



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3 p.m. – 6.55 p.m.**

**Gibraltar, Wednesday, 24th January 2024**

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# The Gibraltar Parliament

*The Parliament met at 3 p.m.*

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

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

## PRAYER

*Madam Speaker*

## CONFIRMATION OF MINUTES

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

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

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**Madam Speaker:** May I sign the Minutes as correct?

**Members:** Aye.

10

*Madam Speaker signed the Minutes.*

## COMMUNICATIONS FROM THE CHAIR

### Best wishes for the New Year

**Clerk:** (iii) Communications from the Chair.

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

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## ANNOUNCEMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I am obliged, Madam Speaker.

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

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

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

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

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

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

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

Thank you.

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

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

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

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

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

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

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

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

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

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

Madam Speaker, I am obliged.

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



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

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

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

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

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

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

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

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

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

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

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

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

Thank you, Madam Speaker.

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

#### PAPERS TO BE LAID

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

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

**Madam Speaker:** Ordered to lie.

## Questions for Oral Answer

### Procedural

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

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

### HOUSING AND THE UNIVERSITY OF GIBRALTAR

#### Q4/2024

#### Catering sector related courses – Number offered and subsequent employment

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

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

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

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

390 Thank you.

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

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

Thank you.

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

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

**Madam Speaker:** Next question.

**Q2/2024**

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

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

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

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

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

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

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

Thank you.

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

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

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

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

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

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

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

Thank you.

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

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

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

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

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

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**Hon. D J Bossino:** Yes.

**Madam Speaker:** One more.

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

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

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

and therefore we will be happy to give it.

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

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

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

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

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

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

**Madam Speaker:** Next question.

**Q3/2024**  
**Housing Act –**  
**Presentation to Parliament**

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

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

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

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

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

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

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

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

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

540      Thank you.

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

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

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

**Madam Speaker:** What is the question?

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

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

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

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580      **Madam Speaker:** Next question.

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

**Madam Speaker:** Next question.

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

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

**EQUALITY, EMPLOYMENT, CULTURE AND TOURISM**

**Q6-8/2024**

**Flight disruptions –**

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

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

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

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

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

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

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

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**Clerk:** Question 8. The Hon. G Origo.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

715 Next question.

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

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

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

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

730 **Madam Speaker:** Next question.

**Q9/2024**

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

**Clerk:** Question 9. The Hon. G Origo.

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Next question.

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

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

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

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

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

795 **Madam Speaker:** Next question.

**Q11/2024**  
**Tourism rebrand –**  
**Gibraltar logo**

**Clerk:** Question 11. The Hon. G Origo.

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Next question.

**Q12/2024**  
**COVID memorial –**  
**Current plans**

**Clerk:** Question 12. The Hon. G Origo.

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

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

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

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

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

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

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

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

870 **Madam Speaker:** Next question.

**Q13/2024**

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

**Clerk:** Question 13. The Hon. C Sacarello.

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

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

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

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

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

Thank you.

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

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

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

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

915 **Madam Speaker:** Next question.

**Q14/2024**

**Government-backed catering apprenticeships –  
Numbers**

**Clerk:** Question 14. The Hon. C Sacarello.

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

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

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

925

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

930

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

935

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

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

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

950

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

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

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

965

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

975

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

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

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990

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

995

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

1000

**Madam Speaker:** Next question.



**Q15/2024**

**Vacancy registration charges and fines –  
Abolition**

**Clerk:** Question 15. The Hon. C Sacarello.

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

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

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

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

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

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

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

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

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

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

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

1070 **Madam Speaker:** Next question.

#### Q16/2024

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Hon. D J Bossino:** Madam Speaker –

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

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

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

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

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

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

**Madam Speaker:** Next question.

## EDUCATION, THE ENVIRONMENT AND CLIMATE CHANGE

**Q17-18/2024**

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

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

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

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

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

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

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

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

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

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

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**Madam Speaker:** Next question.

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

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

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

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

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**Madam Speaker:** Next question.

**Q19-20/2024**  
**Keightley Way Tunnel –**  
**Repairs**

**Clerk:** Question 19. The Hon. G Origo.

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Next question.

**Q21/2024**  
**World War II tunnels –**  
**Plans**

**Clerk:** Question 21. The Hon. G Origo.

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

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

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

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

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

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

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

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**Madam Speaker:** The Hon. Mr Origo.

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

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

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**Madam Speaker:** The Hon. Mr Origo.

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** The Hon. Mr Bossino.

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

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

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

**Madam Speaker:** Next question.



**Q22/2024**

**Eastern Beach –**

**Source of wet-wipes found on beach**

**Clerk:** Question 22. The Hon. C Sacarello.

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

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Next question.

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

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

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Next question.

**Q24/2024**  
**Moorish Castle Estate –**  
**Solar roof panels**

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

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

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Can we answer the question, then?

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

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

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

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

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

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

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

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

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

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

**Q25/2024**

**Parson's Lodge –**

**Visitors per month since reopening**

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

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

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

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Last question.

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

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

**Madam Speaker:** Next question.

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

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

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

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

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

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

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

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

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

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

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

1680 **Hon. Prof. J E Cortes:** Madam Speaker, the technology is moving forward all the time, and you never know when the right moment to seize it is, because it is developing.

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

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

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

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

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

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

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

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

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

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

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**Madam Speaker:** Next question.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

What I was asking very specifically, and I do not think there has been an answer, other than a fairly vague answer ... This is my interpretation; I will state it, and if he does not agree, he can say. I am taking from his answer that, in fact, there has been a breach – there must have been a breach – of the relevant regulations, but they decided to deal with it by trying to approach the contractor for some mitigating measures. In terms of the mitigating measures that were introduced as from a specific date, which he gave the House, is the Government now satisfied that  
1840 the measures in place are sufficient to ameliorate the concerns of residents that I am sure he has received, as I have received?  
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**Hon. Prof. J E Cortes:** Madam Speaker, in as far as I am not aware of any recent complaints, that is the only comment I can make. If there have been, I am not aware of them; and if there  
1850 have not been, and there should have been, then I am very happy to listen to them. At this point in time I am not in receipt of, nor do I have knowledge of any recent complaints.

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

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

**Madam Speaker:** Next question.

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

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

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

## HOUSING AND THE UNIVERSITY OF GIBRALTAR

**Q4-5/2024**

**Housing waiting lists –**

**Number remaining on list since 2011;**

**numbers on general, social or medical lists for three years or more**

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

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

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

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

1880 **Minister for Housing and the University of Gibraltar (Hon. P A Orfila):** Madam Speaker, I will answer the question together with Question 5.

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

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

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

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

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

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

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

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

Thank you.

1905      **Hon. Dr K Azopardi:** Presumably, the Hon. Minister is talking about the 61 people who remain on the housing list and have been on the housing list since 9th December 2011, now more than 12 years ago. She is saying that in relation to those people ... a lot of them simply do not want to go. Is that what she is saying?

1910      **Hon. P A Orfila:** They do not want to go with what we offer them. They want something else. It is not that they do not want to go.

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

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

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

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

1935      **Hon. Dr K Azopardi:** I cannot recall that anyone specifically asked this question at the last House, but if the Hon. Minister thinks so, we can check it, and, if not, then I can always write to her on that issue.

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

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

1945      **Madam Speaker:** Next question.

HEALTH, CARE AND BUSINESS

Q29/2024

Electricity generated in Gibraltar –  
Amount and source in 2023

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Next question.

**Q30/2024**  
**Wheelchair maintenance –**  
**Cost**

**Clerk:** Question 30. The Hon. J Ladislaus.

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

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

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

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

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

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

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

**Madam Speaker:** Any other questions?

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

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

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

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

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

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**Madam Speaker:** A question?

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**Hon. A Sanchez:** – keeping an eye on.

**Madam Speaker:** Formulate the question.

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

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

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

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**Madam Speaker:** Next question.

#### Q31-33/2024

#### GHA ambulance fleet –

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

**Clerk:** Question 31. The Hon. J Ladislaus.

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

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

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

**Clerk:** Question 32. The Hon. J Ladislaus.

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

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

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

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

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

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

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

2145 **Hon. J Ladislaus:** Madam Speaker, in respect of Question 31, can the hon. Member confirm which of the ambulances broke down, both in November and December?

2150 **Hon. G Arias-Vasquez:** Unfortunately, I do not have that information available.

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

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

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

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

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

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

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

2175 **Hon. G Arias-Vasquez:** I am unaware of how it worked in each of those specific instances. However, in answer to one of the later questions, I think this specific point will be addressed because, for emergency and non-emergency ambulances, we do have a contract with the provider, on which I will go into further detail in the next question.

2180 **Hon. J Ladislaus:** Just one further question: could the hon. Member provide details as to whether, once the GHA's new ambulances have arrived and are operational, other more unreliable ambulances within the GHA's fleet will be retired?

2185 **Hon. G Arias-Vasquez:** There is a programme for the updating of the ambulances. It has not yet been determined what exactly will be done with the older ambulances in the fleet as the ambulances come into operation.

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

2190 **Hon. G Arias-Vasquez:** Yes, of course. As I elaborated in my earlier answer, the high dependency unit has been ordered and the delivery date is in March, with the conversion taking five to seven weeks. There are two further ambulances to be ordered in this current year, and then, in the new financial year 2024-25, a further two frontline ambulances will be ordered. So it is a rolling programme of the ordering of ambulances.

2195 **Hon. Dr K Azopardi:** May I just ask one on Question 32, Madam Speaker? I am assuming those costs are paid to a private entity that services these vehicles. Does she know who that is and what the terms of the arrangement are?

2200 **Hon. G Arias-Vasquez:** I do not know in these instances who they are, but I can confirm that we are looking to enter into a maintenance contract so that the costs are settled on a yearly basis.

2205 **Hon. Dr K Azopardi:** That is really what I was getting at, whether there was a firm maintenance agreement with someone. Or is it that some of these costs are paid to different entities? Is it always the same party, or is it other people? If it is the same party but you want to formalise it, is it because you want to formalise it with the same entity that has been providing the service, or is it that the same entity has not been providing the same service?

2210 **Hon. G Arias-Vasquez:** It is my understanding that there is one main provider that is providing this service. We therefore wish to formalise the arrangement with that main provider, so that the ambulances are properly maintained.

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

2215 **Hon. G Arias-Vasquez:** I am saying that I would wish to confirm who that provider is.

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

2220 **Hon. G Arias-Vasquez:** Yes, of course.

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

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

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

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

**Madam Speaker:** I was close.

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

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

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

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

2250 **Madam Speaker:** Next question.

#### Q34-37/2024

#### Helicopteros Sanitarios –

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

**Clerk:** Question 34. The Hon. J Ladislaus.

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

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

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

**Clerk:** Question 35. The Hon. J Ladislaus.

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

**Clerk:** Question 36. The Hon. J Ladislaus.

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

**Clerk:** Question 37. The Hon. J Ladislaus.

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

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

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Next question.

**Q38-39/2024**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Madam Speaker:** Next question.

**Q40/2024**  
**Ambulance services in Spain for Gibraltar patients –**  
**Cost**

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

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

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

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

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

**Madam Speaker:** Any supplementaries?

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

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

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

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

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

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

**Madam Speaker:** Next question.

**Q41/2024**  
**Paramedics –**  
**Insurance**

**Clerk:** Question 41. The Hon. J Ladislaus.

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

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

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

**Madam Speaker:** Next question.

**Q42-43/2024**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

**Madam Speaker:** Next question.

**Q44/2024**  
**Foetal screening –**  
**Equipment available locally**

**Clerk:** Question 44. The Hon. J Ladislaus.

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

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

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

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

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

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

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

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

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

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

2555 Next question.

**Q45/2024**

**Nurses –**

**Numbers qualified locally and in the UK in last three years**

**Clerk:** Question 45. The Hon. J Ladislaus.

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

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

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

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

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

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

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

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

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

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

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

2600 **Madam Speaker:** Next question.

### Adjournment

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

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

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

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

*The House adjourned at 6.55 p.m.*



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.02 p.m. – 6.55 p.m.**

**Gibraltar, Thursday, 25th January 2024**

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# The Gibraltar Parliament

*The Parliament met at 3.02 p.m.*

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

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

## Questions for Oral Answer

**CHIEF MINISTER**

**Q78-80/2024**

**Government-owned commercial premises –  
Number of lettings and advantages to taxpayer**

**Clerk:** Meeting of Parliament, Thursday, 25th January 2024.

Order of Proceedings: Answers to Oral Questions continued. Questions to the Hon. the Chief Minister.

Question 78. The Hon. C Sacarello.

5

**Hon. C Sacarello:** How many government-owned premises are commercially let to the public?

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

10 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer this question together with Questions 79 and 80.

**Clerk:** Question 79. The Hon. C Sacarello.

15 **Hon. C Sacarello:** How many government-owned commercially let premises have leases allowing the subletting of said premises, and what percentage of the whole does this comprise?

**Clerk:** Question 80. The Hon. C Sacarello.

20 **Hon. C Sacarello:** What advantage does allowing the subletting of government-owned commercial premises bring the taxpayer?

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

25 **Hon. Chief Minister:** Madam Speaker, there are approximately 385 commercial leases being granted directly from the Crown or other government wholly owned companies.

Government-owned commercially let premises do not allow for any subletting. This is only allowed where a tenant has paid a premium for a long-term lease.

30 Allowing subletting on commercial leases gives the leases additional value, resulting in Government being able to command, therefore, a higher premium or rental.

**Hon. C Sacarello:** Madam Speaker, I would like to thank the Hon. Chief Minister for his reply. Would the Chief Minister be able to explain what level of premium the Government is asking, on average, per property, and the terms of the lease when he refers to a long lease?

35 **Hon. Chief Minister:** No, Madam Speaker, because it would be the subject of a question that would have to be specific for me to be able to give the hon. Gentleman the average value of 385 leases – some of which will date back many years – to give him a real average value. We would then have to upgrade the value of money in respect of each of those leases. Then the average  
40 would, of course, be affected by the fact that the value of land in Gibraltar will have changed over that period. Therefore, the average would be meaningless. In any event, I cannot give him the number today. If he were to ask specifically, subject to all of those caveats, it might be possible, but probably beyond that which we would consider to be a meaningful use of government time to go back and calculate the value of each of the 385 leases as at today's money and divide by  
45 385. It would not produce a meaningful statistic. That is why I cannot give him that.

In terms of the terms of the leases, again, these leases will come from different times. The hon. Gentleman knows, or should know, that government leases change. In other words, there is a form of government lease which is in place for a number of years, or a number of decades, and then – for example, when there is litigation which leads to a suggestion that the Government  
50 would better protect the taxpayer's interest by changing the terms of a lease – there is a different form of lease. If the hon. Gentleman is interested in seeing the standard term of lease of the Government – although I am sure that those of his colleagues who are in the legal profession would be able to oblige him; indeed, it is public that such leases are available and there is a register of those leases, and the hon. Gentleman could search one – I am very happy to provide to him the  
55 current standard term of lease that the Government provides to those who enter into these leases with the Government. I do not think it will be materially helpful to him; it will only show him the standard terms of a Government lease.

**Hon. C Sacarello:** Madam Speaker, thank you very much to the Hon. Chief Minister for that  
60 detail. Of course, at no point was I looking to try to ascertain the exact details of 385 leases in this course of Parliament, nor would I wish to indulge myself by getting the Civil Service to waste their time.

My question relates to whether this provides good value for money for the taxpayer. We have heard of cases where people are sitting at home and charging two or three times the amount they  
65 actually pay for the lease, whilst bona fide entrepreneurs cannot find good, competitive prices with which to start their businesses, some of which would be available if these government-run properties were available. And so my question is: would the Government look into cases of this practice being carried out and look at when the leases are being renewed, to remove this particular clause and stop this? It does not make sense for the taxpayer, to have people benefiting  
70 from a salary earned by simply sitting at home and subletting government-owned properties whilst people who are genuinely looking to develop their businesses are unable to do so.

**Hon. Chief Minister:** Madam Speaker, let me start from the beginning of what the hon. Gentleman has said, if I may. The hon. Gentleman said that he was not seeking to find the average  
75 value of the 385 leases that I referred to, and certainly not to indulge himself in seeking that statistic; yet, unless the hon. Gentleman does not know what 'the average' means ... It can only be worked out by dividing the total value of each of those leases by 385. I take it from him, given that he is remonstrating from a sedentary position, that he just did not understand what he was asking when he was suggesting that he wanted an average, or that he does now understand what  
80 he was asking and now resiles from it, which is perfectly acceptable and there is absolutely no

difficulty in him resiling from the question that he put, once he realised that it would not be possible for me to answer the question.

He then goes on to ask me whether we think it is good value for the taxpayer that there are instances where individuals are sitting at home and charging rent. Well, sitting at home and charging rent means being a landlord, in effect. There are many different types of businesses in Gibraltar. The hon. Gentleman appears to be making representations on behalf of the sort of business that he runs, or used to run – I am not sure which is the correct definition – and that is the business of a wholesale retail entrepreneur. That is a legitimate presentation of the arguments of those in that business. It is equally true that there are many who have spent a lot of time, hard work and effort building up a portfolio of property. In some instances that property will, at some stage, have come from them operating a business from government premises where they have worked very hard entrepreneurially – just like those he purports to now represent in the retail and wholesale trade – have paid off their premium to the Government or are still paying a premium or rent to the Government and are subletting because the premium that they paid to, in most instances, if I may say so given the nature of what we are talking about, another administration, not this administration ... They are now acting as a landlord and their business and their income are derived from that. Both are legitimate, and there is no illegitimacy in the context of somebody who has paid a premium and the Government and taxpayer have received a premium which is uprated to permit that possibility of subletting right at the time that it was done. A lease done in the 1960s would not have attracted the premium that will be attracted by a lease done in 2011 to 2023, but it is still being paid for with certain rights.

The hon. Gentleman is saying, ‘When you review, will you commit to undoing those clauses?’ I would venture to suggest that there is a constitutional issue there and that the person who is sitting at home charging rent would defeat the Government in those circumstances in the Supreme Court on the simple basis that they have a right to their property, which they have paid for. A lease is property, as the Supreme Court found some years ago in the context of a case that dealt with similar issues relating to landlords.

So, although in the idealistic world which the hon. Gentleman appears to want to inhabit for the purposes, at least, of putting his question, all of this might sound very good, it might come up against other rights: the Constitution and the reality that those sitting at home and charging rent are actually also people who have paid for a lease and have worked to do so. And so, Madam Speaker, the hon. Gentleman will forgive me for not agreeing with the premise that we should renew those leases and change those clauses, as he suggests.

**Hon. D J Bossino:** Madam Speaker, I am not sure whether the hon. Member was maybe too taxing in terms of volume, or if maybe he has information available to him. He mentioned that the Government in itself rents out properties but also government-owned companies. Is he able to provide a list of which government-owned companies enter into these arrangements?

**Hon. Chief Minister:** Madam Speaker, as I understand it, the list is as follows: Gibraltar Commercial Property Company Ltd.

**Madam Speaker:** Next question.

**Q81/2024**  
**Import Duty –**  
**Amount collected from April to December 2023**

**Clerk:** Question 81. The Hon. R M Clinton.



**Hon. R M Clinton:** Madam Speaker, can the Government advise the amount of Import Duty collected for each month from April 2023 to December 2023 inclusive?

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

**Chief Minister (Hon. F R Picardo):** Yes, Madam Speaker. I will now hand the hon. Gentleman a schedule with the information requested.

**Answer to Question 81/2024**

MONTH (2023)	IMPORT DUTY COLLECTED (£)
APRIL	8,122,243.82
MAY	4,628,515.28
JUNE	13,260,868.54
JULY	6,094,674.64
AUGUST	6,242,028.08
SEPTEMBER	6,453,402.26
OCTOBER	8,780,888.37
NOVEMBER	10,048,075.95
DECEMBER	7,514,342.03

**Madam Speaker:** Would the hon. Member like some time to consider that? We will move on to the next question and then come back to you.

