



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 8.40 p.m.

Gibraltar, Thursday, 19th December 2024

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The Gibraltar Parliament

The Parliament met at 3 p.m.

[MADAM SPEAKER: Hon. Judge K Ramagge GMH *in the Chair*]

[CLERK TO THE PARLIAMENT: J B Reyes Esq *in attendance*]

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

Clerk: Meeting of Parliament, Thursday, 19th December 2024.
Suspension of Standing Orders. The Hon. the Chief Minister.

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

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

Acquisition of AquaGib – Statement by the Chief Minister

Clerk: The Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Madam Speaker, I am delighted to be able to inform this House that the Government of Gibraltar has acquired the remaining 67% shareholding in AquaGib from Northumbrian Water Group, bringing the company into full public ownership. As of today, AquaGib and water supply come back into public ownership. This acquisition, which we initially
15 announced during the 2022 Budget address, has faced unavoidable delays due to the unexpected fire that year and its aftermath, which made it challenging to conclude the transaction earlier. The Government has purchased the two thirds of shares held by Northumbrian Water Group for £7.5 million, ensuring that Gibraltar's water supply is managed and operated entirely now in the public interest. By taking this step, we are strengthening national control over critical
20 infrastructure. AquaGib will continue to operate as an independent entity, just like Gibtelecom, with a new board overseeing its governance and long-term sustainability. Private ownership has brought good commercial practice to the provision of the service, and we want that to continue.

I take this opportunity to thank Northumbrian Water Group and the outgoing shareholders for their unwavering collaboration and support over the years. Their partnership has been
25 instrumental in developing AquaGib into the mature and professional water and sewerage service company it is today. In particular, I would like to thank Stuart Hazen, who has been Northumbrian Water Group's longest-serving appointed director, with over 10 years on the AquaGib board. He has provided a continuity and corporate memory that is so invaluable to any board. Also, particular thanks to Steve Craig, who joined more recently but assisted immensely with the
30 complex insurance claims arising from the unfortunate fire incident. I also extend my gratitude to their personnel, both past and present, whose expertise and insights have contributed significantly to AquaGib's success. I would like to assure this House that the transition in ownership will not result in any disruption to consumers, employees and stakeholders. I also want

to express my appreciation to AquaGib's staff for their steadfast commitment to delivering reliable water services to the people of Gibraltar. As we look to the future, this acquisition underscores my Government's commitment to ensuring that essential services are aligned with the needs of our community, with profits reinvested for the benefit of taxpayers. We will also continue to engage external expertise, where necessary, to ensure that AquaGib operates with the highest standards of efficiency and professionalism. The current and past Financial Secretaries, Charles Santos and Albert Mena, have been instrumental in delivering this deal. Also essential have been Paul Singleton and the determined and single-minded current Minister for the Utilities, Ms Arias-Vasquez. I thank them all.

This is a historic moment for Gibraltar, one that reflects our determination to safeguard and enhance the service that our community relies upon, and where we take full control now of the supply of water to our people, the elixir of life.

Thank you, Madam Speaker.

Madam Speaker: Does any hon. Member wish to ask questions for the purpose of clarification on any points made in that Statement? The Hon. Mr Clinton.

Hon. R M Clinton: Thank you, Madam Speaker, just two points of clarification and, of course, I am grateful to the Chief Minister for making the Statement, which we obviously have been anticipating for some time. Two questions, if the Chief Minister would be kind enough to clarify. On the £7.5 million purchase consideration, if he could indicate the source of the £7.5 million: is this coming directly from the Government – the Consolidated Fund, the Improvement Development Fund or some other Government entity? I would be grateful if he could be precise as to the source of the funding and how these two thirds of shares will be held. Will they be held directly by the Government or through some other entity?

And finally, Madam Speaker, a very simple point: although I appreciate he has made the announcement today, what is the contractual effective date of the transfer of the company and the ownership of the shares?

Thank you, Madam Speaker.

Hon. Chief Minister: Madam Speaker, thank you for the opportunity to clarify those issues.

Of course, I should have started by saying that when this journey began and the Father of the House was Chief Minister of Gibraltar, it was not with AquaGib, it was with Lyonnaise des Eaux, the French company, which then ceded its shareholding to Northumberland Water. I am very pleased that this journey comes to this conclusion, because it shows that the joint-venture schemes which the Father of the House, as Chief Minister of Gibraltar under the first socialist administration, embarked upon, have given the results that we wanted to see. We have seen how the Water Department transformed itself into this commercial entity that we now fully acquire control of.

The £7.5 million will be funded through the Gibraltar Savings Bank. I indicated that already, I believe, when I said we were acquiring the AquaGib shareholding in the same way as we were acquiring the Gibtelecom shareholding. The holding vehicle will be Gibraltar AquaGib Holdings and the effective completion date is today.

Madam Speaker: Does any other hon. Member wish to ask a question for the purposes of clarification? The Hon. Mr Sacarello.

Hon. C A Sacarello: Thank you, Madam Speaker, yes, I would like to ask the Chief Minister if the intention is for the Government to retain public ownership of AquaGib for the foreseeable future, or if there is any intention in the future to privatise this company.

85 **Hon. Chief Minister:** Madam Speaker, I refer the hon. Gentleman to the terms of my Statement.

Madam Speaker: Does any other hon. Member wish to ask a question? All right, we will move on.

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

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

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

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

Standing Order 19 suspended to proceed with Government Motion

Clerk: Government motions. The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, I have the honour to move the motion standing in my name, which reads as follows:

I hereby give notice, under Standing Order 59, to proceed with the suspension of Standing Order 19 in order to proceed with a Government Motion.

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

**Allegations attempting to mislead the public –
Amended motion carried**

Clerk: The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, I have the honour to move the motion standing in my name, which reads as follows:

THIS HOUSE deplores that the Leader of the Opposition, the Hon. Keith Azopardi KC MP, and the Hon. Damon Bossino MP have attempted to mislead the public in making allegations against the Chief Minister which are factually incorrect, absolutely untrue and designed in themselves to mislead the public, including via the publication of doctored documentation.

105 Madam Speaker, it is December; we are about to enter the Christmas period. It is not without a heavy heart that I bring a motion of this sort at this time of year, in particular against the two individuals who I am forced to mention in that motion, who are, outside of this place, are not people that I have a low regard for; in fact, I have a high regard for both of them.

110 There are important issues to deal with in this community. There will be people in Gibraltar this Christmas who will rely on Father Charlie giving them a hamper because they do not have the ability to make ends meet, there are people in this community who are not as well off as the

majority, and there are issues that this community needs to deal with – not least finalising the arrangements between the United Kingdom and the European Union about our future relationship with the European Union, if we are able to reach a final accommodation in that respect, or indeed continuing to plan for the eventuality that we do not have such arrangements – and yet we are forced to bring a motion in these terms to deal with the politics – politics with a small ‘p’; the small-town politics of the small ‘p’ – that hon. Members opposite are trying to play outside of this place whilst referring to things that have happened in this place. It is for that reason that despite the season it is not possible to ignore some of the things that hon. Members have said and have purported to say that they have shown in their press statements, because they relate to things that have happened in this place and answers that have been given in this place, all of which answers have been honest and correct. For that reason, we just cannot ignore, despite the season, the things that have been said, because it would be unfair to ignore the things that have been said and the things that have been said about people, even who are not elected to this place.

It is very easy, through innuendo, to try to tarnish reputations that have been built over 20, 30, sometimes even more years; reputations that have been built through hard work, through the endeavour of trying to always protect the people of Gibraltar and the public purse – insofar as it relates to me, and indeed to other Members of the Government bench, after 13 years of constant hard work through thick and thin. It is very easy, through innuendo, to try to trash that simply for the purposes of trying to climb the greasy pole of politics. It is perhaps that bit of that well-known phrase from Tony Blair that is about the arena of low skulduggery that one has to take on in order to defend the nobler purpose of politics. I know that this happens in politics, that people say things about each other that might be sharp, but it is also true that there has to be a line in the sand, and when people who have elected political office say things which are demonstrably untrue, there is a mechanism to deal with that. If it had been alleged in this place that I had misled the House, then there is a mechanism to deal with that, which is to bring a motion and debate it. There is another way of doing it, which is to simply not have the gumption to do it in this place and do it outside. It is quite remarkable, when the allegation is quite as serious as the allegation that somebody has misled the House, that the person making that allegation does not engage the mechanism in the House through the House’s procedures to deal with it, but instead, in what I can only describe as a cowardly fashion, goes outside and pretends to do it from outside the House.

I am very happy for my political career and everything I do in politics to be judged on the basis of what I have done; what I will not tolerate is that I should be judged on the basis of what I have not done. This is not a question of interpretation, because we can all interpret what I have done in one way or another; it is about the core facts, the facts underlying the argument. Frankly, what I am not going to allow to pass, even in the season of good cheer, is that for the purposes of someone cheaply getting their name up in headlines, they should be able to unfairly tarnish the reputations of Members of this side of the House. And so that is what this motion is about. It is about showing the objective reality of what has been done in the context of the rental at 80a Queensway, and not what I might call the narrative of Members opposite of what has been done. There is a simple reason for having to do that: because their narrative is not true. It is pejorative and it is untrue.

The Hon. Leader of the Opposition, when he was, yesterday, on GBC’s flagship *Gibraltar Today* and received notice of this motion, said that it was disgraceful that we were bringing the motion. It is quite remarkable that the Leader of the Opposition thinks that the use of the parliamentary device which is designed to ensure that matters are properly debated across the floor of the House and ventilated and gives him the opportunity to put his view about what is being said, is disgraceful, but he thinks it is proper to go, through a press release, to a media outlet and make the worst allegation that can be made against a parliamentarian in a place where the parliamentarian cannot challenge what is being said in debate. Of course, we can put out our own press release, but that is not debate. This is a Parliament. The Chief Minister is elected as the Leader of the House, and the Leader of the Opposition is elected on the opposite bench. The

concept of parliament comes from the word 'parley', which is about debate. How can it be disgraceful to put a motion to debate that puts to them, here, what they have put to me outside of here? No. What is disgraceful is to try to tarnish 20 years of political trajectory as an elected Member of this House, 13 years as the senior elected representative of the people of Gibraltar, on the basis of untrue innuendos and not have the gumption to put the arguments here; trying to suggest that something has been done wrong in order to plant the seed of impropriety in the brains of members of this community, and perhaps even beyond this community, but then not come here and defend what it is that they have said outside. In particular, it is galling to see that when what has been done has been done properly and carefully to ensure that we create a better working environment for the people who work in the public sector and a better place for the public to interact with the public sector, which is accessible etc; all of the things that Members opposite pretend at general election time or when they are supping Heineken with the civil servants and public sector workers at the GGCA Christmas party, would pretend they would be doing until the time comes to make the choice to invest in doing that.

And so it is for that reason that I have to get up now ahead of Question Time, the final Question Time of the year, to deal with these outrageous accusations that have been put and to also address some of the other things that the Hon. Mr Bossino has said outside of this place, and to set the record straight with facts. So, let's cut to the chase of those facts.

The Hon. Mr Bossino issued a statement on 9th December accusing the Government, and me in particular, of misleading Parliament. That is not an accusation that can be made in this Parliament other than in a substantive motion. It was not done in this Parliament; it was done in a press release. The press release was the second press release that the GSD had issued on the subject of the Bassadone Group rental deal. The first press release was issued on 2nd December, and that press release said this:

The Government has already spent £610,000 in rent over the last 18 months ...

That is a quote from the press release from the GSD of 2nd December. That press release also said this:

a well-known business entity which is very closely connected with the GSLP will receive millions of tax payer pounds on the one hand while the Government, on the other, sells off public assets,

And then Mr Bossino is quoted by the GSD as saying:

Who, in the end, benefits?

That is how the press release ends.

By the time you get to 9th December, the tone has changed. You might say this is just a difference of opinion on how we spend government money, but by 9th December the GSD press release is headed 'Chief Minister misleads on Bassadone Group deal', and then it says this:

The Chief Minister has shockingly misled Parliament as regards the rental payments which are being made to Bassadone Industrial World Limited in respect of this company's property at 80a Queensway to be used for civil service offices.

It then attacks us for entering into these arrangements on 8th September 2023, and it says:

It is clear that what the GSLP did was to frantically have the 21-year deal sewn up ahead of a new Government being sworn in, beneficial to its friends and benefactors.

Very pejorative language. This is no longer just a disagreement about how we are doing things; this is an allegation of wrongdoing. Mr Bossino then advises me:

Before descending to personal insults what the Government should do is apologise to the public for not being straight with them and for leading them down another garden path like with so many other issues. Enough is enough.

On 10th December, in reply to the Government's response to that, in a press statement which is headed 'Chief Minister continues to mislead on Bassadone Group deal', the GSD say this:

In a further and worrying development, the Chief Minister states that he answered in the way he did because he claims that Mr Bossino asked for rental payments 'to date'. That is not the case.

That press release ends with the words 'Who, in the end, benefits from this deal?' That is the question that they ask.

205 It is highly notable that Mr Bossino said all of these things outside of the House and not here. Not because it cannot be said here; of course it can be said here. Very serious. This is really, really serious, and if it is so serious and the hon. Gentleman believes it, he should have said it here in a substantive motion. It is important that if hon. Members believe that any other hon. Member has misled the House, has been given the opportunity to correct the record and does not do so, we all
210 go through the iron of fire, the circle of fire, of having to deal with that, but in the proper way and with the proper mechanisms to address these things, not with the kangaroo court of public opinion. Perhaps you might say, 'Well, what's the point of putting a motion? I am going to lose it to the Government majority.' Well, Madam Speaker, I dare say that if he were able to demonstrate that I misled the House, I would ask him for the opportunity to correct the record and not go
215 through the flaming iron of a motion on misleading. But of course, as he knows, that is not the case and they would not be able to convince the least partisan person that I have done anything which amounts to misleading the House.

I am going to come to all of the detail of that, but I want to also now start by saying that the only misleading that has been done – again, outside of this place, not here, and in the terms of
220 the motion – has, in fact, been done by Members opposite, by the self-same Members opposite that I have mentioned, Mr Bossino and the Hon. Mr Azopardi. What has become apparent is that they have engaged in a concerted attempt to mislead not just the public but also to mislead the media, journalists and the public. I would say, adopting the terminology that the Hon. Mr Azopardi used on the radio, on *Gibraltar Today*, that is what is disgraceful and that is disgraceful politics. It
225 debases the political debate because it erodes trust in all politicians, not just the ones doing it. It erodes trust in the political class and it erodes trust in democracy. That is the reality, and whilst I am Chief Minister and Leader of this House, I consider it my duty, in keeping with the oaths I have taken, both in the Convent and in this place, to ensure that I stand up to that sort of behaviour, to shine the spotlight on that sort of behaviour and to identify for the public – in this place, the cradle
230 of our democracy, in glorious technicolour – the electorate and the wider community, the frankly despicable manner in which hon. Members opposite have tried to play with the public's understanding of the transactions in place, that have been entered into properly, transparently and diligently by the Government on behalf of the people that we represent and in the best interests of our public sector workers and those who will interact with them at those offices.

235 So, what are the issues here? This all comes back to what I said in answer to questions in the last session of this Parliament when I dealt with the questions from the Hon. Mr Bossino on the rental from Bassadone Industrial World at 80a Queensway. The Hon. Mr Bossino, you may recall, Madam Speaker, was not here. I do not know where he was. I assume he was at work. He might have been at an important personal commitment; he might have been at an important work
240 engagement. When we are not here, it is because we are on Government business. When they are not here, it may relate to something else, something perfectly proper to absent oneself from Parliament for, or something perhaps not so legitimate to absent oneself from Parliament for. But the fact is he was not here, he did not hear what I had to say, and the questions were asked by the Hon. the Leader of the Opposition. So perhaps he did not understand what I said because he
245 was not here to hear it and it might not have translated well when he watched it back or when he

had reports of it back, but what I specifically told the House was that I was not giving the rent payable, I was giving the rent paid to date. When the hon. Gentleman says in his press release that that is not what he asked for, that is *exactly* what he asked for: 'In a further and worrying development, the Chief Minister states that he answered in the way he did because he claims that Mr Bossino asked for rental payments "to date". This is not the case. Mr Bossino sought information on the "rental amounts".' It is a quote from them. That was the specific question he put down, the rent paid to date, which I had told them also in the answer was paid over a period which included a rent-free period. There can be no doubt of that, Madam Speaker; it is all in *Hansard*. It is all there for them to see what they asked and what they said.

This is the question that I was asked by the Hon. the Leader of the Opposition on behalf of the Hon. Mr Bossino:

How much has been paid by the Government in respect of the properties it is renting from the Bassadone Group in the dockyard area to date?

That is the question, exactly the opposite of what the Hon. Mr Bossino said in his statement his question was not. Let me just remind the House again what the statement says, a direct quote from the GSD press release of 10th December: 'In a further and worrying development, the Chief Minister states that he answered in the way he did because he claims that Mr Bossino asked for rental payments "to date". This is not the case. Mr Bossino sought information on the "rental amounts".' Full stop, end quote. Question: 'How much has been paid by the Government in respect of the properties it is renting from the Bassadone Group in the dockyard area to date?' So, the question in Parliament is the complete opposite of the question they say in their press release they asked. I then replied:

Madam Speaker, Government entered one deed of sub-underlease with the Bassadone Group

– because they asked how many we had entered into –

in respect of Government office space. In the period from 1st July 2023 to date, the Government has paid a total of £610,866.69 in rent

– to date –

in respect of the property rented from the Bassadone Group in the dockyard area.

We then continue and we have supplementaries, and I explain to them that there is a rent-free period, that I am doing the maths of calculating the months and dividing by the months. That is the truth and they quoted it as the truth in their statement of 2nd December. They only changed their tune after they searched the public register and obtained a copy of the registered deed.

Madam Speaker, I am going to hand the Hon. Mr Bossino and all other Members, should they wish to have regard to it, a copy of the transcript of those exchanges of 28th November. I understand that *Hansard* is not yet completed, but I assume that they will have done this work themselves and gone online, listened to the exchanges and transcribed. Here it is. He will see, all hon. Members will see, and anybody watching who can do the same exercise themselves would see that I never say anywhere in the whole exchange what the rent for the premises is. I talk always about the rent we have paid to date, which was the question that they asked. They also asked another question about what the rent was, but that question was not addressed and neither was there a follow-up question, for a simple reason – why not? – because the rent payable under the lease is publicly available information and therefore they cannot ask the question in this House, 'How much rent do you pay in respect of this property?' because it would not be a proper question, Madam Speaker, although that would be a matter for you. But if it is publicly available information which you can obtain, as they obtained it, by carrying out a search at LPS against the

285 address, it is not something that hon. Members are allowed to ask here. That is why I did not answer.

We have a system of registered land in Gibraltar. It is called the mirror principle. You register all interest in land, and therefore anybody can go and see what rights exist over any particular area of land. Here, in this respect, they can go and see the mirror, the register, and see what the rent payable is. They did it; by the time of their second press release, they had done so. It does not mean that we misled the House in any respect whatsoever. I assume he had read the transcript and he had not just looked at the answer that his colleague gave him as the first answer, then looked at the lease and said, 'Ah, he has misled Parliament,' because if that is what he did, it would be so shockingly and glaringly amateurish that it would not be a mistake that would have been committed by a Member who had been here for a week, let alone a Member who has now been here for more than a decade, although he is never got to the place he has wanted to get in the decade. If that is the exercise that he did, then he could not reach the conclusion that he has reached because the answer given was the rent actually paid in the whole period of occupation, which was the other question that they asked. What that shows – and it shows it beyond a reasonable doubt and beyond peradventure – is that the heinous, mistaken accusation against me is mislaid, it is improper and it is wrong. It is a trumped-up charge that has no basis and it should be completely withdrawn by the Hon. Mr Bossino if he is to be true to any objective standard of decency in the political process.

Madam Speaker, we may have a disagreement about whether it makes sense to do the Bassadone deal or it does not make sense to do the Bassadone deal. I will come now to the detail of that. We may have an ideological difference about whether it makes sense for the Government to rent or for the Government to own. I would be surprised if that were the case, because they rented when they were in Government, so if they are going to say it is wrong to rent it will be another departure from the ideology that they defended for all the years that they were in Government. We can have those disagreements. They can say, 'We have changed our minds,' and 'Peter Caruana was not perfect,' they might say, 'and that thing which he did we do not like.' No problem. We can have those disagreements, that is what we are in politics for, but from that to saying that I have misled Parliament and then, when that is shown not to be the case, not to withdraw from the allegation is indecent in my submission.

I am not going to hold my breath to wait for Mr Bossino to resile from the foolish and untrue accusation that he made, however heinous it may be, but I will tell him this, Madam Speaker, through the Chair: that the boy I grew up with, the man I knew him to be, would simply say, 'Okay, fair enough, I have got it wrong, but I still disagree with you,' but the politician I have opposite me today will likely double down and will not accept that he is wrong, however many times he may be shown that he is wrong, even though I put it to him, Madam Speaker, again through the Chair, that the public would hold him in higher regard and would take more seriously his remarks in the future if he did withdraw now the allegation which has been shown to be incorrect.

If we leave that allegation behind, this allegation of misleading, and we move to the substance of whether this is a good deal or not a good deal, this is the lowest contracted rent that the Government pays in any of its rental agreements. It is not *one* of the lowest, this is the lowest rent that we pay. This is a key factor that Mr Bossino conveniently chooses to ignore in his criticism. At 80a Queensway we pay £28 per square foot, which is nearly £1 less per square foot than the rent we pay anywhere else. So, on the substance, on the commerciality of these agreements, we would say they are completely wrong and mistaken. We can have that disagreement but we must have it on the basis that this is the lowest rent that we pay, and that is also throwing into the mix that we got a year's rent-free period and a £1.5 million contribution in cash from Bassadone towards the fitout costs of the new facilities and the lowest rent. And so, when Mr Bossino did the simplistic calculation that he did, which suggested that therefore Bassadone would come into profit over eight years, that was wrong because he did not calculate any of these things. Again, I am left wondering whether he read the transcript of what had transpired in his absence from the House. So, as we said in our own press release, doing his type of calculation – which I think made

very little sense, but he did the calculation – if we sell £10 million of Government property, if we receive £7.5 million for the property from Bassadone and we have £2.5 million in benefits on rental period and cash for the fitout, that leaves just £2 million over the 22-year period of the Government being out of pocket in the way that he did the calculation, which was nonsensical. But if you do it that way, you then unequivocally get the best property deal ever done in the history of the Government, and probably of any government in the world.

Whatever, it is certainly a better deal than the hospital mortgage that they did, which was a hospital sale and leaseback, that is to say rental, which was done when the Hon. the Leader of the Opposition was Minister for Health and the details of which I will come to later, but if you are going to say to us that we do not do good deals, when in fact it is the lowest rent on the market, please compare it to the deals that you did in order to make the assessment objective. And that is without even considering the excellent facilities we are going to get for our public servants, the synergies of people all being in the same place, the efficiencies that will deliver, the benefits to the public that all of these Departments are going to be in the same place, and the release of land. When you turn that which can objectively be defended as one of the best deals that we have ever done, on which we can disagree, and you suggest that it is actually the worst deal that we have ever done, that is just lazy politics. It is so lazy that it is politics done without checking facts and just wanting to score the cheapest, quickest political points.

Let's do another comparison. I can tell the House that the office of the Principal Auditor at the World Trade Centre is almost £10 more expensive per square foot than the new, modern and state-of-the-art offices our public servants will be moving into at 80a Queensway; not £1, not £2, £10 more expensive per square foot. And, more than that, if you work out the average cost per employee at the Office of the Principal Auditor – that is to say the office holder of this Parliament, who is there to ensure that nothing untoward goes on in the public service, who defends the value for money that we spend public money on – then the cost per employee at the World Trade Centre for the Principal Auditor's office is £8,356.08. The average cost per employee at the new, modern offices at 80a Queensway will be £4,172. I do not want to be accused of misleading Parliament, but that is almost exactly half, £4,172 per employee per year; Principal Auditor's office, £8,356 per year per employee. So, if the guardian of the public purse, the guardian of value for money thinks that £8,356 per year of rental per employee is value for money then surely £4,172 a year must be double the value for money, half the price to the taxpayer per employee than per employee in the Principal Auditor's office. So, the cheapest rent and half the cost of each employee in the Principal Auditor's office: a much better deal than the hospital deal, that is for sure.

