



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3 p.m. – 6.55 p.m.

Gibraltar, Wednesday, 24th January 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*]

PRAYER

Madam Speaker

CONFIRMATION OF MINUTES

Clerk: Meeting of Parliament, Wednesday, 24th January 2024.

Order of Proceedings: (i) Oath of Allegiance; (ii) Confirmation of Minutes – the Minutes of the third meeting of the 15th Parliament, which was held on 19th and 21st December 2023.

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Madam Speaker: May I sign the Minutes as correct?

Members: Aye.

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Madam Speaker signed the Minutes.

COMMUNICATIONS FROM THE CHAIR

Best wishes for the New Year

Clerk: (iii) Communications from the Chair.

Madam Speaker: Just very briefly, on this first session in the New Year, I wish to take the opportunity to wish all hon. Members the very best of health and happiness for 2024, whatever challenges, personal or professional, may be encountered on our way during that year.

15

ANNOUNCEMENTS

Corporate tax reform and Tax Office recruitment – Statement by the Minister for Justice, Trade and Industry

Clerk: (iv) Petitions; (v) Announcements – the Hon. the Minister for Justice, Trade and Industry.

Minister for Justice, Trade and Industry (Hon. N Feetham): Madam Speaker, I rise to make this Ministerial Statement to update our Parliament and our country on a corporate tax reform and on progress on an important aspect of government tax policy.

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I remind our Parliament that we, as a Government, aim to foster both fiscal responsibility and fairness in our pursuit of a sustainable tax system, one that positions and strengthens our economy against future challenges. This reform focuses on expanding the application of paragraph 15 of Schedule 3 of the Income Tax Act 2010, under which moneylenders and deposit-taking institutions are charged tax on interest income on the basis that the purchase of debt instruments or the making of loans is a principal part of their business model and trade.

In the intervening years since the Income Tax Act was first introduced in 2010, the landscape of financial services and related businesses has changed radically. The invention and wide adoption of crypto has revolutionised the industry, and a number of crypto-based financial businesses have evolved globally. In addition, insurance companies now more frequently utilise and rely on debt instruments to fund their operations and also invest to ensure that claims may be paid from adequate resources and sustainable returns; it is a significant and fundamentally integral part of their trade. This reform, therefore, considers the changes necessary to modernise our tax legislation, providing certainty and clarity whilst balancing the need to maintain minimal administrative burden or unfair additional tax on the general body of taxpayers.

This measure is rooted in the principles of ensuring fairness in taxation, one that ensures that financial services entities contribute to the nation's economic well-being. We are, therefore, extending paragraph 15 of Schedule 3 to insurers and distributed ledger technology (DLT) firms. Leaving the uncertainty which is currently inherent in the Act creates an inequitable situation and can no longer be justified. Most importantly, insurance companies are now enjoying financial profits from record-high interest rates. The taxation of these interest and interest-like gains ensures that this success is shared with the broader community through tax revenue. The privileged market access that insurers enjoy to the UK market is a unique benefit for Gibraltar-based insurers. The proposed amendment reinforces the shared responsibility of contributing to the community for this privilege.

Responsible corporate citizenship is very important to our Government. I do not believe that asking these firms to contribute a modest but fair share of these increased profits is unreasonable. We are doing so without increasing the corporate tax rate, which remains low, at 12.5%, compared with other jurisdictions; in fact, the average European OECD corporate tax rate is 21.5%. In any modern and progressive jurisdiction, tax rules must remain dynamic and evolve to cater for advancements in technology and the ever-evolving landscape. Extending this provision to DLT firms is a prime example of this. Despite the innovative and distinct asset class, this sector, in substance, exhibits characteristics of traditional banks and moneylenders, generating income from interest-equivalent activities. Applying taxation ensures there is no disparate tax treatment based on distinct regulatory treatment. Without this, we may unintentionally create a lacuna, because these entities did not exist when Gibraltar introduced the Income Tax Act 2010. As the financial landscape evolves, it is crucial for tax policies to adapt to these changes and ensure a level playing field for financial entities.

Implementing a responsible fiscal policy for our community is our Government's priority, one where the burden falls on those able to pay, including from increased profits. It emphasises the importance of sharing this responsibility and the continued contribution to the economic well-being of Gibraltar under which the revenue from taxation can fund important areas such as public services and education. What we are seeking to achieve is not unique. Other European countries, including the UK, tax the income of such businesses.

There will be no other change to the existing legislative provision on interest income; it will continue to tax interest earned by banks and moneylenders but also now identifies other industries and classes of income which are similar or equivalent, extending the charge to cover these, reinforcing the underlying principle of Gibraltar taxation that legal form gives no benefit, and that taxpayers in similar circumstances pay similar taxes.

As with any tax reform, we have sought to mitigate against abuse and exploitation and have designed relevant anti-avoidance measures against this. These rules include both a general and specific provision ensuring that arrangements and transactions entered into by in-scope taxpayers

are not constituted in a manner that seek to circumvent tax on the resulting interest by reference to both the main purpose of the arrangement or transaction, or the disposal of any interest-bearing asset to connected persons.

We are confident that the reform is compatible with our Government's principles of equity and fairness. It eliminates the unfair distinction which presently exists between banks and moneylenders on the one hand and those that exhibit similar characteristics but are outside scope either due to a difference in the category of financial asset used or because they are regulated under different legislation. It demonstrates our continued move towards a modern and consistent tax system and one which merely extends a pre-existing charge to new classes of entities and businesses. Our proposed amendment extends the tax net to more regulated and registered entities, thereby ensuring that those caught by this provision accrue interest as an integral part of their trade. Finally, it eliminates any residual doubt over the taxation of this income and gives clarity to such new businesses – insurers and DLT firms – similar to how the original provision did so for banks and moneylenders.

Hon. Members opposite may question the timing of this announcement and, in particular, why it has not been made later in the year during the Budget session. The answer is simple. It is necessary to fine-tune tax law and ensure this constantly evolves in order to ensure it is correct and maintains the intended application and objective. We must ensure that tax vigilance is a regular and necessary function of our tax system, not one to be completed only once a year.

As the parliamentary workload increases, I believe it is beneficial to introduce minor reforms periodically as these are identified: small steps throughout the entire year rather than all in one go. In doing so, we will stay true to the important principle of sharing fairly the responsibility of contributing to the economic well-being of our community, and this must include corporate citizens. We must tax entities in similar circumstances in the same way, where possible. We must ensure form cannot be used to undermine tax legislation. We must do all of this in the least disruptive manner and only go as far as is needed, and we should include real, effective and powerful anti-avoidance measures.

Madam Speaker, this reform will not weaken us against our competitor jurisdictions; our low tax rate, at 12.5%, still compares well with those of developed economies of Europe. It is important to note that Gibraltar's attraction is measured across many benefits, not just tax. Gibraltar has very highly regarded regulatory regimes, including in insurance and DLT, and high levels of workforce expertise in these industry sectors. We are well placed to continue to cement our attractiveness as a jurisdiction. In addition, my Ministry is continuing to implement policy commitments to increase our competitiveness, including working with the financial sectors to increase our product offering. I hope to be in a position to make concrete announcements relevant to both the insurance and DLT sectors soon.

The reform I am announcing will come into effect as of 1st February, once the legislation is brought to and passed by Parliament. In this regard, we are finalising this Bill and I expect to be in a position to move ahead on this imminently. As is now customary, we will be issuing a press release on this reform. This is aimed at providing guidance and clear channels of communication to everyone.

This is a team effort and I would like to publicly express my gratitude to not only those hardworking colleagues within both my ministerial office, including Julian Baldachino, and the Income Tax Office, including the Commissioner of Income Tax, but also the FSC, the advisers we have consulted and stakeholders we have spoken to.

Madam Speaker, I would also like to take this opportunity to update this Parliament on the initiative I recently announced regarding the recruitment of two tax specialists to the Income Tax Office. I am glad to announce that the selection process has now been completed and that two individuals have been selected for these roles. We are finalising the necessary paperwork and expect to on-board these individuals shortly after the start of the new financial year. This timing is entirely due to the notice period required in their current roles, which in itself is indicative of the high calibre and seniority we are expecting to recruit.

125 These are important times for taxation in Gibraltar, and as Minister I am proud and privileged
to be tasked with this responsibility. In conjunction with our already excellent team, the
recruitment of these two professionals will allow us to modernise further the Income Tax Office
and deliver positively on all planned outcomes for the benefit of our community.

I am obliged, Madam Speaker.

130 **Madam Speaker:** Would any hon. Member like to ask any questions for the purposes of
clarification on any aspect of the Statement?

Hon. R M Clinton: Thank you, Madam Speaker. I am grateful to the Minister for an advance
135 copy of his Statement. I will ask all my points of clarification in one go, and I am sure the Minister
will make his notes as required. I will group my points of clarification into two areas: one
administrative and a high-level view, and the second a more technical tax view.

May I ask the Minister, in terms of consultation, who exactly has he consulted with? I am not
aware that any consultation paper was issued. Were these hand-picked advisers, the same
140 advisory group as was used in the BEPs top-up tax arrangement he announced last time, or is this
a different group? And which stakeholders has the Minister discussed this with? Has he conducted
any impact assessment on the insurance industry or the DLT industry? As the Minister will be
aware, insurance companies do build up general reserves for those risks which have not been
reinsured, and the ability to generate investment income on those reserves will be very much part
145 of their business plan.

In terms of what the Minister said – he suggested that we, on this side of the House, may raise
some questions as to the timing of his announcement and his proposed future announcements –
I must say yes, and I would ask the Minister to consider the wisdom of making pre-Budget
announcements before they become law. He has given advance notice today of a measure which
150 may not come into effect until 1st of February, and in any case, I question whether that timescale
is even achievable or whether he, in fact, intends to backdate legislation which, when it comes to
tax matters, is not something I would consider to be normal. If the Minister could comment on
that, I would be grateful, and also if the Minister could give us an indication of how much revenue
he expects to raise from these measures. I note he has only targeted two sectors, namely
155 insurance and DLT, and I would ask the Minister to clarify why those particular sectors. I will go
into a little bit more detail when I look at the technical side of taxation. Finally, in terms of overall
administrative stuff, if I can call it that, can the Minister advise why he thinks that these are
important times for taxation in Gibraltar? It does suggest some urgency, and perhaps the Minister
could clarify what he means by those words ‘important times for taxation’.

160 Madam Speaker, I move on to my second group of points of clarification, which is more on the
technical side. The Minister will be aware from reading Schedule 3 and the particular paragraph
that the heading of that paragraph is ‘Additional definition of income interest as a trading receipt’.
The reason why banks and lending companies were included in that paragraph was precisely, as
he will be aware, the concept of passive income. Has the Minister considered whether he is
165 undermining the concept of passive income by bringing in insurance companies and DLTs? And if
insurance companies and DLTs, why not any other company in Gibraltar that may be earning
passive income or interest income? Why has the Minister identified what are regulated entities?
Why not other entities in Gibraltar? Again, this is where I would urge the Minister to exercise some
degree of caution in announcing these sorts of measures outside what is a normal budgetary cycle.
170 I would urge the Minister to consider that in a normal budgetary cycle, when the Chief Minister
makes his statement – and again, we have a difference of opinion as to whether there should be
a Finance Bill or not, but when he sits down, normally those effects take effect from midnight that
day. To bring in these sorts of measures piecemeal through the year, especially where primary
legislation is required, I do not think is wise, and I would welcome the Minister’s thoughts on how
175 he will address the matter of, effectively, companies being given advance warning of his budgetary
intentions.

Again on technical points, he talks about anti-avoidance provisions, but, from my recollection of the Income Tax Act, the Commissioner of Income Tax already has substantial anti-avoidance powers, so I would ask him what new anti-avoidance powers he envisages with the Bill he proposes to bring to the House.

Finally, Madam Speaker, not directly related to the amendment that the Minister has mentioned, he announces that there are two employees that are going to be recruited, but I only recall one employee position being advertised; I do not believe there were two. Could the Minister clarify?

Thank you.

Hon. N Feetham: I am obliged, Madam Speaker. I do not know whether they were questions or statements; there were a number of statements and a number of questions. I have taken notes. I will attempt to answer as many of them as I can.

You have asked, first of all, about the consultation. I have said in my Statement that we have spoken to a number of stakeholders. This includes the Finance Centre Council. I have reported and discussed this with the Finance Centre Council in a meeting where I think I spent around 40-45 minutes exclusively discussing this. I can tell you that in that room, no one raised objection or was violently opposed – or opposed, even – to the proposals which the Government proposes to make. You have raised more objections in your intervention than any comments that I have received, or rather you have raised more challenges in your contribution than any challenges I have received over the last two weeks, I believe, when I have engaged in discussions with third parties. We spoke to the Finance Centre Council. In addition, I have discussed this with a number of professionals in Gibraltar involved in the DLT sector and the wider financial services sector in Gibraltar. We have spoken to the Financial Services Commission as well, as the regulator of these – You have asked: I need to reply. If you want an opportunity to counter what I have said, perhaps Madam Speaker will give you leave to do so. We have also discussed this with the Financial Services Commission, the Regulator of the underlying regulated entities.

You have asked whether an impact assessment has been made, and you have mentioned insurance specifically. Because what we are proposing to do is to raise tax on interest income received by insurance companies in circumstances where interest rates today are record high – we know that: record high, going back almost two decades – and also that the interest which insurers are receiving from their return on their debt investments, even on a conservative portfolio, is four to five times more than what they were receiving 18 months ago, what we are saying is that we, on this side of the House, believe that it is fair for them to share those rewards and that windfall with the general body of taxpayers.

Insurers hold capital with sufficient buffers to withstand a one in 200 event. This is nowhere near the sort of measure that would have a significant impact on the resources of an insurer, given that what we are saying is that the balance sheet of an insurance company is considerably stronger, today, as a result of the interest rate environment, than it has ever been, certainly over the last 18 months, in terms of the interest rate rises that we are seeing. So we do not believe that there is such a concern as the hon. Member has raised. Had there been a concern, I can tell you that certainly it would have been raised with me in the same vein by the regulator, and at no stage has that been suggested. My knowledge of the insurance industry, moreover, is such that this will have no dent on the solvency requirements of insurers such that this House needs to be concerned.

I think you have said it is unusual for legislation of this nature to be brought to this House rather than bringing a Bill. Well, that is not correct. When we have had discussions with the Commissioner, and with external parties as well, it has been brought to our attention, as the hon. Member might know, that it is not unusual in the UK for legislation of this nature to be passed during the course of the year through ministerial announcements. All he needs to do is Google search ‘ministerial statements – tax’ and he will see many statements over many years that have been made in the same context and for similar purposes as those that I have made here today.

230 The hon. Member has also said that it is unusual for this to be done, given that a Bill will be presented, and perhaps there is an element of retrospectivity. Again, that is not the practice. In other words, what I am doing is not inconsistent with the parliamentary practice in the UK or other jurisdictions. I will give you one example only, if I can, in terms of anti-avoidance legislation. Usually, anti-avoidance legislation is passed in circumstances where it is retrospective or retroactive. In those circumstances, nobody raises a constitutional issue. We have deliberately
235 said in our Statement today that we are giving notice to the public and, indeed, to the affected regulated entities that all they need to be doing, as indeed they would do if this had been an announcement in relation to any other tax measure, is accruing for the tax that we have announced. That is why we have chosen 1st February, because in terms of interest income that companies receive, they usually receive it on the first day of the month through management
240 accounts and, indeed, through the reports that they get from investment managers. That is why we have chosen 1st February.

The hon. Member has said, 'The Hon. Minister has only done this for the DLT and insurance sectors, and that – I think I heard – 'we ought to be doing it for all other taxpayers.' Well, that is precisely what this Government is not prepared to do. We, on this side of the House, are very clear
245 that what we are trying to do is target areas where we believe it passes two tests. First, the principle of fairness: is it fair that we ask these two sectors to contribute towards tax revenues in Gibraltar in circumstances where currently the view that is taken is that they are not taxed? We, on this side of the House, certainly believe that the resounding answer is yes, we need to do that. If he is suggesting that perhaps we should bring all other corporates into the tax net, that is
250 something that we, on this side of the House, are not prepared to do.

The hon. Member has also said, 'Why are you doing this for these two sectors?' and I think he has referred to the heading under the statutory provision that refers to trading receipts. Well, it is very simple, and I have made it clear in my Statement. If you look at DLT firms, they exhibit all the characteristics of a deposit-taking institution or a moneylender, and therefore it is entirely
255 inequitable that they should not be brought within the taxing provision. The only reason why they are not – but, of course, I cannot answer for the Government to 2010, whether they would have done it had DLT firms been regulated and in existence back then – is that, clearly, crypto as an asset class did not exist. That is the answer to the question that you are posing as to why we are doing this for them and not for other sectors. It falls within what we believe ought to be taxed in
260 Gibraltar – unless the hon. Member is suggesting that actually we provide a concession and exemption for crypto DLT firms in Gibraltar, which I do not think would be the case because I think it is well known that the hon. Member is not very fond of crypto or DLT firms generally.

Insurance companies: well, if you look at the balance sheet of an insurance company, you will see that on one side you are receiving premiums for the purpose of being able to pay claims; on
265 the other side of the balance sheet, an insurance company invests those premiums in order to provide a return to be able to pay claims. In our view, that is a deemed trading receipt for the purposes of including it within the scope of taxation here; and, of the stakeholders and relevant bodies that we have spoken to, none have suggested that that measure is unfair. None of them have suggested that it is unfair.