**Q82/2024**  
**Blockchain –**  
**Streamlining of government process**

**Clerk:** Question 82. The Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government advise if it is still engaged in the use of blockchain technology to streamline government process, as announced on 7th December 2021 in Press Release 912/2021?

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

**Chief Minister (Hon. F R Picardo):** Yes, ma'am.

**Hon. R M Clinton:** Madam Speaker, I am grateful to the Chief Minister for his answer. Can he advise what particular areas the DLT blockchain technology is being used in? And, if I may – I do not know if he has the information with him – did the Government receive the \$½ million bitcoin equivalent donation from Bitso?

**Hon. Chief Minister:** Madam Speaker, I understand this matter deals, in particular, with something called the self-sovereign ID. I would need specific notice of the question that Bitso did, at the time, make the contribution that was announced as being made. If the hon. Gentleman wants to have that on the record and properly confirmed, I would need specific notice of the

155 question, given that that is, in effect, to ask me about what is set out in a government press release.

The Government's view is that blockchain technology can affect all of the processes of the Government positively and is something that can be rolled out in respect of different aspects of what the Government does at different times.

160

**Madam Speaker:** Next question.

**Q83/2024**

**Former Social Security building –  
Update**

**Clerk:** Question 83. The Hon. D J Bossino.

165 **Hon. D J Bossino:** Please provide an update as regards the former Social Security building at Governor's Parade.

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

170 **Chief Minister (Hon. F R Picardo):** Madam Speaker, the former Social Security building at Governor's Parade has been vacated, with staff relocated to offices at New Harbours. ITLD and Care Agency staff, who are also based at Governor's Parade, will be relocated to new offices during the course of this year. The Government will make an announcement regarding its plans for the entire site in due course.

175 **Hon. D J Bossino:** Can he expand in relation to the last bit of his answer? When I asked a question in May 2022, we had a very similar reply from the Hon. Sir Joe Bossano. He provided an explanation that no decision had been taken and it was a question of deciding whether the costs of repair versus ... The possibility of putting it out for expressions of interest was being considered, so that a private concern presumably would purchase the building. Is he able to expand any  
180 further as to what the Government's intentions currently are?

**Hon. Chief Minister:** Madam Speaker, if I had any intention of doing so, the last phrase would have been to tell him exactly that. In fact, the last phrase is that the Government will make an announcement regarding its plans for the entire area in due course. I refer the hon. Gentleman to  
185 that answer that I gave a few moments ago.

**Hon. D J Bossino:** He knows what I am trying to do: I am trying to elicit from him what the Government's plans are in relation to the building. Does it have a view? It seems that the reply that I obtained from the Government, in the shape of Sir Joe Bossano, in May 2022 was much  
190 more open and transparent in terms of the answer. I simply wanted to understand what the Government's current intentions are, but if he is not able to do so, and he is basically presenting a brick wall in relation to his answer, so be it.

Can he advise when the civil servants of the two Departments – I think he mentioned ITLD and the Care Agency – are expected to move? Can he be more precise in relation to that?

195

**Hon. Chief Minister:** Madam Speaker, there is absolutely no brick wall at all. The hon. Gentleman had an answer from the Hon. Sir Joe Bossano in answer to Question 166/2022, which is reflected on line 2935 on page 69 of the *Hansard* for 19th May 2022, which said we were making an assessment of whether it would make sense to repair or whether it would make sense to sell.

200 Then he went on, himself, to take that assessment, which he said was transparent ... Of course, the fact that they are now saying that Joe Bossano is transparent and I am the brick wall means nothing to them, having said the complete opposite, some months ago.

He went on, on 13th July 2023, in his contribution during the course of the Budget debate, to say:

This is a Government which is capable of allowing government assets such as the ex-Social Security building at Governor's Parade to lie empty, yet rent government office space from the private sector at places such as the Bassadone building at New Harbours. (*Interjection*) It is an utterly shameful waste of government resources that this should be happening. Why did the Government not foresee the need for office space in the first place?

205 He is absolutely right, in the lengthy preamble to his question, to say that I know exactly what he is trying to do. He is trying to give substance to a premise that he set out during the course of the Budget debate just under a year ago – which substance is absolutely wrong and to which he had a reply from me during the course of my Budget reply and which I will not indulge further –  
210 by simply trying to open a window into our mind's eye of what we might think is the right thing to do with this building once it is completely empty and once we have had the advice from our land property agents as to what would be the best use of this building for the taxpayer.

We will be entirely transparent as to what we do. That is what we are doing: we are making those assessments. We cannot say more at this stage. When we are ready to say more, we will say more. If we were to say more at this stage, it would be to sit here and ruminate with him in  
215 conversation as to what might potentially be the use to which we could best put this building. That is not what Question Time is about, and those are not the sorts of answers that the Government should give. We should give definite answers when we know what we are going to do. Otherwise, we should say we will make an announcement when we are ready.

220 He asked me a second supplementary during the course of that supplementary, too, which was when I thought that ITLD and the Care Agency would be moving. Again, we said during the course of this year and I refer the hon. Gentleman to that part of my answer which I gave a few moments ago.

**Madam Speaker:** Next question.

#### Q84/2024

#### Depositing and removal of construction rubble – Update

225 **Clerk:** Question 84. The Hon. D J Bossino.

**Hon. D J Bossino:** Please provide an update with regard to the arrangements impacting on the depositing and removal of construction rubble.

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker, the situation concerning construction rubble is that we are awaiting the authorisations from the receiving country for rubble to be exported – that is to say to Spain. The Government has also put the following provisions in place.

235 Small accumulations of household rubble can be taken by small contractors to the civic amenity site in Europa Advance Road. I think there was a press release on that.

Large development projects such as Hassan Centenary Terraces, Bob Peliza Mews and Chatham Mews have their rubble being deposited at the Coaling Island site. That is the Government taking its own rubble to its own site.

240 There are three waste exporters which can receive rubble, at a cost, from other construction sites. Those are Metalrock, Monteverde and Medmarine.

**Hon. D J Bossino:** Is the Hon. the Chief Minister able to expand slightly on that, in terms of the current state of play in relation to Spain? The replies that I am sure he will have with him as part  
245 of his preparation, in terms of the anticipated possible supplementaries to this question ... The last exchange, I think, in relation to this matter was when I asked questions of the Hon. Minister Cortes back in May 2023, and he talked about the TFSs. Is he able to provide any further information on whether we have a crystallisation of the position in relation to that?

250 **Hon. Chief Minister:** Madam Speaker, let me be abundantly clear, not for the purposes of the hon. Gentleman but for the purposes of anybody who might be watching: construction rubble is not considered a problem by the Government of Gibraltar, it is considered an asset.

Rubble is something that has to be disposed of by those who need the site for the purposes of doing a development, but in the hands of the Government of Gibraltar it is an opportunity to  
255 create more land, whether it is inside or outside the harbour. The Government is not going to lose one moment's sleep over whether or not rubble can go to Spain, because if rubble does not go to Spain, rubble will be used to create more land for the people of Gibraltar, as Joe Bossano said in his first Budget address in 1988 – the one when the Financial Secretary said, 'I am not going to say much: I will hand over to buana,' and buana got up and said, 'Gibraltar has two key resources, its  
260 land and its people,' and then went on to demonstrate just how its land could expand.

Anyone who thinks that they are causing a problem for the people of Gibraltar by not allowing its rubble to be exported forgets that rubble means land for the future of Gibraltar, inside the harbour or outside.

265 **Hon. D J Bossino:** That is all very well and good, Madam Speaker, and indeed I think that is the reason why Sir Joe Bossano is always very keen to talk about the sectors as opposed to the pillars of our economy, the pillars being our land and our people. I think that was the rationalisation behind that nomenclature.

That was a history lesson, and I think the Hon. Sir Joe Bossano was absolutely correct when he  
270 talked about those being our prime resources given the size of the place and the nature of it, but he has not really answered the question. Aside from the things he has just said, is he able to state, as far as that discrete issue is concerned, about the transfer permits which have been enjoyed in the past, but which, I assume as a result of Brexit, we no longer enjoy ... I was told that there was a possibility, by implication, that that could be resolved outside of the current negotiations with  
275 Spain and the EU. Is he able to expand further in relation to that?

**Hon. Chief Minister:** Madam Speaker, I do not think that it is a matter of me not having answered the question. I think, with respect to the hon. Gentleman, who knows I have great affection for him, it is a question of him not having understood the answer that I gave to the  
280 question.

This is not a history lesson. Simply referring to what Joe Bossano said in 1988 does not mean it is a history lesson. This is about where we are going. This is about potentially, I imagine, somebody clever in one of those departments of state beyond our shores thinking that this could be a wizz that might create a problem for Gibraltarians and the Government of Gibraltar 'because if we do  
285 not allow them to export their rubble, what are they going to do with it? Eat it with potatoes?' as we might say in the vernacular, in the local patois. No. The point is to say that actually, that is to remind us of what an asset rubble is.

Hon. Members might think it is a history lesson to remind them of the fact that also around that time, in 1988, construction rubble was deposited off the east side of Gibraltar. In 1996, during the course of a general election campaign, they referred to that as a rat-infested rubble tip, only to have it referred to in 2006, or thereabouts, as Sovereign Bay when they announced the first East Side project, which, of course, we had hoped to see take off. That is how what to someone might appear to be a problem can be alchemised, even by them, into an asset.

The point I made to him was that this was not a history lesson, that I would not lose one moment's sleep over whether or not another government in another place decided that they wanted to grant a TFS or not, because, as far as we are concerned, rubble is an asset that enables us to strengthen one of the two pillars that Joe Bossano has identified, by creating more land for Gibraltar, either inside or outside the harbour. The hon. Gentleman will understand why I am making that distinction.

Also, Madam Speaker, I would venture to say to the hon. Gentleman that it does appear that he is asking me a question not about what my Government is doing, which is what I am here to answer for, but what somebody else's government is doing, and I am not here to answer for that other government and never would expect to have to answer for them.

**Hon. D J Bossino:** I simply want to understand this a bit further. He says I do not understand. I think I have understood perfectly well what he says expressly and what he says impliedly. *(Interjection)* No.

Is it the Government's position – because it did not seem to be the Government's position when we had this exchange in question and answer sessions in May 2023 ...? There seems to be a keenness to try to resolve the exportation of this rubble to Spain. It was explained to us on this side of the House that those decisions were, pre-Brexit, more agile because they were taken, I think, closer to home, in Seville, and that as a result of those decisions now being taken in Madrid, in the capital of the country opposite, it was taking a lot longer, and that if that was not resolved – all of this was said openly when I asked the question – then we would turn to Coaling Island for stockpiling of this rubble.

I simply want to explore this. If the hon. Member opposite tells me that he does not wish to expand further, because it may ... He has not suggested ... perhaps impliedly he has, I give that to him, but can he say so expressly? Unless he tells me that it will have an impact on the negotiations with Spain/the EU, can he tell me whether it is the Government's policy decision now to say we are not going to bother with this feature of the possible negotiations with Spain or the possible export permits; we are simply going to store the rubble here? Is he confident, therefore, that, now, the storage and the disposal of construction rubble, whether big constructions or small household construction and reformations, is no longer an issue? Is he able to clarify those two points for me?

**Hon. Chief Minister:** Madam Speaker, I am afraid that the hon. Gentleman has gone to the greengrocer and confused his apples, his pears and his oranges. Let me explain why, and I will try to do so in words of as few syllables as possible. *(Interjection)*

The hon. Gentleman is asking us about the applications of private sector entities for permits from another government, and is asking *us* how that is ongoing. The Government of Gibraltar has not applied for a TFS from anyone, ever. The Government of Gibraltar does, with its rubble, what it considers to be appropriate, namely to create a land bank in Gibraltar on the East Side, as we have been doing for 35 years under successive administrations, and now in Coaling Island.

I have told him that there are three waste exporters. We have granted waste exportation licences to three exporters: Metalrock, Monteverdi and Medmarine: it looks like you need to have an M in your name to become a waste exporter. They have applied to another government. The progress of their application with another government is not something that the Government of Gibraltar is able to talk about meaningfully.

What the hon. Gentleman was told by the Minister – because we have granted the waste exportation licence, and these individuals talk to us – by way of information is that for reasons unrelated to Brexit, for reasons unrelated to the negotiation, because of a change of the law in Spain – which may or may not be of European consequence; this may have happened in Germany and everywhere else because the Commission has told the member states to do so – they changed from doing permits at the regional level to doing it at the national level. As a result, we understand that a lot of entities have had difficulties in obtaining those permits. Indeed, if the hon. Gentleman follows Spanish politics as assiduously as the Deputy Chief Minister and I are now condemned to do, he would realise that there is, in fact, a huge dispute between Cataluña and Galicia and Andalusia and Galicia about taking waste from different regions in Spain to areas where they dispose of particular types of waste, and Madrid – Madrid, the autonomous community – is having a problem in transporting its waste to other autonomous communities in Spain. So it has nothing to do with the negotiation. It has nothing to do with Brexit.

The point I am making to him is if anybody has made the mistake that he has made of thinking that this is potentially a problem for the Government of Gibraltar – and I only suggest it is a mistake because of the tenor of his questions: he may wish to suggest that that is not the case – by thinking that actually, if there was a way of influencing this in a way that stopped the TFSs from being granted now, or somehow linking it to the Brexit negotiation, which I assume no one has done, but if somebody were that foolish, they should realise that they should think of another ruse, because this rubble is an asset in our hands. Indeed, the hon. Gentleman will know that we have disclosed in the past, in public, also, that we sold part of the East Side plot, which is, in effect, rubble dumped into the sea, not just for the £90 million consideration, but that part of that consideration was the rubble mountain still on top of the plot, the accumulation of rubble beyond what would be the flat part, which also has a value in the hands of a developer. And so, although it may look to them, as they described it in 1996, as a rat-infested pile of rubble, when you see a pile of rubble in Gibraltar there will be gold in that rat-infestation, boy.

Thank you.

**Madam Speaker:** Next question.

**Clerk:** We continue with –

**Madam Speaker:** Have we finished? We have one more question. The Hon. Mr Clinton? No, you have nothing? All right.

### Procedural

**Clerk:** We continue with questions on Health, Care and Business.

**Madam Speaker:** Before we table the next question to the Hon. the Minister for Health, Care and Business, I understand that the Minister has some answers to give the other side of the House, which she was not able to give yesterday in respect of some of the questions that were asked. I will allow her to do that first, before the next set of questions is put to her.

**Hon. D J Bossino:** Madam Speaker, the next question is Question 46, which is where we would start, in terms of the Order Paper.

**Hon. Chief Minister:** Madam Speaker, if I can crave your indulgence for a moment: once we have dealt with those bits of information that the Hon. Minister for Health is going to provide to Members across the floor of the House in order to try to be helpful, I wonder whether it might be

possible to move on to questions to the Deputy Chief Minister. I think there are only one or two, but the Deputy Chief Minister has an appointment outside of the House, and that would be helpful to the Government side.

390 **Madam Speaker:** If he is pressed, we can take those questions now, if you prefer. Yes? All right, we will take the questions to the Hon. Deputy Chief Minister.

**DEPUTY CHIEF MINISTER**

**Q73/2024**

**Northern Defences –  
Plans and timeline**

**Clerk:** Questions to the Hon. the Deputy Chief Minister.  
Question 73. The Hon. G Origo.

395 **Hon. G Origo:** Madam Speaker, can the Government disclose details of its plans for the Northern Defences, providing a timeline for when they expect to complete the works?

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

400 **Deputy Chief Minister (Hon. Dr J J Garcia):** Madam Speaker, the Government's plans for the Northern Defences were set out in the Strategic Master Plan, which was approved by the Development and Planning Commission in March 2022. This is a public document. The Government has not set a deadline for the ongoing works, which are expected to continue with a gradual and phased approach given the scale of the task and the dimensions of the site.

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**Hon. G Origo:** I am grateful for that answer. Madam Speaker, may I ask, in relation to the answer provided by the hon. Member opposite ...? I refer to a government press release dated 11th December 2023 concerning a drone survey that is to be carried out at the Northern Defences site. The drone survey was issued three days before an expression of interest which was produced on 14th December 2023. The purpose of the drone survey was to record existing topography and identify manmade structures concealed under the vegetation at the site. Surely the drone survey should have been carried out before taking these expressions of interest, or indeed having filed any master plans, given the propensity for the results of such a survey to identify potential structures which may then impact the plan itself.

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415 My question to the hon. Member opposite is: can the Government confirm whether the drone survey related to the Northern Defences project has been undertaken; and, if not, when will it be carried out?

**Hon. Deputy Chief Minister:** Madam Speaker, I thank the hon. Member for his interest in this subject. The drone survey has zero impact on the expression of interest. The expression of interest the Government has issued is for the activities to be provided on the site. The drone survey was, as he has rightly said, to identify manmade structures which could be hidden in vegetation.

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This is an ongoing project. Structures have been unearthed over the years, as he will have seen, and there are probably more concealed structures to emerge. However, that has no impact on the plans for opening up the site to the general public, with guided tours and activities on the sites.

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**Hon. G Origo:** I am grateful for that answer. Madam Speaker, can I ask for clarification from the hon. Member opposite? Is he stating that if the result of the drone survey is that they find structures or tunnels which may be under the vegetation of the site of the Northern Defences, it will not, in any way whatsoever, impact the expressions of interest for the activities which are to take place on the same site?

**Madam Speaker:** I would caution the hon. Member against asking a hypothetical question.

**Hon. Deputy Chief Minister:** Madam Speaker, thank you. Yes, it is, as you have quite rightly said, a hypothetical question, and it is impossible to determine until we know what the results of the survey are going to be. However, bearing in mind the nature of the activities that are planned – for example, historical tours of the site – if something is uncovered, it would be of value to the historical tour, so I do not necessarily agree that one thing will conflict with the other.

**Madam Speaker:** Next question.

**Q74/2024**

**Rooke site –**

**Clarification re assignment to Carlton Properties Ltd**

**Clerk:** Question 74. The Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government confirm whether it is aware and/or has given consent to the assignment of the Rooke site project awarded to Carlton Properties Ltd to another party, whether there has been a change of ultimate beneficial ownership in Carlton Properties Ltd, or whether a third party has entered into an agreement with Carlton Properties Ltd or its beneficial owners to purchase an interest in the Rooke development; if so, when and who, and at what consideration?

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

**Hon. Deputy Chief Minister:** Madam Speaker, the Government was aware that Carlton Properties Ltd was in negotiations with a number of different parties seeking additional investors in the Rooke development, and has been kept fully apprised about the identity of those different investors. This was so, even though technically there has been no assignment to a third party and therefore no formal consent was required. However, the Government is not aware of the detail of that internal discussion or of the final agreement between the parties, given that this has had no impact on the project or on the cash premium.

As hon. Members know, Carlton Properties Ltd had already entered into an agreement with the Government in respect of the Rooke site. A premium of £20 million has been paid and a further £10,025,000 is due to be paid within 14 days of receipt of the full planning permit for the development.

The ultimate beneficial owner of Carlton Properties Ltd is the Parasol Group.

**Madam Speaker:** Any supplementaries?  
Next question.



**Q75/2024**  
**Gibraltar National Archives –**  
**Relocation**

**Clerk:** Question 75. The Hon. D J Bossino.

**Hon. D J Bossino:** Does the Government intend to relocate the Gibraltar National Archives?

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

**Deputy Chief Minister (Hon. Dr J J Garcia):** Madam Speaker, the policy of the Government remains the relocation of the Gibraltar National Archives to Duke of Kent House.

**Hon. D J Bossino:** I must say I did not appreciate that there was a venue identified. I am not sure whether that is a matter which has been stated publicly. Is the Hon. the Deputy Chief Minister able to state when that is likely to happen? This is, I think, a commitment that the Government has had for a considerable number of years now, and it does not seem to be happening any time soon. That is why, on this occasion, I will be pressing him as to the timing of the expected move.