In the hospital deal, in 2003, with the Hon. the now Leader of the Opposition, then the Minister for Health, the Government bought the property for £8.5 million. It then mortgaged it, sold it on the sale and lease back, for £50 million and incurred a liability to pay up to £110 million. Who benefited? Isn't that the question that hon. Members opposite asked three times in their press releases? Who benefited? I will tell them who benefited: some bankers who were very closely connected to the GSD at the time. And to be fair, the Hon. Mr Daniel Feetham, who has been leader of the GSD and Leader of the Opposition, was expressly contrary to those arrangements from the minute that they were done, when he was the leader of the Labour Party, and even when he was leader of the GSD, although he will permit me to say, because he knows it is true, that I did not hear much out of him when he was in the GSD and not its leader. So, even leaders of the GSD have been against the hospital deal. We ended up paying for a property that we owned for £8 million, £98 million of rent. So, when the Hon. Mr Bossino does the nonsensical analysis that he did, saying that in respect of the property at 80a Queensway, Bassadone will come into profit after eight years, which is completely wrong, he has forgotten this: this is what he defended as the golden legacy of the GSD. He stood for election in 2011 for these arrangements to continue. So, why didn't the Hon. Mr Bossino do this analysis when he was attacking us for the property at 80a Queensway? Or is it that there is one standard for them, where they can sell a property for

£8 million and it costs us £98 million, and another one for us where we properly set out how we are going to deal with the costs and have explained that?

390 These are Members of Parliament, both Mr Bossino and Mr Azopardi, who are going hoarse
telling people that they can be better managers of our affairs than me and the diligent Deputy
Chief Minister and the diligent Ministerial team that I have around me. They are going hoarse
saying, 'We could do it better,' but this shows that they launch themselves into positions without
analysing things. Can one imagine how dangerous it would be if one were shooting from the hip,
395 like they obviously shot on this issue, on other matters without doing the analysis at the
negotiating table with the Europeans and the Spanish – imagine, Madam Speaker! – or in any
other negotiation, or in the relationship with the British Government, where they have such
fundamental failure of analysis that they do not see the bull charging across the field towards
them when they say these things? It is a typical Hon. Mr Bossino set-piece mistake, which shows
400 how much they value putting their name to a headline and getting 20 minutes of fame, or three
minutes of fame in a GBC YouTube interview, ahead of careful analysis before they address what
could be a difference between us about how we might house public servants. That is the sort of
thing that leads you to lose an election. It is the sort of thing that leads you to say that you are
inclusive and diverse and have for one of your candidates the sort of person who is spewing anti-
405 Semitic hate, or to say that you are better guardians of the public purse than anybody else and
have as one of your candidates a person who spent £100,000 on a couple of phone calls of public
money. That is the sort of absence of analysis that we have seen even in relation to this matter.

Perhaps the most incredible comment that I have seen in the press releases from the Hon.
Mr Bossino in the things that he that he has said and which is clearly, outside of this House,
410 intentionally misleading or so foolishly uninformed that it misleads because the hon. Gentleman
might not know what he is talking about, is that the deed of sub-underlease was signed on
8th September 2024, the last working day before the 2023 General Election. Well, Madam
Speaker, I congratulate the Hon. Mr Bossino for stating the obvious. It is true that the agreement
was signed on 8th September 2023. He should know: Triay, Stagnetto, Neish were the lawyers.
415 The election was not called on 9th September, 10th September or 11th September, the election
was called on 12th September, so there were three full days in between, in which any document
can be constitutionally entered into. The Constitution does not say that documents have to be
entered into on working days, but the hon. Gentleman says this as if this was something,
somehow, untoward: 'You signed the day before the election was called.' I do not want to
420 mischaracterise what Mr Bossino said about this, because I have enough with the
mischaracterisations they do of me. I am going to quote. He was asked this by the GBC interviewer:

You have also raised the fact that the lease was signed the day before the last General Election. What point are you making?

Mr Bossino said this:

Well, what we are saying is that something ... A commercial arrangement which is entered into by the Government on its last working day ... Let's be absolutely clear: 8th September, from our recollection, was, in fact, the Friday before the Election was actually called, and the Government entered into an arrangement with Bassadone whereby ... the people understand what this is ... whereby over a period of 21 years, we, the taxpayer, are going to have to be spending close to £22 million, if not more, and we are caught by that on the last day that the Government had the authority and the power to do so. Why didn't they wait? Because there could have been a change of Government and we, had we been elected on 12th October, may have had a different approach and a different view, but no, we would have been beholden to those contractual arrangements.

That is exactly what the Hon. Mr Bossino said.

In the press release he said this:

The reality is that on the last working day before the 2023 election was called the GSLP Government agreed to pay the Bassadone entity £22M in rent over 21 years when the Government had sold that same plot to the Bassadone Group for £7.5M two years earlier. This deal raises serious questions.

Obviously he is creating the innuendo that signing it on that day was somehow wrong or improper because it was signed just before the election. Let's be very clear. The Government, whether it is the GSLP Liberals or the GSD – and by the way, I sometimes feel I have to remind them that it is the GSLP Liberals in Government; when it is a negative comment, it is only the GSLP. Maybe it is because of matters of a personal political heritage that do not draw him into putting the full nomenclature of the Government parties. *(Interjection) 'Ahi tampoco se hizo Leader. Bueno ninguno de los doz se hizo Leader'*. Let's see, Madam Speaker.

Let's be very clear. Whether it is the GSLP Liberals, the GSD or any other party that may be in Government, the day before an election is called – that is to say not 8th, 9th, 10th or 11th September – the Government is perfectly empowered to enter into legal contractual arrangements, because that agreement is signed before a General Election is called; the purdah period has not begun. But there is at least one agreement that was signed well after a General Election had been called, and it is not an agreement signed by the GSLP or by the GSLP Liberals. It is an agreement signed by the GSD, an agreement signed after the General Election had been called, granting a 12% pay rise to all GJBS staff, an agreement which was, in our view, unethical, improper, contrary to purdah and unlawful. And it is not me saying that, it was the then – that is to say not the current – Attorney General, Ricky Rhoda, in a legal opinion he provided to the Government in 2012. This is not something that Mr Bossino, in making his allegation that there was something improper about us entering into the contracts before the General Election was called, can pretend to have been unaware of, because all of this was set out in a Government Press Release that we provided on 29th November 2012. It is not the policy of the Government to publish the legal advice it receives, Madam Speaker, on this or any other matter, but at that time, in November 2012, the Deputy Chief Minister and I felt it was appropriate for the people to know what had happened. The Attorney General said this, and we published it at the time, and the Hon. Mr Bossino was a Member of this House at the time:

I am asked to advise (a) whether the offer by the Government to grant a 12% pay rise to GJBS employees, as well as an additional two extra increments communicated to the managing director of GJBS in a memorandum from the Acting Chief Secretary dated 8th November 2011 was within the *vires* of the caretaker Government, and (b) in the event that those commitments were *ultra vires*, what the remedies of the Government are.

The Attorney said this:

The first question is fairly simple to deal with, as section 45(9) of the Gibraltar Constitution Order 2006 clearly sets out the powers of a caretaker Government – caretaker Governments start when the Election is called, not before – namely: 'Shall discharge their functions until new Elections are held and the Chief Minister appointed in accordance with this Constitution following such Election, but such executive authority may not be exercised save in the event of public emergency, including public order or safety, to commit or bind the next successor Government of Gibraltar to public funding or liability, except in the ordinary course of the day-to-day affairs of Gibraltar.' It is clear here that the letter from the Acting Chief Secretary dated 8th November 2011 was committing the next successor Government to public funding or liability. The only question is whether the power which the authority exercised was in the ordinary course of the day-to-day affairs of Gibraltar. I do not think that any court would find that a commitment to a 12% pay rise plus two additional increments would count as day-to-day affairs of Gibraltar. Thus, in my view,

– says the Attorney General –

the decision of the Government communicated to GJBS by the Chief Secretary was *ultra vires* the powers of the caretaker Government.

The GSD caretaker Government: the Government that the Hon. Mr Bossino stood for election with, who said that that was a golden legacy. That was the Government that signed agreements after the Election had been called, which were *ultra vires* in the view of the Attorney General.

455 Madam Speaker, although it is publicly available information, I am now providing a copy to all Members of the House of the press release of 29th November 2012; and, even if it might not have been made public before, given that it is now over a decade old, I am providing a copy of the letter from then Acting Chief Secretary, which is the letter in question, dated 8th November 2012, and allowing all Members of the House and the public to see that. Press Release 793/2012. So, when
460 Mr Bossino makes the remarks that he makes to GBC, he is making them in the knowledge that actually, although he is attacking me for not having done this because these arrangements are entered into when we are not a caretaker Government – we are still the Government on 8th September; the Election is not called until the 12th – it is actually the party that he represents that incurred the sin of entering into these arrangements despite the Constitutional provision that
465 they should not do so. Therefore, Madam Speaker, I will ask the House to conclude that because the hon. Gentleman must be imputed knowledge of this press release, which was issued at a time when he was a Member of this House the first time, and in respect of a Government whose record he defended in the 2011 General Election, his remarks later, this year, about the arrangements entered into on 8th September must have been designed to mislead people, intentionally
470 designed to mislead people, and, indeed, as a criticism of us, which suggests that they would not have done that thing a day before a General Election is called, let alone after a General Election had been called – which is exactly what they had done in 2011.

Madam Speaker, if that was the only contract that they had entered into after a General Election had been called, at least that we are aware of, one might have thought it only happened
475 on one occasion and it would not happen again. But 2011 was a seminal year. The Hon. Mr Bossino stood for election with the GSD, and that election period started in late October, early November, and through that period the Hon. Mr Bossino was a candidate for the GSD, and this happened while he was a candidate for the GSD. This is what he was defending for the GSD. But not just the GJBS contract. The problem with this happening a decade ago is that sometimes people might
480 forget, now that they attack us, what it was that they used to do; and they are attacking us for things we did not do, which they did do, which they now say to us would be wrong if we had done them, although they did them. He shakes his head, but has he forgotten about the other contract, Madam Speaker, the one for millions of pounds? We honoured the GJBS agreement because the men and women of GJBS did not deserve that we should not honour the pay raise that they had
485 been told they would get. In fact, I became aware of it before the General Election, and I told them that they could freely choose to vote for whoever they wanted to vote for, that they did not have to be bought and paid for their vote, that their pay rise would be respected.

What about the contract for airport handling? The people of Gibraltar went to the polls on 8th December 2011. It was such a tight Election that we did not know the result until about 8.30
490 in the morning on 9th December. On 7th December 2011, the airport contract was signed with Bland's, benefactors and supporters – not just the day before the Election was called, not just the day after the Election was called, the day before people voted, 29 days after the Election had been called, the day before we won the Election. Outrageous and completely outside the spirit and letter of the relevant section of the Constitution.

495 In case hon. Members have forgotten, I am going to circulate to all Members of the House a copy of the front page of the agreement, the full front page of the agreement and the first page of the contract, dated 7th December 2011. You could not make this stuff up. They criticise us by saying that I somehow misled the House when I did not. They criticise us for doing a bad deal when it is the lowest rent we pay. They criticise us for signing a document just before the Election is called when they sign documents after the Election is called, in some instances the day before the
500 Election is held. But I have gone further also in this motion and said that hon. Members have sought to mislead through the doctrine of documents. Why do I say that they did that, and why do I say that the House should find that they did? Well, we know that they have the deed of sub-

underlease, which is registered. They are entitled to it. Anybody is entitled to it. It is available because it is a registrable document. We registered it. That gives notice to the world of its terms. We could have chosen not to register it. If you do an arrangement which you do not like anybody to see, you can lie on contract. You are left without the protection of registered land, but you can lie on contract. We did not do that, neither would the lessor have wanted to do that, because these arrangements stand the test of electricity. They are the best arrangements, the cheapest rent. So, hon. Members have the deed of sub-underlease.

On 10th December, the Hon. the Leader of the Opposition puts out a social media message – I do not know whether it is a tweet or Facebook or all of them; I have the wherewithal not to follow him – and puts out some of the answers I give to the House as part of the deed, part of their press release or whatever, or our press release, and the front page of the deed of sub-underlease. Hon. Members can see it; I am just passing it round. The deed of sub-underlease is on the bottom left. You can see it there. Each of those is a picture. You open it up and the whole thing opens. This is published at the same time as they are saying that I am misleading Parliament. It is a heinous offence to mislead Parliament because in doing so you mislead your public as well.

All of this is a strategy designed to show and give credibility to the things that the Hon. Leader of the Opposition and the Hon. Mr Bossino are saying and putting. But, Madam Speaker, all of these things are based on a doctored document that they put out for the media to see, for journalists to report on, for the public to see. Here it is, in the second handout I am giving hon. Members. The second page contains the full picture put on the Leader of the Opposition's social media feed, which is this one, but the first page is this one, actually. Spot the difference between one and the other. The logo of the law firm of the Leader of the Opposition and the Hon. Mr Bossino cut out, hidden from view in the social media post that the Leader of the Opposition put. I suppose it makes sense, because if you issue three press releases saying, 'Who benefits?' and the answer to the question, whether it is the Chief Minister, the party that is the lessor or the Leader of the Opposition, I cannot imagine that what they wanted people to conclude was that who benefits is the Leader of the Opposition and the Hon. Mr Bossino, who made the legal fees; that they were paid by Bassadone Group International World Ltd for the negotiation of the lease. They benefited, Madam Speaker. They are the ones who profited. I guess that is why they wanted the words TSN to disappear like that, just like on the screen. Show them that, instead of this; a doctored document to try to make out a trumped up charge that bears absolutely no analysis.

Madam Speaker, I do not want you, for one moment, to forget that I am not the one who asks the question, 'Who benefits?' The GSD press release of 2nd December ends with the words, 'Who, in the end, benefits?' The GSD press release of 10th December 2024 ends with the following words: 'Who, in the end, benefits from this deal?' They do, Madam Speaker. They benefit from these deals. I make no criticism of the partners of Triay, Stagnetto, Neish for benefiting from the legal representation of a reputable company like Bassadone and its group. We have paid Triay, Stagnetto, Neish. The Government has paid Triay, Stagnetto, Neish millions of pounds of fees; in particular Mr Stagnetto, Mr Neish and Mr Lavarello, who are excellent professionals whom I have the highest professional regard for, as I do for the Hon. the Leader of the Opposition, whom I have instructed when he has not been in that post and whom I have also paid, as Leader of the House, many hundreds of thousands of pounds of legal fees. They do the work and they get paid. They benefit. At least we know that the question that they put in their press release was rhetorical. They knew the answer all along. *They* were pocketing the benefit, *they* were pocketing the cash – trousering it, as people say colloquially in the United Kingdom.

These are the accusers who seek to create an innuendo of impropriety on the part of the Government for the cheapest rental deal the Government has ever done, at half the rate per public servant than is the case in the office of the Principal Auditor. So, Madam Speaker, I know that the Hon. Mr Clinton is bored because he is not talking and he is only interested in hearing his own voice talking about numbers, but when you do the analysis and you look carefully at what has been done by the hon. Members opposite mentioned in the context of this motion, there is little that one can see as a realistic defence to the charge that actually, outside of this place, the

ones who have been misleading the public and intentionally seeking to do so are not any Members of the Government bench – it is not me, in particular – it is actually them. It is both – and that is why they are named expressly – the Hon. the Leader of the Opposition and the Hon. Mr Bossino. That is why this House should deplore that the Leader of the Opposition and the Hon. Mr Bossino should have attempted to mislead the public by making allegations against me which are factually incorrect, which are absolutely untrue, as I have demonstrated, and are designed and were designed in themselves to mislead the public, including via the publication of the doctored front page of the deed of sub-underlease by the exclusion of the reference to their self-same own law firm. That is the reality, Madam Speaker.

Additionally, when Mr Bossino put his questions and was not here to ask them, and the Leader of the Opposition asked them for him, none of them declared an interest in the matter. Mr Bossino was not here to do so, but he did not do so in the context of his interviews with the national broadcaster; and Mr Azopardi, who asked the questions on behalf of Mr Bossino, did not say a word about the fact that actually the arrangements that they were seeking to impugn were arrangements that they had represented the lessor on.

Madam Speaker, for all of those reasons and not wanting to keep the House any longer, I think it is demonstrated beyond peradventure that far from having incurred the fateful and heinous sin of misleading the House – a charge which has not been put against me in this place but has been put against me outside of this place and which cannot be put against me in this place unless it is on a substantive motion – far from doing that I have told the House the truth on every occasion that I have had the privilege of addressing it since 2003 when I was first elected. I shall always do so out of respect for the Mace, the Speaker, every one of my colleagues, whichever side I have sat on, and everything that this House represents. Unfortunately, for the reasons I have set out in the detail of the motion, I have just reminded the House of, the same cannot be true of hon. Members. And so, Madam Speaker, I commend the motion to the House, and I ask for the House's support in censuring hon. Members opposite for the attempts they have made to mislead the public in Gibraltar. (*Banging on desks*)

Madam Speaker: I now propose the question in terms of the motion moved by the Hon. the Chief Minister. Does any hon. Member wish to speak? Yes, the Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Yes, I do want to speak on this motion; I feel obliged to speak on the motion, given that it targets myself and my hon. Colleague Mr Bossino.

First of all, Madam Speaker, I apologise to you because of what you have just heard. With your trained judicial ear it might have been difficult to get out of a judicial frame of mind and have thought that some of the arguments that you have heard would not get past the first threshold, were you sitting in a judicial capacity, as we will demonstrate when we answer what has been said.

What we have just been treated to is a nonsense and a charade, and, I repeat, a disgrace. What we are seeing here is a playing of games and an abuse of power from a Government that cannot be held to account because it has an inbuilt majority in this House. The executive has an inbuilt majority in this House. This goes to the core of what we have been saying for so long, that the Government does what it pleases in this House, presents whatever issues it pleases in the manner it pleases with as little notice as it pleases and, in effect, gets away with a lack of accountability. But we are not going to allow the Government to treat this as the circus. We will call it out as the attempt of what it is, because there is one thing I will agree with the Chief Minister on: this is about the core facts, and I am going to go there. Oh yes, it is about the core facts, because beyond all the bluster we have heard about deals in 2011 and here and there. This is about the deal and Queensway, so let's talk about the deal and Queensway.

If there is an erosion of trust in politics, there is an erosion of trust because of the Chief Minister's behaviour, both inside this House and outside this House. This is a disgrace, a reversal of the reality. The reality is that the Chief Minister, as I will show, did not give accurate information

to the House when he answered those Questions 999 and 1000, I think it was in late November. He did not give accurate information, and it is clear from the transcript he did not. This is a reversal of the reality. Having been caught out, to silence the Opposition he brings this motion in an attempt to silence, in an attempt to confuse. So, suddenly he now becomes victim, not perpetrator, when in reality he is the perpetrator of the inaccurate information. Of course, it is also a slightly dangerous precedent because this is a motion that seeks to condemn us for not misleading the House but misleading the public. So, what is this going to be now? Is this the starting gun for us facing motion after motion every time they do not like a tweet, every time they do not like an inconvenient truth in a political statement, in a press release? We have exchanges of press releases. Every time we do not agree on something, there is going to be a motion that we have misled the public? This is a twist, a deliberate twist to create a mirage – the mirage that the Chief Ministers is the victim, when in reality he is the perpetrator. This is not about anyone else. This is not about third parties, it is not about commercial entities, it is about him, because our gripe is not with anybody else. This is about an assessment of value for money and it is an objective one that we make, and we are entitled to have an objective view, a legitimate view on value for money in relation to this deal. We are entitled to do that and we are entitled to reach conclusions on the information available to *us*, not the information available in his brain that he does not impart.

We have not misled anyone, as I will demonstrate. What we said was built, first, on what he told this House. Then, it was built on what we discovered subsequently, which showed that he gave inaccurate information to this House. And we do so from the position that it is a valid political judgement on the facts that we have gleaned. That is all. But this has become a charade of the Chief Minister because, as I have said on occasion before, despite his intelligence and the high regard that I have always had for him, there are times when he cannot get out of his juvenile Monty Python sketch with his dead parrot. Because this is what it is. I called it Trumpian on the *Gibraltar Today* programme but I am not sure if it is Trumpian or George Orwell, but I have had occasion to refer to it in this House before in the context of the Hon. Chief Minister, because he has been caught out and I will show why he has been caught out. He has been caught out giving inaccurate information to this House, which we will show again. So, now it is, 'The GSD are eating the cats' distraction scenario, and he gets up to make a string of bad points and, if this were submarine warfare, depth charges are thrown into the sea. They create bombs and lots of smoke and so on to confuse; a string of confusion points so that either people do not understand the reality or they forget the reality because we have moved on. We are no longer talking about what he said in this House in answer to the particular questions. We are now talking about the deal that was done in 2012 or 2011 with GJBS. Well, we refuse to do that. Let's come back to the reality of what was said in this House when I asked the questions on behalf of my hon. and Learned Friend Mr Bossino. Unless we do that, the Hon. Chief Minister will be successful in confusing, in removing us from the reality. In the inimitable words of George Orwell, I believe that the true objective of the Hon. Chief Minister is to hope that everything is left faded into mist because the past was erased, the erasure was forgotten and the lie became the truth. That it is what is happening here, steeped in confusion tactics and devoid of reality. This is a dangerous precedent. Are we going to now have Big Brother watching us, auditing every tweet and running to this House to present motions on the fact of our tweets or as to the size of the cropping of extracts from *Hansard*?

Who holds the Chief Minister back when there is an in-built majority and unfortunately we perhaps will not see a Minister have the courage to recognise that, once I finish, the Chief Minister has presented inaccurate information to this House. Who holds him back? Well, even if we do not have the help of a Minister today, I can tell him we will not shirk from our job. We will continue to do the job we have been elected to do (**A Member:** Hear, hear.) without being scared of doing so. If this is an attempt to intimidate the Opposition, it will not work. (**A Member:** Yes.) We will not accept that the Chief Minister abuses his position and starts a tirade of motions against the Opposition because he does not like the truth. Does he really want to go into the scenario of misleading the public? Does he really? We do not accept that we have misled the public. Does he

660 really want to go there, the author of the statement that he was 0.01% away from the Brexit deal
before the last Elections to persuade people of Gibraltar to vote for him, when 15 months on we
do not have a deal: 0.01%? Does he really not think that a lot of people in Gibraltar consider that
to have been a deliberate misleading of the public, or what he says when he gerrymanders the
budgetary figures? Does he really believe, when he stands up with his best altar-boy face, that he
665 always tells the truth? Does he really believe that people think that? In every quarter of Gibraltar,
from Europa Point to the Frontier, from Western Beach to Eastern Beach, there will be people
sitting at home, perhaps with some dusty letter received from the GSLP at Election time, thinking,
'I kept that letter in the hope that promised was fulfilled, but not quite – I am still waiting seven
or eight years on.' There will still be many people out there thinking, 'Well, maybe I am not sure I
670 can entirely accept that the Chief Minister is not the biggest culprit when it comes to the issue of
who is misleading the public.'

Madam Speaker, I am going to get into the detail but these preliminaries are important
because the tactic of the Chief Minister is deny, deny, deny in the hope of creating either some
people who believe him or enough confusion to get away from the scene of the crime, in the
675 slipstream, in some speed. And here we are: he starts his intervention today, getting up, again in
his best altar boy ... to decry the need for him to do so in the advent of the Christmas spirit that is
so absent today. It is so false. He will forgive me but there are times when it is just too much. This
is not a circus Madam Speaker. The hon. Member has always had, regrettably, an awkward
relationship with the truth. If truth was a virus, they would have invented the Picardo vaccine
680 because that would have been sure to eradicate the truth, or at least eradicate it as they now
define it, which is 50% of the truth maybe. The hon. Member has always had an awkward
relationship with the truth. That is not just my judgement, it is the judgement of many people
because he now has a reputation, which we have spoken about before. He may not like it, but he
has got a reputation. 'No more lies!' shouted the teachers in his face. 'No more lies!' he half
685 mocked the teachers. Not just mocking; part of it was trying to recreate the truth with his most
serious face. The fake outrage that we see from time to time, the fake outrage that we have seen
today, the fake outrage of the victim who is only coming here compelled to do so because the
heinous GSD have forced him. He did not want to break the Christmas spirit, he really did not, but
he is forced to because – (**A Member:** Hear, hear.) Well, Madam Speaker, it is fake. It is fake
690 because the Chief Minister knows he gave Parliament inaccurate information. (1) He knows he
then allowed us to believe it. (2) He knows he allowed us to repeat it. (3) And now he knows –
because he is now pretending to be shocked at what we said as a political judgement, even though
he did not correct the record when we acted on inaccurate information and when we presented
the real facts that we had found out – he pretends it is not there.