270 I do not want to carry on unnecessarily, but I am just trying to see whether I have covered everything. On the last question, with reference to our announcement today that we are recruiting two tax professionals, I think the hon. Member said, 'You have mentioned two, but in your original statement you mentioned one: was that the case?' No, that is not what I said in my original statement. In my original statement, we said that there were vacancies for two tax
275 professionals. We have absolutely made it clear that the vacancy and the applications for the vacant positions were for two tax professionals.

Madam Speaker, I am obliged.

Madam Speaker: Does any other Member have any questions for the purposes of clarification?

280 **Hon. D J Bossino:** Yes, Madam Speaker, if I may. The comment I would make in terms of the period of consultation which has been allowed as a precursor to this Statement, is that it does not seem to me, from this side of the House, to be particularly long. The hon. Member has been very specific in terms of the time that he spent before a particular body – I think he said 45 minutes – and he said that nobody objected. With the greatest of respect, that does not give us much
285 comfort as to whether this is an industrywide initiative which is welcomed. Can I just say that, by way of initial comment, and maybe he can respond to what I have just said?

In that context, whilst the ‘principles of fiscal responsibility and fairness’ – and I am reading from his Statement, which he kindly provided to us before he made it ... Of course, that works both ways. I know what he is driving at. What he is driving at, I suppose, from a socialist
290 perspective, is that they want to increase the tax burden for the good of the wider community. That may be something that, certainly from a left-of-centre political proposition, he espouses and supports as an ideological position. However, it works both ways because fairness from the industry perspective ... They may not see it that way, and then ultimately, if they –

295 **Madam Speaker:** I am going to ask you to put the question. I have given you a lot of leeway to make a statement. Put your question.

Hon. D J Bossino: If the industry does not deem that the result of this initiative is fair on them, we may lose that business, so does he not have a concern in relation to that? From what he has
300 said, certainly we do not derive solace at this stage.

Madam Speaker, when he talked about the context in which this has been introduced and about the increase, he said it is unprecedented for 20 years – and I think that is right – in interest rates. Is it the case that this initiative, because the expectation now is subject to what happens with the Houthi rebels and all the rest of it, where there could be further spikes in interest rates ...?
305 The expectation, currently, is that we are going to see a continuing drop in interest rates. So will the Government’s position and will his position change, and will he envisage the possibility of not imposing this tax should interest rates drop to the levels that we enjoyed, if I could put it in those terms, a couple of years back? That is a specific question to which I would be grateful for an answer.

310 Finally, Madam Speaker, the point which I do not think the hon. Member has answered, and which my hon. Friend Mr Clinton specifically asked him, is how much revenue he thinks is going to be derived from this revenue-raising measure, because he does say in his Statement that the revenue from this particular tax can fund important areas such as public services and education. I would ask him, please, to answer that point, which I do not think, in fairness to this House, has
315 been addressed.

Hon. N Feetham: I am obliged, Madam Speaker. The preamble to the question was a lengthy speech, but I am grateful to the hon. Member. I have taken a few notes.

I think you have asked whether the consultation of two weeks is sufficient. When the
320 Government proposes to introduce a tax measure, it does not go to the sector and taxpayers asking them, ‘Do you want to be taxed? The Government is proposing to tax you, but do you want to be taxed?’ No government ever does that. That is something that I have never seen in the context of a revenue-raising measure. It is the same as asking the Chief Minister, when he does a Budget speech and he proposes to increase revenues, ‘Have you gone to the general body of
325 taxpayers asking them whether they want to pay?’ Tax is not a voluntary measure. The Government has a very clear tax policy. That policy has been articulated by me in the Ministerial Statement and we will debate the relevant provisions when the Bill is brought to this House, so we will have an opportunity to debate it in detail.

You then spoke, I think – and I have taken a note here – about fairness. Well, I cannot see a
330 more fair measure than the one that we are proposing to do. Or is it that the hon. Member is suggesting that on this side of the House we should actually be taxing ordinary taxpayers? Is that

perhaps what he is suggesting, given that his background is certainly not of the same socialist philosophy as the one that he was suggesting we subscribe to in this part of the House?

335 He talks about a new tax. This is not a new tax. We are introducing income that, for whatever reason, was not being charged to tax within the general provisions existing in the Income Tax Act, and we are making it absolutely clear that it ought to be taxed within the headline rate of tax of 12.5% . Or is he suggesting that we increase the headline rate of tax of 12.5%? We are not changing the headline rate of tax; it is staying at the same rate. I have made it very clear that our competitive position, in my view, and certainly in the view of those we have spoken to ... We are being told
340 that the competitive position of Gibraltar is not at risk. Perhaps if they did their homework, Madam Speaker, the question that they could be asking me is: 'We have an insurance industry and a DLT industry in Gibraltar, Minister: what contribution do those industries make to corporate tax in Gibraltar?' Perhaps that is the question that they ought to be putting to me. This is the point: if what we say every time we talk about the fact that Gibraltar is a well-established insurance
345 domicile and 30% of all UK motor insurance in the United Kingdom is underwritten in Gibraltar with in excess of £7 billion, you would have thought that based on those numbers, the corporate tax receipt in relation to that sector would be very high indeed. But maybe it is not very high, and because it is not very high, this Government needs to ensure that the corporate tax take for the Government, in order to fund our government projects and in order to ensure that we do not raise
350 taxes through other methods, that we ensure that they pay their fair share of taxes ... Maybe you will be asking that question next time round, and I will be giving you the figures then. *(Interjection)* I will be giving you the figures then, and perhaps he will be telling me, Madam Speaker, that on this side of the House we are not doing enough to ensure that from a sector as robust as that, the tax yields do not seem to reflect that. The same question you could be asking me and you have
355 not, but perhaps you will in the future: what corporate tax do DLT firms pay in Gibraltar? I will give you the answer, and perhaps then you will be saying, 'But, Minister, that seems hardly enough for the measure of risk that the jurisdiction takes in licensing and regulating.

On this side of the House we want to make sure that if firms are regulated and licensed in Gibraltar, we do not just take the reputational risk of having companies here – that we also take
360 the economic benefit. That is precisely why we are embarking on the sorts of policies that I have announced today and will continue to review going forward.

Thank you, Madam Speaker.

Madam Speaker: Does any other hon. Member have any other questions for the purposes of
365 clarification? All right, we will move on.

PAPERS TO BE LAID

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

Chief Minister (Hon. F R Picardo): Madam Speaker, I have the honour to lay on the table the
370 Public Accounts of Gibraltar for 2016-17 and 2017-18.

Madam Speaker: Ordered to lie.

Questions for Oral Answer

Procedural

Clerk: (vii) Reports of Committees; (viii) Answers to Oral Questions.

375 **Madam Speaker:** Before we start with the oral questions, I would just say that following a request from the Leader of the Opposition, I have given leave for his questions to be put at the conclusion of the questions of the Members of the Opposition.

HOUSING AND THE UNIVERSITY OF GIBRALTAR

Q4/2024

Catering sector related courses – Number offered and subsequent employment

Clerk: Questions to the Hon. Minister for Housing and the University of Gibraltar.
Question 1/2024. The Hon. C Sacarello.

380 **Hon. C Sacarello:** Madam Speaker, how many catering sector related courses have been carried out at the University for the academic year ending summer 2023 – please list these; and how many of these students have ended up in full-time employment in the sector within a six-month period of qualifying?

385 **Clerk:** Answer, the Hon. the Minister for Housing and the University of Gibraltar.

Minister for Housing and the University (Hon. P A Orfila): Madam Speaker, catering sector courses are professional courses offered at certificate level. Therefore, the University does not offer any catering sector courses.

390 Thank you.

Hon. C Sacarello: Thank you very much for the explanation. Would the Minister know if the University has any intention, or if the Government, indeed, has any intention of encouraging the University to roll out some of these courses, given the difficulty that the sector has in finding relevant staff and having to recruit people who are non-Gibraltarian?

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Hon. P A Orfila: At present, the University is not looking towards that particular sector. It is probably done at certificate level, certainly not at degree level.

Thank you.

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Hon. C Sacarello: Would the Hon. Minister have any statistics at certificate level that she would be able to provide?

405 **Chief Minister (Hon. F R Picardo):** Madam Speaker, there is another question on the Order Paper, also from the hon. Gentleman, that I think deals with that, and it would be, therefore, anticipating something that is coming elsewhere on the Order Paper.

Madam Speaker: Next question.

Q2/2024

**Government rented flats –
Details of those released by tenants of Hassan Centenary Terraces**

Clerk: Question 2. The Hon. D J Bossino.

Hon. D J Bossino: Please provide the breakdown of the government rented flats by number of rooms in each which have been released by tenants following the allocation of flats at Hassan Centenary Terraces to these tenants?

Clerk: Answer, the Hon. the Minister for Housing and the University of Gibraltar.

Minister for Housing and the University (Hon. P A Orfila): Madam Speaker, of those who have completed the purchase of Hassan Centenary Terraces phase 1, to date we have two 3RKB government flats released.

Hon. D J Bossino: I am slightly taken aback by that figure, Madam Speaker, on the basis that it seems pretty low. Can she expand on that from the comment that I have just made? She may be aware that in a previous Parliament when we raised this question – back in December 2022, I think – the expectation of the Government was that there would be a total of 161 government flats released when all the affordable housing projects are on stream. So I would ask her, please, to reply on the basis that I have asked her to comment on the low number.

Hon. P A Orfila: Madam Speaker, we are looking at the ones that have been released, which is what we were asked. In phase 1 of Hassan, we are expecting a total of 21 flats coming back.

Thank you.

Hon. D J Bossino: Madam Speaker, by way of clarification, those 21 flats are those which are attributable to that particular project – in other words, to Hassan Centenary Terraces? Once they are all released, the Government expects that there will be 21 government rental flats which will be made available? She is nodding her head, but the Chief Minister is shaking his head.

May I ask what the expectation is? I am grateful – from a sedentary position – for the explanation that the Hon. the Minister has provided. May I ask what number she expects the Hassan Centenary Terraces will yield in terms of government rented flats being made available?

Hon. P A Orfila: Phase 1 is going to release 21 flats. We have one 2RKB, 13 3RKBs and seven 4RKBs which will be coming our way. However, when you want me to look at the other phase, I cannot exactly tell you, because, in the event, people may change their minds. So I cannot give you an exact number, but I can tell you that phase 1 is yielding us 21 flats.

Hon. D J Bossino: Madam Speaker, can the Hon. the Minister at least say ...? She may not have this information with her now, in terms of how many government flats are going to be released once Hassan Centenary comes on stream, and I fully acknowledge and recognise what she just said in her reply, but can she at least give this House what the expectation is?

When we asked this question in December 2022, we were given the global number but we were very specifically told that the Government had information, although it did not have it at the time with it, of the expected number of flats that would be released in respect of each phase of that development.

Hon. P A Orfila: Madam Speaker, I think I have been very thorough. I have been answering what he asked in the question. At Hassan Centenary Terraces we may have a figure in mind, but I

cannot divulge that figure now because some people may back down and some people may not want to buy in the end, so I may give you a false number and I am not going to do that.

Thank you.

460 **Madam Speaker:** I think we have exhausted this. (*Interjection by Hon. D J Bossino*) I beg your pardon? I am sorry, I thought you said no to me.

Hon. D J Bossino: I said no to myself.

465 **Madam Speaker:** Oh, to yourself.

Hon. D J Bossino: The negative was not addressed to the Chair.

Madam Speaker: Understood. Do you wish to ask one more question?

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Hon. D J Bossino: Yes.

Madam Speaker: One more.

475 **Hon. D J Bossino:** It was simply to assist her – behind the Speaker's Chair it may make more sense, but just to advise her that the Government's stated position in answer to supplementaries that the Hon. Chief Minister gave to us, was:

What I am saying to them is that yes, we do have the breakdown of what we will get in respect of each phase of which estate, but we do not have it here, because I think that has not been provided to the Minister,

– that was the Hon. Mr Linares at the time –

and therefore we will be happy to give it.

480 This is why I need to press. This is information. It is an expectation of a figure which the Hon. Minister should be able to provide to this House. This is important information, because then we have a bar to which we can compare the real figures once they are released.

I accept what she is saying, that there will be changing individual circumstances which may shift the figure one way or the other, but the official position of the Government, as at December 2022, is that this information is available to them. This is why I am afraid I need to press her and ask her. She may not have this information in front of her today, but I dare say, and I put it to the hon. Member, that this is information which she should have, and the Government's position, certainly in the last Parliament, was that it would be willing to provide it.

490 **Chief Minister (Hon. F R Picardo):** Madam Speaker, the hon. Gentleman is absolutely right: I gave that answer. We have the information, but it does not arise from the question that he put. The question that he put was how many *have* been released in respect of flats allocated at Hassan Centenary Terraces. That is to say he is asking a specific question about a specific phase of a specific development. Although his question does not mention Hassan Centenary Terraces phase 1, the only one that has been completed and has given rise to numbers of properties actually released is phase 1 of Hassan Centenary Terraces, and he has been given the answer of properties actually released.

495 He is now asking us to provide, in the context of a supplementary, not just the further information with which he has been provided by the Minister – that is to say, 'How many do you also expect to see released in the whole of the completion of this phase?' – and that information we have given on the basis that we believe that these will now become releases because the

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completions are about to happen or are in the process of being registered with us as having happened, but he is now asking us to tell the House as if it were, to use his own words, a bar against which they can then judge performance, in other words a key performance indicator of the numbers of properties that will be released not now but in a year and a half's time when Hassan Centenary Terraces phase 2 is completed.

The hon. Gentleman knows, because I told him, that we have a number. He knows that we have given a ballpark figure, but we do not have the number here for the second phase, and in any event, that number is an unreliable number because people drop out, for varying reasons. If the hon. Gentleman wants that number and he puts a question, the Government will be happy to give it to him, caveated on the basis that this is a number of expected, today, releases of government property in the event that these individuals complete on the purchases of Hassan Centenary Terraces phase 2. However, it is not, in my respectful submission, Madam Speaker, a question that arises in respect of actually released properties, in relation to the phase of Hassan Centenary Terraces, that have been handed over now.

Madam Speaker: Next question.

Q3/2024
Housing Act –
Presentation to Parliament

Clerk: Question 3. The Hon. D J Bossino.

Madam Speaker: Do you want to ask the next question, or do you want to pass?

Hon. D J Bossino: Please provide an update as to when the new Housing Act will be presented to Parliament.

Clerk: Answer, the Hon. the Minister for Housing and the University of Gibraltar.

Minister for Housing and the University (Hon. P A Orfila): Madam Speaker, the Housing Act will be presented to Parliament in my first year as the Minister for Housing, as per our manifesto commitment.

Hon. D J Bossino: May I ask the Hon. Minister why there has been a change in terms of timeline? Let me put it to her on this basis: again, in December 2022, we asked a very specific question, which was more or less the same question, if not exactly the same question, because we have been, on this side of the House, expectant of a new Housing Act for some time, because the hon. Members opposite promised. The Hon. then Minister said, in December 2022:

Mr Speaker, I am currently reviewing the latest updates and will be presenting the Housing Act in Parliament in the early part of next year.

i.e. 2023. Can she please tell this House why there has been a massive changing of the goalposts – with the greatest respect to her – where she is now saying that it will be during the course of her first year in this House?

Hon. P A Orfila: Madam Speaker, I think the hon. Gentleman forgets that this is a new administration.

540 Thank you.

Hon. D J Bossino: Madam Speaker, the hon. Member has not really answered the question. Can she please be a bit more helpful in relation to the questions that I am posing? There may be legitimate reasons – there are issues with the drafting or she has different plans – but it is not fair to say, when we are, in effect, dealing with the same Government, of exactly the same political colours, as was there in December 2022. In that sense, there is a continuum, so can I ask her if she will please indulge us and provide us with a bit more information as to why there has been a significant shift from the latest timeline ... first term, let's say, of 2023, to now, potentially December 2024, or maybe 24th October, which is when she acceded to office.

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Chief Minister (Hon. F R Picardo): Yes, Madam Speaker, of course we will provide the explanation: a General Election, which we went to defending that we would present this law to this Parliament in the first year, if the people so decided – and the people so decided.

555 **Hon. D J Bossino:** Madam Speaker, when it suits them, they refer to things ... *[Inaudible]* They have no qualms about using it –

Madam Speaker: What is the question?

560 **Hon. D J Bossino:** – to their political advantage, so I am giving the Hon. Minister – not the Chief Minister, the Hon. Minister – a further opportunity to please provide us with some substantive and particular response as to why there has been a delay and she is allowing herself and her Government a further period of in excess of a year. Can that delay be justified?

565 **Hon. Chief Minister:** Madam Speaker, he can decide to give an opportunity to whoever he likes, but on behalf of the Government, we answer on the basis of whoever we like.

Let's be very clear: the hon. Lady was not the Minister for Housing before the last General Election, but I was the Chief Minister, and, much to his chagrin, I am still the Chief Minister, with a different Minister for Housing. We went to a General Election – in other words, that thing that decides who should be Chief Minister, who should be Minister for Housing and who should be Leader of the Opposition, or deputy or whatever in the Opposition – with a very clear commitment to bring to this House, within 12 months, this law. Our obligation is to comply with that obligation that has been given to us by the public in the General Election. That is what we are going to do now. Yes, there was a different administration, before the General Election, working on the Act, and that administration, when it was dissolved, the political party which it represented – the same political party, the same political complexion, as he has reminded us very generously a moment ago, the colours of which he is wearing on his shirt and tie, for which I am grateful – actually put in its manifesto that that is what we would do. So that is what we are going to do. Therefore, 'she' – as he referred to the Hon. Minister – is not allowing herself more time. The public, the electorate, the people decided it should be in the 12 months after the date of the last General Election in which they returned us to government again.

