



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.15 a.m. – 11.20 a.m.

Gibraltar, Thursday, 20th June 2013

The Gibraltar Parliament

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The Parliament met at 9.15 a.m.

[MR SPEAKER: Hon. A J Canepa GMH, OBE *in the Chair*]

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[CLERK TO THE PARLIAMENT: M L Farrell Esq RD *in attendance*]

15

PRAYER

Mr Speaker

Order of the Day

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CONFIRMATION OF MINUTES

Clerk: Meeting of Parliament, Thursday, 20th June 2012.

25

(i) Oath of Allegiance; (ii) Confirmation of Minutes – the Minutes of the last Meeting of Parliament, which was held on 15th, 16th, 20th, 23rd May and 4th June 2013

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

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Mr Speaker signed the Minutes.

DOCUMENTS LAID

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Clerk: (iii) Communications from the Chair; (iv) Petitions; (v) Announcements; (vi) Papers to be laid. The Hon. the Chief Minister.

40 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to lay on the Table: the Consolidated Fund Pay Settlements – Statement No. 1 of 2011/2012; the Consolidated Fund Supplementary Funding – Statement No. 2 of 2011/2012; the Consolidated Fund Reallocations – Statement No. 3 of 2011/2012; the Improvement and Development Fund Reallocations – Statement No.1 of 2011/2012; and the Statement of Supplementary Estimates No. 1 of 2011/2012.

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

Clerk: The Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

50 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** I have the honour to lay on the Table the Financial Conglomerates (Amendment) Regulations 2013.

Mr Speaker: Ordered to lie.

55 **Clerk:** The Hon. the Minister for Sports, Culture, Heritage and Youth.

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, I have the honour to lay on the Table the Report and Audited Accounts of the Gibraltar Heritage Trust for the year ended 31st March 2012.

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

65 **Questions for Oral Answer**

TOURISM, COMMERCIAL AFFAIRS, PUBLIC TRANSPORT AND THE PORT

70 **Ayuntamientos of the Campo
Government payments made**

Clerk: (vii) Reports of Committees; (viii) Answers to Oral Questions.
75 Question 442/2013, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Tourism advise if any payments and/or donations have been made by the Government or under its instruction to any Ayuntamiento or Ayuntamientos of the Campo?

80 Just to point out, Mr Speaker, that I actually amended this in the office to read ‘can the Government’ but obviously it did not come through that way when I sent it by e-mail to the House; but I understand that the Hon. the Minister for Tourism will be answering the question in any event.

Clerk: Answer, the Hon. the Minister for Tourism, Commercial Affairs, Public Transport and the Port.

85 **Minister for Tourism, Commercial Affairs, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, no.

Hon. D J Bossino: Mr Speaker, I am grateful for the answer.

90 Just to pursue this in one further supplementary, can he confirm that no payment has been made, whether in money terms or in materials supplied to any of these Ayuntamientos, whether by a Government-owned company or a company which provides services to the Government, under obviously the instruction of the Government? That is the question I have to the Minister. Can he confirm, just to put this issue beyond any possible doubt?

95 **Hon. N F Costa:** Mr Speaker, as the hon. Gentleman knows, I had occasion to discuss the question with him in another place, because I was quite frankly surprised as to the nature of the question. I did not

know on what premise the question was being asked and therefore informally explored with him how I could be of assistance, to see what information I could provide for him.

100 He told me at the time that the question was the question and that he just wanted to know whether any donations or payments had been given under our instruction. As I advised him, in this other place, I passed this question to my hon. colleagues to ask whether they had given any instruction on any donation to any Ayuntamiento and the answer was also no.

105 Now he is asking me whether any Government-owned company has provided any donation in kind. To be honest, I have not asked GJBS or Car Parks Ltd or Gibraltar Bus Company Ltd whether that has been the case, but that is a very specific question, given that we did have an exploratory discussion somewhere else. I wish he had asked me and I would have also made enquiries then.

But the answer to the question as drafted is no.

110 **Chief Minister (Hon. F R Picardo):** Mr Speaker, if I may be of assistance, is the hon. Gentleman perhaps, because the way that his question is phrased, thinking of the acquisition of sand for Sandy Bay, for example, which involves a payment for sand? That would be caught by his question, but I do not think we quite interpreted it in that purchasing sense, but of course he will know that sand is being purchased, I do not know from which Ayuntamiento, but for the purposes of being laid at Sandy Bay.

115 **Hon. D J Bossino:** Mr Speaker, perhaps it is a matter I can raise outside of this House with the Minister later.

120 But just to point out, my supplementary was not just limited to Government-owned companies; it also extended to companies which provide services to the Government, almost exclusively. But I can raise that later with the Minister and maybe he can explore it further, if it assists him. I am grateful.

SPORTS, CULTURE, HERITAGE AND YOUTH

125 Gibraltar Sports and Leisure Authority Vacancies

Clerk: Question 443, the Hon. E J Reyes.

130 **Hon. E J Reyes:** Mr Speaker, can the Minister for Sports and Leisure say how many vacancies currently exist within the Gibraltar Sports and Leisure Authority and by when does the Authority expect to fill these vacancies?

135 **Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, there is currently one vacancy for the post of Sports and Leisure Officer. This is expected to be advertised in due course.

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Victoria Stadium football pitch Meeting UEFA standards

145 **Clerk:** Question 444, the Hon. E J Reyes.

Hon. E J Reyes: Further to the answer to Question No. 225/2013, can the Minister for Sports and Leisure now confirm that the football pitch at Victoria Stadium has achieved full approval and certification, thereby meeting UEFA standards for the playing of international competitions?

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Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

155 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, I am happy to state that the football pitch at the Victoria Stadium has achieved full approval and certification by FIFA, thereby meeting UEFA standards for the playing of international competitions. Furthermore, the IRB has also certified and approved the pitch for the playing of International Rugby competitions.

**Parson's Lodge
Works undertaken 2012-13**

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Clerk: Question 445, the Hon. E J Reyes.

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Hon. E J Reyes: Further to the answer to Question No. 236/2013, can the Minister for Heritage provide full details of all works undertaken at Parson's Lodge during the financial year 2012-13, inclusive of information pertaining to costs and contractors who carried out any works?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

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Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, works at Parson's Lodge have been undertaken by Construction and Maintenance Ltd. Those works included general repairs, masonry work, welding, painting, tiling and waterproofing to exterior and interior areas. The cost was £19,350.

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**Moorish Castle
Works undertaken 2012-13**

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Clerk: Question 446, the Hon. E J Reyes.

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Hon. E J Reyes: Further to the answer to Question No. 236/2013, can the Minister for Heritage provide full details of all works undertaken at Moorish Castle during the financial year 2012-13, inclusive of information pertaining to costs and contractors who carried out any works?

Clerk: Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

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Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares): Mr Speaker, works at Moorish Castle has been undertaken by Construction and Maintenance Ltd and Profield.

Construction and Maintenance Ltd was £8,820, of which they did: removal of the wooden trellis; repair existing railings and installation of extra railings to comply with Health and Safety; painting of the floor terrace; repairing and painting the wooden terrace doors.

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Profield: the sum was £10,075.59. This is still an ongoing project of which three original quotes were requested: ticket office extension to provide a staff room and kitchen for the site officers; relocation of existing toilets.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, does the Hon. Minister know if the timbers from the former gallows that were used in the prisoner's clubhouse, have they been preserved? Does the Hon. Minister know anything about this?

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Hon. S E Linares: I am afraid I do not have any indication of that but, Mr Speaker, since she has asked, I will find out myself to see, just out of interest for myself and her.

HEALTH AND THE ENVIRONMENT

**Government website statistics on Health
Updates**

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Clerk: Question 447, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health advise when the Government website statistics page on Health will be updated for figures, in some cases for the latter half of 2012 and for 2013?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

220 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the Government's website statistics specifically on Health are now all updated.

225 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, when was it updated? Just this last week, yesterday, or is it in the process of being completed today? Because they were not all completed by yesterday, I believe.

Hon. Dr J E Cortes: Mr Speaker, they have been in the process of being updated over the last couple of weeks. I was informed yesterday evening at about... well, I cannot exactly remember the time, that they were all updated.

230 So that is the information I was given as of yesterday evening when I specifically checked so that I was confident that the answer was correct. If there are any missing, then it must be an administrative delay, but I was told yesterday that they were all updated.

235 **Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. Minister say why they had not been updated on a regular basis?

240 **Hon. Dr J E Cortes:** Mr Speaker, no specific reason. I believe it was just the administrative process of getting the statistics together and online. I think that these things will happen and hopefully in the future there will not be delays of this nature, but I do not see anything other than administration processes, having to compile the statistics and putting them in the proper format. It is additional work to other work that is being done by the same officers.

GHA's new Chief Executive Officer Terms and conditions

245

Clerk: Question 448, the Hon. Mrs I M Ellul-Hammond.

250 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health advise what the contract for the new Chief Executive Officer of the GHA is: i.e. the terms and conditions and length of tenure?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

255 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the new Chief Executive will retain his Permanent and Pensionable status.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, will the Chief Executive have specific targets to meet?

260 **Hon. Dr J E Cortes:** Mr Speaker, the Chief Executive will take on his duties on 1st September. At the moment, he is both undertaking his current duties as Director of Nursing Services and undertaking training and induction. The job profile and job description at the time of advertising had a number of targets and therefore those targets would be his targets.

265 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, could the Hon. Minister send me a copy of the advert for the Chief Executive to check those targets, because it was not advertised in the media?

Hon. Dr J E Cortes: Mr Speaker, these are documents which are in the public domain, but I have no problem in facilitating.

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Cancer Relief Centre Services offered

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Clerk: Question 449, the Hon. Mrs I M Ellul-Hammond.

280 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health state what services the GHA will be offering at the new Cancer Relief Centre in partnership with the charity, Cancer Relief Gibraltar?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

285 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the services to be provided by the GHA to the new Cancer Relief Centre is currently the subject of discussion between the two entities.