**Hon. Deputy Chief Minister:** Madam Speaker, it is impossible to give a timeline for the project at this particular juncture. What I can say is that preliminary studies have been prepared and costings are also being prepared. That, obviously, is a question of prioritising with the other projects that the Government has, but the intention of the Government is to relocate the Archives to Duke of Kent House. However, I cannot give him a specific timeline as to when that is going to happen.

**Hon. D J Bossino:** Madam Speaker, given the addition of the word 'specific', is he able to provide any form of timeline within which, in consideration of all the points that he has just made and within reason, he expects that the move will happen?

He also refers to costs and I would like to press him in relation to that, if I may: what is the cost implication of this move and the setting up of the National Archives at Duke of Kent House likely to be?

**Hon. Deputy Chief Minister:** Madam Speaker, 'the detailed costings are being prepared' is what I said in my answer. Once we have the detailed costings, we will know exactly what that is going to be.

I cannot give him more information on the timing, I am afraid, at this particular juncture.

**Hon. D J Bossino:** Within the cost analysis which is being made, is consideration being given as to designs? Because we are dealing with the National Archives, as I understand it there is a portion of them which needs to be stored in a special way. I assume that everything – in other words, all the storage, everything which is currently within the precincts of the Governor's Residence – will be moved to Duke of Kent House. Or is that assumption incorrect – in other words, there will be certain facilities which will remain in the Governor's Residence?

**Hon. Deputy Chief Minister:** Madam Speaker, the plan at this preliminary stage is to keep the storage of a proportion of the material where it is and to provide reading rooms and some storage also in the new venue at Duke of Kent House. In addition to that, the digitising of the archives, which continues to proceed at pace, also allows that kind of access, which means people do not need physical access to files. So in answer to his question, the intention is to keep the old premises and add the new one.

**Hon. D J Bossino:** Madam Speaker, given the duality in terms of location of this particular Government service, is he able to say whether it is expected – I anticipate that the answer will be no; I do not have knowledge or sight as to the size of the premises – that the National Archives’ footprint in the Duke of Kent House will be large enough to occupy the entire building? Perhaps I am stretching it a bit, in terms of the supplementaries: I see there is a reaction already from the Chair. What are the Government’s intentions in relation to the rest of the building, if that analysis is correct that it is unlikely that the National Archives are going to be occupying the entire space within the Duke of Kent House?

**Hon. Deputy Chief Minister:** Madam Speaker, Duke of Kent House is the part of the building which faces the Holy Trinity Cathedral. The rest of the building is the Government Secretariat, which is a separate building. My information is that the archives will, in fact, occupy the entirety of Duke of Kent House. Remember, the plan was also to use that to stage exhibitions on Gibraltarian identity, culture and history at the same time, so there will be exhibition rooms in addition to storage and reading rooms.

**Madam Speaker:** Next question.

**Q76/2024**  
**Old St Bernard’s First School building –**  
**Plans to maintain condition**

**Clerk:** Question 76. The Hon. D J Bossino.

**Hon. D J Bossino:** Does the Government have any plans to ensure that the old St Bernard’s First School building does not go to ruin?

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

**Deputy Chief Minister (Hon. Dr J J Garcia):** Madam Speaker, the old St Bernard’s School is privately owned. It is no longer a government building, following a tender process which concluded in a sale to the highest bidder for the construction of an elderly care home. The Government made it a condition that works must be completed by 2025.

**Hon. D J Bossino:** I was aware of that, Madam Speaker. Whilst I appreciate that the Government currently, short of deploying, I assume, its ability to introduce statutory measures to take certain governmental state action in relation to that ... This is an old building. It has been brought to my attention as one which is, as I say in my question, being subject to dilapidation. It is a pity that it has not been kept.

Do I detect from the Hon. the Deputy Chief Minister a desire that should the condition, which I think has been rightly negotiated by the Government in relation to the private developer, not be complied with – I think he said that basically they need to move by 2025 – action will be taken? And if that understanding is correct, is he able to provide information to this House now as to what that intended action is likely to be?

**Madam Speaker:** Again, we are venturing into the hypothetical. ‘If something happens, what would you do?’ is a hypothetical situation. I simply flag it. If the Hon. Minister wants to reply, he may, but I flag it as encroaching on the rules against hypothetical questions.

**Hon. Deputy Chief Minister:** Thank you, Madam Speaker – only to say the Government will fully reserve its rights in this matter.

565 **Hon. D J Bossino:** May I ask him whether the Hon. the Deputy Chief Minister shares exactly the same concerns as I have expressed to him in the course of my previous supplementary, that he is as concerned as we are on this side of the House as to maintaining the historical nature of the building, and that it is upkept and brought to its former glory, if at all possible?

570 **Hon. Deputy Chief Minister:** Madam Speaker, the Government would like to see the project completed along the lines and conditions set out in the tender.

**Madam Speaker:** Next question.

**Q77/2024**  
**Leasehold property –**  
**Government policy and law reform**

**Clerk:** Question 77. The Hon. D J Bossino.

575 **Hon. D J Bossino:** What is the Government's policy in respect of leasehold properties, and is it considering reforming the law in this area, as is happening in England?

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

580 **Deputy Chief Minister (Hon. Dr J J Garcia):** Madam Speaker, the Government is committed to examining the matter but has not taken a policy decision to reform the law, as is happening in England.

585 **Hon. D J Bossino:** Can I ask what the reasoning behind that is? Whilst I appreciate that the Government may not want to ... as he says at the tail end of his reply, 'as is happening in England'. I understand why he said that, because my question was premised on that basis, and I fully understand that we are not going to do a carbon copy of what is happening in England. In fact, I think Michael Gove's reforms have, themselves, been the subject of reform during the course of their parliamentary process in the House of Commons in the UK. Can he state what the  
590 Government's current view is? May I press him as to whether he would agree that this is something that ought to be looked at and reformed in order to ensure greater fairness, particularly by leaseholders?

595 **Hon. Deputy Chief Minister:** Madam Speaker, I have already indicated that the Government intends to look at it and is looking at it. What I cannot commit to is whether we will actually carry out the reform, or not. That depends on the result of the examination of the issue.

600 **Hon. D J Bossino:** And may I ask what form that examination is taking? In other words, is he in consultation with – I hate the word 'relevant' but I cannot think of another one at the moment – relevant stakeholders and interested parties? Is he discussing this with property owners and all the rest of it? May I press him in relation to that? In other words, what form is that examination taking? How is it taking place?

605 **Hon. Deputy Chief Minister:** Madam Speaker, a group of property owners did come to see me; I do not know whether the same group also went to see him. Essentially the first action in relation

to that meeting is that Land Property Services is considering the matter and will advise the Government accordingly. The Government will then take a policy decision as to whether to proceed with the issue, or not.

610 **Hon. D J Bossino:** May I, finally, press him on the timings of that? Does he have an idea of when he expects that LPS is going to be reverting to him? I imagine that that will be the first step along the way. In other words, once LPS, as I have understood him, get back to him, that will be the catalyst for the Hon. the Deputy Chief Minister to come to a decision, and the Government more widely, in relation to this issue by way of policy? Or is he simply allowing himself the entirety of  
615 the lifetime of this Parliament?

**Hon. Deputy Chief Minister:** Madam Speaker, this is not a policy of the Government. This is something we are looking into, to see whether it becomes our policy. So it does not have the urgency that a policy and a manifesto would have. It is something we are looking at, but we cannot  
620 commit to any timeline.

**Madam Speaker:** Next question.

#### HEALTH, CARE AND BUSINESS

##### Q32 and Q37/2024

##### GHA ambulance fleet –

##### Answers to supplementary questions

**Clerk:** We continue with questions on Health, Care and Business.

625 **Madam Speaker:** Yes, we will take the answers to yesterday's questions.

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, thank you very much. Because of the overnight break, I was able to confirm several issues which arose yesterday.

630 In response to Question 32 on costs incurred for mechanical works for the ambulance, the questions which arose were could I confirm which local entity undertakes those mechanical works, and is Bassadone Rock Motors? Other suppliers are used, depending on the issues that arise.

In relation to Question 37 on the breakdown of the costs and arrangements with Helicopteros Sanitarios, a question arose as to other companies that we use in Spain. I can confirm that we use  
635 two other companies: Ambulancias Andalucia and Soccorismo y Servicios SL. The dates of those contracts are 1st September 2023 and for the second one, Soccorismo Andalucia, it is 7th December 2023.

Thank you.

640 **Madam Speaker:** Do any supplementaries arise from that?

**Hon. G Arias-Vasquez:** I am grateful, no supplementaries.

**Madam Speaker:** Thank you. Next question.

**Q46/2024**  
**GHA ambulance fleet –**  
**Answers to supplementary questions**

645 **Clerk:** Question 46. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, what possibilities are there for enrolled nurses to become registered nurses?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, enrolled nurses wishing to upgrade to registered nurses need to register this interest with GHA Nurse Management, as they would be upgrading into another position or vacancy. Should this request be approved by GHA Nurse Management, they will then require references, and a submission for application would have to be ratified by the University of Gibraltar. Subsequent interviews and assessments for suitability by the University would then follow.

655 Once the request is approved and the enrolled nurses have commenced the relevant training programmes, these enrolled nurse positions would become supernumerary, i.e. they would not form part of the GHA complement during their years of training.

**Madam Speaker:** Any supplementaries?

665 **Hon. J Ladislaus:** Madam Speaker, is the hon. Member aware of how many enrolled nurses are currently employed within the GHA?

**Hon. G Arias-Vasquez:** Madam Speaker, again, this would be a question which I would have to prepare an answer for; so, if they could provide these questions in advance, I would be grateful.

670 **Madam Speaker:** Next question.

**Q47/2024**  
**Specialist nurse posts –**  
**Incentives to make more attractive**

**Clerk:** Question 47. The Hon. J Ladislaus.

675 **Hon. J Ladislaus:** Madam Speaker, what incentives are the GHA willing to consider in order to make attaining the posts of specialist nurses more attractive?

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

680 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the GHA is working closely with the University of Gibraltar to provide higher education opportunities to develop the workforce in line with organisational needs. Additionally, the GHA is consulting on a draft Workforce and People Strategy which identifies challenges, both locally and internationally, together with innovative and strategic solutions reinforcing the organisation's resilience today and for the future. Formal detailed announcements will be made in due course.

685 **Hon. J Ladislaus:** I am grateful to the Hon. Minister for that answer, but I do wish to highlight that there have been reports that qualifying as a specialist nurse, as it stands, results in financial loss given the loss, for example, of shift disturbance and other such allowances. Has this, therefore, led to a shortage, would the Hon. Minister say, in the number of specialist nurses employed by the GHA?

690 **Hon. G Arias-Vasquez:** Madam Speaker, that issue has not been raised with us by the relevant union.

695 **Hon. J Ladislaus:** Can the Hon. Minister comment as to what has been considered in order to mitigate those losses that specialist nursing would incur – in comparison with nursing on a ward, for example – in order to make it more attractive for people to become specialist nurses?

700 **Hon. G Arias-Vasquez:** Madam Speaker, no, because that issue has not been raised with us by the union. Additionally, the question of enrolled nurses is public information which is contained in the Estimates Book.

**Madam Speaker:** Next question.

**Q48/2024**  
**Nurses in acting roles –**  
**Number in pay grade lower than acting role**

**Clerk:** Question 48. The Hon. J Ladislaus.

705 **Hon. J Ladislaus:** Madam Speaker, can the Government provide a breakdown as to how many nurses within the GHA are currently in acting roles but are being paid at a reduced pay grade rather than at the grade within which they are acting?

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

710 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the GHA is not aware of any such situations.

715 **Hon. J Ladislaus:** Madam Speaker, we have been made aware of such situations. Could we, therefore, have confirmation that the Hon. Minister will be looking into this issue?

**Hon. G Arias-Vasquez:** Madam Speaker, this question was put to the workforce manager, and it has been confirmed to us that there are no such issues. There are some instances in which the substitution forms are not submitted, but that is not to say that the acting grades are not being paid for.

720 **Madam Speaker:** Next question.

**Q49/2024**  
**Agency nurses –**  
**Rates of remuneration**

**Clerk:** Question 49. The Hon. J Ladislaus.

725 **Hon. J Ladislaus:** Madam Speaker, can the Government confirm whether nurses employed at the GHA through certain agencies are paid at a higher hourly rate for undertaking the same duties and responsibilities as others who are employed at the GHA via different agencies? If so, what is the reason for this?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the GHA engages the services of agencies locally and internationally. I am, therefore, unable to provide an answer to this question, due to the commercially sensitive nature and potential consequences. I am happy to discuss the question with the hon. Member behind the Speaker's Chair.

735 **Hon. J Ladislaus:** I am grateful for that indication.

**Madam Speaker:** Next question.

**Q50-51/2024**  
**PALS, Complaints and Clinical Governance Team –**  
**Number of employees, backgrounds and qualifications**

740 **Clerk:** Question 50. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, can the Hon. Minister confirm the professional backgrounds and qualifications of those individuals who are staffing the Patient Advocacy and Liaison Service (PALS) and the number of individuals employed within that service?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 51.

750 **Clerk:** Question 51. The Hon. J. Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, can the Hon. Minister confirm the professional backgrounds and qualifications of those individuals who are staffing the GHA's Complaints Office, and the number of individuals employed within that office?

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

760 **Hon. G Arias-Vasquez:** Madam Speaker, the Patient Advocacy and Liaison Service at the GHA, known as PALS, is part of the PALS, Complaints and Clinical Governance Team. The PALS team comprises three administrative members of staff, employed as a PALS manager and two PALS officers. The grade composition of the aforementioned team is one GDC Level 3, one AO and one

GDC Level 1. The Complaints Office constitutes a complaints manager and an HEO. All officers are suitably qualified to undertake their roles.

765 **Hon. J Ladislaus:** Madam Speaker, I am grateful for that indication, but perhaps the Hon. Minister could expand on what exactly those qualifications are.

**Hon. G Arias-Vasquez:** Madam Speaker, all these individuals are duly qualified to undertake their roles within the grades available to them. I make no apologies for the fact that we seek particularly empathetic members of staff. They are able to answer complaints and questions of the public. We look for people who seek to be able to solve the public's issues quickly and efficiently.

775 **Hon. J Ladislaus:** Can the hon. Member confirm whether any specific training has been offered or given in respect of these roles?

**Hon. G Arias-Vasquez:** Madam Speaker, there is no training for the empathy required, so I do not believe that they have specific qualifications.

780 **Hon. D J Bossino:** Madam Speaker, the question is very clear. Question 51 specifically asks for the professional backgrounds and qualifications, but I do not think the hon. Member has answered that question. She has come, in the reply, with what is a value judgement, presumably by her and the Government, that they are suitably qualified to provide the service that they are expected to provide at the GHA's Complaints Office, but the question put by my learned friend here to my left is what the professional backgrounds and qualifications are. This is a neutral question which should be capable of a neutral, factual answer. She has not answered that question, with the greatest of respect to her.

790 **Hon. G Arias-Vasquez:** Madam Speaker, I have answered that question. The question is what are the requirements: the requirements are the usual qualifications required for a GDC officer, an AO and a GDC Level 1. Those are the sole requirements. Have they gone through any specific training? No. They are particularly empathetic individuals who understand the needs of the job, who understand the needs of the public and get problems resolved quickly.

795 **Hon. D J Bossino:** I am reading the question and it does not talk about the requirements. It asks for confirmation as to professional backgrounds and qualifications. She may have a view of the service that they are providing and she makes a value judgement that they are suitably qualified. That is not the question. The question is very simple: what are their backgrounds and – particularly, I would say – what are their qualifications? With the greatest respect to the hon. Member, she has failed to answer the question, so we give her a further opportunity to, please, answer the question which is on the Order Paper. It is very simple.

805 **Hon. G Arias-Vasquez:** Madam Speaker, again, I have answered the question directly. Unfortunately, the answer does not seem to be understood. The requirements for the job are a GDC Level 1, an AO and a GDC Level 3. Those are the requirements; so whatever the requirements are for those posts, these individuals have fulfilled them. There is no specific qualification required of these individuals for that job.

**Madam Speaker:** Next question.



**Q52-54/2024**

**Children's dental services –  
Outsourcing to private clinics; payments to private clinics for GHA work;  
actions to reduce waiting lists**

810 **Clerk:** Question 52. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, for what reason are dental appointments for children being outsourced to private clinics, rather than being kept within the GHA?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Questions 53 and 54.

820 **Clerk:** Question 53. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, can the Hon. Minister confirm that there have been issues with children being seen by private dental clinics when they have attended appointments scheduled by the GHA because the clinics have not received up-to-date payments from Government for the work carried out? What is being done to resolve this issue?

825 **Clerk:** Question 54. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, can the Hon. Minister confirm what is being done to address the continued issue of lengthy waiting lists for children to be seen by a GHA dentist?

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

**Hon. G Arias-Vasquez:** Madam Speaker, in answer to Question 52, the reason dental appointments for children are being outsourced to private dental clinics is to increase the number of children being reviewed, as part of the waiting list initiative.

In answer to Question 53, the GHA is not aware of any issues with payments to the private dental clinics. All private work is invoiced. Once the invoice is received, the GHA processes all the payments in line with internal accounting processes, and to date there have been no issues with the processing of payments to private dental clinics.

840 In answer to Question 54, the GHA dental department is carrying out extra clinical sessions to reduce the waiting lists. An extra dental officer and an orthodontist have been engaged, based on an analysis of the waiting list. Furthermore, as mentioned earlier, the GHA has contracted the services of private dental clinics in order to refer children on the waiting list. All of this will allow the Community Dental Service to become more efficient and effective, focusing on the dental needs of our children, special needs patients and the vulnerable in the community.

845 **Hon. J Ladislaus:** I am grateful for those indications. Can the Hon. Minister confirm whether it is still the case, as indicated to me when I asked the question in November, that all children on the waiting list will be seen by the end of March this year?

**Hon. G Arias-Vasquez:** It is.

**Madam Speaker:** Next question.

855

**Hon. D J Bossino:** Excuse me – if I may?

**Madam Speaker:** If I flag the next question and I have not seen you, then you should ask for permission to ask the question, rather than assume. Assumptions are dangerous. Off you go.

860 **Hon. D J Bossino:** Is she able to provide any statistical information in her reply to Question 52, when she says that the reason for basically farming out this service is to increase the number of children being reviewed on a private basis? Is she able to provide any statistical information as to how many children? I appreciate that it may be an unfair question, but she may have it there by way of preparation in her supplementary reply, so if she can provide any statistical information ...  
865 I have not set out a period of time, but she may be able to offer that by way of further statistical evidence.

**Hon. G Arias-Vasquez:** Madam Speaker, I am not. Question 52 relates to the reason the dental appointments are given: if that question is put to me, I will answer it in the next session.

870

**Madam Speaker:** Next question.

**Q55-56/2024**

**Ghost companies –**

**Use of clubs' or associations' premises to sell food to the general public**

**Clerk:** Question 55. The Hon. C Sacarello.

875 **Hon. C Sacarello:** How will Government look to curb the practice of ghost companies – in other words, companies using clubs' and associations' premises as their business address – using clubs' or associations' premises to market and sell food to the general public and not just the relevant members, as intended?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 56.

885 **Clerk:** Question 56. The Hon. C Sacarello.

**Hon. C Sacarello:** By when will any intended legislation curbing the practice of ghost companies using clubs' or associations' premises to sell food to the general public be passed?

