman has oft spoken against sometimes intrudes in situations where it should not, such as the very meritorious situation which he is referring us to of a person who has finally been given a home, who is in the women’s refuge and direly needs it as soon as possible.

2220 I am sure, Mr Speaker, that he would want to encourage us to ensure that in such instances there is no fat in the process of allocation and that we reduce that insofar as is possible, which we will indeed always seek to do.

I hope that is helpful, Mr Speaker.

2225 **Mr Speaker:** Next question.

Q40/2022

**Illegal occupation of rental homes –
Legal costs**

Clerk: Question 40/2022. The Hon. D J Bossino.

2230 **Hon. D J Bossino:** Further to the answer to Written Question 61/2021, please provide an update with regard to the then unresolved case of illegal occupation of a rental home and what the legal costs are for each of the unresolved and resolved cases.

Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

2235 **Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):** Mr Speaker, the unresolved case of the unauthorised occupier in Written Question 61/2021 has been resolved. The legal cost of this has been £1,750. The legal cost of the resolved case in Written Question 61/2021 has been nil.

2240 **Hon. D J Bossino:** He said that in relation to the resolved case the legal cost has been nil. I suspect that he expects the supplementary question I am about to pose, because what he has said in his written answer is:

The invoice relating to the resolved case has not yet been received by the Housing Department.

Clearly, when he gave the answer he must have expected to receive a legal bill. Can he explain why the legal cost is nil?

2245 **Hon. S E Linares:** Because there is not any legal cost.

2250 **Hon. D J Bossino:** But that is not the impression he gave when he gave the written answer. He said, 'The invoice relating to the resolved case has not yet been received', which is suggestive of at least an expectation on his part that he was going to be receiving an invoice for legal services provided.

Can he explain why that is the case? Did he not engage lawyers, and was the answer wrong? Or it was done pro bono – is that the case?

2255 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the hon. Gentleman may have missed it, but there have been successive Ministers for Housing who have given the answer in this House that we have a retainer in relation to housing matters. In some instances, the work is in excess of a retainer and it requires a separate bill. In this instance, he will be delighted to hear that there was no need for a separate bill; it will have been covered by the retainer.

2260 Perhaps we have come within that parameter that I indicated earlier to the hon. Members that they might wish to adopt for themselves: that we did this quicker, better and cheaper than they expected.

Hon. D J Bossino: Why is it the case, then, that the hon. Member was expecting an invoice for legal services rendered? Did he not know that it was within the retainer?

2265 **Hon. Chief Minister:** Because we do not know whether something has been covered by the retainer until the lawyer who is retained tells us whether he has exceeded the hours for the month in the month that he has acted. As somebody who practises in the field, I would have thought it was relatively clear.

2270 **Mr Speaker:** Next question.

Q41/2022

**Unlawful occupation of rental homes –
Number of ongoing investigations**

Clerk: Question 41/2022. The Hon. D J Bossino.

Hon. D J Bossino: Please provide details of how many cases of unlawful occupation of rental homes are currently being investigated by the relevant authorities.

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Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares): Mr Speaker, the Housing Department is currently investigating three cases of unlawful occupation.

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Hon. D J Bossino: Does he have an understanding as to when these are likely to be resolved to the satisfaction of his Ministry?

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Hon. S E Linares: No, Mr Speaker. These all started last year and therefore we do not know how long they will take. I reckon that two of them might be solved quickly but the other one might not. But then again, I do not know how they will proceed.

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Hon. D J Bossino: Just to get a better idea on the timelines, when he said they all started last year, we are talking, presumably, of the investigation rather than from when they have been illegally occupied – if he knows what I mean?

Hon. S E Linares: The date of action. We go through the process first, and then it is action, so it was last year.

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Mr Speaker: Next question.

Q42/2022

**Government rented housing estates –
Anti-social behaviour**

Clerk: Question 42/2022. The Hon. D J Bossino.

2300 **Hon. D J Bossino:** How does the Government deal with anti-social behaviour in Government rented housing estates?

Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

2305 **Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):**
Mr Speaker, upon receiving a complaint a housing officer will make an assessment to determine if the complaint constitutes anti-social behaviour (ASB). This process will be carried out in line with this policy. If a complaint is accepted and it is determined that it is reasonable and proportionate to conclude that a tenant, member of their family or other visiting person may have been conducting ASB, based on the information we have received, we will prioritise the complaint,
2310 which will allow us to allocate an appropriate priority and response time for dealing with the complaint. The focus needs to be on those behaviours that have a significant negative impact on the quality of life of others but does not necessarily take the form of criminal behaviour such as drugs, criminal damage, harassment, etc. It is on this basis that we will prioritise incoming complaints.

2315 We will notify the alleged perpetrator, where appropriate, in writing, when a complaint has been made. In accordance with the Data Protection Act 2004 and GDPR, we will never disclose the name of the person making the complaint.