575 **Madam Speaker:** Next question.

585 **Hon. D J Bossino:** Madam Speaker, there are –

Madam Speaker: Next question.

Hon. D J Bossino: Madam Speaker, if I may, because there are ... *[Inaudible]* any further, and –

590 **Madam Speaker:** Can I just say to the hon. Member: we are not going to get any further. This question has been sufficiently answered and we are going to move on to the next question.
Next question.

EQUALITY, EMPLOYMENT, CULTURE AND TOURISM

Q6-8/2024

Flight disruptions –

Number and causes; radar issues; emergency landing of flight BA493

Clerk: Questions to the Minister for Equality, Employment, Culture and Tourism.
Question 6. The Hon. G Origo.

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Hon. G Origo: Madam Speaker, could the Minister provide an update as to the number of flights that have experienced service interruptions, together with a breakdown of the causes of those interruptions, from 13th December 2023 to 16th January 2024?

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Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos): Madam Speaker, I will answer this question together with Questions 7 and 8.

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Clerk: Question 7. The Hon. G. Origo.

Hon. G Origo: Given the flight diversions because of reported radar problems on 9th January 2024, could the Government confirm whether the MoD has provided any assurances that the radar issues have been addressed and what steps, if any, are being taken to mitigate this from reoccurring?

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Clerk: Question 8. The Hon. G Origo.

Hon. G Origo: With regard to the Gibraltar to London flight BA493 which experienced an emergency landing in France on 2nd January 2024, has the Government been informed as to the details for the emergency landing and how the fumes reported in the cockpit occurred?

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Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

Hon. C P Santos: Madam Speaker, with reference to Question 6, we had two service interruptions from the period stated, both on 9th January 2024, due to poor visibility.

Reference radar problems, the flight diversions where caused, as already stated, by poor visibility and not issues with the radars. As was reported at the time, the radar issues that arose were due to the site having suffered a lightning strike, resulting in the protective feature shutting down the radar to avoid damage to the operating system. Given the meteorological nature of the problem, neither the MoD, or anyone else for that matter, will be able to provide any assurances that the problem will be mitigated, although I am sure the hon. Member will know what is said about lightning striking twice. The House will, however, wish to know that the aircraft would have diverted even if the radar had been operational. Additionally, the Government understands from the MoD that the new radar that has been installed, which the MoD have not yet taken over from the contractors installing it, did not trip as a result of the lightning strike, given it is powered by newer technology.

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In answer to Question 8, the Government has not been directly informed of the details of the emergency landing by BA493 on 4th January 2024 in France and would not expect to be informed, as to do such would be contrary to legislation governing the release of information on such occurrences.

Hon. G Origo: Madam Speaker, if I may revert to Question 8 with respect to the flight which had an emergency landing in France, the hon. Member opposite stated that the Government has no understanding on whether the fault which occurred in the cockpit, resulting in them landing in France ... they have no indication as to what were the reasons for this. However, there is a press release which was issued in the local press and GBC on 4th January, and a comment is made by the Government which reaffirms that the faults which were repaired at the Gibraltar Airport had no connection to the causes which led to the flight having to land in France by way of emergency. Can the hon. Member please clarify why that statement was made, given the fact that he has just stated that he does not have that information?

Madam Speaker: I will just remind the hon. Member that a question should not be asked on whether a statement in the press is accurate or not. If that is what you were asking, I am going to disallow that question, but I am not entirely sure that was what you were asking, so I am going to give you the opportunity to either withdraw it or rephrase it.

Hon. G Origo: Madam Speaker, if I may, the comment made in the press was a statement given by the Government which contradicts one which has just been given in answer to a question here in the House, and I wanted to understand why there is a difference in the two statements made.

Chief Minister (Hon. F R Picardo): Madam Speaker, the Government was answering a question put to it by the local broadcaster, which does not contradict what we have said in Parliament today.

Hon. G Origo: Madam Speaker, moving on, many local constituents and social media comments on the events which took place on that emergency flight in France alluded to the fact that the technical repairs on the Gibraltar runway appeared to be rushed. It just so happened that these repairs took place a few hours before the emergency London landing in France. Is the Government satisfied, therefore, with the quality of the repair services being provided, given that these technicians often come over from Spain to carry these out?

Hon. C P Santos: Firstly, I do find it quite a problematic question because, first of all, what you have brought up is hearsay and opinion: someone 'thought' that the works were rushed. There is no one in the Airport and no one in civil aviation who would ever, at any point, let a flight go without it being deemed safe, which is something that needs to be decided, under international regulation governing aviation, by licensed engineers and pilots, as well as the captain. No one in the Airport would have ever, in any way, let a flight depart if it was not deemed safe.

Hon. G Origo: Madam Speaker, finally, if I may, by way of clarification: given the fact that British Airways have not made any press releases or comments on whether the causes at the Gibraltar Airport have anything to do with the emergency landing in France, can I just confirm that it is the Government's position, therefore, that the technical fault discovered in the Gibraltar Airport was completely unconnected to the issues which led to the emergency landing in France, and that this was just purely coincidental?

Hon. C P Santos: That is what I think we have already said. They are completely unrelated. The technical fault was just to check up on speed tape, which is something that happens upon request.

685 The issues with the cockpit had nothing to do with what was the technical fault here at Gibraltar Airport.

Hon. D J Bossino: Madam Speaker, in relation to Question 8, which is what has been taxing the hon. Member of the three questions which have been posed, can I draw from his reply that a request was made, by the Government, of BA to find out what happened on that particular flight, but that the response was that they were unable to provide the information sought – he is shaking his head – on the basis that they are unable to, by legal imperative?

690 He talks about legislation: has he sought advice as to whether ...? I am assuming that he would have had a basic interest in trying, himself, as the Government Minister responsible for this area of policy, to find out what, in fact, happened and that he has made inquiries and he basically was faced with a brick wall. Is he able to tell this House which particular law has been used by BA to prevent the provision of that information? Of course, that is predicated on the basis that the information has been sought by him.

Hon. C P Santos: As already stated, in accordance with article 15 of EU Regulation 376/2014 on incident reporting, neither BA nor the UK CAA 'shall make available or use the information on occurrences in order to attribute blame or liability, or for any purpose other than the maintenance or improvement of aviation'. This is something that we have not necessarily sought. Out of interest, I would have loved to get all the information, but this is not something that is passed on. As stated, this would go contrary to the legislation governing the release of information on occurrences. *(Interjection)* No, exactly. We have not been faced with a brick wall. It is just that we are not given this because it would be contrary to regulations, and any information that I would have been able to get would have been anecdotal or hearsay and not based on facts, and it would be, as I said, against legislation.

710 **Hon. D J Bossino:** With the greatest respect to the hon. Member, the point I do not think he has answered is whether he has sought that information.

Madam Speaker: He has answered that. He said, 'I have not sought it.' *(Interjection by Hon. D J Bossino)* He hadn't.

715 Next question.

Hon. D J Bossino: If I may, I do not think a supplementary has been posed in relation to Question 7, which is the radar question. Is he telling this House that the radar, in respect of which it is not expected that there will be further issues in relation to lightning striking, has been installed but has not yet been formally, contractually and legally passed over to the MoD? Is that the case? I was just slightly confused as to the mechanics of that.

Hon. C P Santos: I cannot really answer that, because we are not the MoD. That is my understanding.

725 **Hon. D J Bossino:** What is?

Hon. C P Santos: That it has been installed; it has not yet been contracted.

730 **Madam Speaker:** Next question.

Q9/2024

**Three Kings Cavalcade –
Financial assistance for Cavalcade Committee**

Clerk: Question 9. The Hon. G Origo.

735 **Hon. G Origo:** Madam Speaker, can the Minister confirm whether the Government has any plans to commit to further assisting the Gibraltar Cavalcade Committee, providing it with the necessary funding it requires in order to continue paying for the local Three Kings Cavalcade, in light of the fundraising issues the Committee has faced in recent years?

Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

740 **Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, not at this stage, but we do expect to engage with the Committee ahead of next year's event.

The Government already supports the Cavalcade and, as the Committee knows, we will work with them to ensure this great community event endures. We greatly value the excellent work of the Cavalcade Committee and we thank each of its members for their work and all participants
745 for making the event this year such a resounding success.

Hon. G Origo: Madam Speaker, I am grateful for the hon. Member's reply. Fortunately, I was invited to the Mayor's award ceremony this year, which the Hon. Minister for Culture, unfortunately, was not able to make. However, there, the chairperson of the Cavalcade
750 Committee made concerning remarks as to fundraising issues being experienced this year, which, if continued, would put the Cavalcade at risk. My question to the hon. Member is: were you made aware of these critical fundraising issues beforehand; and, if so, why was the Government willing to put the Cavalcade at risk?

755 **Chief Minister (Hon. F R Picardo):** Madam Speaker, three years ago, the Cavalcade Committee expressed concern to the Government that the Cavalcade was at risk, and, as a result, the Government immediately acted to ensure that the Cavalcade Committee had available, from the Government additional funds, additional resources and a place where anybody who wants to is able to go to create a float. We have continued to be in touch with the Cavalcade Committee to
760 make such further assistance available to them as may be necessary.

It is absolutely right that the Cavalcade Committee should express concern about the fact that there is some loss of interest in some sectors of the community in supporting the Cavalcade Committee. They know that that sector does not include the Government, because on my watch and on our watch in this place the Cavalcade will never falter for lack of resources being made
765 available to them by the Gibraltar Government.

Hon. G Origo: Madam Speaker, may I ask the Hon. Minister, then, what the Government is proposing to do by way of policy initiatives, so as to ensure that this risk does not reoccur? In other words, what steps, if any, is it going to take so that the Cavalcade Committee does not find itself
770 in a position where it is stretched for funding?

Hon. C P Santos: As the Chief Minister has already explained, when we were approached, we immediately gave them a grant of £30,000. We also gave them a facility in order for the floats to be built.

775 This year, we have not received any request for additional funding. As I said, we will continue meeting with them, and if they need additional funding, we will meet up with them, discuss and see how we can continue to help them further.

Madam Speaker: Next question.

Q10/2024
Tourism rebrand –
‘Instagram-able spots’

780 **Clerk:** Question 10. The Hon. G Origo.

Hon. G Origo: Madam Speaker, can the Minister provide details on the ‘instagram-able spots’, which forms part of his tourism rebrand of Gibraltar? In particular, can he state: how many of these spots he is proposing to introduce; what they will entail; whether the locations for these
785 spots are already identified; and what sort of revenues he is expecting these spots to generate for Gibraltar?

Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

790 **Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, we have identified different areas and we are currently finalising our preferred options. The idea is to entice people to take pictures not only in our iconic tourist spots but also in other areas around Gibraltar. It is a cost-effective marketing strategy and not a direct revenue-generating proposition.

795 **Madam Speaker:** Next question.

Q11/2024
Tourism rebrand –
Gibraltar logo

Clerk: Question 11. The Hon. G Origo.

Hon. G Origo: Madam Speaker, can the Minister provide details on the rebranding of the
800 Gibraltar logo that is set to be launched in April 2024? How is the Government proposing to rebrand the Gibraltar image, and what will be the main focus of the proposed rebranding?

Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

805 **Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, the rebranding of the Gibraltar logo is just a part of a year-long marketing campaign to rebrand our product and build brand awareness. The current Visit Gibraltar branding was implemented well over 10 years ago and we are looking at a brand review with Gibraltar’s cultural identity at the forefront. We are aiming to launch the new rebrand in spring 2024.

810 **Hon. D J Bossino:** Madam Speaker, is this initiative being done completely in house? What I am getting at is whether the Government is considering appointing somebody from the outside, a private interest who may provide this service to the Government. If the answer to that question is yes, can he provide this House with an idea of the cost of that?

815 **Hon. C P Santos:** The Gibraltar Tourist Board itself is in charge of marketing, so we have areas that will be in house. Part of the design will be by a local company, and our media buyers are from the UK currently – I am unsure, because we are finalising the contracts. I can see that is going to be the next question. Media buyers are the people who will launch the brand awareness, use
820 different media and sell the product and our campaign into different media channels.

Hon. D J Bossino: May one draw from that that the focus of attention will be the UK market?

825 **Hon. C P Santos:** We have great working relationships with tour operators across the border who bring us a day trips, but our new plan as well ... We have a very strong product, but our aim is to expand the overnight stays. Our main market for that is the UK, so we are going to focus mainly on the UK on that side of the rebrand with the media buyers, but we will also have a campaign expanding into the press over the border.

830 **Hon. D J Bossino:** Is he able to state how long this campaign is expected to last, and what the cost of it is likely to be? Does he have that information with him now?

835 **Hon. C P Santos:** It will be a year-long campaign, as has been done in the past with the Year of Culture and Time to Be Enlightened, which proved to be very successful. So we have a year-long campaign and, as I said, we are currently in discussions to see what the final cost of this is going to be.

Madam Speaker: Next question.

Q12/2024
COVID memorial –
Current plans

Clerk: Question 12. The Hon. G Origo.

840 **Hon. G Origo:** Madam Speaker, can the Government confirm what plans it now has for the COVID memorial, given the recent news that the planned Memorial Light at Campion Park would not proceed in light of copyright issues?

845 **Clerk:** Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos): Madam Speaker, as recently announced by the Government in answers to local media questions, the Government is currently considering all its options and will make an announcement when it is ready to do so.

850 **Hon. G Origo:** Madam Speaker, the press release that reported that the Memorial Light would not go ahead was released on 12th January 2024. However, the winner of the competition was announced on 16th June 2022. Can I ask the hon. Member opposite if he can confirm when the Government was made aware of such issues?

855 **Hon. C P Santos:** The Government was made aware ... or at least I was made aware as soon as I came into office. It came to light, I think, during a few weeks ... I am not sure on that, but I think it was during the course of the General Election campaign.

860 **Hon. G Origo:** Finally, Madam Speaker, I put it to the hon. Member opposite: should there not, therefore, given the situation we have found ourselves in, be some sort of vetting process carried out prior to making an announcement that a 'full-scale monument' would be displayed in Gibraltar to pay tribute to those lives lost?

865 **Hon. C P Santos:** Hindsight is always 20/20 vision. We state in the rules that all artwork and all designs need to be original, so we just take it for granted and we trust that the artist ... This is

something we have not really encountered before. It is something that has happened now, and from here on in, probably, when we have winners of any art exhibition or any competition of that nature, we will go through a Google image reverse search and see if it is actually original.

870 **Madam Speaker:** Next question.

Q13/2024

**Leisure sector criminal damage and theft –
Tackling root causes of repeat offending**

Clerk: Question 13. The Hon. C Sacarello.

Hon. C Sacarello: Madam Speaker, many of the issues around criminal damage and theft faced by businesses in the leisure sector are perpetrated by a small number of repeat offenders. When
875 is the Government going to address this problem properly and tackle the root issues through reform, training and employment?

Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

880 **Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, the Government is already tackling the problem.

Hon. C Sacarello: I thank the Hon. Minister for his concise reply, but I would like to let him know that my question comes on behalf of people in the sector, businesses which, on a serious
885 note, are affected and are stressed, and businesses that have had to pay a lot of money to repair broken glass etc.

Whilst we sympathise with the difficulties facing the Government in handling such cases of repeat offending, we would like to ask: would the Minister admit that their policies are nonetheless failing, given the fact that these crimes continue to be perpetrated by the same
890 individuals? Would they consider a review of their current policies to properly address the issue of such repeat offending?

Thank you.

Hon. C P Santos: Firstly, I am very aware of your concerns because I, too, have already
895 discussed it with a lot of the people who I am sure have brought this question to you. We have discussed this and they are aware that since coming into office, the Ministry of Equality, Employment, Culture and Tourism is leading on the development of an inter-ministerial project for the improvement of offenders in general, not just repeat offenders, further to having served a prison sentence. This will also be a project that will be extended to those undergoing
900 rehabilitation programmes for substance abuse.

The aim is for a co-ordinated approach from both the public and the private sectors for these individuals when transitioning to life outside these institutions. The Ministry has already reached out to various UK government entities to gather information on successful programmes which are currently in place in the UK, seeing how we can adapt them locally.

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Hon. C Sacarello: Thank you, Madam Speaker. Just one quick question: would the Minister be able to indicate where we can find information on such programmes, or would he be able to provide us with the details? Thank you.

910 **Hon. C P Santos:** Currently we are working on the development of this programme. We are actively looking and meeting all stakeholders and everyone involved from different Ministries, as it is an inter-ministerial initiative. Currently there is nothing that I can give you. This is something we are working towards and we will release it very soon.

915 **Madam Speaker:** Next question.

Q14/2024

**Government-backed catering apprenticeships –
Numbers**

Clerk: Question 14. The Hon. C Sacarello.

Hon. C Sacarello: How many government-backed apprenticeships in the catering sector were successfully completed in 2023, and how many are currently being undertaken?

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Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos): Madam Speaker, none completed and none currently being undertaken, as there have never been formal apprenticeships in catering offered by this or any previous Government.

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Hon. C Sacarello: Madam Speaker, my first question, in that case, is ... When I asked a supplementary before, I was asked to delay it to a future question regarding certificates, and I thought it was in relation to perhaps the apprenticeships. He did not answer the question on certificates, so that would be my first ... Perhaps he can answer that.