It already includes the secondment of a co-ordinator, provision of meals and technical support for equipment.

290 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, are there any plans for an in-house Hospice service, with the support or employment of a part-time GP with an interest in palliative care?

295 **Hon. Dr J E Cortes:** Mr Speaker, this is one of the matters that is being discussed. The society in building or refurbishing the building made provision for Hospice, which was a long-term plan for them. The question of a GP service is a separate one, that is something that they wanted to bring in nearer to the opening date and these are the matters that we are currently discussing as to how we can assist in achieving these aims. We are in the middle of discussing the various requirements that they have and the costings and so on.

300 **Hon. D J Bossino:** Mr Speaker, can the Minister give an indication as to when he thinks that the... He says that he is currently in the middle of the negotiations and discussions: can he give an indication as to when he thinks he will be at the conclusion of them?

305 **Hon. Dr J E Cortes:** Mr Speaker, by 'the middle', I was not saying that it is exactly half way through. I know that is not the implication of the hon. Member. No, we have been in discussion for maybe a couple of months and I would like to see progress. I have learned in the 18 months here that it is very dangerous to specify any time, but I would say a couple of months.

310 We are quite close to knowing what they want and to getting the costs and now it is a question of seeing how we can achieve it. Obviously, we will provide as much support as we possibly can, because it is a service that we want to support.

Hon. D J Bossino: Mr Speaker, the Hon. Minister has referred to costs on two occasions. In terms of that consideration, is he able now to give the House a figure as to beyond which he would not go, in terms of providing the services, Mr Speaker?

315 **Hon. Dr J E Cortes:** Mr Speaker, I do not think that would be fair. We are already, as I said, providing a co-ordinator, we are providing meals, we are providing technical support for any equipment and that is not something that we are particularly costing; that is something that we undertook in order to... and these were things that had to be put up in front of the premises opening. They needed the co-ordinator, they needed to know they were getting meals, they needed to have the knowledge that their technical equipment would be looked after, so that was all put up, up front, without any hesitation.

320 But going into the cost of a Hospice, how many beds, what kind of cover do you need, what kind of medical cover do you need: those are complicated calculations. Decisions will be taken as to whether they want to go for the full potential, whether it is something that they want to introduce, there are discussions with an independent organisation and I do not think it would be fair for me to give details now when we are still talking. There is nothing particularly that anybody need worry about; it is just that we need to determine what is the level of support we are going to give.

330 **General Medical Council
Registration plans for doctors**

Clerk: Question 450, the Hon. Mrs I M Ellul-Hammond.

335 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health advise as to the new General Medical Council (GMC) registration plans for doctors in Gibraltar?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

340 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, they are currently under development.

345 The strands of work include (a) preparation of local doctors to register with the GMC; (b) amendment of the law to include revised procedures for medical regulation; and (c) preparation of GHA structures to comply with regulatory requirements.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Hon. Minister say if this will apply to all doctors practising in Gibraltar or just to GHA employed doctors?

350 **Hon. Dr J E Cortes:** Mr Speaker, a lot of work is going on in this respect. The Director of Public Health gave a presentation to all doctors in Gibraltar several weeks ago, so we want to facilitate the possibility of GMC registration to all doctors in Gibraltar. GMC registration is not a requirement to practise in Gibraltar at the moment and it is probably... it is likely that we would not require GMC
355 registration for all doctors in Gibraltar, including private doctors; but it is equally likely and it is a manifesto commitment that we will require GMC registration for all doctors employed in the public sector.

We are in the process of discussions with the GMC, I am expecting to go to their headquarters in London in July to take these discussions forward and it is in the process of development. But what I want to end up with, Mr Speaker, is a regulatory legislation which is not like the current one which is confusing. There are two Acts: one which says one thing and another Act which says something completely different. In fact, there are occasions where one doctor would be registerable under one Act and not registerable under another Act and these are things that we cannot have on our statute book.

360 So we are taking the opportunity of the GMC's requirement for revalidation to take all this on board and, in discussion with the GMC, come up with a regulatory legislation that will satisfy us all and particularly will improve and guarantee an improved standard of medical care in Gibraltar.
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Hon. Mrs I M Ellul-Hammond: Mr Speaker, will the revalidation process then be conducted locally, overseen by a local regulatory body, or directly from the UK, with visiting GMC individuals conducting that revalidation process?
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Hon. Dr J E Cortes: Mr Speaker, there are two challenges here. One is the long-term challenge of having the Gibraltar Health Authority accepted as the body which can do its own revalidation and that is one strand that we are following in our discussions with the GMC. We have to look at the way our medical registration is carried out, at the way that our own doctors are appraised, so we have a lot of work to do there because the system is not at all satisfactory. So that is one challenge for the Health Authority to take on this.
375

But the more immediate challenge is for those doctors who have to revalidate within the next couple of years, before we have been able to improve our systems to allow the GMC to recognise us as an organisation. We are talking to the GMC and to responsible officers, as the GMC requires, for the possibility of them coming over to Gibraltar and be recognised as suitable persons by the GMC, so that in the short term our doctors can be revalidated, until we get the organisation in a position that we can have an arrangement with the GMC that we can do our revalidation ourselves.
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So there are two parallel strands, so that we get short-term revalidation of doctors in employment now, and the organisation can then take us on board in the years ahead.
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Diabetes Strategy Details

390 **Clerk:** Question 451, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health say what the new Diabetes Strategy is, as he said it was nearing completion, as part of his Budget speech last year?
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Clerk: Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, in line with the Government manifesto commitment and in order to provide services for the very large numbers of people in our community who suffer from diabetes, the GHA has increased the Diabetic Team complement to two full-time posts.
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Further improvements to the Diabetes Service are being prepared.

405 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. Minister say if the adult diabetes nurse specialist has been replaced or a replacement found for her?

Hon. Dr J E Cortes: Mr Speaker, I believe – and this is not specific to the question, otherwise I would have had that information – we are in the process. Certainly, we have doubled the number of adult diabetes nurses and we will also be providing training in the future – well, in the future, because it has not happened yet, but in the short-term – for a full paediatric post working at Rainbow Ward.

410 Whether the actual person has been recruited, I am afraid... I can find out and I will certainly provide the information.

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**A&E Department
New doctor**

420 **Clerk:** Question 452, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health say when the new doctor for the A&E Department will be employed and whether it will be a consultant or a non-consultant hospital doctor (NCHD)?

425

Clerk: Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, the process of preparing a job description, working out rosters and the level of recruitment, is being finalised. It is envisaged that this time the post will be at a very senior level.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister be more specific as to ‘senior level’? Is it a consultant or an associate or a non-consultant?

435 **Hon. Dr J E Cortes:** Mr Speaker, it is likely that it will be a consultant. It is possible that it could be an associate specialist, which is also a very senior level. It will not be a junior NCHD.

440 **Public Health and Healthy Living
Initiatives taken by new Government**

Clerk: Question 453, the Hon. Mrs I M Ellul-Hammond.

445 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say what has been done that is new for Public Health and Healthy Living, not done by this Department before 9th December 2011?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

450 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the following is some of the work that is new since December 2011.

Publication of the Health and Lifestyle Survey: Gibraltar’s first ever Health and Lifestyle Survey was conducted in 2008, but funds for analysis were only made available in 2012. This work occupied the bulk of the following 18 months.

455 The substantial Report which is shortly to be published is the largest ever commissioned and produced by the GHA on the population’s health. It runs to 250 pages, has over 45,000 words, with content presented in 29 chapters and supplemented with over 230 charts and tables to illustrate the text. This work has all been done since then – the preparation of the actual Report.

460 This very detailed and comprehensive Report will primarily serve as a source of reference and be made available from libraries and on-line. To disseminate the key messages, the Public Health Department has produced a slim 16-page booklet capturing the essence of the Report in a user-friendly format for wide distribution to all households.

The striking findings thrown up by the Survey will form the substantial basis of Gibraltar’s future Health Improvement Strategy.

465 The Smoke Free Environment Act, which came into force on 1st October 2012 – such a short time ago, Mr Speaker, only about six... well, a bit more than that, eight or nine months ago – formed a significant milestone in the history of public health in Gibraltar.

470 It was the first time that passive smoking was officially acknowledged as a major health risk. The general welcome and acceptance by the public was a striking demonstration of how society has moved with the times in taking health matters seriously.

The Public Health Department geared itself to support me with public education and information initiatives and, at very short notice, achieved the following: production and distribution of a Public Information Leaflet; distribution of a list of Frequently Asked Questions through the press and media; printing and distribution of several posters for public places.

475 The GHA's first ever Stop Smoking Service, launched in November 2011, proved to be extremely popular and became oversubscribed with a waiting list, but was partly disabled by a prohibition on nicotine replacement therapy prescribing. This has now been relaxed, since December 2011, and quitters can get the full range of treatment. It is intended to add further resources for this service in line with the manifesto pledge to introduce 'a GHA programme to help those who want to stop smoking to do so.'

480 On health education, the Health Promotion Department has been working with the dieticians to develop local initiatives on reducing overweight and obesity. This is a significant problem in Gibraltar, as revealed by the Health and Lifestyle Survey and as identified in the Government's manifesto for health as an area for further engagement with the community.

485 Several resources for public health education have been produced in-house by the Department. These include: a leaflet on the MMR vaccination – a public education leaflet for parents to promote vaccination to prevent mumps, measles and rubella, which are important childhood illnesses – in 2008 a huge measles outbreak in Gibraltar affected 280 young persons; a leaflet on norovirus, intended for distribution by Infection Control teams and others to the general public and for use as a teaching aid; a booklet on breastfeeding intended for distribution by Maternity and Child Welfare Services to mothers of newborns; a leaflet on formula feeds, intended for distribution by Maternity and Child Welfare Services to mothers of newborns; a booklet on weaning, starting solid food, intended for distribution by the Child Welfare Service to mothers of infants.