If it appears that a tenant has breached their tenancy conditions, we will investigate further. This may include prevention, intervention and formal methods of resolving a complaint.
2320 Investigative measures may include discussions at joint agency meetings; letters; liaison with the RGP; referrals to Children and Young People Services, Adult and Community Services and the Community Mental Health team; asking complainants to keep detailed records of the ASB experienced – this is particularly important where eviction is considered – but any noise monitoring taking place will be dealt with by the Department for the Environment; signposting to
2325 other agencies; and working with or making referrals to other internal departments and external agencies where appropriate.

We will take a multi-agency approach, including working with the RGP; the Care Agency; Adult and Children Services; environmental protection officers; the Gibraltar Health Authority, including the Community Mental Health team; other internal departments as necessary; tenants'
2330 associations; and schools.

Hon. D J Bossino: I thank the Minister for the very full reply. I think he has given a very detailed statement as to how the system works and I thank him for that.

2335 Is he able to assess the success or effectiveness – shall I put it in those terms? – or otherwise of the system he has just laid out for us? A subsidiary question to that would be is he aware of how many complaints he receives, say on a monthly or indeed a yearly basis? Is that information that his Department catalogues? It leads to my first point, which is how it is that he is able to assess whether the system that he has in place actually works or not, because it appears, from the information that I am getting, that there are very serious issues in particularly some estates, not
2340 necessarily in all of them.

Hon. S E Linares: Mr Speaker, the issues, as and when they arise ... We do have a list of complaints, and that is why we follow the form that I have just read out to the hon. Member, but it is very difficult to ... It is a long process. It takes time. People need to monitor. We have to, like

2345 I have just read out, go through all the motions of going through the agencies, depending on the age of the person who is doing the anti-social behaviour and what the anti-social behaviour is, but one of the problems we have is that many complaints come to us when some people do some things once or twice. That is why I said at the very beginning we have to monitor whether they are constantly doing it or it is a one-off, or weekly. It is very difficult.

2350 If we go the other way, which is eviction, where do we send the person who has anti-social behaviour? That is the problem, because the person who lives beside them says, 'I do not want this person here,' but I send them somewhere and they create the problem elsewhere. So it is a question of going through the right motions in order to ascertain whether there are actually lots of problems that they are creating. Like I said, it is hard on the person who is living beside the person who has anti-social behaviour, it is very hard, because you are living beside somebody who is constantly playing either music or whatever ... That is why it is taken on a multi-agency approach.

Hon. D J Bossino: But similar to the points I made in relation to the disability numbers, does he have the numbers in order to establish ...? It is conceivable that somebody may make an unmeritorious complaint, but does he have numbers where he says he ... or at least to be able to assist him in determining whether there are particular pockets, particular estates which are worse than others, which may require the greater attention of his Department? That is really what I am driving at. If he does not have that information and as a system his Department does not have it, that is fair enough, but I just wanted to elicit that information from him, that is all.

2365 **Hon. S E Linares:** No, Mr Speaker, it does not happen specifically on one estate. Sometimes it does not happen specifically always in specific estates. It can happen anywhere in Gibraltar. You might think, 'Well, I live in this block in the south and it is very quiet,' but all you need to have is one anti-social behaviour that is constant and it has an effect on the lives of all the people who are living around, and we are conscious of that. It is a very difficult situation because you have to go through the whole process before you do the end part, which is eviction. I am quite happy with the way it is dealt with, because it is a systematic way of dealing with it.

2370 Sometimes what happens is that if it gets to the stage, for example, of letters, the person changes and takes the letters in and thinks, 'I am not going to be as I was before,' and it cures them – then it works. Or you have to go to another stage, where the RGP is involved, and maybe because the RGP is involved they refrain from doing it. So it is a very difficult balance in how you deal with it all the time, but I can understand and we are actively doing it. It is a question of actively doing it when it happens.

2380 **Mr Speaker:** The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, the Minister will know that a few minutes ago I spoke to him in the back room about a representation without knowing that this question was being presented. So, considering the representation that I brought to him was about three or four years old and has not been solved, would he now say that the system that is being applied is failing? And what would he tell this constituent, who is constantly suffering as a result of this nuisance?

2390 **Hon. S E Linares:** Mr Speaker, it is difficult to answer that question because it is a specific case and I would not like to go down the route of a specific case. All I can say to the hon. Lady is that we are dealing with it. We are looking at it, we have written certain letters and we are in the process of what I have read and we will try to see how best we can deal with that specific case, but I do not want to go down the route of saying how far we have gone or not on that case. But we are dealing with it.

2395 **Mr Speaker:** Next question.

Q43/2022
Mid-Harbours estate –
Cleaning and maintenance

Clerk: Question 43/2022. The Hon. D J Bossino.

2400 **Hon. D J Bossino:** Please state what arrangements are in place to clean and generally maintain the Mid-Harbours estate and whether the Government is satisfied with the general condition of the estate.

Clerk: Answer, the Hon. the Minister for Industrial Relations, Employment, Housing and Sport.