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

**Hon. G Arias-Vasquez:** Madam Speaker, I am not entirely sure what the term 'ghost companies' refers to. There are private companies which enter into arrangements with clubs in order to provide restaurant services from within the club. Section 32 of the Office of Fair Trading Act already deals with clubs and confirms that they shall only sell food to members of that club.  
895 His Majesty's Government of Gibraltar has, as confirmed to the Catering Association, commenced the drafting of the Clubs Act to deal precisely with this issue. I am unable to confirm the timeline for the legislation to be passed.

900 **Hon. C Sacarello:** Madam Speaker, I would like to thank the hon. Member for that answer and for the Government's intention to proceed with this, because it is a serious case for people who run a business in the hospitality sector, where they are faced with an unlevel playing field. I

suspect this is what the hon. Member across the floor has detected. If she cannot provide a timeline, would she at least confirm that it is the Government's position that this is, indeed, an unlevel playing field and that that is what they are looking to address?

905

**Hon. G Arias-Vasquez:** Madam Speaker, in our deliberations with the Small Business Board and with the recently reconstituted Main Street Retailers Association, these are precisely the discussions that we have had, and we have confirmed to them directly that we are intending to do this.

910

**Hon. D J Bossino:** If I may ask the hon. Member ... I think she described it as the Clubs Act. It will be, presumably, a Bill at some point in the future. She was unable to state what the timeline was. Is the hon. Member able to state what issue that piece of legislation is going to be expected to address? I think, if I understood her answer correctly, that the issue which my friend here to my right has raised ... has already addressed legislatively with the operation of the section in the ... I cannot remember the name of the Act: the Fair Trading Act, I think it is. So what is the point of the Clubs Act – if she could expand on that?

915

**Hon. G Arias-Vasquez:** Of course. Madam Speaker, section 32 of the Office of Fair Trading Act deals with clubs, and it refers to clubs as defined in the Clubs Act. So the Clubs Act will define what those clubs will look like.

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**Hon. D J Bossino:** Is it the position that there is extant legislation which cross refers to another piece of legislation, which is non-existent? Is that the position? And is it not somewhat alarming, if that is correct – and, I would hasten to add, bad drafting and thought process? There seems to be a gaping hole there.

925

**Hon. G Arias-Vasquez:** Madam Speaker, because it was the view that this Act was going to be drafted, this Act is in the process of being drafted to cover that gap in particular.

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**Madam Speaker:** Next question.

#### Q57/2024

#### Pharmacies –

#### Business licence renewal issues

**Clerk:** Question 57. The Hon. C Sacarello.

**Hon. C Sacarello:** Can the Government please clarify the position with the business licence renewal issues facing pharmacies following the implementation of the recent Fair Trading Act, which caused some pharmacies problems with Customs holding up their goods as a result?

935

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, apologies. In relation to the previous question, the Clubs Act is in existence: it is a 2007 piece of legislation. To go to – Sorry, Madam Speaker.

940

**Madam Speaker:** All right, just a minute. If we are revisiting the answer to the last question, I did not catch what you said.

945

**Hon. G Arias-Vasquez:** Apologies. There is a Clubs Act in force at the moment we are revisiting it...

950 **Hon. D J Bossino:** Oh, I see.

**Madam Speaker:** I will allow a supplementary on that.

955 **Hon. D J Bossino:** I think that is a very important point. I think that the Government's position, by way of clarification, is ... In fact, I think the Clubs Act is quite old.

**Hon. G Arias-Vasquez:** 2007.

960 **Hon. D J Bossino:** There is another provision, which certainly I used many years ago in the magistrates courts, to deal with this issue.

**Chief Minister (Hon. F R Picardo):** 1924, updated.

965 **Hon. D J Bossino:** That is right, but the position is, therefore – I could not recall what the legislation was called – that there is such a thing as a Clubs Act existing. Therefore, I would need to withdraw the comment I made earlier that it is a question of bad drafting, because the Office of Fair Trading Act, or whatever it is called, does correctly cross-refer to an existing piece of legislation.

970 However, the initial answer that the Hon. Minister gave was wrong – in other words, that what she is seeking to do is to amend existing legislation, which is called the Clubs Act, in order to reinforce its position. The Hon. Chief Minister is shaking his head and I think we are going to have – I hope – further elucidation from the Minister.

975 **Hon. G Arias-Vasquez:** Madam Speaker, we are looking to repeal that Clubs Act and enact an entirely new Clubs Act.

980 **Hon. D J Bossino:** Is she, therefore, able to confirm that her initial reply was incorrect – in other words, that she is not seeking to introduce ...? She, herself, describes it as a Clubs Act, but this is, as I understand it, simply a repealing of the current piece of legislation and replacing it with something else which she perhaps loosely has described as a Clubs Act. It is going to be, basically, a new Clubs Act: is that the correct position?

985 **Hon. G Arias-Vasquez:** Madam Speaker, as I have just confirmed, we are repealing the current Clubs Act to deal with any lacuna in the legislation, and we are drafting a new Clubs Act to deal with any lacuna in the legislation.

**Madam Speaker:** Next question. We had a question put. There was an answer that the hon. Member is waiting for. The hon. Member is waiting for an answer to Question 57.

990 **Hon. G Arias-Vasquez:** Madam Speaker, it has been confirmed by the OFT that during the period dating 1st October to 31st December 2023, all such licences that were due for renewal and who have paid the renewal fees have now had their respective licences issued.

995 Under section 36(4)(b) of the Fair Trading Act 2023, services to which the Medical and Health Act 1997 apply shall not be licensable by the OFT. The Medical and Health Act applies to the regulation of professionals, not to the businesses or, in this case, the pharmacies. There were, therefore, no issues arising under the new Office of Fair Trading Act 2023.

**Madam Speaker:** Next question.

**Q58/2024**

**Power cuts –**

**Audit and publication of results**

**Clerk:** Question 58. The Hon. C Sacarello.

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**Hon. C Sacarello:** Will the Government conduct an immediate vertical audit of all power cuts in December 2023 and January 2024 – in other words, a snapshot audit of each power cut and the reasons behind it – and will they publish the results?

1005

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

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**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, we have already sought explanations from the management of the GEA for the power cuts, and explanations have been provided through the media. The power cuts during December 2023 up until 18th January 2024, including reasons for these, are as follows.

On 17th December at around 1820 hrs, there was a cable fault on the high voltage network, which affected the areas of Marina Bay, the World Trade Centre, Glacis Estate and parts of Laguna Estate. Investigations by the Gibraltar Electricity Authority's engineers pinpointed the fault to a high voltage cable gland failure at Hesses substation in the Landport area.

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On 27th December 2023 at around 0724 hrs, a power outage was experienced and subsequent investigations concluded that the malfunction had occurred on generator number 5 at the North Mole power station. A pilot oil injector module failure was the cause of the engine number 5 trip. The other operational generating set at the time was unable to cope with the sudden additional load of approximately 9MW and consequently also powered down to protect itself from overloading, causing a widespread outage. Engine number 5 has now entered its 18,000 hour overhaul and, as part of this maintenance, the faulty injector module will be repaired or replaced.

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On 7th January at around 2350 hrs, a total blackout was experienced. The cause of this blackout was identified as a failure in the outgoing low voltage busbars of transformer number 1 at the North Mole power station. The electrical protection in place isolated the fault, and, as a result of the interruption to the in-house power supply to most power station auxiliaries, such as the pumps and fans, the whole power plant tripped. On the night, the second transformer at the North Mole power station was brought into service and the power plant was restarted. Investigations into the failure of the low voltage busbars attribute the fault to arcing within a section of low voltage busbars, which are sealed at factory level. Consultations are ongoing with the manufacturer and, in the meantime, Gibraltar Electricity Authority engineers have re-energised transformer number 1, albeit to 50% of its capacity, which is sufficient to power up all the power plant auxiliaries whilst operating within its current regime as replacement spares are awaited.

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**Hon. C Sacarello:** Madam Speaker, thank you very much to the hon. Member across the floor for her answer. I think, in terms of the reasons behind the failures, they are clearly determined. In order to prevent wasting the time of the House, and perhaps to avail the public of this information, will the Minister be able to confirm if this information will be made public on perhaps the GEA's website following each individual incident?

1040

**Hon. G Arias-Vasquez:** Madam Speaker, after every individual incident, a member of management – usually the CEO, if he is available – goes on the media and explains the reason for the power cut. If the reasons are not immediately available, he will subsequently, after two or three days, once the investigation is determined, go on the local press and explain the reasons for the power cut.

1045 **Hon. C Sacarello:** Thank you for that, but the question was not answered. My question was: will it be available on the GEA website and left there, so that people can view it for themselves?

**Chief Minister (Hon. F R Picardo):** Madam Speaker, as a matter of practice, every government press release is available permanently on the government website.

1050

**Hon. D J Bossino:** But I think the information that was provided by the Hon. the Minister referred specifically to the GEA, which I understand is a Statutory Authority, and the Hon. the Chief Minister – I hope he is not playing with words – talks about press releases issued by the Gibraltar Government. He is absolutely right that they are set out on the Gibraltar Government website, and they have been doing that since they got into office, but the reply given by his colleague was on behalf of the GEA. My friend here is asking whether the GEA, not the Gibraltar Government, would provide this information in a static form on the website, so that it can be referred to, rather than having to scroll through either the press releases that they issue, or an interview that they may give to GBC at the relevant time.

1060

**Hon. Chief Minister:** Does the hon. Gentleman mean as they do on their website already? Is that what the hon. Gentleman is asking me about, the publicly available information, which is all of the press releases of the GEA on the GEA website: gibelec.gi? If the hon. Gentleman is asking me to do something which is already done, which is set out on the press release part of the website of the Gibraltar Electricity Authority, I can confirm that that is already done, but I would have thought, given it is publicly available information that they are asking about in the House, they would have checked before asking us to do that which is already done. Or is it that the premise of his question is wrong, Madam Speaker?

1065

1070 **Madam Speaker:** If you are going to –

**Hon. D J Bossino:** I don't have a further question on it.

**Madam Speaker:** And the hesitation is well grounded. If you have not got a further question, we will move on.

1075

**Hon. D J Bossino:** We will check what he is saying.

**Madam Speaker:** Next question.

**Q59/2024**  
**Gibraltar Port –**  
**Plans for transition to new fuels**

1080 **Clerk:** Question 59. The Hon. D J Bossino.

**Hon. D J Bossino:** What specific plans does the Government have to transition Gibraltar Port to new fuels?

1085 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, Gibraltar has already taken significant steps in supporting the shipping industry enhancing the sustainability of maritime traders and is actively engaged in the supply of cleaner fuels, being one of the very few

1090 ports that already has supply capabilities for LNG bunkers, as well as bio-fuels. At the same time,  
we continue to be dynamically involved with our stakeholders to ensure that we are ready to  
support the maritime industry as other new fuels start being taken up by the industry, to ensure  
that we are at the leading edge of this transition. A further dimension to this includes the study of  
1095 port fee incentives for cleaner fuel suppliers and vessels calling at our Port to take these cleaner  
fuels. These measures are currently going through a final consideration phase by Government  
prior to implementation.

**Hon. D J Bossino:** The Hon. Minister talks, in the initial part of her answer, about historical  
things that the Government has done; I was more interested in terms of the future. She has been  
1100 kind enough to provide the House with information as to some of the specific things which the  
Government has done, and I have identified, I think, in her answer, a policy and a plan to basically  
recalibrate port dues, to presumably incentivise the use of healthier and more environmentally  
friendly fuels. I am grateful to her for that response.

The reason for this question is whether there is anything else that realistically the Gibraltar  
1105 Government can do. It is born from an interview which the Hon. – I think he is still the Minister  
for the Environment – Prof. Cortes gave to the *Gibraltar Chronicle*, where he talked about long-  
term planning and said that he had already initiated discussions with the Gibraltar Port Authority  
and her, as the Minister for the Port. He specifically said that we will have to be prepared to  
transition to new fuels like ammonia, and possibly hydrogen. Is she able, therefore, to provide –  
1110 because I did not detect that she addressed in her response those two possible energy sources  
which her colleague identified in the interview – more details in relation to those specific fuel  
sources?

**Hon. G Arias-Vasquez:** Madam Speaker, I am not able to provide concrete plans for those two  
1115 particular types of fuels, but I am able to confirm that we are in constant communication with the  
Minister for Tourism and the Minister for the Environment on what sources Gibraltar would need  
to be looking at, in order to continue to be an attractive port destination for cruises, for example.  
We are constantly looking at what we would need to invest in and look at in order to be an  
attractive jurisdiction.

1120  
**Hon. D J Bossino:** It is an interesting reply. I understand why she would be in close discussions  
with the Minister for the Environment, but may I ask her to provide further detail in relation to  
her discussions with the Minister for Tourism in the context of the cruise liner industry and what  
they are looking at in that respect?

1125  
**Hon. G Arias-Vasquez:** Of course, Madam Speaker. We are in very close contact because cruise  
liners are asking for cleaner fuels constantly, and they are also asking us whether Gibraltar is  
looking at things such as onshore power. So we are looking constantly to improve the  
infrastructure in Gibraltar, to see whether it is something that we can provide.

1130  
**Hon. D J Bossino:** In the context of onshore power and in the further context of making the  
provision of this power more environmentally friendly, which is the whole point of this question,  
can I ask her, please, to be more specific as to what type of onshore power she thinks can be  
provided that is both more environmentally friendly than is currently being provided, and  
1135 secondly ... let's not forget the other side of the equation, which is the cost of this? It may be very  
well and good to say that we are all going to be environmentally friendly and all the rest of it, but  
if there is going to be a cost, whether in relation to financial outlay which it is not possible for the  
Gibraltar Government to undergo or because there is going to be a cost in jobs, let's say ... Can  
she be more specific in relation to that? If not, all we are dealing here with is high-falutin words  
1140 which mean absolutely nothing.

1145 **Hon. G Arias-Vasquez:** Madam Speaker, as I confirmed in my answer, we are looking at these possibilities to see whether it is financially viable, so I am unable to go into any detail. What I can confirm is that we are constantly looking at sources to make Gibraltar viable as a port on an ongoing basis to provide cleaner fuels, which I understand was the very reason for his question.

1150 **Hon. D J Bossino:** Is she, please, able to provide this House with what type of sources they are looking at? It is a very simple question. If not – as I said by way of criticism, and I stand by that criticism – they are just words that the Ministers are coming up with so that they make them sound good, and it is really, quite frankly, hyperbolic and nothing else. What specific measures and what specific fuels is the Hon. Minister with responsibility for the Port, who apparently is in discussions with the Minister for Tourism and also with the Minister for the Environment ...? What are they seeking to do in relation to this area, in relation to specifics, please?

1155 **Hon. G Arias-Vasquez:** Madam Speaker, we are looking at two options. One is cold ironing and the other is LNG bunkering. These are two options which, I remind the hon. Member opposite, they were completely against providing themselves.

1160 **Hon. D J Bossino:** I am not sure we were against the first one. What was it? (**A Member:** Cold ironing.) Cold ironing, okay. (*Interjection*) Right.

In relation to LNG bunkering, can she provide the House with specifics as to when that is likely to start? I hear the hon. Members, which I think is right, but I ask the question on the premise of the answer that I have received. They say, whispering to each other, ‘Ooh, they’ve started ...’ –

1165 **Madam Speaker:** You have asked the question: now wait for the answer. (*Interjection by Hon. D J Bossino*) No, you have asked the question: let’s wait for the answer, and then you can come back if you need to.

1170 **Hon. G Arias-Vasquez:** Madam Speaker, it started months ago and there was a public statement to that effect.

1175 **Hon. D J Bossino:** Then why is she saying she is looking at it? Why isn’t the answer from the hon. Member that it has started already? This is why we are not getting clear answers from the hon. Member. Why did she say before, ‘We are looking at it as a future source’?

1180 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I do not know that the hon. Gentleman has understood the tense in which the questions are being answered, and, indeed, what his position and the position of his party has been in relation to these issues. I rise because, in fact, the commencement of LNG bunkering was during the lifetime of the previous Parliament, and there was a statement to that effect. That is what we are looking at: further details in respect of how we can further expand Gibraltar’s offer in respect of LNG bunkering and how cold ironing can be expanded.

1185 The hon. Gentleman may or may not know – whether he will tell us whether he knew or whether he did not is another matter – that cold ironing has been happening for many years also, but it is not as extensive as we believe it should be, and cold ironing fuelled by diesel generators is frankly as bad as providing diesel into the engine of the ship. So cold ironing fuelled by an LNG power station or other alternative sources of energy, or additionally LNG bunkering to ships, all of which is what they were manifestly against, is what we are continuing to pursue the expansion of, as we committed to do specifically in 2015. I still recall, during what I call ‘The Great Lie Election of 2015’, when Joe Bossano specifically set out that this was one of the strands that we saw further development for, how vehemently against it Members opposite were –

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**Hon. Sir J J Bossano:** We were going to blow up Gibraltar.



1195 **Hon. Chief Minister:** – and they could not believe that Joe Bossano and Fabian Picardo were going to blow up Gibraltar. We continue to pursue that as an option which we believe should be further expanded because of the benefits it will bring to the Ministry of Tourism through the attraction of more cruise ships, the benefits it brings to Gibraltar’s environment and the air that we breathe, and the benefits it brings to shipping operators to be able to offer Gibraltar with those alternative sources of fuel.

1200 This is now a debate that has been going on in – my goodness, Madam Speaker, I was going to say three – four Parliaments, with this one. We started with the debates that we had in the first GSLP Liberal Government after the glorious new dawn of 9th December 2011, when we stopped the grimy, smelly, diesel power station that they were going to set up in the green area at Lathbury. We were told that that was not a good thing. In the Parliament of 2015 we had a mandate from the people to pursue it. We were told by hon. Members –

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

1210 **Hon. Chief Minister:** What is the point of order?

**Hon. D J Bossino:** What relevance –?

**Madam Speaker:** No. What rule is contravened that gives rise to a point of order?

1215 **Hon. D J Bossino:** If the expectation is that I now need to refer to the specific rule –

**Madam Speaker:** I am not asking you to refer to a specific rule – (*Interjections*) Just a minute, one at a time. If I am expected to rule on a point of order, I need to know – loosely speaking; I do not need to know by reference to paragraph number, although I will check that that is there – what rule you are saying is being contravened which gives rise to a point of order. It is as simple as that.

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**Hon. D J Bossino:** Madam Speaker, the rule is relevance. I have asked specifically which new sources of energy the Government is looking at. I have asked specifically in relation to that, and the Hon. –

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**Madam Speaker:** I am going to stop you for a minute. I have the Rules in front of me. I have to ask you to be specific, because I cannot see any rule which says that an answer ... One would suppose that an answer has to be relevant. That should go without saying. There is not a specific rule that says that the answer has to be relevant. I presume the Hon. the Chief Minister would argue that his answer is relevant. His answer may be more verbose than you would like, and I would, in that respect, ask the Hon. the Chief Minister to perhaps be more succinct in his answer, but without you referring me to the specific rule, I cannot give rise to this. We should move on.

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1235 **Hon. D J Bossino:** Madam Speaker, with the greatest of respect, it is almost impossible for us to memorise. I know they are not particularly long Rules, but one could do a dissertation on this.

**Madam Speaker:** I am not asking you to memorise; I am simply saying that if the point you raise is not provided for in the Rules, then it is not provided for in the Rules. I have the Rules in front of me. If you give me a moment, I will quickly skim through them and see if I can assist you. If it is there, I will take your point of order; if it is not, I will not. Give me one minute.

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**Hon. Chief Minister:** Madam Speaker, if I can be of assistance, my recollection, if it is helpful, is that the Rules provide for questions but not for answers, and that the answers should simply address the question. That is not, therefore, one of the rules that can be prayed in aid in order to

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make a point of order, as the hon. Gentleman is trying to do. Getting up to make a point of order on the basis that he does not like the answer is not a point of order.

1250 If I may also be of assistance by saying that in the United Kingdom, in the Mother of all Parliaments, whose procedure we emulate here, every Member is required by the Speaker to quote the section that he is referring to when he calls a point of order, on the trot.