The last three, when taken together, form a portfolio of linked resources for new mothers.

495 After many years, the Public Health Department broadcast its first infomercial on GBC Television, encouraging adults to quit the smoking habit and presented through the voices of children. Further infomercials are under preparation.

Another initiative has been the delivery of interactive workshops at the children's summer sport programme last year; and other initiatives are in the planning stages.

500 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, could the Hon. Minister explain again what the plans on targeting obesity are or have been implemented by the Department?

505 **Hon. Dr. J E Cortes:** Mr Speaker, the Health Promotion Department has been working, as I said in my answer, with the dieticians to develop initiatives. These initiatives are being developed and, in the context of the Health and Lifestyle Survey soon to be published, I am talking about within a couple of weeks. These will then take on, as a result of that. I do not have the specific details of what the campaigns involve.

510 **Hon. D J Bossino:** Mr Speaker, in relation to leading a healthy lifestyle, I seem to recall that the Hon. Minister said that he was going to be leading by example in relation to that. (*Laughter*) I just wanted to know, just to lighten the mood a bit, whether he is making any progress in that regard?

515 **Hon. Dr. J E Cortes:** Mr Speaker, the hon. Member has obviously been reading *The New People*, (*Laughter*) when it made a mention of that.

Mr Speaker, I will be addressing that in my Budget speech next week, so I would rather keep him in suspense until then.

520 **Hon. D J Bossino:** Mr Speaker, no doubt the Opposition benches will be waiting with baited breath for that speech – it is not good... probably not good... that probably does not do much for my healthy living either.

525 Mr Speaker, just by way of clarification and if the hon. Member could indulge me and confirm that the Health and Lifestyle Report, the new one which is due to come out and is currently being prepared, presumably it does not rely at all on any of the information which was gleaned and researched as a result of the 2008 Report?

Hon. Dr. J E Cortes: Well, Mr Speaker, the Survey that is going to be published is the Survey that was done in 2008. What happened is that, after 2008, the Survey was carried out and no progress was made: it was just left there as data sheets, basically, or a database or whatever.

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What happened in 2012, faced with that, I took the decision to provide the funding to compile it all into a report and to publish it, because having it in a file somewhere was no good whatsoever. So the Report... the Survey was carried out in 2008; the actual initiative to publish it was last year. So it is that same Survey.

535

**Environmental Assessment Report
Provision to Mr Netto**

540

Clerk: Question 454, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, further to the answer to Question No. 209/2013, can the Minister for the Environment provide me with the Environmental Assessment Report which he did say he was going to provide me with but has not done so yet?

545

Clerk: Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, yes, sir.

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Hon. J J Netto: Well Mr Speaker, given the fact that I raised this at the last month's session, I still have not got it. Has he got it with him? Is he going to pass it over?

And one other thing which I did mention last month was that if he was willing to provide me with it in electronic form and he also said he was going to do so. Is that forthcoming?

555

Hon. Dr J E Cortes: Mr Speaker, this Report is now in the public domain. It is available for inspection from the Town Planner. But in any case, as I undertook, it should be on its way to him during the course of the day. But it is available, it is a public document and it is available at the Town Planning Office, in any case.

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**Environmental projects
Tenders to Official Journal of the EU**

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Clerk: Question 455, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for the Environment say if there are currently any tenders that have been forwarded to the Official Journal of the European Union on environmental projects or likely to be sent in the following 60 days and, if so, say what the projects or services they are for?

570

Clerk: Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, tenders that are currently open with the OJEU are the tender for the new power station and the tender for the new waste treatment facility.

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**Solar panels for Tercentenary Hall, Dr Giraldi Home and Tangiers Views
Installation details**

580

Clerk: Question 456, the Hon. J J Netto.

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Hon. J J Netto: Mr Speaker, further to the answer to Question No. 250/2013, can the Minister for the Environment say if the Tender Board has now convened and made an award for the solar panels to be installed at the Tercentenary Hall, Dr Giraldi Home and Tangier Views and, if so, provide the following information: (a) the name of the company that has been awarded the tender and for what price; and (b) the name of all the other companies that made a bid and the price submitted?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

590 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the Tender Board met on 18th June, the day before yesterday. I am not aware yet of its decision.

595 **Hon. J J Netto:** Mr Speaker, could I perhaps ask the Hon. Minister, given that if the Tender Board only met recently on 18th June, that as soon as he is able to know the decision of the Tender Board and as soon as presumably the Government approves the decision of the Tender Board, if he will be willing to pass the information contained in my question to me?

600 **Hon. Dr J E Cortes:** Mr Speaker, my advice from the Procurement Department is that the *number* of unsuccessful applicants will be made public. It is not possible to disclose information about who these applicants are, nor the prices submitted in the tender bids, as this information is commercially sensitive.

605 **Hon. J J Netto:** Well, Mr Speaker, yes, I do take on board that it will be made public in due course within the machinery of the Government, when they presumably publish these in the *Gazette*. But given that that will probably take a long time, what I am asking basically the Minister is that, rather than having to wait from the Opposition benches until such a time as it is published in the *Gazette* or the *Chronicle* or whatever, whether the information can be passed on to me as soon as it is reasonably possible, when he has the information given to him.

610 **Hon. Dr J E Cortes:** Mr Speaker, I do not know what the hon. Member's hurry is. The people who submitted the tender do not yet know. This has to go now to the Treasury Board for approval in the normal process that the hon. Members opposite will know. There is a process to be followed and it should not take that long.

615 I just do not see the necessity to provide that information in advance of when it is available. As I say, not even the people who submitted the tender know yet.

New Power Station Environmental Impact Assessment

620

Clerk: Question 457, the Hon. J J Netto.

625 **Hon. J J Netto:** Mr Speaker, although normally I do not tend to project my voice out loud, obviously that is a skill that normally teachers seem to have and, on this particular occasion, I have got a cold. Probably that makes matters even worse to that effect, although I will try my best.

Mr Speaker, in relation to the question, has the Government already carried out an Environmental Impact Assessment for the proposed new Power Station?

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

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, the EIA for the proposed new power station has not yet been carried out. Government is in the process of identifying a suitable entity to do so.

635 **Mr Speaker:** May I, for the benefit of the hon. Member, say there is no particular problem when he is asking the actual question; it is during the course of supplementaries when obviously the House needs to hear the exact question. Right.

640

New marina berth for boat owners Provision of information

645 **Clerk:** Question 458, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for the Environment provide me with the information asked for in my letter to him on 23rd May 2013 with regard to the new marina berth for boat owners?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

650 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, my prepared answer said that the information would be available shortly, as environmental statements are published.

But I now believe that the information is in the public domain, again with the Town Planning Department, and therefore there should be no problem in the hon. Member accessing that information.

655 **Hon. J J Netto:** Mr Speaker, can I just once again say whether the hon. Gentleman would be willing to provide me with the information not just in paperwork, but also in electronic form?

Hon. Dr J E Cortes: Mr Speaker, I am getting asked repeatedly to act almost as the hon. Member's secretary in sending him all publications of everything that is available.

660 This information is available at minimum effort. If that minimum effort is too much for the hon. Member, then I will take whatever steps I have to take, in order to make sure that he has them; but it is a situation that it is information that is clearly available and on every occasion, I either get asked here or get a letter, asking me to provide information to the hon. Member that he is very capable of picking up himself.

665 There are other things that a Minister has to be involved in, other than forwarding e-mails with copies of publicly available documents. It is not that I do not want the hon. Member to have that information, but I get repeatedly asked to physically get the information myself and hand it over, and I think that is a little bit too much to request.

670 **Hon. S M Figueras:** Mr Speaker, just as a point of clarification, could the Hon. Minister say when the information was made public?

Hon. Dr J E Cortes: The information specifically on the marina has been around for a while. Perhaps the Hon. Mr Licudi could assist – it is a project that he has been leading on.

675 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, my recollection – and it is only a recollection – is that the information has been publicly available since approximately three weeks before 14th June. The 14th June was the deadline for the return of remarks or comments in relation to the project for the purposes of the DPC, and my recollection is that it was available three weeks before that, because that is the time limit that is required.

Two protected and endangered species Possible effects arising

685 **Clerk:** Question 459, the Hon. J J Netto.

690 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment provide me with information solicited in my letter to him on 20th May 2013 with regard to the possible effects of two protected and endangered species, arising from a public and private project?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

695 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I would just like to add that I did acknowledge the letter the following day. The letter is now ready and although my prepared answer says 'will be with him shortly' – I would add, very shortly – I have it here and I will hand it over to him.

700 The hon. Member copied the original letter to yourself, Mr Speaker, and to the Hon. the Leader of the Opposition and copies will be sent to you both, to yourself and to the Leader of the Opposition during the course of the day.

705 The original letter was not made public, so I have no intention of reading it out here. I had it ready some time ago but as the question had already been asked, I thought it would probably be best in order not to then be accused of having usurped the fact that the question had been asked, to quickly hand over the letter, so I thought I would bring it here and hand it here myself.

710 **Hon. J J Netto:** Mr Speaker, can I perhaps just say, given the amount of detail that I am requesting is so much, that perhaps it would be more useful and practical for Parliament if I just get the letter, we move on to the next question and when I get a proper chance to look at the information provided against the question I set, I may or may not then try to come back to this particular question and ask supplementary questions. Would that be more useful to Parliament?

Chief Minister (Hon. F R Picardo): If I may, the question that the hon. Gentleman has put is ‘when are you going to answer my letter?’ The answer is, ‘here is the answer’, and I would ask that you consider very carefully whether the hon. Gentleman is now allowed to go through the letter and ask supplementaries on it.

With the very greatest of respect to the hon. Gentleman, I do not think he will be able to persuade you that these are matters that arise from the question, although of course he can ask further questions of the Minister in the ante Chamber if he has got any queries in the way that the letter has been put to him, and at the next Question Time, he can put such questions as he wishes arising from the letter.