2405 **Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):** Mr Speaker, under a contract between HMGoG and Britannia Management the cleaning of the communal areas of Mid-Harbours estate is undertaken daily from Monday to Sunday. It includes scrubbing, flushing and power hosing once a month during the autumn and winter and fortnightly during the spring and summer; servicing of all the litter bins Monday to Sunday as required,
2410 minimum once a day; cleaning of bin holding areas daily Monday to Sunday; and sanitising of the refuse containers once a week.

The cleaning of internal communal areas – *el Turno* – includes the cleaning of all internal lobbies, halls, corridors, landings, stairways, fire-escape corridors/stairways and lifts, and all bannisters, grab rails, letterbox areas, communal windows, glass-pane doors and window reveals
2415 and sills within the blocks, where applicable. The cleaning routine is undertaken to each block once a week, 52 weeks per year.

With regard to the general maintenance, we are currently catching up with pending work orders, as a result of the pandemic generally, throughout the housing stock.

2420 It must be said that this estate has been suffering from defects since its construction, hence works having been undertaken already to the west façade of Blue Wave House. In addition to this, there is an inherent defect with the podium, whereby rainwater filters through every time it rains. These defects can be resolved, albeit holistically. In fact, there are projects in the pipeline to resolve these issues. Bearing in mind that we are slowly but surely coming out of a pandemic, progress is being made, albeit at a slower rate than we would have wanted. In addition, the issue
2425 of inherent defects within Mid-Harbour estate since it was constructed is something that needs to be factored in when it comes to the overall maintenance of the estate.

Hon. D J Bossino: Again, thank you for the very full and long reply, but can I just tell him this: that I visited the estate recently and met up with the committee there, and I must say that what
2430 he has set out in his reply is not reflective of reality in terms of the general cleanliness of the estate. Very large sections of the place look particularly bad and grotty.

I saw for myself a situation where flower beds are not cleaned, I am told, because there is a tension between one company and another – one company saying that it is the other company's responsibility and so forth.

2435 **Bird excrement:** he talks about cleaning of windows, but I saw one particular one which was in a really sorry state and had not been cleaned, at least when I saw it, for a very long time.

Those who live there may not be absolved of any responsibility. I am not suggesting that that is the case, but perhaps the hon. Member should take a look. I am not suggesting he has not, but I simply put to him that there is a diametric opposition between what he has given in his reply and
2440 what is in fact happening on the ground. If he has not visited recently, I encourage him to do so.

Can he, therefore – if I can put this into the form of a question – look into this and establish whether what I saw is in fact reflective of what he tells me contractually these companies are meant to be doing in the estates?

2445 **Hon. S E Linares:** Mr Speaker, there are two issues there which I have to answer. One is if everything that I am saying is not being done. I meet regularly with the tenants' association and that is not what they say to me. If it is not being done, I will go back and make sure, because we do pay them for doing exactly what we are saying.

2450 The hon. Member might also consider that when he went there, there might have been people who do things on a daily basis and then he sees it badly. It might have been swept at nine o'clock in the morning, but then at eight o'clock in the evening it is not the same.

2455 What I am saying is I meet regularly with the tenants' association. I am glad that the hon. Member is saying that it is not there. I do visit all estates frequently – very frequently – and if what the hon. Member is saying to me ... I will tackle the company that does it, because they should be doing it.

2460 **Hon. D J Bossino:** Would he encourage them to tackle the flower bed issue? As I said, I was told that there is a tension between one and the other, so maybe it is a question of looking at the contracts and establishing who is meant to be doing it – but just get it done.

Hon. S E Linares: I agree.

Q44-45/2022

Home Co-Ownership Scheme –

Criteria for access to and allocation of flats; number of allocations made not meeting criteria

Clerk: Question 44/2022. The Hon. D J Bossino.

2465 **Hon. D J Bossino:** What is the criteria for access to and the allocation of flats to the Home Co-Ownership Scheme?

Clerk: Answer, the Minister for Industrial Relations, Employment, Housing and Sport.

2470 **Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):** Mr Speaker, I will answer this question together with Question 45.

Clerk: Question 45/2022. The Hon. D J Bossino.

2475 **Hon. D J Bossino:** How many flat allocations have been made in the Home Co-Ownership Scheme that do not meet the criteria for allocation?

Clerk: Answer, the Minister for Industrial Relations, Employment, Housing and Sport.

2480 **Hon. S E Linares:** Mr Speaker, the criteria for access to and the allocation of flats to the Home Co-Ownership Scheme was published at the time that the current projects were announced. I will read it to the hon. Member if he has not read the press release:

Applicants who release HMGOG rented accommodation; applicants who have post-war HMGOG accommodation purchased; applicants, family compositions, registered on the housing waiting lists; married couples with no children registered on the waiting lists; joint applicants not married and with no children, both registered on the housing waiting lists; applicants who are meritorious upgraders, i.e. those requiring larger accommodation because of family composition – this group is looked into on a case by case basis, as a limited number of flats are available within this group; single applicants registered on the housing waiting lists; family units eligible but not registered on the housing waiting lists; single applicants eligible but not registered on the housing waiting lists; applicants wishing to upgrade or transfer from their currently owned private accommodation – this group is sorted by way of a draw; applicants

resident in Gibraltar but not falling into any of the above categories – this group is sorted by way of a draw; any remaining apartments will be sold by way of tender to the highest bidder.