1255 Thirdly, the hon. Gentleman asked me about new fuels: LNG is considered to be a new fuel, and I was talking to him about the additional, other fuels that might be used in support of cold ironing. So I would argue that I was addressing directly to him exactly the point that he raised in respect of new fuels. If he meant something else by 'new fuels', that is to say a fuel not presently in use in Gibraltar, I can address just that, if he wishes.

I hope that is of assistance, Madam Speaker.

1260 **Hon. D J Bossino:** It is. I am not sure that the 650-odd Members of the House of Commons, with their varying abilities and all the rest of it, are expected to quote, as the hon. Member says, the precise rule on which they stand on a point of order.

1265 **Madam Speaker:** In any event, I have not asked you to quote the precise rule; I have simply asked you to identify a provision. I have looked and there is not one. If your complaint is that the answer was not relevant, that may or may not be a complaint that you can level, but it is not something that can provide a basis for a point of order. So, on this point, I am going to ask the Hon. the Chief Minister whether he has finished his reply. He has not.

**Hon. D J Bossino:** You have already provided the relevant answer: LNG.

1270 **Madam Speaker:** I would ask the Hon. Mr Bossino, if he has to speak, to stand and address himself correctly to the other side.

In any event, I am going to ask the Hon. the Chief Minister: has the Chief Minister finished his reply?

1275 **Hon. Chief Minister:** Yes, Madam Speaker, but I would –

**Madam Speaker:** Will you do so as succinctly as you are able, please?

1280 **Hon. Chief Minister:** I shall do so, Madam Speaker. Thank you very much.  
If I can be of assistance before I continue with my reply: in the old days, when I was in opposition, I learnt the hard way that the Standing Orders – in other words, the rules that allow us to make points of order, as the hon. Gentleman has purported to do – only deal with questions and answers. I have an extract, which I am very happy to share with him, from the old Erskine May – he can find it in the new Erskine May – which is the only paragraph about questions and  
1285 which I am very happy to circulate to him to be of assistance, given that we have known each other for many years and we have a lot of affection for each other and the Rules are the Rules and they are there for all of us to consult.

1290 **Madam Speaker,** moving on to the substance of the question, what I was doing was showing him why those new fuels are the new fuels that we have been pursuing the introduction of for the past four Parliaments in the teeth of their opposition, and additionally, as the Hon. the Minister for the Environment said only yesterday, we are further pursuing wind and tidal power, all of which would contribute to the cold ironing in addition to LNG and solar, which already contribute to the cold ironing because they are coming into the grid. That is as succinctly as I can put it.

1295 **Madam Speaker:** Any supplementaries on that by way of question? Is the hon. Member having difficulty in formulating a question?

**Hon. D J Bossino:** No, not at all. I –

1300 **Madam Speaker:** It was a rhetorical question: no answer is required. Does the hon. Member have a supplementary?

1305 **Hon. D J Bossino:** Yes, I do have a question. The reason why I am reacting the way I am is because I hear the hon. Gentleman and I could say so many things, but I cannot because of the strictures of the Rules and this place. And so be it.

Can I ask them to clarify one thing? Can I ask them to state when it is that LNG bunkering started to be provided in Gibraltar? I think that is the way that I have understood their answer. We have had one answer from the Hon. the Minister saying that it started last month – is that incorrect? – and then we have had an answer, by way of further contribution from the Hon. the  
1310 Chief Minister, saying that it started during the lifetime of the previous Parliament, just gone. I simply want clarification in relation to that, and I expect to receive a relevant reply.

**Hon. Chief Minister:** Of course the hon. Gentleman will receive a relevant reply, as he always does. Whether he likes the reply or not, Madam Speaker, is a matter for him, as you have rightly  
1315 indicated.

First of all, just dealing with the point of the strictures of this place, the strictures of this place have been in place for all of us since I was elected in 2003, since the Deputy Chief Minister was elected in 1999, and since Jo Bossano was –

1320 **Madam Speaker:** Can I ask the Hon. the Chief Minister to move on to answer the question, so that we can move on to the next question? (*Interjection by Hon. D J Bossino*)

**Hon. Chief Minister:** Absolutely, Madam Speaker, but with the very greatest of respect, he was not asked to move on when he made the point that what he would like to do is have a chat about these things rather than ask questions in keeping with the Rules of the House, and have answers in keeping with the Rules of the House.  
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Second, Madam Speaker – (*Interjection by Hon. D J Bossino*)

**Madam Speaker:** I am just asking the Hon. Mr Bossino not to interrupt from a sedentary position. (*Interjection by Hon. D J Bossino*) Well, it is your words, not mine, but I give the floor to the Hon. the Chief Minister.  
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**Hon. Chief Minister:** The equivalent of ‘Calm down, dear,’ but from the Chair.

Madam Speaker, there was no reference, by the Hon. Minister or by me, to anything having happened last month. What we talked about was last year, and I then said ‘in the lifetime of the last Parliament’ – that is to say not something for which the Hon. the current Minister is answerable for.  
1335

He will see that there is a public statement on 10th October last year, so if I may say so, with respect, the hon. Gentleman’s question also falls at the hurdle of asking about something that is publicly available information, whether he is aware of it or not. A simple Google search –  
1340 (*Interjection by Hon. D J Bossino*) The hon. Gentleman says, from a sedentary position, that he is aware of it. That doubly offends the rule, Madam Speaker, with respect, because he is asking for something which is publicly available information, which he knows, he now says, is publicly available information. But so be it. That is why, Madam Speaker – (*Interjection by Hon. D J Bossino*)  
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**Madam Speaker:** I am not going to allow the hon. Member to comment from a sedentary position. I will allow you to ask a further supplemental after this, if you need to, but not from a sedentary position.

1350 **Hon. Chief Minister:** Madam Speaker, these strictures that have applied to all of us are really terrible, aren't they? A very clear answer to the question that he put, not last month but last year, during the lifetime of the last Parliament, on 10th October 2023, something which he has now told us, from a sedentary position, he already knew.

1355 **Madam Speaker:** Is there a supplementary – not a comment – on that? A further question, and the last one because otherwise this is becoming a debate.

1360 **Hon. D J Bossino:** Can I ask the Hon. the Minister to correct the position? The recollection, certainly that we have on this side of the House, and it will be checked in *Hansard* once it is produced, is that in her initial reply, Madam Speaker, she said that this had started last month, not in October and not in the lifetime of the last Parliament, so can I ask her, by way of a question, that she, please, correct the record of this House?

1365 **Hon. Chief Minister:** Madam Speaker, he can ask her or me, or whoever he likes, but we decide who answers on behalf of the Government.

The hon. Gentleman has said, pointing his finger as if he were a teacher admonishing a naughty boy, that he will check the *Hansard* as to what the Minister said in her first answer. He does not need to check the *Hansard*: we will give him a copy of the first answer. It does not say anything about last month.

1370 **Hon. D J Bossino:** The premise of the answer that the Hon. Chief Minister has just given is wrong. It was in response to a supplementary that the hon. Lady said, 'We started LNG last month'. So there is nothing there that he will have in writing, unless it has been prepared by her officials by way of answer to a potential supplementary which will assist him.

1375 **Madam Speaker:** The question is clear.

1380 **Hon. Chief Minister:** Madam Speaker, the hon. Gentleman, in his question a moment ago, said 'in her first answer'. This is her first answer. He has now changed the premise of his supplementary to 'in her first supplementary'. Well, her first supplementary, as far as we are concerned on this side of the House, was premised on the basis that this happened last year, not last month. Given that last year was last month, I wonder whether hon. Members, when they heard 'last year', assumed it was last month.

1385 We should not stand here having an argument about something which empirically can be checked. If any of us misspoke, which I doubt, because I heard 'last year' ... because the hon. Lady was not a Member of this Parliament when it happened, and therefore I had the recollection and informed her ... knew full well that it was likely September or October, which is not last month.

I hope that is sufficient for the hon. Gentleman now to move on to something else.

1390 **Madam Speaker:** We are going to move on to the next question.

#### Q60/2024

#### Street advertising placards – Policy re town centre

**Clerk:** Question 60. The Hon. D J Bossino.

**Hon. D J Bossino:** What is the Government's policy in relation to street advertising placards in the town centre?

1395 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the government policy in relation to street advertising placards or sandwich boards is contained in the Gibraltar Development Plan, which states:

POLICY OTR9 — SANDWICH BOARDS

APPLICATIONS FOR SANDWICH BOARDS TO BE LOCATED ON MAIN STREET WILL ONLY BE GIVEN FAVOURABLE CONSIDERATION WHERE THE FOLLOWING ARE SATISFIED:

A) THE SANDWICH BOARD IS FOR A BAR, RESTAURANT OR CAFE;

B) THE PREMISES CONCERNED ARE LOCATED ON A SIDE STREET AND WITHIN 20 METRES OF THE JUNCTION WITH MAIN STREET;

C) THE PROPOSAL WILL NOT RESULT IN MORE THAN ONE SANDWICH BOARD BEING LOCATED AT THE JUNCTION WITH MAIN STREET;

D) WHERE THERE IS ALREADY AN EXISTING SANDWICH BOARD AT THE PROPOSED LOCATION THE APPLICANT WILL NEED TO SHARE THE SAME BOARD AS THAT ALREADY EXISTING;

E) THE DESIGN AND SIZE OF THE PROPOSED BOARD IS NOT INAPPROPRIATE.

ELSEWHERE, WITHIN THE OLD TOWN PERMISSION SHALL NOT BE GRANTED FOR SANDWICH BOARDS.

1400 The criteria are normally also applied to applications outside the Old Town.

**Hon. D J Bossino:** The reason why I ask the Government this question is because of what I have seen, particularly in Main Street, if that assists the Hon. the Minister, where you see ... I think she referred to the Development Plan. It is a publicly available document and so it is something that one can easily check, but I think it is the third final –

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**Madam Speaker:** Can I ask you for a question?

**Hon. D J Bossino:** Yes, Madam Speaker, the third point – which I did not quite catch because she went through it really quickly – about the setting up of placards with an adjoining side street, presumably adjoining to Main Street is the policy position, but they are unsightly. I have seen a few of them. One –

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**Madam Speaker:** A question, or I am going to ask you to sit down.

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**Hon. D J Bossino:** The question, Madam Speaker, is: will the Government consider changing its policy? I know that they are in the throes of drafting a new Development Plan, but can I ask, at this stage, now, before that document is fully made available and published, is she able to say what her, and the Government's, thinking in relation to this is, whether it is going to change the policy and develop it, as currently stated in the Development Plan?

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**Hon. G Arias-Vasquez:** Madam Speaker, it is correct that we are looking at the Development Plan. We are also looking at this in terms of the new Entertainment Act which is being drafted and there are policy papers being considered, but it is a tightening of the current policy which is in existence already.

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**Hon. D J Bossino:** I see, so it is the conduit, and the expression of the Government's thinking in relation to this will be expressed in the Development Plan, as I understand it, and also in this new piece of legislation which is being considered. Can she give an indication as to what the direction of travel is likely to be in relation to that? Is she able to say that now? For example, would she be considering a complete ban of these placards in Gibraltar generally, or in specific areas? Can she elucidate in relation to that?

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1435 **Hon. G Arias-Vasquez:** Madam Speaker, as I stated, it is a tightening of the policy which is currently in place, so it is pretty much along the lines of what is in existence, just a tightening of that policy.

1440 **Hon. D J Bossino:** But what does 'tightening' mean? Tightening can go all the way through to prohibition. That is possible within the tightening, so I am just asking her ... I think she can provide us with further and better particulars in relation to this, but if she cannot, she cannot. However, can she, please, say what she means by further tightening? Tightening suggests that she is going down the route of further restriction. It is possible that the answer could have been the other way to make it more liberal, but at least she is indicating that it is making it more restrictive. To what extent and by how far? I think that is a fair question.

1445 **Hon. G Arias-Vasquez:** Madam Speaker, the policy will soon be published, so the hon. Member will be able to see it then.

**Madam Speaker:** Next question. (**Hon. D J Bossino:** But – ) Next question.

**Q61-62/2024**

**Anti-psychotic and anti-depression medication –  
Number of persons prescribed by GHA practitioners**

1450 **Clerk:** Question 61. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** Madam Speaker, how many persons have been prescribed anti-psychotic medication by GHA practitioners in the calendar year to 31st December 2023?

1455 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 62.

1460 **Clerk:** Question 62, the Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** How many persons have been prescribed anti-depression medication by GHA practitioners in the calendar year to 31st December 2023?

1465 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

**Hon. G Arias-Vasquez:** Madam Speaker, in answer to Question 61, a total of 1,183 persons have been prescribed anti-psychotic medication by the GHA in the calendar year 2023.

1470 In answer to Question 62, a total of 4,122 persons have been prescribed anti-depressant medication by the GHA in the calendar year 2023.

1475 **Hon. Dr K Azopardi:** I am grateful for that. I have been tracking this information over the last few years. The Hon. Minister may not be aware of this, as she was not in this House, but I have been asking her predecessors about these statistics. In terms of anti-depression medication, the figure of in excess of 4,000 people has been given before, and it accords with that, so my question there, as I have put to her predecessors, is: has she discussed with officials whether measures can be taken which might result in people having other routes available to them rather than medication?

I will explain the point, in case it is not obvious from my question. A lot of the anti-depressive medication from people who come to see me sometimes gets prescribed ... They are on anti-depressive medication, but a lot of people complain to me about the difficulty that they have in terms of lack of follow up once they get the initial diagnosis and then the difficulty of access to clinical psychology unless they pay for it. Some people cannot afford it, and people then get put on a cycle of continuing repeat prescriptions of medication. To the extent that there may be people who need it, obviously everyone who has been prescribed it needs it, but some people might not need it for as long as they are being prescribed if there were more resources for clinical psychologists. So my question really is: I appreciate it is early days for her, but has she discussed with her officials, in light of this number, the backdrop that there is in this community on this issue?

**Hon. G Arias-Vasquez:** Madam Speaker, the total in Gibraltar that I have just given is 4,122. This is just under 13% of the Gibraltar population as at 2021. If we contrast and compare this figure with the figure in the UK, for example, in the UK the figure on anti-depressants is 17% of the adult population. Whilst I would agree with the hon. Member that it is entirely desirable to have a much lower number of adults in Gibraltar on anti-depressants, as indeed I think the hon. Member indicated to him on 23rd November 2022, which was the previous session that the hon. Member alluded to, I think the desire would be always to have fewer members of the adult population on anti-depressants, and we are looking at alternatives such as psychologists, counsellors etc., as part of the overall Mental Health Strategy. If the question is 'Is this an alarming number of adults?' it is fewer than the number of adults on anti-depressants in the UK, according to the NHS statistics.

**Hon. Dr K Azopardi:** I do not know if she knows – she might know – the figure she has just given, 70% – is that like for like? Is that a figure for the UK population at large, or is it for the UK population prescribed under the NHS? For example, the figure of 13% does not take account of anyone on private prescriptions in Gibraltar.

**Hon. G Arias-Vasquez:** Madam Speaker, the figure of 17% comes from the NHS website.

**Hon. Dr K Azopardi:** I appreciate that; I am not sure that is the answer. It may be on the NHS website, but is it collected on the same basis? Does it answer the question of whether it is only people who are prescribed under the NHS, or is it on the NHS website but in relation to the UK population because they collate statistics in a different way and have access to private prescription statistics?

**Hon. G Arias-Vasquez:** I am unable to answer that question.

**Hon. Dr K Azopardi:** I am grateful and I will do my own investigation, if necessary, on that issue. On Question 61, on the anti-psychotic medication, my recollection of previous answers is that that figure is different, and I just wonder how that has been collated. It is either a collation issue or something has happened in that field where that number would be lower. I just give her an opportunity, in case she has additional information provided by officials which would answer why that number seems lower than in previous years when I have asked.

**Hon. G Arias-Vasquez:** Madam Speaker, if I turn to the *Hansard* from 23rd November 2022, which is when my predecessor answered this question, the answer was in relation to anti-depressants and anti-psychotics together. In this instance, we have separated the numbers, so the number of 1,183 persons is 1,183 persons who are prescribed anti-psychotic medication, and 4,122 persons have been prescribed anti-depressant medication. That is the difference between the previous answer on this.

CHIEF MINISTER

Q85/2024

Import duty discount on fuel –  
Discussions with local suppliers re pricing to consumer

**Madam Speaker:** All right. We paused the Hon. the Chief Minister's questions to give the Hon. the Leader of the Opposition time to join us, so I propose that we finish dealing with the Chief Minister's questions from the Hon. the Leader of the Opposition, and then we can resume.

1535 **Clerk:** Question 85. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** Is the Government in discussions with local fuel suppliers as to the impact of the removal of the import duty discount on pricing to the consumer?

1540 **Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Thank you, Madam Speaker. Yes, His Majesty's Government continues to monitor the impact of the removal of the import duty discount. We expect to make an announcement in coming days and weeks in respect of the duty discount.

1545 **Hon. Dr K Azopardi:** Will the announcement come soon? When he says 'in coming weeks', does he mean he intends something before the Budget?

The Chief Minister will have seen that there is commentary on the effect of the removal of the discount at, I suppose, two levels: one is the impact on the consumer going down, although of course we understand the revenue point for Government; and then the issue that I have also seen is the fact that the removal of the discount is now leading to similar pricing on this side of the border and that side of the border. What is the nature of the discussions he is having with local fuel suppliers, and is the announcement that he mentioned in his original answer intended to be made ahead of the Budget?

1555 **Hon. Chief Minister:** Madam Speaker, the intention of the Government, as I have said, is to make an announcement in coming days and weeks, and the Budget is not for months. The issue is about exactly that point: the issue of pricing. The hon. Member may know that in Spain the duty discount was removed in January 2023 – that is to say a whole year ago. We did not remove the duty discount which we had introduced in April 2022, which was designed to deal with post-COVID ... and, indeed, at that time, I believe – the hon. Gentleman will correct me if I am wrong – issues relating to spikes in the cost of fuel. We did not remove that until January 2024 – that is to say this year, a year after it had been removed in Spain.

1560 The issue relates to price competition rather than duty discounts. There are different prices available in Spain from what one might call mainstream suppliers and white label suppliers, and those white label suppliers are affecting pricing in the main suppliers and are affecting, therefore, also, issues with the price in Gibraltar for what we might call our established main suppliers. That is everything that I am being advised on by the Collector of Customs and the Financial Secretary and on which we are in consultation with Gibraltar suppliers.

1570 **Hon. Dr K Azopardi:** Is one of the issues that the Government is considering, in removing the discount, the impact it might have on the exchequer because it may not be attractive anymore to come here? Is that one of the things that is being considered?

1575 **Hon. Chief Minister:** Madam Speaker, whenever one introduces a budget for import duties or discounts of import duties, that is one of the issues that is looked at, but it is not the only issue



that is looked at. In the context of this particular duty, I would say that there were three competing imperatives: the issue of the exchequer; the issue of the competitiveness of Gibraltar in a particular commodity, in this case a fossil fuel; and that leads us to the third consideration, which is the environmental concern. All of those competing factors will be taken into consideration.

**Madam Speaker:** Next question.

**Q86-87/2024**

**ID and civilian registration cards –  
Numbers held; number of applications by colour at end of 2023**

**Clerk:** Question 86. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** How many persons held the following colour of ID/civilian registration card at 31st December 2023: (1) red; (2) blue; (3) magenta; and (4) green?

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker. I will answer with Question 87.

**Clerk:** Question 87. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** How many applications for the following colours of ID/civilian registration cards were pending at 31st December 2023: (1) red; (2) blue; (3) magenta; and (4) green?

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

**Hon. Chief Minister:** Madam Speaker, the number of persons holding an ID or civilian registration card as at 31st December 2023 was as follows: red, 35,434; blue, 4,306; magenta, 9,051; green, 1,513.