But having chosen the medium of correspondence to raise his concerns or ask those questions, I do not think it would be appropriate to consider any questions arising from the substance of the letter as supplementaries.

Mr Speaker: Let me explain to the hon. questioner what the position is.

Supposing he asks, ‘Will the Government make available a copy of a certain report here in the House?’ – that is his main question, say – and the answer is ‘Yes, sir, I will now hand over a copy of the report’, that does not mean that the hon. Member can then pursue, in the course of supplementaries, the contents of that report, because the original question is asking, ‘May I have a copy of the report?’ The answer is ‘Yes, here is a copy of the report.’

So it is not the time then to pursue the question of supplementaries. The procedure that I think the hon. Member should then follow is: he has been given a copy of the letter, he can study the letter and he will have an opportunity to put on the order paper whatever questions he feels are necessary on another occasion. In fact, another occasion could even be next week, because he may well consider that it is a subject that he can also raise during the debate on the estimates.

Does he understand what the position is?

Hon. J J Netto: Yes I do, and I am grateful, Mr Speaker, but can I just... without having had the opportunity to look at the content of the Hon. Minister’s letter, could I ask him whether, given that my letter to him did ask for copies of the minutes of the Nature Conservancy Council in relation to this subject matter, is this something which is forthcoming or something that your letter addresses?

Hon. Dr J E Cortes: Mr Speaker, the next question refers to minutes of the Nature Conservancy Council in the context of the Fishing Report. My answer to his supplementary now is identical to the answer that I am about to give. I can give it now and later, or now and not later, or later and not now, but essentially, Mr Speaker, the answer is that I will not make those minutes available.

Mr Speaker: But, that is the subject of the next question, so why does he not ask the next question, Question 460.

Clerk: Question 460 –

Hon. D J Bossino: Just by way of clarification to what the Hon. Chief Minister said: the original question is not simply ‘Has the Hon. Minister replied to my letter of 20th May?’ In fact, what it seeks is whether the Minister for the Environment can provide him with information solicited in the letter.

I can understand there has been a crossover, because there has been a letter and then there has been this question, and the Minister for the Environment has quite rightly chosen to respond to the letter and he has provided us with a copy of the letter.

I think he mentioned, and I stand to be corrected, something about ‘because it has been the subject of correspondence between the two Members, it could contain some confidential information or something which should not be read out publicly in the House’ and he has chosen to do on that basis, but to simply clarify –(Interjection) Just to finish, Mr Speaker, simply to clarify the position, Mr Speaker, the question was not ‘Has the Minister responded to my letter?’ or ‘When will the Minister respond to my letter of 20th May?’; the question is ‘Can he provide the information which I solicited in my letter of the 20th May’, so that it could have been in the Minister’s gift to have responded in the terms that he chose to respond in a letter in this House and then that would have given my hon. colleague the opportunity to ask supplementary questions on it.

Hon. Dr J E Cortes: Mr Speaker, if I may just comment, I did not mean that there were confidential matters. What I said was that the letter originally had been sent to me and had not been in the public domain and therefore my response I also hand over to him and I do not read out. I am not worried about it being in the public domain, but in the same way as the previous and earlier letter that the hon. Member sent me was published before I received it and I published the reply, in this case the hon. Member did not publish it and therefore I felt that I should not publish the reply either. That is what I meant.

775 **Hon. D J Bossino:** Mr Speaker, as a point of clarification for the future, if one writes a letter to an hon. Member opposite and a response is not forthcoming by the time that we are asked to file questions in this House, presumably the Opposition is enabled in those circumstances to pose a question even before we have had a response, which is exactly what has happened in this case.

780 It is just that the Hon. Minister has chosen to respond to the letter instead of responding to the hon. Gentleman's question, which he could have more than reasonably done, on the basis of the main question as drafted.

785 **Mr Speaker:** But supposing that the letter was in the mail. If the Minister's Department mailed a letter to the hon. Questioner and he has not received it by the time we are here in the House, he is not able to pursue the matter, is he? His question would then say, 'Can the Minister provide...?' and the Minister would say, 'The letter is already in the mail.' Now, how is then the questioner able to deal with the subject matter of the letter if he has not received it?

Here the Minister is making it available to him, in response to the question.

790 **Hon. Chief Minister:** If I may also, Mr Speaker, just add, the letter – I believe I have seen it – is a page and a half, or two, and questions here need to be literally one-line questions. So it would have to become 10 questions in this House, but of course the hon. Members are entitled to ask those same questions which they have asked in correspondence in the House, if they want them to be aired publicly and if the correspondence is going to be considered to be *inter partes* confidential correspondence.

795 **Mr Speaker:** I have a copy of the letter, it is nearly two pages and as I said the hon. Member can pursue the matter at a subsequent meeting. I do not think there are too many crabs, or endangered species that are going to pass away in the meantime for lack of clarification.

800 As I say, the debate on the Estimates is always a very wide debate, the speakers are always very liberal and I will be pretty liberal as well, and there is no problem. I am sure the Hon. Mr Netto can raise these matters in the course of the debate on the Estimates of Expenditure.

Fishing Report Nature Conservancy Council minutes

805

Clerk: Question 460, the Hon. J J Netto.

810 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment provide Parliament with the minutes of the meetings of the Nature Conservancy Council where the issue of the Fishing Report and its management has been discussed?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

815

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, no, sir.

Hon. J J Netto: Mr Speaker, can the Hon. Minister provide an explanation why this is not possible?

820 **Hon. Dr J E Cortes:** Mr Speaker, maybe the hon. Member could provide me a reason why it is necessary. Mr Speaker, this is confidential information by a statutory body, my statutory advisers giving the Government technical information and giving the Government recommendations, a process of discussion and it is information which I do not believe should be in the public domain.

825 In any case, Mr Speaker, as I have said, I think in answer to a question in the last sitting, or perhaps the previous one, I now meet with the Nature Conservancy Council regularly, monthly or every two months. During the time that the Party opposite was in Government, they never met with the Nature Conservancy Council once, so their interest in their advice now, when they are in Opposition, is astonishing, (*Interjection*) given that when they were Ministers and their advice would have been valuable and beneficial, they barely recognised the existence of the Nature Conservancy Council.

830

Hon. J J Netto: Well, Mr Speaker, we are not talking about the past; we are talking about the present and the present is that I am the person in the Opposition who asks the questions and the Minister is the one who answers them.

835 Now, can the Minister say, given that he is not willing, given the categorical statement that he is not willing to provide the information because I think he said this is technical information available to himself, whether he has taken any legal advice to determine whether that infringes... I cannot remember

exactly now the wording of the EU Directive in relation to access to environmental information by members of the public.

840 **Chief Minister (Hon. F R Picardo):** Sorry, the hon. Gentleman seems to confuse apples and pears too often. One thing is to have access to information and another is to have access to advice and to minutes of confidential meetings.

845 I know the hon. Members are used – or some of them are used – to being in Government for 16 years and I understand what a wrench it has been for them not to be in Government, but they are not going to be given minutes of meetings that Government have behind closed doors; otherwise, Mr Speaker, how long is a piece of string? Is the hon. Member going to then ask me for the minutes of my meeting with the Hon. the Minister for Tourism to discuss how we are going to further beautify the Upper Rock given the state in which we found it on 9th December 2011?

This is not something that is conducive to a collegiate approach to Government and Opposition.

850 I think that we are demonstrating, and in particular this Minister, when he gives over information which is in the public domain to facilitate to hon. Members with the information that we give in this House and that we provide on our websites, that we are providing them with a lot more information than they were entitled to.

855 But I would remind him of this, because he was Minister for the Environment, that when I used to ask questions about the culling of the apes, and about whether the Nature Conservancy Council had been consulted on the granting of licences and what had been talked about when the licences were granted to cull apes, I was told that I was not going to be given that information by the previous administration.

860 So in these circumstances, Mr Speaker, the question of giving these minutes, and whether we have taken legal advice on whether these minutes have to be provided, I put it to the hon. Gentleman is one which he is confusing with the obligation to provide access to information on and the advice that a Minister is being given by a particular council set up for that purpose.

A Member: Hear, hear.

865 **Hon. J J Netto:** Mr Speaker, the Hon. Chief Minister can stay quite relaxed that I will not be asking him for minutes of any meetings that he has with any of his Ministers in relation to any of the subjects for which he is responsible. That is a different matter altogether to the issue that I am raising now.

870 What I am raising now is that my view, which could be wrong – this is why I ask whether the Hon. Minister for the Environment has taken legal advice – is that there is a legal requirement to provide members of the public or the press or the Opposition environmental information. I believe that those minutes, if requested by members of the public, by the press or the Opposition, should be made public. I may be wrong, but I am asking the Government and they have not given me an answer, whether they have taken legal advice on this aspect.

Could I have an answer to that question?

875 **Mr Speaker:** With due respect, if you are going to ask the Government for that kind of information, whether legal advice has been taken or not, you should make that the subject of a specific question. You should not bring that... it is not a matter that arises from the original question.

880 It is an important issue, it is a detailed issue, it has to do with legal advice and if the hon. Member wants to know about that, he should put a specific question on the order paper, because it does not arise from the original.

885 **Hon. D J Bossino:** Mr Speaker, in fact, I think with respect, it does arise from the answer given by the Hon. the Minister. The original question was: is the Minister able to provide us with the minutes of the meeting of the Nature Conservancy Council, which dealt with the issue of the Fishing Report and the management having been discussed and the answer was – I am paraphrasing – no, and in fact, in the supplementary, he said that, I believe that I do not have to provide this information. I think it was following on from that answer, the hon. the Member for the Opposition for Environment has simply asked ‘Have you taken legal advice in relation to the legal correctness of that answer?’

890 So I think, with all due respect to the Chair, I think it is a question which *absolutely* arises from the answer given to the supplementary.