695 All that is demonstrable when we look at the detail. I have to say this before we look at the
detail: we will not be taking lessons – I will not be taking lessons and Mr Bossino will not be taking
lessons – from the Hon. the Chief Minister on conflicts. We will not. Why didn't we declare our
interests when I asked questions on behalf of Mr Bossino? Because I did not even know that TSN
had acted for Bassadone Industrial. I did not even know. We found out subsequently when we got
700 the deed. I will not take lessons from the hon. Member on conflicts. I will not take lessons from
the Chief Minister on the 36 North interest, the company vying for a lucrative public contract
which would have netted him a nice sum had it been awarded. We will not take lessons from the
person who, despite the conflicts of interest as a core participant, actively took a role signing
letters of assurance to potential witnesses in the same inquiry that would judge his conduct. No,
705 we will not take lessons from him on these issues because the reality, as I said just a moment ago,
is that we were not even aware that TSN was instructed by Bassadone until we saw the deed,
which we only saw in December, not in November; it was just before we issued our press release.

I am not here, Madam Speaker, as Leader of the Opposition to protect the clients of TSN – I am
not – because as Leader of the Opposition my role is to assess and make a judgement on the things
710 that I see and a judgement on the issue, a political judgement and a judgement on value for
money. We take a very different view on value for money and on public benefits. But perhaps the

difference between the Chief Minister and I is that faced with the same choices I choose not to protect the clients of TSN and argue for the better public benefit and, in my judgement, better value for money; he, the Chief Minister, faced with similar choices, seeks to protect his friends and his law firm, sending Whatsapps in outrage, or to advise them or their lawyers on what to do in relation to police investigations. Maybe that is the difference between the Chief Minister and I faced with crossroads.

Madam Speaker I couldn't help to think that perhaps it is because the Hon. the Chief Minister has probably never gone to the Privy Council in an advocacy role, or the Court of Appeal, but I could not help but think that if he had been making some of those points before the Court of Appeal, he would have been interrupted by a Court of Appeal judge, who would have stared at him icily and said to him, 'Is that your best point, Mr Picardo?' because they were somewhat poor, I have to say.

So let's look at the detail, shall we? Let's look at the detail and let's start with the chronology. Let's look at the chronology because this chronology is, at least superficially, clear. The Government announced that it had reached an agreement, and in principle, which we took to be the terms of an agreement – some heads of terms, presumably – in July 2020, in relation to premises adjacent to the Bassadone Group, where they would have the new showrooms, which is this particular premises. That was in July 2020. My hon. Colleague sitting to my left, Mr Clinton asked questions in this House about that agreement or deal in March 2021, where it was said that there would be a consideration of £7.5 million paid for that site. So, by that time it was still clear, and it was very clear from the extracts, that the Chief Minister said to the House that there had not been completion, at that stage, yet, of the deal. So, we take that at face value. That is the chronology.

Then let's jump to the particular questions. When we now jump to the particular questions and answers that have been given and everything that happens subsequently, Madam Speaker will see that there has been inaccurate information given to this House, firstly; and secondly, that we have not misled the public, still less the House. We are not charged with misleading the House. We have not misled the public in relation to these arrangements. The Hon. the Chief Minister complains that we used inaccurate information. Well, to the extent that we used some inaccurate information at the beginning of our press release exchange, it was the information he gave us, which happened to be inaccurate we now know. Subsequently, we used what we believed to be accurate information which we have gleaned from the deed. But he complains about the manner in which we have used this information and so on. Well, the lady does protest too much, and the lady in this particular case is, of course, Miss Lead, personified by the Chief Minister.

Let's look at the detail. The questions that I asked on behalf of my hon. Colleague were questions that were tabled by my hon. Colleague Mr Bossino. He asked two questions, not just one, so it is not true ... Even today, the Hon. the Chief Minister specifically said to this House, 'I specifically said I was not giving the rent payable but the rent to date, because that is the question I was asked.' Well, not even that is accurate because he was asked more than the rent to date and he did not say in our exchanges that he was only giving the rent payable to date, as I will show. There were two questions filed by my hon. Colleague. He said:

How much has been paid by the Government in respect of the properties it is renting from the Bassadone Group in the dockyard area to date?

– question one – and then the other question was:

Please provide the number of leases or other agreements together with the rental amounts entered into by the Government with the Bassadone Group in respect of Government office space.

– question two. Let me just pick up those questions. Question one was how much has been paid by the Government in rent to date, and we got the answer: £610,000. The other question was

please provide the agreements, together with the rental amounts entered into. The rental amounts entered into is not what is paid to date. It is the agreement in respect of rent that you have entered into. What is the rent that is payable, the agreement for rent entered into? That is what the Hon. Mr Bossino asked: what was the rent entered into? The Hon. Chief Minister answered in this way:

Government entered one deed of sub-underlease with the Bassadone Group in respect of government office space. In the period from 1st July 2023 to date, the Government has paid a total of £610, in rent in respect of the property rented from the Bassadone Group in the dockyard area. Hon. Members will have been able to work out, relying on their excellent mental arithmetic skills, that this amounts to a sum of £21,816.66 per month. The new arrangements will release upwards of £8,844,000 of capital value in the properties that will be surrendered by the departments moving to this new area.

When he used the phrase ‘hon. Members will have been able to work out, relying on their excellent mental arithmetic skills, that this amounts to a sum of £21,816.66 per month’, he was leading us to believe that the answer to the question of the rental arrangements entered into was that the rent was £21,816 per month. He led us to believe that and in subsequent exchanges did not correct the record and made it worse. He made it worse, as I will show. There are a number of supplementaries that I asked, but one of the supplementaries I asked ... I was standing here with my phone, doing the calculation, and I thought, ‘Well, this does not work because we have been told it is £610,000 from July 2023. That is loosely 18 months. This does not work.’ The maths did not work for me. I did not understand it. When you multiply £22,000 by the number of years, it just does not work out, so I asked the Chief Minister, in my exchange:

Does the Chief Minister think that is value for money? If the intention is to, in effect, put these properties out to tender to maximise the capital value of, they are paying £610,000 in rent to Bassadone for the property in Queensway. Over 12 years, that is already going to be £8.4 million, roughly speaking, so the Government is going to pay more in rent than the capital value it will deliver from the properties that are being vacated. Is that value for money?

He said:

The excellent mental arithmetic skills that I referred to in the context of my first answer, Madam Speaker, seem to have eluded the Hon. Leader of the Opposition because that is for 28 months, not for a year. The question asked me how much had been paid in the period since we had started the lease, which was July 2023. I worked it out for him as approximately £21,600 a month, so it is slightly different. We do believe it is value for money.

‘I worked it out for him as approximately £21,600 a month,’ – again leading us to believe that that was the rent. I then said:

I am grateful for the Chief Minister clarifying the level of rent

– he has told me is £21,600 –

which I had not taken a note of. I am pretty sure he had said £610 million from July 2023 to date, but if there is a monthly figure of around £21,000, by 18 months it works out at £380,000, so I am not sure where the discrepancy comes from. Perhaps he can clarify that for me.

That was my question. He is saying £21,000, so how does this work? With my calculator saying this does not work – 22×18 is 380, it is not 610 – how does this work? He says:

I will look at that. I think the lease date is earlier but there was a rent-free period which is all rolled up and the rent comes to this, as I understand it, the £21,000.

That is what it says. Just to make sure, I ask again. I am making a value for money point, so I say:

Paying £22,000 a month, practically for the rental, for the occupation of a private office premises rather than occupying a place that you are not paying rent on ... you have to do a calculation as to whether it is worth doing in that way. Has there been an assessment of the kind of refurbishment that would be needed for the Government to remain in these buildings?

I am premising my question on the cost of refurbishment, on the fact that the Hon. the Chief Minister has led me to believe that this is rent of £22,000. Does he correct the record? No, Madam Speaker. He says this instead:

Yes, Madam Speaker, and that is what led us to this, because the costs were increasingly astronomical. I do now have, thanks to those listening, the area, which I think the hon. Gentleman might find helpful, which is 3,618m².

So, I have the area: 3,618m. And then the Chief Minister says this, which is the last nail in the coffin:

My calculations whilst he was on his feet suggest that that is 2p shy of £6 per square metre, which I think he will recognise as a very decent rate.

Madam Speaker, it is only £6 per square metre if you do the maths of taking the rent at £22,000; otherwise, it is not £6 per square metre. It is only £6 per square metre, I repeat, if you accept as accurate that the rent is £22,000. That was fundamentally inaccurate and that was again confirming to us that we should take the figure of £22,000 as the accurate figure. And may I just say, because I am going to turn to press releases, that he told the House, on 28th November, £6 per square foot, which can only correlate to £22,000 rent, but in a subsequent press release the Government has said it is £28 per square foot. (**A Member:** Metre.) Per metre, sorry, per square metre. Sorry, I keep using that terminology. The reality is that the Chief Minister did provide inaccurate information to this House because the only basis on which you can reach that sum that he gratuitously offered to me is you accept it was £22,000 as rent. That is the reality.

And what did we say, Madam Speaker? Well, outside this House, which is what we are accused of ... We have not been accused of misleading this House, we are accused of misleading the public. What did we say? Well, we issued a Press Release on 29th November, embargoed till 2nd December. The deal did not make sense, we said. We made a value for money judgement, and in part of that Press Release we said:

Government's plans to on the one hand sell its buildings but on the other spend £5.5M in rental payments in favour of the Bassadone Group at Queensway does not make financial sense or deliver value for money.

– we are making a judgement –

As stated in Parliament last week, the Government is spending almost £22,000 a month in rent at a property owned by the Bassadone Group in order to house numerous Government departments, including the Care Agency, ITLD and the Education department. The Government has already spent £610,000 in rent over the last 18 months and the civil servants are not even in occupation of the property because the fitting out has not been done. It is unclear when it will exactly be ready. This significant expense does not take account of the cost outlay there will be in kitting out the office space.

All that is true, and when we say that there was an assertion that the Government can realise certain value on the sale of possible properties, we say:

the reality is there is going to be an ongoing rental liability into the future. There will always be. There will also be a loss to the Government of clearly valuable real estate forever. All of this has been done on the potentially questionable basis that the Government says that the cost of refurbishment is prohibitive.

A value for money judgement.

Given that the 21 year lease will cost £5.5M and does not include the cost of fitting out the 3600m2 is this deal value for money?

This was the perfect opportunity, surely, for the Government to issue a press release and say, 'No, hang on, the rent is not £22,000, it is much more,' but they did not do that. They continued to allow us to believe what had been said in the House days before.

805 And yes, there have been a number of social media posts. I think in one of them, on 3rd December, I said this:

Since July 2023, the GSLP Government

– I apologise if perhaps I did not use the full abbreviations; a bit long for Twitter sometimes –

paid Bassadone Group £600,000 plus for rental of Queensway offices, which civil servants are not even occupying.

– that is true –

Fitting out is taking a while.

– also true because they have been paying rent for 18 months and they are still not in occupation –

The 21-year lease will cost £5.5 million, and that does not even include refurbishment costs.

810 Well, that part is not true – although I believed it to be true at the time, based on the information given to me by the Chief Minister – because the 21-year lease is not going to cost £5.5 million, the 21-year lease is going to cost £22 million, but I believed, on the information given to me at face value, that the Chief Minister was giving me accurate information, because I come to this House always on the basis that the Chief Minister of Gibraltar provides accurate
815 information. Maybe I am naïve about these things, but that is what I should at least believe if I believe in the institutions of Government and democracy and the way that things should be done. I believe that people want to believe their Ministers and Government, and I am not one to undermine that confidence lightly but when facts emerge that are undeniable, incontrovertible and are not corrected by the Government of the day, then I regret that we are in the position that
820 we are because, as I have said, having issued the press release that we balked at the figure on value for money, because we said £22,000, £5.5 million, they had a perfect opportunity to correct the record.

The Government issued a press release on 4th December: a perfect opportunity to correct the record. Did they correct the record? Instead of correcting the record, they say 'GSD can't see the wood from the trees'. Well, no, we could not see the wood for the trees because we did not have the accurate information. That is the headline. And nowhere in a four-paragraph press release do they correct the record. In fact, the press release said:

The Chief Minister, Fabian Picardo, said: 'From his usual shortsighted position,

– my hon. Colleague is shortsighted, but it does not help when he does not get accurate information; I am shortsighted, too –

Mr Bossino has failed to see the Government's plan in its proper context and has extracted only the numbers that he wants to see.

830 Well, with all due respect, only the numbers that we were being given.

We issued a press release afterwards. This was more than a week later. That is when we first had the deed. We did a search at the Land Registry to we got the deed. At that point I realised

TSM had been instructed. That is how serious practitioners at TSN are with confidentiality: my hon. Colleague Mr Bossino and I did not know. That is when we got the deed, and when we got the deed we were astounded because far from the ££22,000, the deed says in clause 1:

so that the first rental payment shall fall due on 1st April 2024 and the underlessee shall pay to the underlessor for the period from 1st April 2024 to 31st March 2025 an annual rent of £1,047,200 ...

– or, loosely speaking, £87,000 a month and not ££22,000 a month as we had been led to believe –

subject to an increase on 1st April 2025 and every anniversary thereof.

That is why this deal, rather than £5.5 million, is going to cost the taxpayer £22 million. We make the value judgement, which they may not share, that is not good for money because they have sold the land for £7.5 million only to rent not the land, all of it, but part of it, because what is clear from the deed is that they are renting part of it and the rest of it is still being used for workshops. They were going to rent part of it, so they sell all of it for £7.5 million and they rent part of it for £22 million. We take the view that it is not a good deal, irrespective of other things like the fact that there might be a contribution from the Bassadone Group, because equally it does not take account of things like the refurbishment costs that could cost, presumably, millions. We do not have those figures, but we take the view that it does not seem to us to stack up as a good value for money deal.

So, we issued a press release, and that is the press release where we did say ‘Chief Minister misleads on Bassadone Group deal’. It is headed like that. We made the first allegation in that press release of 6th December 2024 that the Hon. Chief Minister misled Parliament as regards the rental payments, and we did so on the basis that the information that I have gone through in detail suggested, implied very clearly, led us to believe – deliberately did so when he did the calculation about the £6 – that the rent was £22,000. There could have been no other conclusion that could be drawn when you string those paragraphs together.

The Chief Minister will get up, no doubt, in reply, to use his usual verbose, rambling answers, seeking to confuse, and will seek to persuade everyone how that cannot have been true, it is outrageous, but the extract demonstrates that he led us to believe it was £22,000, he then affirmed it and even volunteered a calculation by the metre that could only have been reached if it was £22,000. That was inaccurate because they entered into a deal that was entirely different. That was to provide inaccurate information. That was to mislead Parliament.

Madam Speaker: I am going to interrupt there for a moment because I am concerned about the allegation about the Hon. the Chief Minister misleading Parliament, only because the Hon. the Leader of the Opposition will be aware that that is unparliamentary and that that kind of accusation, in my view, needs to be dealt with by the bringing of a substantive motion and not by an allegation made across the floor.

The motion before the House today is an attempt to mislead the public in making allegations against Chief Minister which are false. I have not stopped the Hon. the Leader of the Opposition until now because the language has been measured, I thought purposely so, and the way that the Hon. the Leader of the Opposition has phrased the situation has been ‘given information which has been inaccurate’. That I will allow, but if the Hon. the Leader of the Opposition wants to make a specific allegation of deliberately misleading Parliament, that should properly be the basis of a substantive motion, so I ask the Hon. the Leader of the Opposition to choose his language carefully.

Hon. Dr K Azopardi: Madam Speaker, I will choose my language carefully and as Madam Speaker does indeed notice that I have been choosing my language very carefully up until this point, even though I have to say that the Hon. Chief Minister, when he stood up in his original intervention, prefaced a lot of his remarks on the basis that he had not misled Parliament. I have not used that language up until this point because I do take on board what Madam Speaker says.

Perhaps, therefore, before I continue, this is the right moment for me to move an amendment to this motion, if I may. If the Hon. the Clerk can come and distribute this, I would like to move an amendment. Let me just get the Clerk to give Madam Speaker the first copy and then others can flow.

Madam Speaker, I beg to move this amendment to the motion, and I will read the letter, if I may. I beg to give notice of the following amendment to the motion dated 18th December 2024 in the name of the Hon. the Chief Minister on the above subject.

The amendments to the above motion are as follows:

(1) The deletion of all the words after 'This House'.

(2) The insertion of the following language in substitution of the existing language:

'Notes that the Chief Minister, the Hon. Fabian Picardo KC MP, misled the House when answering questions in relation to the rental of a property at 80a Queensway, namely Questions 999 and 1000/2024, regrets and condemns that he should have done so, and requests that he should correct the record and apologise to the House.'

Accordingly the effect of the amendments would be that the motion, as amended, would read as follows: 'THIS HOUSE notes that the Chief Minister, the Hon. Fabian Picardo KC MP, misled the House when answering questions in relation to the rental of a property at 80a Queensway, namely Questions 999 and 1000/2024, regrets and condemns that he should have done so, and requests that he should correct the record and apologise to the House accordingly.'

Madam Speaker, I will continue my address, if I may, speaking on my amendment. And speaking on my amendment, I will now measure my language a bit less on the basis that I am speaking on the amendment that asserts positively that the Chief Minister has misled the House, because that was the title –

Madam Speaker: I am going to interrupt the Hon. the Leader of the Opposition, who has been in this House far longer than I have, and I am open to guidance from both sides but do I not need to propose the question in terms of the amendment moved by you before you –?

Hon. Dr K Azopardi: Yes, you may well, but I –

Madam Speaker: Well, I like to practise properly. I now propose the question in terms of the amendment moved by the Hon. the Leader of the Opposition, and now the Hon. Leader of the Opposition can speak on the amendment.

Hon. Dr K Azopardi: Thank you, speaking on my amendment proposal. Indeed, that is why we issued that press release that the Hon. Chief Minister had misled the House, because we believe that when you put everything together, that can only have been the conclusion of the facts that we had. He gave the House inaccurate information, led us up the garden path, then confirmed the inaccurate information and did not correct the record when he had an opportunity to do so. Our gripe, as I said, is with him, it is with nobody else.

Yes, we have also issued social media posts and so on, on this matter. That press release was on 6th December. On 9th December, I tweeted about that, that he had 'seriously misled Parliament when indicating the rent was approximately £21,000 per month. In fact, it is over £1 million a year. That does not even include the refurbishment costs. This is a bad deal for you and the taxpayer. Who benefits?' That is what I said in a tweet on that day. But that, in our view,

920 was fact because he had seriously misled Parliament when indicating the rent was approximately £21,000 per month, because in fact it is over £1 million a year – that is what the deed says – and it does not even include refurbishment costs. Fact. ‘This is a bad deal for you and the taxpayer’: value judgement. ‘Who benefits?’: value judgement. Value judgement that we are calling into question that there is sufficient public benefit. One would have thought that the shorthand was obvious. That is what we are saying: there is not sufficient public benefit, there is not sufficient value for money. That is what we are saying.

I also said, in another post, that this was ‘a bonfire with your money’. I appreciate that in social media we use much more colourful language, but so does the Chief Minister. I did not invent the wheel there. I arrived at the wheel far later than the Chief Minister on this issue. I am sure I can pull up some colourful tweets of the Chief Minister on his thread. ‘A bonfire with your money’, I said. ‘Now clear that the GSLP signed a £22 million rental contract with Bassadone Industrial on the last working day before the 2023 election. Again, that is a fact.

We can get into a sidetrack about deals done in 2011 and all of that, fine, but the point is that the hon. Member’s motion and my amendment to the motion are about what happened in the House on 28th November in relation to *this* deal. Forget the other deals, it is about this deal. Let’s examine this deal. Does he really want to examine other deals? He quoted the constitutional section about caretaker Governments. I am not going to defend that contracts were entered into wrongly and unconstitutionally. I am not going to defend that, but if he does not mind me saying so, the genesis of that constitutional provision was that when we came to the constitutional talks, we needed to have a safeguard because there had not been one. Before 1996, there were plenty of contracts entered into in the interregnum once the dissolution of the House had been done, but let’s not go there. (*Interjection*) Maybe before 1996 as well – I am not disagreeing – but the reality is that we are talking about *this* agreement, *this* value for money, what was said to the House on *this* occasion. So, we ask why sell it for £7.5 million and rent it back for £22 million? Again, it is a value judgement; it is an entirely legitimate comment to make.

The reaction of the hon. Members, the Government, on 10th December was to issue a press release. What is remarkable about that particular press release is that they say:

First of all, the GSD is wrong to say that the Chief Minister misled Parliament in any way. In fact the Chief Minister specifically stated that the calculation he was giving Parliament was NOT the rent payable,

– ‘NOT’ in block capitals. There is not a single sentence in the transcripts where the Chief Minister says, ‘I am giving you a calculation and it is not the rent payable.’ The contrary is the case. Everything that he said was to make us believe it was the rent. It is not even accurate on 10th December.

This press release is a monument of hyperbole – this is the one where I think they say this is the best deal ever in the political history of Gibraltar – but today the Hon. Chief Minister went even further. He is drowning in his own hyperbole because today he said it might even be the best deal in the world. There are no boundaries to exaggeration. Let’s keep it straight and tight. Let’s talk about *this*, whether *this* is value for money. Really, are we going to do this actuarial assessment of all the deals that have ever been done in Gibraltar and all the deals in the world? And this is the one that is the best deal ever?

The reality is that you do not get away from the core facts, because the Hon. Chief Minister said at the very beginning the facts matter. Indeed, but the core facts are simple. This is not a complicated issue. If this was a case, it would not be a complicated case. This is: he said to the House and led it to believe and did a calculation that made it believe it was £22,000 rent per month, he did not correct the record and it is a million a year; it is £87,000 per month. It is wrong, it is inaccurate, and he does not correct the record. The problem the Hon. Chief Minister has is that having manoeuvred himself into this position, he just does not know how to back down, so it is a scattergun approach.

On 10th December, I issued another social media post where I said, 'The GSLP say this is the best rental property deal ever done in the political history of Gibraltar – hyperbole, value. You judge the chronology.' And we set out the chronology as we believed it to be. In July 2020 there is a GSLP Government press release announcing the sale of the property. That is a Government press release. Fact. In March 2021 Mr Picardo confirms the sale value of £7.5 million. Fact. It is in *Hansard*, in this House. In July 2021 the property is transferred from Government to Bassadone. We believed that to be fact. On 8th September 2023, Government entered into a £22 million deal to rent part of the property for use as offices – who benefits? – again making a value judgement conclusion to the tweet. This is the one which the Hon. the Chief Minister complains about, where apparently the allegation of doctoring solely rests on the fact that we cropped a picture of the lease. Well, as the hon. Member knows, when you issue a tweet you can upload up to four images, that is all. The lease is 23 or 24 pages long. I cannot upload the whole lease. I wanted to show the parties. We cropped the image. Fine. The image is accurate; it shows the parties. There is nothing inaccurate about it. I cropped the extract from *Hansard* and I circled the relevant parts. I circled the relevant part of the clause on the rental overpayment. I cropped the article in the *Chronicle* and I magnified it. So what? That is all I did. It is not doctoring.

Madam Speaker, in answer to the Government's press release we issued a further press release and we said the Chief Minister 'continues to mislead on the Bassadone Group deal', and that press release is there for everyone to see. We set out that he had made very clear in his answers, we thought, that the rent was less than £22,000 and not £87,000. That is the basic point that the Hon. the Chief Minister cannot get away from, and their reaction is to lash out: the headline of the next press release, 'Bossino desperately seeking relevance' on 12th December and lashing out at both my colleague and me on a number of irrelevant issues, because it is about confusion. It is about not getting to the reality and it is about making sure that the public are distracted from the stripping down of the core issue. The stripping down of the core issue is this: the lease says it is £87,000 per month, ergo more than £1 million; the rent, the Chief Minister told us, was £22,000. That is the core issue. The rest of it is a lot of gas. There is a lot of gas in the hon. Member's contribution.