I can confirm that GRP strictly allocates properties in line with the criteria set above by HMGoG for each development.

2485 **Hon. D J Bossino:** Thank you for that. Just a point of clarification. I do have a press release of 28th September 2017, when they announced the new home ownership scheme at Hassan Centenary, Bob Peliza and Chatham, and there is a reference to another press release, apparently from 2015, which sets out the eligibility criteria but it very helpfully sets out in a note to editors the criteria which is applied. I have not done the proper analysis but it looks slightly different to what the hon. Member has just read out. Can he confirm that the criteria is as set out in, if he bears with me it says under the section, in this press release, 'Eligibility Criteria':

The eligibility criteria and priority of allocation continues to be as announced by Government in its press release in August 2015 which are given in notes to editors.

Is he saying that that is still the current position?

Hon. S E Linares: Well, it is the same as I have read, yes.

2495 **Hon. D J Bossino:** That is the point that I made by way of preamble. It is not the statement that he has read. I can do the analysis later from *Hansard* when I receive the written reply, but it does not, from what he has read ... Whilst there are bits which are similar, there are other sections which appear to be quite different and I just wanted to understand. If he is not aware of what the position is, then that is fine, but I just want to understand. There clearly has been a change at some point and I ask him to shed some light on that.

2500 **Hon. S E Linares:** Mr Speaker, the change might be that we have added more. Frankly speaking, all the houses are sold now and we have used this criteria. In fact, it gets to a point where, as you go down the list, there is less opportunity for anybody to get ... For example, the one on the currently privately owned accommodation we probably did not get to because they were all sold before. The list is the same as is there, but obviously you add on because you might think, 'Well, if I do not sell to this section, these type of applicants, I will go down to the next one.'

2505 As I said at the very beginning, for us the priority is number one, where they give HMGoG accommodation, and we are happy to say that we have sold quite a number of those, which will then come back to Government, and that was a priority that we pushed.

2510 **Hon. D J Bossino:** Did he say, just by way of clarification, that that criteria has been adhered to, and not in any way, by exercise, let's say, of discretion being adopted in a different way in order to allow an application not necessary to meet any of the criteria to have access to an apartment?

2515 **Hon. S E Linares:** It is not possible because ... I can confirm that GRP strictly adheres to properties in line with the criteria set out above, so they do follow these criteria. As I have said, they have not even reached the fourth line here, category 4. We are pushing category 1 pushing category 2 because it is in our interest to get those houses back.

Hon. D J Bossino: I see. So the way it works is you go down the categories. I see. Okay.

2525 **Mr Speaker:** Next question.

Q46-47 and Q50/2022

Bob Peliza Mews, Chatham Views, Hassan Centenary Terraces and Beach View Terraces – Update re commencement/completion of construction; rectification re flooring

Clerk: Question 46/2022. The Hon. D J Bossino.

2530 **Hon. D J Bossino:** Further to the answer to Written Question 67/2021, please provide an update as to the commencement of construction of the Bob Peliza Mews and Chatham Views projects.

Clerk: Answer, the Minister for Industrial Relations, Employment, Housing and Sport.

2535 **Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):** Mr Speaker, I will answer this question together with Questions 47 and 50.

Clerk: Question 47/2022. The Hon. D J Bossino.

2540 **Hon. D J Bossino:** Please provide an update as to when the Hassan Centenary project is likely to complete, broken down in respect of each phase.

Clerk: Question 50/2022. The Hon. Ms M D Hassan Nahon.

2545 **Hon. Ms M D Hassan Nahon:** Has Government honoured its repeated manifesto promise to rectify the faulty flooring at Beach View Terraces?

Clerk: Answer, the Minister for Industrial Relations, Employment, Housing and Sport.

2550 **Hon. S E Linares:** Mr Speaker, as has been previously explained in answer to Written Question 67/2021, the start of Bob Peliza Mews estate is dependent on the decommissioning and demolition of the Waterport power station and the relocation and demolition of the AquaGib reverse osmosis plant. Over the past months, the necessary assessments and investigations of the Waterport power station have been ongoing and the first of a series of tenders associated with its demolition will be issued during June 2022. In parallel with this, the extent of any ground
2555 remediation required will be determined. The findings of the latter will dictate the completion of the site clearance phase. It is expected that site clearance will be completed in November 2022, after which time the site will be available to commence the construction of the first phase of the housing estate. The start of the second phase will be dependent on the AquaGib relocation, which is currently being designed with a planning submission to follow. The whole estate is programmed
2560 to take 35 months to construct.

Similarly, the commencement of Chatham Views is dependent on the clearance of the Westside School and Westside Mews site. There have been delays in completing the latter due to existing occupiers, but decisions have now been made to finally deal with this. This will now allow the demolition process to begin so that the site can be cleared. The construction of the estate is
2565 programmed to take 27 months to complete.