895 **Mr Speaker:** But then the hon. questioner is widening the whole input of the question by bringing the public into it. We have a question as to whether certain information can be provided to Parliament and then whether it can be made public, which is a separate matter.

For information... there is information provided to Parliament in confidence. This happens. Members of Parliament receive information in confidence and there is other information which they do not receive information in...

Any other supplementary on this issue?

900 **Hon. S M Figueras:** Mr Speaker, with respect and I do not want to labour the point too far – it is, with respect to the Chair, not...

Mr Speaker, my hon. Friend, the Opposition Member for the Environment is not seeking to widen the scope in any event. With respect, all he appears, certainly from this side of the House, to be eliciting is whether the reply that the minutes will not be shared with the Member or this House is as a matter of policy or as a matter of legal advice. It will go no further than that, Mr Speaker, and that is the limit of the scope of the question.

Mr Speaker: Are the Government in a position to answer that supplementary?

910 **Hon. Chief Minister:** Mr Speaker, I think that this threatens to become a very wide debate on what advice Government takes whenever a question is answered.

The position is very clear, the hon. Member has said that the Minutes will not be shared because this is a statutory body that gives him advice.

915 The hon. Gentleman has raised an issue which he raised if you will recall at the last Parliament as well, when he referred in a very lengthy supplementary to what obligations were under European Directive. If I may, and I know that there have been what I can only call two appeals against your very clear ruling, I think you were very clear in saying to the hon. Gentleman ‘Look, if you want that sort of question answered, put a supplementary.’

920 The hon. Gentleman may be able to tell him, for example, ‘Well, I have not taken any legal advice, but it may be that on the file there is already legal advice as to whether this information should be shared.’

What is advanced by the hon. Gentleman being told if one particular Minister has taken legal advice on questions?

925 But Mr Speaker, I put it this way, if that is the sort of tenor of supplementaries that is going to be allowed, we are going to need at least the 20 days’ notice of questions, because if we are going to have to take legal advice on whether we should or should not answer each question, and what information we should give, hon. Members are really going to put the Parliament in a very difficult position.

930 **Hon. D J Bossino:** Mr Speaker, just as a point of clarification, I think your advice or your ruling was that if that is the type of information which the Opposition seeks from the Government, one ought to set it out in an original question, not in a supplementary, as the Hon. the Chief Minister has just pointed out, because I think the Chair was saying that we would then be disallowed to ask supplementary questions which do not arise from the original question, which of course we as an Opposition do not agree with.

935 **Mr Speaker:** There are occasions undoubtedly when the Government will not provide, will not make certain information public as a matter of policy. The Government is able to do that.

On the other hand, the Government sometimes has certain obligations in law and it would be only in that instance where they might have to take legal advice as to whether that information can be put in the public domain or not.

940 I am not saying that it is not wrong for the hon. Questioner to be seeking that information as to whether the Government has taken legal advice or not; what I am saying is that at this specific moment, if the Minister has not taken legal advice on the matter, he may not be able to deal with that.

945 **Hon. Chief Minister:** Mr Speaker, can I propose a way out of this impasse for all parties, which is that the hon. Gentleman be invited to put a supplementary in a different way, which is simply to invite the Minister to take legal advice on whether the information should be shared under the Directive?

Then I am quite happy for the issue to be looked at in that way and this afternoon, if possible – if the hon. Member can speak to the Attorney before this afternoon – we may be able to give the House an answer and then resolve the issue for the future.

950 **Hon. D J Bossino:** Mr Speaker, I think that is precisely where my mind was going, because all we have had from the Minister is that he believes he does not need to provide this information. I think it is perfectly legitimate, maybe not in the way that has been posed by my hon. Friend, Mr Netto, in connection with the statutory obligations under the relevant environmental legislation provide information, but maybe slightly wider as to whether the Minister has taken legal advice, as to whether he is bound or not bound to provide this information publicly and certainly to the Opposition in this House. I think it is a way out.

Mr Speaker: We will proceed along those lines.

960 **Hon. J J Netto:** Mr Speaker, could I therefore...

Mr Speaker: Yes, by all means.

965 **Hon. J J Netto:** Can I therefore take the kind offer of the Chief Minister and pose the supplementary question to the Hon. Minister for the Environment.

Hon. Chief Minister: Take it as read.

970 **Hon. J J Netto:** I will take it as read; and can I also add to his question, once he gets the legal advice, whether we can get a copy of such advice.

975 **Hon. Chief Minister:** Mr Speaker, I think unfortunately, my attempt to be collegiate I feel is being stretched a little bit here. I am afraid I have to tell the hon. Gentleman that we will give an answer to this House, but we will not share the advice. Again, I think that is a slippery slope which the Government cannot embark on.

980 **Mr Speaker:** I think the principle that the Government wants to safeguard is that legal advice given to a Minister cannot be shared. That does not mean that reference cannot be made to the legal advice that has been given. That yes. Alright. They will provide the basis of what that legal advice is, but the actual legal advice cannot be made available, it is a confidential document.

Hon. Chief Minister: Mr Speaker, can I just ask whether this does away with their argument that there are not already too many lawyers in Parliament?

985 **Hon. D J Bossino:** Mr Speaker, I will simply ignore that remark. There is nothing wrong with being a lawyer, of course, and I think it assists in many respects, but that is a different matter.

990 Mr Speaker, I think what the Chair has just said, what you have just said is absolutely right. What we would want is not simply an answer saying, 'Yes, we received legal advice', but also we would be very grateful for the basis of that legal advice. I am grateful, but of course we appreciate that any advice which the Government receives as a client is confidential between advisor and advisee.

995 **Mr Speaker:** I am informed that the cameras are going haywire because we are all interrupting each other and not waiting for a Member who holds the floor to switch off, or for the Speaker when he holds the floor to switch off, before another Member intervenes, so I think we have to take things a little bit more sedately.

Litter

1000 **Tickets issued since 11th December 2011**

Clerk: Question 461, the Hon. J J Netto.

1005 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment say, since 11th December 2011, on how many occasions have litter tickets been issued, either by the RGP, the Environmental Agency, or any other entity on a monthly basis, stating by individual organisation the number of tickets issued and the number of fines arising from the issuing of such tickets?

1010 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, the information requested by the hon. Member is contained in the schedule I now hand over.

Answer to Question 461/2013

Litter Tickets are issued by the Royal Gibraltar Police (RGP), Highway Enforcement Officers (HEO's) and the Environmental Agency (EA).

Litter Tickets issued by the RGP from the 11th December 2011 to date.

Month	Number of Tickets	Fine
December 2011	1	£150 - c
February 2012	1	£150 - c
October 2012	1	£30 - a
March 2013	1	£30 - a
April 2013	2	£30 - a
May 2013	2	1 x £150 - c 1 x £30 - a
Total Number of Litter Tickets	8	

Litter Tickets issued by the Highways Enforcement Officers

Month	Number of Tickets	Fine
September 2012	1	£30 - a
January 2013	3	£30 - a
May 2013	1	£30 - a
Total Number of Litter Tickets	5	

Litter Tickets issued by the Environmental Agency

Month	Number of Tickets	Fine
March 2012	1	£150 - c
April 2012	2	£150 - c
July 2012	1	£150 - c
August 2012	1	£150 - c
October 2012	1	£30 - a
March 2013	1	£30 - a
Total Number of Litter Tickets	7	

Litter Tickets are issued under the following three pieces of legislation:-

Section 5 of the Litter Control Act £30 – (a) fine.

Section 5 of the Litter Control Act (Dangerous Litter) £150 – (b) fine.

Regulation 2 of the Litter Control (Animal Droppings) Regulations, 1990 £150 – (c) fine.

1015

Hon. Dr J E Cortes: I will add, Mr Speaker, in addition to the schedule the hon. Member asked the number of fines that have arisen and I believe that information is actually not in the schedule, but I will read it out now so that he has that information.

1020

Of the tickets issued by the Royal Gibraltar Police, they were not paid within the 14 days and are being processed for prosecution. Of the tickets issued by the HEOs, the Highways Enforcement Officers, three fines have been paid, the remaining two tickets are being processed for prosecution. Of the Environmental Agency tickets issued, three of those issued for dog fouling have been paid, together with one for litter. The remaining two tickets were not paid within the 14 days and are being processed for prosecution.

1025

Hon. J J Netto: Mr Speaker, I am grateful to the hon. Gentleman for the information, but just a quick glance, looking at the schedule that has been passed and in addition to the information that the Hon. the Minister has just provided for, one can reasonably say that not a lot of enforcement has been made. Whether this is just something that has happened in the last 18 months or has happened in the last 10 years, honestly I do not know, but given the question, which is 'What has happened since 11th December 2011?', it does seem that there has not been a lot of enforcement.

1030

So therefore my supplementary question is whether much more rigorous enforcement, as a result of the discussions that the hon. Gentleman has had recently with the litter campaign... we will see much more presence, if I can call it that, particularly in several hot spots when it comes to dog fouling.

1035

I have to say that I do have a dog and I do take him around Harbour Views quite a lot, and the pavement in that area is atrocious, because unfortunately there are many unscrupulous dog owners who do not pick up the mess of the dog afterwards. It is something that we need to get more awareness perhaps to people generally who do engage in such activity.

1040

Hon. Dr J E Cortes: Yes, Mr Speaker – where do I start?

There has been an increase in activity in the Government getting the machinery going. There are regular meetings of the Litter Committee and there have also been regular meetings of an Anti-Dog-Fouling Committee discussing different initiatives. Some have been put into effect.

1045 I am pleased to say, Mr Speaker, that in the recent amendment to the Litter Act in which the fines were increased, there was also the inclusion of the Department of the Environment as a litter authority, and therefore members of the Department of the Environment will now also be able to issue on-the-spot fines.