Madam Speaker, that is why we have presented this amendment: because the Chief Minister has a duty to give accurate information to this House, and if he is serious about that role, then faced with the fact that he had given inaccurate information – and I am not even going to suggest that it was deliberate, but faced with the fact that he had given inaccurate information and therefore misled the House, what he should have done is corrected the record immediately or answered in a press release and said, 'You have issued a press release that is 5.5 and £22,000. I have now realised actually it is more.' And that is the record; probably it would have gone no further than that. We might have made a value for money judgement and that is it, but no, he is so intent at never, ever ceding an inch of territory that it has become about us – because they are eating the cats in the GSD.

Madam Speaker, this is serious. This is serious because here we are on the eve of Christmas with this motion, which is a charade because the Ministerial Code says this at paragraph 1.3c:

It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Chief Minister;

It is in the same terms as the English UK Ministerial Code. Before I reply on my amendment, I give the hon. Member the opportunity to correct the record, once more, because this is serious. People are entitled to believe the information given by Ministers in this House, and if it is not accurate it should be corrected, and if it is not corrected it is a deliberate attempt to mislead this House again when it is incontrovertible what the deed says.

I look round the hon. Members. I appreciate the difficulties with collective responsibility, having been on that side, but are having heard ... perhaps not having reflected before on what

1015 was specifically said and what it was, perhaps hon. Members did not understand precisely why
we thought we had been driven to those conclusions. Having seen the transcript, having seen
1020 what is said in the subsequent answers, hon. Members on that side, some of them at least, must
think in their own minds that it is clear that the Chief Minister gave information that could only
have been understood as meaning that the rent was £22,000 per month and therefore he misled
the House. Hon. Members on that side have a choice. If they decide not to back the amendment,
1025 then in effect they are also accepting that misleading. Do they want to be remembered on that
basis? Remember, they will be on that basis, because whatever you do in this case of this scenario,
there is nothing better, when you see the mist that is being hurled on the other side on this issue,
to have the piercing laser of getting back to the basics on the two facts that are clear, and the two
facts are that the lease that we have subsequently seen shows that the rent was much higher than
1030 what the Chief Minister said to the House on 28th November, and that what he said on
28th November can only have been understood to be the rent and he allowed the House to
believe that, and the public to believe that when we issued subsequent press releases.

For those reasons, Madam Speaker, I commend the amendment that we are making to this
motion. (*Banging on desks*)

1030 **Madam Speaker:** Does any hon. Member wish to speak on the amendment? Yes, the Hon.
Chief Minister.

1035 **Hon. Chief Minister:** Well, Madam Speaker, I know that the hon. Gentleman has – (*Interjection*)
I am dealing with the amendment.

Madam Speaker: I have asked if any hon. Member wishes to speak on the amendment. The
Hon. the Chief Minister was the first one to catch my eye. The Hon. the Chief Minister has the
1040 floor.

Hon. Chief Minister: I am dealing with the amendment, Madam Speaker, and will speak on the
amendment. I am sure other Members will want to speak on the substantive motion and indeed
perhaps even on the amendment.

1045 Madam Speaker, in getting up to address the issues on the amendment I have to say to the
hon. Gentleman that he left open whether I had ever appeared in the Privy Council or the Court
of Appeal. I have, (*Interjection*) in both, Madam Speaker, before I was elected as a Member of this
House. I must tell the hon. Gentleman that nobody ever asked me whether I was making my best
point, but I did not ever have to wake any of the judges up, which might be the affliction he might
1050 be under if he were to treat any tribunal to the somnoric advocacy that he has treated us to
today. What we have had to deal with is simply the Hon. the Leader of the Opposition, over the
course of almost an hour and a bit, taking us, very slowly, through his press releases and then,
even more slowly, through the transcript, and not being able to point in the transcript to anything
which demonstrated that I had said anything which misled the House. Indeed, he has been left to
say that what I said could only be understood to be the rent, even though when he goes back to
1055 read it, it is all about the amounts paid to date, not the rent, because he has been told that in the
amounts paid to date there is a rent-free period and therefore it cannot be the rent. And indeed,
the question that they asked about what is the rent, for all the reasons I said before, is not a proper
question because that is publicly available information.

1060 So, far from demonstrating that I have in any way misled the House as support for his
purported amendment, what the hon. Gentleman has done is bring into this House the things
which I said in my original motion were the attempts outside of this House to mislead the public
into this House and therefore to incur in the most heinous of Parliamentary sins, because he has
said his own words, as *Hansard* will show, that what I did suggested, implied and led them to
believe that that was the rent. That is to say he cannot point to anything in the transcript that
1065 shows that I said it was the rent. 'He suggested, he implied, he led us to believe': he cannot point

to the section of the *Hansard* where I said it was the rent because I never said it, and therefore I never misled the House. That is the reality and that is the answer to his point, but in trying to suggest to the House that I had misled it and bringing into the House the misleading that he had done outside the House, what I say to the hon. Gentleman in respect of his amendment is that his amendment misleads the House and the hon. Gentleman has misled the House. As I can only do that on a substantive motion, Madam Speaker, I propose to amend the amendment that the hon. Gentleman has circulated, and I propose to amend it by giving notice in writing of the following amendment to the amendment:

That it should be entirely deleted and that after the word 'documentation' in the motion as originally drafted the following words should appear:

'and have today further sought to mislead the House by bringing their attempts to mislead into the House, and therefore condemns that they should have done so and that they should disrespect the Parliament and the people in this way, and calls upon them to apologise to the House, to the people and journalists that may have been misled by them, in particular after the Leader of the Opposition has admitted that he cropped out the logo of his law firm.'

Madam Speaker, speaking to the amendment to the amendment, unless you want to put it formally ...

Madam Speaker: Yes, I am going to propose the question in terms of the amendment to the amendment moved by the Hon. the Chief Minister.

Hon. Chief Minister: Speaking to the amendment to the amendment, Madam Speaker, it has been remarkable to see that the Hon. the Leader of the Opposition has squirmed on the end of the hook that he made for himself when he cropped out – for public consumption, for journalists to report, for the world to see – the names and dates in respect of the front page of the lease, but providentially, he says, without saying it, almost inadvertently, pleading innocence and ignorance, the logo of the law firm, that answers the question that they posed in their press releases two times over: who benefits? The partners of TSN benefit – rightly so, as I said in my first intervention, for their professional work – by charging their professional fees but including the Hon. the Leader of the Opposition and the Hon. Mr Bossino. *They* benefit, Madam Speaker. But in bringing all of the attempts to mislead the public which they have done outside of the House into the House and taking us through them and making the heinous allegation which they have been unable to prove – in fact, they have been demonstrated not to be able to prove – into this House, the hon. Member has just misled the House, and he must stand condemned for that. And he must stand condemned for having admitted that he doctored the document that he put into the public domain, because he has now admitted that he deliberately did so. He deliberately opened it up in order to take out the bits which were less relevant, the reference to his law firm. So, Madam Speaker, what could just have been a motion where hon. Members might have been condemned for what they did outside, which we had demonstrated, by the time I finished speaking on my first address, was improper for all of the reasons I had set out, now becomes, unfortunately, a motion in which they will find themselves condemned for actually misleading the House because they have brought those things into the House.

But, Madam Speaker, just on the point that the hon. Member made – and I will make a lot of points in respect of the full final motion in the end – it is not that this Government is changing the rules of the game by bringing a motion on misleading because of something that has been said outside of this place, and that this changes the way things are done and that this is a new thing that this Government is bringing which has never been done before, with the alleged potential cataclysmic consequences that the hon. Gentleman alleges for everything that we do – I think I must have woken everyone up who was falling asleep when the hon. Gentleman was speaking; it is that they did that first. Or is it that the hon. Gentlemen have forgotten the motion I had to face

1110 in 2011 because of a Facebook post? Bringing motions because of things done or said on social media is not something we are doing for the first time; it is something the Gibraltar Social Democrats in Government did for the first time.

1115 Everything that the hon. Gentleman has said has demonstrated that far from misleading the House, I gave the House entirely accurate information. Everything he has said has demonstrated that he cannot point to one phrase where I am said to have told the House what the rent was. Everything I have said has been demonstrated to be about the sums paid to date and talking about the rent-free period, thereby not being able to give the rent paid to date. Everything that has been said demonstrates that that question would have been an improper question because the rent was available in a public registered document. And everything that has been said by the hon. Gentleman's own final analysis to the jury sat here, all 17 of us, is only to be able to say, 'You see, 1120 although he did not say it, that is what he was trying to lead us to believe.' He said it himself. That is what he suggested, that is what he implied, that is what he led us to believe: a demonstration that none of what I said can be pointed as misleading Parliament, except for everything that he has said, which they said outside and which he has now repeated here.

1125 For those reasons, Madam Speaker, I commend my amendment to the amendment to the House that the hon. Gentleman should now stand condemned of misleading the House. I call that he apologise to the Parliament, to the people and to the journalists that were misled by his admission that he cropped that document and doctored it.

1130 **Madam Speaker:** Does any hon. Member wish to speak on the amendment to the amendment? What the House has before it now is the amendment to the amendment to the original motion. Now we are dealing with the amendment to the amendment.

1135 **Hon. Dr K Azopardi:** Only on the amendment to the amendment, if I may. I appreciate that this might be boring for some people, but just making the technical point that the amendment had deleted all the words after 'This House' – that was the amendment; he is amending my amendment – the Hon. Chief Minister has amended my amendment by deleting every word proposed in the amendment. In other words, the language in paragraph 2 of my amendment. He has deleted that and he has, instead, inserted that paragraph. He purports to say, in the first paragraph, 'after the word documentation in the motion as originally drafted', but he does not 1140 put forward in his amendment to the amendment the reinsertion of the original language. That language is not there anymore, so you only have the last paragraph. He has not proposed an amendment to reinsert the language that I deleted in paragraph one. All he has done is delete my amendment but not the deletion of his original language. I make that point first. Secondly – *(Interjection by Hon. Chief Minister)* That is what it says. *(Interjection by Hon. Chief Minister)* Well, 1145 you can reply. *(Interjection by Hon. Chief Minister)* The hon. Member is speaking to me from a sedentary position. He has the right of reply on the amendment to the amendment. I am not making a stupid point. Unfortunately, the amendment is defective; that is what I am saying.

1150 On the substantive issue, what a load of nonsense. I used elegant language. If he wants me to use slightly more inelegant language, the Chief Minister misled the House. Everything that I strung together from the transcript shows that he told the House that the rent was £22,000 per month, and it happened not to be that. That is the issue and that is at the heart of it. I am afraid to say that he can squirm as much as he wants, he can get as nervous as he wants from his sedentary position, he can shoot from the hip with defective amendments, but it does not alter the basic facts: when you get back to the reality, the House was told x and the reality is y.

1155

Madam Speaker: Does any other hon. Member wish to speak on the amendment to the amendment? Yes, the Hon. Sir Joe Bossano.

1160 **Hon. Sir JJ Bossano:** Madam Speaker, I believe the amendment to the amendment is necessary in order to remove the amendment introduced by the Hon. Leader of the Opposition because that

amendment requires us to believe that the Hon. Chief Minister thought that he could persuade them that the rent was £22,000 notwithstanding the fact that there was a public document with a different figure. Unless going to the Registry became something which required ... not to breach the Official Secrets Act, I do not know how the Hon. Chief Minister would have been able to prevent them from finding the other figure. So, it requires a level of stupidity which I do not correlate with the Hon. Chief Minister. He may have other faults – I think he has more faults than other people – but stupidity is not one of them. It would be very stupid of us collectively if we concluded that the answer to the hon. Member's question was crafted in order to make him believe that the rent that was going to be paid for 21 years was, in fact, one quarter of the real rent and that the real rent would never see the light of day when the real rent passes through all the people in the Treasury, all the guys who say things outside the Treasury that they should not be saying, when in Gibraltar everybody knows what everybody else is doing and everybody else is saying. So the answer is that it would have been a miracle for that attempt that the Chief Minister is being accused of, of misleading, to survive. It would be impossible to mislead them that the official figure, in the agreement in which his colleagues in his law firm were involved ... Never mind having to look for it, he is the law firm that negotiated the £89,000. Therefore, it is possible that the way the questions were answered led the hon. Member to the conclusion that it was the figure that he said and that he believed that that was the figure and that he was misled by the way the answer was given – that may be possible – but it is impossible to think that anybody would deliberately mislead him and think that that would not be discovered within 24 hours, because there was a figure in the public domain, which is the one that they got and checked against the information that was out. Therefore, since the underlying assumption in the amendment that he has brought and in the things that he has said in and out of this House, that this was an attempt, by giving a deliberately false answer to a simple question – something which I hope they will never attribute to me, since I only say yes or no and there cannot be any misinterpretations ... *(Interjection)* They should encourage us all to say just yes or no, and then there will be no doubt which of the two it is.

For that reason, Madam Speaker, I support the amendment to the amendment principally because the original amendment has to be removed because it is nonsense.

Madam Speaker: Does any other hon. Member wish to speak on the amendment to the amendment?

Hon. D J Bossino: Madam Speaker, I will be speaking to the other motions, but as far as this particular motion is concerned, which is the third motion which we have before the House, what we have been treated to by both speakers on that side of the House is, with the greatest of respect to them, complete and utter nonsense and diatribe. That is what we have been treated to when I have heard particularly the last speaker. And as far as the first speaker is concerned, the Hon. the Chief Minister, it is very obvious and very clear, as my friend the Hon. Leader of the Opposition says, that he is totally caught between a rock and a hard place. He is nervous and he is trying to confuse and obfuscate, which is what he accuses me of having done in the exchange of press releases, in this House. That is what he is trying to do. That is his *modus operandi*.

The Hon. the Minister for Economic Development rises in this House ... and he has a lot of experience; he has been in this House since the year I was born, but surely he must understand ... I know he deals with these things glibly and it is obvious and it is black upon white ... The reality is that when this question, which was mine, was filed and was on the Order Paper and was put on my behalf – and I will deal with those issues later on when I speak to the other motions – we did not even have an address, so it was not possible in advance of having filed that question, which I filed as a result of information that I had received, to have done a search and to be armed with that information. We, perhaps naively, perhaps innocently, thought that we were going to be given accurate, honest and truthful answers when the reality is the complete opposite, as my Learned Friend, the Leader of the Opposition, has very ably and very clearly shown. So let's not

confuse matters. The point that the Hon. the Minister for Economic Development makes was simply not available to him because we did not have the information at the time as to details of the address. That information was, as far as that bit of information was concerned, yes, truthfully given to us. We did not go scurrying off to Land Property Services to do a search, as I will show in the chronology, because the reality is that we thought that the information that we were led to believe – ergo misled by the Hon. Chief Minister to believe – was that the rent was in the region of £22,000 a month, although then I was still being told, but I did not believe them, that the rent is much higher, to the tune of £85,000. In fact, we have been able to show – yes, as a result of publicly available documents which we were able to search once we had the specific address – that in fact it amounts to around £87,000 a month.

The other point which I think is very important to deal with and address as far as the Hon. Sir Joe Bossano is concerned deals with this non-point distraction of a point, a ridiculous point, but maybe it speaks to what is in the hon. Gentleman's mind about TSN's involvement or non-involvement. It is completely and utterly ridiculous for the hon. Member Sir Joe Bossano to say we should have known because our firm was acting. The fact is the honest truth is that we did not know, and that quite frankly shows beyond peradventure that TSN operates properly and takes its conflict of interest very seriously and we do have very strict ethical rules such that the politicians in the firm were not aware. It was discovered, as the Hon. Leader of the Opposition says, when we started to carry out further investigations, and I was absolutely shocked to find that my school chum the Chief Minister misled the House in a very significant way.

I thought it was important for me to rise to clarify those two particular issues because of what I have heard the Hon. the Minister for Economic Development say as respects the third motion, which is what we are dealing with at the moment, but as I have already indicated, I wish to speak in respect of the other motions.

Madam Speaker: Does any other hon. Member wish to speak on the amendment to the amendment? In that case, I call on the mover of the amendment to the amendment to reply.

Hon. Chief Minister: Thank you, Madam Speaker. Let me just start by dealing with the first nonsensical point made by Members opposite on the amendment to the amendment, the idea that the amendment to the amendment is defective because the original motion has been completely deleted by the first amendment and therefore there is nothing to hang this additional wording on. Of course, that can only come if the Hon. the Leader of the Opposition, in making that first nonsensical point, has only read the amendment to the amendment and has not read the paragraph before the amendment to the amendment, which says that we should delete the whole of his amendment, which seeks to delete the original motion, and go back to the original motion with the word 'documentation' in it. By moving this amendment, what I am proposing is that the effect of the first amendment, which deletes the original motion, should no longer be there. You are left once again with the original motion – which is where the word 'documentation' appears – as originally drafted, which is what I have said in my amendment to the amendment and hang the rest of it at the end of it. So, his first nonsensical point is utter nonsense.

The second point that the hon. Gentleman has made, again, in replying to the amendment to the amendment, is that I said that this was the rent. If I was making that point about him and it was that clear cut, I would get the transcript and I would say, 'And here it is'. The hon. Gentleman has not been able to do that. Instead, he has said, 'And you see, he led us to believe you can only interpret it in this way,' because he cannot point to my having misled the House as suggested. That is the second nonsensical point.

The third point that we have been treated to is frankly the best point I have heard all afternoon, and it is the point made by the Father of the House, the oldest Member of the House, who, as usual, managed to distil everything in a moment and say, 'For goodness' sake, in everything that the Chief Minister has told you and where he has told you that the rent is public, don't you see that if he had been meaning to do what you were suggesting he was trying to do, it would have

1265 been utterly foolish because the real rent was public?' I could not have put it better myself, and indeed I did not put it that well myself as succinctly and as clearly as he has. Madam Speaker, the hon. my old school chum now says from a sedentary position, 'You did not put it as well,' having ridiculed the point. I have been with people who contradict themselves; I have never been with somebody who contradicts himself that quickly and as often as the hon. Gentleman does. But by
1270 doing so, he gives further credence to my third point.

Finally, Madam Speaker, I want to end by dealing with the hon. my school chum's last point where he said that something that the Father of the House had said was ridiculous. I think that is unnecessarily disrespectful to the Hon. the Father of the House, who has been here since the year he and I were born. I, too, might think that he does some things which are not exactly in keeping
1275 with how one might like things done in the third decade of the 21st century, but I respect him because I think when he does them he is probably right about doing them in that way because he has been here for 50 years, he has seen lots of fads come and go, and the way that he does things is designed to ensure always the best interest of the people of Gibraltar. I would never describe anything that Joe Bossano has ever done – even the things I might have disagreed with him on,
1280 and they are few and far between but we are all human beings and we all have disagreements with other individuals – as ridiculous. It ill behoves the hon. my old school chum, who has never been able to persuade anybody to elect him to high political office or, indeed, has not even been able to persuade a small cabal of people who meet in College Lane to elect him to lead them, however many times he has tried, to refer to anything that Joe Bossano has done as ridiculous,
1285 because the man has been Chief Minister of Gibraltar twice, the man has been Leader of the Opposition and the man has given his life to Gibraltar and he deserves a bit more respect than that. Even if you want to call me every name under the sun, at the end of the day, we will always be old school chums.

Madam Speaker, the honest truth, I think, is that if the two hon. Members opposite are the
1290 only people who did not know that TSN was acting for Bassadone World in respect of this transaction, it ill behoves Gibraltar that they should ever be in charge of the place because when you are in No. 6 Convent Place, you need to know what is going on everywhere, even at Triay Stagnetto Neish.

1295 **Hon. D J Bossino:** The clients would not be happy.

Hon. Chief Minister: The hon. Gentleman says the clients might not be happy. The client was very happy to be using the excellence standards at Triay Stagnetto Neish to represent them on this matter, and I was very happy that they were using Triay Stagnetto Neish to represent them
1300 on this matter because I knew that they would register the document, I knew that it would be dealt with properly and I knew that the lease that we would be entering into it, prepared by them, would be a lease well prepared. I say 'them' – I mean their partners, not them, because they do not practise in property law. So be it.

Madam Speaker, for all of those reasons, I propose the amendment to the amendment to the
1305 House, and if approved then I pray that we continue with the whole motion as approved, which will include the reference to the Hon. the Leader of the House misleading the House but not a reference to the Chief Minister misleading the House, which would then not be something that could be said further in the debate.

1310 **Madam Speaker:** I now put the question in terms of the amendment to the amendment moved by the Hon. Chief Minister. Those in favour?

Several Members: Aye.

1315 **Hon. Chief Minister:** Division.

Hon. D J Bossino: I call a division.

1320 **Hon. Chief Minister:** You cannot call it too. Once a division has been called, it has been called, for goodness' sake! *(Laughter)*

Hon. D J Bossino: We got in there first.

Madam Speaker: All right, a division.

Voting resulted as follows:

FOR	AGAINST	ABSENT
Hon. G Arias-Vasquez	Hon. Dr K Azopardi	None
Hon. Sir J J Bossano	Hon. D J Bossino	
Hon. L M Bruzon	Hon. R M Clinton	
Hon. Prof. J E Cortes	Hon. J Ladislaus	
Hon. N Feetham	Hon. G Origo	
Hon. Dr J J Garcia	Hon. E J Reyes	
Hon. P A Orfila	Hon. C A Sacarello	
Hon. F R Picardo	Hon. A Sanchez	
Hon. C P Santos		

1325 **Madam Speaker:** The result of the division: there are 9 ayes and 8 noes. The ayes have it. The amendment to the amendment is carried.

Now, as I understand it – I am sure I will be put right if I am wrong – what the House has before it is the amendment to the original motion as amended by the amendment to the amendment.

1330 In relation to the amendment proposed by the Hon. the Leader of the Opposition, I had opened the question as to whether any hon. Member wished to speak on it after the Hon. the Leader of the Opposition moved it. The Hon. the Chief Minister spoke on it. Does any other hon. Member wish to speak on the amendment before I put the question? If no other hon. Member wishes to speak, I will call upon the mover to reply.

1335 **Hon. D J Bossino:** Madam Speaker, the Hon. the Leader of the Opposition would not be responding to motion two, which is the one that amends the Hon. the Chief Minister's motion one. Therefore, it is –

1340 **Madam Speaker:** The Hon. the Leader of the Opposition would be responding because he is the mover of the amendment, so before I call on the mover to respond I am asking whether any other hon. Member wishes to speak.

1345 **Hon. D J Bossino:** And this is the point of clarification that I sought. So, I can speak on the Hon. Leader of Opposition's proposed amendment to the Hon. Chief Minister's motion.

Hon. Chief Minister: But now as amended.

Hon. D J Bossino: Oh, I see, as amended.

1350 **Hon. Chief Minister:** Now it is about him misleading.

Madam Speaker: Yes, because the original motion has now been amended by the amendment to the amendment, but we still have to speak, if I am right, on the amendment.

1355

Hon. Chief Minister: Madam Speaker, it has now been amended, so the original motion is still as it is. The Hon. the Leader of the Opposition's amendment to the original motion is now before the House, as amended, which no longer includes a reference to me misleading the House; it includes a reference to him misleading the House. So it is now, as you rightly say, back to that, but as amended, but we do not yet have the whole two parts together, so we have to vote it – or somebody has to speak on it, if they wish.

Madam Speaker: So, we are speaking on the amendment. The Hon. Mr Bossino is clear?

Hon. D J Bossino: Yes, I am.

Madam Speaker: I am not sure I am.

Hon. D J Bossino: Well, I know.

Madam Speaker: Speaking on the amendment (**Hon. Chief Minister:** As amended.) as amended. That is right, on the amendment as amended.

Hon. D J Bossino: If the Chair is not particularly clear, and indeed it is difficult, I think, certainly for me, to follow sometimes the procedure of the House, one shudders to think what those listening are thinking when they are seeing these antics.

Madam Speaker: Well, I pray in aid the fact that it is the first time the Chair has had to deal with an amendment to an amendment to an amendment. I am new to the game.

Hon. D J Bossino: But it was.

Madam Speaker: I just want to be clear because it will determine what language is allowed and not allowed. Essentially, if I can pare it back, we have the original motion, which is now amended by the amendment to the amendment, which the Hon. Mr Bossino has called the third motion, and what the Hon. Mr Bossino is speaking to now is the amendment moved by the Hon. the Leader of the Opposition, as amended.

Hon. D J Bossino: Yes, which calls upon the Leader of the Opposition to apologise to the House and to journalists for having been misled by him.

Madam Speaker: No, that is the original motion as amended.

Hon. Chief Minister: By way of point of order, it is the amended motion that is now before the House. Therefore, the reference is to the Leader of the Opposition having to apologise and the Leader of the Opposition having misled the House. That is the motion that is before the House, and so the things that can be said on that substantive motion are those things. Other things cannot be said.