The number of applications for ID or civilian registration cards which were pending as at 22nd December 2023, which was the last working half day before the Christmas break, was as follows: red, six; blue, one; magenta, one; green, one. The hon. Gentleman should, however, note that these applications were received by the CSRO on the actual day of closure – that is to say on the morning of 22nd December – and so they could not be processed and printed within the working day. These were all processed, printed and ready for collection on 2nd January 2024 – that is to say the next working day. I can confirm that the CSRO was completely up to date, with no cards pending, as at 21st December 2023, the last full working day before the Christmas break. I warmly congratulate the staff of the CSRO, now so ably led by Karl Triay, for their work in respect of Civilian Registration Cards and all their other responsibilities.

**Hon. Dr K Azopardi:** I am grateful for the statistics. In the answer to Question 87, when the Chief Minister says that they are completely up to date – which was slightly surprising, but obviously I take it at face value – previously we have understood that there is a period of time, which is understandable for the processing of application cards which may take a few weeks and so on and so forth. From time to time, we have been approached by blue ID cardholders who, for other reasons which we have asked in this House before, have had applications for blue ID cards pending – because of issues that the Chief Minister may recall he has answered in this House before – which were pending policy decisions. Given the answer he has given to Question 87, that

they are completely up to date, does that mean that the policy decisions that were holding up the processing of certain ID cards have been dealt with?

**Hon. Chief Minister:** Madam Speaker, I can tell the hon. Gentleman that as at the end of the year – 22nd December, which was the last working day, but therefore correct to 31st December, which is the date that I think he used in his question because he wanted to know at the end of the year – what we had were 89 applications for red ID cards, 21 applications for blue ID cards, and nine applications for green ID cards that were pending user action – that is to say where we were waiting for the applicant to provide further information. There is now no outstanding policy decision due from the Government for CSRO to implement, but in some instances there are bits of information, bits of paper, that are required by CSRO in order to be able to apply the policies in order to be able to make the determination of entitlement to civilian registration in each of those categories. There is nothing else outstanding and there is nothing outstanding from the Government or CSRO's side in respect of those applicants, as far as I have been informed.

**Hon. Dr K Azopardi:** I see, and given that those policy decisions have been taken – and I appreciate that on previous occasions when I have asked, the Chief Minister has indicated an element of sensitivity in communicating some of the policy decisions because of the impact they might have on other matters – can he let us know how those issues have been clarified? If the sensitivities still arise, is he willing to perhaps brief me privately on the issue of how those policy decisions have been taken, how they have landed and what policy decisions have been reached?

**Hon. Chief Minister:** Madam Speaker, I do not think it is in the common interest that I should ventilate across the floor of the House what those issues have been, but I have absolutely no difficulty in briefing the hon. Gentleman formally if he comes to No. 6 for a discussion, or informally when we break so that we can have a chat over the past-sell-by-date coffee that the House offers us when we break for 15 minutes.

**Madam Speaker:** Next question.

**Q88-90/2024  
Civil Service –  
AA and AO roles**

**Clerk:** Question 88. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** Madam Speaker, how many AAs were in post in the Civil Service on 31st December 2011 and 16th January 2024?

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with Questions 89 and 90.

**Clerk:** Question 89. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** How many AO vacancies were there in the Civil Service at 16th January 2023?

**Clerk:** Question 90. The Hon. the Leader of the Opposition.

1665 **Hon. Dr K Azopardi:** Does the Government accept that persons recruited as AAs in the Civil Service are conducting de facto tasks of an AO, or do they view the roles as different; and, if so, how?

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

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**Hon. Chief Minister:** Madam Speaker, as at 31st December 2011, there was one AA in post. As at 16th January 2024, there were 62 AAs in post.

As at 16th January 2023, there were 19 AO vacancies.

1675 The grades of AA and AO have varying – that is to say different – job and person specifications, which indicates that both roles differ in duties and responsibilities. The Government recruits at the level of AA taking into consideration the number of vacancies within the approved complements at this level only. Newly recruited individuals are not mapped against AO vacancies, and therefore the work that is carried out within the respective Departments should be commensurate with the appropriate grading. Heads of Department are responsible for ensuring that work undertaken by AAs is in keeping with their respective job and person specifications.

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**Hon. Dr K Azopardi:** The Hon. Chief Minister will have seen, no doubt, the comments made by the union leader of the GGCA in relation to this subject, and indeed the view communicated by the Civil Service Union that people are being recruited at that level but in fact the tasks of AA that they have been conducting are, in practice, in their view, on the ground, the same as people who hold the post of AO in the Department. Do I take it from the answer he has just given that he does not share that view?

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**Hon. Chief Minister:** No, Madam Speaker, it is not that I do not share that view. It is that there is AO work and there is AA work: AAs must be given AA work and AOs must be given AO work. If there is a problem with the number of AAs or AOs in a particular Department, it has to be addressed by the Head of Department with the Chief Secretary and the Head of Human Resources, so that AAs do AA work and AOs do AO work. If one particular role needs to be regraded to AO or regraded to AA, that is a matter that needs to be dealt with and addressed by the Chief Secretary, and then the political Government needs to be advised of that at the time when we are preparing the Estimates Book, so that we can come to the House and change the complement in respect of each particular Department.

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He will have seen, like I have seen, the comments which he refers to by the GGCA. There is a legal opinion from the GGCA. There is a legal opinion from Government lawyers, also. We do not accept the premise of the GGCA legal opinion and we believe that there is plenty of AA work to be done by the AAs that have been recruited.

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I note, Madam Speaker, that they, during the course of this General Election campaign, also committed themselves to recruit AAs.

1705 **Madam Speaker:** Next question.

#### Q91-92/2024

#### Eastern Beach shooting and smuggling incident – Investigation; whether persons arrested and/or charged

**Clerk:** Question 91. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** Madam Speaker, has the investigation into the shooting and smuggling incident at Eastern Beach on 2nd February 2023 now concluded; and, if so, has the Government

1710 been informed of the conclusions of such report, or any interim findings if the investigations have not concluded?

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

1715 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with Question 92.

**Clerk:** Question 92. The Hon. the Leader of the Opposition.

1720 **Hon. Dr K Azopardi:** Have any persons been arrested and/or charged or their arrest sought in relation to the shooting and smuggling incident at Eastern Beach on 2nd February 2023; and, if so, how many persons?

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

1725 **Hon. Chief Minister:** Madam Speaker, this question relates to an existing investigation and I must therefore be circumspect in what I say.

There were two strands to the investigation in question, the first involving those illegally exporting tobacco and who assaulted Spanish law enforcement officers, and the second to identify those who discharged firearms. Witness testimony and video evidence gathered at the time failed to identify any of the individuals concerned in either strand of the incident.

1730 Co-operation and exchange of information with Spanish law enforcement agencies led to six individuals being arrested in Spain by the Spanish police for assaulting the Spanish law enforcement officers. The investigation will continue to be periodically reviewed, and should new evidence be available the relevant lines of inquiry will be pursued.

1735 Madam Speaker, the House should be aware that this information has been provided by the Royal Gibraltar Police in response to the question posed.

**Hon. Dr K Azopardi:** I appreciate that answer. Equally, because it is a pending investigation, the Chief Minister, I think, tangentially answers my Question 91, which is that the investigation continues, I assume – it is implicit in his answer. Is it implicit also in his answer that the Government has not received any kind of report on interim findings other than for the preparation of the answer?

1745 **Hon. Chief Minister:** Madam Speaker, it was not implicit in my answer, if I may say so with respect to the hon. Gentleman; it was explicit in my answer because I said specifically that the investigation will continue to be periodically reviewed and therefore the investigation continues. The updates that I have had in relation to this from the Police date to closer to the time, but I have also had other information which I have received.

1750 **Hon. Dr K Azopardi:** He said that the video evidence – by which I assume he means the Gibraltar video evidence – had failed to identify individuals on both strands. However, six individuals had been arrested in Spain under co-operation between our authorities and the Gibraltar Police. Those individuals are intended to face proceedings here or in Spain – does he know that?

1755 **Hon. Chief Minister:** Madam Speaker, I do not know whether the hon. Gentleman is suggesting that there is a contradiction in what I said: I do not think there is. We can have information which does not enable us to identify an individual, but when we provide the same information to a foreign law enforcement agency, it may enable that foreign law enforcement agency to identify the individuals in question, because they may be foreign nationals who may be known to them, whilst they are not known to us. I think that is what the issue has been.

I believe, from my own reading of news reports – and I will put it no higher than that, and therefore I cannot be held to this reliably – that I have read in the Spanish press, and therefore a massive caveat – I always say do not believe anything you read in the papers; I say it twice when I am talking about the Spanish press – that proceedings have been commenced in Spain against those particular individuals. I would have thought that may enable our Police to now have better identification of those individuals. Indeed, if there is a conviction of any of those individuals in Spain, that would be very useful evidence, for Gibraltar, for those individuals to be prosecuted here, should they ever come within the writ of the jurisdiction of the Supreme Court of Gibraltar and the Royal Gibraltar Police.

**Hon. Dr K Azopardi:** First of all, I assure the hon. Member I was not casting any aspersions. The failure to identify people can be for one of two very logical reasons: either because the video quality is good and you do not know the people, or the video quality is not good and nobody can identify any people. It seems to be the former, as he has explained it. In other words, the video quality was sufficient for there to be identification, not here, but somewhere else where they might know it is certain individuals. If that were the case – in other words, the video quality is okay – why hasn't it been possible to identify the people who did the shooting?

**Hon. Chief Minister:** Madam Speaker, it is very difficult, as the leader of the political Government, to give an answer in respect of the actions of the Royal Gibraltar Police and the standards to which they feel they have to be able to identify someone, and whether indeed, even with the 4K video quality that they might have, having a fantastic picture of an individual might not enable them to identify who that individual is, because he is not on our databases and we do not have access to the databases that would give us that information.

However, if that same individual has been identified by the Spanish police, then through international interfaces – as a layman and entirely in the realms of what my views are, which is not what I am here to do – I would have thought that eventually it will be possible to put a face to a name, and therefore, for the reasons I explained before, likely, should that person ever come within the writ of the jurisdiction of the Supreme Court and therefore the jurisdiction of the Royal Gibraltar Police, that it might lead to a prosecution.

However, as far as I am concerned, these are not matters for us in the context that the hon. Gentleman is asking, which is the identification of the individual. I think the matter for us, as politicians and as Gibraltarians, is that if somebody comes and discharges a weapon in Gibraltar, it is very serious and we want it dealt with. If that person then leaves the jurisdiction *tout suite*, we cannot deal with it, but if we are subsequently able to identify who that individual is, we would all expect that should they ever take a step into the jurisdiction they will be dealt with. I am sure that on that we will all agree.

**Hon. Dr K Azopardi:** Indeed, we will all agree, and of course I was not saying that the RGP should have identified ... By the same token, they would not know who did the shooting, but equally, is it the position then that what he is saying is that the co-operation between the Gibraltar and Spanish law enforcement authorities has been such that it has been impossible to identify either strand in Gibraltar, the video quality has been passed on to Spain, who have identified the people in the illegal exportation of tobacco strand, but the Spanish law enforcement authorities have been unable or unwilling to identify those enforcement authority officials who discharged the weapon on Eastern Beach?

**Hon. Chief Minister:** Madam Speaker, I cannot answer that question, I assume – well, I do not assume, I know – because I have not got the information. The hon. Gentleman will permit me to not speculate too much but to fathom that if you were going to take the step of arresting somebody for that offence – which is frankly, in my view, one of the most heinous incidents we have seen in recent years – you would not want to advertise it in the Parliament of the place where

they discharged the weapon, so that they knew never to come within the jurisdiction again. In other words, you would not necessarily want to say, 'Don't come to Gibraltar, guys: we know who you are.' You would want them to blithely walk into Gibraltar when they least expected it, in order to be dealt with in keeping with the laws of Gibraltar. I do not know whether that makes any sense to the hon. Gentleman, but I would have thought it was the right way to do it, if I were the person investigating this and wanted to ensure that justice was done by the people of Gibraltar.

**Madam Speaker:** Next question.

**Q93/2024**

**Removal of Gibraltar from Spanish blacklist –  
Update**

**Clerk:** Question 93. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** Can the Government update the House in relation to the promised removal of Gibraltar from the Spanish list of non-co-operative finance centres, its so-called 'blacklist'?

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

**Chief Minister (Hon. F R Picardo):** Yes, Madam Speaker. The Spanish government has recently confirmed to us that they expect to revert with specific details on our removal. The process was delayed by the dissolution of parliament in Spain.

**Hon. Dr K Azopardi:** Sorry, he read that quickly: they expect to revert with specific proposals – is that what he said?

**Hon. Chief Minister:** Madam Speaker, I am sorry if I read that quickly. The Spanish Government, I said, has recently confirmed to us that they expect to revert with specific details on our removal. The process was delayed by the dissolution of parliament in Spain.

**Hon. Dr K Azopardi:** I am grateful. He did not have to read it that slowly. It was a happy medium. They have the advantage of the written answer. This is the problem that we have sometimes: it is way too quick because of what you have in front of you.

This has been going on for a while. 'Delayed by the dissolution of parliament in Spain' is one way of putting it, but of course the delay has been much more significant than that. This treaty was entered into on 4th March 2019. It promised that we would be removed from the Spanish blacklist within two years of implementation. We are now in 2024. On any view of life, it is not just delay of the dissolution of the Spanish parliament.

He has given a statement as to intention of the Spanish government to respond to them, but can he give us a bit more? Or is that the only thing that Spain has said to the Gibraltar Government? If that is the only thing it has said, it is very vague given the very specific commitment that was given in 2019.

**Hon. Chief Minister:** Madam Speaker, I know that he is tired after two whole long days in court which prevented him from joining us at the time when we started. That is why I went slowly, given that he appeared not to be able to follow me.

This, we are informed, requires primary legislation in Spain because the list is contained in primary legislation. That is why the dissolution of the Spanish parliament and the inability to pass legislation is relevant.

1860 The hon. Gentleman says that this is long overdue because the treaty is dated 2019 and they said that we would be removed within two years of implementation. Therein lies one of the rubs. The hon. Gentleman likes to use the date of 2019, but that was not the date when implementation happened, that was the date of signature. Implementation I think happened later in 2020 or 1865 2021 – I think we were delayed in implementation because of COVID – and therefore it is not that four years have passed. And there is a great chunk of that period which is in the absence of a legislative forum in Spain. And so the hon. Gentleman will join me in looking forward to Spain complying with its specific commitments to remove Gibraltar from the blacklist, and will rejoice with me and every other Gibraltarian when it happens.

1870 **Hon. Dr K Azopardi:** Well, we do think that Spain should comply with its international obligations, not because we think the Tax Treaty is a good thing, because we said at the time that it was not, but because they sold it to Gibraltar on the basis that at least they had that commitment, and it has been breached.

What will happen if Spain does not take us off the blacklist within a reasonable period of time?  
1875 They are already on borrowed time beyond the period in which they should have complied with that obligation. Everything that the hon. Member has said sounds like vague verbiage by the Spanish government. Is there a specific commitment? And what will the Government of Gibraltar do if it is not complied with shortly?

1880 **Madam Speaker:** Again, I interject just to caution against ... (**A Member:** Hypothetical.) Thank you – against a hypothetical situation. The Hon. the Chief Minister may, if he chooses, answer that, but the Rules prohibit a hypothetical question being put, so if the Hon. the Chief Minister chooses not to, I shall not insist that the question be answered.

1885 **Hon. Chief Minister:** Madam Speaker, I am very grateful for that timely reminder of the Rules. The hon. Gentleman said, during the course of that supplementary, in his preamble, that they had said that the Tax Treaty was not a good thing. He subsequently also said, in an interview in the *Gibraltar Chronicle*, that he understood why the Tax Treaty had to be done in the context of the Withdrawal Agreement, and the attitude, therefore, that he had expressed in this House, one was 1890 left thinking obviously was different once he had seen the wider picture. So I am left thinking, as I said at the time that he said that in the local press, that at the time that he said he was against the Tax Treaty he had a very narrow view and he accepts now that a wider picture was necessary. I have no doubt that the Spanish government will be quaking in its boots having been told by Keith Azopardi that they are on borrowed time on this issue.

1895 However, Madam Speaker, given that I am reminded by you, rightly, that I should not be required to answer a question that requires a speculative or hypothetical answer or requires me to hypothesise, I will simply repeat that which I have said previously in this House, which is that Gibraltar and the United Kingdom comply with their international legal obligations. If those who enter into counter obligations with us do not comply with their counter international legal 1900 obligations, then the public international legal rules are very clear: if the other side is not complying, you withdraw from the international treaty in question. We do hope that that is not going to happen, and all of the assurances that we have from the Spanish government are quite the contrary, namely that they understand the international legal obligation that they acquired and they are in the process of delivering on it. But frankly, it is the Spanish government.

1905 **Hon. Dr K Azopardi:** Madam Speaker, there is one question that he did not answer, which was not hypothetical and I will ask it again. Have they had a specific commitment as to when Gibraltar

will be removed from the Spanish blacklist? Or at least have they had a specific commitment as to when they will be commenting on this roadmap of timescale to achieve it?

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**Hon. Chief Minister:** Madam Speaker, I am reminded that, in fact, the date of implementation of the Tax Treaty was February 2021, so that two years was February 2023. The Spanish election happened in June. We had been assured, as I told the hon. Gentleman before then, that the process was in train, and then the Spanish Cortes disappeared until December 2023 as a legislative chamber.

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We have been assured that the process is in train – in other words, not that they are going to do it, but that they are doing it – and therefore I hope that they complete doing it very shortly and not *mañana*, and that the hon. Gentleman and I can join 38,000 other Gibraltarians in rejoicing in the great injustice that there has been of having Gibraltar on a blacklist driven by politics and not by any objective assessment of the financial services and taxation services offered in Gibraltar finally being undone. And then, Madam Speaker, he might completely readdress all of the things that he said in 2019 about the Tax Treaty.

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**Madam Speaker:** Time to move on. Next question.

#### Q94/2024

#### Treaty on new relationship for Gibraltar with EU – Update re negotiations

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**Clerk:** Question 94. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** Are there further rounds of talks in relation to the negotiations seeking to conclude a treaty on a new relationship for Gibraltar with the EU programmed for January 2024?

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Madam Speaker, I asked that question before the press notice on that, but I am sure the Chief Minister will answer.

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker, yes.

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**Hon. Dr K Azopardi:** As I said, I asked that question before it came out that there were technical talks that I believe conclude today. Beyond the technical talks, can the Chief Minister give us a bit more information about the state of play in relation to those ongoing talks for a new relationship?

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**Hon. Chief Minister:** Madam Speaker, I would start by saying that the House knows that the Government respects the convention that once a question has been asked, we would not issue a press statement which addresses an issue set out in a question unless it was necessary to do so. In the context of these talks, there is agreement between the United Kingdom, Gibraltar, the European Union and Spain as to when things are announced. Rounds are fixed and the date of announcement is also fixed. The question came in, and we were not able to not announce it, otherwise it would have been seen that others were announcing it and we were failing to announce it because of the convention.

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I am able to advise the House that the talks between the United Kingdom, including Gibraltar and the European Union, are progressing well. We have been represented at those talks directly in Brussels by the Attorney General, Michael Llamas, and by Daniel D'Amato, the Head of Gibraltar House. The Deputy Chief Minister and I have been very closely involved in every step of the negotiations, of course, including everything that was happening yesterday. Everything is done *ad*

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*referenda* to the Government, as he would expect. The Deputy Chief Minister was, coincidentally, on other matters, in Brussels and able to consult directly with the Attorney General in person and to consult me. The Deputy Chief Minister has already announced that he met the British Ambassador to the European Union, who is the lead negotiator in Brussels for the United Kingdom – Lindsay Appleby – who hon. Members will know has long been involved in Gibraltar matters from the period of the Withdrawal Agreement. I think I had cause to thank him publicly for his work with us in the context of that negotiation.