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Hon. C P Santos: I am not quite sure what you are asking, sorry. We do not offer any apprenticeships, which is the question that you asked. Now you are asking me about certificates. There are two things, upon research of what we back.

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Regarding the reference to the University at the beginning, as far as I am aware, in 2015 there was a plan for a School of Hospitality Management. They teamed up with the Oxford School of Hospitality Management, and the principal, Don Sloane, was part of the development of that kitchen. Then, following the elections in 2015, the Minister at the time, Minister Licudi, got in contact with Don Sloane, who was notified that, apparently, at the time, the Vice-Chancellor had no interest in opening a School of Hospitality as it was going to just focus on research work. So with regard to the University, where I did some research, that is where we are at.

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I am aware that some of our organisations and agencies, like the GHA, offer certification in food safety and they learn on the job. These are not our apprenticeships; these are courses on offer upon being employed by the GHA.

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Hon. C Sacarello: I would like to thank the Hon. Minister for his detailed reply, but Madam Speaker, the catering sector faces a shortage of supply of local employees who are both trained and willing to work in this sector. Gibraltar's economy, nonetheless, is witnessing a shift towards an ever-growing service sector. Will the Hon. Minister not agree that investing in the training of our own home-grown talent will boost the number of locally employed individuals to the direct and indirect benefit of our economy?

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Hon. C P Santos: Well, there are two sides. Firstly, the restaurants open vacancies for semi-skilled workers, but the take-up from locals is very minor. You have asked me how many have

955 been completed and how many are on offer now, and that is none. This is something that both I and Minister Cortes are looking into. We want to expand the vocational programmes offering NVQs under City and Guilds, so this is something that we are looking into and seeing if we can expand into.

960 **Hon. D J Bossino:** Madam Speaker, if I may, just by way of a point of clarification, is the answer that my hon. Friend posed of the Minister with responsibility for the University, on which the Hon. Chief Minister rose to his feet to say that there is going to be an answer in relation to certification provided at the University ... Is this the answer? It was not clear. We will wait with bated breath in relation to the answer that he was seeking in respect of the first question on the Order Paper.

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Chief Minister (Hon. F R Picardo): Yes, Madam Speaker, that was the answer, because universities do not do certificates. The hon. Gentleman opposite was asking a question about the University (*Interjection*) and asking whether a certificate had been granted, but universities do not do certificate courses. Yes, he was, Madam Speaker. He was asking a question of the Hon. Minister for the University about whether there had been any certificates granted for those courses, and none had been because the University does not do certificate courses; it does degree courses, like any university. I said there was another question on the Order Paper. It was the one that was being put to the Hon. Minister for Training, because certificates are done in the context of apprenticeships etc., and there are no certificates which have been granted is the answer that the hon. Gentleman was given.

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In relation to the University, what the Minister was talking about was the fact that the former Vice-Chancellor of the University, who was a candidate for hon. Members at the General Election – contrary to the question, as posed by the hon. Member – told those whom we thought we had organised a course on catering with at the University ... She sent us packing because she did not think that there was any of the scope that the hon. Members opposite have suggested there is for a catering course in Gibraltar.

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Hon. D J Bossino: Just by way of clarification, the question posed on the Order Paper did not relate to certification or certificates. It related to catering sector related courses provided by the University. I think the answer was that that is at certificate level and is not provided by universities – just by way of clarification, for the sake of the *Hansard* and to correct what the Hon. the Chief Minister has said. However, the question was very simple. Is the answer that he promised the Government was going to provide in relation to certification the one that has just been provided by the hon. Member? I see the Hon. the Chief Minister giving an explanation and, I think, saying yes – I *think* saying yes; I am asking him to clarify – but the Hon. the Minister to whom these questions are being posed is shaking his head.

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Hon. Chief Minister: Yes, Madam Speaker, in disbelief, I am sure. For the purposes of clarification for *Hansard*, and in order to qualify the way that the hon. Gentleman has put his supplementary now, what he has looked at is the first question that the Hon. Mr Sacarello put, but that is not the question that we answered by saying there is another question on the Order Paper. It was a supplementary that he put that I referred to him in respect of the other question that was on the Order Paper.

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Madam Speaker, I hope that I have adequately clarified and qualified, with all of those caveats, for the purposes of *Hansard*, as he set out to do, the confusion that he was creating.

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Madam Speaker: Next question.

Q15/2024

**Vacancy registration charges and fines –
Abolition**

Clerk: Question 15. The Hon. C Sacarello.

1005 **Hon. C Sacarello:** When will the Government abolish the charges levied by the ETB for new vacancies registration and fines for immediate employment?

Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

1010 **Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, as announced by the Chief Minister in his Budget address in July 2023, the £18 charge for the registration of a vacancy was reduced to £8.60. That is to say that the cost of a vacancy has been reduced by nearly a half and now equates to only one hour of work on the Minimum Wage. Additionally, the vacancy penalty can also be waived at the discretion of the Director of
1015 Employment when it is clear there is a good reason for the time limit not being complied with.

Hon. C Sacarello: I would like to thank the hon. Member for his reply, Madam Speaker, but a company employing a new recruit will actually be levied a fee of £38.60, and not £8, if they are employed within two weeks of the notice being made. The £8.60 to which the hon. Member refers
1020 relates only to the registration, but there is also the actual employment. There is a fee for that and there is another fee levied – I think it is a £15 charge – for recruiting within two weeks. It is that bit that I would like to question.

Isn't it time that the Government abandoned this punitive policy of theirs, which punishes companies and burdens them with unnecessary and extravagant costs, particularly in sectors
1025 where staff turnover is high? Some people may find it funny, but for some businesses that work on small margins with a high turnover of staff, particularly in the catering sector, this does provide an unnecessary burden on them.

Further, is the hon. Member aware that many companies do not receive any details of prospective employees from the ETB, particularly in the catering sector?
1030

Hon. C P Santos: Firstly, the introduction of the vacancy fee did not and continues not to apply to small businesses with 10 employees or fewer. The £15 penalty can be waived for those who show that they generally cannot respect the 10-day vacancy period. Essentially, the registration fee is £8.60, which is the Minimum Wage. The introduction of this vacancy fee back in 2019 has
1035 had the desired effect, which was to reflect real vacancies being registered, avoiding the administrative waste which existed. They used to open a large number of vacancies, have a big turnover, and then, when we thought we had a certain number of vacancies and sent applicants to these vacancies, there were none. They were just open so that they could avoid the 10-day time period, in order to avoid the penalty. This is why this vacancy fee was introduced to begin
1040 with. Obviously it has been working, because now we can get accurate details of vacancies and we can send people looking for jobs to actual vacancies and not just pretend, in-the-air, nothing vacancies that never existed.

Hon. C Sacarello: Thank you very much for that. At the end of the day, this is a problem of this
1045 Government's own making, in that it imposes the obligation to register vacancies in advance, whereas in other countries this is not necessarily essential; it is essential to register with the Tax Office. Would the Government review at least removing the £15 charge for registering vacancies and filling them within the two-week period?

1050 **Hon. C P Santos:** As I already mentioned, the £15 is not a charge; it is a penalty that can be
waived if you genuinely cannot respect the 10-day period. This is something that can be waived,
and, if needs be, is waived. This is not an issue of our own making at all. It is actually a way to
control how our job market is working and how we can quantify and give statistics, which I have
no doubt we will be asked from the other side of the House at some point, and this is a good way
1055 to give you an accurate number.

Hon. C Sacarello: This is the last question. Thank you for your indulgence, Madam Speaker.
I am sorry, but there are a lot of companies ... I have a copy of one recently employed, here,
where the £15 is levied. Would the Minister, afterwards, perhaps at some later point, be able to
1060 point me to how this could be waived and how easily it is waived?
Thank you.

Hon. C P Santos: As I have stated about three times already today, the £15 penalty can be
waived if there is a genuine reason why they cannot respect the 10-day vacancy – as simple as
1065 that. There could be an emergency, someone has literally gone: ‘This is a job that is in charge of
children – I have got someone qualified and they can go tomorrow and they are already vetted.’
There are a million examples. As long as it is a genuine reason, the £15 can be waived. If it was
not, it might be because it was not a genuine reason.

1070 **Madam Speaker:** Next question.

Q16/2024

‘The Zone: step up and thrive’ – Commencement and details of scheme and trained professionals

Clerk: Question 16. The Hon. D J Bossino.

Hon. D J Bossino: Please state whether the scheme known as ‘The Zone: step up and thrive’
has been commenced, with details of the number of trained professionals and mentors who are
1075 being assigned to this service and what the skills set of these individuals is.

Clerk: Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos): Madam Speaker,
the Zone commenced on Thursday, 18th January 2024. Three members of staff from the Youth
Service have been assigned to work directly on this project. Their skills set is as follows: a senior
youth worker with a degree in social work and a masters in youth and community work and with
a JNC professional licence; a youth worker with a degree in youth and community work and also
with a JNC professional licence; a trainee currently undergoing a masters in youth and community
1085 work who is expected to get their JNC professional licence in youth and community work by the
end of 2024.

In addition to being licensed professionals in youth and community work or working towards
it, all staff have been trained in the Star Model, which is an evidence-based tool that will be utilised
once an initial relationship has been established with the young people. Staff are also in receipt
1090 of certifications in coaching, mentoring, health and safety, first aid and mental health first aid at
work.

Hon. D J Bossino: The Hon. Minister referred, at the tail end of his reply, to the Star Model.
Can he give more particulars in relation to that? I do not think it featured in their press release,

1095 and so I would be interested to learn a bit more about that, and if it is something which is home grown or an imported scheme.

Hon. C P Santos: The Star Model is not something that is part of the Zone programme per se. The Star Model is a way of evaluating how young people progress in a youth service environment. It is rated from 1 to 5. There are six different points – health and relationships. There are six different headers. They self-evaluate as and when a programme progresses. They start on 1 or 2 and they reach from 1 to 5 on all six different points. This is not something home grown; this is a youth work model that is used internationally.

1105 **Hon. D J Bossino:** I was not aware. I think this is a policy initiative which comes as no surprise, and he can confirm whether what I am saying is accurate or otherwise. I think it featured as part of their manifesto promises to the people of Gibraltar, on which basis they are now governing.

What is the rationale behind this? Basically what I am asking is, in its fourth term in office, when we have been through policy initiatives way back when they first assumed office in 2011 with much fanfare – for example, with the Future Jobs Strategy, which was to provide employment mainly to young Gibraltarians – why does the Government feel that now, in 2024, there is a need for this? Has there been some sort of study which they think gives rise to this particular need among our youth?

1115 **Hon. C P Santos:** There is always a need to provide for our youth. Currently we are already providing work under different schemes, but I think there are ever-developing circumstances for different people. There are young people who are not necessarily in education, they are not in employment and they are not in training, so what this programme is intended to do is find ways to get them back into education, into training or into employment. This is something that we are devising according to how the young people are developing and what the needs of each young person are.

Hon. D J Bossino: Yes, and I think this requires a bit more in terms of giving flesh to the bones. I think we are getting there in the replies that the hon. Member has given.

1125 Is he able to advise this House what the expected turn-up is going to be? How many people does he think are going to be requiring this service, such that the Government felt, in its wisdom, that this was an important policy initiative to introduce? Does he have the numbers in relation to that?

1130 **Hon. C P Santos:** I do not have the numbers at hand. I am not sure what the take-up is going to be, but if I have one person that we can help, it has obviously been worth it for me. As long as I have one person turning up to this programme, getting them back into education, employment or training, that is my holistic view of all my Ministries. That is why we are investing in new courses and training, that is why we are investing in a youth strategy, that is why we are investing in the Not in Education, Employment or Training (NEET) programme: because as much as we try to twist it and turn it, this is always going to be something positive to give young people the opportunity to get back into employment, education and training. If a Government like us wants to invest in this and can provide this by all different means, I know that we will probably be lambasted for it, but I will stand here, and if I help one person, that is one more person already that we have helped.

1140 **Madam Speaker:** One more question and –

Hon. D J Bossino: Madam Speaker –

1145 **Madam Speaker:** One more question and we are moving on. There is no need to huff. The hon. Member does not have to huff at me. I am going to allow one more question and then we will move on.

1150 **Hon. D J Bossino:** Can I, if I may, assuage his concerns? There is no attempt on this side of the House to turn or twist or lambast the hon. Member. I think these are legitimate questions that we, as an Opposition, are employed to do. We are paid by the taxpayer to put these questions to the Government, and I think these are reasonable questions, by way of further particulars, that we are entitled to ask.

1155 May I, therefore, ask him this? I think he said that the scheme started on 18th January. Does he have the statistics as to how many individuals have knocked on the door? By way of further supplementary, may I ask the hon. Member what age group this is? He says young people, but what age group specifically are they aiming this at? For example, normally one associates 'youth' with 18 to 25. If a 26-year-old knocks on his door, will he still be allowed to participate in this scheme?

1160 **Hon. C P Santos:** To your initial comment, I do not find any offence and I do not mean any insult by you lambasting me, asking me questions. It is, as you state, your job. Please continue asking. I will continue answering; that is my job on this side.

1165 With regard to how many people came on the 18th, we had two people attend in person and we had emails from four people who are looking at going tomorrow, which is the next session. How many are we going to have in the long run? I do not know. I hope that we do not have a lot because we are catering for people already, but as I said, this is something that we offer to make sure that we cover all our bases.

1170 With regard to 'young people', this is a programme for 16-to-25-year-olds. In the grand scheme of things, 'young people' is usually 16 to 30, but the gap that we have identified needs special attention with regard to what we cover in different organisations is 16 to 25.

Madam Speaker: Next question.

EDUCATION, THE ENVIRONMENT AND CLIMATE CHANGE

Q17-18/2024

Personal Light Electric Transporters Bill – Drafting assistance from private sector; amendments

1175 **Clerk:** Question 17. The Hon. G Origo.

Hon. G Origo: Madam Speaker, did Government seek drafting assistance from the private sector in relation to the Personal Light Electric Transporters Bill before it was presented to Parliament; and, if so, at what cost?

1180 **Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, I will answer this question together with Question 18.

1185 **Clerk:** Question 18. The Hon. G. Origo.

Hon. G Origo: Madam Speaker, given reported concerns expressed by the Supreme Court on the drafting of the Personal Light Electric Transporters Act, is Government considering amendments to the same?

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

Hon. Prof. J E Cortes: Madam Speaker, no assistance was received from the private sector. The drafting was done in house. The Bill was passed unanimously, with GSD support after a speech from the then and now Leader of the Opposition. Mr Daniel Feetham abstained because he had provided comments in a professional capacity for the Motor Insurers' Bureau.

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The *Gibraltar Chronicle* reported exchanges between counsel and the Bench in a recent article, but it is important to note that the exchanges were in the context of the hearing of an appeal. The Chief Justice's ruling was handed down on Monday, just two days ago. The Government is, therefore, reviewing the legislation in the light of the ruling, which we, of course, fully support.

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Madam Speaker: Next question.

Hon. Dr K Azopardi: I am sorry, Madam Speaker – if I may? The ruling ...

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Hon. Prof. J E Cortes: Madam Speaker, the ruling.

Hon. Dr K Azopardi: It is understood that the Government accepts that there may need to be amendments to their legislation for the reasons set out in the ruling, is it?

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Hon. Prof. J E Cortes: There may need to be an amendment, dependent on what these discussions allow and reveal. Because the ruling has a number of implications, we want to have a look at it. If there are amendments, and if it is an amendment which cannot be covered by regulation, there would be a Bill – obviously it would be before this House and we would have an opportunity to discuss it there. This has only been two days. I have had preliminary discussions with the team, but we are looking at it, and obviously we will come out with either an amendment or otherwise and an explanation thereof.

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Madam Speaker: Next question.

Q19-20/2024
Keightley Way Tunnel –
Repairs

Clerk: Question 19. The Hon. G Origo.

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Hon. G Origo: Madam Speaker, can the Government provide details as to the repairs being undertaken at Keightley Way Tunnel? Were such repairs planned, or are they in response to the structural damage that has recently occurred?

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

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, I will answer this question together with Question 20.

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Clerk: Question 20. The Hon. G. Origo.

Hon. G Origo: Can the Government provide the following details as to the repairs being undertaken at Keightley Way Tunnel: which entity has been contracted to carry out the repair works, and what are the projected costs for the structural repairs being undertaken?

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

Hon. Prof. J E Cortes: Madam Speaker, the repairs being carried out at Keightley Way Tunnel followed an incident where concrete fell from the internal canopies within the tunnel in June 2023. Following this, a full structural assessment of the tunnel was carried out by the Technical Services Department and a full programme of maintenance works was identified. In the interim period, all defective areas were made safe until the full maintenance programme could be prepared.

The works were put out to tender in October 2023 and, following a full tender appraisal, they were awarded to Amco Ltd in December 2023 in the sum of £77,698.69. The works will entail the repair of any defective spalling concrete and the repair of all exposed metalwork.

Hon. Dr K Azopardi: Can I ask the Minister if he can give us an indication of how long it is expected the works will take?

Hon. Prof. J E Cortes: Madam Speaker, I think this was included in the press release. I am working on memory: I think it was five or six weeks, but it is in the press release, so it is in the public domain. My apologies, but I do not have the exact period of time in my head at this moment in time.

Madam Speaker: Next question.

Q21/2024
World War II tunnels –
Plans

Clerk: Question 21. The Hon. G Origo.

Hon. G Origo: Madam Speaker, can the Government disclose details of the plans it is exploring for the World War II tunnels?