The first phase of the Hassan Centenary Terraces project is programmed for completion in July 2023. The second phase of the project is programmed for completion in April 2025.

2570 In respect of the faulty floors at Beach View Terraces, the Government confirms that it will continue to honour its commitment to rectify any latent defects in the acoustic flooring layer. Independent surveys will assess and determine if any such defects are present and the main contractor will take the necessary actions to deal with them.

Mr Speaker: The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker ... [*Inaudible*]

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Chief Minister (Hon. F R Picardo): No, Mr Speaker, the purchasers were not aware of that and neither was the Government. Of course the issue that has really affected us here has been the inability to assign a contract for demolition and for construction, principally because of the two-year hiatus that has been visited upon us by the pandemic, which has meant that it has been impossible to enter into a contract for construction in a safe way. If we had, we would have found that that contract would have already been costing us a lot more than expected. We would have been paying in the period when we would have been down without being able to see works undertaken.

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We have, also, an issue on that site of a sitting tenant, where we have now, I think, resolved the issue that was outstanding. It has been a hugely challenging period to resolve the issues that related to, first of all, the contracts for demolition that are required, and second the construction contracts that are required. This has delayed us in a way that is entirely unacceptable. The Government recognises that these delays are unacceptable, but where there is no alternative, where it could not have been done in any other way, where we could not have gone faster, where we could not have delivered in a different way – not because of any choices that we have made as a Government under successive Ministers for Housing, under my Ministry for Finance, which is in the driving seat of this construction, but because we would be damned if we did and damned if we did not – we have no choice but to make sure that we make the right choice for the taxpayer to ensure that we do not enter into contracts which would have become open-ended money pits that could have caused us huge financial problems. That is the difficulty that we have. I think most people will understand that.

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I know many people are in deep hardship because they need housing and they will not be able to have it now for a longer period. There is nothing we can do other than continue to diligently work to ensure that the new housing is delivered as soon as possible, knowing that in the period we will have delivered more homes in 12 years than any other Government in our history has delivered homes for sale in a 12-year period, but nonetheless not at the pace we would have wished it to be, which would have been much faster – but in any event exceeding the 200 per year that we set out had to be provided, but still not at the pace we wished. It is an inevitable consequence of reality, which we cannot magic-wand away.

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Hon. Ms M D Hassan Nahon: Can I just –? Oh sorry...

Hon. D J Bossino: I think she is asking a supplementary, unless I have understood what is – (**Hon. Ms M D Hassan Nahon:** No.) Maybe on the next one. But she asked a supplementary in relation to my question, as opposed to ... I thought you had allowed her to go ahead, to ask a supplementary in relation to her question, but if she wants to ask a supplementary on her question then I am willing to give way.

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Hon. Ms M D Hassan Nahon: Sorry, Mr Speaker, I was going to ask two in one, but then I just asked one. The supplementary on my question, being Question 50: the Minister talks about continuing to honour defects at Beach View Terraces, but from what I understand there is not *continuation* of honouring defects because honouring defects has not even begun. From what I remember, just before the last General Election the Government assured tenants that these defects would be dealt with very soon and we are here, three years later ... I know there has been a pandemic, but for many there is no sign of this action being taken, so can the Minister expand on this 'continue to honour' phrase that he has used? And when exactly will tenants finally see that these defects have been rectified?

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Hon. Chief Minister: Again, Mr Speaker, this is being dealt with by my office and, as far as I know, we had resolved the issues that had been brought to our attention. There was an ongoing

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discussion with ... it is not the tenants' association, it is the management company, and the instances of cases that had been brought to our attention had already been dealt with, as far as I understood it.

2630 The hon. Lady can rest assured that if she asks those of her constituents who have got in touch with her to get in touch with us through the management company or directly, we will continue the process of resolving these issues. We have resolved them in a number of cases.

Mr Speaker: The Hon. Damon Bossino.

2635 **Hon. D J Bossino:** I am grateful, Mr Speaker.

In terms of the replies that the Hon. Minister has given in relation to Bob Peliza Mews, one point, if I may, by way of clarification or confirmation: did he say that in relation to the first phase it is going to be dependent on the decommissioning and demolition of the Waterport power station? And further, did he say that that is expected to be completed in November this year, 2640 November 2022?

Secondly, if he could give further clarification in relation to the second aspect, which is presumably also the decommissioning and demolition of the AquaGib RO plant and when that is expected. I think he did not have a date in relation to that, and I think, as I understand it, that impacts on the second phase of that particular project.

2645 And then, if I may, does the timeline of 35 months, which is, I think, just under three years, apply to both phases respectively?

Hon. S E Linares: No, Mr Speaker. If he wants, I can read it to him again, because I have answered those questions.