Nobody should doubt my desire to give chapter and verse to the people of Gibraltar on every step in that negotiation. I do hope that we will be able to finalise the negotiation very soon. We are very close. As ever, in any negotiation, the final details are always the crucial details. The final details are not too dissimilar to the issues that one has been dealing with for many years. Other things tend to fall into place quite easily. When the public see, either immediately upon a treaty or a no treaty, what it is that has enabled us to do a deal or not do a deal, I think they will understand that every Gibraltarian that I know who looks at things logically and reasonably would have defended the interests of Gibraltar in the way that the Deputy Chief Minister, the Attorney General, all of the Cabinet and I have sought to do at every step. And if they do not see it immediately, when they see all the *travaux préparatoires* and all of the details, when relevant papers are published after the relevant period, which hon. Members know in Gibraltar is fixed initially at 10 years, they will be very proud indeed of how each of the officials involved for Gibraltar and the Deputy Chief Minister have acted, and the public will decide whether or not I deserve the same level of recognition or not. It will not be a judgement made by politicians in the heat of the moment. When all is said and done and the dust is settled, Gibraltar is very safe in the hands that are representing it in Brussels today.

**Hon. Dr K Azopardi:** Well, judgements will be made in due course if something emerges, and then of course there will have to be political judgements, although I try always not to judge things in the heat of the moment: I try to have a reflective judgement.

The Chief Minister knows that despite our differences and while we ask these questions because it is in the public interest that we should ask them – because they are important questions and we recognise they are important questions for Gibraltar – I do so in a way that recognises and tries to give the Government as much political space as possible so as to conduct the negotiations without treading on things that might not further Gibraltar's interests, at least in the context of the negotiating process.

Can I ask him this, because obviously it is in the public interest and there is a spotlight on this process going on: if the technical talks are going well and will they conclude today, as has been forecast, or are they being extended further? Is the next step that there should be more technical talks, or is it intended that there would be talks at a different level, at a political level involving the Chief Minister? What is the next step after these technical talks? Or is it that nothing is programmed after the end of these technical talks and people need to take stock and see where we are?

**Hon. Chief Minister:** Madam Speaker, I do not know that I agree with the premise of his question that he is somebody who looks at things not in the heat of the moment. He will allow me to reflect on that because in an interview he gave to the *Gibraltar Chronicle* on 27th September last year he said that he recognised, in relation to the Tax Treaty, which he had been so vehemently against, 'that it may not be possible to undo it if we want to land a safe and beneficial agreement' – talking about the general treaty – 'and I recognise that that may be part of the mix'. So he says that he is vehemently against something which is not good etc., only to subsequently say, 'Ah, now I see and I realise that it may be part of the mix for achieving this wider, more important thing.' So he will forgive me for not agreeing with the premise of his question.

In the context of the actual question, there is a round now. We expect those rounds to continue, but it may be that the parties take the view that we should not continue because we

2005 are not getting closer. I actually believe that that conclusion is possible, but I think the conclusion  
will be that we will continue. As I have said before, Gibraltar has put a huge amount of its resources  
into this negotiation – in particular given how small we are as an administration – led by one of  
our top assets, particularly in relation to EU law, the Attorney General, who is, without a shadow  
2010 of a doubt, the Gibraltarian who knows the most about the workings of the European Union and  
the *corpus juris* of the European Union itself, which is what we are negotiating our interface to,  
and the Head of Gibraltar House in Brussels, who is probably the Gibraltarian who knows at least  
as much or almost just as much as the Attorney General. Additionally, heads of many different  
Departments have been made available because there are many areas of interplay. Environment,  
Social Security and Customs – you name it, every Department of the Government of Gibraltar has  
2015 been involved in providing expertise in the negotiations. If that were not enough – because of  
course it matters to us – every Minister has been involved in relevant parts of the discussion in  
the previous administration, and no doubt in the course of this administration will be involved  
also. But – and this is the point, Madam Speaker – in the United Kingdom, across Whitehall,  
resources have been made available, and in the European Union, across the European Union's  
2020 legal order, different Departments have made expertise available for the purposes of the  
negotiation. Therefore, I believe – but the fact that I believe it from my assessment does not mean  
it is what will happen, because we have not yet assessed how the round has gone; I am giving hon.  
Members my impression as we have gone through the process, but the day has not yet ended  
today, and the negotiation has not yet ended today – that we will go on. However, the opposite  
2025 may happen and we may all decide that we have reached the end and we cannot continue.  
Although that is unlikely, given that the hon. Gentleman is asking me about possibilities, then I  
have to tell him that those possibilities are both open, although I believe the probability is that we  
will continue, and it is in all our interests that we should continue.

2030 **Madam Speaker:** Next question.

## JUSTICE, TRADE AND INDUSTRY

### Q63/2024

#### Treaty on new relationship for Gibraltar with EU – Update re negotiations

**Clerk:** Questions to the Minister for Justice, Trade and Industry.  
Question 63. The Hon. J Ladislaus.

2035 **Hon. J Ladislaus:** Madam Speaker, can the Hon. Minister outline how lists are compiled for  
individuals to be called up for jury service?

**Clerk:** Answer, the Hon. the Minister for Justice, Trade and Industry.

2040 **Minister for Justice, Trade and Industry (Hon. N Feetham):** Madam Speaker, I will answer this  
question together with Question 64.

**Clerk:** Question 64. The Hon. J Ladislaus.

2045 **Hon. J Ladislaus:** Madam Speaker, with what frequency, on average, are the same members of  
the public being called to undertake jury service?

**Clerk:** Answer, the Hon. the Minister for Justice, Trade and Industry.

2050 **Hon. N Feetham:** Madam Speaker, the compilation of the jury list and the summoning of members of the public to undertake jury service is governed by provisions within the Supreme Court Act. They are matters for the Registrar of the Supreme Court or judges of the Supreme Court, as the case may be. Very properly, given the separation of powers between Parliament, the executive and the judiciary, neither I, as Minister for Justice, nor any other Member of this Government has any involvement in these matters. In any event, I would refer the hon. Member to the statutory provisions of the Act, which are a matter of public record.

2055 **Hon. J Ladislaus:** I am grateful for that information. Could the Hon. Minister, however, confirm whether there is a particular program being used to compile these jury lists, because that is my understanding?

2060 **Hon. N Feetham:** Madam Speaker, in an attempt to be helpful: the court will summon a person who has, within two years, served on a jury or duly attended to serve on a jury pursuant to section 19F of the Supreme Court Act. This is simply a restatement of the relevant section. I understand that persons actually summonsed to serve as potential jurors are, in any event, randomly selected from the jury list. There is, however, no statutory requirement or other reason for the Registrar to compile data on average frequency of when members of the public are called.

**Madam Speaker:** Any supplementary?

2070 **Chief Minister (Hon F R Picardo):** Madam Speaker, I am sorry that I did not rise before questions to the Hon. the Minister for Justice began, but I am conscious that you, in particular, and the Clerk have been in your chairs without being able to leave the Chamber now for almost three hours, and I wondered whether this might be a convenient moment to take a 15- or 20-minute break until either five to six or six, as you might see fit.

2075 **Madam Speaker:** Well, I shall not ever disagree with a comfort break after sitting for a few hours, so yes, we will take a comfort break. We will come back at six o'clock, and if the hon. Member has any supplementaries on this, then we will start with that.

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

#### Q65/2024

#### Royal Gibraltar Police – Actions to boost morale

2080 **Madam Speaker:** May I ask the Hon. Ms Ladislaus whether you have any supplementaries? Any other supplementaries on the last question? Next question.

**Clerk:** Question 65. The Hon. J Ladislaus.

2085 **Hon. J Ladislaus:** Madam Speaker, the Police Federation survey for 2022 reflected that over half of the 177 out of 231 members who took the survey had contemplated leaving the Royal Gibraltar Police in the last 12 months. What is the Government doing to increase retention and boost morale within the RGP?

**Clerk:** Answer, the Hon. the Minister for Justice, Trade and Industry.

2090 **Minister for Justice, Trade and Industry (Hon. N Feetham):** Madam Speaker, in reply to Question 584/2023, I said that the Royal Gibraltar Police had employed 16 police officers and that an additional recruitment campaign would take place in January 2024, employing a further 12 police officers. I also stated that the Government had agreed with the Commissioner of Police that the RGP should not fall below the complement level. In reply to Question 747/2023, I said  
2095 that the Government of Gibraltar continues to support the Commissioner of Police with further resources by starting the employment process of recruiting more police officers and recruiting support staff to release police officers into frontline duties. I again reiterate the Government's commitment in supporting the RGP's recruitment drive to ensure staff numbers do not fall below complement level.

2100 I am informed by the Commissioner that the following operational events are either ongoing or scheduled to take place in 2024, which, in his opinion, should also have a positive impact on the RGP: (1) leadership training with an approved and accredited provider; (2) professional counselling services for officers; (3) recruitment of three cohorts of police officers – the first cohort is currently in training, the second is scheduled to commence training in February and the third  
2105 will commence shortly after; (4) discussions regarding the new police headquarters, which are due to take place imminently; and (5) improving the provision of IT services generally.

Shortly after taking office, I made a point of meeting with the Commissioner of Police and the command team at New Mole House Police Station. I continue to meet with the Commissioner regularly to discuss and address issues raised by him.

2110 I take this opportunity before Parliament to convey my gratitude to Commissioner Ullger and Superintendent Romero for accompanying me last week to Glacis Estate to meet with residents and association representatives, where we continue to work together.

**Hon. J Ladislaus:** I am grateful to the Hon. Minister for all that information. Nevertheless, with respect, my question has not been answered. It is clear that the RGP has a problem with morale, given that ... my maths is not great, but over two thirds of the members who took part in that survey had contemplated leaving. The question is about retention, not about recruitment, and the clear crisis that the RGP is suffering in terms of morale at the moment. So I ask again: what, if anything, is the Government doing to ensure that the RGP can retain its officers?  
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**Hon. N Feetham:** Madam Speaker, it is obvious that the RGP is facing a crisis of recruitment and, indeed, a crisis in terms of retention, given the circumstances that we are all aware of. As a Government, all we can do is convey our support to the RGP and ensure that any reasonable requests that are made by the RGP have the support of the Government of Gibraltar.

2125 I have said very clearly that I meet the Commissioner regularly. That must be a means by which to assist with the morale of the Force generally, and therefore I believe that I have answered the question, but I will be obliged if there are any further supplementaries.

**Hon. C Sacarello:** Thank you very much, Madam Speaker. I would just like to further this line of questioning, because there is no point in throwing all the apples on the front of the cart, only for them to fall off the back. Over half of those survey results came back in the negative, saying they had contemplated leaving. So the question I ask is: are the Police following this survey, following up on further investigations as to the reasons behind this, to dig out the root problems? It is all well and good saying that we will carry on recruiting like mad, but of course recruiting and training take time and cost money and, at the end of the day, diminishes the output of the Force because there is no consistency of employment.  
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We have heard of accusations of bullying within the Force. If such accusations or such reasons are there, would it not make sense for the Government, or at least for the Police, to look at why these are happening and not come up with courses or further recruitment as a solution – in other words, go and tackle the root core of the problem?  
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**Hon. N Feetham:** I am obliged, Madam Speaker. The hon. Member has referred to bullying. That is entirely speculative as far as I am concerned, because no allegations of bullying have been brought to my attention. If the hon. Member were to write to me and actually give chapter and verse of what bullying accusations have been made, by whom and in what circumstances, I can assure him that I will raise it with the Commissioner and have them thoroughly investigated.

**Madam Speaker:** Any others? Yes.

**Hon. C Sacarello:** And as to encouraging the investigation of core root of the problems? Forget bullying – put that to one side, but all the other issues. You mentioned some reasons like leadership training etc., but if you do not get to the issues of what is behind the survey results of over 50%, then it is not taking us any further forward.

**Hon. N Feetham:** Madam Speaker, in my discussions with the Commissioner of Police, in trying to address the very core issues which the hon. Member has raised, he has listed exactly the response to me raising these issues with me in the same way as I have raised it in this House. So all I can do is restate the position as I understand it, and, indeed, as has been conveyed to me by the Police Force.

**Hon. J Ladislaus:** Madam Speaker, we have just heard the hon. Member comment, in response to the comments that there is bullying within the force, that he has not been made aware of this. There is an article on GBC, on 26th May 2022, which refers to the same survey that I just referred the hon. Member to, and it states that 44% said they had been a victim of bullying or victimisation, 41% of those in the last year. Is the hon. Member aware of that survey, and has he read its contents?

**Madam Speaker:** I will allow that question – it is a proper question – but again, according to the Rules, the hon. Member does not need to comment as to whether that press statement is accurate or not. I will allow the question in the terms it was phrased.

**Hon. N Feetham:** Madam Speaker, I was not a Minister in May 2022.

**Hon. J Ladislaus:** I am grateful. I can appreciate that the hon. Member was not a Minister at the time – I did not hold a seat in this House either, at the time – but was he aware of the survey? Certainly I have become aware of the survey since.

**Chief Minister (Hon. F R Picardo):** The hon. Lady might also have become aware of the fact that that issue was debated in this House around that time.

**Hon. J Ladislaus:** I am grateful for that indication by the Hon. Chief Minister, but it still does not answer my question as to whether the hon. Member has been made aware of or has read the contents of that survey.

**Hon. Chief Minister:** Madam Speaker, surely the hon. Lady does not want to know whether the hon. Member has read something. What is the accountability that we are getting to in respect of the Government about whether or not the Minister for Justice in 2024 has read a survey of 2022? What is it that the hon. Lady wants to know which is relevant to the lifetime of this Parliament? If we are going to spend our time being asked whether I read, for example, the Spark Report of Lloyd's List of 2015 in relation to LNG bunkering, then we are not going to progress things. Surely the issue is what is happening in the Royal Gibraltar Police today, not what was happening in the Royal Gibraltar Police in 2022. Therefore, Madam Speaker, with the best will in the world, I would ask the hon. Lady to ask us questions about what is happening today and not

ask us whether a Minister elected in 2023 has read a report that was referred to in an article of May 2022, because I do not think it helps us to advance the accountability that they are here to seek and we are here to give in the Parliament which was elected in October 2023.

**Hon. Dr K Azopardi:** Madam Speaker, I would have thought it is obvious, the relevance of the question, because the Hon. Minister has made statements in relation to bullying and the state of the Force and so on, and what my hon. colleague has asked is simply ... In the preceding year that he was elected, there was a survey. It made certain conclusions on precisely the same issue on which she has asked questions. The hon. Member, of course, was not a Member of this House, but given that he is the Minister for Justice, is it not a good idea for the hon. Member to have read that report, and is he making the remarks that he is making today in the context of having done so? Those issues probably do not disappear in 12 months, so I would have thought that the question phrased in those terms is obvious.

We repeat the question: is the Hon. Minister making the statements that he is today in the context of having considered that previous report of the preceding year? The Police Federation issues are, according to the Chairman of the Police Federation, repeated in the survey year upon year, so is he making those statements in that context?

**Hon. Chief Minister:** Well, Madam Speaker, therein lies the rub. That is a completely different question to the question that the hon. Lady asked. The hon. Lady asked the question: have you read the 2002 survey? How is that relevant? I can tell hon. Members that the Minister and I have the 2002 survey – it has been provided to us in the context of preparing for today – but whether a Minister has read something or not does not seem, to me, to be a relevant supplementary that informs the debate today.

The hon. Gentleman's supplementary is completely different and I think, frankly, it is the sort of supplementary one would expect. I can give him the assurance that the Hon. Minister and I have read the survey. I had read it at the time; I have refreshed my memory on it. The Hon. Minister has read it already, and indeed I understand there is another survey, which has not yet been published. However, the hon. Gentleman answered a question which related to whether or not allegations of bullying had been brought to *his* attention. That is to say whether somebody had said to him, 'I am being bullied in the RGP,' or the RGP senior management team has said to me, 'We have got allegations of bullying that we are dealing with.' That was the issue which then led to the question which, frankly, in my view, did not help to advance matters at all.

**Madam Speaker:** Next question.

#### **Q66/2024**

#### **Burglary –**

#### **Reasons for sharp increase and actions to address**

**Clerk:** Question 66. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, according to the Policing Plan 2022-23, there was a 76% increase from 2021-22 in reports of burglary. What is being done to ascertain the reasons behind this sharp increase and to address the issue?

**Clerk:** Answer, the Hon. the Minister for Justice, Trade and Industry.

**Minister for Justice, Trade and Industry (Hon. N Feetham):** Madam Speaker, the data alluded to in the Annual Policing Plan 2022-23 corresponds to a statistical graphic on page 8 of that report

2240 stating that there had been 141 burglary reports in 2021-22, which corresponded to a 76% increase from the previous year. This data graphic has been identified as an error and should read 43%. The preceding reporting period in question coincided with COVID-19 restrictions that witnessed changes across crime patterns as more individuals remained at home for longer periods and numerous businesses were closed.

2245 The Gibraltar Police Authority's Annual Policing Priority (APP) 2022-23 includes the reduction in financial crime, including domestic burglaries, as one of its priorities. The APP priority relating to burglary seeks to combat crime with a focus on targeting those responsible for committing domestic burglaries and continuing to provide support for victims of burglary, particularly those who are vulnerable, to prevent them being retargeted and becoming repeat victims. The RGP continues to offer crime prevention advice aimed at reducing the number of occurrences by recommending protective security measures and undertaking public information campaigns throughout traditional and social media.

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**Q67/2024**

**Tax Office fees –**

**Policy re companies requesting updated statements**

**Clerk:** Question 67. The Hon. C Sacarello.

**Hon. C Sacarello:** Can the Minister please detail the Government's policy regarding fees levied on companies requesting an updated statement from the Tax Office?

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**Clerk:** Answer, the Hon. the Minister for Justice, Trade and Industry.

**Minister for Justice, Trade and Industry (Hon. N Feetham):** Madam Speaker, I understand that the hon. Member opposite is referring to the initiative announced by the Chief Minister in the 2022 Budget. This referred to a new initiative under which the Income Tax Office intended to introduce fees for a range of administrative service requests available to the public. One of the services available was the facility for taxpayers, including companies, to request a statement of account comprising a listing setting out a detailed record of all transactions carried out. The rationale for charging fees for these services was justified in that although the Income Tax Office efficiently handled such requests from the public, a high volume during critically important periods created a significant administrative burden and cost, which was absorbed as part of continuing operations. The notable lower volume has enabled an improved service to the public.

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The Licensing (Fees) Rules 1991 were amended on 12th January 2023 for inclusion of these administrative service requests with effect from 1st February 2023.

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**Hon. C Sacarello:** Madam Speaker, I would like to thank the hon. Member for his reply. Yes, indeed, I was referring to these transaction listings, and we have had feedback from companies, those I am talking about specifically, who need to request an updated statement of their affairs and find that sometimes the request has to go in two or three times until they get the right type of information. They are levied a fee each time.

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What I am getting at, really, is that this was probably set up, like the Hon. Minister said, to try to reduce the volume and to try to at least compensate the time spent by the Tax Office in doing so, at least financially. However, it is reflective of a policy of treating the symptom and not the root of the problem. I ask the Hon. Minister to look at an e-gov solution, where there is a database accessible, where the client is password protected and can access their data, and their data only, and that this provision is given at least to companies, and perhaps beyond, so that the frustrations

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felt all round, both by companies and by people in the Tax Office who still have to produce this data, is completely removed. It seems like the logical solution.

2285 **Hon. N Feetham:** Much obliged, Madam Speaker. The hon. Member has made a number of comments, and then he has asked a question. I need to address some of the commentary.

He says that he has received feedback from companies that have requested listing statements three times, and three times they have been charged fees. I think that is the suggestion. This is the first time I hear that that has happened. The Commissioner of Income Tax assures me, actually, 2290 that no material complaints have been received on the way that the service is provided.