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

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, the World War II tunnels project is about enhancing Gibraltar's World War II tunnels and will offer an immersive and enlightening experience for visitors. These tunnels are being revitalised to include a new gift shop, a working bar, new exhibits and a conference venue with catering facilities.

Hon. D J Bossino: If I may ask the Hon. Minister: is this phase 2 of the works? If I recall, just before the summer, I watched the GBC report on it. I think he and a member of the GTB staff were interviewed. With a lot of razzamatazz and all the rest of it, they announced the refurbishments. I think that we are talking about the same tourist site. Is this further on from that, or is it a phase 2? Or is it a completely different approach? I took the opportunity to visit the World War II tunnels during the summer, and I must say that it left a lot to be desired, so I hope that this new plan and this new project will improve the product.

Hon. Prof. J E Cortes: Madam Speaker, this is an extension of our work within the World War II tunnels – there are other things planned for other tourist sites – and I am absolutely sure that it will improve the product considerably.

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Hon. D J Bossino: May I ask which company is doing this for the Government, and the cost?

Hon. Prof. J E Cortes: Madam Speaker, I would need notice of that question.

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Madam Speaker: The Hon. Mr Origo.

Hon. G Origo: Madam Speaker, thank you. With reference to their manifesto, I note that plans for the Government exploring the World War II tunnels was referred to at page 62. It stated that the Government was already exploring these new options. My question to the hon. Member opposite is whether there has been any further development of those plans which were explored at the time of publication of their manifesto.

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Hon. Prof. J E Cortes: Madam Speaker, they were in the manifesto because we were exploring it, and these are the ones that are being developed now. There is no change from that situation.

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Madam Speaker: The Hon. Mr Origo.

Hon. G Origo: Madam Speaker, further to the comments raised by my hon. Friend next to me, can the hon. Member opposite please confirm whether the Government is expecting that these renovations are going to have an impact on the volume of tourism coming to those tunnels, given that these repairs have already been undertaken, on 7th August 2023, when, as my hon. Friend next to me stated, a big fanfare was made about the renovation and the Government said that they were working for seven months to complete the renovations at a cost of £50,000? Does the hon. Member expect an increased volume of tourists; and, if so, on what is this being based?

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Hon. Prof. J E Cortes: Madam Speaker, it would be a much improved product with different facilities, so I expect an increased footfall. There is a conference centre, for example: there would be events organised there. I think this and other attractions that we are looking at improving within the next year or so will mean that there will be more visitors to the sites and more visitors to Gibraltar.

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I work very closely with my hon. Friend the Minister for Tourism in providing a product that they can then market and sell. We meet regularly, as our officials do. I think that this is going to be extremely successful and very good for Gibraltar economically, and promoting it on the world stage.

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Hon. G Origo: Madam Speaker, I am grateful for the answer given by the hon. Member opposite, but can I please ask for some clarification? He mentions that there is an anticipated footfall of tourists that may come to this new site, and I asked on what basis he is basing this assumption? Is this as a result of data that he has from the 7th August renovations to date, and has that showed an increasing uptick in tourism numbers since then? I would just ask why he believes that this will have such a positive impact.

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Hon. Prof. J E Cortes: Madam Speaker, there are several factors here. As I explained earlier, there will be new activities there, so that will attract. There is a lot of repeat visiting to Gibraltar, repeat visitors. I think the Hon. Minister for Tourism told me at one of our many meetings that about 65% of cruise tourists are repeat visitors.

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Hon. C P Santos: It is 65% of Brits, 95% of Americans.

Hon. Prof. J E Cortes: So there is a lot of repeat tourism and therefore they are looking for new experiences. If they have been here before and they have done the old tour, then they may just stay on the ship, which will have a negative effect on the potential of their spending money in Gibraltar. I am confident that these new experiences will mean that more people will visit. That is one angle.

Clearly, as we have discussed with my hon. Friend, the American market is extremely interested in Europe's role in World War II, so I think this will also attract visitors to Gibraltar specifically to experience this. I think overall we are going to notice this, and I hope that in future years the statistics will show that we are absolutely right.

Hon. G Origo: Finally, Madam Speaker, I am grateful to the hon. Member opposite for confirming that he has no statistics to back up this rationale, but in any case, if I may ask him separately: given that so much money is being spent on renovations and developments at the World War II tunnels, will this have any potential increase on the admission fees which are imposed on foreign tourists who come to visit the Nature Reserve, which includes the World War II tunnels?

Hon. Prof. J E Cortes: Madam Speaker, we are currently reviewing the fees to the Upper Rock. They are very low compared with attractions elsewhere in the world, where they have fewer things to see, so we are reviewing it independently of this and in relation to the general improvements that we are seeing and will continue to see within the Upper Rock – and outside the Upper Rock, because there are also plans for other areas.

Madam Speaker: The Hon. Mr Bossino.

Hon. D J Bossino: I am grateful, Madam Speaker. Just by way of clarification, because I think that unless it is clarified in a certain way, there may be a hint of contradiction in the replies that he has given in relation to the works which have been undertaken at the World War II tunnels – it may be that I have misunderstood the position – is he telling this House that when the works were done during the summer ...? My hon. Friend says August last year, and then he talks about these works being further to those ...? In other words, were those phase 2 – I put it to him in my question – of contractually agreed works in advance of the first works, which were completed in August? If that is the case, then there would have been no need, when the hon. Members were drafting their manifesto for the October 2023 elections, to explore any further works – if he understands what I am saying. So I need to ask him this: are those the initial works or is it something that ...? Did they abandon the contractual arrangements with the company that carried out the initial works and then decide to go with some other entity? I need to explore that further with him, so can I give him an opportunity to clarify or to confirm his answer?

Hon. Prof. J E Cortes: Madam Speaker, actually I am struggling to understand the point of all of this. I have answered the question, and I have given, as I usually do, more detail than the question actually asked for.

This is an expansion of the work, whether we call it phase 2 or a rephrasing. I would like to call it an expansion. When you do a phase 1, you are not tied to your phase 2, because as you do your phase 1 and as you see and study the area, new things can arise, new opportunities can arise, new ideas can come forward. Therefore, it is all down to semantics. It is a second phase. Is it the same phase 2? Is it what was in the manifesto? Yes, it was in the manifesto, but I do not really see the point of delving any further. It is an expansion of the work that was already done, and it will be a marked improvement and a complete review, and a new experience for visitors. I do not know how else I can label it.

Madam Speaker: Next question.

Q22/2024

Eastern Beach –

Source of wet-wipes found on beach

Clerk: Question 22. The Hon. C Sacarello.

Hon. C Sacarello: Madam Speaker, can the Government please update the House on the investigation to establish the source that caused the presence of wipes on Eastern Beach on the weekend commencing 13th January 2024?

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

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, the source of the wipes does not appear to be in Gibraltar, as there are no sewerage connections in the vicinity of where the wipes were located and no evidence that these arrived on our beaches from the south. All evidence points to the origin of the wipes being from north of the Frontier, but this cannot be confirmed.

Hon. C Sacarello: Madam Speaker, I would like to thank the hon. Gentleman for his reply. He may be aware that there was a similar wet-wipe shoreline experience at Eastern Beach this past Sunday, 21st January 2024, so the problem is not going away, it appears.

As it stands, regardless of the source of these particular events, which the Government, nor anyone else, I believe, is unable to identify this stage, it remains a fact that in the area of the lighthouse effluents release, the sea is littered with wipes and other sanitary items on a daily basis, polluting our seas. Will the Hon. Minister's Government consider applying a temporary remedial measure in fitting filters or such in our current system before the effluent is released into the sea, at least until such point when the new sewage treatment plant is eventually delivered by this Government?

Hon. Prof. J E Cortes: Madam Speaker, the hon. Member's statement almost has a prerequisite that the wipes did, in fact, come from Europa Point. I am saying that it is highly unlikely that they did, for a number of reasons. One is the weather conditions at the time. The second arrival of wipes, if we want to call it that, was after a severe easterly wind. It is probable that there were wipes from the first incident on the seabed, which the sea churned up and threw on to the beach. If it was a new incident, then it cannot have come from Gibraltar because the easterly winds would have taken any effluent from Europa Point westwards. So again, the indication is that it was not from Gibraltar.

The problem is going away, in lots of bags that are being collected, because we have put a lot of resources into cleaning the area. We must remember that this is not a frequent occurrence, this is not a problem that we usually see, which again makes me have the impression that it came from north of the border. It may be that one of their effluents had a build-up and then rain, or perhaps they actually unblocked it and pushed it into the sea.

In relation to our sewage outfall at Europa Point, as the hon. Member knows, we are working very actively with the preferred bidder. There have been meetings very recently to take this forward. There are already traps in the system to collect wipes – although people should not flush wipes, I have to say, and I am sure the hon. Member opposite agrees with me and will support me in asking people not to flush wipes down the toilet. I do not think it would be justified. I think any filtration system in that area would be extremely complicated and would probably not result in any direct benefit, so I do not think that that is something that we would consider.

I must say that we continue trying to identify the source, but I repeat it is highly unlikely that it came from Europa Point.

Hon. Dr K Azopardi: Madam Speaker, can I just ask, on the back of that and given what the Minister has indicated to this House: based on that, it appears that the campaign – which I am sure both sides of this House support: no wipes in pipes – is not going to achieve the desired effect if the source does not come from Gibraltar. It may provide some assistance insofar as the outcome of the product on the southern end of Gibraltar, but it is not going to deliver an outcome here. Given that, and his concerns, although not verified, will he be taking up the matter with the local Spanish authorities to at least flag the issue with them, try to establish the source and have a discussion with them on practical solutions?

Hon. Prof. J E Cortes: Madam Speaker, absolutely. This has already been discussed within my Department and there would be nothing wrong ... In fact, I think it would be very positive for a parallel campaign in Gibraltar and, say, La Linea, to remind people on both sides of the border that, for our common shared environment, we should not put wipes in pipes.

Madam Speaker: Next question.

Q23/2024
D&D Consulting Ltd –
Role in collection of parking fines

Clerk: Question 23. The Hon. R M Clinton.

Hon. R M Clinton: Madam Speaker, can the Government advise what role D&D Consulting Ltd plays in the collection of parking fines?

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

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, D&D Consulting Ltd collects parking fines on behalf of Gibraltar Car Parks, who are contracted by the Government.

Hon. R M Clinton: Madam Speaker, I see, so D&D Consulting Ltd is effectively a subcontractor of Gibraltar Car Parks, which is owned by the Government of Gibraltar. Can I ask the Minister when this arrangement started, and why can Gibraltar Car Parks not fulfil this function itself?

Hon. Prof. J E Cortes: Madam Speaker, once again I would need notice of that. I was not Minister for Transport at the time of this arrangement, and therefore I do not have it in my head, so I would need notice of when, and specifically why.

Hon. Dr K Azopardi: I am not sure if it is the same question, but let me put it in the terms that were in my head when I was listening to the hon. Member: is he not able to say why it was necessary to establish D&D consulting, if it is a wholly owned government entity, for them to have a role in this? The question specifically asks 'Can the Government advise what role D&D Consulting Ltd plays?' It has been on social media that this company suddenly has emerged in the collection, so in the context of a very specific question from my learned friend to the left, of what the role is of the company, one would have thought that in establishing that it is a Government entity, the Minister would have established why it was necessary to establish that company.

Hon. Prof. J E Cortes: Madam Speaker, I do not believe that it is a government entity. It is a subcontractor to a contractor to the Government, it is not a government entity, so there is no reason for me to have those details, and certainly not here, without notice.

1475 The question was what is the role of D&D consultants, and I have said they collect parking fines on behalf of Gibraltar Car Parks. I have answered the question. If there is any further information that is required, I would need notice, and again, as I usually do, I will bring whatever information I have.

1480 **Hon. R M Clinton:** Madam Speaker, I am grateful to the Minister. Again, I do not know what he has in front of him in terms of information, but does he have any visibility as to what the contractual arrangement is, what fees they are entitled to? Do they get a percentage of the parking fine? What are providing that the Government cannot obtain for itself?

1485 **Hon. Prof. J E Cortes:** Madam Speaker, again, I would be happy to provide detailed information, with notice. My information is that they collect the fines, but the funds are passed integral to the Government with the exception of those, I believe, that are done using a QR code. I think there is a bank charge on that facility and those bank charges are paid before the funds are passed, but there is no percentage that is being kept by D&D Consulting. That is the information that I have based on some research when I was looking at the prepared answer, but if any more specific
1490 details are required, then obviously I would do the proper diligence and provide detailed information. My information is as I have explained.

Madam Speaker: Next question.

Q24/2024
Moorish Castle Estate –
Solar roof panels

1495 **Clerk:** Question 24. The Hon. D J Bossino.

Hon. D J Bossino: Which company has been contracted to install the solar panels on the roofs of the Moorish Castle Estate?

1500 **Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, the solar panel installation at Moorish Castle estate will be carried out by Park Solar One Ltd.

1505 **Hon. D J Bossino:** Was this the subject of a tender process?

Hon. Prof. J E Cortes: Madam Speaker, yes.

1510 **Hon. D J Bossino:** Can he provide the House with the cost of that tender?

Hon. Prof. J E Cortes: This, Madam Speaker, goes back to 2016 or 2017. It is a power purchase agreement (PPA), in which, as I am sure the hon. Members know, they produce the electricity and the electricity is bought from them. It really depends on how much is produced. I believe that since this began some years ago, over 7 million KWh have been produced, which is enough, I am
1515 told, for 2,075 homes for a year, so clearly there has been benefit, but it is a PPA.

Hon. D J Bossino: I do not fully understand. The reason why I ask this question, Madam Speaker, is because there was a news report – I think it was reporting on the proceedings at the Development and Planning Commission, where there was a specific application, and I think the Hon. the Minister for Housing raised certain concerns as to the installation of these solar panels on Moorish Castle Estate, and there was an application in respect of Moorish Castle. I think he is understanding the drift. As I understand the answer, he is saying that there is a continuing contractual arrangement between the Gibraltar Government and this particular company, which he has described as a PPA, but there was an application, I assume by this company, for the installation of solar panels. He is eager to respond. I am not sure if I have formulated a question on the back of all of that.

Hon. Prof. J E Cortes: Perhaps I should wait for the question, but I get the implication from the preamble: ‘What on earth is the Minister talking about?’ I accept that, Madam Speaker. May I answer, or would you like me to sit and wait for ...?

Madam Speaker: Are you happy for him to answer the question that was embedded in the statement somewhere?

Hon. D J Bossino: He has understood it, so ... *[Inaudible]*.

Madam Speaker: Can we answer the question, then?

Hon. D J Bossino: The question is: can he provide details in relation to the installation of solar panels specifically in relation to the Moorish Castle Estate?

Hon. Prof. J E Cortes: Madam Speaker, this is a PPA that had, within the agreement – and it is some years ago – an agreement to produce up to 3 MWs. There are a number of installations that are already producing, they have not reached the 3 MWs yet, and this is one of the last ones that will allow them to have an installed capacity of 3 MWs. It is an ongoing PPA which progressively covered more and more areas with solar panels in order to reach those 3 MWs. So this is a new installation, but it is part of the original PPA.

Hon. D J Bossino: Given that the original PPA was entered into in 2016-17, is he able to say whether that particular contractual arrangement was predicated on the grant of a successful tender process?

Hon. Prof. J E Cortes: Madam Speaker, I think I said yes.

Hon. D J Bossino: By way of further elucidation, is he able to state that, as I understand the position, there is no government outlay in terms of costs, whatsoever, so basically it is at the expense of this particular company and then they derive the benefit from the energy provision, as he has explained?

Hon. Prof. J E Cortes: Madam Speaker, yes, I believe that is the case. It is certainly my recollection that there is no government outlay. They get the money back through the purchase of the units. Clearly the purchase is carried out by the GEA. When this started, I think I may still have been Minister for Energy. I no longer am, but I believe that the same arrangement continues, so there is no government outlay.

Hon. D J Bossino: I am very grateful for that answer. Is the arrangement, in terms of the purchase of energy, exclusively Gibraltar Government? In other words, the only potential purchaser can be, as he put it, the GEA?

Hon. Prof. J E Cortes: Yes, Madam Speaker.

1570 **Hon. Dr K Azopardi:** I am not sure if the hon. Member ...

Madam Speaker: Yes, your hon. Friend has finished. Would you like to ask a question?
Next question.

Q25/2024

Parson's Lodge –

Visitors per month since reopening

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

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Hon. D J Bossino: Please state how many visitors have been to Parson's Lodge since it was recently reopened, per month, with details of nationality.

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

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Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, as at 31st December last, the number of persons visiting Parson's Lodge since 11th October was 891: 603 residents and 288 non-residents. We do not keep statistics of nationality.

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Hon. D J Bossino: He mentions a starting date of October. Can the hon. Member confirm my understanding that that is when the new Parson's Lodge was reopened?

1590 **Hon. Prof. J E Cortes:** Again, I am committing to memory. I believe it was around that time. Certainly that was a time when it was up and running, with its reception area and so on, as far as I can recall.

1595 **Hon. D J Bossino:** I do not think this has been the subject of questions and answers in this House in the past, although perhaps more broadly, as he will recall, in the last Parliament questions were asked because I think this is one of the sites which are governed – if I may put it in those terms – by the contractual arrangements between the Gibraltar Government and a company known as Knightsfield Holdings Ltd. Were the works in relation to this particular project borne from the cost that the Government pays as part of its fee under that contractual arrangement, or was it anything extra?

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Hon. Prof. J E Cortes: No, Madam Speaker, it was all borne within the cost. There were no additional payments made.