2650 The one on Bob Peliza was to do with two issues. The issues were the decommissioning of the Waterport power station and the AquaGib reserve osmosis plant. I stated that in parallel with this, the extent of any ground remediation that needs to be done ... the findings of the latter will dictate the completion of the site clearance. It is expected – talking about Bob Peliza – that site clearance will be completed in November 2022, after which time the site will be available to commence the 2655 construction of phase 1 of the housing estate. The start of the second phase will be dependent on the AquaGib relocation. That means we are starting one after November and then the other one is to do with AquaGib, which is currently being designed with a planning submission to follow. The whole estate is programmed to take 35 months.

2660 Then he talks about Chatham. Chatham is different. It has different dates. It is dependent on the clearance of Westside School and Westside Mews. We have stated why there was a delay. This will now allow the demolition process to begin so that the site can be cleared. The construction of the estate is programmed to take 27 months to complete. So we are actually stating dates on both estates.

2665 **Hon. K Azopardi:** So, Mr Speaker, 27 months for Chatham, but the commencement date is unclear because of the explanation that the Hon. Minister has given, whereas in respect of Bob Peliza Mews he is clearer because he thinks it might start after November 2022. Is that right? So, in respect of Chatham it is unclear when the construction will start?

2670 **Hon. S E Linares:** No. In fact, I can tell the hon. Member that for Chatham the tenders are going out as well, to do with the demolition. I stated that. There was a problem, we have solved it, and now there is going to be a demolition and it will take 27 months to complete the whole lot.

Mr Speaker: Next question.

Q48/2022
HM Customs –
Industrial action

2675 **Clerk:** Question 48/2022. The Hon. K Azopardi.

Hon. K Azopardi: Have the issues leading to industrial action at HM Customs been resolved; and, if so, how?

2680 **Clerk:** Answer, the Minister for Industrial Relations, Employment, Housing and Sport.

Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares): Mr Speaker, the Government continues to engage with both the GGCA and Unite the Union to reach an outcome which is acceptable to all parties and does not impinge on operational outputs.

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Hon. K Azopardi: Mr Speaker, can the Minister give us an idea of what precisely the issues in dispute are? There has been a report, some months ago, back in November, that there was a dispute in relation to the Marine section and shifts. I do not know if that has been resolved or continues to be the central issue, or whether there are new issues that are the central part of the dispute. Can the Minister perhaps tell us what the particular matters are at the core of the dispute?

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Hon. S E Linares: No, Mr Speaker, because I am still engaging with them and I would not like to say which are the specific issues. I need to speak to the union. Once we get a resolution, we will come back and say what the resolution is.

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I am in negotiation, so you must understand that if I am negotiating certain things and I say that we are negotiating this, then the union will say 'Why have you gone public on this, that or the other?' So I would rather not say at this stage, but I have said that I am engaging with them. During the week I will be meeting them again and again. I met them today and I met them last week as well.

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Hon. K Azopardi: Mr Speaker, I am not trying to prejudice the Hon. Minister's negotiations. All I am asking for is ... There was a report six months ago about a particular issue, so this would not be new because it has already been reported. What I am saying is: is that one of the issues that is still part of the dispute, or has that matter been resolved and this is about something completely different? And if it is about something completely different, is there nothing the Minister can tell us without affecting his negotiation? For example, I am not asking for the granular detail but is it about manpower, is it about working hours, is it about resources? Broadly speaking, what are the issues?

2705

Anecdotally, people are saying that they have experience that members of staff do not pick up the phones, or did not before a certain period. Is that still the case? Are members of staff not picking up the phone at the Customs service?

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Chief Minister (Hon. F R Picardo): Mr Speaker, the hon. Gentleman is asking now about a question that arises in respect of a period when I was Minister for Industrial Relations when this thing started.

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The Government has always taken the view that we should not be setting out what the dispute that the union is claiming should be. That is for the union to set out and the unions decide for themselves what they want to say publicly about the issues they are raising. In some instances, if there is an effect on public services, the Government may make a statement, but we have sought not to make a statement at this stage in order not to inflame matters.

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2725 There is more than one union involved in this matter, they each have a different view of what their dispute is or is not, and so the Government could not faithfully characterise that on behalf of one union or the other in a way that we would be able to say is sufficiently accurate to ensure that we are giving the House accurate information. We can tell hon. Members what we think the dispute is about, as we perceive it to be, but it would be for the union to make a statement as to what they say the issues in dispute are. Therefore, I think that the Hon. Minister has indicated today, both in relation to this question and the question from the Hon. Mr Bossino earlier about the Upper Rock, that the Government does not wish to say anything that exacerbates issues with unions in the context of areas where we may be negotiating.

2730 We want to ensure that we continue to work in partnership with our union colleagues, that we resolve issues, where we can, collegiately and through discussion, and if anybody wants to know what a union says its dispute is they should ask that union, not the Government.

2735 **Hon. K Azopardi:** Yes, Mr Speaker, well, of course the unions can say whatever they want where there are disputes, I accept that. I was picking up information which is publicly available and that is why I was putting it to the hon. Members. I have put it twice. The hon. Members do not want to confirm either way. I accept that answer, obviously; I am not going to get a different one, because I have asked twice already.