Hon. D J Bossino: That would be for me to determine as I go through it. The reality is –

Hon. Chief Minister: If you cannot comply with the rules, do not come to the big boys' club.

Hon. D J Bossino: And indeed, as the Hon. Leader of the Opposition rightly points out, the original motion is still before the House, so one can say things about that as I intervene. If not, it is going to be just –

Madam Speaker: The original motion is still before the House as amended by the third motion.

1410 **Hon. Chief Minister:** Not yet, Madam Speaker. At the moment, we are only looking at the amendment. We are not talking on the whole motion, we are only looking at the amendment as amended, so if you give a speech now, you give a speech on the amendment, which is now the second limb of what you might call the original motion. If you speak about the first part, then you are not speaking about this thing that we are doing now, which is the amendment.

1415 **Hon. Dr K Azopardi:** Madam Speaker –

Madam Speaker: As I understand it, the Hon. the Leader of the Opposition is replying as the mover to the amendment. Yes.

1420 **Hon. Dr K Azopardi:** I am replying as the mover of the amendment and what I have not had clarity on ... The Hon. the Chief Minister may have called it a stupid point but the reality is that I was making a substantive point, which is that the effect of his amendment deletes and does not reinsert the original language and we are left with the second paragraph. That would need to be cleared up by Madam Speaker taking a view on this matter but let me reply on the substance of the amendment, or the form of the amendment as it stands today.

1425 I opened my contribution today saying that I thought that the whole way that the Hon. the Chief Minister had behaved in bringing this had converted the Parliament into a bit of a circus. The circus has just got worse by the addition of this language because having demonstrated that inaccurate information was provided to the House, he turns it on us and now we are supposed to apologise to the House even though he gave the inaccurate information. The whole thing once again has become a complete disgrace.

1430 **A Member:** Hear, hear.

1435 **Madam Speaker:** Now I have to put the question in terms of the amendment moved by the Hon. the Leader of the Opposition – is that right? (**Clerk:** Yes.) All right. I now put the question in terms of the amendment moved by the Hon. the Leader of the Opposition.

1440 **Hon. Chief Minister:** I call a division, Madam Speaker. We are clear what we are voting on.

Madam Speaker: We are ... Well, I am not, but the hon. Member – (*Laughter*) No, I did not mean ... No, I spoke before ... I meant I am not voting, not I am not clear. For the moment I am clear, but I was I was saying I am not voting.

1445 What hon. Members are voting on now is the amendment moved by the Hon. the Leader of the Opposition, (**Hon. Prof. J E Cortes and Hon. C P Santos:** As amended.) as amended. (*Interjections*) We have voted on the amendment to the amendment. The Hon. the Leader of the Opposition has just spoken, as mover, to the amendment and now we need to vote –

1450 **Hon. Chief Minister:** On a division.

Madam Speaker: Well, yes, a division has been called but the vote is now on the amendment as moved by the Hon. the Leader of the Opposition, (**Hon. Chief Minister:** As amended.) as amended.

1455

Voting resulted as follows:

FOR

Hon. G Arias-Vasquez
Hon. Sir J J Bossano
Hon. L M Bruzon
Hon. Prof. J E Cortes
Hon. N Feetham
Hon. Dr J J Garcia
Hon. P A Orfila
Hon. F R Picardo
Hon. C P Santos

AGAINST

Hon. Dr K Azopardi
Hon. D J Bossino
Hon. R M Clinton
Hon. J Ladislaus
Hon. G Origo
Hon. E J Reyes
Hon. C A Sacarello
Hon. A Sanchez:

ABSENT

None

1460 **Madam Speaker:** There are 9 ayes and 8 noes. The motion is carried.

What the House has before it now, for the avoidance of doubt, is the original motion as amended by the amendment to the amendment, the last amendment.

1465 **Hon. D J Bossino:** Madam Speaker, this is all, in fact, a reflection of what, as I said before, we have been treated to, which is this further confusing of the issue, which is born from something which is very clear, very discreet and very simple, which is that what we say on this side of the House is that nothing that we said outside of this House could be interpreted in any way as a misleading of the public – and indeed of the pejorative term which the Hon. the Chief Minister used, as far as what my hon. Friend the Leader of the Opposition did in respect of the reposting of the first page of the lease, a ‘doctoring’ of it – is absolutely, under any stretch of the imagination, what has happened or what we did, capable of that criticism. Therefore, I will be speaking against the motion, as amended now, because as a result of that preliminary point it does not require any apologies to be given by my friend the Leader of the Opposition in respect of misleading the House because he has not done so.

1475 I am disappointed in the Chief Minister, although, as I have said before in this House, not surprised because it is usual antics. I am disappointed because he cannot even be taken at his word when only yesterday – and I quote to him – he said, ‘This is the season of goodwill and I would not want to spoil that in any way.’ For goodness’ sake, what have we witnessed today?

1480 I am also disappointed, although again not surprised, because after so many years I do not think that he has improved from his Bayside School Debating Society antics. Nothing. I was expecting, when I first received notification of his motion yesterday morning ... ‘Oh my goodness, what has he found? Where is the smoking gun?’ All that he has done, as my friend the Leader of the Opposition says, is adopt this scattergun approach but missing the target. He completely misses the target. We have simply seen smoke and mirrors continuously in what the hon. Gentleman says, and, in typical style, the usual drama and histrionics: ‘This document from 2011 and this other document, and this one said this.’ It is complete and utter nonsense and does not advance his case as he sets out in the motion. There was absolutely no misleading. It was he, as Chief Minister, who provided inaccurate information to this House and led us down the garden path. It was he who did that, and it was based on that that we issued certain press releases. Naively and innocently, the first press release, as my friend went through the audit trail and the chronology in terms of what happened, very clearly referred to the figures that the hon. Gentleman gave us, which he has been able to show, beyond any reasonable doubt – as if that were the standard, because ultimately what is going to happen here is they are going to vote the motion in ... It is not a jury that we are trying to persuade. We harbour hopes, but the gentlemen there, and ladies, are unpersuadable because they are subject to the duty of collective responsibility. But he has been unable to advance his case in favour of the motion. My friend says deny, deny, deny. I add deflect, deflect, deflect – another alliteration – because that is what he is doing constantly and we have seen it now with all these different motions and all the rest of it. He simply cannot help himself.

1500 He says that I should have done this in the proper way. Well, I can share this with him. When
this was discovered by us I was genuinely shocked, as I said earlier, and surprised. I thought, 'How
has he done this? How is it possible that the Chief Minister has given such inaccurate information
to the House? It is not possible.' But then I thought, 'Well, I will issue a press release based on
information ...' No, sorry, that is when I had to issue the press release about the misleading,
1505 because I thought that he would have been given the opportunity on a plate to have corrected
the record – 'Actually, no, that is not the information,' – and then he could have pointed the finger
at his official or officials who gave him the information, that it may have been wrong, and that is
fine. That is why we did not go straight into a motion of misleading the House. But he is the one
who actually, in my respectful view, in an exercise of complete lack of judgement, which is very
1510 worrying for an individual who discharges the constitutional role he currently discharges, seeks to
turn the tables against us and actually gives us the opportunity – perhaps we would not have done
it in this session, perhaps we would have done it in another session, but gives us the opportunity –
to ventilate these issues and actually show to the listening public that what the Hon. the Chief
Minister did was indeed, on any objective analysis, provide inaccurate information. Maybe he was
1515 having a bit of fun – 'Well, I am relying on 'to date' and the rest of it, but I am not going to give
them the true information,' – but that was wrong, and this is why it is simply not possible for us
to be supportive of the motion as currently before the House.

What we are seeing here is a very clear rattling of the cage. The snake inside of the cage is
lashing out. That is what we are seeing here, but ultimately the snake's head will be crushed. That
1520 is what is going to be the case, eventually, with the passage of time. I am absolutely, totally
convinced of that. He is lashing out because he has been caught out. And all of this, I need to tell
the Chief Minister, reflects badly on him. He refers to a motion which he says the horrible,
disgusting GSD brought against him personally as a result of a Facebook post. I imagine – I cannot
recall; I have a vague recollection but I think it is a Facebook post where he made certain
1525 comments about the Budget. I think it was the 2011 Budget, which was the last Budget of the
golden legacy GSD before we were removed from office and the hon. Gentleman won that
Election. But wasn't it in that motion, or perhaps in another debate, where his predecessor – I
have it etched in my psyche; I do not even need to refer to notes – the Hon. Sir Peter Caruana said
of him that the truth was incapable of navigating past his vocal cords, because, quite rightly, in
1530 these things you cannot say 'lie', and Sir Peter very quickly, on his feet, produced this gem, I
thought, and it reminded me of that comment when the Hon. the Chief Minister referred to the
motion.

As I said, all we are being fed are distractions. The reality is that we do not harbour any hope
that there will be a defection on the other side, but it is possible; I have said it before in the context
1535 of I do not know how many motions or debates we have had in this House over the last year, but
it is conceivable. The reality is that because they have a one-person, one-man or one-woman
majority, it is possible that we can win, that this motion can be defeated, and I ask the potential
leaders who are vying for that position to show that they do have that quality. I would, in perhaps
forlorn and vain hope, think that there is a possibility that that can be done, and I ask the Hon.
1540 Mr Feetham or Mrs Vasquez – or indeed I hear now that Prof. Cortes, as I have said before, during
the course of the Appropriation Bill debate – that maybe they can consider voting this motion
down. The unsolicited free advice that I give them is that it would stand them in very good stead.

Another fundamental point which is being lost in this is not just the inaccuracy of the
information that we were provided and on which we had an exchange – and I will go through go
1545 through it briefly – by press release and by interview, the Hon. the Chief Minister and I. It is not
just that; it is also that we continue to be totally and utterly unpersuaded by the contention that
he puts forward that this is value for money. As he has said in interviews before, we can have a
difference, but what he produces is simply also confusing and in many respects, I think also, with
the greatest of respect to him, inaccurate. For the hon. Member to say things, like my friend the
1550 Leader of the Opposition referred to, referring to specifically the square meterage cost by way of

rent was £6 ... I calculated it at £6.03; he said it was £6.02. That was clearly on the basis of a £22,000 rent. It is very clear that that was the case.

Let me tell him this: that what he has done by presenting this motion is actually firing us up, because I am now more convinced than ever, if I require to be further convinced, that hon. Gentlemen ... the sooner they are out of office, the better. That is what needs to happen. The sooner that happens, the better, and it very nearly happened. You just need to look at the configuration of this House: nine, eight. Unprecedented since the new Constitution changed the configuration of the House. Indeed, the Hon. Chief Minister did not top the poll, and that must say something. What that speaks to is that people do not accept what he says anymore. He is not persuasive. So, he needs to either change his chip and adopt a different approach or pass the baton. Do it sooner rather than later. I know that there are Members on both sides of him who are itching to assume the role. Well, just do it now, sooner rather than later.

Madam Speaker, looking at the questions that I filed, it is very obvious and very clear that the information which was sought was about the rental amounts entered into. It is very obvious and very clear. What we were not provided by way of replies was accurate information. It was not forthcoming and my friend the Leader of Opposition has been able to show that very skilfully because it is actually a very simple and obvious point to make, and he knows it. He then says – and relies on, in this House and outside of it – that this information was publicly available, and the Hon. the Minister for Economic Development uses that same point and I dealt with that as respects that amended motion. But the reason why he is using it is because I openly said that it was information which was publicly available during the course of the GBC interview, and of course he latched on to that: ‘He breached the rule – I am going to use that as to why I did not provide an accurate answer in respect of the as question posed,’ which was Question 999/2024. As he does, he enmeshes the interviewer, confuses the interviewer, confuses everybody listening to it, saying ‘We have the same rules here as in the UK, so it is publicly available.’ The reality is when that happens ... We had it only a few days ago – I lose track of time but I think it was a few days ago – in respect of the questions that I asked of the Hon. the Minister for Housing, where he stood up and said although I had filed questions in respect of information which, when I filed it, was not publicly available, ‘It is now publicly available and he needs to refer to that.’ The point I am making there is that they rise and say it and use it out of respect of the Rules of the House but also to aid them and to assist them. Yet, in specific written answer to the question that I am referring to, he said, ‘I will answer this question together with the other question.’ He said, ‘I will answer this question.’ I have dealt with the fact that when this was filed the address details were simply not available and therefore the ability to establish the correct position. Does he think I would not have done so? Does he really think so? The reality is that I was given information and I filed the question thinking that the Hon. Chief Minister would give me accurate information.

Dealing with Question 1000, where he latches on to ‘to date’, I know him. He said, ‘I will not give him the full answer and I will suggest this business, confusing issues, that we have paid £610,000 by way of rent to date, then dividing the number of months.’ And he actually does, rather patronising, say, ‘I will do the working out for them: it is £21,800 and odd per month.’ Well, that was wrong because in July 2023, which was the impression given to the Hon. the Leader of the Opposition, who was asking the questions on my behalf – and I will deal with that point now. I was thinking in July 2023, in August 2023, rent was paid, but the reality is for that 17- or 18-month period it was only for seven months that rent was paid. Of course, if you divide £610,000 by the real figure, £7,000, which he could have clarified when we were being led down the garden path, we would have arrived at the real figure of £87,000. But the whole exchange – which we have transcribed ourselves because the *Hansard* is not available yet; we were not going to come here exposed, so we transcribed it ourselves, as indeed I have transcribed his interview – very clearly shows that he was giving inaccurate information. And then, when it is obvious to any observer – and indeed it would have been obvious, I put it to him, to him – that my friend the Leader of the Opposition was getting the wrong end of the stick, he allowed him to continue down that erroneous path. Why? Because on that day, on that occasion, it was available to him. In fact,

this is the subject of a question that I have on the Order Paper. But the 'to date' question did not deal with rent. It was how much has been paid? The reality is that subject to further information which the Hon. the Chief Minister may or may not provide – I need to be careful about saying exactly if he is so confident; I must be careful with that – it could have been, for example, the fitting-out costs. Or is the hon. Gentleman actually saying that that is zero, as when we asked the question on 28th November, the only payments that were made in respect of 80a Queensway were rent? That may be the case.

The hon. Gentleman – I have made a reference to it – makes a meal of me not being present. How pathetic and how childish can the hon. Gentleman be, saying 'He was not here'? How many times are they not here? How many times is he not here? The fundamental difference is not that we are running Gibraltar. We are also carrying out a huge and significant public service on this side of the House. The reason why there are clashes, as I have told them before, is because we are all – all 17 of us and members of staff – subject to his diary, which he does not share with us. There is never any notification – and it so happened that yes, there was, on this occasion, as far as my absence was concerned, a professional matter which it was impossible for me to get out of. I had to be there. Now he then twists it and says, to tar us with that brush, that we are getting money at the same firm. Quite frankly, it is despicable that he should continue to use these types of behaviour and attacks. He really needs to stop doing that. But I have known him for too long; we are going to be 53 next year. He will not change. We are seeing the same thing that I used to see at Bayside; it is the same thing. He sees a point, he sees a belt and boom, under the belt it goes and then he deals with the consequences later, which is why I tell the hon. Gentleman that that is what he was doing on 28th November. These guys are realising, 'Actually it is more, but am going to leave it as it is.' Therefore, he was inaccurate with the information that he gave to the House. When I realised what the true information was, I am surprised that I was surprised because it is typical of the hon. Gentleman. On this occasion, I am sorry to say, that we had to call it out. And yes, we called it out immediately that we found out, and this is why he must understand when he goes through the chronology and says by 9th December the tone changed, the tone had to change because we had the information; we had, dare I say it, the truth; we had the true, accurate position. He said, 'They only obtained the truth when they basically got it from the public register.' What does he expect? We only had the address when my hon. Friend, in supplementaries, asked for the information – and thankfully he did because then we were able to carry out an inquiry. repeat the point: we did not immediately carry out the inquiry because we thought that he knows ... We issued press releases based on the erroneous information and he did not correct it when he had the first opportunity. In response, what he delves into is a complete and utter attack on the GSD and on me personally by saying all the things that he has repeated across the floor of the House but fails to correct the record. Therefore, it is not possible for the hon. Gentleman to rely on the 'to date' defence. It is simply not possible.

On any analysis of the lease, again it is not a complicated point. It is very clear and I think it is important for the listening public to understand, because even GBC got it confused at one point when they showed images of the property that we are talking about. It is not the snazzy, nice-looking and impressive, I must say, showroom that this particular company has, a company that has made a considerable contribution to Gibraltar's economy; it is actually the building right beside it, which is a big warehouse of the old dockyard. That is important, I think, to point out. The reason why I make that point is because expenditure has had to be or will – I do not know whether it has been incurred already, is in the process of being incurred or will have to be incurred in the future to convert it into office space, but again there is a question on that on the Order Paper for this session, but the lease, in its first clause, very clearly sets out that ... Well, it says, in fact:

In consideration of the Government's cost of fitting out the premises

– suggestive of evidence that there has been a cost incurred, but I was not given that information in the House –

which the Government has agreed to pay, the company shall waive the rent otherwise payable for the first nine months of the term

There we have it: the first nine months, not one year as he said outside of the House on two occasions at least. One year rent free: not correct, inaccurate. He cannot help himself.

so that the first rent and payment shall fall due for payment on 1st April 2024 and the Government shall pay to the company for the period from 1st April 2024 to 31st March 2025

1655 – and the annual rent is there –

£1,047,200

– and if you divided that by seven, then we would have had that figure of £87,000 –

to be increased on 1st April.

1660 We are around the corner, actually. If it was completely and utterly open and transparent, he could have said, ‘Actually, this is the real figure, and by the way, by 1st April 2025 the figure is going to go up by a minimum of about £1,067,000-odd.’ I can refer the House to the actual figure, subject to inflationary increases with a minimum and a maximum of 2% and 5% and all the rest of it, but I will not bore the House with respect to that. But that is what he could have said: ‘Round the corner,’ – April 2025 is around the corner – ‘it is going to go up further,’ but we were not given that information.

1665 As I said, the hon. Gentleman, again, in confusion and obfuscation, leads us down the garden path – Campion Park, Commonwealth Park, down Europa Road, over to the Four Corners and back again. This is what he does. When he says in his prepared answer the new arrangements *will* release – not ‘potentially’, as he then says to the GBC interviewer, again enmeshed in the answers that he gave; I am still not sure what the hon. Gentleman means – a capital value of £8.844 million, and actually it may even be £10.2 million because there may be another office out there where
1670 we can raise a bit more money, the Leader of the Opposition asked him specifically, ‘Is he going to sell these?’ He did not answer. Massive, unadulterated word salad: that is what came back. Again, round the houses: he did not answer the question. The hon. Gentleman was at that stage so shocked and confused by what the hon. Gentleman was saying that he got his way and did not answer the question. And we still do not know what that means by the release of capital value. I
1675 take it as ... I do not know ... we are going to have £8 million or potentially £10.2 million in cash in the bank, because that is what he prays in aid to say that this is a very good deal. These offices were ours, the Gibraltar Government’s, the taxpayers’. We do a fantastic deal and sell it to Bassadone for £7.5 million. Then we are going to rent it back from them at £22 million over
1680 21 years, and we are probably going to be stuck there because the future Governments, to renegotiate that and all the rest of it, the leverage will be in favour of the company, whichever company it may be in the future. But do not worry, because we are going to sell all these properties that are going to be made available and vacant as a result of the move of these Government Departments – and he listed them – and we are going to get £8.8 million. We still thought it was a bad deal, but now he is even putting that issue into question.

1685 It *really* is shocking. I give the hon. Gentleman the opportunity once again ... He gives us the opportunity, but I give him, the Hon. the Chief Minister, the opportunity to correct the record and stop this nonsense once and for all and stop what we all know and he himself knows he is doing, which is to create confusion upon confusion upon layers upon layers. The basic ultimate core truth is that the information that he gave us on 28th November was completely inaccurate. My friend

1690 has gone through the detail of what was said in the House and I do not need to go through that myself, but I give him the opportunity also to correct at least one further point. I think that the hon. Gentleman makes a reference in one of his press releases or in an interview with GBC, to a break clause in the lease. My friend Mr Clinton rightly points out that – we have looked at it – we cannot identify one. I grant him that when he answered the point in the House he was a bit more
1695 circumspect: ‘I am not so sure.’ That is fine. He says:

which will have the usual break clauses in.

But then in a press release – I think it is in a press release, in one of the responses – I think he does talk about a break clause, or certainly in an interview. So, I ask him to correct that record. I have come across this further press release, which is, I think, the press release which ... because he has to have the last word and I gave him that pleasure to have the last word, and on 12th December,
1700 again when he has the opportunity to correct the record, he does not, and it is very clear that ... I know the hon. Gentleman’s thought process. Again, he makes a reference to the question about ‘to date’ and then only gives part of the answer:

‘the Government has paid a total of £610,866.69 in rent to date in respect of the property rented from the Bassadone Group in the dockyard area.’

No reference is made to the other part of the answer, where he makes the mental arithmetic point and it amounts to £28,800. No reference is made to that in that press release, which actually
1705 belies what the hon. Gentleman was doing, playing games, and what he has been doing now is seeking to put pressure on the Opposition. It is not just an act of creating confusion, muddying the facts and creating grey areas where there are not simply black and white, in order to ... He is not only doing that but also creating as much pressure as possible because he has been caught out and it has been found out that he did give inaccurate information to this House.

1710 Madam Speaker, I have made a reference already to word salads and I made a reference to this during the course of the Appropriation Bill because this is how people like the hon. Gentleman escape accountability. This is what they do, they deflect blame and change the subject.

The goal of this tactic

– and I am reading from a quote that I was sent by somebody in reference to the hon. Gentleman –

is to confuse,

– and I am quoting the hell out of you –

using long, convoluted sentences that will do just that.

1715 That is precisely what the hon. Gentleman has done.

The hon. Gentleman says that we have misled people outside of this House, but what does the hon. Gentleman think he and his party have done for many years outside of this House, when we were treated, only a few days ago, to a new definition of what ‘eradication’ means, a bit like what ‘misleading means’ – but I will not go into that. Actually I will, because it talks about the misleading
1720 that we were apparently guilty of outside of this House, which is to give the wrong idea or impression. We have not done that, but we were treated to a new definition of eradication in the context of the housing waiting lists. ‘Eradication’ now apparently means 400 out of the 800 on the list, 50%. That is eradication. A complete and utter nonsense. Talk about misleading people outside of this House. Or when they told people in their 2023 manifesto that designs had been
1725 approved in respect of the police station, and then only a few days ago we were told it is not going to go at the Rooke, with designs, lovely colour pictures and all the rest of it. (*Interjection*) The

sewerage plant, which has been promised since 2011: nothing yet. The dockyard regeneration in 2019 ... There are so many examples where we can also say that they have misled the public. Do we bring motions to this House on each occasion? Is that the practice? I am sure he does not think so himself, because my charge to him is that he is not doing it for that reason. He is doing it to confuse, he is doing it to put pressure, he is doing it to give an impression out there of something that is not the case – because he has been caught out. It is very clear that he gave inaccurate information.

In my view, and in our view on this side of the House, the point that the hon. Gentleman makes about 8th September ... Again, I was not impressed at all. The criticisms still stand. The reality is that this lease was entered into on the last working day of the hon. Gentleman's last Government. That is an undeniable fact. Of course, he then goes on to throw eggs at us and all the rest of it, but the reality is that the accusation that we levelled at him in press releases still stands. It may have been that the deal was done before then, but they sewed it up so that had we, on 12th October, won the Election, we would have been subjected to those contractual arrangements set out in the lease. If they had not entered into the lease, maybe there would have been more room for manoeuvre; I would not know the detail of the legal position as regards that specific point. To suggest that this is the best deal ever is simply not accurate, with the greatest of respect to him, by any stretch whatsoever. I did not mention it in the course of my intervention on the third motion, but the Hon. Sir Joe Bossano did say that it is possible that what the Hon. the Chief Minister said could have led hon. Members to believe. That is what he said.

Madam Speaker: I am not going to allow the hon. Member to revisit an amendment that we have already dealt with.

Hon. D J Bossino: I think it is still relevant to the motion as it is now.

Hon. Chief Minister: No.

Madam Speaker: No, because the hon. Member is going back to a debate which was put forward ... a previous debate by the Hon. Sir Joe Bossano on that amendment, and this is not the time for that, so I ask the hon. Member to move on.