1605 **Hon. D J Bossino:** Is he able to state whether the site was shut for a period of time very recently, I think over the last month? If that understanding is correct – that is the information that I have been given – is he able to provide reasons as to why it was closed?

Hon. Prof. J E Cortes: Madam Speaker, I have no knowledge of it having been closed.

1610 **Hon. D J Bossino:** Madam Speaker, he takes us, in terms of the statistics, up to literally the last day of the calendar year, if I am not mistaken; presumably that is because this month is not yet over. Is he able to provide, should I ask him, either behind the Speaker's Chair or ...? Let me put it

like this: is this information which the Government would consider putting online, so that it would obviate the need for me to ask questions about this in the future? Is this information collated on a monthly basis, which is where my mind was when I started formulating the question?

Hon. Prof. J E Cortes: Madam Speaker, I have no problem with sharing the information and placing it online. I assume the figures are collected daily and then it is collated weekly and then monthly. I do not have that detail. I think we must remember that it has been open during the quietest time of year for visitors, so I think this is a minimum number that we can expect, particularly as I know there are also school trips now going regularly to the site. I have no problem with the information being placed online; it is not something that should not be.

Madam Speaker: Last question.

Hon. D J Bossino: Yes, I am very grateful; I appreciate that there have been quite a few. From the statistics that he has provided, I think the vast majority – in excess of 50%, more or less – are residents. Does he not have a concern in connection with that? Would he not want to see more non-residents from a touristic angle visiting this site?

Hon. Prof. J E Cortes: Yes, Madam Speaker. It is the low point in the season, so you would expect the proportion of residents to be higher, and then, when there are more visitors, the proportion would go up. It is also early days following the opening of the area. Tour operators have been shown around the site and are looking at incorporating it into visits, and we are actively looking at how we can promote not just Parson's Lodge but other sites outside the Upper Rock for visitors. I think this is work in progress and we should see improvements, particularly as the numbers of visitors increase as the warmer weather arrives.

Madam Speaker: Next question.

Q26/2024
Renewables –
Re-evaluation of wind and tidal energy

Clerk: Question 26. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Madam Speaker, is the Government re-evaluating the scope of wind or tidal energy, to see if greater opportunities for renewable energy arise; and, if so, how?

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

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, the Government has always been of the opinion that both wind and tidal energy offer great potential for Gibraltar; however, each source presents certain challenges.

In respect of wind, the technology is well established and the resource is also known to be there. However, there is no space in Gibraltar for large, land-based turbines, and legitimate concerns have existed over the potential impact of a windfarm in British Gibraltar Territorial Waters (BGTW) on the passage of migratory birds. The Department of the Environment is, therefore, investigating the cost of conducting the necessary environmental assessments to determine the viability of a windfarm off our waters. The costs of connecting such an offshore installation and the associated operation and maintenance challenges will also need to be

considered. Smaller, vertical wind generators are becoming increasingly efficient as the technology advances and are being considered for land.

1660 In respect of tidal energy, the Government continues to monitor progress and to respond to any representations from start-ups wishing to trial new technologies, but the demonstration of full-scale tidal current energy converters is still in its infancy and their commercial deployment remains a medium- to long-term ambition. Current studies – ‘current’ as in marine currents, not ‘current’ as in now – carried out for the Government by the University of the Highlands and Islands suggest that the currents in BGTW are of insufficient strength to make marine current generation
1665 viable with present technology.

Hon. Dr K Azopardi: I am grateful for that. In relation to the last bit of the answer, that is an internal study presented to the Government, but not published, I assume. Perhaps he can clarify whether he would be prepared, if not to publish it, to share it with the Members on this side. I
1670 hope it is not controversial.

In relation to the wind issue, can I ask how advanced is this consideration of offshore installations? It sounds like a fairly significant project – significant at different levels, obviously, in terms of its nature but also in terms of its implications and maybe even cost.

1675 Can he expand on the issue of the smaller vertical generators? Presumably that is a separate idea which does not depend on this perhaps aesthetically unpleasing project of the windfarm. We take his point about the windfarm, clearly, but if there were a possibility of generating wind renewable energy, not in the form of what were traditional windfarms, that would be an idea worth looking at, which would perhaps not require an offshore installation or other investment of that significant or aesthetic damaging nature.

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Hon. Prof. J E Cortes: Madam Speaker, the technology is moving forward all the time, and you never know when the right moment to seize it is, because it is developing.

1685 If I may take the question on the study of the University of the Highlands and Islands, it is not a public document; I do not think we have published it. There is nothing controversial there. It is science, and science, by definition, cannot be controversial: it is one’s interpretation of science that might be. So I am very happy to make that available, and if the hon. Member will remind me by email or WhatsApp, or whatever, I will do that.

1690 The large wind generators are just not viable on land in Gibraltar. We do not have the space. They are noisy, and, wherever you put them, they are going to be near residential areas. The technology is improving, but they are a problem for migratory birds, and we are at a bottleneck of migratory birds, so we could wipe out migratory birds coming all the way from Scandinavia and be responsible for that.

1695 Offshore is more viable, and we are doing, at the moment, a desk-based study. There are quite a number of studies being done, like one by the Max Planck Institute of Animal Behaviour and the University of East Anglia, who are looking at collisions and how they can be avoided. In some cases, they limit the speed at which the blades start moving. In relation to some of the larger ones, painting the blades black makes them more visible and has significantly reduced the impact on birds. Bats are also an issue, but that would not be an issue for offshore generators. So there are considerations being made, but clearly the costs of connecting to land and the costs of
1700 maintenance are huge, and therefore it is a big issue.

1705 What I think are more hopeful are the smaller, vertical generators, which do not have a negative impact on birds. They are much less noisy and they are smaller, for example. Without suggesting that this is going to happen, because it would need all sorts of assessment, they create less noise. There are areas in the Port, for example, where these could be placed. Even in the vicinity of the LNG power station there are areas which are quite exposed to wind, and in the area of the airfield. All these are things that are being looked at. I think the biggest potential for wind generation is these smaller, vertical ones, which are becoming more and more efficient, and we are keeping the technology under review all the time.

1710 As I said, it is not always easy to know when to strike, because then you might invest a lot of funds into something like this, or get somebody with a PPA to invest in it, and then the technology significantly improves. We are on the case, Madam Speaker, always in discussion with the GEA because we work very closely together on renewables.

Hon. Dr K Azopardi: I am grateful for that extended answer.

1715 The hon. Member went to COP28. He will know that renewables was quite a big aspiration that emerged out of COP28 and he will know, also, that over the last 10 years the biggest surge in renewables has been in solar or wind energy. We have plenty of solar up there, and in previous answers in this House he has indicated that almost all of the renewables in Gibraltar come from solar energy.

1720 I am asking about wind and tidal because they are the other sources, but – apart from the standalone generators that we might get, assuming that the technology takes us there at some point – to what extent does there need to be investment in the infrastructure? One of the things that certainly I read in terms of outcomes of COP28 was that one of the things holding back a surge of renewables was lack of investment in the ability of your own domestic infrastructure of absorbing the renewables.

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Hon. Prof. J E Cortes: Madam Speaker, I am straying into something which is not a direct responsibility and into the territory of my hon. Friend the Minister for Utilities. With your permission and hers, I will just make comment.

1730 In the discussions that I have with the GEA – with the Hon. Minister’s support and permission, of course – and from my time in the GEA, I do not feel that there is a restriction on our system being able to absorb renewables. We have shown it. The Hon. Minister has already announced plans for a sizeable solar installation in collaboration with the Ministry of Defence and also the initiative on batteries, which are ideal for absorbing renewables and banking it for when it is needed. So I do not think that is something that should be of any concern.

1735

Madam Speaker: Next question.

Q27-28/2024
Chatham Views –
Noise nuisance caused by construction

Clerk: Question 27. The Hon. the Leader of the Opposition.

1740 **Hon. Dr K Azopardi:** Madam Speaker, what measures have been put in place to control or regulate the pile-driving or other noise nuisance caused by the construction of Chatham Views?

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

1745 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I will answer this question together with Question 28.

Clerk: Question 28. The Hon. the Leader of the Opposition.

1750 **Hon. Dr K Azopardi:** Is Government monitoring the noise levels in relation to the works at Chatham Views; and, if so, have the relevant regulations been breached?

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

Hon. Prof. J E Cortes: Madam Speaker, the Environmental Agency has environmental health officers (EHOs) who spot check construction sites for compliance with the Environment (Control of Dust) Regulations 2010 and respond to complaints received from the public of noise which could be deemed a nuisance.

In response to noise complaints, EHOs initially visit the premises from where complaints originate, usually a residential property, to carry out an assessment. The assessment may be subjective, depending on the noise source, as noise would have to be continuous for a period of time for an adequate assessment to be carried out by a noise meter. Piling is carried out intermittently, so an assessment is carried out subjectively by an EHO who is qualified and trained to assess whether noise is unreasonable to the average person and whether it is likely to be a statutory nuisance.

For a matter to be considered a statutory nuisance it must meet at least one of the following criteria: unreasonably and substantially interfere with the use or enjoyment of a home or other premises – for example, how noise from playing music interferes with another person’s right to sleep; injure health or be likely to injure health. When an EHO is investigating a complaint, this could require several visits to assess whether a nuisance constitutes a statutory nuisance. Determining whether a matter is a statutory nuisance will depend on several factors: the time of day or night when it takes place; the frequency of the activity; the duration of the activity; the character of the neighbourhood – residential versus industrial, for example; the design, structure and layout of the premises; how well the activities are managed; and the reasonableness of the activity.

Following the Environmental Agency’s intervention, the contractor has implemented the following measures to reduce the noise and vibration from piling at Chatham Views: the use of British Standard 5228-1:2009, which is the code of practice for noise and vibration control on construction and open sites – this document gives recommendations for noise mitigation where construction activities will generate significant noise levels; reducing the power of the pile, to lower the impact; a dampener placed at point of impact; a 5-metre high acoustic shield insulated with rock wool which surrounds the pile and the point of impact; roadside noise monitoring next to sensitive receptors such as the schools and next to residential areas, which has also been carried out by the developer; and in September 2023, the contractor informed the Environmental Agency that they would reduce the piling window to 12.30 to 8 p.m. during school half days and 3.30 to 8 p.m. as from 18th September, which was the start of full days for the schools nearby.

Hon. Dr K Azopardi: Madam Speaker, I am grateful for that extended answer, but why did it take that long for the contractor to put in place mitigating measures in accordance with British Standards? Wasn’t it obvious that they are pile driving next to a residential area, and that should have been necessary from the outset?

Hon. Prof. J E Cortes: Madam Speaker, I think that is something that the contractor would have to answer. Certainly what I can say is that as soon as complaints were received, action was taken.

Hon. Dr K Azopardi: In relation to the criteria of statutory nuisance, which he read out, he said ‘these two elements of the statutory nuisance criteria, but then it depends on the EHO’. So is it a discretion of the EHO, who will decide whether a statutory nuisance has been created, or is there an assessment in accordance with specific noise decibel levels, in accordance with the regulations?

Hon. Prof. J E Cortes: It is discretion. As I have explained, a noise meter needs to be receiving the noise for a consistent period of time, and it really depends on where you place the noise meter as to whether it is a nuisance, or not. So it is subjective: almost by definition, this sort of sensory disturbance is subjective.

Hon. Dr K Azopardi: What is the number of complaints they have received? And has any action been taken on this matter by the Environmental Agency, under the Public Health Act, in the Magistrates Court?

1810 **Hon. Prof. J E Cortes:** Madam Speaker, I do not have the number of complaints. I do not think either of the questions ask me that ... No, they do not. I do not believe action has been taken in the courts. I would probably know, if it had been.

1815 **Hon. Dr K Azopardi:** What I do not think has answered, though, if I may, is whether the relevant regulations were breached. If he thinks he has answered, he has answered in a very tangential way, so can I give him the opportunity to make it clear whether or not, in the view of the officials of the Government – the Environmental Agency, in this case – the relevant regulations have been breached?

1820 **Hon. Prof. J E Cortes:** Madam Speaker, as those of us who have been in or near the judiciary know, there is a lot of interpretation and there is a lot of ability to assess whether, faced with a certain number of facts, you take action in the courts. Clearly, if the environmental health officer has required the contractor to take all these steps, which they have taken, there must have been some opinion that there was a problem there. I will not go as far as to say there was an actual
1825 breach, because I do not have that information with me, but clearly there was a problem there.

Clearly, when you are enforcing a law, you try to remedy the situation first, before throwing the book hard at somebody. I can only assume that the environmental health officer approached the contractor, and the contractor agreed and carried out all these measures. If the problem continues, that is when you consider taking the next step. At this point in time, I have no indication
1830 that that is the case. Remember, apart from these mitigation practical changes to the operation, there was a reduction in the number of hours, so it appears to me that that had been dealt with at the time. If there has been anything further, I do not have that information. I am happy to try and chase it up.

1835 **Hon. Dr K Azopardi:** I am sure the hon. Member will appreciate that there is a difference between whether there has been a breach of the noise regulations and whether, there having been a breach, steps can be taken, in a different way, that do not require prosecution to be laid because they may be dealt with in a different way.

What I was asking very specifically, and I do not think there has been an answer, other than a fairly vague answer ... This is my interpretation; I will state it, and if he does not agree, he can say. I am taking from his answer that, in fact, there has been a breach – there must have been a breach – of the relevant regulations, but they decided to deal with it by trying to approach the contractor for some mitigating measures. In terms of the mitigating measures that were introduced as from a specific date, which he gave the House, is the Government now satisfied that
1840 the measures in place are sufficient to ameliorate the concerns of residents that I am sure he has received, as I have received?
1845

Hon. Prof. J E Cortes: Madam Speaker, in as far as I am not aware of any recent complaints, that is the only comment I can make. If there have been, I am not aware of them; and if there
1850 have not been, and there should have been, then I am very happy to listen to them. At this point in time I am not in receipt of, nor do I have knowledge of any recent complaints.

Hon. Dr K Azopardi: I am not sure what he means by ‘recent’. I have certainly seen emails that have been copied to him. If he means recent in an immediacy sense, then that is so. However, my
1855 question really is: is he satisfied that the measures in place are sufficient now to ameliorate the issue?

1860 **Hon. Prof. J E Cortes:** I am satisfied that almost by definition the measures in place must have reduced the noise. Whether they have reduced it enough, and in whose opinion it is reduced enough is something that I cannot say, Madam Speaker.

Madam Speaker: Next question.

1865 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I wonder whether this might be a convenient moment to break for 15 or 20 minutes. I suppose the most convenient time to come back is six o'clock.

Madam Speaker: Yes, I agree, we will have a comfort break until six o'clock.

The House recessed at 5.40 p.m. and resumed at 6.02 p.m.

HOUSING AND THE UNIVERSITY OF GIBRALTAR

Q4-5/2024

Housing waiting lists –

**Number remaining on list since 2011;
numbers on general, social or medical lists for three years or more**

1870 **Madam Speaker:** I propose that we continue by taking the two questions from the Hon. the Leader of the Opposition which we skipped earlier. They are directed at the Hon. the Minister for Housing.

Clerk: Question 4. The Hon. the Leader of the Opposition.

1875 **Hon. Dr K Azopardi:** I am grateful, Madam Speaker.
How many people who were on the housing list at 9th December 2011 remain on the housing list?

1880 **Clerk:** Answer, the Hon. the Minister for Housing and the University of Gibraltar.

Minister for Housing and the University of Gibraltar (Hon. P A Orfila): Madam Speaker, I will answer the question together with Question 5.

Clerk: Question 5. The Hon. the Leader of the Opposition.

1885 **Hon. Dr K Azopardi:** How many people who are on the general, social or medical housing lists at 16th January 2024 have been on the said housing lists for three years or more?

Clerk: Answer, the Hon. the Minister for Housing and the University of Gibraltar.

1890 **Hon. P A Orfila:** Madam Speaker, in answer to Question 4, there are 61 applicants who remain on the housing waiting list prior to 9th December 2011.

In answer to Question 5, there are a total of 702 applicants who are on the general, social or medical housing lists at 16th January 2024 for three years or more.

Hon. Dr K Azopardi: Madam Speaker, I am grateful for those statistics. Has the Government now considered that it is abandoning the promises that it made many years ago, when it was first

1895 elected into office, that all the persons who were on the housing list at 9th December 2011 would be rehoused, and that no one would have to wait more than three years to be housed?

1900 **Hon. P A Orfila:** Madam Speaker, there are various reasons why some people remain on the housing list: some have refused; others are waiting for housing stock to come back; others are exceptional cases which we may have had to have housed. You cannot really say that we have abandoned that. Quite the contrary: we are very committed and we have brought it down quite substantially. The ones that are left there are for various reasons. Many of them do not want to move or do not like the house.

Thank you.

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Hon. Dr K Azopardi: Presumably, the Hon. Minister is talking about the 61 people who remain on the housing list and have been on the housing list since 9th December 2011, now more than 12 years ago. She is saying that in relation to those people ... a lot of them simply do not want to go. Is that what she is saying?

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Hon. P A Orfila: They do not want to go with what we offer them. They want something else. It is not that they do not want to go.

1915 **Hon. Dr K Azopardi:** In relation to the 702 people who have been on the housing list for more than three years ... They had a manifesto commitment that no one would wait for more than three years. How close are they to achieving that aspiration, or are they abandoning that aspiration, given the size of the figure that she has given?