2740 Does the Chief Minister accept that obviously the industrial action can affect the service to the public – to the extent that people are not picking up the phone, for example – and it appears to have been going on for some time? The Government must, I assume, be sighted about the importance of resolving matters, so given that they are involved in those negotiations – and they know what the issues are, but we do not – are we any nearer resolution, given that it has now been six months at least?

2745 **Hon. Chief Minister:** Chronologically there can be no other answer but yes, as a matter of logic and chronology.

2750 **Mr Speaker:** Next question.

Q49/2022
Department of Social Security –
Industrial action

Clerk: Question 49/2022. The Hon. K Azopardi.

2755 **Hon. K Azopardi:** Mr Speaker, can the Government explain how it intends to resolve the issues affecting the Department of Social Security that have resulted in industrial action by staff?

Clerk: Answer, the Minister for Industrial Relations, Employment, Housing and Sport.

2760 **Minister for Industrial Relations, Employment, Housing and Sport (Hon. S E Linares):** Mr Speaker, the Government has continued to engage with the GGCA, DSS management and our employees to reach an agreed way forward. Consequently, a firm date for a move into new premises has been agreed. During this transitional period no services to the public will be affected.

2765 **Hon. K Azopardi:** Mr Speaker, I assume that that resolution, that move to new premises, that promise has now happened after the filing of the question. In the last week, this came into the public news again for a variety of reasons.

Does the Minister accept that the staff at DSS rightly felt let down after they had been enduring bad conditions in the building for some time? They had promises from the Government. They had taken industrial action and were working from home for several months.

2770 And then, last week, the action escalated to the point where the most vulnerable and the most needy members of our community were put at peril of not receiving their benefits in a timely fashion, which caused huge concern to those people in our community.

2775 Does the Government accept that it was right that the staff should feel let down and it was right that the people who are most needy and most vulnerable in our community should also feel aggrieved that the dispute had been allowed to escalate to that point and the Government had allowed the service, in effect, to collapse around them without a resolution, which put the needy in this community at most peril?

2780 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the hon. Gentleman does not know which industrial relations bandwagon to jump on now. It appears that what we are going to have to do now is have questions from the hon. Member on every industrial relations issue that raises its head, so that we can continue the negotiation with the union here, with him representing either the union of choice – because there may be more than one union involved and they may be at loggerheads, as is the case in another of the questions that he asked – or pursuing the agenda of a particular union.

2785 When it comes to talking about our magnificent staff at the Department of Social Security, we are talking to them directly. We have issued public statements regretting the fact that we have not been able to move them. Again, physical reality got in the way. They know that the minute they raised the issue of their premises we were completely on board in moving them. We have physical issues of getting ... We even had a truck strike in Spain ... that was bringing all the material in to move out one office so that they could move into another. We have publicly, in a press release, apologised to the members of the DSS staff for not being able to move them quicker, so I am surprised that the hon. Member is asking us those questions here, other than for the opportunistic opportunity of seeking to raise the issue in a way that he can put on his social media feed to show that he raised them and to show how much he loves everyone except us.

2795 Mr Speaker, let me tell him that we actually have the highest possible regard for our members of staff at the DSS. They have done everything possible to ensure that they could continue the service despite the circumstances in which they have found themselves in. They are so dedicated that they did not even raise the issue of their premises for a long time. Because they were so dedicated and they raised it late, it has been difficult for us to recover the momentum that we needed in time to be able to move them. We are totally committed to doing so. The hon. Member
2800 has given them, after discussion with me, an undertaking that we will move them now with the deadlines that we envisaged set in stone.

2805 What we should be doing is not trying to raise the spectre of something that did not happen, as the hon. Gentleman is doing, but looking to support the Government to ensure that we can deliver in time. Why do I say that, Mr Speaker? Because actually the hon. Member has been left without the tool that he wanted. He would much rather that hon. people in our society had not got their money in time, because then he could have come here with that axe. Instead, he was left stuttering to say 'put at peril' at not potentially getting their money in time. They did get their money in time because the members of staff of the DSS pulled out every stop to ensure that they
2810 made those payments in time and that if any was delayed it was only marginally delayed. I thank them for their forbearance in the way that they have behaved, I thank them for continuing to be diligent and concerned about what they do and I thank them for knowing an opportunist when they see one.

2815 **Hon. K Azopardi:** Mr Speaker, the Chief Minister has now twice in this House accused me of wanting to ask questions so as to put things on social media. It may be that the answers I get – or the lack of answers – get put on social media, because that is the role that we have in this House,

2820 to hold them to account robustly and to ask for information. He has gone further. He has actually gone further to say that I would rather see vulnerable people in this community not get their money because in some way it is going to help me politically. It is absolute nonsense and a shame for him to say that. It is a shame.