1050 I can also say, Mr Speaker, that both the Environment Agency and the Royal Gibraltar Police have been carrying out, in fact, quite a number of patrols in hot spots, as the hon. Member has said. Clearly it is difficult to issue a litter ticket because... and my experience as a magistrate and not one of the lawyers, but I am sure that the lawyers will recognise the fact, is that you really literally have to catch somebody red handed. It is very difficult to do that, because they can always claim, 'It wasn't me.' (*Interjection*) It was my dog, yes! (*Laughter*)

1055 Having said that, I think that the figures that I have given need to be put in context. There were only four litter tickets issued in the whole of 2011, before 9th December. In fact, I think that one of those might have been after 9th December, so three plus one, let us say, in 2011. There were 10 issued in 2012 and there have been 10 issued in the first half of 2013, so we are already increasing the number of tickets issued.

1060 If you add to this the increase in fine and the fact that we are constantly working together to try and increase awareness and to increase enforcement, I think we are making progress. Time, obviously, will tell.

1065 **New power station
Environmental performance criteria**

Clerk: Question 462, the Hon. J J Netto.

1070 **Hon. J J Netto:** Mr Speaker, can the Government say what the standard environmental performance criteria for the new power station will be, particularly with regard to piston engine, combustion gas turbines and/or steam turbines?

1075 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, the new power station will use a mixture of gas fired engines and/or turbines together with dual fired engines and/or turbines. The environmental performance of these engines will be dictated by Best Available Technology and the relevant EU Legislation.

1080 **Hon. J J Netto:** Perhaps Mr Speaker, this may not be a very clear supplementary question on my part, but in relation to the Best Available Technology, when the tender bids are coming in and are being considered against what is the Best Available Technology, how will the mechanism be in place to determine against the specification of the tender bids against the Best Available Technology in relation to the environmental criteria that obviously the Hon. Minister would wish to put in place?

1085 **Hon. Dr J E Cortes:** Clearly, Mr Speaker, the people involved in making the decision will have the expertise required to make that assessment.

1090

EQUALITY, SOCIAL SERVICES AND THE ELDERLY

1095 **Day Centre for the Elderly, Waterport Terraces
Opening**

Clerk: Question 463, the Hon. Mrs I M Ellul-Hammond.

1100 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services advise when the Day Centre for the Elderly will open at Waterport Terraces?

Clerk: Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1105 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, this facility will be opening very shortly.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, 'very shortly': is that then a few days, a few weeks or a few months?

1110 **Hon. Miss S J Sacramento:** I think that, realistically, Mr Speaker, the answer to that is within a couple of months.

1115 **Hon. J J Netto:** Mr Speaker, if I may, I think I do recall that the hon. Lady, I think it was in the December session of Parliament actually answered in the same way. In December, she said, 'It will be open very shortly.'

Now, things can get difficult in a number of different ways and particular projects can take more time than envisaged, but could the hon. Lady perhaps provide an explanation, why the delay?

1120 Because if it was to be opened 'shortly' in December, and here we are now in June and the hon. Lady is saying it is going to be in about two months' time, what has happened for the delay?

Hon. Miss S J Sacramento: Mr Speaker, I would like to start by reminding the hon. Gentleman that the units which we have now converted into the Day Centre lay idle and empty, by him, when he was in charge of the Care Agency, when the Waterport Terraces estate was completed, for a number of years.

1125 When we came in, Mr Speaker, we designed the facility from scratch. The facility itself is now ready and what we are doing is we are dealing with the staffing issues and hopefully, Mr Speaker, it is a project that I am very excited about. It is a project that will contribute very significantly to our elderly community and it is envisaged that the whole thing will be ready to get off the ground in a couple of months.

1130 **Hon. J J Netto:** Well, Mr Speaker, it is a typical blame game that the hon. Lady plays all the time in Parliament.

1135 The question is that she stood up in December of last year, saying it will open up shortly, giving the impression it was going to happen within weeks. We are not talking about... If she gave that information in December of last year, it meant that she was almost ready. It was not a question whether the actual premises were not kitted out with furniture or people not employed, because at that point in December she was already saying that she was almost there to open it up.

1140 So it is not a question of what happened in the period of the GSD; it is a question that she is now standing in Parliament, saying in December that it was almost ready to get out and then here we are in June, and she is still not in a position to open it up. Now, instead of having the blame game of the past, can she stand up and provide answers for her decision and her responsibilities during her period of time?

Chief Minister (Hon. F R Picardo): Mr Speaker, I wish to make a Point of Order.

1145 I have searched the *Hansard* for the three Question Time sessions of December. The word 'shortly' appears six times: three times on my lips in relation to other matters, once on the lips of the Minister, Mr Costa, and on another Minister's lips but not on Minister Sacramento's lips, so the whole premise of these questions is incorrect. I ask the hon. Gentleman whether he can point to where he says this happened in December or otherwise not mislead the House, and determine for himself when it was that this word, he believes, was on the Minister's lips.

1150 **Hon. D J Bossino:** Mr Speaker, just to point out the initial bits of the Hon. Chief Minister's introduction: I think the premise of his Point of Order may be misconceived as well, in that I think what he has done is a search for the word 'shortly'. The immediacy of the introduction of a Day Centre as replied by the Hon. Minister in December may have been expressed using a different word, other than 'shortly'. This is the hon. Member's recollection, the Minister has neither accepted or denied the Hon. Minister's recollection, it is in her gift to say, 'No, no, I did not say that.' She is the one who is in charge of her Ministry and she will no doubt be able to recall whether she told this House in December that it was going to be made available very shortly thereafter.

So I think the Hon. the Chief Minister's Point of Order is misconceived.

1160 **Hon. Chief Minister:** Mr Speaker, I am sorry to tell the hon. Gentleman that we are responsible for what we say in this House and although he has stood up as usual very eloquently to discharge his functions as a defence barrister for the hon. the Shadow Member for Social Services, Mr Netto said that the hon. Lady said 'shortly' in December. He was very specific about what he said.

1165 I know that the hon. Gentleman in trying to defend him has tried to nebulise what the question was but the question was specific.

Now, if Mr Netto wants to change the way that he put the question, perhaps he might wish to do so, but he specifically said that the Minister had used the word 'shortly' in December. That was the exact premise of his question, as *Hansard* will show.

1170 **Mr Speaker:** May I say that the *Hansard* for the December meeting is available: it is not a very difficult matter to consult it, to look up the questions addressed to the Hon. Minister for Social Services and to establish what the true facts are.

1175 Normally, what happens is naturally that a Member makes himself responsible for the contents of his question

Hon. D J Bossino: Mr Speaker, may I ask a supplementary? (**Mr Speaker:** Yes.)

1180 Can the Minister confirm the position? Is it that she is telling this House that the opening of this Day Centre has not been the subject of any delay? Is that what she is saying and can she...? Well, I will just leave it there.

Can she tell this House that she is satisfied that the opening of this Day Centre has not been the subject of any delay – delay to the order of, we are talking about seven or eight months?

1185 **Hon. Miss S J Sacramento:** Mr Speaker, I think that the way I want to deal with things, as far as I am concerned, everything is delayed, because when I see problems, I want them resolved within 24 hours.

Now what happens is that, when these things come to light, I think that initially we are quite optimistic in how we want them dealt with, because we want them dealt with as expediently as possible. But in reality, what happens, Mr Speaker, with large projects such as this is that things invariably may get delayed for one reason or another, for a number of months.

1190 We are now at a stage where I can say, categorically, that this centre will be opened in the next couple of months, Mr Speaker. For me, as far as I am concerned, I would wish for it to be opened tomorrow; I would in fact wish for it to have been opened yesterday. But these things happen, Mr Speaker, they are not as easy and to do them properly, we need to do them well.

1195

**Future care planning for juveniles
Expert child psychiatrist from the UK**

1200 **Clerk:** Question 464, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services update this House on her announcement in February 2012's Parliament session, where she said:

1205 'We have also identified an expert child psychiatrist from the UK and are in the process of commissioning an assessment which we hope will offer opinion and guidance regarding future care planning.'

Can the Minister say who this psychiatrist is, what the opinion of him/ her was and what guidance was given for future care planning for juveniles in need of specialised care?

1210 **Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1215 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, the hon. Lady is referring to a response to a question that was posed over a year ago. The psychiatrist at that time was a GHA visiting psychiatrist for children, Phil Collins. The current visiting paediatric psychiatrist is Bruce Clark.

The psychiatrists and the GHA Mental Health Team have liaised with the Care Agency residential team, social workers, counsellors and psychologist regarding the therapeutic needs of some of the looked-after children.

1220 Upon specific findings gathered during clinical interviews guidance has been provided in the form of expert recommendations and these have been put into practice.

1225

**Alzheimer and Dementia patients
Former 'John Mackintosh Wing' facility**

Clerk: Question 465, the Hon. Mrs I M Ellul-Hammond.

1230

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services say how many Alzheimer and Dementia patients the former 'John Mackintosh Wing' facility will be for and how many people will the semi-independent unit placed therein be for?

1235

Clerk: Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento): Mr Speaker, it is envisaged that approximately 36 beds will be made available for people with Alzheimer's and Dementia and there will be five or six flats for semi-independent living. Designs are being finalised.

1240

Hon. Mrs I M Ellul-Hammond: Mr Speaker, does the Hon. Minister have an idea of by when this facility will be ready?

A Member: 'Very shortly'!

1245

Hon. Miss S J Sacramento: Mr Speaker, I am told that the facility, or at least part of it, should be ready in approximately four months. Mr Speaker, of course I have to rely on the advice of the officials that is provided to me. I will not be physically building the facility myself.

1250

**John Mackintosh Wing, former St Bernard's Hospital
Old kitchens and bathrooms**

1255

Clerk: Question 466, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services say what has been done with the kitchens and bathrooms that have been ripped out of the completed elderly facility at the former John Mackintosh Wing of the former St Bernard's Hospital?

1260

Clerk: Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento): Mr Speaker, these units have not been ripped out. They have been removed in a way that allows for their re-use. These are to be re-used in on-going Government projects.