1920 **Hon. P A Orfila:** We are never going to abandon that. We just want to make sure that everyone is suited to what they want, to their needs. Like I keep telling you, some people have been offered six houses and they have turned down all six houses. They do not want to move when the crunch comes.

1925 **Hon. Dr K Azopardi:** To be clear, is the Minister's latest answer about the 702 or the 61? I am now asking about the 702. I do not know if the Hon. Minister will have these numbers in front of her, but she might; the officials might have given her additional information for the purposes of preparing answers to this House. From the 702, have officials given her a breakdown of how that is distributed among the general, social or medical lists? Does she have that number with her?

1930 **Hon. P A Orfila:** I think I provided that answer at the last session.

Hon. Dr K Azopardi: I cannot recall that anyone specifically asked this question at the last House, but if the Hon. Minister thinks so, we can check it, and, if not, then I can always write to her on that issue.

1935 I am not trying to repeat the same question, but the size of the answer to Question 5 is such – 702 people – that while the Minister says they are not abandoning the commitment that people should wait for more than three years, which is laudable, of course, it is difficult to see how they are anywhere close to achieving it, so can she explain how?

1940 **Hon. P A Orfila:** You are right: we are not committed, we are entirely committed to making sure that we are going to house everybody on that waiting list. At present, we are in the process of building houses, which will release houses for our people who are waiting, and we are extremely committed and hopeful that this is going to happen.

1945 **Madam Speaker:** Next question.

HEALTH, CARE AND BUSINESS

Q29/2024

Electricity generated in Gibraltar –
Amount and source in 2023

Clerk: Questions to the Hon. the Minister for Health, Care and Business.
Question 29. The Hon. G Origo.

1950 **Hon. G Origo:** Madam Speaker, can the Government provide details as to the actual amount of electricity generated in Gibraltar, in megawatts, between the period 1st January 2023 and 31st December 2023, broken down by the source from where the electricity was generated?

Clerk: Answer, the Hon. the Minister for Health, Care and Business.

1955 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the total amount of power generated from 1st January 2023 to 31st December 2023 was 224,749 MW. Out of this, the majority of power – 202,329 MW – was generated at the North Mole power station using, mainly, natural gas; 19,844 MW was generated using our temporary power plants; and the remaining 2,576 MW were derived from our renewable energy sources.

1960 **Hon. G Origo:** Madam Speaker, I thank the hon. Member opposite for her response to my initial question, following which I must note that I am aware that the Hon. Minister for the Environment has been, now, to three COP UN climate change conferences, spending in excess of tens of thousands of pounds, as he commented in the last session here. It includes COP25 in Madrid, 1960 COP26 in Glasgow and COP28 in Dubai. In relation to all these conference visits and the expense that we have gone to in attending these, what tangible data have you to show for us, demonstrating that our environmental commitments are even attainable and, if so, at what cost? I can see from the statistics provided by the hon. Member opposite – and this has just roughly been calculated ... I think the renewable breakdown amounts to slightly over 1% of the electricity 1965 generated in Gibraltar, which is far from the 11.7% potential max capacity, which was quoted in answer to Question 705/2023. I ask how the Government proposes to attain these commitments.

1970 **Hon. G Arias-Vasquez:** Madam Speaker, I am very grateful for the opportunity to address that question because actually the power plant itself is far cleaner because it uses natural gas as opposed to any alternative which the Opposition would have provided in government. So the provision of natural gas in and of itself is already far cleaner than the diesel they were proposing. *(Interjection)*

1975 In addition to that, as we have said, there are 2,576 MW which are derived from renewable energy sources. As I have said earlier this week, that is primed to be more than doubled in the course of this year alone, with numerous other projects that we have in the pipeline.

1980 **Hon. G Origo:** I am grateful for that reply. Could I just seek the following clarification? Is the hon. Member, then, accepting my analysis that the megawatts generated from renewable sources, which is mainly solar panels, only amounts to ... 22,000 of the 224,000 is 1%. And if it is 1%, how does the Government propose that we are going to attain net neutrality by 2045, or how are we going to reduce carbon emissions by 45%, by 2030, as provided under the Climate Change Act 2019?

1985 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** May I, Madam Speaker, as a question has been directed more or less in my direction?

I think one thing that the hon. Member needs to realise is that attendance at international events such as this, particularly the climate change COPS ... The outcome of that is not just how much solar power we generate. I gave a substantial answer last time as to the people who had been met, the influence that we had been able to provide in the United Kingdom's delegation, and all the other benefits that we are now incorporating into our strategies. It is not just about solar power. I would like to say, also, that, as I said earlier, in answer to one of my questions, the GEA is about to undertake the largest solar installation in Gibraltar, which will make a sizeable contribution.

The hon. Member questioned my actually attending these conferences, referring, I think, to the cost, which, as I said last time, was not very great. As I said in answer to my question, the solar installations, despite the fact that it is a much smaller percentage than we will attain, in the last four or five years have created a saving of £350,000, and therefore that more than covers the costs that he has been alluding to.

Hon. G Origo: I am grateful. Madam Speaker, may I ask the hon. Member opposite, then, if he can clarify: is the cost and funding of these renewable energies the stumbling block for attaining these obligations and commitments? I note that the stats given reflect a 1.2% renewable uptake for the period of the whole year, and we only have six years to hit the 40% target provided in our Climate Change Act. I ask whether funding is an issue.

Hon. Prof. J E Cortes: Madam Speaker, I have said this before in Parliament; obviously the hon. Member is new. We went through more than two years, as a result of the pandemic, where the construction industry, which included the solar panel industry, more or less collapsed or went on hold. So that is one contribution. However, it is not a question of funding. One of the biggest limitations that we have in the development of solar power in Gibraltar is the limitation as to space, so we are having to provide these panels where we have space, like the rooftops of our housing estates, as we saw recently, and the area of the MoD, and we are identifying more and more spaces. But because – again, as I said in answer to my previous question – these installations, so far, have not cost the Government anything because they have been funded through power purchase agreements, that is not the reason why we have not expanded. It is not easy to do so in the limited space of Gibraltar, but I am confident – particularly with what the hon. Member has announced recently and is about to give Gibraltar – that we will be in a significantly better position very soon.

Hon. Dr K Azopardi: He has answered on the issue of investment and so on, but can I ask: given the statistics that my friend the hon. and learned Member to my left has stated, and given that we are so far away, is it the case that the Government still thinks that they are going to meet the target envisaged by the time envisaged, or that the time will need to be extended to achieve that target?

Hon. Prof. J E Cortes: I have said before, here, that it is a challenge, but I am still committed to it. I think it is achievable. If it is not, we will achieve it and we will have to accept that, but I believe that it is achievable.

Madam Speaker: Next question.

Q30/2024
Wheelchair maintenance –
Cost

Clerk: Question 30. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, can the Hon. the Minister provide breakdowns as to the costs incurred in respect of wheelchair maintenance for the following years: 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024 to date?

Clerk: Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, the cost incurred in respect of wheelchair maintenance is as follows: 2015, £10,505; 2016, £9,846; 2017, £4,752; 2018, £4,747; 2019, £4,285; 2020, £4,692; 2021, £5,012; 2022, £7,733; 2023, £26,381; and 2024 to date, £2,418.50.

Hon. J Ladislaus: I am grateful for that information.
Madam Speaker, does the hon. Member have information as to why the figure for 2023 appears to be so much higher than previous years?

Hon. G Arias-Vasquez: Yes, Madam Speaker. Up until 2023, the costs of the maintenance of the wheelchairs was done in house. There were two GEA clinical engineers who worked at the GHA and they were carrying out the repairs to the wheelchairs and other community OT equipment – such as bariatric beds, hoists etc. – in house. This meant that these two engineers would be out in the community practically every day, and this was at the expense of essential maintenance of critical care equipment in the hospital. The GHA found itself in the position where it had to prioritise repairs and maintenance of the critical care equipment in the hospital over the community equipment. Hence, the GHA contracted the services of Health Engineering to undertake this role and they have assisted the GHA in this past year.

Hon. J Ladislaus: Was a cost exercise undertaken as to whether it would have been cheaper, perhaps, to employ a further engineer, whether that be on a full-time basis or on a part-time basis?

Hon. G Arias-Vasquez: Absolutely, and given the exigencies on the service, it was determined that it was best to outsource the service.

Madam Speaker: Any other questions?

Hon. Dr K Azopardi: Can I just ask, because I am not sure we took a note, the full name of the company that was given this? Is it a local company? Is it a company overseas that has expertise in this field? What is the term of the arrangement and what is the cost for the Government?

Hon. G Arias-Vasquez: Madam Speaker, I do not have any further information on the company. The name of the company that I have is Health Engineering. If requested, I can provide the information in the next session of Parliament. We are looking to formalise this service, however.

Hon. A Sanchez: Madam Speaker, could the Hon. Minister elaborate on how the service currently operates? For example, if a person requires an urgent repair to a wheelchair after normal working hours, is this an on-call service? Is this how the service currently operates?

Hon. G Arias-Vasquez: My understanding from discussions that I have had is that it is an on-call service, that it operates out of hours.

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Hon. A Sanchez: I would urge the Hon. Minister to make inquiries regarding the service and how it is operating. We are receiving a lot of concerns from people in relation to how the on-call service is operating and the fact that people are reporting issues with their wheelchairs or issues that they are having. They are not being seen to promptly and they often have to wait for many hours or until the next day. This is not something that, obviously, is good enough. It is something that we are –

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Madam Speaker: A question?

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Hon. A Sanchez: – keeping an eye on.

Madam Speaker: Formulate the question.

Hon. A Sanchez: Will the Minister look into it?

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Hon. G Arias-Vasquez: Madam Speaker, we have had conversations about this recently. There have been teething problems with the service because it has just been started. However, the GHA has engaged with the company and is providing backup services so that they have wheelchairs etc. in stock, which they can then use for people who need them.

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The problem is that people need bespoke wheelchair services for certain users, and it is these bespoke wheelchairs which have been causing issues. The GHA is looking to provide a stock of wheelchairs, so that they can hand out a wheelchair, in the case of an emergency, whilst the person's wheelchair is being adapted, fixed, maintained or whatever it is. This is part of the process of establishing a service. Once the teething issues are established, we are looking to formalise a relationship. We are aware of those concerns and we are addressing them.

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Madam Speaker: Next question.

Q31-33/2024

GHA ambulance fleet –

Breakdowns since November 2023; costs for mechanical works since 2019; arrival of new ambulance

Clerk: Question 31. The Hon. J Ladislaus.

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Hon. J Ladislaus: Madam Speaker, can the hon. Member provide a figure as to the number of times that an ambulance from the GHA fleet has broken down in November 2023, December 2023 and to date this year?

Clerk: Answer, the Hon. the Minister for Health, Care and Business.

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Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, I will answer this question together with Questions 32 and 33.

Clerk: Question 32. The Hon. J Ladislaus.

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Hon. J Ladislaus: Madam Speaker, can the Hon. Minister provide a breakdown as to costs incurred for mechanical works to the ambulance fleet in 2019, 2020, 2021, 2022, 2023 and 2024 to date?

2125 **Clerk:** Question 33. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, can the Hon. Minister provide an update as to whether the new ambulance has arrived in Gibraltar?

2130 **Clerk:** Answer, the Hon. the Minister for Health Care and Business.

Hon. G Arias-Vasquez: Madam Speaker, the number of times that an ambulance from the GHA fleet has broken down is as follows: November 2023, once; December 2023, once; and, to date this year, zero times.

2135 In answer to Question 32, the breakdown of costs incurred for mechanical works to the ambulance fleet is as follows: 2019, £29,563.04; 2020, £42,280.61; 2021, £55,933.38; 2022, £50,571; 2023, £12,802.40; and 2024 to date, zero.

2140 In answer to Question 33, I am unsure as to which ambulance the hon. Member is referring. I split out the ambulances last time. The high dependency ambulance has not arrived in Gibraltar and has an estimated delivery date of March 2024. The conversion of the vehicle will then take a further five to seven weeks. If the hon. Member is referring to the frontline ambulances, I can confirm that an order for two frontline ambulances has now been placed through a local supplier, with a delivery date to be confirmed in due course. It is expected that both these ambulances will be operational during the course of the current year. In the new financial year 2024-25, a further
2145 two frontline ambulances will be ordered and it is expected that these will come into operation in 2025.

Hon. J Ladislaus: Madam Speaker, in respect of Question 31, can the hon. Member confirm which of the ambulances broke down, both in November and December?

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Hon. G Arias-Vasquez: Unfortunately, I do not have that information available.

Hon. J Ladislaus: Is it information that the hon. Member could provide at a later date?

2155 **Hon. G Arias-Vasquez:** Yes, of course.

Hon. J Ladislaus: Does the hon. Member have information as to whether the ambulances broke down in transit, or was it as they were leaving the premises?

2160 **Hon. G Arias-Vasquez:** Madam Speaker, I seem to recall what the answer is to that question, but I would like specifics before answering, so again, I will provide that information to the hon. Member.

2165 **Hon. J Ladislaus:** I am grateful, and perhaps the hon. Member can give me information as to what was done to address the issue of transporting those patients on those separate occasions.

Hon. G Arias-Vasquez: Madam Speaker, on most of those occasions, alternative transport was found for the patients involved.

2170 **Hon. J Ladislaus:** Could the hon. Member be more specific as to the alternative transport? Was it locally? Was it, perhaps, a Spanish provider?

Hon. G Arias-Vasquez: I am unaware of how it worked in each of those specific instances. However, in answer to one of the later questions, I think this specific point will be addressed because, for emergency and non-emergency ambulances, we do have a contract with the provider, on which I will go into further detail in the next question.

Hon. J Ladislaus: Just one further question: could the hon. Member provide details as to whether, once the GHA's new ambulances have arrived and are operational, other more unreliable ambulances within the GHA's fleet will be retired?

Hon. G Arias-Vasquez: There is a programme for the updating of the ambulances. It has not yet been determined what exactly will be done with the older ambulances in the fleet as the ambulances come into operation.

Hon. J Ladislaus: I am grateful for that information. Could the Hon. Minister give us some more information as to the programme for the updating of ambulances and what it entails?

Hon. G Arias-Vasquez: Yes, of course. As I elaborated in my earlier answer, the high dependency unit has been ordered and the delivery date is in March, with the conversion taking five to seven weeks. There are two further ambulances to be ordered in this current year, and then, in the new financial year 2024-25, a further two frontline ambulances will be ordered. So it is a rolling programme of the ordering of ambulances.

Hon. Dr K Azopardi: May I just ask one on Question 32, Madam Speaker? I am assuming those costs are paid to a private entity that services these vehicles. Does she know who that is and what the terms of the arrangement are?

Hon. G Arias-Vasquez: I do not know in these instances who they are, but I can confirm that we are looking to enter into a maintenance contract so that the costs are settled on a yearly basis.

Hon. Dr K Azopardi: That is really what I was getting at, whether there was a firm maintenance agreement with someone. Or is it that some of these costs are paid to different entities? Is it always the same party, or is it other people? If it is the same party but you want to formalise it, is it because you want to formalise it with the same entity that has been providing the service, or is it that the same entity has not been providing the same service?

Hon. G Arias-Vasquez: It is my understanding that there is one main provider that is providing this service. We therefore wish to formalise the arrangement with that main provider, so that the ambulances are properly maintained.

Hon. Dr K Azopardi: But the Minister does not know who that provider is – is that what she is saying?

Hon. G Arias-Vasquez: I am saying that I would wish to confirm who that provider is.

Hon. Dr K Azopardi: Would she be kind enough to write to me, once she confirms who that provider is?

Hon. G Arias-Vasquez: Yes, of course.

Hon. D J Bossino: In answer to Question 33, she distinguished the nature of the ambulances and described them as frontline ambulances, for which I think she has put through an order for

2225 two, initially, for this year. In that context, she talked about a local supplier. Can she provide details of the local supplier?

Hon. G Arias-Vasquez: Yes, indeed. We have ordered these ambulance from Bassadone in Gibraltar.

2230 **Hon. D J Bossino:** And can she provide details of the cost of that? Also, if I may, Madam Speaker, can ...? Sorry, the Hon. Minister. I am grateful for your non-intervention on that occasion.

Madam Speaker: I was close.

2235 **Hon. D J Bossino:** Can the hon. Member give details ...? I have lost my track. Have I asked about the cost already? Is it the same supplier in relation to the two other vehicles, and did it go out for tender? I think that was the question.

2240 **Hon. G Arias-Vasquez:** Procurement will be engaged for the plan. The two ambulances that are to be ordered in 2024-25 have not actually been ordered yet. The plan is that two more will be ordered in the next financial year. I have the costs in my email somewhere, but if you ask me the question in advance, I can provide you with the information. I have no issue with providing you with that information.

2245 **Hon. D J Bossino:** But as far as the first award is concerned, was that the subject of a tender process?

Hon. G Arias-Vasquez: I believe they were put through the procurement system, but I will confirm.

2250 **Madam Speaker:** Next question.

Q34-37/2024

Helicopteros Sanitarios –

Presence of ambulance and personnel in Gibraltar; nature of arrangement; cost

Clerk: Question 34. The Hon. J Ladislaus.

2255 **Hon. J Ladislaus:** Madam Speaker, why is there an ambulance from Helicopteros Sanitarios parked alongside the GHA's ambulance fleet on a permanent basis, and for what reason is that ambulance permanently present in Gibraltar?

Clerk: Answer, the Hon. the Minister for Health, Care and Business.

2260 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Questions 35, 36 and 37.

Clerk: Question 35. The Hon. J Ladislaus.