Hon. D J Bossino: The point is that when my Learned Friend referred to letters – and this is developing a theme about the hon. Gentleman bringing a motion here because of things that we have said outside the House and posts that we have issued – it is a very dangerous precedent. It has the signs of a very dictatorial and quite frankly scary approach, because we certainly did witness, I think it was in his first term, when legal letters were issued against people who had said certain things in social media, which is what I thought my friend was going to make a reference to when he referred to letters, but he was referring to other letters. Legal letters were sent, and for the poor citizen who has to face the might of the Gibraltar Government with its almost limited resources, in relative terms compared to the poor citizen, it is a very scary thought, but he had no compunction in instructing Hassan's to issue those letters at £3,000 a shot, if I recall. I think the total amount was £30,000. I think he then desisted because he must have realised that for him it did not make any political sense to do so.

Madam Speaker, he says that the allegation that I made was heinous; I say that what he did in this House was very serious and quite frankly alarming, and for that reason it is impossible for us to support this motion. He says that these are the sorts of things that will not win you an Election. Again, those are childish points that he makes to point score, which is his want and the way he is.

All I can say, finally, is that I know that the hon. Gentleman will have the support of his colleagues – they are bound by collective responsibility – unless they think this is a matter of principle and that they can move away from that. We take a very serious view of this to the point

that I would even say that this is, sadly, should we have won the motion, a resigning offence.
(*Banging on desks*)

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Madam Speaker: Does any other hon. Member wish to speak on the motion as amended? Yes, the Hon. Sir Joe Bossano.

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Hon. Sir J J Bossano: Madam Speaker, it is obvious that they are confused. What emerges from the long speech of the hon. Member opposite is that they spend most of their time being confused and that they are still fighting the Election that took place a year ago. Of course, that has nothing to do with theoretical issue before this House, but that is really what this is all about. It is obvious that they are on a four-year Election campaign, which they think somehow will give them a better chance of being elected than if they wait for when the time comes and then fight the Election

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when the Election is due.
This is going to be a situation, I think, where the relationship cannot be ... I know that lawyers seem to be able to maintain a very warm relationship when they come out of court, and in court they seem to be at each other's throats. It is physically obvious. You go to the court – Madam Chairman, you know that – and you think they are about to kill each other, and then you go down after whoever has won, and they both go and have a pint in Jury's and you think, 'What happened?' The politics that I have come from are not like that, and therefore, if you think something of somebody, you think that of that person 24 hours a day, seven days a week, not just when you are in court fighting and it is different when you are out. Maybe there is something about the profession, which I have never had a great affection for, that makes the people in it behave in that particular manner.

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From my perspective, if this is a good deal or not, I think it is perfectly legitimate to have different views. I happen to think that most of the office rents are too high, and I do not know how good this deal is in comparison with others. I certainly think in any deal that we do we need to be conscious of the state of our finances and not do things that are likely to make them worse rather than better, and I believe that both sides of the House should want that. I think sometimes they seem to want them to be worse when we are here, in the hope that there will be better if they ever get here.

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The hon. Members need to understand that there is one thing about them as a political party that is almost unique: everything that they do when they are in Government is legitimate, and everything that anybody else does when they are in opposition, even if it is identical, is wrong. I have brought this to their attention in the past, in the naive expectation that they might not be familiar with the things that had happened before and that that might make a difference. But it is not true. It does not make a difference. It does not matter what the GSD did or said.

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We had this concern about retrospective legislation. Well, the first retrospective legislation was one year when the GSD Government raised Social Insurance contributions but did not legislate. I thought, 'I think this is illegal,' when I was the Leader of the Opposition, 'I think you are taking money from people's pay packets. When the law says the insurance is £5 you are taking £6. How can that be?' The answer I was given was, 'It does not make any difference because I have announced that it is going to be £6 and I can make retrospective legislation and backdate it.' Not being a lawyer, I did not know you could do that, but I did not assume that I was being lied to or being misled. I accepted that I was being told what was legitimate legal practice. But if something similar happens and we are on this side, the people who introduced it first now say that it should not be done. This is an example that happens again and again. The reality is that many of the things that Governments do are things where they have no choice. Therefore, the philosophical or political orientation of the Government is something that can be deployed perhaps to 30% of what you do, but there is 70% that has to be done because running a state involves having to do certain things and, whether you like it or not, those things have got to be done. All Governments do it. I think that independent of the ideology, all Governments are, in good faith, trying to do the things that they consider to be the best for Gibraltar and its people. I think the way the Members

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1830 behave in opposition leads me to think that they believe that they have the monopoly of a view, that they are the only ones who care about the welfare of Gibraltar, and that everything that we do is because we do not care. If that is what they think of us, then I think that is what we must think of them and pay them with the same coin.

1835 As far as I am concerned, I think the value of what we have had today is not about whether it was an inaccurate figure that was deliberately planted by the Chief Minister to mislead the Opposition, or one where, if they believed that the figure was different ... If that is what they genuinely believed, then perhaps the way they interpreted the answer led them to believe that, assuming that they were being honest in that formulation. It is quite obvious that if you say it was done on the last day before the election, what you are saying ... What is it that you are saying to this Parliament, and what is it that you are saying to the people outside, if anybody is still listening? 1840 What they are saying to them is, 'They were trying to give a very good deal to a friend, which would have been a very bad deal for the Government and for the taxpayers, and they did it the day before they called the Election because they were scared that they were going to lose the Election and they wanted to help their millionaire friends with a very good deal for them.' That is the political message that he is sending. That message is legitimate for them to say, and we should not be going back and saying, 'Okay, so the people who are criticising us, can they stand holier than thou because "We would not do that on the last day before calling it"? No, you just forget the last day. You do it on the day of the Election.' But of course it is you. This is the GSD. There are no rules for the GSD. There is nothing that they can do that is wrong. If the GSD does it, by definition it is right, and if the GSLP does it, by definition it is wrong. We are the rabble; we are the working class. We cannot do things like that; it is only the gentry that are allowed to do that. 1850 *(Laughter)* And so they do not bother to wait for the last day that the law allows, they just go and brush away the law. The law is not there for them, they are the law makers; we are the ones that have to obey the laws. And therefore, what do they do? They give a contract, a day before the Election, for 20 years. We could have done something about it when we came in. We could have said, 'We will retender and then if the person that won it wins it again because it is the best tender, he will have done it legitimately and legally.' But we did not do it, because we did not come in in order to cut heads; we came in in order to do things that needed doing.

1860 I think what this debate has done, better than any other so far, is make a clear dividing line about what sort of Government there would be if the Members were on this side. We are always prepared to think and give the benefit of the doubt to them, and they are always ready to put themselves as the purists that will never do anything wrong, and we, by definition, do everything wrong. I am glad that we have had this debate because we want it to be like that, and that is how it should be: two clearcut alternatives for the people of Gibraltar. *(Banging on desks)*

1865 **Madam Speaker:** Does any other hon. Member wish to speak? Yes, the Hon. Mr Clinton.

Hon. R M Clinton: Madam Speaker, I have been listening carefully for the last four hours. Madam Speaker, as I am sure the general public have been doing too, and I could never have 1870 imagined in my wildest dreams that a set of numbers would inspire so much passion in this Chamber, as I know it is usually the Father of the House and myself who are impassioned by numbers. It does demonstrate the importance of numbers, and it is important how they are represented in this Chamber.

1875 I share with the Father of the House a certain perhaps – and I use the word carefully – 'disdain' for the legal class, because the legal class have a way of doing business. I, like the Father of the House, prefer a very straight and clear position. Either it is right or it is wrong, and you stick to that principle and nothing will move you from that principle. But I have heard a lot today. The Chief Minister started talking about the erosion of trust in the political class. Who are the political class? The Chief Minister obviously believes there is such a thing as a political class, and he 1880 obviously belongs to it. I do not believe there is a political class. I believe there are representatives of the people, and that is what we are meant to be doing in this Chamber. We are not meant to

be engaging in gaslighting each other, nor are we meant to be engaging in political show trials, which is what this has descended to. We are meant to be engaging in constructive politics, I would have thought. But if a Member of this House asks an innocent question and expects an honest answer, what we cannot have is an answer that, as the Father of the House has admitted, could be interpreted in different ways. It is either black or white in my book and in his book. But what has happened, for whatever reason, is this unedifying spectacle of a show trial, and it should never have come to this.

We come here to scrutinise the Government – that is what the people want us to do; they are elected to Government, and that is fine – but when we come here to scrutinise the Government ... As the Leader of the Opposition has said, we are looking at value for money. We want to make sure that the transactions the Government does are value for money, so we ask: what is the rent, or what is the rent paid? It is obvious what kind of information we are trying to elicit. As the Father of the House has said, it was obviously misinterpreted. We are not here to play games. We are here to do the business of the House on behalf of the people of Gibraltar. The people of Gibraltar out there will not think very much of us today. If they people want political show trials, they expect that to be held in other parts of the world, but not in this House.

May I say to the Father of the House, he says it is okay for the GSD to do this and for the GSD to do that and backdating legislation, but faces change, people change. Political parties are not set in stone, otherwise nothing would ever evolve. We still have politics in the 18th century. Things need to change. When I complain about the way we do business in this House, it is because there are better ways of doing it. What is wrong with that? I am not saying that whatever was done is the way to do it. What I am saying is we can do things better. That is not to cast political judgement on either side of the House and say we are better than you or you are better than us. It is just basically common sense. Is that so difficult to understand?

We expect answers to be given in good faith – we ask questions in good faith – but what I have seen today is far from that. It is the Chief Minister's motion that accuses the Leader of the Opposition and my hon. Friend Mr Bossino of acting in bad faith and attempting to mislead the public. But how have they misled the public? The fact is yes, there was a lease given. The fact is we in the Opposition were given to understand the figures were different, and the Chief Minister made no attempt to correct the record. He now turns it round, in a great political show trial, and makes us the culprits on this side of the House. It is all our fault, the bad GSD. It is our fault, it is terrible, but he is the one doing the deal. He is the one who needs to convince the public that he is acting in their interests, not trying to hide behind words and say, 'I did' – or did not – 'say that, but too bad if you misunderstood me.' That is great if you are in court; I presume lawyers do it all the time. I would not know because if I did that as an accountant, I would have been sacked. But for them it is their stock in trade, as the Father of the House will appreciate. I like to deal in certainties. Perhaps if this debate had been had between the Father of the House and me, we would have understood each other perfectly. Maybe we should pass a law that only the Father of the House and myself are to discuss anything that has a number attached to it, but of course that would not be democratic.

When we come to the House we have to accept, and it is a principle of this place, that questions are asked in good faith and we expect answers in good faith. Otherwise, there really is no point coming to this Chamber; we would not be able to hold them to scrutiny. Perhaps that is what they want. I am sure it is not what the Father of the House wants; I think the Father of the House actually enjoys scrutiny. But that is not the impression that I have had today. We have had four hours of accusation and counteraccusation, to the extent – which I find quite perverse – of the Chief Minister suggesting almost that the Principal Auditor somehow condoned paying £38 per square foot to the World Trade Centre when I do not think the Principal Auditor had a choice. It is not an agency; it is a Government Department. Who put them in the World Trade Centre, if not the Government? To try to deploy the Principal Auditor's offices at the World Trade Centre as some kind of shield is perverse at best.

And so, Madam Speaker, I have heard *nothing* today that leads me to believe that we on this side of the House have done anything wrong, and unfortunately the way the Chief Minister has conducted this debate and in fact brought this motion is entirely regrettable and could have been avoided if he had simply answered the question.

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

Madam Speaker: Does any other hon. Member wish to speak? No? In that case, I will call on the mover of the original motion, as amended, to reply.

Hon. Chief Minister: Thank you, Madam Speaker, now dealing with all of the points that have been made in relation to this motion before the Hon. the Leader of the Opposition moved his first amendment and started to make other points. He started by saying that it was terrible that the motion that I was bringing targeted him. It only targeted him because they targeted me. To use the magnificent example that the Hon. the Father of the House has given, bringing all of his experience into one phrase where he said it is all about them being the gentry, being able to do what they like, and us being the working class and having to be measured by a different standard – that is exactly it, Madam Speaker. Outside of this House, they were constantly saying that I had misled the House. That was fine. Bringing the whole public opprobrium down on Fabian Picardo was absolutely fine, but do not for one moment put the name of the Hon. Keith Azopardi in a measure that you are going to bring to the ring where he can defend himself. That is terrible. That is targeting him. And then, of course, the minute that you move a motion that is against the interests of the Opposition, this is a place where we cannot do accountability because the Government always gets its way, because it has an in-built majority. Well, Madam Speaker, I have to tell the hon. Gentleman that is not a complaint that has been made by any Member on the House on this side of the House; it is something that he has said. He was, with the Father of the House and the Deputy Chief Minister, in the constitutional conference. They set up the structure of this Parliament with an in-built majority. They came back from the United Kingdom and *his* party, not the GSLP Liberals, sought a yes vote for the Constitution. We have the rules of the game that we have because he – I think the Hon. Leader of the Opposition then in the PDP – and the GSD, which he now leads, proposed that it should be supported by the public. So, if we have a system where the in-built majority means that there is not accountability, it is thanks to him, the Hon. the Leader of the Opposition. And so, with that caveat, because he knows he is going to lose the motion, despite the many attempts to get Members on this side of the House to vote with them – and they can vote, by the way, Madam Speaker, whichever way they like; I never whip them, they can vote any way they like, I have said it repeatedly – he says, ‘Now he has been caught out, he seeks to silence the Opposition.’ My goodness, I spoke for an hour, Joe Bossano spoke for 10 minutes and they spoke for three hours. So much for silencing the Opposition. The Hon. Leader of the Opposition does not think that I thought I was going to be the only one to speak in the motion. The Hon. Leader of the Opposition does not think I had not worked out that he was going to amend the motion and how he was going to amend it. There is no attempt to silence the Opposition; there is an attempt to finally clear the record of the nonsense that they have said.

I have already dealt with this question of whether it is a precedent to deal with social media issues by way of motion. It is not. In that motion, I was not just called many things by the former Chief Minister, I was called also unfit to govern in the context of a motion in respect of a social media post I had put. Since then, I have governed for 13 years. So much for the GSD’s view of how motions should be run.

The hon. Gentleman now comes to this House and says here the opposite of what they said in their press release. In their press release they had clear targets, as the Father of the House has said today: not just us but those doing business with us. He now comes here and says, ‘Our complaint is not about anyone else, it is just about the Government,’ but their press release says, on 9th December, that this was a deal that was beneficial to the Government’s friends and benefactors. So, the target was not just the Government, it was also their client, the client of their

1985 firm, the company that let to the Government, because they have said that this is a deal that makes no sense and delivers no value for money but it is beneficial to our friends and benefactors. Of course their target was not just the Government but also the party letting to us, even though we have now shown that this is the cheapest rent and it is value for money and gives us even more space per employee than is required under the UK rules – 13m² per employee rather than the
1990 4.6m² required. So, it is not that I have been caught out giving incorrect information to the House – far from it, for all of the reasons I gave in my original speech the opposite is true – but when he says that, he just confirms that it is right that this motion should go with the added part that he has now sought to mislead the House in the things that he has said.

1995 And it is not an attempt to intimidate the Opposition. The Opposition have said whatever they wanted to say – they have said the most awful things about me and the Government – so how are we intimidating them? If we were intending to intimidate the Opposition, we are not very good intimidators. I do not want them ever to be intimidated, Madam Speaker. I want them to say as much as they can, because the more they say, the more the public see that they should never leave them in charge of the affairs of this nation.

2000 The Hon. Mr Bossino, who has wanted to be the leader of this House for the past 15 years, has said he cannot follow the procedure and he finds it very difficult to understand the procedure of the House. I tell him, with the very greatest of respect, if he were ever to become Chief Minister he would find that the procedure of the House is the easiest thing he has to deal with. It is '*sota, caballo y rey*.' The hon. Gentleman intimidates *himself*. This is not a tirade of motions with the
2005 Chief Minister abusing it, as he said. I have put one motion because they have accused me of misleading Parliament, although they did not have the gumption to do it here; one motion this year. There is a technical one we will have to deal with, but one motion. We were often told by former Speakers, 'You do not do enough motions.' Madam Speaker. I probably would have turned you off motions just with the first one, but the Hon. Adolfo Canepa used to say, 'You need to do
2010 more motions. Have your debates in motions, not at Question Time.'

Then he says, because I said during the Election campaign that we were not putting 0.1% away from doing a deal, that I somehow have lost the public's trust. Well, we were 0.1% away from doing a deal. The last mile is the hardest mile, and sometimes, as I have told the House before at
2015 Question Time, your negotiating opponents pull away from positions that they have taken, and that means that you are no longer at 0.1%. What I told the people of Gibraltar was true at the time, and I will tell them the truth again every single time. When my political obituary is written, there will be not one jot of a lie ever told by me to the people of Gibraltar, ever. And when they are no longer my political opponents, I dare say they will accept that; they will agree that that is the case.

2020 Everyone in Gibraltar will have had letters from the GSLP and they are all, therefore, tired of me, and I have gerrymandered the Budget figures. Well, if that is the case, there are fewer people tired of me than there are of him – obviously, because I am still sitting here and he is still sitting there. It is that simple. But the allegation of gerrymandering the Budget figures is not an allegation against me. He has to realise what he is doing. He is making an allegation against the Senior Civil
2025 servants because they produce the Budget figures, not me. I come here to debate the Budget figures with them. I cannot imagine that he is ingratiating himself very much with Senior Civil servants when that is the sort of allegation that he is making about them.

Look at the language that he uses, which he then cowardly resiles from: 'The Chief Minister is pursuing a strategy of deny, deny, deny, to get away from the scene of the crime.' What crime?
2030 The crime of defending my people? The crime of working every hour that God sends in the job that they have asked me to do? This is just like when he said 'highwayman' and then, when challenged, said, 'No, I did not mean highwayman; I was just being figurative.' Because highwayman means steal, what are you saying that I have stolen? 'No, I do not think you have stolen anything.' Or like the time, famously, when the Hon. Mr Bossino used the word 'corruption' towards the end of the 2011-15 Parliament, and when we said, 'What corruption? Report it to the
2035 Police immediately,' he said, 'No, I did not mean corruption; I meant that things were not being

done in the right way.' (*Interjection*) Well, in the time between 2011 and 2015, yes. Always trying to use the language to bring the invective until challenged, and that is why they will be challenged by us every time. We will not let them get away with suggestions that there is any crime to deny or any crime committed. None whatsoever.

My awkward relationship with the truth is that I tell it to them. That is why they do not like it, and it makes it very awkward for them because I tell it like it is every single time, and if in the judgement of many people – which he said during the course of his speech – I am no longer somebody who can be trusted with the affairs of our country, well, the last time we tested it, there were more that trusted me than trusted him, and that was just a year ago. He was saying that before the last election and look at where the result got him. 'No more lies,' he said I shouted to the teachers. Indeed, because they were seeking a 40% pay increase, which the Government would not deliver. When I said, 'It is a 40% increase,' they said, 'It is not true.' When I demonstrated it was a 40% increase, they stopped saying it was not true and they settled for 10%. That is the reality, Madam Speaker. That is the reality, and after that we won the General Election – or two; I cannot recall when that particular strike was – and always against them. So, everything that they say that the public do not put up with from us anymore, they have to realise the public put up with from us more than from them – that is the reality – because they were saying all of these things before the last Election, and look at the result: we are here, they are there. That is the reality. I do not know that I gave the Parliament incorrect information because the opposite is true, and as I have demonstrated already, the words that they use are just about allowing them to believe, not them being able to point to something I said.

We can take a very different view on value for money, of course we can. That is absolutely fine, there is no issue with that, but that is not about misleading the House, which is where they took this debate. They did not take it to a debate about value for money, they took it to a debate about misleading the House, but let's have a look at value for money because I have told them this before. What does all this come from? This comes from another golden legacy of the GSD: the deal they did with Bassadone; the deal they did to take £4 million from Bassadone to cover the cost of reclamation of the Western Beach area, where they were going to put a whole reclamation for Bassadone. That was an excellent deal, great value for money: £4 million for Bassadone, £12.5 million to do the reclamation. Value for money? That is GSD value for money. You take £4 million from Bassadone and it costs you £12 million to do the reclamation, and then you give them a lease for at least 20 years, if not more – I think they needed 99 – and if you did not do that, Toyota was going to leave Gibraltar. That is what I inherited, a deal with Bassadone where Bassadone paid £4 million and I had to spend £12 million, and if I did not do it Toyota left Gibraltar and I lost 300 jobs. Great value for money. What did I do? I got land for zero, I sold it to them for £7.5 million, and jobs have gone up to 400. That is value for money. That is the GSLP Liberal way of doing things. That is what they are talking about. That is the nonsense that they defend.

I am very happy for them to say anything they like about 36 North and conflicts of interest because I have given my evidence to the public inquiry. I have demonstrated that the party who defeated the interest of 36 North was me. I made the decision that 36 North should not get the contract. Despite the fact that I had a small tangential interest in it which would have given me, I think, about £12 a month if they had got the contract, I made the decision they should not have the contract, and, as you have seen in the public inquiry, at a cost of many hundreds of thousands of pounds – I cannot remember whether it was £¼ million or £½ million – to the partners of Hassan's. Very proud of how I acted there. So, how can the Hon. the Leader of the Opposition pretend to do anything other than mislead the House, which is what this motion says he has done, when he says that he does not defend his clients, he comes here to defend the public, and I have a problem with 36 North? Quite the opposite, as the facts now show. The more he wants to talk about the inquiry and 36 North the better, because I am convinced that everything we did in that respect, and in respect of which I have given evidence already, was rightly and properly done.

He said that the information I provided and that they used was inaccurate. Well, because they did not look at the question that I had answered and they went off thinking it was the other

question that had been answered. *Hansard* now shows that. They say they have a transcript. And then he says, 'I only referred you to a part of the transcript.' Really? Do they think they can persuade anyone in this room, even if affiliated to them, of that for one moment when I have actually circulated the whole of the transcript to them – not the bit that I was referring to, the whole of the transcript – and they cannot point, in the whole of the transcript, to anything that makes their case? I know that the ... Hon. Mr Bossino – I was going to call him 'the Hon. the', but he is not anything other than the Hon. Mr Bossino, as he has always been – gets the giggles when he is in trouble. I know that, Madam Speaker; I have known him since we were 12 years old. And there it is, evidence of the fact that he cannot point to anything in the transcript that says that I told them what the rent was. I did not. 'He has led me to believe ...' 'He did not dissuade me ...' etc: evidence that they were not at all misled. The question I answered was the question that the Leader of the Opposition actually finally set out in his what he called Q1, how much did you pay to date; not Q2, what is the rent, because that is not a proper question and it is public, as the Hon. the Father of the House has said.

And then, 'We were led up the garden path.' Well, they lead themselves up the garden path all the time. Then the Hon. the Leader of the Opposition, in his address, got himself into the mightiest confusion – which I am not going to jump down the rabbit hole of, but I am just going to highlight – of the £6 per square metre versus the £28 per square foot. I am not going to pursue that, Madam Speaker. I just want to point out that he was tying himself in knots there and he does not need to go there. When he says that he comes to this House believing the Chief Minister is going to answer credibly and give credible information, he should not disabuse himself of that, because this debate shows exactly that: that we gave credible, proper and full information to the questions we were answering, and they have not been able to prove the opposite, far from it. They can make the judgement that it is not value for money and we can make the judgement that it is value for money, but if anybody misled anybody here they misled themselves all on their own.

I was very grateful for the Hon. the Leader of the Opposition confirming, as he did in the course of his address, that he cropped the image. He says he did it innocently but he confessed that he cropped the image, and that is, frankly, because I do not believe he did it innocently at all, a new low in our politics. That a Senior politician in our community should tamper with a document before putting it out publicly and then accept that he cropped that document is a new low, and frankly it will mean that probably he will be double checked by any journalist that he is involved in discussing anything with in the future. He talked about the piercing laser, and I think that it is actually the piercing laser that matters the most, the piercing laser of truth. It is that piercing laser of truth that they cannot point to any part of the transcript which makes out the allegations they were making in their original press releases and is the laser of truth that has hoisted their petard and has led to him being, I think, in the history of our Parliament, one of the few, if only ever, people to have been found to mislead, if the House passes the motion.