1265

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister say in what on-going Government projects will they be used?

1270

Hon. Miss S J Sacramento: Mr Speaker, there are various projects, such as Care Agency refurbishment projects and buildings where these kitchens will be installed, because the current kitchens that we have are in disrepair.

1275

For example, some kitchens in Mount Alvernia will be replaced, as will the kitchen in Bruce's Farm; the kitchen in several homes that we have both at Tangier View and in the community. Those are the examples of where these kitchens will be re-used because it will result in a cost saving in other refurbishments.

1280

Hon. D J Bossino: I take it that it must be implied in the answer, but I will ask the supplementary question in any event, Mr Speaker.

Presumably, the state of the kitchens which have been removed, I suppose ripped out, from the former John Mackintosh Wing are in a better state than the ones that they are going to be replacing, and...

1285

Hon. Miss S J Sacramento: Mr Speaker, the kitchens that were installed in the Mackintosh Wing were brand new, top-of-the range kitchens. They are being removed very sensitively, so that they can be recycled in a very cost-efficient manner so that there is no waste. Yes, I can confirm that the hon. Gentleman's assumption is correct.

**Absconding of looked-after child
La Línea, May 2013**

1290 **Clerk:** Question 467, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services say how a looked-after child managed to abscond in La Línea in May?

1295 **Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento): Mr Speaker, given the sensitivity of the information requested concerning a child, I will reply on a confidential basis.

1300 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. Minister say when...? Mr Speaker, as per the reassurance given to me by Parliament, will the Minister now also be providing the answers to the questions that were submitted but then disallowed?

1305 **Hon. Miss S J Sacramento:** Mr Speaker, as I understand it, these questions have been disallowed and they will not be responded to insofar as the manner that the questions are posed.

What I can say in Parliament, Mr Speaker, is that I am happy to have a conversation on this topic with the hon. Lady behind the Speaker's Chair.

1310

TRAFFIC, HOUSING AND TECHNICAL SERVICES

**Mid Harbour Estate
Non-compliance with house rules**

1315

Clerk: Question 472, the Hon. E J Reyes.

1320 **Hon. E J Reyes:** Mr Speaker, further to the answer to Question No. 330/2013, can the Minister for Housing now provide details in respect of how many homes, that is the actual number of residential properties, to the amounts paid to each of the companies listed for the months of January, February and March 2013 refer?

Clerk: The Question number was 472.

1325 **Hon. E J Reyes:** Sorry, Mr Speaker, there is still poor lighting on this side – maybe one day we can hit that. I can see a bit better now.

Question 472, Mr Speaker, should have read: can the Minister for Housing provide details of actions taken in order to curtail non-compliance with house rules at Mid Harbour Estate?

1330

Clerk: Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, in order to curtail non-compliance with house rules at Mid Harbour Estate the following measures will be undertaken.

1335

We will shortly be installing CCTV cameras which we expect will help limit the antisocial behaviour experienced within the estate. This will highlight those persons, many of whom, I have to add, are not even tenants of the estate, who persistently walk their dogs along Bishop Caruana Road and the promenade and do not clean up after them.

We are working closely with the RGP whom by patrolling the area are creating a visible presence.

1340

We will also be installing barriers at the entrance and exit points of the garage. This will stop all those who are not tenants of the estate from entering and causing a nuisance. Tenants of Mid Harbour Estate have also been suffering from non-tenants of the estate using the privacy of the garage to conceal tobacco in vehicles.

1345

Mr Speaker, as you may be aware, Government is committed to removing this kind of activity from our estates.

Hon. E J Reyes: Mr Speaker, I am grateful for that answer and I can obviously reinforce to the Minister for Housing that he can count on my support to make life for all the tenants at Mid Harbour Estate, as law-abiding citizens, to make their lives as comfortable as possible.

1350

Mr Speaker, there may be a certain amount of truth or not and I just wish to pose it to the Minister for his consideration, not necessarily to give me an immediate answer now, but I hear from some of the tenants there that they claim that, having at times called up the RGP, they have come across difficulties with certain Police Officers saying that some areas – either Bishop Caruana Road or other adjacent alleyways or whatever – do not seem to have been properly gazetted and so on. Therefore the Police have claimed at times, so I hear, that they are a bit powerless in imposing traffic order and so on.

1355

Can the Minister just confirm to me that he will take this on board and, if need be, we can talk behind Mr Speaker's Chair later, so that we can help improve the lives of all worthy citizens within the Mid Harbour Estate?

1360

Hon. P J Balban: Mr Speaker, I am aware that there is a slight issue with a road which lays at the back of Mid Harbour Estate. We are looking at this issue at the moment.

1365

**Repairs to empty homes
Amounts paid, January to March 2013**

Clerk: Question 473, the Hon. E J Reyes.

1370

Hon. E J Reyes: Further to the answer to Question No. 330/2013, can the Minister for Housing now provide details in respect of how many homes, i.e. the actual number of residential properties, do the amounts paid to each of the companies listed for the months of January, February and March 2013 refer?

1375

Clerk: Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker further to the answer to Question No. 330/2013 the following is the information being requested: January – 10; February – 13; and March – 19.

1380

Hon. E J Reyes: Mr Speaker, I hope I have explained myself properly. My question is, the amounts paid to each of the companies listed and I have got here the schedule that the Minister gave me last time round: it has got a big list of companies and so on. So from his answer today, if there were 10 companies involved in January 2013 which are the companies and what numbers and what breakdown of those 10 pertain to which of the companies?

1385

Hon. P J Balban: Mr Speaker, I asked, when speaking to the staff: it became clearly evident that the question that the hon. Gentleman is asking is something which would be extremely difficult to produce because companies will go in and do certain parts of the works in a house or a building and then other companies will come and continue and do something else. So to actually get the figures of every single stage and who it belongs to would be a very, very complicated task.

1390

So hence what has been prepared, what has been done is, it has given the hon. Gentleman some indication as to how many companies have been involved, given the figures provided last time.

1395

Hon. E J Reyes: So what in effect is happening, Mr Speaker? Can the Minister not provide me some information, for example, if we take in January 2013, one of the companies here receives a payment of £33,835. Is there no indication whether that relates to just one property or all 10 properties refer to that one?

1400

This is further feedback from a question that I posed last month and which I took the hint from Mr Speaker, when he said that the Minister did not have the information available and I could either write to him or pose the question again.

So from a month ago, the Minister was, in many ways, on notice that I would be seeking further details of this. I think the Opposition and the general public are entitled to know if the £33,835 refers to just one property or to how many?

1405

Chief Minister (Hon. F R Picardo): Well, Mr Speaker, in the discussion I am having with the hon. Gentleman on this side of the House, it seems that it is a very difficult exercise to do because of the way that the handing out of the work is structured, which maybe for example, to install showers. One company

may be installing showers and therefore may be involved in a number of different properties. Another company will be doing something else.

1410 But can I invite him to have a word with the Hon. Minister outside, so that maybe they can together agree a mechanism going forward, so that he could have the information and then perhaps with a bit more time, we may be able to provide the sort of data that he is requesting.

1415 What I am saying is that he may find there is doubling up: in other words, there may be different companies working on the same house, each of them doing different things. So there may be one company doing showers, there may be another company doing windows, etc – not one company doing the whole of one house.

1420 But perhaps with a discussion it may be possible for him to have more of the information he wishes and for us to have a mechanism for the future where we keep this data in a way that enables us to provide him with it more easily.

Hon. E J Reyes: Mr Speaker, yes, I am grateful to the Chief Minister. I think it sounds a very reasonable proposition that he has put forward. I will certainly meet with the Minister for Housing and yes, we can find a way forward.

1425 Believe me, I am not trying to reinvent the wheel or anything, I just wanted a bit of a better picture, obviously within certain accuracy, but not even down to the last penny. So perhaps sharing a coffee later on, we can find a way forward that provides information, not only relevant now but for anything that may come up in the future, and it helps us all to keep a better picture of the refurbishment works and related costs.

1430 So if there are any problems, I will come back to Mr Speaker, but I am perfectly content with that invitation from the Chief Minister.

**Details of expenditure incurred in respect of contracts
for making empty homes suitable for reallocation**

1435

Clerk: Question 474, the Hon. E J Reyes.

1440 **Hon. E J Reyes:** Can the Minister for Housing provide updated details in respect of expenditure incurred since the answer to Question No. 330/2013 in respect of contracts awarded for making empty homes suitable for reallocation, stating to whom payments were made, how much has been paid, the number of residential homes pertaining to each payment, as well as indicating if the services contracted were for repairs or cleaning.

1445 **Clerk:** Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

1450 If the hon. Member would like to note that there is, at the bottom of that schedule, it says ‘specify all services contracted were for repairs’.

ANSWER TO QUESTION 474

CONTRACTOR	Apr-13	May-13	No. of Properties
G & G GENERAL CONTRUCTION LTD	£2100	Nil	1
CIAP CONSTRUCTION CO LTD	Nil	£13721	2
ANDY HOLDING LTD	Nil	£5500	1
S A CONSTRUCTION CO LTD	Nil	£4460	1
ABEGON FITTERS	Nil	£9484	1
BUILDING CONSULTANCY SERVICES LTD	Nil	£18188.34	1

All services contracted were for repairs.

1455 **Hon. E J Reyes:** Yes, Mr Speaker, since we are going to talk later on, I am not going to pose any supplementaries now. I would rather conduct any further exchanges in a gentleman-like manner later on.

**Tenant moved for urgent repairs
Permanent decanting**

1460

Clerk: Question 475, the Hon. E J Reyes.

1465 **Hon. E J Reyes:** Further to the answer to Question No. 338/2013, can the Minister for Housing now provide relevant details pertaining to the necessity to decant the tenant, identified as number 3 on the schedule, on 1st March 2013 on a permanent basis?