2265 **Hon. J Ladislaus:** Madam Speaker, can the Government confirm whether there is a specific arrangement with Helicopteros Sanitarios, and, if so, the nature of that arrangement?

Clerk: Question 36. The Hon. J Ladislaus.

2270 **Hon. J Ladislaus:** Madam Speaker, can the Government confirm reports that there are currently at least two members of the Helicopteros Sanitarios ambulance crew permanently stationed in Gibraltar, and, if so, the reason for this?

Clerk: Question 37. The Hon. J Ladislaus.

2275 **Hon. J Ladislaus:** Madam Speaker, can the Government provide a breakdown as to the cost of the arrangements with Helicopteros Sanitarios from 1st January to date?

Clerk: Answer, the Hon. the Minister for Health, Care and Business.

2280 **Hon. G Arias-Vasquez:** Madam Speaker, we currently have a one-year agreement, which commenced on 1st September 2023, with Helicopteros Sanitarios. They provide ambulances to transfer GHA patients requiring both emergency and non-emergency treatment, to and from Spanish hospitals. This is a consequence of our departure from the European Union, which has meant that non-EU ambulances and crews can no longer cross into Spain unless it is an emergency.

2285 The GHA have contracted a high dependency unit (HDU) ambulance from Helicopteros Sanitarios for a period of one month in order to safeguard any emergency level 3 transfers to Spain, if required. This is only while the GHA awaits the delivery of the new HDU ambulance and whilst the St John HDUs, which are used as and when required, are repaired.

2290 As part of the arrangement with Helicopteros Sanitarios for the provision of the HDU ambulance, two ambulance crew members are temporarily stationed in Gibraltar.

The GHA has currently not received any invoices for the month of January 2024, so I am unable to provide any figures.

2295 **Hon. J Ladislaus:** Madam Speaker, I am grateful for the answer, and I appreciate that no invoice has been received yet for January, but surely there would have been some kind of arrangement made with Helicopteros Sanitarios, in advance, as to fees payable. Could the Hon. Minister elaborate as to what arrangement was reached in that regard?

2300 **Hon. G Arias-Vasquez:** Madam Speaker, the arrangement with Helicopteros Sanitarios is that they invoice us for the services they provide, so what they invoice us for depends on how much or how little we use the service. That is the reason why I am unable to provide you any information as to the cost of the arrangements with Helicopteros Sanitarios.

2305 **Hon. J Ladislaus:** Madam Speaker, could the hon. Member clarify whether an agreement has been reached as to hourly cost or any other such measure of cost? Surely there must be some measure of cost.

2310 **Hon. G Arias-Vasquez:** There is an agreement reached for basing the ambulance in Gibraltar with its crew, but there is also a contractual agreement which stipulates how much the cost is for each and every service that Helicopteros Sanitarios provides. At the end of the month they invoice us for that month, so next month I will be able to provide a breakdown of all the costs invoiced for January by Helicopteros Sanitarios.

2315 **Hon. Dr K Azopardi:** Sorry to interrupt my colleague here as she asks supplementaries, but on this specific one, so that we do not have to jump back: I appreciate what the Hon. Minister is saying, that there are services that are provided at a certain cost stipulated in whatever agreement they have, and at the end of the month she will know what services have been provided and what the cost is. But beyond that, she says that this ambulance has been stationed in Gibraltar for a month. Does she know what the stationing costs?

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Hon. G Arias-Vasquez: The stationing costs of the ambulance and the crew are circa €40,000 for the month.

Madam Speaker: Next question.

Q38-39/2024

**Patient transfers to Spain by ambulance –
Numbers transferred by Gibraltar fleet and Spanish providers**

2325 **Clerk:** Question 38. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, can the Government provide a breakdown as to the number of Gibraltar patients transferred to Spain by an ambulance from the GHA's fleet, in both emergency and non-emergency situations, in 2019, 2020, 2021, 2022, 2023 and from 1st January 2024 to date?
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Clerk: Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, I will answer this question together with Question 39.
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Clerk: Question 39. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, can the Government provide a breakdown as to the number of patients transferred from Gibraltar to Spanish hospitals by Spanish ambulance providers in 2019, 2020, 2021, 2022, 2023 and from 1st January 2024 to date?
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Clerk: Answer, the Hon. the Minister for Health, Care and Business.

Hon. G Arias-Vasquez: Madam Speaker, the numbers of Gibraltar patients transferred to Spain by an ambulance from the GHA's fleet in both emergency and non-emergency situations are: 2019, 417; 2020, 332; 2021, 325; 2022, 98 emergency and 35 emergencies; 2023, 36 emergencies; and from 1st January 2024 to date, three emergencies.
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The number of patients transferred from Gibraltar to Spanish hospitals by Spanish ambulance providers are: 2019, 547; 2020, 93; 2021, 114; 2022, 415; 2023, 557; and from 1st January 2024 to date, 18.
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Hon. J Ladislaus: Madam Speaker, I am grateful for that information.

Can the hon. Member confirm whether it is still the case ...? This was the case in May 2023. I set out a slightly lengthy preamble only because it is needed for context. In May 2023, your predecessor, in replies to the Hon. Leader of the Opposition, stated that the GHA contracts the services of three Spanish ambulance providers, namely Andalucia S.Coop, Helicopteros Sanitarios SA, and Socorrismo y Servicios SL. They are used by the GHA on an ad hoc basis, as and when required. In cases where we have pre-planned visits to Spanish hospitals for Gibraltar patients, an arrangement is entered into with one of those three ambulance providers for them to come and do the transfer to and from. The Gibraltar ambulance is still operating in emergency cases.
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Is it still, therefore, the case that we have agreements with all three of those providers, or is the sole provider now Helicopteros Sanitarios?

2365 **Hon. G Arias-Vasquez:** My understanding is that we still have agreements in place with all three of them.

Hon. J Ladislaus: Could the Hon. Minister confirm whether we are seeking to enter into a sole agreement, therefore, with Helicopteros Sanitarios; and, if so, why?

2370 **Hon. G Arias-Vasquez:** Not to my understanding, no.

Hon. J Ladislaus: Can the Hon. Minister confirm whether the agreements with Andalusia S.Coop and Socorrismo y Servicios SL are the same, or similar in nature, to that with Helicopteros Sanitarios, or whether the arrangements differ?

2375 **Hon. G Arias-Vasquez:** Madam Speaker, I would need notice of that question in order to prepare the answer.

2380 **Hon. Dr K Azopardi:** May I just ask a very net question on the stats that the Hon. Minister has given, because we did not understand the answer: in relation to Question 38, at 2022 she gave the number, as we heard it, 98 emergencies, 35 emergencies. We did not hear that very well.

Hon. G Arias-Vasquez: Sorry: 98 non-emergencies, 35 emergencies.

2385 **Hon. Dr K Azopardi:** I imagine, but I ask the Minister to confirm, that the reason why she gave statistics in a different form up to 2021, and then from 2022 she gave that breakdown in non-emergency/emergency, and then as from 2023 emergency, is because of the effect of leaving the European Union and the preface to her original answer. Is that correct?

2390 **Hon. G Arias-Vasquez:** That is correct, and we have the breakdown from those years, so I thought I would give the fullest answer possible.

Madam Speaker: Next question.

Q40/2024

Ambulance services in Spain for Gibraltar patients – Cost

2395 **Clerk:** Question 40. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, can the Government provide a breakdown as to the total cost of the supply of ambulance services in Spain for Gibraltar patients in 2023 and 2024 to date?

2400 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, the total amounts paid for the supply of ambulance services in Spain for Gibraltar patients in 2023 is £1,030,684.

2405 In 2024, the GHA has still not received any invoices for the purposes I outlined earlier, so I cannot confirm what the cost is to date.

Madam Speaker: Any supplementaries?

2410 **Hon. J Ladislaus:** Madam Speaker, does the Hon. Minister expect that figure to lessen, once the new ambulances have begun to arrive in Gibraltar and are operational?

Hon. G Arias-Vasquez: Unfortunately, Gibraltar ambulances and their crew can only travel to Spain in emergency situations. That is the case at present and if that continues to be the case, then we do not expect that figure to lessen.

2420 **Hon. Dr K Azopardi:** My friend has another supplementary, but I will interrupt her, if I may, on this question. On the £1.03 million – I think that is the figure she gave – does she have statistics as to how that is broken down for the three Spanish entities that are providing the service to Gibraltar?

Hon. G Arias-Vasquez: Madam Speaker, again, I would have to prepare the answer to that question. I do not have that information with me.

2425 **Hon. J Ladislaus:** I am grateful for the information provided again, but could I just ask a question? We have just heard the Hon. Minister state that due to Brexit, unfortunately Gibraltar ambulances can only cross over to the other side of the Frontier into Spain in emergency situations. Why, then, is it the case that in emergency situations, Helicopteros Sanitarios ambulances have been used, clearly at a very high cost to the taxpayer, rather than a Gibraltar ambulance going across in emergency situations?

2435 **Hon. G Arias-Vasquez:** Helicopteros Sanitarios, or any other provider, is sometimes used when there is no ambulance available in Gibraltar. The ambulance sometimes comes to the Gibraltar hospital to pick up the patient. In the last few situations where we have not had an ambulance available, they do come to the hospital to pick up the patient.

Madam Speaker: Next question.

Q41/2024
Paramedics –
Insurance

Clerk: Question 41. The Hon. J Ladislaus.

2440 **Hon. J Ladislaus:** Madam Speaker, can the Government confirm that all paramedics have been or are covered by an appropriate insurance policy when undertaking their duties and that any insurance cover includes those who are not permanently employed by the GHA?

2445 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, we can confirm that all paramedics are covered by the relevant insurance policies.

Madam Speaker: Next question.

Q42-43/2024

**Breast screening and smear appointments –
Steps to encourage attendance**

2450 **Clerk:** Question 42. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, what steps is the GHA taking to encourage women to attend mammogram appointments?

2455 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): I will answer this question together with Question 43.

2460 **Clerk:** Question 43. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, what steps is the GHA taking to encourage women to attend smear appointments?

2465 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

Hon. G Arias-Vasquez: Madam Speaker, in answer to Question 42, information regarding breast screening is in the Public Health section of the GHA website. There was a breast awareness campaign in October; the GHA released a video in order to encourage women to attend and be breast aware; we liaise with breast charities and join them in their promotional days so we are available to women if they have any questions on the service; appointments and letters of information are sent to women encouraging their participation – this is to women between the ages of 40 and 70; at every appointment, women are encouraged to check their breasts, told to attend the one-stop clinic if they notice any changes, and return for routine screening every two years; the Director of Public Health was filmed in 2021 having her mammogram and she works proactively with a cancer charity, Bosom Buddies, to continue to promote this film and raise the profile and importance of the service.

The Director of Public Health is actively reviewing all GHA-delivered screening programmes and will take active steps during this year to promote the importance and improve uptake.

2480 In answer to Question 43, information is also available in the Public Health section of the GHA website. Once women attain the age of 25, they are invited by the GHA to book an appointment for a smear. Two reminders are consequently sent out and then followed up with a phone call. The importance of attending the smear test is explained to them throughout.

2485 The Director of Public Health is, once again, actively reviewing all screening programmes that the GHA delivers and will take steps, during 2024, to raise the profile and awareness of these.

Hon. J Ladislaus: I am grateful for the information provided, Madam Speaker.

2490 In 2022, we have statistics that were reported by the media whereby 600 mammogram appointments had been missed. We have received reports that women have experienced some difficulties at times in getting through when making phone calls to the relevant departments. Can the Hon. Minister comment as to whether that issue is being addressed; and, if so, what is being done?

2495 **Hon. G Arias-Vasquez:** Yes, many thanks for that. We have received comments that the breast screening programme is actually one that works very well because women are called and recalled until they attend their mammogram appointments. However, as you may be aware, we moved the Director of Public Health to the same Ministry as the Health Service because we believe that

public health is an integral service related to health. The Director of Public Health is working with the Director General of the Hospital to review and improve all screening programmes. The GHA website has been updated recently to provide information to all Gibraltarians on the screening programmes, and some programmes have already taken steps to improve the service. Breast screening has included email addresses, for example, so that people are able to change their appointments by email. Bowel cancer screening appointees are sent personalised letters and Public Health is asking people to actively opt out of the service. This has encouraged people to attend. We have had a hundred people who are eligible, who have never responded before, actually turn up to the hospital to ask for kits for this. We are actively looking at ways to improve the screening programmes because we understand the fundamental importance of these programmes to Gibraltarian public health.

Madam Speaker: Next question.

Q44/2024
Foetal screening –
Equipment available locally

Clerk: Question 44. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, can the Hon. Minister confirm the types of screening equipment that are available to the GHA locally in respect of foetal screening?

Clerk: Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, the GHA obstetric ultrasound service is performed on a Canon Aplio i700. This machine was purchased in April 2020. As per the Foetal Anomaly Screening Programme (FASP) guidelines, to achieve best practice the equipment should be updated every five years, and thus it is due to be changed in April 2025. The screening sonographers adhere to FASP guidelines while scanning, and any suspected anomalies that require specialist scanning are referred out to the Guttenberg Clinic in Malaga, which uses top-of-the-range equipment.

With regard to chromosomal abnormality screening, all patients across the GHA are offered the non-invasive prenatal testing (NIPT) screening blood test. This is a method used to determine the risk for the foetus being born with certain chromosomal abnormalities such as trisomy 21, trisomy 18 and trisomy 13. This testing analyses small DNA fragments that circulate in the blood of a pregnant woman. This goes above and beyond NHS guidelines and services, providing a more accurate risk factor to all women. Within the NHS, only high-risk patients are considered for NIPT screening.

Hon. J Ladislaus: I am grateful, Madam Speaker. Can the hon. Member confirm whether the GHA has its own experts in foetal medicine?

Hon. G Arias-Vasquez: Any neonatal abnormalities are not done by the GHA in house, no.

Hon. J Ladislaus: Is the Hon. Minister aware whether the GHA has had its own expert in foetal medicine in the past?

Hon. G Arias-Vasquez: Madam Speaker, again, I need to have this information in advance to prepare for it. I am not aware of whether we have had an expert in foetal abnormalities in the past. Apologies.

2545 **Hon. J Ladislaus:** I am grateful for that indication. I would be grateful to the Hon. Minister if she could confirm that. My understanding is that we have had an expert in foetal medicine in the past. That, of course, would stop women from having to go over to Spain for the screening that is undertaken at Gutenberg in place of us having that service. I would be very grateful if the Hon. Minister could look into that point further.

2550 **Madam Speaker:** It is a matter for the hon. Members on this side entirely, but I would just remind them that there is no limit to the number of questions you can ask, and if you want some specific information, then perhaps if you make it a specific question you will get that on the day. There is no limit.

2555 Next question.

Q45/2024

Nurses –

Numbers qualified locally and in the UK in last three years

Clerk: Question 45. The Hon. J Ladislaus.

2560 **Hon. J Ladislaus:** Madam Speaker, in the past three years, how many local nurses have qualified through the School of Health Sciences at the University of Gibraltar, and how many local nurses have alternatively studied nursing in the UK and qualified as nurses?

Clerk: Answer, the Hon. the Minister for Health, Care and Business.

2565 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the number of students studying for nursing-related qualifications in the School of Health Sciences at the University of Gibraltar in the past three years is 74. The number of students studying for nursing-related qualifications in the UK in the past three years is 17.

2570 **Hon. Dr K Azopardi:** The Minister has provided an answer as to how many people are studying, but the question asks how many people have qualified. People may be studying, but from my recollection, when you study to become a nurse, it takes at least three years if you do it through the School of Health Studies. How many people have qualified in the last three years?

2575 **Hon. G Arias-Vasquez:** Madam Speaker, since the University of Gibraltar commenced the Adult Nursing Programme in September 2020, there have been 19 students who have completed their BSc, a three-year, full-time programme. There are 16 due to complete their studies in September 2024 and a further 18 students in September 2025. I am unclear as to how many students in September 2026. In answer to your question, 19 students have completed their BSc.

2580 **Hon. Dr K Azopardi:** Nineteen in the last three years – is that the answer the hon. Member gave?

2585 **Hon. G Arias-Vasquez:** Madam Speaker, the University of Gibraltar commenced the BSc in Adult Nursing in September 2020. Therefore, since September 2020, there have been 19 students who have completed their BSc.

Hon. Dr K Azopardi: And so how many people have qualified who went to the UK in the last three years?

2590 **Hon. G Arias-Vasquez:** Madam Speaker, unfortunately, I have only been provided with the number of students studying nursing-related qualifications. I will clarify that for the hon. Member opposite.

Hon. Dr K Azopardi: I would be grateful, because that was part of the original question.
2595 As a matter of policy, are the local nurses who qualify through the School of Health Sciences or go to the UK then generally offered employment at the Gibraltar Health Authority?

Hon. G Arias-Vasquez: Absolutely. Last year, 19 nurses were offered employment having come out of the student programme.

2600 **Madam Speaker:** Next question.

Adjournment

Hon. Chief Minister: Madam Speaker, may I move that the House should now adjourn until tomorrow, at 3 p.m., to start dealing with my questions?

2605 **Madam Speaker:** I now propose the question, which is that this House now adjourn to Thursday 25th January 2024 at 3 p.m.

I now put the question, which is that this House do now adjourn to tomorrow at 3 p.m. Those in favour? (**Members:** Aye.) Those against? Passed.

This House will now adjourn to Thursday 25th January 2024 at 3 p.m.

The House adjourned at 6.55 p.m.