The Hon. Mr Bossino started with a reflection of his ability, which I think is absolutely appropriate: 'I cannot deal with the procedure of this House.' He is absolutely right: I do not think he can, and that speaks volumes and perhaps it is a demonstration of why those who work with him so intimately in the GSD never elected him as their leader, despite him repeatedly trying. It is a demonstration that when he talks about scattergun approaches that miss the target, he is actually talking more about himself because these press releases were in his name in great measure. It was the Leader of the Opposition putting them on social media but it was him that was the named quotee in these press releases. I imagine most journalists now will check twice whenever he issues a statement in the future.

He said I have not changed from my Bayside days, and I am very grateful, Madam Speaker – there could be no greater compliment. I had put on a lot of weight at one stage, but I am now the same waist size I was when I was at Bayside. It has been very difficult, so I will take that as a backhanded compliment from him. But unfortunately for him there is one thing that has not changed from our time at Bayside: I keep winning the debates, he keeps losing them. That is not something that is going to change any more in the future, because we are not going to have

another General Election campaign when he and I are going to be opponents, because I am going. He might not, but I am, and I have won all the ones that I have had against him. What can you do?

I noted that during the time when Mr Bossino was talking, the Leader of the Opposition was taking the opportunity to tweet from the Parliament and tweet his amendment about how I was misleading – I doubt he has tweeted my amendment and I doubt he has tweeted that his amendment was defeated, but my eye was taken to the fact that there was a big thumbs up from one Daniella Tilbury and a couple of others, three when I checked. Interesting, because that is exactly the point I was making in the beginning about people who pretend to be better guardians of the public purse but who actually have spent £100,000 of our money on a couple of phone calls. That is what they represent. That is exactly what they represent.

I did think that my old school chum pushed the envelope a little when he described me as a snake. I suppose if I had done so, it would have been called inelegant, ungentlemanly, bringing the House into disrepute, etc. And then he said that my skull would be crushed. Well, so be it. He knows, like I know, that it is important to make sure that you have not scorched the snake but killed it. He might remember which play that is from. They have neither scorched me nor killed me, and I will continue to discharge the functions of the office of Chief Minister for as long as the people of Gibraltar want me to, and he has not been able to remove me from it, however many attempts he may have made.

The Hon. Minister Bossino repeated the same argument so many times that if I had to reply to him as many times as he put it, then I would be here all night. He was very disrespectful, I thought, again, to interviewers when he said that I confuse them. I think it is very disrespectful to journalists to say that they can be confused simply because I give an answer which is complex about a complex issue. I find that most journalists are able to continue the train of thought and ask me meaningful questions. I am surprised he does not and that he has been quite so disrespectful, in particular to the journalists of our national broadcaster. I do not think that was necessary. I should be his target, not the journalists who interview me.

He then said that it was clear to him, and *Hansard* will show this, that the Leader of the Opposition was getting the wrong end of the stick, which I think is disrespectful to the Leader of the Opposition. In doing that analysis, he accepted that the question did not ask about rent, but about rent paid to date. And then I almost felt like getting up in a *My Fair Lady* sort of way and shouting, 'By Jove, he's got it!' because finally, four and a half hours into the debate he had worked out that I had never given the rent, I had given the rent to date including the rent-free period, which I had told them about.

Then he confirmed that he was out of this House the other day making money for himself. When we are not here – of course, we sometimes cannot be here – we are away on Government business, but when hon. Members are not here because they are pursuing their profession, they are pursuing other money-making avenues other than the amounts that they are paid as Members of this House. I thank the Hon. Mr Bossino for telling us that. I called the House for a particular day; he was not here because he was working, which is fine, making money for himself instead of representing the people of Gibraltar he has been elected to represent and is paid to represent. That is the reality. He said that it was despicable that I should continue with my practices of telling the truth. Well, I am going to continue to tell the truth. I am going to tell the truth about them as often as I can, and he should not be surprised about that.

He then told us a little bit about his emotions. He said he was surprised that he was surprised. I do not think we have enough time to go into his emotions this evening, Madam Speaker, so with your permission I am going to not answer that point directly before we move to vote on the motion.

As he was coming to the end of his address, he then talked about the fact that I spoke, at some stage in the transcript, according to him, in a word salad. This is a new, modern phrase which is used to describe complex answers given to questions as unintelligible in some way and it is something which the American right is given to saying of the American centre left. I think I know exactly who is the person who wrote to him saying that; he is not known to be a fan of mine, so I

am not surprised. I will continue not speaking in Waldorf's or in Caesar's but telling the truth clearly, succinctly and as best I can, although never as succinctly and clearly as the Father of the House, who put it all in words of one syllable to hon. Members opposite. If he does not understand the eradication of the housing waiting list goes to move into just what should be the housing waiting list for one term, I would ask him to reflect on what they told us full employment was, because for them – and it is in *Hansard* – full employment, which to most people, by the barometer he now applies to the housing list, would be zero, was 300 to 500 people unemployed. Say that to the 500 people unemployed. This is nonsensical. It is particularly nonsensical when being used against us.

Then the hon. Gentleman went on about this business of the date of things being done before a General Election. I have just one more document that I have not treated the House to, and it is this document. This is a letter dated 28th November 2011. This is just two weeks before the General Election. This letter purports to rescind the application of a section of the contract for the Airport. It is dated 28th November 2011, which is three weeks after the General Election had been called, or two weeks after the General Election had been called, almost two weeks before the General Election was held. I am told that despite the date on this letter, it was actually signed on the date of the Election – not the day before, but on the date of the Election. It makes sense because the clause it is purporting to rescind is a clause in the contract, which I gave hon. Members before, which was signed on 7th December. You cannot, on 28th November 2011, rescind a clause in a contract that is signed on 7th December 2011. So, I give credence to what I have been told, that this letter was actually signed on 8th December 2011. And we get criticised for signing a day before the Election.

Madam Speaker, I make no apology for taking legal action against individual citizens if they make remarks which are completely defamatory and libellous of me or of the Government, because the law of libel is there to defend reputations, and in some instances the law of libel is the only thing you have left. I make no apology for having used it in the past, and I will use it again in the future if I have to, because my reputation matters to me, and it should matter to the hon. Gentlemen too. If their reputations do not matter to them, that is an even better reason why they should never be in charge of Gibraltar and *its* reputation.

The Hon. Mr Clinton said that there is no such thing as a political class, and he does not see himself as a member of the political class. Well, I am sorry to break it to him: whether he sees himself as a member of the political class or not, the rest of the public see us as the political class. They see him in particular as a member of a particularly boring political class, but the political class, nonetheless. Most of what Mr Clinton said was a speech about how much he likes numbers. I do not think we needed to hear it from him; we had worked it out for ourselves. There is no problem with liking numbers, that does not mean that he has to disrespect those of us who come here to explain with words the things that we are dealing with. That does not mean that we are gaslighting each other by bringing a motion here to have the debate and do it in the ring. If what is happening is that we are being gaslit outside and our reputations are being torn to shreds outside, the right thing to do is to come here and have the argument here – not to have a political show trial, far from it; to have a political showdown between each other, to put our arguments. If you are not interested in that, you are not interested in Parliament. Buy yourself an abacus and sit at home with the Estimates Book. This is a place for debate, to have the exchange. Whenever hon. Members want to make a political point and they are not allowed to do so, they say, 'But this is a Parliament. We want to make the political point.' The political points cut both ways, not just from them to us, and if that becomes unedifying because we use here the language that they have used outside, they should think about the language that they use outside. But I agree with him, there must be better ways of doing things, many better ways of doing things, indeed, realising, as he said, that when you are given something to understand, you cannot point to being told that particular thing. Rightly he says to me, 'He' – the Hon. the Chief Minister – 'did the deal. He has to persuade the public that it is a good deal.' I think I have. I have demonstrated to the public, to him and to every Member of this House, that in the premises at 80a Queensway we are paying half

2245 what the Principal Auditor pays per public servant. That is not a bad deal, if you ask me. I did not hear what he said from a sedentary position. I do not think it was particularly edifying language. I think he will want to keep it to himself.

Madam Speaker, for all of those reasons I commend the motion, as amended, to the House, recording that the Leader of the Opposition has misled the House. *(Banging on desks)*

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Madam Speaker: I now put the question in the terms of the motion proposed by the Hon. the Chief Minister, as amended. Those in favour? **(Several Members: Aye.)** Those against? **(Several Members: No.)** Carried.

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Hon. Chief Minister: Madam Speaker, what an excellent result.

I call that the House should now recess until ten to eight, when we shall continue with questions.

Madam Speaker: We will recess until ten to eight.

*The House recessed at 7.40 p.m.
and resumed its sitting at 7.50 p.m.*

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

2260

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

Chief Minister (Hon. F R Picardo): Madam Speaker, I beg to move under Standing Order 7(3) to suspend Standing Order 7(1) in order to proceed with the laying of a report on the table.

2265

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

PAPERS TO BE LAID

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

Hon. Chief Minister (Hon. F R Picardo): Madam Speaker, I have the honour to lay on the table the Annual Report of the Gibraltar Police Authority 2023-24.

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Madam Speaker: Ordered to lie.

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Questions for Oral Answer

CHIEF MINISTER

Q1098-99/2024

Leisure Areas (Licensing) Act –

Complaints received and noise abatement notices issued

2280 **Clerk:** Chief Minister's questions.

Clerk: Question 1098. The Hon. G Origo.

2285 **Hon. G Origo:** Madam Speaker, how many noise complaints have been reported, broken down by area and by month, in 2023 and 2024 to date in respect of licensed premises under the Leisure Areas (Licensing) Act?

Clerk: Answer, the Hon. the Chief Minister.

2290 **Hon. Chief Minister:** Madam Speaker, I will answer with Question 1099.

Clerk: Question 1099. The Hon. G Origo.

2295 **Hon. G Origo:** How many abatement notices have been issued under section 7 of the Leisure Areas (Licensing) Act, broken down in the following years: 2021, 2022, 2023 and to date in 2024?

Clerk: Answer, the Hon. the Chief Minister.

2300 **Hon. Chief Minister:** Madam Speaker, I now hand over a schedule with the information requested.

In respect of Question 1099, no abatement notices have been issued under section 7 of the Leisure Areas (Licensing) Act.

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Answer to Question 1098/2024

Month/Year	Casemates Square	Queensway Quay	Marina Bay	Kings Bastion	Eastern Beach	Ocean Village	Tradewinds
Jan-23	0	0	1	0	0	0	0
Feb-23	0	0	0	0	0	1	1
Mar-23	0	0	0	0	0	0	5
Apr-23	2	0	0	0	0	1	3
May-23	1	0	0	0	0	2	0
Jun-23	1	0	0	0	0	3	1
Jul-23	0	0	0	2	0	5	4
Aug-23	0	0	0	0	0	1	8
Sep-23	4	0	1	0	0	2	4
Oct-23	0	0	0	0	0	0	1
Nov-23	0	0	0	0	0	0	4
Dec-23	1	1	1	1	0	3	1
Jan-24	2	0	0	0	0	4	4
Feb-24	0	0	0	0	0	3	1
Mar-24	1	0	0	1	0	1	1
Apr-24	3	0	0	0	0	4	4
May-24	6	0	0	0	1	0	2
Jun-24	1	0	0	0	1	3	2
Jul-24	2	0	0	0	0	4	2
Aug-24	0	0	0	0	1	3	0
Sep-24	1	0	0	0	0	3	2
Oct-24	3	0	1	0	1	0	1
Nov-24	0	0	0	0	0	4	3
up to 16/12/24	0	0	0	0	0	0	1

Madam Speaker: We will move on to the next question and I will allow supplementaries once the hon. Member has viewed the schedule.

Q1100-01/2024

Crown Counsel –

Number employed by Government; remote working

Clerk: Question 1100. The Hon. J Ladislaus.

2325 **Hon. J Ladislaus:** Madam Speaker, how many Crown Counsel does the Government employ, broken down by Departments?

Clerk: Answer, the Hon. the Chief Minister.

2330 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with Question 1101.

Clerk: Question 1101. The Hon. J Ladislaus.

2335 **Hon. J Ladislaus:** Are Crown Counsel provided with the resources and the permission to work remotely? If they are not given permission to do so, is in line with policy pertaining to other Government Departments?

Clerk: Answer, the Hon. the Chief Minister.

2340 **Hon. Chief Minister:** Madam Speaker, the Ministry of Justice, Trade and Industry employs one Crown Counsel, the Advisory and Parliamentary Counsel Offices employ 11 Crown Counsel and the Office of Criminal Prosecution and Litigation employs 12 Crown Counsel.

2345 I am advised that Crown Counsel have the resources to work remotely should the need arise during standard working hours or otherwise. Permission to work remotely during standard working hours is dealt with on a case-by-case basis.

Madam Speaker: Next question.

Q1102/2024

**Principal Auditor's Report on Public Accounts of Gibraltar for year ended 31st March 2019 –
Anticipated date for tabling**

Clerk: Question 1102. The Hon. R M Clinton.

2350 **Hon. R M Clinton:** Madam Speaker, can the Government advise as to when the Principal Auditor expects to table his report on the Government accounts for the year ended 31st March 2019?

2355 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, the Principal Auditor has informed the Government that work on the audit of the Public Accounts of Gibraltar for the financial year 2018-19 is ongoing.

2360 **Hon. R M Clinton:** Madam Speaker, I am grateful to the Chief Minister for his answer but we were given to understand, I think, the last time we raised the topic, that it should be available by the end of the year – i.e., I would have assumed, in December. Has the Principal Auditor given any indication as to when he might think he would be able to complete his work?

2365 **Hon. Chief Minister:** No, Madam Speaker.

Madam Speaker: Next question.

Q1103/2024

**Minimum Income Guarantee –
Policy re increases**

Clerk: Question 1103. The Hon. R M Clinton.

2370 **Hon. R M Clinton:** Can the Government advise its policy in respect of increases to the level of the Minimum Income Guarantee?

Clerk: Answer, the Hon. the Chief Minister.

2375 **Chief Minister (Hon. F R Picardo):** Madam Speaker, the Minimum Income Guarantee is a non-statutory benefit. Rates were last increased in October 2015. It is important, however, to remind the House that the yearly old age pension increases are disregarded for the purposes of assessing the MIG payments.

2380 **Hon. R M Clinton:** I am grateful, Madam Speaker, for the Chief Minister's answer, but given
the very nature of the Minimum Income Guarantee – and I stand to be corrected but I think it is
at the level of about £6,500 pounds; if I have the number wrong, I would be grateful if the Chief
Minister would correct me – and given that this is targeting those who have the greatest need, is
2385 there any scope for some kind of review, at least on an annual basis, of the level of the income
guarantee?

Hon. Chief Minister: Madam Speaker, we do look at it every year and will continue to do so.

2390 **Hon. R M Clinton:** Madam Speaker, given that the Chief Minister has indicated that ... It would
appear that the last review was in October 2015, which is a considerable time ago – I cannot do
maths at this time of the night, but a good eight years ago – and it might be time to do that. I have
had representations from people in receipt of this amount who would be grateful if the
Government would give it some consideration, and I would ask the Chief Minister at least to give
it some consideration in the future.

2395 **Hon. Chief Minister:** I refer the hon. Gentleman to the answer I gave a few moments ago.

Madam Speaker: Next question.

Q1104/2024
Import Duty –
Amount collected in November 2024

2400 **Clerk:** Question 1104. The Hon. R M Clinton.

Hon. R M Clinton: Madam Speaker, can the Government advise the amount of Import Duty
collected in November 2024?

2405 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, the amount of Import Duty collected for
November 2024 is £9,897,566.57.

2410 **Madam Speaker:** Next question.

Q1105-07/2024
Consolidated Fund expenditure –
Source of overspend in Health and Care, Government Law Offices and
Information Technology and Logistics Departments

Clerk: Question 1105. The Hon. R M Clinton.

2415 **Hon. R M Clinton:** Madam Speaker, further to the answer to Question W159/2024, can the
Government advise the main source of the £16.6 million, i.e. 16%, overspend, calculated on a pro
rata basis, in respect of the budget for Health and Care as at 30th September 2024?

Clerk: Answer, the Hon. the Chief Minister.

2420 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with Questions 1106 and 1107.

Clerk: Question 1106. The Hon. R M Clinton.

2425 **Hon. R M Clinton:** Further to the answer to question W159/2024, can the Government advise the main source of the £1.9 million, or 61%, overspend, calculated on a pro rata basis, in respect of the budget for the Government Law Offices as at 30th September 2024?

Clerk: Question 1107. The Hon. R M Clinton.

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Hon. R M Clinton: Further to the answer to question W159/2024, can the Government advise the main source of the £2 million, or 47%, overspend, calculated on a pro rata basis, in respect of the budget for the Information Technology and Logistics Department as at 30th September 2024?

2435 **Clerk:** Answer, the Hon. the Chief Minister.

Hon. Chief Minister: Madam Speaker, the Government does not agree with the Hon. Mr Clinton's view that any overspend can be calculated on a pro rata basis. The reasons for this are clear and obvious.

2440 The Government will explain the reasons for any overspend, if it is an overspend, by the end of the year, during the course of the Budget debate, after the financial year has been closed.

Madam Speaker: Next question.

Q1108/2024

Gibraltar Savings Bank Act – Financial Secretary's compliance with section 13A(2) re debentures

Clerk: Question 1108,. The Hon. R M Clinton.

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Hon. R M Clinton: Madam Speaker, can the Government advise if the Financial Secretary is satisfied or has taken legal advice as to his compliance with section 13A(2) of the Gibraltar Savings Bank Act as to matching the maturity of deposits against investments in respect of the purchase of 20-year GSBA debentures, maturing 2044, when the maximum maturity date of Savings Bank debentures in issue as at 30th September 2024 is 2034, being a gap of 10 years?

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Clerk: Answer, the Hon. the Chief Minister.

2455 **Chief Minister (Hon. F R Picardo):** Madam Speaker, the Financial Secretary has confirmed he is satisfied with the purchase of the 20-year GSBA debentures and his compliance with section 13A(2) of the Gibraltar Savings Bank Act.

Madam Speaker: Next question.

Q1109/2024

**NatWest International credit facility –
Negotiation to renew**

Clerk: Question 1109. The Hon. R M Clinton.

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Hon. R M Clinton: Madam Speaker, can the Government advise if NatWest International has indicated whether it is willing to renew the £75 million credit facility agreement that is due to terminate on 31st March 2025, or will this be rolled into the existing £500 million guarantee facility?

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Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, these negotiations are commercially sensitive. It is, therefore, not in the public interest to disclose details across the floor of the House. I have no reason to be concerned that the conclusion of the negotiations will be anything other than successful.

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Hon. R M Clinton: Yes, Madam Speaker, any loan agreement is bound to be commercially sensitive in terms of negotiating terms, but I am not asking about the terms. I am just asking is NatWest willing to renew the £75 million credit facility that is due basically in three months' time, or is it going to be rolled into their existing facility agreement? It is a very simple question; there is nothing commercially sensitive about that.

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Hon. Chief Minister: I have told the hon. Gentleman that I do not expect that this will be anything other than successful, but he told me some years ago that I should not give details of any agreement that we are doing until the ink is dry on the paper, so I am following the advice that he gave me and not giving information until the ink is dry on the paper, whilst at the same time sending a signal of confidence to the market that we very much believe that this is very much on track – but I am not going to say any more.

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Madam Speaker: Next question.

Q1110/2024

**Development Fund revenue and expenditure –
Analysis of improvements**

Clerk: Question 1110. The Hon. R M Clinton.

Hon. R M Clinton: Madam Speaker, can the Government provide a detailed analysis of the improvements and Development Fund revenue and expenditure for the six months ended 30th September 2024 as per the presentation in the published Estimates of Revenue and Expenditure for 2024-25 at page 162?

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Clerk: Answer, the Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Madam Speaker, no. A detailed analysis is more appropriate after the year has closed.

2500 **Hon. R M Clinton:** Madam Speaker, may I ask the Chief Minister why the Government is happy to provide a six-month position for the Consolidated Fund but not for the Improvement and Development Fund?

2505 **Hon. Chief Minister:** For a simple reason, Madam Speaker: we do not want to have a debate with the hon. Gentleman twice a year on the Budget. We will have it when we have the Budget debate. We will give him the figures for the I&D then. We are not talking about recurrent expenditure, which is what we give him. We give him the six-month figure on recurrent expenditure. Projects are different. Projects are not as linear as recurrent expenditure, even though recurrent expenditure itself is not linear, it is not the same every month, and that is why we do not give more detailed analysis as he has asked, but with projects it can be completely different.

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Hon. R M Clinton: I am not asking the Chief Minister for a debate; I am just asking him for the information. I would ask him again: is the information not available to the Government to make available to us in the Opposition? I am asking for information; I am not asking for a debate, Madam Speaker.

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Hon. Chief Minister: Madam Speaker, I have given the answer that I have given and I refer him to it.

2520 **Madam Speaker:** Next question.

Q1111-14/2024

80a Queensway –

**Nature of works; Financial Secretary's involvement in negotiations;
Government offices relocating; cost of refurbishment**

Clerk: Question 1111. The Hon. D J Bossino.

2525 **Hon. D J Bossino:** What is the nature of the works which are being or will be carried out at 80a Queensway?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, I will answer with Questions 1112 to 1114.

2530 **Clerk:** Question 1112. The Hon. D J Bossino.

2535 **Hon. D J Bossino:** Did the Financial Secretary at the time play a part in the negotiation which led to the lease arrangements entered into by the Government with Bassadone in respect of 80a Queensway?

Clerk: Question 1113. The Hon. D J Bossino.

2540 **Hon. D J Bossino:** Please provide the addresses of the Government Offices, together with the surface area in square metres, which are moving to 80a Queensway.

Clerk: Question 1114. The Hon. D J Bossino.

Hon. D J Bossino: What is the cost to the Government of refurbishing the Bassadone office at 80a Queensway in order to allow for the relocation of the Government Departments there?

Clerk: Answer, the Hon. the Chief Minister.

Hon. Chief Minister: Madam Speaker, the works to be undertaken at 80a Queensway will provide the most modern, fit-for-purpose office accommodation available to public servants. The works will generally comprise the construction of main entrance cores with lifts and stairs, emergency escape stairs, kitchen and toilet facilities, raised access floors, services installations inclusive of air conditioning, and the formation of new offices for each Department. Works have already been carried out to install lifts, complete the lift lobbies, construct main blockwork separation walls, construct toilet cores and install roof lights. Madam Speaker.

In answer to Question 112, I negotiated the lease terms in respect of rent, area and contribution by Bassadone. The former Financial Secretary and his team were charged with implementing the agreement I had negotiated, including liaising with Triay Stagnetto Neish, Bassadone's solicitors, although I do not know at the time of drafting this answer which lawyers at TSN acted for Bassadone or who was involved at that firm, because for all I know it could have been the questioner himself or his partner, the Hon. the Leader of the Opposition.

The addresses and surface areas in square metres of the Government offices moving to 80a Queensway are as follows.

The Technical Services Department at Joshua Hassan House and at Unit 87, New Harbours. At the first they have 589m² and at the second 98 m² of internal space. They have 687m² in total of internal area and no external area.

The ITLD at 16 Library Street, which has 395m² of internal space and 88 m² of external space.

The Department of Education at 23 Queensway, which has 720m² of internal area and 512m² of external area.

The Care Agency at 16 Governor's Parade and Europort Suite 733, which has, in the first, 680m² of internal area and 273m² of internal area in the second, making a total internal area of 953m² and no external area.

The Treasury at Units 71 and 72 New Harbours, at Blake House 19C Town Range and at two offices from the Gibraltar Savings Bank. It has 295m² of internal area at the first, 233m² of internal area at the second and 28m² of internal area at the third and has a total of 556m² of internal area and no external area.

Madam Speaker, at the present time it is not possible to provide the information sought in Question 1114 as the fitting-out contractor has not yet been finally appointed pending the completion of the pricing assessment process for the remaining works.

Hon. D J Bossino: If I may, in relation to the last answer, to Question 1114, when the Hon. the Chief Minister replied to the very astute and clever question posed by the GBC interviewer at the interview that he gave on 10th December ... She said, 'If we stay with Mr Bossino's method of calculation using the £10 million value, but there is no mention at all of the cost of fitting out the premises, for example, do you have a figure for that?' The Hon. Chief Minister replied, 'Well, I do have a figure for that,' and he then says, 'to which, as you know, Bassadone have contributed.' Is he able to provide that figure across the floor of the House?

Hon. Chief Minister: Madam Speaker, I have just told him I cannot because we have not awarded it. If I give him that figure before we award it, it puts us in a very difficult commercial situation because we are pursuing a tender award of this.