He talks about policy and that we are looking at the symptom rather than the root of the problem. Actually, the system appears to work very well, and I will tell you why it appears to be working very well indeed. The root problem is not what he suggests. The root problem is this: 2295 when transaction statements are requested and provided to taxpayers, in the very large majority of cases it should not be necessary that the taxpayer actually receives a statement in respect of information that he should already have if he has kept the appropriate tax records. In the large majority of cases it appears, by the nature of the requests that are being made, that the fact that the information is requested is a failure on the part of the taxpayer to keep proper tax records that other taxpayers have obviously kept, which then negates the request that other taxpayers 2300 are making. Let me highlight an example of the sorts of unreasonable requests that were being made before the current system was implemented. I am told by the Commissioner of Income Tax that one accountant requested transaction printouts on a monthly basis for all of their clients, just to keep updated; and another firm would send a listing at each payment-on-account date, February and September, for all 450 clients, requesting this listing for each and every one.

2305 The hon. Member suggests that perhaps an e-gov solution would be a better solution. I do not agree with that. The current system works extremely well, in my view, in the way that it has been explained to me by the Commissioner of Income Tax, Madam Speaker.

**Madam Speaker:** Next question.

**Q68-69/2024**  
**Income and company tax –**  
**Amounts collected April to December 2023**

2310 **Clerk:** Question 68. The Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government advise the amount of income tax collected for each month from April 2023 to December 2023 inclusive?

2315 **Clerk:** Answer, the Hon. the Minister for Justice, Trade and Industry.

**Minister for Justice, Trade and Industry (Hon. N Feetham):** Madam Speaker, I will answer this question together with Question 69.

2320 **Clerk:** Question 69. The Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government advise the amount of company tax collected for each month from April 2023 to December 2023, inclusive?

2325 **Clerk:** Answer, the Hon. the Minister for Justice, Trade and Industry.



**Hon. N Feetham:** Madam Speaker, in answer to Question 68, the amount of income tax collected for each month from April 2023 to December 2023 is as follows: April 2023, £17.36 million; May 2023, £22.25 million; June 2023, £25.57 million; July 2023, £20.08 million; August 2023, £19.88 million; September 2023, £19.52 million; October 2023, £18.03 million; November 2023, £22.66 million; and finally, December 2023, £18.65 million.

In answer to Question 69, the amount of company tax collected for each month from April 2023 to December 2023 is as follows: April 2023, £1.65 million; May 2023, £0.34 million; June 2023, £11.69 million; July 2023, £1.37 million; August 2023, £1.54 million; September 2023, £69.91 million; October 2023, £5.93 million; November 2023, £1.10 million; and finally, December 2023, £3.70 million.

**Madam Speaker:** Next question.

## INWARD INVESTMENT AND THE SAVINGS BANK

### Q70-72/2024

#### Public finances at 1st December 2023 – Public debt; General Sinking Fund; gazetting of GSB audited accounts

**Clerk:** Questions to the Minister for Inward Investment and the Savings Bank.  
Question 70. The Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government please provide the total gross debt, aggregate debt after application of the Sinking Fund to gross debt, cash reserves and net debt figures for public debt for the following date: 1st December 2023?

**Clerk:** Answer, the Hon. the Minister for Inward Investment and the Savings Bank.

**Minister for Inward Investment and the Savings Bank (Hon. Sir J J Bossano):** Madam Speaker, I will answer this question together with Questions 71 and 72.

**Clerk:** Question 71. The Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise the balance on the General Sinking Fund on the following date: 1st December 2023?

**Clerk:** Question 72. The Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise why it has not gazetted the audited accounts of the Gibraltar Savings Bank for 2019, 2020, 2021, 2022 and 2023 as provided by section 12(b) of the Gibraltar Savings Bank Act?

**Clerk:** Answer, the Hon. the Minister for Inward Investment and the Savings Bank.

**Hon. Sir J J Bossano:** Madam Speaker, the General Sinking Fund, gross debt and aggregate debt for December 2023 was the same level as November 2023.

The cash reserves and net debt figures for December were: cash, £78.3 million; debt, £766.8 million.

The accounts of the Savings Bank for the relevant years will be gazetted when the audited accounts of the Government for those same years are completed.

2370 **Hon. R M Clinton:** Madam Speaker, I am grateful to the Minister for his answers to my Questions 70 and 71, on which I have no further questions.

2375 In relation to his answer to Question 72, as the Minister is fully aware, the Principal Auditor is required, under section 12 of the Savings Bank Act, to lay audited accounts before the Minister not later than 31st October in every year. That was section (a). Section (b) says 'be published in the Gazette'. Is the Minister aware that on the Gibraltar Audit Office website the Principal Auditor has said, 'All these accounts have been audited and I have certified all the accounts by the required dates in October 2019, October 2020, October 2021, October 2022 and October 2023'? Then he goes on to say that contrary to the provisions of section 12(b) of the Savings Bank Act, the audited accounts have to date not been published in the Gibraltar Gazette. The Principal Auditor is expressing this concern. Will the Minister not gazette the accounts, as required by law? And, if not, why?

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**Hon. Sir J J Bossano:** Madam Speaker, I do not think the Principal Auditor is a lawyer, and therefore I do not think I need to take his view on the law as a legally binding interpretation. As far as I am concerned, what is clear is that there is a date by which he has to audit, and after being audited it has to be gazetted. I would have thought that if he has not produced the accounts for those years, he is hardly in a position to criticise whether it is gazetted or not, given that the audited accounts of the Government are much more relevant to everybody than the gazetting of the accounts. The position of the Government is that we will gazette the accounts when he produces the audited government accounts. For the same year that he does it, we will do it.

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2390 **Hon. R M Clinton:** Madam Speaker, does the Minister not accept that there is a legal provision to gazette? He is in possession of the audited accounts. What possible rational reason can the Government have for not gazetting them? Why should the publication of the full accounts of the Government in any way impede the publication of the accounts of what is, in effect, a special fund of the Government? Can the Minister answer that?

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**Hon. Sir J J Bossano:** Madam Speaker, the date for publication is not stated in the legislation; it says it has to be published. The only date is the date by which they have to be audited. Therefore, there is a legal obligation on the auditor to audit by a date, and then, after the day it is audited, it is gazetted. The policy decision of the Government is that when he produces the account for the audited government accounts, we will gazette the year, the same year that he does.

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It is a decision that he does not have to agree with, and he can agree with the views of the Auditor, but we do not agree with the views of the Auditor and that is our position.

2405 **Hon. R M Clinton:** Madam Speaker, the Minister may not answer this question, but does he not see any benefit to the Savings Bank – which he obviously holds very close to his heart, I know that – to publish the accounts, if not gazetted, also on the website of the Savings Bank? What can be the possible reason for withholding these accounts from the public?

2410 **Hon. Sir J J Bossano:** Madam Speaker, if we had the same view as the hon. Member, it would have happened and the question would not have been put. The answer is we do not agree with him.

2415 **Hon. Dr K Azopardi:** I think we are trying to understand why. The hon. Member says he does not agree with the view that it should be done in that way. We are just trying to understand. He says as a matter of policy that is not what they are going to do. Can he explain why?

**Hon. Sir J J Bossano:** Why we take decisions and why we do not take decisions I do not think is a matter that we have to explain to the Members opposite. As far as I am concerned, the most important information that has to be audited is the accounts for the year. The person who is

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responsible for producing the accounts of the year is concerned that we do not gazette something that is a very small proportion of relevance, even though the information, other than his comments, is already available because I produce information on the Savings Bank every month in answer to questions. The position that we have taken and I am taking is that I will give the instructions to gazette when we have the accounts produced, audited, from the auditor. That is the position we have taken. I am not going to give any more explanation than that. That is our position.

**Hon. Dr K Azopardi:** But is that position simply a mechanical one, or is there a rationale behind it and it is just the rationale he does not want to share with us?

**Hon. Sir J J Bossano:** Madam Speaker, the hon. Members are entitled to information. They have got the information. This is a decision that has been taken, and that is the decision that will be implemented and is being implemented. We had two years when we produced the gazetted accounts of the Savings Bank well before the accounts of the Government had been audited, which has only happened this year. From now on, the moment the accounts for the Government are produced, we will gazette the Savings Bank.

**Hon. R M Clinton:** Madam Speaker, this will be my last question on the subject. Does the Minister not appreciate that the Savings Bank is effectively held in a special fund, and therefore he is de facto – I use the word as a layman – acting as trustee for that money which is held in the special fund?

He is very fond of quoting the deposit levels of the Savings Bank, but of course, without the audited accounts, how is the general public going to assess what he is saying in terms of the numbers? I would suggest he revisit his policy and gazette and publish these accounts. The public of Gibraltar deserve that, at the very minimum. If they are entrusting their savings to the Savings Bank, at the very least the Minister could return the courtesy by providing them with the audited accounts. Will he not consider that?

**Hon. Sir J J Bossano:** Madam Speaker, the position of the Government is as I have stated. I have nothing further to add.

**Madam Speaker:** All right. I think that is the end of questions.

## Questions for Written Answer

**Clerk:** Answers to Written Questions.

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I have the honour to table the answers to Written Questions W1/2024 to W6/2024 inclusive.

## Order of the Day

### Standing Order 19 suspended to proceed with government motion

**Clerk:** (ix) The Order of the Day. Government motion. The Hon. the Chief Minister.

2460 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I have the honour to move the motion standing in my name, which reads as follows:

*I hereby give notice of motion, under Standing Order No. 59, to proceed with the suspension of Standing Order No. 19, in order to proceed with a government motion.*

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

### GOVERNMENT MOTION

#### Public Services Ombudsman – Ms Wendy Cumming appointed

**Clerk:** The Hon. the Chief Minister.

2465 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I have the honour to move the motion standing in my name, which reads as follows:

*This House:*

*RESOLVES TO HEREBY APPOINT Ms Wendy Cumming to be Public Services Ombudsman for Gibraltar under section 3(2) of the Public Services Ombudsman Act 1998, for all the purposes of that Act for a period of three years.*

2470 Madam Speaker, yesterday afternoon I had cause to speak to Ron Coram to thank him for the work that he has done as Public Service Ombudsman between the period of 1st May 2021 and 2024 when his tenure will come to an end. Ron had indicated to me that he was ready to stand down. He has done sterling work, as have all our previous ombudsmen, and he is in the process of completing certain surveys which will enable the Government to assess how e-government is working, in particular in relation to our elderly citizens. I thank him and the team that has supported him for the work that he has done in his tenure. I believe there is one outstanding report that he will soon finish and will be put before the House.

2475 After I spoke to Ron Coram, I spoke to the Leader of the Opposition. Although the Public Services Ombudsman Act 1998 does not require me to consult him on who is appointed as Ombudsman because the appointment is made by resolution of the House, I shared with him that the Government's view, which had been supported by the whole Cabinet on Monday morning, was that Wendy Cumming, who has until recently been, or will be until 1st May, the leader of the Gibraltar General and Clerical Association (GGCA) union, should be appointed as Public Services Ombudsman. I am happy to say that he was positive in the response that he gave me. Thereafter, I signed the Gibraltar Gazette Legal Notice No. 5/2024 making the appointment, which the law requires should be approved by resolution of this House within 30 days of the notice being made.

2485 Wendy Cumming has been in the government service for some time. She started her service as an investigating officer in the office of the Ombudsman in 2001. Thereafter, she became Crown

Counsel with some additional work that she did elsewhere in the private sector. She became Crown Counsel in 2005, until 2015, and in 2015 she became the president of the GGCA. She therefore knows the inner workings of the Civil Service, both as a civil servant and indeed as the leader of the union of civil servants. For that reason, given in particular that she has been an investigating officer in the office of the Ombudsman, the Cabinet considered, and I hope the whole House will agree, that she will have all of the qualities necessary to be an excellent Ombudsman for Gibraltar, to discharge the functions that that office requires, to hold the respect of the community in an office that needs to enjoy the support not just of this Parliament on its passing of a resolution today but also of the whole community, who will bring problems with the administration to her attention and to those of her investigating officers and supporting staff who will enable us to learn where the administration is getting its interaction with the public wrong – and where we are getting it right, too – and how we need to fix that.

And so, Madam Speaker, on behalf of the Government, I move the motion which is standing in my name to enable the whole House – I hope, unanimously – to appoint Wendy Marie Cumming as Gibraltar's next Ombudsman. I do hope that all of the qualities that I have set out in the course of my short speech will benefit the whole of Gibraltar whenever any of our citizens require her assistance or the assistance of her office. The initial appointment is for a period of three years. Given that Ms Cumming is a relatively young individual, we hope to see her in post long after that initial period of three years has expired.

I commend the proposed appointment to the House.

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

**Hon. Dr K Azopardi:** Madam Speaker, in speaking on this motion, may I start my remarks by thanking Ron Corum for his service – since 1st May 2021, in practice – over the last three years as Ombudsman? Ron has had a long career as a public servant in different fields. We welcomed his appointment when he first became Ombudsman. Being Ombudsman is not an easy task, especially when dealing with so many issues of concern that people have in dealing with government departments. Ron, who has had years of experience, has undertaken his task energetically and efficiently, and so we thank him from this side of the House for all his service to Gibraltar as Ombudsman.

Before I turn to Ms Cumming, the Chief Minister did call me, as he said, the other day, just before the motion was published. He stressed at the time that it was not consultation, it was information, because of course consultation is not something that is required as a matter of process. I do reflect that it is something that we might want to change and that perhaps consultation of the Government with the Opposition is something, going forward, that can be reflected in the legislation but is not for now; it is just a thought I have on this issue.

Ms Cumming is a civil servant with a long career also in the Civil Service, although she is relatively young. I say 'relatively young' ... my learned colleague ... I hope that was not a laugh at the age issue. *(Interjection)* I think she is relatively young, and yes, indeed, everything is relative in life. Perhaps the Chief Minister wants to confirm, given that she is a civil servant, her status on appointment and going forward. He might want to do that. He has already said she is a three-year appointee. She has had a distinguished service, not just as a civil servant but at the head of the Civil Service union. In that role she has been an advocate for her members, and, at times, fearlessly so, taking on the Government, which, of course, is an important role that she would now have as Ombudsman. As Ombudsman, the number of her members has enlarged by thousands. Instead of having a few hundred members, she now will have thirty five or forty thousand members who will, maybe, knock on her door with different concerns about government departments. If she applies the same skill that she has done in defending her members, I am sure she will fulfil her task as Ombudsman in a very good way. We will support the motion and vote in favour of her appointment as Ombudsman.

**Madam Speaker:** Does any other hon. Member wish to speak?

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**Hon. D J Bossino:** I would like to endorse everything that the Leader of the Opposition has just said, Madam Speaker, and indeed the Chief Minister as the mover of the motion.

I rise, in particular, for two reasons. One is that I have known Wendy Cumming for a very long time and I have the greatest of respect for her and am glad that the Opposition will be supporting her appointment through the favourable vote of this motion. The Chief Minister says that she brings all the qualities necessary for the job, and we entirely agree with that statement and endorse it. I think she has the quality as an individual, the intellect, and she will bring the independence of mind and approach which my hon. and learned Friend has referred to. She also has the passion and will bring vigour to the job, which I think is very important in discharging what will become her statutory responsibilities. I would add that, certainly as far as her role in discharging the chairmanship of the GGCA union is concerned, I think she will also bring a reasonableness in her approach. She can always see the other side and she will come to a reasonable position on things.

The second point that I would raise and invite the mover of the motion to comment on is the point in respect of which there may be less of an agreement. If the Hon. Chief Minister recalls when he brought the motion in respect of the appointment of – I think it was at the same session – Ron Corum as the Ombudsman at the time, the then Minister for Financial Services, Minister Isola, said that the person who discharges the Ombudsman role would also be discharging the role of Financial Services Ombudsman. As I understand it, the legislative position and architecture in relation to that has not yet been commenced, but I would invite the Hon. the Chief Minister to state whether it remains government policy for that to be the case: in other words, when that legislation comes into being and into force, whether it is expected that Ms Cumming will be discharging those obligations as well.

Thank you.

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**Madam Speaker:** Would any other hon. Member like to speak? In that case, I will call on the mover to reply.

**Hon. Chief Minister:** Thank you very much, Madam Speaker, and I thank hon. Members opposite for indicating that they will support this motion, as they supported the motion for the appointment of the previous Ombudsman.

May I start by saying that I do not think that age is relevant, simply that age is, in this context, something which relates to the current employment of the individual, and for that reason, in answering the point from the Leader of the Opposition, she will no longer be a civil servant. She will forgo her status as a civil servant in order to be able to be independent and to take the post of Ombudsman. As the Hon. the Leader of the Opposition says, she will have to investigate civil servants, and therefore it would not be possible for her to continue to hold the post of civil servant. In fact, I think that Ms Cumming is younger than both of us, and therefore is potentially able to have quite a long run in this job, which I think is only a good thing.

I tend to agree with the hon. Gentleman in respect of the issue of consultation. That is why I rang him, although I did not have to, because I thought it was important that a post like this should enjoy the benefit of a de facto consultation, although, as the hon. Gentleman knows, a consultation does not require agreement, and after a consultation the person who is required to consult may take the view that despite protestations from the other individual, he is going to continue with the proposed appointment, or indeed might take the view that if there are protestations from the other individual and they include considerations that had not been brought to his or her attention at the time, he wants to change the position. I tend to agree that the practice I have followed, which was not followed by them when they were in government, is the practice that is commendable and should be reflected in statute, not just in the practice of a GSLP

2590 Liberal Chief Minister but in the practice of all future Chief Ministers, even if, perish the thought, one of them were ever to be from the GSD.

I do agree with the hon. Gentleman that Ms Cumming has been a staunch defender of the interests of her members as a union leader. I have not yet met a union leader – whether as Leader of the Opposition or as Chief Minister – as a Member of this House, who has not been staunch in the defence of the members they represent, although, of course, happily, in the context of the Government since 2011, none of them need to be fearless, as there is nothing to fear in discharging your functions as a union leader. Those days are gone. The Chief Minister who used to say that he wished to be feared and not loved – which came from that stable, not this one – is no longer someone with whom one has to concern oneself when representing the interests of one's members.

2600 The Hon. Mr Bossino gets up to talk about the fact that he likes Wendy Cumming, he respects her and all the rest of it. Well, in the context of a motion like this, if all of us who like Wendy Cumming were to get up to say that we like Wendy Cumming, we would be here until tomorrow, but I am very pleased that given that she is going to enjoy the unanimous support of the House on the motion, people either like her or respect her – which is the more important thing – in sufficient measure that she is going to get the appointment with the unanimous support of the House, which I think is what matters.

2610 Frankly, Madam Speaker, this motion, which is about the appointment of an individual to the role of Ombudsman, I do not think is the time to be debating the scope of the Ombudsman's powers. We have a law that relates to the Ombudsman. That is the law which this Ombudsman we are seeking to appoint will discharge the functions of. Any other debates can be had on a motion, if hon. Members want to put it, or raised in questions – although questions should not be a pretext for a debate.

2615 Hoping that I have dealt with all of the issues that all hon. Members have raised in the context of their speeches, I am delighted to hear that this motion will enjoy the unanimous support of all Members of the House, and I once again commend the motion to the House.

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

### Adjournment

2620 **Chief Minister (Hon. F R Picardo):** Madam Speaker, having heard the hon. Gentleman call me sour from a sedentary position, (*Interjection*) I must, once again, assert just how sweet I am and move that the House should adjourn *sine die*.

2625 **Madam Speaker:** I now propose the question, which is that this House should adjourn *sine die*. I now put the question, which is that this House should adjourn *sine die*. Those in favour? (**Members:** Aye.) Those against? Passed.  
This House will now adjourn *sine die*.

*The House adjourned at 6.55 p.m.*