Clerk: Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

1470 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, further to the answer given to Question No. 338/2013, I can inform the hon. Member that the tenant identified as number 3 on the schedule was decanted due to the fact that the property in question had suffered from severe water penetration as a result of a collapsed roof during a bout of heavy rain.

1475 The nature of the works required were such that the professional technical advice was to permanently decant the family to another property, as major works were required and these could not be undertaken with the tenants *in situ*.

1480 **Hon. E J Reyes:** Yes, Mr Speaker, but having decanted the tenants so that rightfully the works may be carried out, it has been listed, or it was listed last month as being a permanent decanting. Is that because the tenant is not going to be offered the possibility of going back to that residential property once it has been fixed, no matter how long it takes to carry out the repairs?

Hon. P J Balban: Mr Speaker, would the hon. Gentleman repeat the question, because there was a bit of background noise and I was not able to hear.

1485 **Hon. E J Reyes:** Why could they not go back?

1490 **Hon. P J Balban:** Ah, Mr Speaker, why could they not go back? I would have to ask that question specifically, but there are occasions when people are decanted for long periods of time. For example, if works are required and they take more than eight weeks to complete, then the policy is to decant permanently.

Probably once they have been decanted, families are probably happy where they are and they choose to remain I would presume, but for a specific reply to that question, I would need to find out for him.

1495 **Hon. E J Reyes:** Yes, Mr Speaker, indeed that is what I was trying to get at last month, which is why I had to re-pose the question now because I had not given due notice to the Minister.

1500 If I recall, and Mr Speaker probably recalls it quite well, during his tenure in office, there was once a major refurbishment that needed to be carried out, for example, at Penney House, where for a very long period of time, the tenants were decanted; but once those repair works were done, then the tenants who wished to, were given the option of returning back to the property. I believe a fair number did and others like is being said now, may find their new homes quite adequate.

What I am getting at is, the answer last month said that it was a permanent decanting and I am saying, is it that the tenant will not be given the option or it is permanent because the tenant has chosen that once he has moved, he does not want to move back again? Which of the two is it, Mr Speaker?

1505 **Hon. P J Balban:** Mr Speaker, I will find out and come back to the hon. Member, but what I can see is if a person or a family is decanted for an extra long period of time and they make their home in this new flat, the chances are that those people will want to remain.

But again in this specific case, I will need to find out and will revert to him.

1510 **Hon. E J Reyes:** Understandable, Mr Speaker: I will wait for the Minister to obtain the information and then he can provide it to us.

Thank you.

1515 **Rental homes assigned since Question No. 339/2013**
Repairs

Clerk: Question 476, the Hon. E J Reyes.

1520 **Hon. E J Reyes:** Mr Speaker, can the Minister for Housing provide details in respect of rental homes assigned since the answer to Question No. 339/2013, indicating how many will be repaired by (a) the Housing Works Agency; (b) sub-contractors and (c) the assigned tenants themselves?

1525 **Clerk:** Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

Minister for Traffic, Housing and Technical Services (Hon. P J Balban): Mr Speaker, since the answer given to Question No. 339/2013, 11 flats have been assigned. The repairs are to be undertaken by the following: the Housing Works Agency – two; sub-contractors – four; the assigned tenants themselves – 2; temporary allocated, which are flats refurbished then assigned – three.

1530 **Hon. E J Reyes:** Sorry, Mr Speaker, on the last one he said there were three. Can he repeat that part? I did not quite get it clearly.

1535 **Hon. P J Balban:** The fourth one the hon. Gentleman is referring to is ‘temporary allocated’: that is flats refurbished and then assigned – three.

Hon. E J Reyes: So I hope I got it right: these flats are repaired first and then assigned, yes?

1540 **Hon. P J Balban:** Mr Speaker, the term ‘temporary allocated’ refers to the following: when an existing tenant is allocated another Government tenancy, we cannot give them a tenancy agreement in the first instance, as they can only hold one tenancy at any one given time.

In order to allow them access to the property to effect the move, we give them a license agreement. Once they return the keys to the old property, we give them the tenancy agreement for the new flat.

1545 If for whatever reason they fail to return the keys to the old property, the license agreement gives us the authority to repossess the new property allocated.

Hon. E J Reyes: Yes, I understand that a bit better.

1550 So therefore, Mr Speaker, those three are the repairs being carried out by the tenants themselves or the Housing Works Agency?

Hon. P J Balban: Mr Speaker, in this case, if you look at the actual breakdown, the third section said ‘the assigned tenants themselves – two’. So two of these cases were self-repair, so hence the (d) must be done by companies.

1555 **Hon. E J Reyes:** So therefore it should form part of (b), sub-contractors, four, plus the other three under the temporary allocation conditions, yes?

Hon. P J Balban: Mr Speaker, yes, I can see what the hon. Gentleman is asking.

1560 Because of the fact that they are holding a license agreement, as opposed to a tenancy whether they actually are fixing it themselves or not, I would once again have to check on that one.

The breakdown, as I said earlier, that in fact the Housing Works Agency have a total of 11, I believe I said, two were fixed by the Housing Works Agency, four by subcontractors, two were fixed by the tenants themselves and three were flats that were refurbished and then assigned.

1565 I take this as it was done by one or the other, as I would have to seek the exact information that the hon. Gentleman is asking and revert to him.

Hon. E J Reyes: Yes, acceptable: Mr Speaker, again, in this case I will await.

1570 The only thing is, Mr Speaker, when the Minister does have the answer it is obviously a delayed continuation to the question that I posed. Perhaps we need to seek advice later on from you, Mr Speaker, or the Clerk indeed, how we get this answer so that it forms part of the record? It is just a question that he does not have the information now or he wants to seek further clarification, for which I am grateful, but there is a commitment that he is going to provide the information, we need some guidance how can that end up being part of the record?

1575 **Clerk:** I think if the Minister provides the information during the course of Question Time, this meeting, and the Minister speaks about this and gives his information, then that will be recorded in *Hansard*. But if it happens after Questions and Answers, then it is not going to be possible.

1580 **Hon. P J Balban:** Mr Speaker, if I may, I will try to get this information as soon as we break up for lunch and hopefully have it for the hon. Member for this afternoon's sitting.

Hon. E J. Reyes: Yes fine, I accept that from the Minister and with a bit of luck, we will keep all fingers crossed and therefore we will meet the requirements for inclusion in *Hansard*.
Thank you.

1585

EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS AND JUSTICE

1590

Washington DC, USA Gibraltar graduates taking up placements

Clerk: Question 492, the Hon. E J Reyes.

1595

Hon. E J Reyes: Mr Speaker, can Government say how many Gibraltar graduates have taken up the offer of placement in public and private sector organisations in Washington DC, USA?

Clerk: Answer, the Hon. the Minister of Education, Financial Services, Gaming, Telecommunications and Justice.

1600

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, 11 students have so far taken up placements in the US-Gibraltar Internationalisation and Professional Training Internship Program.

1605

Hon. E J Reyes: Out of sheer curiosity, Mr Speaker, does the Minister have available information as to the breakdown of whether they are males or females – just out of sheer curiosity?

Hon. G H Licudi: Mr Speaker, I did see a list which I have not got included here and I did see that there were one or two female students, but I could not give the exact number. My recollection is that it is predominantly male, but there are some female students as well.

1610

Gibraltar graduates' placements, Washington DC, USA Estimated costs of sponsorship

1615

Clerk: Question 493, the Hon. E J Reyes.

Hon. E J Reyes: Can Government provide a detailed breakdown of estimated costs in respect of their sponsorships towards Gibraltar graduates' placements in public and private sector organisations in Washington DC, USA over the next three years?

1620

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

1625

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the cost per student is €14,000. This covers the 15-week period of internship as well as the application fee, tuition and programme fees, visa fees, medical insurance and the housing fees.

Additional costs per student are in the region of £2,500 to cover Consulate visit, air travel, meals and subsistence costs.

1630

Hon. E J Reyes: Again Mr Speaker, out of sheer curiosity why is the 14,000 quoted to us in euros? I mean I would have thought dollars as it is the United States or sterling, but I am intrigued as to why euros.

1635

Hon. G H Licudi: Because that is the way it has been invoiced to the Government.

1640

**St Bernard's First School transfer to new site
Provision of nursery or pre-school educational facilities**

Clerk: Question 494, the Hon. E J Reyes.

1645

Hon. E J Reyes: Mr Speaker, can the Minister for Education provide details of what future nursery or pre-school educational facilities Government intends to provide once St Bernard's First School is transferred to its new site?

1650

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

1655

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, St Bernard's Nursery is in a building separate from the First School. The building which houses the nursery, and facilities contained therein, are appropriate for the nursery which will remain at its present location.

In other words, the First School, which is in the building where we have identified some issues and we want to relocate, is being transferred; but the building which contains the nursery is actually a good facility. It has got a large area, it has got an outdoor area, it is a very good facility for a nursery and there is no intention of moving that.

1660

Hon. E J Reyes: Thank you.

Mr Speaker, does the Minister know at this stage, is it the intention that the nursery will come under the jurisdiction, shall we call it, of the head teacher of the First School or will it be a total independent and separate unit?

1665

Hon. G H Licudi: Mr Speaker, the nursery is part of the First School, even though there are two buildings now which are relatively near to each other. The nursery is part of the First School and will continue to be part of the First School. The First School is moving, but there are some steps which will make it accessible from the First School in the new location at the old St Bernard's Hospital site, up some steps and across the road to the location of the current nursery.

1670

Therefore the head teacher of St Bernard's First School will continue to be the head teacher of the nursery.

1675

Procedural

Clerk: The Hon. the Chief Minister.

1680

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that the House now recess until 3.00 p.m.

1685

Mr Speaker: We will now recess to 3.00 p.m., when I understand we will be dealing with, in the first place, Questions to the Chief Minister?

Hon. Chief Minister: Yes, sir.

The House recessed at 11.20 p.m. and resumed its sitting at 3.00 p.m.