Hon. D J Bossino: I see, but given the answer that the Hon. Chief Minister gave to GBC, which is, 'Well, I do have a figure for that,' what did he mean if the Hon. the Chief Minister is now being somewhat coy in terms of responding to the question that I posed?

2595 **Hon. Chief Minister:** I am not being coy, Madam Speaker. I have a figure but I cannot give it until it is contractually fixed. If I have to negotiate with somebody else, I do not want that figure to be out there, because potentially, if I have to re-enter negotiations or restart negotiations, I might be able to get it for less. Indeed, we are still trying to square down, but I have what I am told it should cost.

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Hon. D J Bossino: Was that information available to him when the Hon. the Chief Minister said that *he* negotiated the rent and the area, which then led to clause 1 of the lease stating that 'in consideration of the underlessee's costs of fitting out the premises which the underlessee has agreed to pay ...', and it goes on, and that is what resulted in the rent-free period of whatever months it was? Did he have a figure then which led to that aspect of the negotiation leading to that conclusion?

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Hon. Chief Minister: Yes, ma'am.

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Madam Speaker: One last supplementary on this.

Hon. Dr K Azopardi: To be clear, the Chief Minister is saying that in relation to the fitting out, they have not awarded the tender, so are not in a position to give us a figure there. But what are the costs to date of works carried out? That would be distinct, I imagine, given that he indicated last time that they have been paying rent for 18 months. In the meantime, they presumably have been doing some works, so what are the costs to date?

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Hon. Chief Minister: As I understand there have been no costs to the Government to date.

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Hon. D J Bossino: There is a further question which I think arises from the position as set out by the Government – presumably the draughtsman was the Chief Minister himself, given that he was so intricately involved in the negotiations – where in point 4 of Press Release 807/2024 he said that part of his brilliant deal with this particular company was that it, i.e. the company, would contribute £1.5 million to the fitout costs of the new facilities, i.e. those facilities which are being provided at 80a Queensway. Can we, from that, by way of hazarding a guess, suggest to him that it is in excess of £1.5 million? Can he confirm that?

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Hon. Chief Minister: Madam Speaker, I am not here to in any way address the accuracy of the hon. Gentleman's guesses, to tell you the truth.

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Madam Speaker: Next question.

Hon. D J Bossino: And is –?

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Madam Speaker: We have had five supplementaries on this one. Next question.

Hon. D J Bossino: Question 114, yes. In relation to Question 113 –

Madam Speaker: Sorry, I did not mean next question. I meant supplementaries on the next question. Move on from Question 114.

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Hon. D J Bossino: I am grateful. In relation to Question 113/2024, which asks about the addresses – and the Hon. the Chief Minister has provided a full response which it has been very difficult to take a note of, but one will analyse it later on through *Hansard* or when we get the answers by email later on from the good staff of the Parliament – is he able to say whether the addresses which he has provided across the floor of the House are what is going to be producing

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the capital value figure of £8.6 million, thereabouts, or the higher figure, which the Hon. the Chief Minister alluded to when he first answered questions in the House, of £10.2 million?

2650 **Hon. Chief Minister:** I understand they are, Madam Speaker.

Hon. D J Bossino: 'I understand they are,' was the response. They are likely to produce a capital value of £8.6 million or the higher figure of £10.2 million? The Hon. the Chief Minister referred, during the course of answering supplementaries at that session, that there was another – I think
2655 it was in those terms – possible building which would then increase the figure to £10.2 million.

Hon. Chief Minister: Yes, Madam Speaker, these are the Departments. One of them has another building which could potentially be included in the valuation.

2660 **Hon. D J Bossino:** Oh, I see, okay, but can he please simply state whether the addresses that he has given are what are going to be producing the eight point-whatever-it-is million figure, as opposed to the £10.2 million figure? And if it is not, is he able to provide across the floor of the House which further address is likely to produce the higher figure?

2665 **Hon. Chief Minister:** Madam Speaker, I think that question is contradictory. These are the ones that will produce the eight point-whatever million figure.

Hon. D J Bossino: So, which address is likely to provide to the taxpayer a capital value of £10.2 million? In other words, it is going to be increasing from eight point-whatever million
2670 pounds. Which address or addresses are going to increase the figure? Is he able to provide that answer across the floor of the House?

Hon. Chief Minister: All of these are estimates, Madam Speaker. I think all of these would produce even more than £8 million, as I said in the answer that the hon. Gentleman has been
2675 referring to during the course of the debate on the motion. There is another address, which is not listed here, which is potentially also available. The Government is considering how to deal with that address. We have made an announcement that it may not be subject to a tender because we have not been satisfied with the tender amount and we are now looking at using it for another purpose, which has been announced.

2680 **Hon. D J Bossino:** Which address is it?

Hon. Chief Minister: Madam Speaker, I would have thought the hon. Gentleman would have been able to work it out: it is Johnstone's Passage.

2685 **Madam Speaker:** Any supplementaries on the others?

Hon. D J Bossino: In relation to Question 1112, where the Hon. the Chief Minister says that he himself personally negotiated the arrangements with this company and the question alluded to
2690 the former Financial Secretary, does the Hon. the Chief Minister have any comment to make with the information that is publicly available, and therefore I refer to it, that this individual, the former Financial Secretary, has also declared an interest by way of holding a directorship role in one of the Bassadone companies, specifically GAC Bassadone Holding Ltd, as a result of his membership of the Financial Services Commission?

2695 **Hon. Chief Minister:** I am sorry, Madam Speaker, I did not get the first part of the question. What is it that he is asking me to comment on?

2700 **Hon. D J Bossino:** The fact that the Financial Secretary, although he says did not fully participate in the negotiations but did have dealings, I think he said, with TSN in relation to presumably putting down or reducing to writing the negotiated terms, is now currently, according to his own declaration to the Financial Services Commission, a director of one of the group companies of Bassadone.

2705 **Hon. Chief Minister:** Yes, Madam Speaker, I have a comment to make, of course: their gain is our loss.

Madam Speaker: Any supplementaries on Question 1111?

2710 **Hon. D J Bossino:** On Question 1111, the Hon. the Chief Minister gave a reply which set out the detail of the nature of the works, for which I am indeed grateful. Is he able to state whether the square meterage which the Hon. the Chief Minister referred us to back at the infamous session of 28th November, 3,000m² ... whether the entirety of the surface area is going to be used?

2715 **Hon. Chief Minister:** Madam Speaker, given the propensity of hon. Members to suggest that one has misled the House when one has not, which we have just been dealing with during the course of today, I do not identify that that is a question that arises from the question that I am being directed to, which is Question 1111. I do not have the information here in a way that is readily accessible, and therefore I would ask that the hon. Gentleman put a question in that
2720 respect so I can give him the full answer.

Hon. D J Bossino: Madam Speaker, what can I do? If that is the answer, that is the answer and I will pose a further question. With the greatest of respect to him and to the House, I think it does very much arise from the question, but one can place a further question.

Q1098/2024
Leisure Areas (Licensing) Act –
Complaints received –
Supplementary questions

2725 **Madam Speaker:** Before we move on, I am going to come back to the Hon. G Origo: do you have any supplementaries on Question 1099?

Hon. G Origo: Not on Question 1099 but on the schedule to Question 1098. I am grateful, Madam Speaker.

2730 May I ask the Hon. Chief Minister – thanking him, firstly, for the schedule provided – if he can confirm how the data given to me in the table has been obtained? To my surprise, the number of complaints I see listed in the schedule is quite low, so what I wanted to know is who were these complaints reported to, and is the Hon. the Chief Minister satisfied with the accuracy of the data that is being provided?

2735 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I am always satisfied with the data that is provided because it is provided by the people who prepare answers to questions in Parliament, and quite unlike others, I do not, as the Hon. Mr Bossino suggested to me during the course of the debate a few moments ago, blame officials when things go wrong. I think the officials actually do
2740 a very good job indeed of preparing the information that I am provided with. I started with the now Clerk preparing me for meetings of the House. I have never had reason to believe that officials have failed to give me information in a manner that is accurate and that is in keeping with the

question that has been asked. If the hon. Gentleman asks about noise complaints, then whatever we have registered as noise complaints is what he has received.

2745 The fact is that people do complain a lot, over lunch and over dinner, and even when you are at the boxing, people might be sitting alongside you complaining about noise and all the rest of it, but that might not sometimes materialise into complaints that are turned into complaints to the authorities, and so the numbers might be lower than one might expect.

2750 **Hon. G Origo:** Madam Speaker, if I may, I do not think the Hon. Chief Minister has told me where these complaints are reported to, so I put it to him whether it is still the case that these noise complaints are reported to the RGP and is this the data compiled by complaints put through official channels there; or is it still the case that the Environmental Agency operates the noise pollution hotline, and are these complaints lodged via that hotline? Could the Hon. Chief Minister
2755 please clarify whether he has managed to capture all that data, whether this is inclusive of complaints to the RGP officially and also of that to the agency?

Hon. Chief Minister: Madam Speaker, I cannot give that level of information. I can find out, if the hon. Gentleman asks me the question next time, whether this data is from one or the other.
2760 The hon. Gentleman's question is about leisure area licensing; I think that is a different area altogether. Therefore, because he has asked in particular about the Leisure Areas (Licensing) Act in both of his questions, I assume it has been produced in the context of that Act and whoever takes complaints in respect of that Act.

2765 **Hon. G Origo:** I am grateful, Madam Speaker. I asked in the context of the leisure licensed areas, and my understanding is that the Environmental Agency is responsible for ensuring compliance and regulating these licensed areas.

The premise of my question on reliability comes due to the low numbers that I can see on the schedule provided, so can I put it to the Hon. Chief Minister whether there may be issues of under-reporting? For example, my understanding is that the hotline in the Environmental Agency takes
2770 calls, but then the next part of the complaint requires these agents to come to your house and take decibel meter readings. If someone complains and calls the hotline but does not want officers to come to their house at two or three in the morning to take these readings, are those complaints recorded? Can I rely on these complaints at face value? That is to say, is this really representative
2775 of the reality on the ground?

Hon. Chief Minister: Madam Speaker, I have, from the Hon. Minister for the Environment, a whisper across the Government bench that even when the complainant would not wish the Environmental Agency to visit, the original complaint would be recorded. I am literally treading
2780 where angels dare not, given that one might be accused of misleading the House if that information turns out not to be accurate, but in good faith I am sharing with the hon. Gentleman the information that is shared with me by the Minister for the Environment.

Licensing, since the time of the GSD, comes under No. 6 Convent Place, and I think that is why these questions are here with me.

2785 **Madam Speaker:** I think the Hon. Mr Reyes had a question.

Hon. E J Reyes: Thank you, Madam Speaker. Just looking at the figures, I am wondering if the Chief Minister does have some information ... If I take one example, in August 2023, under the Trade Winds column, there are eight recordings. From the Chief Minister's notes, are they eight
2790 different days or eight reports on the same day coming from different people, or could it even be the same person who rings at 11 o'clock and then by midnight decides to ring again? I do not know if he has that data. If he does have it, it would be extremely helpful.

2795 **Hon. Chief Minister:** I have the total for the month, Madam Speaker.

Madam Speaker: I think the Hon. Mr Origo had one.

2800 **Hon. G Origo:** I am grateful, Madam Speaker. I ask the question on data gathering because it is very important to me in respect of my shadow portfolios, not least because I hold tourism, environment and young people, and the importance of looking at and gathering correct data on noise complaints goes to the heart of whether noise is becoming an issue for young people, the tourists or even the residents who are within the area.

2805 I want to draw the attention of the Hon. Chief Minister to the biggest licensed designated area on the schedule, which is the Ocean Village. As I already noted, this place is of particular importance to me because of the relevance it has to my portfolios. I am concerned, however, that the level of complaints being recorded and captured does not represent the reality on the ground, so I put it to the Hon. Chief Minister, given that he said he was happy with the data provided by his officials ... whether he is aware that in the largest designated licensed area in Gibraltar, Ocean Village, noise complaints are dealt with somewhat differently. I understand that the first point of call in Ocean Village is the management company, which runs a security system. They have powers and authority to go to venues, stop the music and ask them to comply. I have met with them and –

2815 **Madam Speaker:** I must ask the hon. Member to put the question. The preamble is –

Hon. G Origo: Madam Speaker, is the Hon. Chief Minister aware that ‘complaints’ in the largest designated leisure area is carried out differently? I will stop there and I will have another follow up.

2820 **Hon. Chief Minister:** No, ma’am.

Madam Speaker: There have been five supplementaries on noise. If the hon. Member is brief, I will allow one more but that is it.

2825 **Hon. G Origo:** I will be very brief. Madam Speaker, I am grateful for the Chief Minister’s confirmation that he was not aware, but having met with them, my understanding is they keep logs and carry notes and data on how many complaints there are, and they are in the hundreds. I know that they do not give this to the agency or the RGP.

2830 **Madam Speaker:** Question?

Hon. G Origo: Would he not agree, given his answer previously that he is happy with the reliability of the data and given that he has not included the statistics of the mandate, that the data is no longer reliable?

2835 **Hon. Chief Minister:** Quite the contrary, Madam Speaker. Now that the hon. Gentleman has given me that detail, I am even more assured of the accuracy of the data because if people are not calling the authorities and they are calling their management company, that reflects why the number of complaints reported to the authorities – and I only represent the authorities, I do not represent Ocean Village – is lower than perhaps one might expect. The hon. Member might, in his next meeting with people who live in Ocean Village, suggest to them that they might wish to call the authorities instead of their management company.

Madam Speaker: Next question.

Q1115/2024

**Applications for asylum since 2014–
Total and number of persons naturalised or registered as British Overseas Territory citizens**

2845 **Clerk:** Question 1115. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Madam Speaker, how many asylum applications have been made since 2014; and, of those, how many persons have been naturalised or registered as British Overseas Territory citizens?

2850 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, there have been 43 applications for asylum made since 2014. Of those 43 applications, 2 have been naturalised as British Overseas Territories citizens.

Hon. Dr K Azopardi: Does the Chief Minister have how those applications were decided? Of the 43 asylum applications, how many applications were granted?

2860 **Hon. Chief Minister:** Madam Speaker, I am told that 2 were granted BOTC and that there are only 2 that remain active at CSRO. So the other, by a process of elimination – without wanting to be held to this, because I do not for one moment mean to mislead the House – the other 39 have been dealt with without the asylum being granted, I would assume.

2865 **Hon. Dr K Azopardi:** Well, they are different questions, so how many asylum applications have been made and how many persons of those have been naturalised or registered? Some may have been granted – he will appreciate the question – but not then naturalised. If he is happy, I will put a question to that effect if he does not have the information.

2870 **Hon. Chief Minister:** I do not have it, Madam Speaker. The question asks me how many applications have been made and how many have been naturalised or registered as British Overseas Territory citizens, so I have given him the information that I have. If he wants different information, I am very happy for him to put a question.

2875 **Madam Speaker:** Next question.

Q1116-19/2024

**Government jobs –
Open vacancies in clerical and non-clerical grades**

2880 **Clerk:** Question 1116. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: How many vacant posts and open vacancies for clerical grades were there in Government Departments on 5th December 2024?

2885 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): I will answer with Questions 1117 to 1119.

Clerk: Question 1117. The Hon. the Leader of the Opposition.

2890 **Hon. Dr K Azopardi:** How many vacant posts and open vacancies for clerical grades were there in wholly owned Government Companies and statutory or non-statutory Authorities and Agencies at 5th December 2024?

Clerk: Question 1118. The Hon. the Leader of the Opposition.

2895 **Hon. Dr K Azopardi:** How many vacant posts and open vacancies for non-clerical grades were there in Government Departments on 5th December 2024?

Clerk: Question 1119. The Hon. the Leader of the Opposition.

2900 **Hon. Dr K Azopardi:** How many vacant posts and open vacancies for non-clerical grades were there in wholly owned Government Companies and statutory or non-statutory Authorities and agencies at 5th December 2024?

Clerk: Answer, the Hon. the Chief Minister.

2905 **Hon. Chief Minister:** Madam Speaker, as at 5th December, I am advised that in relation to Question 1116 there are 83 vacant posts, in relation to Question 1117 there are 18 vacant posts, in relation to Question 1118 there are 166 vacant posts, and in relation to Question 1119 there are 217 vacant posts. I am further advised that as at 5th December there were four open non-clerical vacancies.

2910 **Hon. Dr K Azopardi:** That would be 4 open non-clerical vacancies ... Would that be Question 118 or 119?

2915 **Hon. Chief Minister:** I believe Question 119, Madam Speaker.

Madam Speaker: Next question.

Q1120-21/2024

Construction companies – Payments made in excess of £100,000 since 2018

Clerk: Question 1120. The Hon. the Leader of the Opposition.

2920 **Hon. Dr K Azopardi:** Can the Government provide a list of total payments in excess of £100,000, made by the Government or any Government-owned entity or the Savings Bank to any construction companies on the Government's approved contractor list or registered supplier network, broken down by company, identifying the specific entity, for each of the following financial years: (1) 2018-19; (2) 2019-21; (3) 2021-22; (4) 2022-23; (5) 2023-24?

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Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, I will answer together with Question 1121, which is the last question of the year.

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Clerk: Question 1121. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Can the Government provide a list of total payments in excess of £100,000, made by the Government to any Government-owned entity or the Savings Bank to any construction companies, broken down by company, identifying the specific entity, for each of the following financial years: (1) 2018-19; (2) 2019-21; (3) 2021-22; (4) 2022-23; (5) 2023-24?

Clerk: Answer, the Hon. the Chief Minister.

Hon. Chief Minister: Madam Speaker, I refer the hon. Gentleman to the detailed exchange we both had during the last session of Parliament.

Hon. Dr K Azopardi: Madam Speaker, I was hoping that these questions were now narrow enough to elicit an answer. If they are not, without having the same exchange again, I will try again, but perhaps the hon. Member can give me a bit more guidance because I thought I had made it relatively narrow now.

Hon. Chief Minister: Madam Speaker, last time I invited him to have a discussion so that we could work it out in a way that might help him have the information that he wants to have, which I thought might be useful for us as well, and that we should have a discussion about how the question might be framed, and we could then give him the answer and maintain the information going forward – so he can have his answer going back and we can have the data going forward and put it on the website so we all have the benefit of it. We have not had a discussion; we have not had an opportunity to speak. I do not know why. I am very happy to talk with him about anything that does not involve him suggesting that I am misleading the House, so I am very happy to have that conversation in the New Year. Madam Speaker, perhaps you could convene us for a chat and we might be able to resolve this issue also.

Hon. Dr K Azopardi: This was an attempt to do so. Equally, I am quite happy to have any discussion with him, albeit that he suggests that I am misleading the House and even though I do not think so. Sometimes it is because perhaps he does not answer when I try to inquire of him.

I would be happy to have a discussion with him. I was hoping, however, that he would give me a bit of guidance today. Is he not in a position to do so?

Hon. Chief Minister: No, Madam Speaker, I am not.
I just want to clarify I am not suggesting that he has misled the House. There is a motion of the House that has found that he misled the House, so it is no longer about suggesting.

Sometimes he WhatsApps me. He should know that you have to be careful what you wish for in life. If you become Chief Minister of Gibraltar, you get thousands of the bleeding things and it is sometimes impossible to even keep up with family members' WhatsApps. As far as I know, he has not called me, he has not called my office and has not sought to speak to me. Every time he has called me, I have been on the phone back to him as soon as possible. I have sometimes tried to call him and he has been harder to get than me because I do appreciate that he is sometimes in court. I might be in meetings that I can be pulled out of, but you cannot be pulled out of court. He can rest assured that if he calls me in the New Year, I shall be on the blower as quickly as I can and we can have the discussion and resolve the matter.

Madam Speaker: Any other supplementaries?

Questions for Written Answer

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

Chief Minister (Hon. F R Picardo): Madam Speaker, I have the honour to table the answers to Written Questions W161/2024 to W176/2024.

GOVERNMENT MOTION

Social Security (Open Long-Term Benefits Scheme) (Amendment of Benefits) Order 2024 – Motion carried

2985 **Clerk:** Government motions. The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, I have the honour to move the motion standing in my name, which reads as follows:

That this House:

Approve by Resolution, pursuant to section 46 of the Social Security (Open Long-Term Benefits Scheme) Act 1997, the making of the Social Security (Open Long-Term Benefits Scheme) (Amendment of Benefits) Order 2024 .

2990 The motion is a short motion that is brought every year. It is a formalistic requirement and we will, by order, amend the Social Security (Open Long-Term Benefits Scheme) Act 1997 by increasing the rates of old age pensions and survivors' benefit by 2.6% with effect from 1st August 2024, which represents the annual increase for this year.

I commend the terms of the motion to the House.

2995 **Madam Speaker:** I now propose the question in terms of the motion moved by the Hon. the Chief Minister. Would any hon. Member like to speak? Yes, the Hon. Mr Clinton.

Hon. R M Clinton: Thank you, Madam Speaker. This motion is, as the Chief Minister described, fairly formulaic and we usually agree unanimously to what is an increase in the state pension.

3000 In his 2024 Budget address at line 486 the Chief Minister indicated that these would go up by inflation, which at the time he expected to be in the region of 2.6%. I can advise the House that by notice on 14th October 2024 the index of retail prices was reported as 2.6%, being the position at 1st July 2024. I have compared the proposed draft legal notice and I can confirm to the House that the amounts indicated are, in fact, exactly a 2.6% increase on the amounts in prior year, so
3005 we have no problem on this side of the House in supporting the motion.

Madam Speaker: Does any other hon. Member wish to speak? In that case, I call on the Chief Minister to reply.

3010 **Hon. Chief Minister:** Thank you, Madam Speaker. What would we do without him? It is always useful to see that somebody is checking our homework and confirming that it is absolutely accurate. What a positive and convivial way to end the session.

Madam Speaker: I now put the question in terms of the motion proposed by the Hon. the Chief Minister. Those in favour? (**Members:** Aye.) Those against? Carried.
3015

Adjournment

Chief Minister (Hon. F R Picardo): Madam Speaker, with apologies to all for the late hour – but I was not the one who rabbitied on for three – just as we come to this final moment when I move the adjournment of the House *sine die*, which it is my pleasure to do, I want to reflect that yesterday the Hon. Prof. Cortes and I had the absolute pleasure of being at St Joseph's Lower Primary School, where they took us on a discovery of Gibraltar in a journey through time in their Year 2 Christmas play. I think Mrs Ladislaus was there also; I was there principally for family reasons, but also invited. I was really taken by the script that the teachers of St Joseph's prepared for their play, because it was very Gibraltar centric and it was quite wonderful to see how they are teaching our children to value Gibraltar. Part of the script, which I asked for today, says that Christmas in Gibraltar is a time for sharing meals, singing carols, giving gifts and just being together with family. To hear a young Gibraltarian, no older than six or seven, say 'From National Day to Christmas, Gibraltar's traditions are all about community, celebration and keeping our unique culture alive, whether it is waving flags on National Day or sharing a Christmas feast, each tradition is a way of honouring the past and looking towards the future; every day in Gibraltar is a chance to connect with our history, and every celebration reminds us of the importance of our family unity and pride in our heritage,' I thought it was particularly excellent to see that our children are being taught those values about what Gibraltar is and the unit that Gibraltar is. They then went on to do an excellent version of *Jingle Bells*, where they took the chorus and instead of 'Jingle Bells' they sang 'O Gibraltar, Gibraltar in the sea so blue, our home is so friendly, with love for me and you, O Gibraltar, Gibraltar, our hearts sing so well in this sunny land we love our Christmas tale we tell, hey, hey'. It was better when they sang it than when I read it, but it was a lovely way to see our children celebrate Gibraltar. I hope with that we can all go back to our families from this place and enjoy an excellent Christmas period.

As I do every year, the Deputy Chief Minister, who has responsibility for the runway, has confirmed with the MoD that it will be open on 25th December.

I wish every Member, even those who have been found to have misled the House, a very Merry Christmas, a Merry charisma-less Christmas to the Hon. Leader of the Opposition, and I look forward to seeing all Members next year.

Madam Speaker: Before I propose the question, for my part I want to wish all Members here a very happy Christmas and a peaceful New Year. I feel somehow that we have all earned a Christmas break and I wish you all the best for the festive season.

I propose the question, which is that this House do adjourn *sine die*. I now put the question, which is that this House do now adjourn *sine die*. Those in favour? (**Members:** Aye.) Those against? Passed.

This House will now adjourn *sine die*.

The House adjourned at 8.40 p.m.