2825 The reason I raised this publicly was because single mothers who could not put food on the table and thought they were at peril were contacting me. That is the reason why I raised this publicly the other day on social media. The hon. Member can smirk all he wants but that is the reality of the role that I discharge properly and seriously, and I will continue to do so while I am in this chair. What he needs to understand is not that he is what he says he is.

2830 In fact, he did not actually relocate the staff the minute they asked for the relocation. In January they took the action that they were going to work from home, so they knew it was building up. They knew it was building up because they put it in their manifesto two years ago that they were going to relocate the staff, but they allowed the situation to escalate and the question I was asking is if they knew it was escalating and they knew it had to be done, why allow it to get to the level that the most vulnerable in this community are exposed?

2835 The reason I raise it is not because of political opportunism; it is because it is a real issue that people want answers for in this community.

Hon. Chief Minister: Mr Speaker, that is not a question. That fails all of the parliamentary requirements, except of course the social media requirement to be an impassioned speech in less than two minutes 40 seconds that can be uploaded to Twitter to show how much the hon. Gentleman cares for people who have *not* been put at risk, for people who *have* been paid on time.

2840 If he felt concern about a single mother who could not put food on the table, how dare he not have called me? If he was genuinely concerned that single mothers who could not put food on the table were not able to provide for their families ... If that was a genuine concern of a Leader of the Opposition in a place like Gibraltar, where we are all accessible, where he can text me on whatever he likes, how dare he not get in touch with me with that concern – if it was a genuine one, because of course it was not, because he would have known before he got up today that they have all been paid on time.

2850 I will give him the benefit of the doubt that when he filed the question he might have had the concern, but when he put the question today he will have known that she was paid on time, he will have known that those issues have been resolved. So, Mr Speaker he will spare this House the bleeding heart that pretends that he is not in politics to achieve ascension through the greasy pole. He is here for exactly that purpose, making those points for exactly that purpose, impassioned or otherwise.

2855 With my political opponents, however bitter it might have got, I have never, for one moment, challenged their professional abilities. He is an excellent advocate, but from an excellent advocate to an excellent politician when it comes to dealing with issues that matter to everyday people, let me guarantee him that if he gets one phone call of concern I get 20 and we ensure that we act so that the most vulnerable in our community are never going to suffer – as they have not suffered this week.

2860 But he will allow me to think what I want to think – unless he is going to become the thought police even before he has been elected to the executive – and I believe what I told this House was his motivation was exactly what motivated him. We have seen it everywhere. We have seen this hypocrisy. I am grateful to them for making it obvious so that they can no longer hide it.

2865 One day they describe a thing as a rust bucket and they tell us that we are not going to make money on it, that we are going to lose our shirts on it. The next day they are on the *Sunborn* recording their magnificent new videos at the choice location in Gibraltar. (*Interjections*) One day they are telling us that we must not announce things when we think we have achieved them – Volotea; the next day they are telling us that the minute somebody gets in touch with us and tells us that they might bring a boat to Gibraltar we have to announce it. It is a very clear campaign

2870 *(Interjections)* and what is very clear to everyone is that the one thing that has not aged well is the fact that Mr Clinton suggested that there would be an election within three months of February. *(Interjections)* There is not going to be, and the slogan 'Better, cheaper, faster' is not going to get them anywhere because no one believes them, Mr Speaker. *(Banging on desks)*

2875 **Mr Speaker:** The Hon. Roy Clinton.

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

2880 If I may ask the Minister something much more mundane: the new premises that DSS are going to, were they existing Government premises? If so, who has been vacated from them? And how long has his Ministry been at Regal House?

Hon. S E Linares: Mr Speaker, as to the first question, we are moving the Housing Works Agency to the ICC, the Housing Department also goes to the ICC and the DSS will move into the Housing Department. I have been in my offices in Regal House for nearly a year and a half.

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Hon. R M Clinton: Mr Speaker, if I may, just one supplementary.

Hon. S E Linares: Mr Speaker, just on a point of order, I do not know what relevance the second question has to this debate, but never mind.

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Hon. R M Clinton: Mr Speaker, with your indulgence, the relevance is where effectively the Government is obviously having to rent from the private sector, as opposed to using its own resources – for example the Haven building, which has been empty for years.

2895 **Hon. Chief Minister:** Mr Speaker, I am afraid that is totally, materially, incorrect. The Haven building belongs to Gibtelecom; it does not belong to the Government of Gibraltar and therefore cannot be a place where one would put civil servants of the Government of Gibraltar. It belongs to a company which is involved in telecommunications, not which is going to be able to house civil servants. Nonsense.

2900 Mr Speaker, in the circumstances, I wonder whether now would be a convenient moment to adjourn the House to tomorrow at 3.30 in the afternoon.

Mr Speaker: I now propose a question, which is that this House do now adjourn to Tuesday, 17th May at 3.30.

2905 I put the question, which is that this House do now adjourn to Tuesday, 17th May at 3.30. Those in favour? **(Members: Aye.)** Those against? Passed.

The House will now adjourn to Tuesday, 17th May at 3.30 p.m.

The House adjourned at 8.17 p.m.